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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—Thursday, July 27, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GAETZ).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 27, 2017.

I hereby appoint the Honorable MATT GAETZ to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

THE PLIGHT OF THE OROMO PEOPLE OF ETHIOPIA

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

Mr. SHIMKUS. Mr. Speaker, I rise today to address the plight of the Oromo people of Ethiopia. The Oromo are Ethiopia's largest ethnic group, with a population of more than 25 million, or 35 percent of Ethiopia's total population.

I speak here on behalf of one of my constituents, Ms. Seenaa Jimjimo, who is of Oromo descent. Ms. Jimjimo is the president of the Coalition for Oromo Human Rights and Democracy. The coalition is dedicated to bringing the suffering of the Oromo people and other

Ethiopians to the attention of Americans and the world.

She impressed me with her passion for defending the rights of her people, and that is why I bring this issue to the floor. Human rights in Ethiopia have been subject to deteriorating conditions for over a decade, with a sharp decline since 2014, making an already difficult situation even worse.

The Ethiopian Government has adopted laws restricting freedom of expression, association, and assembly, including rights enshrined in the Universal Declaration of Human Rights and in the Ethiopian constitution. These violations have been widely decried by numerous international bodies and nongovernmental organizations. Our own State Department has said the following about Ethiopia: "The most significant human rights problems included harassment and intimidation of opposition members and supporters and journalists; alleged torture, beating, abuse, mistreatment of detainees by security forces and politically motivated trials."

Free expression is curtailed by laws permitting the government to punish speech it disagrees with up to 5 years in prison.

In just 2016, security forces killed at least 1,000 and held more than 28,000 newly arrested persons in detention centers.

In the midst of the difficult situation for all Ethiopians, the situation for the Oromo people is particularly dire. The Ethiopian Government released the Addis Ababa Master Plan, which sought to expand the capital into the Oromia region. The plan would displace millions of farmers, carve Oromia into two regions, changing the livelihood of 36 Oromia towns and 17 districts by hurting the livelihoods and lives of the Oromo without consulting the Oromo.

The Oromo protests erupted in November 2015 in response. The Ethiopian Government admitted the use of excessive force. A Human Rights Watch report described interviews of hundreds of people who survived gruesome and inhumane acts by security forces. Even so, no one has been brought to justice.

According to the State Department report, the government also recently won what appears to have been a rigged election. The deaths of thousands of Oromos and other Ethiopians cannot bring a lasting solution to the country's mounting problems, yet the Ethiopian Government continues to receive money for its role in the Somalia and Sudan peacekeeping missions.

We must ask how long the United States should keep financing a regime that has received \$30 billion in foreign assistance since it came into power in 1991, and reportedly has stolen virtually all of it.

In honor of thousands of Oromo people who have been savagely murdered, injured, arrested, and have been victims of enforced disappearance, I now join my colleagues in cosponsoring House Resolution 128, which calls for supporting respect for human rights and encouraging inclusive governance in Ethiopia. This resolution sends a clear and strong message to the Ethiopian movement and government by letting them know that we keep a vigilant eye on the suffering that some minorities have been going through in recent years and the offenses that caused these sufferings.

Many Ethiopians who dare to speak up against the current government are being treated badly all across Ethiopia. Oromos are being singled out.

Consider the case of Bekele Gerba. He was arrested upon his return from the United States, where he spoke to several Members of Congress. Now he stands charged with terrorism, although after a year and a half, the government has been unable to produce a single document to back up their accusation.

Even as the Ethiopian Government has admitted to arresting 28,000 people, there is reason to believe the number is closer to 80,000.

We must condemn violence against peaceful protestors, unlawful arrests, inhumane treatment, and the withholding of key human rights.

The Government of Ethiopia has an obligation to care for all its people, including the Oromo. As the United

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

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

States, we should stand with the people of Ethiopia and help the Ethiopian Government return to the path of peace and democracy.

MAX PAGE SAYS CHILDREN'S HEALTHCARE NEEDS A BIPARTISAN SOLUTION

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

Mr. RUIZ. Mr. Speaker, with all the political rhetoric, the finger-pointing, and the many versions of TrumpCare, hyperpartisan politicians often forget what this debate is all about.

It is about people, about relieving a person's pain and suffering, about giving a person a chance to live a healthy and happy life. It is about Max Page. Maybe you will remember him. Max was the mini Darth Vader from a Super Bowl commercial in 2011 who captured our hearts.

Max was born with tetralogy of Fallot, a rare and deadly congenital heart defect. Throughout his 12 years, Max has had more than 10 heart surgeries under the loving care at Children's Hospital Los Angeles. He lives every day with a pacemaker and an artificial pulmonary valve. Open heart surgeries are complex and very serious surgeries. They are tough on patients, with often a long recovery, and grueling for the family.

Max stopped by my office a few days ago to talk about his experience, and he told me: "I am going to have my condition all my life. I am going to have surgery as a constant commotion on my life. I just want to be covered. I don't want to have to worry about insurance and how I am going to pay these bills. I just want to focus on keeping myself healthy and not having to sacrifice everything for a surgery."

Max wants to play baseball. He loves Harry Potter, and he dreams of being an actor. Earlier this year, Max was in the hospital for treatments for an entire month. His mom, Jennifer, described how they were feeling bummed one day after such a long and arduous hospital stay. They decided to take a walk, and on their walk they met a boy Max's age named Will. Will is still in the hospital today. He has been there 9 months waiting desperately for a heart transplant.

Max told me how Will has spent every holiday and even his birthday in the hospital this year. Max wanted to do something for Will, so they had these bracelets made. He named them "Will Power." They have Max's favorite verse on them. Max and Will connected. They developed a bond bound by compassion. Their hope for a normal life gave them strength and friendship, and Max promised Will he would bring the bracelets to Congress when they came.

Philippians 4:13: "I can do all things through Christ who strengthens me."

Max and Will, that is my favorite verse, too.

Max is fighting to protect other kids like him and Will, people with a pre-existing illness, from losing coverage and having to pay more from facing a lifetime path on coverage.

He came to tell the stories of so many other children he knows from his many hospital visits. His message is simple: "Children's healthcare needs a bipartisan solution."

Max and Will and all the friends they have made in the hospital aren't rooting for Democrats or Republicans. They are fighting for their life and rooting for each other. They are children who want to get healthy, who want to stay healthy and care for one another.

We can all learn from Max's and Will's selfless courage to help others. Stop the hyperpartisan fight to score political points and start fostering a bond through compassion.

Let's find a way to protect healthcare for Max and Will. In the midst of this healthcare fight, we should take a moment to pause and remember that goal. Let's be like Max and think of others as we come together to find a bipartisan solution to address what isn't working, and remember Max's message: Children's healthcare, all healthcare, must and should be a bipartisan issue.

A TRIBUTE IN MEMORY OF PAMELA TODD MAY

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

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the memory of a dear friend and advocate for eastern Kentuckians, Pamela Todd May.

Although her life tragically ended too soon, she lived with endless compassion for those in need, and abounding devotion to our region, the Pikeville Medical Center, the University of Kentucky, her husband, Walter May, her children, and all her family and friends.

Pam May lived with consummate elegance, always joyous in service, and loyal in deed. She faithfully dedicated more than three decades of service to the Pikeville Medical Center as a steadfast advocate for expanded access to quality healthcare in Kentucky's rural Appalachian region.

As founder of one of the most respected law firms in Kentucky, Pam was as trustworthy defender for the people of eastern Kentucky and a voice for those who otherwise may not be heard.

One of the most recent examples of her endless and selfless service was her prompt action to help hundreds of individuals obtain medical records for Social Security hearings and honorable

representation in the wake of emergency redetermination hearings by the Social Security Administration. She partnered with local attorneys and orchestrated hope for hundreds of families desperate for assistance while navigating through Federal hearings. Pam was a thoughtful leader you could rely on to stay steps ahead of everyone else.

My wife, Cynthia, and I mourn the loss of our treasured friend, yet we rejoice in the legacy of justice and compassion that she leaves behind.

Those of us who were blessed to know Pam must carry on her banner of hope and love for the people of our region. Mr. Speaker, eastern Kentucky is a better place because Pam May lived. If we could replicate her passion and drive, our future would undoubtedly be much brighter in the hills of Appalachia.

Mr. Speaker, Cynthia and I extend our deepest heartfelt condolences to our friend and confidant, Walter May, as well as Pam's mother, children, and extended family and friends who were honored to know and love her.

THE GOP'S FAILURE TO GOVERN

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

Mr. HOYER. Mr. Speaker, it is now 7 months since the start of the 115th Congress, and 6 months since Republicans have controlled all the levers of power of our government, and all we have seen are broken promises.

Donald Trump and our Republican colleagues in Congress ran on a platform that included healthcare for everyone, massive investments in infrastructure, tax reform, and a dramatic increase in jobs.

On all four of these, there has been zero progress, zero legislation sent to the President, and zero effort to work with Democrats to achieve any of those objectives.

Donald Trump promised voters that he would be "the greatest job President that God ever created."

□ 1015

Yet neither he nor the Republican congressional leadership have put forward a comprehensive jobs bill. Instead, he and his Republican allies in the Congress have proposed budgets that would slash investments in education, infrastructure, and research, all areas that directly help our economy create jobs.

In fact, jobs that the President claimed to have saved are going overseas. Forecasters are now predicting slower economic growth, and manufacturing average weekly earnings have only grown half as fast as earnings across the private sector as a whole over the past 6 months.

When it comes to healthcare, it hasn't just been the broken promise of

insurance for everyone. It has been a nonstop roller coaster of legislative proposals, all of which would strip coverage away from tens of millions of Americans, raise costs, and deny coverage for those with preexisting conditions.

On tax reform, all we have seen is a one-page outline and a budget proposal with reconciliation instructions setting up a process for jamming a partisan tax reform bill through Congress. That is a nonstarter, because to be successful any tax reform legislation must be bipartisan, as was the 1986 tax reform under President Reagan and Speaker O'Neill.

To top it all off, we considered and are considering this week an appropriations minibus without even having had a budget on this floor some 88 days after it was due. The Republicans promised regular order. In fact, they are pursuing no order. Republicans haven't even bothered to pass a budget, which is what we are supposed to do in the House before moving to appropriations.

So, Mr. Speaker, at the 6-month mark, we have only seen gridlock, no progress, chaos, and broken promises. Even some Republican Members—and perhaps many Republican Members—are growing as frustrated as the American people their party has failed.

Representative STEVE WOMACK from Arkansas said late last month that: "We'd better get our act together. We're not governing right now. We are stuck."

And Representative TOM REED of New York said: "The fact that we are not getting to these issues—healthcare, budget, tax reform—is frustrating. We came here to move the needle."

So what I am saying has been said by my Republican colleagues as well. Perhaps Representative TOM MASSIE put it most succinctly when he tweeted about his Republican colleagues: "They confuse activity with progress."

Republicans, Mr. Speaker, have failed to address the challenges facing the American people, and they have done nothing to improve the lives of those working hard to make it in America.

We should be considering legislation to create jobs and grow the economy. We should be working to improve and strengthen the Affordable Care Act, not replace it. That would be consistent with some three-quarters of Americans who believe that is what we ought to be doing. We should be working in a bipartisan way to reform our Tax Code and promote competitiveness for our American businesses that are competing in world markets.

Growth, job creation, as well as fiscal sustainability, that is what we should be seeking in a tax bill. We should be investing in infrastructure that lures jobs back home from overseas. And, Mr. Speaker, we should be returning to

regular order and an open process that Republicans have abandoned to the detriment of legislation and to our country. There have been more closed rules in this 7 months than have occurred in my 36 years in the Congress of the United States.

Mr. Speaker, the American people need a better deal, a better deal than they have gotten over the last 7 months. Seven months into this Congress, it is clear that House Republicans are not on the side of working people. In the words of New York Times columnist David Brooks, one of the most conservative columnists at The New York Times, last week he said this: "Republicans offer nothing but negativity, detachment, absence, and an ax."

Democrats, on the other hand, are offering the American people, as I said, a better deal, one focused on helping all of our people—Make It In America—better jobs, better wages, and, yes, a better future. It is what Democrats have always done when Democrats have been entrusted to lead. There is a history, a track record to back it up.

Mr. Speaker, I want to show my colleagues that rhetoric is cheap—or talk is cheap, as we say—but performance is really what we ought to look to. I want to bring some charts here to the attention of our colleagues—and, indeed, to the American people as well—to what Democrats have always done.

This chart, number one, shows that Democrats perform better on economic growth. Now, that is easy to say, but this graph shows exactly from Truman to Obama, the blue. You can see under Eisenhower, economic growth was about a third, or maybe 40 percent. Kennedy-Johnson and Johnson much greater than Nixon and Nixon-Ford. Carter, greater than either Nixon or Nixon-Ford. And Carter, to the surprise of many, had just about the same GDP growth as Reagan, of which my Republican friends proudly talk. And then what happened under Bush I? Down. Then what happened under Clinton? Up, GDP growth. Under Bush II, down; under Obama, up.

That is not campaign rhetoric. Those are the statistics that show that the economy has performed better under Democrats.

Now, Democrats perform better on the stock market, the stock market whom, Mr. Trump, likes to point to today. It is doing well. Why? Because the Obama economy, as you just saw, was doing well and the expectations were good.

If you look at this chart, things were better on the stock market under the Democrats. Truman, greater growth in the stock market, Eisenhower less. Kennedy-Johnson, Johnson up; Nixon down. Nixon-Ford—Nixon-Ford had negative growth in the stock market, and then Carter, growth. And, yes, Reagan and Bush I had growth, but

guess what. Then Clinton had better growth. And then guess what. Bush II, again, like Nixon-Ford, negative growth in the stock market.

What did that mean? That meant 401(k)s were worth less for retired people, and their security was less secure because the stock market went in the tank. And then what happened under Obama? The stock market went up.

Now, lastly, I wanted to show this statistic. And this is a stark statistic because it shows that, under Democratic Presidents, every segment, every wage level in America saw appreciation. Now, this only goes back to 1967.

So if we go to the lowest quintile, it went up higher under Democrats than Republicans in every quintile. And guess what. The highest quintile did better under Democrats, just as the lower quintile did better. But what you see is everybody did better. The only negative, of course, was under Republicans, where the second quintile went down over their years in office.

So if you compare all of these, Mr. Speaker, it is not campaign rhetoric. It is not rhetoric on this floor, but it is economic facts, economic statistics. Economic reports show that, when we promised a better deal, we delivered a better deal.

So as we look back on the past 6 months of Republicans' broken promises and failures to govern, let's remember there is, indeed, a better deal to be had. Democrats are ready to work with our Republican colleagues and with the administration to make progress.

Mr. Speaker, I have been here 36 years, and one of the things I am proudest of, my Republican colleagues, many of them say: "HOYER will work with us in a way to compromise and make progress for our country." But if our Republican colleagues continue to be unwilling to work in a bipartisan way, we are going to offer a clear and proven alternative—a proven alternative.

I hope my Republican colleagues will return from the August district work period ready to ensure that the American people get a better deal and work with us constructively to get them that better deal.

RECOGNIZING THE IMPORTANCE OF THE AMERICAN FARMER

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

Mr. FITZPATRICK. Mr. Speaker, with the fall season fast approaching, Bucks County's robust agricultural community is in full swing with the impending harvests, summer fairs, community projects, and recognition of the important work of the American farm family.

In a few weeks, Bucks County will celebrate their 69th annual Middletown

Grange Fair. From Wednesday, August 16, through Sunday, August 20, attendees from across our community will have the amazing opportunity to come together to enjoy live entertainment, timeless carnival rides, tons of local food, animal demonstrations, and 4-H projects on display.

Crowds will gather to see the antique equipment competition and exhibits in hundreds of categories ranging from a variety of vegetables, tomatoes, fresh flowers, and livestock to handcrafted quilts, jewelry, and woodwork.

Mr. Speaker, as an annual attendee, I have seen firsthand how the Grange Fair brings our community together to enjoy the refreshing success of our local agricultural community. It is an event that helps people gain a better appreciation of the importance of agriculture and how the agricultural industry sustains our local economy—not to mention all of the jobs that it creates.

We love our farmers in Bucks County. They have contributed so much to our community. They are an indispensable part of Bucks County's past, and they will remain an indispensable part of Bucks County's future.

INVEST IN THE NATION'S INFRASTRUCTURE

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

Mr. COSTA. Mr. Speaker, I rise today to bring attention to our Nation's infrastructure. I am talking about our roads, our bridges, our rail corridors, our waterways and dams, the investments that over two centuries have made America great, the greatest economy in the world.

We have a long history of investing in the infrastructure in America, starting with the canal and rail systems in the 19th century, the highways and air transportation systems in the 20th century. However, over the last 25 years, we have lived off the infrastructure investments our parents and grandparents made in the previous generations.

Why? Because there has been a lack of political will here in Washington, D.C., to make new investments. But Congress, working with the President, must face this challenge head-on.

I believe there is bipartisan support for infrastructure investment, having been part of a bipartisan conversation this year with Members of Congress and with the administration. There is an attempt to offer a proposal to make major investments in our Nation's infrastructure.

We are talking about four different areas. First, there needs to be an incentive component. I strongly support incentivizing States and local governments to provide their own funding for these efforts. We know infrastructure projects move forward most effectively

when local, State, and the Federal Government all do their part.

In the San Joaquin Valley in my district, Merced, Madera, and Fresno Counties have all increased their local sales tax to pay for critical transportation projects. Earlier this year, California enacted a bill to increase State gas tax and vehicle fees to provide over \$52 billion over the next 10 years in California for much-needed transportation projects. And while more needs to be done in California, we know that, if we provide incentives across the country, States ought to come up and do their part as well.

The second focus of the administration's action is to support projects in rural areas. On Wednesday last week, the Agriculture Committee held a hearing in which we discussed strategic infrastructure investments in rural areas with a goal of increasing opportunities. The importance of investing in our rural areas cannot be overstated. Too often, rural America gets left behind in the infrastructure and development conversation. I know because I represent a large part of rural America in the San Joaquin Valley in California.

The third focus is transformative projects, projects that make creative and dramatic changes. I have always supported and will continue to support these projects, such as high-speed rail in California, California WaterFix.

□ 1030

Water is so critical to the West, especially in the San Joaquin Valley. Water provides the food that we have on America's dinner table every night. It is a national security issue.

These projects support deeper, systemic change, and they can have a large-scale and lasting impact on the future development of our Nation. They are investments in our future, like those our parents and grandparents made in the past.

Lastly, the administration talks about a loan program. These can be helpful.

Overall, I support these four components. But first we must not pick winners and losers when improving our Nation's infrastructure. This is, of course, very challenging. We need to have a policy that must rank priorities and decide how much we spend and where we spend.

We also must establish criteria to ensure infrastructure decisions promote fair distribution and cost effectiveness, doing the most good in critical areas.

Second, while I support public-private partnerships, they should not provide subsidies to projects that the private sector would already finance themselves.

Sound infrastructure is literally and figuratively the foundation of our Nation's economy. It is what has made America the greatest economy in the

world. Countries around the world are making investments in their infrastructure while the United States sits on the sidelines engaging in a political debate that does not reflect the reality of the policy choice we have and the decisions we must make.

Mr. Speaker, we must come together as Democrats and Republicans to address these serious problems of our Nation's infrastructure, and as Americans in a bipartisan way because no transportation system, no water infrastructure system, no improvement in our energy grid, and all the other elements of our infrastructure are Democratic or Republican. They are the basis of an investment in America, and that is what we should be doing as Members of Congress with this administration.

So let's act as legislators. Let's act and show that we can work together in a bipartisan fashion. Let's show some profiles in courage.

THE BILL IMPORTANT TO ALL AMERICANS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as we prepare the next farm bill, I rise today to speak about the impact that agriculture has on the Commonwealth of Pennsylvania, our farmers, our economy, and our communities.

Agriculture is the number one industry in the Commonwealth of Pennsylvania. We proudly boast 58,200 farms, totaling more than 7.7 million acres of farmland. These farms contribute to a total economic impact of \$45 billion from production, food processing, marketing, transportation, and manufacturing.

Mr. Speaker, the farm bill affects everyone in Pennsylvania in various ways, just as it does families throughout the United States of America.

It provides a safety net for farmers and ranchers during difficult times. It supports infrastructure and economic development in rural communities. It incentivizes good conservation practices to protect our farmland and our environment. It helps provide access to nutritious, quality food for the least fortunate among us, as well as breakfasts and lunches for our schoolchildren.

The farm bill's effects can be felt beyond the ag industry. In 2015, the USDA rated the market value of all agricultural production in Pennsylvania at \$8.7 billion, and agricultural exports contributed \$2 billion to the State economy.

The strengthening impact that agriculture has on the Pennsylvania economy is significant and undeniable, yet it is only one example of agriculture's vast influence on the lives of everyone

in the Commonwealth. Agriculture employs our residents, provides better health for our communities, and promotes agricultural exports.

Agriculture touches the lives of millions of Americans, and not just those who work as farmers or ranchers.

Pennsylvania's farmers look to the farm bill to protect their livelihood from weather disasters, to provide them a safety net when times are hard, and to ensure their ability to support their families and their communities.

Over 6 years, the USDA has invested more than \$1.4 billion in Pennsylvania for programs that promote new markets for farm and ranch products. These programs provide revenue and price loss payments to eligible producers.

This legislation ensures that eligible acres are afforded disaster assistance in light of natural disasters and droughts, providing our farmers with a safeguard against the unpredictable elements of weather.

Beyond supporting our farmers, the farm bill fortifies Pennsylvania's infrastructure. The bill provides funding for the expansion of telecommunications, the improvement of water and wastewater infrastructure, and the construction of community facilities like fire stations, hospitals, and libraries.

It promotes growth in the community, the health of our children, and the well-being of Pennsylvania families. In 2016, more than 65 million breakfasts were served to more than 386,000 children in the School Breakfast Program. Last year, the State served more than 173 million lunches to 1 million students who participate in the program.

Programs such as WIC, the Women, Infants, and Children program; and SNAP, the Supplemental Food and Nutrition Program, help people in need put food on their tables. The farm bill truly impacts the lives of so many.

Mr. Speaker, as vice chairman of the Agriculture Committee and chairman of the Nutrition Subcommittee, I look forward to producing a strong farm bill that will promote sound policies for agriculture in Pennsylvania and throughout the country.

REVIEWING PRESIDENT TRUMP'S FIRST 6 MONTHS IN OFFICE

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

Mr. POCAN. Mr. Speaker, we are now at the 6-month point in President Trump's time in office, and I think it is time we check in and do his review. President Trump has made a lot of campaign promises, and we should take a look at how he is living up to them.

First, creating jobs. Let's start with his claims that he would be the "greatest jobs producer that God ever created."

We haven't seen any major action on President Trump's jobs plan. His infrastructure week included no concrete details—pardon the pun—and his Made in America week meant nothing because his own products have long been made overseas.

Despite bragging that he was saving jobs at Carrier in Indiana, we have learned that Carrier is laying off 600 employees this month and sending those jobs to Mexico.

After the Trump administration lobbied hard for Ford to not move to Mexico, Ford announced it was moving the production of its Focus model to China instead. Not exactly a deal closer.

As for creating jobs, that is an F.

Draining the swamp. How about his promises to drain the swamp?

President Trump has stacked his administration with insiders, opened the floodgates to more lobbyists, and is loading his administration with so many Goldman Sachs employees that the CEO of Goldman Sachs called it an "inconvenience." Donald Trump hasn't drained the swamp. He has merely built a high-rise luxury condo on it. That will get him an F as well.

Accomplishments. President Trump has yet to sign any major legislative accomplishments into law. From repealing the Affordable Care Act to tax reform, to an infrastructure package, not one of his major initiatives has yet made it through Congress in over 6 months. Now, that may be good news for the working men and women of this country, but, still, as a grade, that gets him an F.

Tweeting. Now, we have seen a lot of action on Twitter from this President, from insulting women and threatening journalists to relitigating the election against Secretary Clinton and shouting "fake news." In fact, President Trump tweeted 991 times in his first 6 months in office with "fake news" being mentioned almost twice as much as the word "jobs."

While he scores high on the volume of tweets, he is low on the content of tweets, so we are going to give him an incomplete in this area.

Golfing. President Trump's second favorite activity after tweeting is golfing. According to CNN, in his first 6 months, President Trump spent 21 of his first 26 weekends in office at Trump properties and spent 40 days at Trump branded golf properties. So he is golfing for sure. Let's give him an A.

Covfefe. Now, that is not a word in the dictionary or that I know in the universe. I guess only Donald Trump knows what it really means, so I am guessing he would give himself an A because there isn't a grade higher until he invents one of those, too. But for the rest of us, that is not even incomplete. That is just incoherent.

Conflicts of interest. American taxpayers have been footing the bill for pricey trips to Trump branded prop-

erties and trips benefiting the Trump family business in Canada, Uruguay, Mar-a-Lago in Florida, New York, and many others places. President Trump's failure to separate himself from his conflicts of interest shows special interest groups around the world that influence can be sold to the highest bidder. I will give him an A because apparently he is excelling at selling out potential.

Job approval. President Trump has finished first in one area. We all know he likes to be a winner. With a 36 percent approval rating, President Trump is the first President to have that low of a 6-month approval rating of any President in polls dating back 70 years. So from the American people, apparently that is an F.

This has not been an impressive first 6 months, Mr. Speaker. If this were a reality show, I think we would be hearing the famous "you are fired, Mr. President." But outside of that 6 months, just this week, Mr. Speaker, Donald Trump embarrassed himself with inappropriate comments before the Boy Scouts and insulted transgender Americans serving in the military.

My only question, Mr. Speaker, is: When will the leadership on the other side of the aisle quit enabling him and start standing up for this country?

America is not a reality show.

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

IN MEMORY OF PFC JAMES T. STANFORD

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

Mr. ADERHOLT. Mr. Speaker, this morning, I would like to recognize Marine Private First Class James T. Stanford for his duty, his selfless service, and his sacrifice to our great Nation.

Stanford was a native of Gadsden, Alabama, and he lost his life back in 1954 after a devastating explosion on board the aircraft carrier USS *Bennington*. I am honored to recognize Private First Class Stanford this morning, who made the ultimate sacrifice in service to our great Nation.

Stanford attended Gadsden High School in Gadsden, Alabama, before enlisting in the United States Marine Corps on February 21, 1953. After completing basic training at Parris Island, South Carolina, he was assigned to the USS *Bennington* in June 1953.

On May 26, 1954, the USS *Bennington* was sailing off the coast of Rhode Island for aircraft carrier qualification when hydraulic fluid from a forward catapult caught fire. The resulting explosion caused massive damage to the forward portion of the ship. It resulted in over 200 casualties, including 103

sailors and marines who lost their lives that day.

On May 28, 1954, Private First Class James Stanford, at just 20 years old, succumbed to his critical burn wounds and passed away at Newport Naval Hospital in Rhode Island. By his side were his wife, the former Lou Moore; and his father, Mr. J.C. Stanford. James and his wife, Lou, had recently celebrated their first wedding anniversary.

Mr. Speaker, may the sacrifice of Private First Class James T. Stanford and the other 102 sailors and marines who lost their lives as a result of that explosion onboard the USS *Bennington* on May 26, 1954, never be forgotten, and may those individuals be remembered as they gave their all.

FUNDING A BORDER WALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. O'ROURKE) for 5 minutes.

Mr. O'ROURKE. Mr. Speaker, later this evening, perhaps early tomorrow morning, this body will be voting on a series of appropriations measures to fund our armed services and the VA. Tacked on to that, at the whim of the chairman of the Rules Committee, in what I can only describe as the most undemocratic, unrepresentative fashion, is a provision to fund a border wall between the United States and the country of Mexico to the tune of \$1.6 billion, a mere down payment on total construction costs which are estimated to be over \$20 billion.

I think it is important, Mr. Speaker, that we keep in mind some very basic facts; the first being that the border between the United States and Mexico has never been safer or more secure.

□ 1045

Last year and the year before, we saw record-low levels of northbound apprehensions from Mexico. If you look at where we were in the year 2000, you had 1.6 million apprehensions from Mexico. Last year, you had a little over 400,000.

Do you know who so many of those apprehensions were? They were kids, young families, scared and frightened, leaving the most horrific brutality that we can imagine from the Northern Triangle countries of Central America, literally fleeing for their lives to this country, which is comprised of immigrants, refugees, and asylum seekers, and is the very foundation of our success. Apparently, this is who we are trying to wall off and protect ourselves from with this \$1.6 billion boondoggle.

We now see, in the last 4 years, that more Mexican nationals are leaving the United States for Mexico than are coming north from that country into ours. We have twice the Border Patrol agents that we did in 2001: 20,000 Border Patrol agents. Today, you and I, the American taxpayer, are spending \$19.5 billion a year.

We are long past the point of diminishing returns with this very precious public resource. We are trying to solve, Mr. Speaker, a problem that we don't have.

Case in point: the city that I have the honor of serving and representing, El Paso, Texas, is regularly ranked the top, the second, or the third safest city, not just in Texas, but in the entire United States, using FBI crime statistics as crunched by CQ Press.

We are the safest community, yes, because we have excellent local and Federal law enforcement, including the Border Patrol. But we are also the safest city because of, and not in spite of, the fact that a quarter of the people who I represent were born in another country, most of them in Mexico. They are not, Mr. Speaker, the rapists and criminals that then-Candidate Trump would have us believe that they are.

So, if there is no rational, logical, fact-based case for a wall, why in the world would we be spending \$1.6 billion on this, instead of creating more jobs or ensuring that more Americans can see a doctor or that more kids can go to a great school with excellent public school teachers?

Here are some of the other consequences. There was excellent reporting in *The Texas Observer*, followed up by the *LA Times*, on the Santa Ana National Wildlife Refuge. It is about 10 miles southeast of McAllen, Texas. It is the last refuge for the ocelot, for 400 different species of birds, bobcats, and armadillos.

They are planning to build the wall right through that refuge. That belongs to you, me, our families, and our descendants. That is our heritage that we are about to wall off and destroy.

We are dividing communities; we are diminishing our relationship with Mexico, who should be our closest partner; and we are making our communities, including El Paso and other communities in Texas, less safe, as we militarize them and as people who live amongst us question whether they can go to local law enforcement to report a crime, serve as a witness, testify in a case, or help contribute to the safety of our communities.

Let me bring this fact to your attention, Mr. Speaker. On Sunday, in a Walmart parking lot in San Antonio, Texas, the bodies of nine dead immigrants were found in the back of a trailer. A tenth died later in the hospital.

Tuesday morning, in El Paso, three bodies, including those of children, were dredged out of the canal that joins us with Ciudad Juarez and Mexico.

Mr. Speaker, since 1998, 7,000 people—human beings—have died trying to cross into the United States. As we further militarize and wall up and make it harder for people to come as legitimate asylum seekers; refugees; folks who

want to work in our economy; people who want to join their families, be with their moms, dads, brothers, and sisters, their children, we ensure greater suffering and death.

Mr. Speaker, we do not need a wall. We need comprehensive immigration reform. We need to treat each other with dignity and respect. That ensures our safety, security, and success.

VETERANS HOUSING

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

Mr. GALLAGHER. Mr. Speaker, I rise today on behalf of veterans across the State of Wisconsin who have put themselves in harm's way to defend this Nation.

As citizens, we have a clear moral obligation to ensure that they are able to receive the quality care that they need, deserve, and earned. The Department of Veterans Affairs is predicated on this very idea.

Wisconsin Veterans Home at King, in my district, is a facility for homeless and at-risk veterans in northeast Wisconsin. Just last week, veterans housed there were notified the VA would no longer renew grants for housing programs, an action that will result in the closing of this facility by the end of the calendar year.

This unfortunate news has caused significant stress, uncertainty, and anxiety among the veterans community in northeast Wisconsin, and specifically among the veterans at King, who now face the possibility of homelessness.

We cannot let this happen. We would be abandoning our duty if we let this happen. That is why I was proud to co-author a letter with the Speaker of the House, PAUL RYAN, requesting answers from Secretary Shulkin on this vital matter.

While we await answers, we must continue to bring attention to the concerns of our veterans and remain committed to working together across the aisle to ensure that our veterans receive the housing and care they vitally need and care that they have earned.

GLOBAL WAR ON TERRORISM MEMORIAL

Mr. GALLAGHER. Mr. Speaker, I had the honor last week of welcoming a group of American heroes who journeyed from northeast Wisconsin to Washington, D.C., aboard the Old Glory Honor Flight.

Generations of veterans, representing every major conflict since World War II, visited the very monuments that honor their courage and commitment.

Just as these vets visited their respective memorials, so, too, should the brave men and women who have served and continue to serve in the ongoing war on terrorism in the wars in Iraq and Afghanistan, the war that I was

fighting 8 years ago. They, too, should have something to honor their sacrifice.

Under current law, a war must be over for at least 10 years before a memorial can be built in its honor. That is why Representative MOULTON and I have introduced legislation that would allow for a global war on terrorism memorial.

This war is unlike any preceding it. It has no end date. There will be no victory date, no V-J Day. Threats continue to rise, and so the longest ongoing conflict continues. After 15 years, and over 6,800 American lives lost, there is still no end in sight.

This memorial is for the brave men and women who have died fighting, who continue to fight, and are still joining the fight against terrorism. If we are going to continue passing the torch from one generation to the next, we need to build this memorial so that future generations never forget their duty to do the same and to pass that torch.

FARM TECHNOLOGY DAYS

Mr. GALLAGHER. Mr. Speaker, agriculture is a driving force behind our economy and a way of life in northeast Wisconsin, which is why I was honored that Farm Technology Days decided to hold their annual event in Kewaunee County at Ebert Dairy Enterprises, an impressive sixth-generation family farm in Algoma.

Farm Technology Days is the largest agricultural show in Wisconsin, and one of the largest in the Nation. The 3-day event showcases the latest improvements in production agriculture, recent research findings, and technological developments.

Mr. Speaker, 15,000 hamburgers and 11,000 bowls of ice cream later, the event was a huge success for our local ag economy. The first day alone saw an attendance of over 10,000 people.

Because of the hard work of the Ebert family and the nearly 2,000 volunteers who pitched in, northeast Wisconsin was able to demonstrate the powerful role we play in Wisconsin's agriculture industry.

AVERTING A CONSTITUTIONAL CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise today to defend the Constitution and avert a constitutional crisis.

I rise, Mr. Speaker, to defend democracy. I rise to protect the Republic. I rise to prevent a constitutional crisis that would be created, should any rogue President attempt to pardon himself.

Let me be clear, Mr. Speaker: I do not believe that a President can pardon himself. The ability to pardon is the ability to forgive. I do not believe that

a President can forgive himself for crimes committed. I do not believe that the Constitution allows a President to forgive himself for the most egregious crimes barred by our laws.

I do not believe that a President could pardon himself or forgive himself for the crime of treason. I do not believe that this country would allow such a thing to exist, and if a President attempted to do it, we would have a constitutional crisis.

So I rise today to prevent a constitutional crisis. I don't believe that the Constitution would allow it, but I want to prevent the crisis, should some rogue President attempt it.

So, Mr. Speaker, I have a simple amendment to the Constitution that would avert this crisis. It reads: The President shall have no power to grant to himself a reprieve or pardon for an offense against the United States.

Mr. Speaker, I rise today in support of the great and noble American ideals that we hold dear and that we protect with everything that is near and dear to us. We use our very bodies to protect it. Our men and women will go to distant places to protect these noble and great ideals, and many don't return the same way they left.

These ideals would be put at risk if some rogue President decided to pardon himself. We would have a constitutional crisis.

I am honored, Mr. Speaker, to say that this amendment will be filed later today, and there are two other Members of Congress that I am proud to have associated with me on this amendment. They are the Honorable BRAD SHERMAN and the Honorable SETH MOULTON.

We are filing this amendment not because we believe that a President can self-pardon, but if some President attempted to do it, this amendment would be there for us to act expeditiously and prevent it.

Mr. Speaker, this is the solution that I hope we never have to use. I pray that this amendment never has to be pushed through, but I am so proud to have it there, in the event it is needed.

POW/MIA SELECT COMMITTEE

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

Mr. PAULSEN. Mr. Speaker, the fourth line in the Warrior Ethos reads: "I will never leave a fallen comrade." Every soldier who passes through Army basic training knows this motto, and truly it is the spirit of our entire military.

Currently, more than 75,000 Americans are unaccounted for from conflicts ranging from World War II to the war on terror. We must continue to vindicate the spirit of the Warrior Ethos and aid our military to make sure that

we never leave any servicemembers behind, which is why I am cosponsoring a resolution for the creation of a Select Committee on POW/MIA Affairs in the House.

This select committee will be responsible for investigating these unaccounted for servicemembers and finally bring peace of mind and closure to their families.

So, Mr. Speaker, it is appropriate that we not abandon this obligation and that we help our brave servicemembers never leave behind a fallen comrade.

ENDING UNNECESSARY SHARK FINNING

Mr. PAULSEN. Mr. Speaker, sharks are being killed 30 percent faster than they are able to reproduce, which is having a serious impact on our ocean's ecosystem. One contributor to this decline is an inhumane practice that is known as "finning."

Finning is the removal of the fins from a shark and, often times, is done while the shark is still alive. These fins are mostly used for shark fin soup, which is a traditional soup seen in many Asian countries. After harvesting the fins, these sharks are thrown back into the ocean, where they are left to die from suffocation, blood loss, or be killed by other predators, since they have no way of having an opportunity to defend themselves.

That is why I am cosponsoring the Shark Fins Elimination Act, which will make it illegal to possess, buy, or sell shark fins, unless the shark was lawfully taken with a license or permit. This bipartisan effort will protect the fragility of our ocean wildlife and prevent these cruel practices.

□ 1100

TRUMPCARE AND PEOPLE WITH DISABILITIES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MAXINE WATERS) for 5 minutes.

The gentlewoman will suspend.

The Chair would advise the gentlewoman to remove the chart from the well.

Ms. MAXINE WATERS of California. Mr. Speaker, would the Chair tell us why.

The SPEAKER pro tempore. It is the determination of the Chair that it is a breach of the decorum of the House.

The gentlewoman may proceed.

Ms. MAXINE WATERS of California. Mr. Speaker, yesterday was the 27th anniversary of the Americans with Disabilities Act. It is a day to reflect on how people with disabilities are treated in our society.

Our President indicated to us what he thinks about people with disabilities long before he was elected when he mocked a disabled reporter. Mocking the disabled is rude and insensitive,

and it sends a terrible message to our children.

Who are the disabled people who were mocked that day? They are veterans who lost a limb or suffered a traumatic brain injury while courageously serving our country. They are children who were born with serious medical conditions like autism, Down syndrome, and cerebral palsy. They are victims of workplace accidents and car accidents. They are victims of mass shootings and terrorist attacks. They are senior citizens in nursing homes. They are our mothers and fathers, our brothers and sisters, our friends and neighbors, and our children.

They might be with us today or they may be with us a year from now. They deserve to be treated with respect, and they deserve quality healthcare.

Given that we already know about the attitudes that have been displayed against them, it should come as no surprise that TrumpCare would have a devastating impact on people with disabilities.

The nonpartisan Congressional Budget Office has scored several versions of TrumpCare. Most would cause at least 22 million people to lose their health insurance. The so-called repeal only bill, which repeals the Affordable Care Act and does not replace it with anything, would cause 32 million people to lose their health insurance. Even the so-called skinny TrumpCare would cause 16 million people to lose health insurance and increase premiums by 20 percent.

When people with disabilities lose their health insurance, they cannot get affordable treatment for their medical conditions; and when healthy people lose their health insurance and then become disabled, they, too, will not be able to find affordable treatment for their injuries. Furthermore, when they try to find a new health policy, their disability will be considered a pre-existing condition.

TrumpCare cuts more than \$700 billion from Medicaid. According to an analysis by the Center for American Progress, more than 15 million children and adults with disabilities rely on Medicaid for their health coverage and could lose it if TrumpCare became law.

The President's budget would also have a very devastating impact on all people with disabilities. Trump's budget cuts \$50 billion over the next 10 years from benefits earned by American veterans who are unable to work because of a service-connected disability.

His budget cuts billions from Social Security Disability Insurance, which provides earned benefits to workers who become disabled after years of paying Social Security taxes on their earnings.

His budget cuts billions from Supplemental Security Income, which protects vulnerable people with disabili-

ties, including 1.2 million children who suffer from conditions such as Down syndrome, cerebral palsy, autism, intellectual disabilities, and blindness.

His budget cuts funding for the Individuals with Disabilities Education Act by \$113 million, jeopardizing special education services for students with disabilities.

His budget cuts funding for housing for persons with disabilities by 20 percent.

His budget eliminates the Limb Loss Resource Center and the Paralysis Resource Center, which cuts support for people with traumatic brain injuries by 67 percent and cuts funding for the National Center on Birth Defects and Developmental Disabilities by 26 percent. It even eliminates Special Olympics Education.

In conclusion, people with disabilities deserve better. That is why we must raise our voices to support them, oppose these budget cuts that target them, and protect their healthcare.

Stopping TrumpCare is not about politics. It is a matter of life and death, and this is especially true for people with disabilities.

IN REMEMBRANCE OF STEVE ROCKFORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. RODNEY DAVIS) for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in remembrance of my friend, Steve Rockford, who passed away last week following his 5-year battle with ALS, Lou Gehrig's disease.

I first met Steve when he came here to Washington, D.C., to advocate on behalf of more funding for ALS research, and I was really struck by his courageously uplifting demeanor in the midst of a very dark prognosis.

Steve came to my office, was all smiles, brought me this pack of cards where his card was on the top. As you can see right here, Steve leaves behind his wife, Tammie, and his five children.

While this terrible disease attacked Steve's body, it really never touched his resolve. He held a positive and inspirational mindset throughout not only the diagnosis and his treatments, but throughout his fight against ALS. He never let Lou Gehrig's disease bring him down.

Steve actually sent me text messages every day, and it is sad that I don't get them anymore, and we know why. His text messages would have Biblical verses, inspirational messages from a man who was fighting a disease that he knew he was not going to live through.

That tells you a lot about Steve Rockford, a former wrestling coach at Southeast High School in Springfield, Illinois. He is somebody who taught

others how to lift themselves up. And while he was fighting the fight of his life, he taught me what it was like to be lifted up by someone so special.

ALS is a devastating disease. It attacks the body. It never stops relenting. It is estimated that 20,000 people have this disease at any given time, and only 20 percent of those affected with ALS live more than 5 years after diagnosis.

We must follow Steve's request to fund research at the National Institutes of Health to ensure that diseases like ALS are eradicated and that those afflicted with the disease have access to home health services and rehabilitation equipment.

While facing a debilitating disease and diagnosis, as you can tell, Steve did not despair, falter, or surrender. Steve Rockford is a hero to me. He is a hero to many in his hometown of Springfield, Illinois. I am a better man for knowing Steve Rockford.

Please continue to keep his wife, Tammie, and their five beautiful children right here in this picture, please keep them in your thoughts and prayers.

Steve, we are going to miss you. I am sure you are having fun up there.

RECESS

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

Accordingly (at 11 o'clock and 8 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Dr. George Dillard, Peachtree City Christian Church, Peachtree City, Georgia, offered the following prayer:

Almighty God, we humbly come before You as leaders in a nation that seems to have lost its way. We seek Your help this day and in the future, Your guidance to help us return to a place where liberty and justice is for all. Remind us that liberty and justice go hand in hand and that liberty cannot exist if there is not justice for the innocent.

Teach us to protect life, to be a refuge for immigrants, the unborn, the aged, the orphaned, the widows, the homeless, the family, the oppressed, those in danger, every race, and our veterans.

Help us to see that unity is stronger than division.

Remind us that consensus without truth is confusion and that power without control is destructive. Remind us

again that out of the many should come the one. Give us compassion, strength under control, humility and grace.

Lead us, Father, through this valley that we might stand on the mountain proclaiming with one voice that we are the united people of America.

In Jesus Christ's name.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. FASO) come forward and lead the House in the Pledge of Allegiance.

Mr. FASO led the Pledge of Allegiance as follows:

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

WELCOMING DR. GEORGE DILLARD

The SPEAKER. Without objection, the gentleman from Georgia (Mr. FERGUSON) is recognized for 1 minute.

There was no objection.

Mr. FERGUSON. Mr. Speaker, I rise today to honor Dr. George Dillard, whose leadership and guidance have made him a valuable member of the community in Peachtree City and Georgia's Third District.

George was born in 1958, in Jacksonville, Florida, while his dad served in the Navy. He grew up in the Eastpoint Christian Church where he was ordained into ministry in 1982.

He graduated with a bachelor of science degree from Atlanta Christian College in 1983, and answered the call for the First Christian Church in Rincon, Georgia, in 1985, where he began his first full-time ministry.

In 1993, George and his family moved to Peachtree City to serve the Peachtree City Christian Church, where he continues today.

George has been married to his wife, Renee, since 1988, and they have three children and one grandchild. George and his family live in Peachtree City, Georgia.

I want to commend Dr. Dillard for his commitment to our community. There is not a week that goes by where George isn't a visible and welcoming part of the Fayette County community.

The grace and love he has shown his parishioners and neighbors throughout his 24 years in Peachtree City is unparalleled.

I am truly honored to have Dr. George Dillard here with us here today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WESTERMAN). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

RALPH P. AVERY TO BE AWARDED FRENCH LEGION OF HONOR MEDAL

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

Mr. FASO. Mr. Speaker, I rise today to honor and congratulate Mr. Ralph P. Avery of Claverack, New York, who will soon be awarded the French Legion of Honor Medal.

Mr. Avery served in the U.S. Navy during World War II as a crew member of an LCT-571 landing craft built in upstate New York. He bravely stormed Omaha Beach on D-day in defense of our freedoms and in service of European liberation.

On that historic day, he courageously manned a 20-millimeter gun, firing upon enemy positions. For his heroic actions in combat and their importance to our French allies, next month Mr. Avery will be formally awarded the French Legion of Honor Medal, France's highest honor.

Mr. Avery has been awarded the American Campaign Medal, the European African Middle East Campaign Medal with a Campaign Star for the invasion of Normandy, the Navy Combat Action Ribbon, and the World War II Victory Medal.

Mr. Speaker, we thank Ralph P. Avery and his fellow veterans for their outstanding service to America and the cause of liberty.

THE BORDER WALL IS EXPENSIVE AND UNNECESSARY

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

Mr. BROWN of Maryland. Mr. Speaker, President Trump's immigration policies are unpopular. They don't protect our national security and don't promote our ideals as a nation.

Nowhere is that more apparent than his repeated calls for a border wall. This wall is so unpopular and nonsensical that the House has now resorted to funding it without even a straight up-or-down vote.

Why are they doing this? Not only to give the President a much-needed win, but to fool the American taxpayer who was repeatedly promised that Mexico would pay for this wall.

The border wall is expensive and unnecessary. It is opposed not only by a huge majority of Americans, but also by those living on the border.

Now, Members of Congress are being forced to choose between voting for the wall and voting to fund our military. I support our servicemembers. I spent 30 years in Active and Reserve Duty. I am a member of the House Armed Services Committee. I want to improve the readiness of our Armed Forces, but I cannot and will not support a multi-billion dollar wall that Members of both sides of the aisle now know is unnecessary and ineffective. I will not throw away \$1.6 billion to feed the President's ego. On this issue, the American people deserve to know exactly where their representatives stand.

PEACE CORPS ANGEL ABROAD— JENNIFER MAMOLA

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

Mr. POE of Texas. Mr. Speaker, Jennifer Mamola represents the very best of America. She volunteered for the Peace Corps at 26 and served in Uganda.

While there, tragically, she was hit from behind by a drunk driver, breaking both of her legs. Her life changed forever.

When she returned home to America, she faced an uphill battle to get treatment and endless bureaucracy. After 3 months, the Peace Corps stopped covering her medical costs and sent her to face the bureaucracy of the Department of Labor.

Instead of serving as a resource, the Peace Corps' postservice unit was no help at all. When she reached out asking for mental health services, they ignored her. She has undergone four surgeries and endless hours of agony.

America's angels abroad deserve better. My legislation will ensure that Peace Corps volunteers have medical care in foreign countries and in America when they return home.

I want to welcome Jennifer to the House Chamber today. Congress appreciates her service as a Peace Corps volunteer, and we must provide help for wonderful people like her.

And that is just the way it is.

DON'T POLITICIZE NATIONAL SECURITY POLICYMAKING IN CONGRESS

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

Mrs. MURPHY of Florida. Mr. Speaker, the House is currently considering the minibus, which would fund certain Federal agencies in the next fiscal year.

As a former Pentagon aide, I have opposed efforts to politicize national security policymaking in Congress. That

is why I introduced a bill to bar political operatives from serving on the National Security Council, and was proud when Steve Bannon was removed from the NSC.

The minibus provides robust funding for the Defense Department, the same funding that I proudly voted to authorize as a member of the Armed Services Committee. Sadly, House leadership has taken a strong bipartisan bill and contaminated it by adding a provision assigning \$1.6 billion to construct a border wall.

This provision is opposed by public officials from both parties who actually live along the southwest border, and it will do nothing to keep my constituents in central Florida safe. The money could be better spent to expand an underfunded counterterrorism program that Orlando has been excluded from, or to enhance security at our air and seaports.

In short, this funding should be used to give the American people real security, not politically motivated gimmicks.

MORRISVILLE 12U SOFTBALL
TEAM WINS PENNSYLVANIA
STATE TITLE

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the Morrisville 12U Softball Team. These incredible young athletes from our district won the Pennsylvania State title and advanced to the regional tournament in Bristol, Connecticut, to represent the entire State of Pennsylvania. Not only did these young ladies play an incredible season, of which they should be extremely proud, they did so while honoring a member of our community.

The team dedicated their postseason play to the memory of Ms. Donna Rossi, a committed league volunteer and supporter who passed away following a battle with cancer shortly before the first district game.

Mr. Speaker, I am so proud of the accomplishments of these young ladies: Ainsley McClure; Rowan Mulholland; Katey Brennan; Molly Milewski; Ella Visco; Laney Freiband; Caitlyn Martell; Ahlana Sesar; Quinn McGonigle; Emma Hause; Riley Mahony; Hannah Hawkes; Brielle Crawford; and managers and coaches Joe Sesar, Andy Mahony, and Tim Hawkes.

Each one of these individuals should be proud of the example they have set both on and off the field. They do credit to themselves, to their families, and to our community, and we are so proud of them.

PROTECTING DACA

(Mr. COSTA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise to speak about the American Dream and those who need protection who are striving to fulfill it. These are individuals who have come to this country as children, as infants, through no fault of their own, and America is the only country they have ever known. In essence, they are Americans.

Recognizing these realities, the Deferred Action for Childhood Arrivals program was created in 2012, otherwise known as DACA.

Since that time, DACA has granted hundreds of thousands of young immigrants the stability and the protection needed to pursue a college degree and seek employment, to be a part of America's future.

If we eliminate DACA, these students could see their pursuit of the American Dream swept away beneath them. In California's San Joaquin Valley, this could happen to over 500 students at the University of California, Merced, who I represent, as well as over 1,000 students at Fresno State University.

Some here in Washington plan on trying to eliminate DACA in coming months, and I stand here to say we cannot let that happen.

I urge the administration and those to stand with those of us who want to protect the Deferred Action for Childhood Arrivals program and allow these folks to pursue the same American Dream that our parents, grandparents, and previous generations were able to do. Let's keep DACA.

PANAMA CITY BEACH AND GOVERNMENT RED TAPE

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

Mr. DUNN. Mr. Speaker, I rise today to highlight a prime example of how needless government regulation is wasting both taxpayers' time and money.

In my district in Florida, on the beautiful Gulf Coast, we are susceptible to hurricanes with damaging winds and flooding. Sometimes roads get washed out.

Back in November of 2014, Panama City Beach applied for a Federal grant from FEMA to improve drainage and alleviate flooding of Front Beach Road. The project involves the installation of just two culverts under the road for storm runoff. This is not building the pyramids.

Three years later, local officials have submitted more than 900 pages of paperwork and spent countless hours working on this application. All this is for a project that will take just 1 week to construct and involves a grant of only \$170,000.

Mr. Speaker, this is exactly the kind of crushing red tape that our constitu-

ents face on a regular basis, and this is what we are working to fix.

SUPPORTING THE RUSSIA, IRAN, AND NORTH KOREA SANCTIONS ACT

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

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise in support of H.R. 3364, the Russia, Iran, and North Korea Sanctions Act.

These sanctions are critical to countering aggressive and destabilizing actions by Russia, Iran, and North Korea, sending a strong message at a critical moment.

Iran has continued its illegal ballistic missile program, its support for terrorism, and its atrocious human rights record; North Korea has continued to pursue its dangerous development of nuclear weapons; Russia has maintained its aggression in Ukraine, its illegal occupation of Crimea, and its destabilizing actions in Syria.

These sanctions also send a long overdue response to the Kremlin's attacks on our elections here at home. I commend this body for coming together on this important American national security issue. I call upon the Senate to pass this legislation and for the President to sign it.

□ 1215

SOUTH CAROLINA IS RIGHT FOR BUSINESSES

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

Mr. WILSON of South Carolina. Mr. Speaker, this week The Boyd Company released their annual report confirming that South Carolina is the best State to locate or expand a business for jobs.

As reported in The Spartanburg Herald-Journal on Monday, the Palmetto State ranks the lowest in the Nation in annual operating costs for advanced manufacturing companies. This success is also improved by low property taxes and being a right-to-work State, which has helped recruit high-quality jobs for South Carolina families by remarkable companies, including BMW, Michelin, Boeing, Volvo, MTU, and more.

South Carolina is also a competitive State to create jobs because of our educated workforce. Working with readySC and Apprenticeship Carolina, businesses have technical colleges to close the skills gap and hire employees for highly technical jobs, enhanced with positive Federal legislation.

I appreciate the leadership of local chambers of commerce in creating jobs, working with Governor Henry

McMaster and Secretary of Commerce Bobby Hitt.

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

WASTEFUL SPENDING ON BORDER WALL

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

Mr. GONZALEZ of Texas. Mr. Speaker, I rise today to speak out against the wasteful spending of \$1.6 billion of taxpayers' money.

These funds will be used to construct unnecessary barriers along our Southern border, destroying wildlife habitats, and violating property rights of Americans. If we want to be more secure, we should appropriately fund to address CBP staffing issues, to maintain and upgrade aerostats and other technology, and to provide CBP with the resources it actually needs to continue maintaining a safe and secure border.

Building a wall along our Southern border will put us on the wrong side of history. It will also be a shameful act in front of the international community that is watching us.

Mr. Speaker, I support the Department of Homeland Security's mission to safeguard the American people, our homeland, and our values. These are not our values. But the congressional misallocation of over \$1.5 billion does not help to accomplish this goal.

I urge my colleagues to oppose the funding of this expensive, unnecessary wall. I call on them to find more productive and effective uses of this fund in a way that better helps the American people and is on the right side of American history.

RECOGNIZING MARIENVILLE VOLUNTEER FIRE COMPANY ON 125 YEARS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the Marienville Volunteer Fire Company as it celebrates 125 years of service on Saturday, August 19. The Marienville Volunteer Fire Company began in 1892 at the home of Dan Moriarty as a small group of men with a wagon, a pump, a determination to keep their community safe.

In 1902, a great fire ripped through the area, destroying a substantial section of Marienville. In response, the company came together to raise money for better equipment, and soon became a well-organized department with official uniforms, its first fire truck, and a firehouse on North Forest Street.

As the team grew, a new building was built on North Forest Street that still

houses the company today. Today there are about 40 active members under the direction of President Randall Parrett and Fire Chief Greg Geyer.

As a state-certified firefighter, EMT, and rescue technician myself, I know these firefighters are always ready to answer the call.

Mr. Speaker, I proudly congratulate the Marienville Volunteer Fire Company on this outstanding milestone, and I thank each member of the company for their service.

HONORING RAMON ANIBAL RAMOS, A TRUE LEADER

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

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize Ramon Anibal Ramos, a leading communicator and television producer born in Ingenio Angelina, San Pedro de Macoris, in the Dominican Republic.

Ramon has had a long and successful career. Ramon obtained his passport through the "Fiesta de Tele Antillas" program. His show, the "Ramon Anibal Show," is focused on the dissemination of positive news, positive stories about people, particularly immigrants that have excelled in America, and particularly in New York.

Throughout all of this time, particularly during the negative anti-immigrant rhetoric that is going on right now, including this week's push to build a divisive border wall, Ramon Anibal is the embodiment of being an immigrant, a pioneer, and successful contributor to our community.

Thank you, Ramon, for being such a role model and leader in our community.

Ramon Anibal Ramos, "the best of cable," "lo mejor del cable."

IN HONOR OF THE RETIREMENT OF JUDGE FRED A. STINE

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

Mr. MASSIE. Mr. Speaker, I rise today in honor of the retirement of Judge Fred A. Stine, the Chief Circuit Court Judge of the 17th Judicial Circuit in Campbell County, Kentucky.

Judge Stine graduated from the University of Cincinnati in 1973, and received his J.D. from the Salmon P. Chase College of Law at Northern Kentucky University in 1978. He then worked in private practice for 2 years until his appointment as the Assistant United States Attorney for the Eastern District of Kentucky.

Judge Stine has honorably served the Commonwealth as circuit court judge since 2005. He has many awards, which include a Distinguished Service Recognition from the Federal Bureau of

Investigation, and a Special Recognition for Victims' Rights from the U.S. Department of Justice.

Throughout his career and despite his heavy case docket, Judge Stine selflessly gave his time to serve his community. Judge Stine is a true public servant who has served his State and Nation well.

On behalf of the Commonwealth of Kentucky and all of the citizens of the Fourth District, I am honored to wish Judge Fred A. Stine the very best in his retirement. Thank you from us all.

BORDER WALL FUNDING IN MINIBUS PACKAGE

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

Mr. SOTO. Mr. Speaker, recall President Trump's promise on the campaign trail: we will build a wall and have Mexico pay for it.

Not only is it costly and unnecessary, but it will do more to divide America than it will to keep us safe. First, taking the fact that Mexico is not paying for it, nor would anybody in their right mind think that Mexico was ever going to pay for it, now he is asking for \$1.6 billion of Americans' hard-working taxpayers to pay for it.

We already have 650 miles of border fencing, but representing the Sunshine State, with over 1,000 miles of coastline, this isn't going to make us safer. It is not going to help us at all. And then you look to how there are racial undertones to this.

Notice how there is a focus on the Southern border, but not the Northern border?

While I would not support that, we can't help but notice that this is focused on dividing America on racial lines, on making us less safe and on wasting taxpayer dollars.

It is time to unite America. It is time to look forward to a safer America, and spend our money on the Coast Guard, on custom border control, and other works that will make us safer.

REPEAL INTERNET SERVICE PROVIDERS' CLASSIFICATION

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

Mr. BIGGS. Mr. Speaker, during my "Freedom Fridays" series, each week I highlight burdensome regulations that limit American freedom. This week, my focus is on the Obama administration's net neutrality policy.

The internet is one of the greatest innovations ever. This has largely been possible because of the Federal Government's regulatory absence from the industry. Yet the Obama administration, in one of many cases of overregulation,

took a radical step to inappropriately insert government interference.

In 2015, the FCC adopted a rule to reclassify internet service providers as “common carriers” under title II of the Communications Act of 1934. This reclassification caused undue burdens for American ISPs and consumers.

The Trump administration has been supportive of rolling back the Obama-era regulation. Now Congress needs to limit the authority of Federal bureaucrats and preserve a free and open internet. We should repeal the 2015 rule and prevent the FCC from issuing a similar rule.

Mr. Speaker, I strongly urge my colleagues to join me in restoring internet freedom.

OPPOSE FUNDING FOR BORDER WALL

(Ms. MOORE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOORE. Mr. Speaker, Americans don't want to pay a single dime of Federal money to pay for the President's wall.

During the Presidential campaign, this was a very provocative claim, and he said Mexico would pay for it.

So why does the defense appropriations bill have a blank check for this wall?

I, like so many of my colleagues, including Republicans, know that this wall is unnecessary and environmentally catastrophic.

It will require us to seize property through imminent domain. It is ineffective, just like Homeland Security Secretary Kelly has said.

I urge my colleagues to oppose funding for this ill-gotten wall, to vote against the rule before us today, and begin to work on an honest conversation about the types of immigration reform that our country needs.

SUPPORT THE GENERAL AVIATION COMMUNITY

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

Mr. ROKITA. Mr. Speaker, I was disappointed last week to read about some criticizing the general aviation community as a “special interest group” that was trying to stand in the way of progress and modernization.

We are for modernization, as modernization has already taken off, and we have been partners from the very beginning. The fact of the matter is that GA is not some special interest group. We are family, friends, and neighbors. There are doctors, teachers, community leaders, and, most importantly, small businessmen that rely on general aviation to create jobs.

They are just like, in fact, my son, Ryan, who is with us today, who absolutely loves aviation and wants to be a pilot when he grows up. And that is because he has been exposed to general aviation.

General aviation is an important part of our community and our economy. It employs 1.2 million people and adds \$219 billion, Mr. Speaker, of economic output.

So I ask my colleagues to side with general aviation on any bill that comes to the floor, like the one that came out of the Transportation Committee, and vote against such measures.

Moving a system where everyone is treated equally to a system where one user benefits over another is a bad idea and one that we should reject as anathema to American exceptionalism.

DEMOCRACY IS IN JEOPARDY

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

Mr. COHEN. Mr. Speaker, yesterday, the Judiciary Committee brought before the House a motion of inquiry that was introduced to seek answers to some of the issues concerning the firing of James Comey and Attorney General Jeff Sessions' role therein.

Instead of passing that and dealing with issues that are fundamental to democracy and the respect our citizens may or may not have for its government, the Republicans put a substitute amendment in, raising all kinds of questions about Hillary Clinton.

They did everything but yell: “Lock her up.”

It was a disgusting display of the majority taking advantage of the minority, squelching our voice, and taking the subject away from what is a serious issue concerning obstruction of justice and the potential obstruction of justice that could come about if there is an attempt to fire Mr. Mueller.

Instead, they concentrated on old harangues about Hillary Clinton. It was not a good day for democracy.

We need to be aware of the fact that our democracy is in jeopardy, and we need to be alert at every moment and try to find every answer.

□ 1230

CONGRATULATING CRITTENTON HOSPITAL ON ITS 50TH ANNIVERSARY

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to pay tribute and congratulate Crittenton Hospital as we commemorate its 50th anniversary in the Rochester, Michigan, community.

Over the past 50 years, Crittenton Hospital has faithfully dedicated itself

to serving the Rochester area community and all of its citizens. Since opening its doors in 1967, Crittenton Hospital has expanded to meet the needs of a growing community while keeping pace with advances in healthcare technology and modern approaches to medicine.

The longevity enjoyed by Crittenton Hospital is a testament to its unique and enduring impact on our community. Its dedication to our residents ensures that Crittenton Hospital will continue to serve and care for patients for many years to come.

Mr. Speaker, I am honored to recognize Crittenton Hospital's 50th anniversary. I thank Crittenton Hospital for its commitment to the people it serves and to our entire Rochester area community.

HIGH-SKILLED IMMIGRANT WORKERS

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

Mr. YODER. Mr. Speaker, more than 700,000 high-skilled immigrant workers from India are in the United States today on temporary work visas. These people are working hard every day helping grow our economy and raising their children as Americans right here in our communities.

But under our legal immigration system, they are essentially here as indentured servants, stuck in a cycle of temporary work visas, unable to change jobs or even start their own businesses to create more American jobs. They are stuck because of the arbitrary 7-percent-per-nation cap on employment-based green cards.

Now there is a mother in Greenland whose unborn child will be able to obtain permanent residence in America before someone from India who has already been working here for years. That is absurd, and it is wrong.

My bill, called the Fairness for High-Skilled Immigrants Act, would fix this problem. It would transition us to a first come, first served, merit-based legal immigration system. It would help these people in need, and it would help create new jobs.

Mr. Speaker, with more than 230 cosponsors, it is time to pass this bill and get this done.

THE PEOPLE'S RIGHT TO JUSTICE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, one of my predecessors set the standard for service to this Nation, among many, certainly—the Honorable Mickey Leland and Craig Washington—but the Honorable Barbara Jordan served on

the Judiciary Committee. It was her standard during the Watergate impeachment hearings that set the Nation afire about the relevancy of the people's right to justice.

That is why I hold this Constitution in hand and rise to the floor today to express my concern of the issues surrounding the Attorney General and the potential firing of the special counsel, Mr. Mueller.

This book that has the Constitution in it guarantees three equal branches of government. There is an orderliness to the responsibilities of the Executive and of the United States Congress. We have oversight.

The people want answers regarding Russian collusion and the steering of the election to one person over the other. Yes, they want jobs and opportunities, but we have the opportunity—or the responsibility—to clean our kitchen up.

I am very concerned about any executive, any Commander in Chief, who would suggest, in violation of the Constitution, that they would fire the Attorney General and then have the opportunity to ensure that the special counsel was fired in contravention of the American people's desires.

That is why I have introduced H. Res. 474, to cause this Congress to disapprove of any firing of the special counsel and reckless pardons of those who are under investigation.

THE EXPORT-IMPORT BANK

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

Mr. McCLINTOCK. Mr. Speaker, this administration was elected to drain the swamp, and one of the muckiest parts is the Export-Import Bank that makes taxpayer-guaranteed loans to foreign companies that buy American products, often to use in competition with American companies that get no such advantage.

Now, when politicians are picking winners and losers in the shadows, it shouldn't surprise us that we find a particularly nasty breeding ground for corruption.

We can debate the merits of the Ex-Im Bank, but one thing is undeniable: it is an agency that needs a taxpayer watchdog on its board and not just another lapdog for crony capitalists seeking to fleece the taxpayer.

Scott Garrett is a watchdog. He has sounded the alarm on the Ex-Im's more questionable loans, and his leadership on its board would restore credibility to its decisions.

The bank's supporters should welcome an independent voice that could restore its reputation, and the President should insist on it.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 478 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 478

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes. The further amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and available pro forma amendments described in section 4 of House Resolution 473.

(b) Each further amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except amendments described in section 4 of House Resolution 473, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of further amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except amendments described in section 4 of House Resolution 473, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 5. It shall be in order at any time on the legislative day of July 27, 2017, or July

28, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York (Ms. SLAUGHTER), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, the House Rules Committee met yesterday and reported a rule, House Resolution 478, providing for further consideration of H.R. 3219, the Make America Secure Appropriations Act of 2018. This legislation includes four individual appropriations bills: Defense, Energy and Water, Legislative Branch, and Military Construction-Veterans Affairs. The rule provides for further consideration of H.R. 3219 under a structured rule.

Mr. Speaker, this rule provides for consideration of a critical measure that will prioritize funding for important components of our national security. This legislation directs funding for our troops and their families, our Nation's veterans, the legislative branch and United States Capitol Police, border and nuclear security, energy and water infrastructure investments, and vital appropriations to ensure our military has the equipment and readiness necessary to keep the Nation safe.

Mr. Speaker, this legislation is composed of the serious and essential work conducted by the House Appropriations Committee over the past many months. As an appropriator and a member of this committee, I fully appreciate and understand the hard work my colleagues on both sides of the aisle have put in to report these key measures we have before us today.

The most important job we have as Members of Congress is ensuring the safety of our Nation. By supporting this rule, we can move the national security package forward.

H.R. 3219 includes a 2.4 percent pay increase for our troops. That is the largest military pay increase in 8 years. It keeps our military on the cutting edge of defense technology by investing in research and development

and in equipment and weapons procurement. Under the legislation, we will restore readiness shortfalls and make much-needed critical investments for our troops to address ongoing threats around the globe.

We must provide support for our troops to combat terrorism and defeat ISIS. With the legislation, we take a major step forward in restoring the devastating cuts our Armed Forces faced under the Obama administration. The bill also increases funding for construction of critical military infrastructure to keep our troops safe and prepared.

The bill also provides for critical safety and enhanced security functions for the United States Capitol. In light of the recent horrific attack on our colleagues, on staff, and on the Capitol Police, the legislation provides increased funding for the Capitol Police toward increased training, equipment, and technology-related support.

The men and women who guard these hallowed Halls deserve to have access to every resource needed to do their job as safely and as effectively as possible. Under this bill, H.R. 3219, we can ensure that the Capitol Police and House Sergeant at Arms are equipped with these critical enhancements.

Regarding the important Energy and Water provisions included in the bill, the underlying legislation will improve public safety, will create jobs, and will grow our economy by funding the Army Corps of Engineers, prioritizing navigation projects and studies.

H.R. 3219 reduces regulatory red tape, including authorizing the Administrator of the Environmental Protection Agency as well as the Secretary of the Army to withdraw from the devastating waters of the United States rule.

The bill also funds important Department of Energy programs, including nuclear cleanup efforts, such as the Hanford Site, which is located in my district in central Washington State, as well as nuclear weapons programs to strengthen our national security.

Mr. Speaker, this legislation also provides the highest level of funding for the Department of Veterans Affairs in our Nation's history, ensuring that we keep the commitment to those who have defended our Nation. It supports vital medical care for our veterans, including mental healthcare services, suicide prevention activities, traumatic brain treatment, opioid abuse prevention, and homeless veteran services.

There are some issues here in Congress that are nonpartisan. Every single one of our colleagues here in the U.S. House of Representatives believes we must provide the best care possible for our Nation's veterans. I am proud of the significant strides this legislation takes to support veterans across the country.

The rule we consider here today provides for the consideration of a bill that is critically important to keeping our Nation safe.

□ 1245

By passing this legislation, we will continue to rebuild our military, ensure we maintain our military superiority, and boost defense efforts in the face of rising global threats.

The bill will aid in supporting our troops and their families, and improve access to care for our veterans. It will increase the safety of the United States Capitol complex for Members and staff who serve here; for constituents, as well as the tourists from around the globe who visit this campus; and for the valued Capitol Police, who protect us all.

It will also aid in important infrastructure and construction investments to move the United States towards energy independence, improve our economic competitiveness, and fund nonproliferation efforts to prevent, counter, and respond to global nuclear threats.

Most importantly, this legislation will make major strides to projects our men and women in uniform serving across the globe who are protecting our freedoms.

I urge my colleagues to support this rule as well as the underlying legislation.

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

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

Mr. Speaker, I rise in opposition to the rule. I certainly thank the gentleman from Washington, my friend, for his kindness. I think he is one of the best Members we have, but I am going to have to disagree with Mr. NEWHOUSE today.

When Speaker RYAN assumed the gavel, he told the American people that he wanted to have "a process that is more open, more inclusive, more deliberative, more participatory."

When the majority took control of both the Congress and the White House, they again promised to abide by standard congressional procedure.

But we are here, 3 months from the end of the fiscal year. The majority hasn't passed a budget resolution, and legislation moves at a glacial pace. The majority working to rush through a massive minibus before any individual appropriations bills have been considered on the floor is also a mistake.

This may sound pedantic, but we do have rules.

Every one of us wants to improve our security, but this bill, I am afraid, is a little more than smoke and mirrors. The increase in defense spending under this bill will never see the light of day.

That is because we operate under the Budget Control Act, and that mandates

that any breach of the defense cap, which this bill does, will trigger an across-the-board sequestration cut of all defense accounts, making what we do here a useless exercise, I am afraid.

The majority has also inserted an amendment to provide \$1.6 billion President Trump requested to begin construction of the wall on the U.S.-Mexico border.

This is surely just the beginning of making taxpayers pay for the entire wall, which experts have estimated could cost as much as \$21 billion, with nary a peso from Mexico. If we are investing \$1.6 billion now, I see no reason why they do not plan to go on to reach the \$21 billion expenditure.

Let me put that in some perspective: \$21 billion could be used to double the Federal investments in public schools. Think of that. Just the money to build that wall, it could provide 6 million people with healthcare under Medicaid, it could buy school lunches for tens of millions of low-income children. But these investments are not a priority for this majority.

President Trump's own budget director famously said that it isn't worth feeding hungry children if the nutrition does not improve their school performance, and that Meals on Wheels "sounds great," but doesn't work.

I never thought I would hear either of those things come from the mouth of a Federal official. The idea that we should not feed hungry children unless their school work improves, frankly, I am baffled by that, let me say it that way.

The opposition to the wall is bipartisan. Republican Representative HURD from Texas, a former CIA officer, sits on the Homeland Security Committee and represents the largest border district in the State of Texas. He testified before the Rules Committee late Monday night against it, saying, "having a one-size-fits-all solution to border security makes no sense." Yet this amendment was included without debating the merits on the floor and without giving Members an up-or-down vote.

Let me explain that a little bit. This amendment is in the bill, but there will be no vote on it. It has been what we call self-executed to keep people from being recorded in any way, whether they are for or against the wall.

The last statistic that I saw from the American public is that 68 percent of them oppose it. They will never know whether their Representatives did or not. It is a sort of a bait-and-switch idea.

Mr. Speaker, immigration has enriched our country beyond measure. It is what has allowed our country to shape the world, rather than to fear it. A wall will lock the United States away from the rest of the world.

The President's new communications director, Anthony Scaramucci, wrote

online: "Walls don't work. Never have. Never will."

We don't know whether he is going to change his mind about that or not, but that is what he said.

One of our famous Republican Presidents that everybody knew and loved, Ronald Reagan, 30 years ago last month stood in West Berlin and demanded that another wall be torn down.

I said in the Rules Committee yesterday and I will say it again here this afternoon: if the President and the majority build this wall, it, too, will be torn down, not by someone crossing the border or by an outside force. It will crumble because the public understands in a way that this President and majority do not, that our Nation does not barricade itself away from the rest of the world.

We will not build walls to keep us in. What kind of superpower would we be if we built a wall around the outside of our Nation and crumbled from the inside because the money we put on the wall kept us from updating our infrastructure, which is in such terrible shape, and a shredded social safety net?

None of us want to find that out, but the majority is putting us on such a path.

Just yesterday, President Trump announced a ban on transgender service-members serving in the military. It appears today that he made that announcement all on his own and that neither the Joint Chiefs of Staff or the Pentagon had any idea that he was going to do that.

The announcement came 69 years to the day that President Truman desegregated our military. Think about that for a minute. Sixty-nine years ago, on the very day that President Trump said transgender people couldn't serve, was the day President Truman integrated the military services.

This is an insult to the approximately 15,000 transgender soldiers who sacrifice for our country every day. Transgender servicemembers are being attacked from both ends of Pennsylvania Avenue.

Just days ago, Republicans joined Democrats to defeat an amendment that would bar transgender service-members from receiving the necessary healthcare that they deserve. I will note that these same treatments would have been available to other service-members under this amendment. Apparently to the majority, it is not about the treatment, but the person who receives it.

The amendment is especially cruel when you consider that a Pentagon report has found that gender transition-related treatment costs between \$2.4 and \$8.4 million a year. That is the cost of just four of the President's trips to Mar-a-Lago. Think about that: several millions dollars to go to Mar-a-Lago would have paid for operations for transgender persons.

Mr. Speaker, I include in the RECORD an article from USA Today that details this fact.

[From USA Today, July 26, 2017]

ON POLITICS TODAY: TRUMP'S MAR-A-LAGO TRIPS COST MORE THAN TRANS SOLDIERS' HEALTH CARE

(By Josh Hafner)

President Trump tweeted this morning that the U.S. military wouldn't allow transgender troops "in any capacity," an apparent rejection of the military's roughly 6,000 trans troops and the Obama-era policy that embraced them.

The U.S. "cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail," Trump said.

Except trans troops don't really cost that much, as many soon pointed out.

A report for the Pentagon last year found that transition-related care would cost between about \$2.4 and \$8.4 million per year—less than 0.14% of the military's medical budget.

That's roughly the cost of four of Trump's trips to Mar-A-Lago, GQ noted, even using a conservative estimate of \$2 million per trip. And it's way less than the \$84 million spent on Viagra and similar meds by the Department of Defense in 2014, as others also said.

It was, as Sen. John McCain noted, "yet another example of why major policy announcements should not be made via Twitter."

Ms. SLAUGHTER. I believe all of our soldiers deserve our thanks and support. They are Americans. They don't need to be attacked based on who they are.

Lastly, Mr. Speaker, it is also outrageous—and I saved this for the end—that the majority stripped from the bill Congresswoman BARBARA LEE's bipartisan amendment to repeal the 2001 Authorization for Use of Military Force.

Until this AUMF, which, as I said, came into law in 2001, is rescinded and replaced, the President of the United States can usurp our power and effectively declare war without Congress' concurrence. In fact, that has already happened.

Matters of war are the most serious issues that Congress considers. We should not—and we don't want to—shirk those responsibilities. We want to fulfill our constitutional duties.

Yet Speaker RYAN removed it from the bill without any debate or single vote because he was afraid of it. He replaced it with weaker language requiring a 30-day study. After those 30 days, we are not assured of anything at all, just a study.

That is not the type of open and transparent process that the Speaker promised. More than just bad process, it silences the debate we need to have. All Americans, especially our men and women in uniform, deserve better from us, as they volunteered to save us with their very lives.

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

Mr. NEWHOUSE. Mr. Speaker, I yield 4 minutes to the gentleman from Texas

(Mr. CARTER), the chairman of the Homeland Security Subcommittee of the Appropriations Committee.

Mr. CARTER of Texas. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, I rise in favor of the rule, which makes an amendment that I offered part of the security package by the adoption of this rule.

I want to acknowledge the frustration of my colleagues at adding funds to construct three barriers on the U.S.-Mexico border.

Like many of you, I would have preferred a package which included all 12 appropriations bills. However, this is the process that we are going forward with, and, of course, I am supportive of it.

Despite my reservations about the process, I believe that each of these three projects included in this amendment are absolutely necessary for national security.

The funds that are in what we call the "wall" part of this bill are 28 miles of levee wall in Hidalgo County, Texas.

Many people have asked me what that is. Mostly everybody knows a levee is a big mound of dirt that keeps the water from flooding. Well, it is a big pile of dirt with a 20-foot wall on one side made of concrete to keep it from washing out and a 6-foot fence on top of that. It serves for water retention, as well as defending our borders.

The funds pay for the construction of 32 miles of bollard wall in Starr County, Texas, which is Rio Grande City and that area. Bollard fence is a bunch of steel poles about the size of a small corner post on a cedar post fence. They rise up about 20 feet in the air and have a cement base.

Also, the funds pay for 14 miles of wall in San Diego, replacing an existing 14 miles of wall or fence with a better product because it has been deteriorating since the 1990s, when it went in.

That is what is in this bill.

Many people claim it isn't necessary to put up barriers between the border of the United States and Mexico. They say the border is more secure than it has ever been, apprehensions are way down, and that border walls do not prevent people crossing. In fact, I disagree, and they do, too.

It is a fact that apprehensions are down relative to the mid-2000s. In fact, in the late nineties, in San Diego, before their barrier fences were built, 500,000 people stormed across that border. Last year, the number is 25,000. That is a substantial reduction.

More than a million people crossed our Southern border every year in the early-2000s. However, today, we continue to apprehend certain people, and it is down to 200,000 a year on the border. That is a substantial number.

What concerns me more than the number of apprehensions is the fact that if migrants are crossing the border illegally, then so are terrorists, drug smugglers, and human traffickers.

□ 1300

Mr. Speaker, many Members of this body probably remember illegal immigrants rushing the border in San Diego back in the 1990s. Illegal immigrant entries decreased significantly, as I said. The number of illegal crossings fell, crime rates declined, commerce increased, and neighborhoods became safe all because of fences and barriers on the border.

The Border Patrol cautions that illegal border migration seeks the path of least resistance and that these commendable results do not mean that the flow has steadied. It has simply moved to another unprotected place like the Rio Grande Valley in my home State of Texas. We want to change that dynamic.

This amendment is important because it is committed to dedicated men and women who stand in harm's way on our behalf.

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

Mr. NEWHOUSE. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. CARTER of Texas. Mr. Speaker, I ask Members' support for this bill and for this amendment.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, there is a really disturbing story in Politico today.

Speaker RYAN was apparently afraid that he wouldn't be able to pass the defense spending bill, including \$1.6 billion for Trump's dumb wall because conservatives wanted to block Medicare for transgender servicemembers, so he called the President asking for help.

What did Donald Trump do to get Speaker RYAN out of this jam? Trump decided to ban brave transgender Americans from serving. That is right, Mr. Speaker, Trump is kicking transgender men and women out of our Armed Services to make sure he can get money to build his stupid, irresponsible, unnecessary wall. He is implementing one bigoted policy in order to achieve another one.

This is hatred in the service of injustice. This is transphobia in the service of racism. This is stupidity in the service of foolishness.

Mr. Speaker, we need to stop doing Trump's dirty work. Not only is President Trump's border wall expensive and unnecessary, Members of this body who care deeply about our national defense shouldn't be forced to decide between voting for this ridiculous proposal and voting to fund our military.

More importantly, on such a momentous issue, the American people deserve to know where their elected representatives stand.

Mr. Speaker, let us defeat this rule. Let us stop this wall. Let us enable

every American patriot, regardless of their gender identity, to do what I did: to fight for this country with pride, courage, and selflessness.

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

Mr. NEWHOUSE. Mr. Speaker, we do have a couple of speakers coming who are not here yet.

Mr. Speaker, I reserve the balance of my time at this point but look forward to having them participate as soon as they get here.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, first of all, let me thank the gentlewoman from New York for her consistent leadership. Being a frequent visitor to the Rules Committee as a Member, I want to thank the manager for the courtesies extended to all of us.

Let me say that I am a member of the Budget Committee, and I want to associate my stance with the gentlewoman from New York. We do not have a budget, but, in fact, the budget is not a roadmap that we are even attempting to do. The budget was a slash and burn of Medicare, Medicaid, only to give tax cuts, and it had no vision but to plug up the Defense Appropriations.

So now we come with a minibus that wants to do more damage. I have no quarrel with my friend from Texas, but it is very clear that this budget is based upon this wall, and this rule is based upon this wall. It is important for the American people to know that, while we are fighting for Medicaid and Meals on Wheels, better policing, and better education for our children, the wall that was supposed to be paid for by Mexico—let me say it again, the wall that was supposed to be paid by Mexico, as evidenced by the Commander in Chief—is now, in this rule, not for \$100 million, not for \$200 million, not for \$50 million, but for \$1,571,239,000. That is what this rule is all about.

Frankly, I believe that this is a shame. Frankly, I oppose it because the Commander in Chief swore that Mexico would pay for the wall. Now we are paying for the wall, and, as indicated, a Member of Congress from Texas who represents the area is adamantly against it. I would only argue to say that there are other needs in this minibus that the American people desire.

I also rise to express strong opposition to the fact that the Lee amendments were not put in. Congresswoman LEE had an amendment for us to debate the AUMF, two amendments, and those amendments were rejected. Let us go back to regular order and pass appropriations for the American people and debate whether we go to war. Going to war is a point for the American people to hear and discuss.

Mr. Speaker, I rise to register my opposition to the exclusion from H. Res. 478 of the amendments offered by colleague, Congresswoman BARBARA LEE of California.

This rule makes in order 54 amendments to Division A of H.R. 3219, the Defense Appropriations Act for Fiscal Year 2018 and an amendment by Congressman CARTER, the chairman of the Homeland Security Appropriations Subcommittee, providing \$1.57 billion in funding to begin construction of the infamous "Trump Border Wall" that the presidential candidate Trump promises, assured, and guaranteed American and the would be paid for by Mexico.

Mr. Speaker, it is passing strange indeed that the Lee Amendments, which were offered, debated, and approved in the regular order were excluded from the rule while the Carter Amendment, which was introduced at the 11th hour, was included.

Lee Amendment No. 95 would repeal the 2001 AUMF after 240 days of enactment of this Act.

Lee Amendment No. 96 does not repeal the 2001 AUMF but would prohibit the expenditure of any funds to implement, administer, or enforce the 2001 AUMF beginning 240 days of enactment of this Act.

They knew that the decision to go to war was too important to be left to the whim of a single person, no matter how wise or well-informed he or she might be.

Over the last 16 years, we have seen 3 Presidents use the 2001 Afghanistan AUMF as a blank check to engage in serious military action.

In 2016, the Congressional Research Service issued a report detailing 37 unclassified uses of this authorization in 14 countries, including for operations at Guantanamo Bay, warrantless wiretapping, and recent military action in Libya, Syria, Somalia, and Yemen.

The overly broad 2001 AUMF represents a critical deterioration of Congressional oversight, which should be repealed, rather than repeated with respect to North Korea.

As our brave service members are deployed around the world in combat zones, Congress is missing in action.

As provided under the War Powers Resolution of 1973, absent a Congressional declaration of war or authorization for the use of military force, the President as Commander-in-Chief has constitutional power to engage the U.S. armed forces in hostilities only in the case of a national emergency created by an attack upon the United States, its territories or possessions, or its armed forces.

As a co-equal branch of government, it is Congress's right and responsibility to be fully consulted regarding any potential plans to conduct military operations in foreign lands and to assess whether such action is in the national security interest of the United States and its allies, and to withhold or grant authorization for the use of military force based on this assessment.

As we have learned from the painful and bitter experience of the past 16 years, at the initiation of hostilities, the costs in terms of blood and treasure of U.S. military interventions abroad are often underestimated and the benefits overstated.

For example, more than 6,800 American service members gave the last full measure of

devotion to their country on battlefields in Afghanistan and Iraq, with hundreds of thousands more returning with physical, emotional, or psychological wounds that may never heal.

The direct economic cost of the war in Afghanistan exceeds \$1.07 trillion, including \$773 billion in Overseas Contingency Operations funds, an increase of \$243 billion to the Department of Defense base budget, and an increase of \$54.2 billion to the Veterans Administration budget to address the human costs of the military involvement in Afghanistan.

I am confident that affording Members the opportunity to debate and vote on the Lee Amendments would strengthen our democracy and help restore Congress's preeminent constitutional role in the decision to take the nation to war.

Mr. Speaker, I also rise in strong opposition to the Carter Amendment to H.R. 3219, Department of Defense Appropriations Act for FY2018.

I oppose the amendment because it is ineffective, costly, and wasteful legislation for three reasons: it is costly and ineffective; President Trump broke his promise that Mexico would fund the wall; and a policy shift of this magnitude requires regular order with the Committees of Jurisdiction weighing in on the real cost to the American people should a wall be built.

First, I oppose the Carter Amendment because it is costly and ineffective.

It wastes \$1.6 billion to build an unnecessary wall with our already peaceful neighbors to the south.

Only \$32 million dollars of that \$1.6 billion would actually go towards the wall.

That leaves over \$1.5 billion simply wasted.

The wall throws away American taxpayers' money when it could and should be spent on a number of necessary initiatives like education, healthcare, transportation, infrastructure, or even military preparedness.

Second, I oppose H.R. 3219 because Trump swore Mexico would pay for the wall.

The President has broken his promise to the American people and is asking American taxpayers to foot a \$1.6 billion bill for a useless, expensive wall.

No wonder the wall is strongly opposed by Democrats and many Republicans.

There is no assurance that Americans would ever be reimbursed by Mexico.

Trump's cost estimations do not include the cost of building in more treacherous terrain, access roads, maintenance, or acquiring land in Texas, where almost all border landholdings are privately held.

Building this wall would require stripping landholders in my very own home state of Texas of their private land.

Instead of wasting \$1.6 billion on building a wall, that money could be appropriated to maintaining our effective border security and immigration practices, like those currently in place for asylum seekers.

The United States already enforces the most extensive immigration and border security practices in the world. We have

This is a bad business deal for the American people.

Third, I oppose the Carter Amendment because it represents a policy shift that will

have dire consequences for our economy that far exceed the \$50 billion estimated cost of this wall.

A policy shift of this magnitude requires regular order with the committees of jurisdiction weighing in on the real cost to the American people should a wall be built.

Mexico happens to be one of the United States' strongest trading partners.

U.S. goods and services trade with Mexico totaled an estimated \$579.7 billion in 2016.

Exports were \$262.0 billion; imports were \$317.6 billion.

The U.S. goods and services trade deficit with Mexico was \$55.6 billion in 2016.

Mexico is currently our 3rd largest goods trading partner with \$525.1 billion in total (two way) goods trade during 2016.

Goods exports totaled \$231.0 billion; goods imports totaled \$294.2 billion.

The U.S. goods trade deficit with Mexico was \$63.2 billion in 2016.

Trade in services with Mexico (exports and imports) totaled an estimated \$54.5 billion in 2016.

Services exports were \$31.1 billion; services imports were \$23.5 billion.

The U.S. services trade surplus with Mexico was \$7.6 billion in 2016.

According to the Department of Commerce, U.S. exports of Goods and Services to Mexico supported an estimated 1.2 million jobs in 2015.

Mexico was the United States' 2nd largest goods export market in 2016.

U.S. exports to Mexico in 2016 were \$231.0 billion, down 2.0 percent (\$4.8 billion) from 2015 but up 72.7 percent from 2006. U.S. exports to Mexico are up 455 percent from 1993 (pre-NAFTA).

U.S. exports to Mexico account for 15.9 percent of overall U.S. exports in 2015.

The top export categories in 2016 were: machinery (\$42 billion), electrical machinery (\$41 billion), vehicles (\$21 billion), mineral fuels (\$20 billion), and plastics (\$16 billion).

U.S. total exports of agricultural products to Mexico totaled \$18 billion in 2016, our 3rd largest agricultural export market.

Leading domestic export categories include: corn (\$2.6 billion), soybeans (\$1.5 billion), pork & pork products (\$1.4 billion), dairy products (\$1.2 billion), and beef & beef products (\$975 million).

U.S. exports of services to Mexico were an estimated \$31.1 billion in 2016, 1.4 percent (441 million) less than 2015, but 30.5 percent greater than 2006 levels. It was up roughly 199 percent from 1993 (pre-NAFTA).

Leading services exports from the U.S. to Mexico, in 2015, were in the travel, transport, and intellectual property (computer software, industrial processes) sectors.

Mexico was the United States' 2nd largest supplier of goods imports in 2016.

U.S. goods imports from Mexico totaled \$294.2 billion in 2016, down 0.8 percent (\$2.3 billion) from 2015, but up 48.4 percent from 2006.

U.S. imports from Mexico are up 637 percent from 1993 (pre-NAFTA). U.S. imports from Mexico account for 13.4 percent of overall U.S. imports in 2015.

The top import categories (2-digit HS) in 2016 were: vehicles (\$75 billion), electrical

machinery (\$62 billion), machinery (\$51 billion), optical and medical instruments (\$13 billion), and furniture and bedding (\$11 billion).

U.S. total imports of agricultural products from Mexico totaled \$23 billion in 2016, our 1st largest supplier of agricultural imports.

Leading categories include: fresh vegetables (\$5.6 billion), other fresh fruit (\$4.9 billion), wine and beer (\$3.1 billion), snack foods (\$2.0 billion), and processed fruit & vegetables (\$1.5 billion).

U.S. imports of services from Mexico were an estimated \$23.5 billion in 2016, 7.0 percent (\$1.5 billion) more than 2015, and 57.9 percent greater than 2006 levels. It was up roughly 216 percent from 1993 (pre-NAFTA). Leading services imports from Mexico to the U.S., in 2015, were in the travel, transport, and technical and other services sectors.

The U.S. goods trade deficit with Mexico was \$63.2 billion in 2016, a 4.2 percent increase (\$2.5 billion) over 2015.

The United States has a services trade surplus of an estimated \$7.6 billion with Mexico in 2016, down 20.7 percent from 2015.

U.S. foreign direct investment (FDI) in Mexico (stock) was \$92.8 billion in 2015 (latest data available), a 3.5 percent increase from 2014. U.S. direct investment in Mexico is led by manufacturing, nonbank holding companies, and mining.

Mexico's FDI in the United States (stock) was \$16.6 billion in 2015 (latest data available), up 0.2 percent from 2014. Mexico's direct investment in the U.S. is led by manufacturing, wholesale trade, and depository institutions.

Sales of services in Mexico by majority U.S.-owned affiliates were \$45.9 billion in 2014 (latest data available), while sales of services in the United States by majority Mexico-owned firms were \$8.5 billion.

We share one of the longest peaceful borders in the world with our neighbors to the north and to the south. We are not at war with our peaceful neighbors; we do not need to build an almost 2,000 mile wall to divide us from our neighbor.

This tragic initiative is inconsistent with the American character of building bridges not walls.

These are just some of the facts that Committees of Jurisdiction would have to weigh before we make any decision.

Mr. Speaker, I ask my colleagues to join me in opposing this Rule so that this bill can return to the Rules Committee to have Division E removed from this appropriations package.

Mr. NEWHOUSE. Mr. Speaker, the American people spoke loud and clear last November. They voted to support a stronger military, an unyielding national defense, and that includes the need for a much-improved border security. As the gentleman from Texas said, we have threats of human traffickers, drug smugglers, terrorists coming across our borders, and this is something that the American people said that they wanted, and we are responding to that with recommendations from the Customs and Border Protection agency.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, there is a lot of disorder in Washington, D.C.:

There is chaos and conflict and confrontation in the White House.

There is conflict within the majority party in the House of Representatives.

There was a representation that we were going to follow regular order. We have not.

There is no budget, which was supposed to be adopted some 3 months ago. A budget should have told all the Members of Congress and the country how much discretionary spending we were going to have.

The majority party has been unable to bring a budget to this floor and to pass it because of the disarray and disorder that we find in this House. This rule represents a litany of broken promises and exposes, frankly, the hypocrisy of this Republican majority.

This rule would add an amendment to the underlying bill that directs \$1.6 billion of American taxpayer dollars toward the construction of President Trump's proposed border wall. This was not in the original bill.

The irony is, in the Rules Committee, an amendment that was in the original bill has been struck not by a vote of the Defense Committee or by the Appropriations Committee, but by the Rules Committee. They just struck out an amendment.

Let me remind my colleagues, Mr. Speaker, of the words of our Speaker, PAUL RYAN. He said this: "We will advance major legislation one issue at a time."

Mr. Speaker, as you probably know, I have been here for some years—36, to be exact. I have never seen, in 36 years, an omnibus or minibus brought to the floor before September. Why? Because the regular order is to consider the bills one at a time, or, as the Speaker said: "We will advance major legislation one issue at a time."

But what the Republicans have done, Mr. Speaker, is to bring a bill and put so much in it, they dare people to vote against it because of the national security.

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

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, this rule ought to be rejected. It is not the regular order, it is not good policy, and it is not good for the institution of the House of Representatives or for the country.

The border wall is controversial, and many people in the Trump administration do not believe the border wall will be effective, and they believe it is a waste of money. And, of course, the President told us all the Mexicans were going to pay for the wall.

Well, this is \$1.6 billion of about \$20 billion that would have to come not to be paid for by the Mexicans, but to be paid for by the U.S. taxpayer for an ineffective effort to make this country more secure.

Everybody on this floor believes we ought to know who comes into this country and that people ought not to come into this country unless they are authorized to do so. We all agree on that.

I ask the majority leader: Bring this border wall to the floor; let us debate it; put it open for amendment. That is the regular order.

The Speaker went on to say: "We will not duck the tough issues. We will take them head on." That is Speaker PAUL RYAN, October 29, 2015.

They had an amendment offered on the authorization bill by Mrs. HARTZLER of Missouri. It was controversial, and the majority party lost. So what did they do? They didn't add it to the bill as Mrs. HARTZLER wanted to do, have an amendment on this floor so we could debate it again on its merits or merits depending upon your perspective, but they went around not by regular order, not by taking issues head-on, but by having the President issue some tweet that the chairman of the Joint Chiefs of Staff says he never was talked to about it.

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

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, let us stand up for this institution. Let us stand up for regular order. Let us stand up for not ducking the tough issues. Let us reject this rule, and then let us go back to regular order and hopefully do so in a bipartisan way and do what the American public expects us to do: make tough decisions for them, for our country, for our security, and for our children.

I urge my colleagues to vote against this rule.

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

Mr. Speaker, I certainly appreciate the debate on both sides on this very important issue.

Let me just say that this has been a very open process. Not all may want to acknowledge that, but let me just point out that this rule makes 54 amendments in order: 21 of those amendments are from the Democrats, 16 from Republicans, and fully, 17 are led by bipartisan cosponsors. So that tells me that the openness of this process, the ability for people to bring their perspectives, their opinions in this important debate is real.

As far as the Rules Committee unilaterally striking language and reinserting other language, that is true. We struck section 9021 of the Defense

Appropriations Act of 2018 and replaced it, though, with language from an amendment offered by Mr. COLE to the NDAA, the National Defense Authorization Act of 2018, which was adopted by the full House on July 13 of this year. It was replaced with language that was approved by this body. So again, Mr. Speaker, I think that points to the openness of this process.

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

□ 1315

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE), the distinguished ranking member of the Appropriations Subcommittee on Transportation, Housing and Urban Development.

Mr. PRICE of North Carolina. Mr. Speaker, I rise in opposition to this so-called security minibus.

The Republican majority has rushed through the fiscal year 2018 appropriations process, passing 12 bills without benefit of a budget resolution. Now they have failed to secure the votes on the floor for that Republican-only omnibus package, so they have decided to move forward with what is before us today—four appropriations bills stitched together that would bust the Budget Control Act defense cap and, if enacted, result in a \$72 billion sequester against all defense accounts.

The entire fiscal year '18 appropriations process has been a Republican exercise in sham accounting and wishful thinking: ignore current law, jack up defense spending, and impose huge, unnecessary, and detrimental cuts on domestic appropriations.

When future students learn about congressional appropriations, this episode should be exhibit A of what not to do.

The four bills before us today are also full of objectionable and unreasonable policy riders, including the ridiculous inclusion in the rule of \$1.6 billion to be spent on 74 miles of border wall. Nobody would know it from the President's hysterical rhetoric, but there are already 700 miles of fence along the border—vehicular fencing and pedestrian fencing. I know about it because most of that fence was built when I was chairman of the Homeland Security Appropriations Subcommittee.

When Congress appropriated funds to build that fence, we required segment-by-segment analyses and environmental impact studies. This bill doesn't include that. It doesn't include any language regarding congressional oversight. There are no requirements for Homeland Security to submit a cost-benefit analysis or to work with Congress through any modifications.

Mr. Speaker, funding an unnecessary wall, especially without congressional oversight, is not a defensible use of taxpayer dollars. We would simply become complicit in what we all know was campaign demagoguery.

Speaking of which, wasn't the Mexican Government going to pay for this wall? Weren't they going to pick up the tab?

This \$1.6 billion should be spent on much more important priorities, within and beyond homeland security, that would actually improve the lives of our citizens.

It is time for Republicans to stop playing games with taxpayer money and start negotiating with Democrats. We know this is going to have to happen eventually. We need a bipartisan budget and appropriations package that actually has a chance of becoming law and that addresses the need of a great country for serious investment.

Oppose the border wall. Oppose this sham appropriations minibuss.

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

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman from New York has 8½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, for our Nation of immigrants, a wall rejects our very history. A wall is not about America leading the world. A wall is about trying to shut off the rest of the world.

Ignored today, of course, is the history of how poorly laws have worked to stop desperate people. Most all of those who are coming to America—risking their lives, suffocating in the back of a truck, going over a perilous desert—are not here to cause us harm; they are not here to do wrong and mooch off of our social services. They are trying to escape violence or provide a little hope to their family. And they do it by taking the dirtiest, toughest jobs in our society, as immigrants have done since the very founding of our Nation. A wall only makes their path more perilous without offering us more security.

Last year, Trump's most famous and oft repeated claim was that he would build a wall that Mexico would pay for. But, this year, we just have one broken Trump campaign promise after another.

Today, we have confirmation that Trump is just putting taxpayers on the hook to pay for another section of a wall—yes, a wall of broken campaign promises. Instead of a wall, we ought to be building opportunity. As Austin Mayor Steve Adler said, “bridges make money, and walls cost money.”

Building Trump's boondoggle in the desert, at the same time he says we can't afford medical research or educational opportunity or job training, just shows how backward these priorities are. Let's oppose a wall of ignorance, a wall of prejudice, and create a bridge of opportunity. To achieve both

true security and economic growth, we need to reject this narrow-minded approach in favor of comprehensive immigration reform.

Mr. NEWHOUSE. Mr. Speaker, I do know that even though some people would like to ignore the situation we have on our southern border, we do need to respond to those border protection agents who are asking us for help. We do need to respond to the crisis that we see along our southern border to keep our country as safe as possible. And we do need to confirm to people across the country that help is on the way.

Certainly, the border is one aspect of this important piece of legislation, but there are many things in this bill that will help our country and help our military forces keep our Nation safe.

Mr. Speaker, I urge my colleagues to support this bill, and I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, I rise in opposition to the security minibuss.

I actually happen to sit on the Homeland Security Subcommittee, and I know what it is like to make sure that national security is our number one priority.

I also happen to know that I have heard testimony from experts, and I have heard bipartisan opposition to this wall in my committee. Because when we hear from experts, they tell us a wall is not going to stop a terrorist, and they tell us that the drug cartels are not going to be stopped either, they are just going to build a tunnel under the wall.

So when you talk about homeland security, I know exactly what you are talking about. The reality is that this \$1.6 billion is just a waste of taxpayer dollars. It is a dubious political promise that was made, and now the American people are being asked to foot the bill.

Let me repeat. I sit on Homeland Security. The border on the south is not our number one terrorist target. We know that what is there now is already an existing wall. We already have fencing there. Some of the areas we are talking about are even just areas in the Rio Grande, where it is not going to make the biggest difference.

If we are going to secure our borders, we could spend money on technology and other areas, or we could secure our borders by putting more money into port security, where there is a greater threat of terrorism.

This is just another way to bully Congress into funding a border wall that the majority of people don't want. I hope that my colleagues on the other side of the aisle will not be bullied by this because it is being packaged in with other bills that would otherwise get passed without the partisanship.

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

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to allow the House to consider Representative LEE's AUMF amendment—authority to use military force. This will provide all Members the chance for an up-or-down vote, which we have, thus far, been denied.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LEE) to discuss our proposal.

Ms. LEE. Mr. Speaker, first, let me thank the gentlewoman for yielding me time and for her tremendous leadership as our ranking member on the Rules Committee. It is a true testament to her love for our country and for our troops.

Mr. Speaker, I rise in opposition, first, to this terrible rule, but, of course, also in strong support of this amendment to sunset funding for the 2001 AUMF, after 240 days after enactment of this act.

This important amendment would provide Congress plenty of time to do our job and finally have a debate and vote on matters of war and peace.

Mr. Speaker, last week, Republicans unilaterally decided to kill my bipartisan amendment to sunset the 2001 AUMF, which would allow 8 months to debate and vote on a new one before it would be enacted.

This amendment was adopted on a bipartisan basis in the full Appropriations Committee. It was stripped out of the bill in the dead of the night, with no debate or vote from the Rules Committee.

This undemocratic and underhanded behavior really makes me wonder: What is Speaker RYAN so afraid of?

I came to the Rules Committee this week and asked them to rectify a wrong and allow a debate and a vote on this important measure, and they refused.

I even offered a second amendment, which we have before us today, which would sunset the funding for the 2001 AUMF, 240 days after enactment—that is 8 months—which would allow ample time to debate and vote on any replacement. This would be repeal, but remain in place, allowing 8 months to debate this.

Even though this amendment was germane to the bill, Republicans refused to even allow a debate on this important measure and a vote.

I understand Speaker RYAN has said that it was a mistake to include my original amendment and that it would endanger our national security.

Initially, on June 29, according to press accounts, my colleague and friend, who supported this amendment, Chairman COLE responded and said: It is time for leadership to wake up, and the administration to wake up, and send over a recommended AUMF, mark it up, and take it to the floor. I don't know any other way to get their attention because we have been talking about it for years.

Now, instead of listening to their own party, what do they do? They stripped our bipartisan amendment.

Some Members have said that the funding would be cut immediately with this amendment, but that is furthest from the truth. That is very disingenuous. That would be irresponsible, and I would in no way offer an amendment like that.

It would allow 8 months for Congress to debate and vote on any new AUMF.

Some have said that this is political, and I say it is just the opposite.

Our brave troops deserve us to come together and do this so they know their country has their back.

I voted for the 2001 authorization because I believed it opened the door for any President to wage endless war without a congressional debate or vote. Quite frankly, unfortunately, history has borne that out.

According to a Congressional Research Service report, the 2001 AUMFs have been used more than 37 times in 14 countries to justify military actions.

This report only examines the unclassified incidents. How many other operations have been conducted without the knowledge of Congress or the American people?

These authorizations have also been used to justify perpetual wars that are thousands of miles away.

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

Ms. SLAUGHTER. I yield an additional 30 seconds to the gentlewoman.

Ms. LEE. Let me conclude by saying, now any President can unilaterally wage war under the outdated authorization forever unless it is repealed.

The American people—our constituents—know that Congress is missing in action. They deserve better. Surely, Congress can muster the courage to do our constitutional duty and debate and vote on a new AUMF within 8 months if that is our decision.

We passed the 2001 AUMF within 3 days, and it never came to the Foreign Affairs Committee, where I served for 11 years.

So let's stand up for the Constitution, our servicemen and -women, and our national security by bringing forward this amendment.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question so

we can finally have this debate, vote "no" on the rule, and vote "no" on the underlying bill.

Mr. NEWHOUSE. Mr. Speaker, let me just say to my good friend from California, I agree that a new authorization on the use of military force is something that is necessary, something that we owe our military, and something that we should do.

The language with the Cole amendment, I think, starts us down that path. In fact, the Foreign Affairs Committee, just this week, is holding hearings on this very important topic.

I look forward to working with Ms. LEE on this, as well as all of us here in this House, to get us to the end result that I think is absolutely necessary, and I appreciate the gentlewoman's comments.

Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. BIGGS).

□ 1330

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Washington (Mr. NEWHOUSE), and I appreciate the opportunity to speak on this important issue.

I am an Arizona native. I grew up in southern Arizona, and trips to the southern Arizona border were not infrequent and not unusual. I have gone from San Luis to Naco, to Nogales, to Agua Prieta. I have been along the border many times, most recently just a couple months ago, and during that time, I used it as kind of a fact-finding expedition. I wanted to know what people who live right along the border talk about and think about as we in Congress consider things like a Presidential promise to build a wall, even in this bill, a partial wall, a good start.

I will tell you what I know is that the number one drug and human smuggling corridor in the United States of America is through the Tucson sector. That is right through the heart of the Arizona-Mexico border. It impacts, literally, 75 to 80 miles into the border. Where we have wilderness preserves, our agents can't go in, they don't go in, and yet roadways are cut in this pristine desert by those who enter from the cartels, cutting roads with their vehicles that they know that our agents cannot traverse.

So I am familiar with the area. I am familiar with the issue.

I had the privilege of talking to Border Patrol agents over the last few years, but in particular the last time I was at the border, and I talked to a number of them. I wondered what the men and women think who actually service the border for us. I asked them whether they supported a wall. It was 100 percent, it was unanimous: they want a wall. They want additional infrastructure. They want a road that parallels that wall so they can have access to that wall and make the apprehensions that they need to.

I talked to ranchers and farmers. It was unanimous then as well. Everyone wanted that wall, all recognizing the need for additional infrastructure of a roadway.

When you go to various portions of the border now, it is a single strand of wire. You can step over it. We had one of the ranchers, an 81-year-old gentleman, demonstrate how he crawls underneath the wire at 81 years of age.

Where there are small areas of fencing outside Nogales, either side from Nogales, that has cut down the number of folks who come that way; but since that fence only goes about 3 or 4 miles onto each side of the city, what happens is there is a flood of people who come around that fence.

A border wall is important. It is imperative. Those of us who feel the direct brunt of the influx of people who come across the border, whether for hostile or benign intentions, we feel very strongly that a border wall would benefit our State.

Mr. Speaker, I am pleased to support this initiative, and I can tell you that my constituency also supports this initiative. With that, I urge everyone to support this initiative.

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

Mr. NEWHOUSE. Mr. Speaker, let me just say that one of the beauties of Congress is being able to hear from people firsthand their experiences, who speak not just in theoretical senses but because of the life they live and their constituents, and so I appreciate very much the gentleman from Arizona and his testimony.

Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the gentleman from Washington for the way that he has worked with other colleagues in terms of trying to move this bill and this process forward. It would take Solomon in all of his wisdom to get it completely right, and in that regard, I give you due deference in the way that you all have put this bill together.

Mr. Speaker, I do want to rise in support of what my colleague from California spoke about just a moment ago, which is the fact that neither one of Ms. LEE's amendments were ultimately made in order. I have a problem with that from the standpoint of the construction of this rule, because one of those amendments was tied to, in essence, the base bill that actually passed at the committee level, and then the other one was an adaptation of that same notion.

What she is getting at, I think, is incredibly important. I think it is incredibly important, because the saying is that the road to hell is paved with good intentions, and we have been meaning and meaning and meaning and meaning to do something about the Authorization for Use of Force in the Middle

East since 2001 in terms of bringing it up to date, but we haven't, for whatever reason, done so. What she is getting at with her amendment is saying, simply, it is time, it is well past time, and I think there is real legitimacy to that point.

I would say, secondly, what doesn't work in life are blank checks. In essence, if you sign on to this notion that an Authorization for Use of Force back in 2001 will apply now, why doesn't it apply 30 years from now or 50 years from now, if you follow that logic out.

I think our Founding Fathers were so concrete in their constitutional premise that only Congress should declare war because what they knew was that body bags don't return to Washington, D.C. They return to congressional districts and States across this country. And knowing that, they said you have got to go to the people's House to have the Authorization for Use of Force so that you do not put people in harm's way without Congress debating that subject and actually coming up with a decision to the affirmative.

Finally, I would simply say this: This is important in terms of sending a clear signal to soldiers and to the public at large that we are behind them, we are behind the soldiers. We say this is what you ought to do. We are going to give you the tools necessary to do the job; and to the public: This is why we think it ought to be done. Authorization for Use of Force is about those two things.

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

Mr. NEWHOUSE. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I appreciate Mr. NEWHOUSE's efforts here.

Hearing a concern about the \$1.6 billion for the wall, let me just say, living in Texas, spending a lot of time on the border, spending time in Mexico—it is where my wife and I went on our honeymoon—there is only one reason Mexico is not one of the top 10 economies in the world, and it is because the drug cartels make tens of billions of dollars they use for corruption to keep it from being that.

The best thing we could do as a good neighbor to Mexico is to build a wall where it is needed, just like President Trump has talked about, stop that flow of tens of billions of dollars to Mexico used for corruption to keep down the Mexican people—hardworking, God-fearing people—and bring that country up by being a good neighbor; because, in this case, a good fence or wall will make a good neighbor, and Mexico will have its rightful place in the economic hierarchy of the world.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), my good friend.

Mr. POE of Texas. Mr. Speaker, having lived in Texas all my life, I, like

many other Texans, have been to the Texas border numerous times. I have been to the border from San Diego to Brownsville while I have been in Congress, the entire length of the border. Some things are working on the border, and one of those things that is working is a wall in the big cities.

One of my friends from El Paso likes to talk about how El Paso is the safest city in America. Well, one reason is El Paso has multiple fencing, a canal, and a river between the U.S., Texas, and Mexico.

The sheriff of El Paso told me after that fencing was created, cross-border crime is almost nonexistent. That is one reason—not the only reason—why El Paso is the safest city in America is because they have a wall, a fence, the Rio Grande River—a barrier. Let's use that term.

Sure, not everybody from Mexico is coming to commit crimes, of course not, but a wall works.

It also works where they have fencing in San Diego. It also works where they have fencing in Brownsville, Texas, between Brownsville and Mexico. It stops and reduces the cross-border individuals coming in without permission. So a partial fence will work.

This bill, let's make it clear, is not a complete border wall of the whole border. It is only 74 miles. And we need to do everything. We need to have that 74 miles. We need to have aerostats in the air. We need to have more Border Patrol on the ground. We need to have all types of technology to have a virtual wall, if you will, to protect the United States' security.

People need to come to the United States. We want people to come to the United States, but come the right way.

Lastly, as my friend from Tyler, Texas, said, the drug cartels are the major problem, and the criminal gangs, like the MS-13 gang, are the ones who come into the United States because there is no barrier to stop them.

And that is just the way it is.

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

Mr. Speaker, if we hadn't had this last election and the campaign that went with it, we wouldn't be talking about any wall. One of the candidates threw out that he would like to have a wall and was sure—he gave us the absurd notion that somehow Mexico would pay for it.

Not many of us believed that, but I will tell you, now that we have put in this \$1.6 billion for this wall, I will bet you that we are going to finish it, and we don't know how much it costs—somewhere between \$20 billion and \$40 billion for a wall.

Now, if I have heard correctly what my colleagues have said over there, the walls are working already, the ones they have got. There are walls there. I heard San Diego had three. So the idea, I guess, if one works, we will build us another one. Oh, my goodness.

This funding bill that we are talking about spending on a wall is needed to repair roads and bridges and bring down the cost of education, but the majority refuses to have debate on the AUMF, something that is critically important, life and death to many people who live in this country who are presently in the armed services. This amendment should have been included here.

And I appreciate what my colleague, Mr. SANFORD, said. He is absolutely right. But if we were to get a new AUMF, it would put Congress back into its duty to declare war. That is something that the Constitution gave us that we no longer have.

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

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

Mr. Speaker, I appreciate the discussion we have had this past hour from all Members that have participated. Although we may have our differences, some difference of opinion, I believe that this rule and the underlying bill are strong measures that are important to ensuring the security and the prosperity of our country. The rule provides for further consideration of H.R. 3219, the Make America Secure Appropriations Act of 2018.

Let me say again, while my friends on the other side may not want to acknowledge it, this rule makes 54 amendments in order; 21 of those 54 are from my Democratic friends, 16 are Republican, and 17 are bipartisan, led by bipartisan cosponsors. In fact, the majority of the amendments that were made in order under yesterday's rule that provide for the initial consideration of this bill were also led by Democrats, so this reflects the balanced approach of the process under this rule.

□ 1345

Mr. Speaker, it is our job, it is Congress' job, to appropriate the necessary funds to keep our Nation safe and our defense strong. This rule allows us to complete our efforts to complete the appropriations process for our top priorities, those of national security. I look forward, though, to bringing the other eight appropriation bills to the floor to fulfill the rest of our duty. Certainly, as an appropriator, no one wants to see this effort completed more than our committee and as I do.

I have appreciated the important advocacy my colleagues on both sides have brought forward through this process, from within the subcommittees of the Appropriations Committee, through the full committee, through the Rules Committee, and now, here on the House floor.

The measures included in this rule will provide vital resources for our national defense and for our military infrastructure. As I said, it will boost the

pay of our troops, support our military families who sacrifice so much for our country; it will strengthen the care we provide for our veterans and enforce our border security to protect all of the American people.

This rule will also allow for further security improvements for the Capitol campus to protect all who visit here. It will also provide robust funding to improve our Nation's waterways, our infrastructure, our important nuclear clean-up, as well as nonproliferation efforts.

It also reinstates our top priority, providing funding for our national defense. We must begin to rebuild our Nation's military, and I am proud of this as a major step forward, restoring military readiness in order to keep our country safe.

Mr. Speaker, the underlying appropriations within this rule are of the utmost importance to the Nation, and we must move forward with this rule in order to get our job done. The men and women in uniform serving our Nation around the globe are depending on us.

I hope our colleagues, my colleagues on both sides of the aisle, will support this rule so that we can do that, get our job done.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 478 OFFERED BY
Ms. SLAUGHTER

At the end of the resolution, add the following:

SEC. 6. Notwithstanding any other provision of this resolution, the amendment described in section 7 shall be in order as though printed as the last amendment in part B of the report of the Committee on Rules accompanying this resolution if offered by Representative Lee of California or her designee. Such amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 7. The amendment referred to in section 6 is as follows:

"At the end of division A (before the short title), insert the following:

SEC. _____. (a) None of the funds made available by this Act may be used to implement, enforce, or administer the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note).

(b) Subsection (a) shall apply beginning on the date that is 240 days after the date of the enactment of this Act."

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the

opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 233, nays 185, not voting 15, as follows:

[Roll No. 426]

YEAS—233

Abraham	Goodlatte	Nunes
Aderholt	Gosar	Olson
Allen	Gowdy	Palazzo
Amash	Granger	Palmer
Amodei	Graves (GA)	Paulsen
Arrington	Graves (LA)	Pearce
Babin	Graves (MO)	Perry
Bacon	Griffith	Pittenger
Banks (IN)	Grothman	Poe (TX)
Barletta	Guthrie	Poliquin
Barr	Handel	Rice (SC)
Barton	Harper	Robby
Bergman	Harris	Ratcliffe
Biggs	Hartzler	Reed
Billrakis	Hensarling	Reichert
Bishop (MI)	Herrera Beutler	Renacci
Bishop (UT)	Hice, Jody B.	Rohrabacher
Black	Higgins (LA)	Rooney, Francis
Blackburn	Hill	Rooney, Thomas J.
Blum	Holding	Ros-Lehtinen
Bost	Hudson	Ross
Brady (TX)	Huizenga	Rothfus
Brat	Hultgren	Rouzer
Bridenstine	Hunter	Royce (CA)
Brooks (AL)	Hurd	Russell
Brooks (IN)	Issa	Rutherford
Buchanan	Jenkins (KS)	Sanford
Buck	Jenkins (WV)	Schweikert
Bucshon	Johnson (LA)	Scott, Austin
Budd	Johnson (OH)	Sensenbrenner
Burgess	Johnson, Sam	Sessions
Byrne	Jordan	Shimkus
Calvert	Joyce (OH)	Shuster
Carter (GA)	Katko	Simpson
Carter (TX)	Kelly (MS)	Smith (MO)
Chabot	Kelly (PA)	Smith (NE)
Cheney	King (IA)	Smith (NJ)
Coffman	King (NY)	Smith (TX)
Cole	Kinzing	Smucker
Collins (NY)	Knight	Stefanik
Comer	Kustoff (TN)	Stewart
Comstock	Labrador	Stivers
Conaway	LaHood	Taylor
Cook	LaMalfa	Tenney
Costello (PA)	Lamborn	Thompson (PA)
Cramer	Lance	Thornberry
Crawford	Latta	Tiberi
Culberson	Lewis (MN)	Tipton
Curbelo (FL)	LoBiondo	Trott
Davidson	Long	Turner
Davis, Rodney	Loudermilk	Upton
Denham	Love	Valadao
Dent	Lucas	Wagner
DeSantis	Luetkemeyer	Walberg
DesJarlais	MacArthur	Walden
Diaz-Balart	Marchant	Walker
Donovan	Marino	Walorski
Duffy	Marshall	Walters, Mimi
Duncan (SC)	Masie	Weber (TX)
Duncan (TN)	Mast	Webster (FL)
Dunn	McCarthy	Wenstrup
Emmer	McCaul	Westerman
Estes (KS)	McClintock	Williams
Farenthold	McHenry	Wilson (SC)
Faso	McKinley	Wittman
Ferguson	McMorris	Womack
Fitzpatrick	Rodgers	Woodall
Fleischmann	McSally	Yoder
Flores	Meadows	Yoho
Fortenberry	Meehan	Young (AK)
Fox	Messer	Young (IA)
Franks (AZ)	Mitchell	Zeldin
Frelinghuysen	Moolenaar	
Gaetz	Mooney (WV)	
Gallagher	Mullin	
Garrett	Murphy (PA)	
Gianforte	Newhouse	
Gibbs	Noem	
Gohmert	Norman	

NAYS—185

Adams	Bishop (GA)	Brown (MD)
Aguilar	Blumenauer	Brownley (CA)
Barragán	Blunt Rochester	Bustos
Bass	Bonamici	Butterfield
Beatty	Boyle, Brendan F.	Capuano
Bera	Brady (PA)	Carbajal
Beyer		Cárdenas

Carson (IN) Higgins (NY)
 Cartwright Himes
 Castor (FL) Hoyer
 Castro (TX) Huffman
 Chu, Judy Jackson Lee
 Cicilline Jayapal
 Clark (MA) Jeffries
 Clarke (NY) Johnson (GA)
 Clay Johnson, E. B.
 Cleaver Jones
 Clyburn Kaptur
 Cohen Keating
 Connolly Kelly (IL)
 Conyers Kennedy
 Cooper Khanna
 Correa Kihuen
 Costa Kildee
 Courtney Kilmer
 Crist Kind
 Crowley Krishnamoorthi
 Cuellar Kuster (NH)
 Davis (CA) Langevin
 Davis, Danny Larsen (WA)
 DeFazio Larson (CT)
 DeGette Lawrence
 Delaney Lawson (FL)
 DeLauro Lee
 DelBene Levin
 Demings Lewis (GA)
 DeSaulnier Lieu, Ted
 Deutch Lipinski
 Dingell Loeb sack
 Doggett Lofgren
 Doyle, Michael Lowenthal
 F. Lujan Grisham,
 Ellison M.
 Engel Luján, Ben Ray
 Eshoo Lynch
 Espallat Maloney,
 Esty (CT) Carolyn B.
 Evans Maloney, Sean
 Foster Matsui
 Frankel (FL) McCollum
 Fudge McEachin
 Gabbard McGovern
 Gallego McNerney
 Garamendi Meeks
 Gomez Meng
 Gonzalez (TX) Moore
 Gottheimer Moulton
 Green, Al Murphy (FL)
 Green, Gene Nadler
 Grijalva Neal
 Gutiérrez Norcross
 Hanabusa O'Halleran
 Hastings O'Rourke
 Heck Pallone

NOT VOTING—15

Collins (GA) Nolan
 Cummings Pascrell
 Hollingsworth Pelosi
 Lowey Rogers (AL)
 Napolitano Roskam

□ 1408

Messrs. CAPUANO and COSTA changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mrs. LOWEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 426.

Ms. SPEIER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 426.

The SPEAKER pro tempore (Mr. HILL). The question is on the resolution.

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 196, not voting 7, as follows:

[Roll No. 427]

AYES—230

Abraham Gohmert
 Aderholt Goodlatte
 Allen Gosar
 Amodei Gowdy
 Arrington Granger
 Babin Graves (GA)
 Bacon Graves (LA)
 Banks (IN) Graves (MO)
 Barletta Griffith
 Barr Grothman
 Barton Guthrie
 Bergman Handel
 Biggs Harper
 Bilirakis Harris
 Bishop (MI) Hartzler
 Bishop (UT) Hensarling
 Black Herrera Beutler
 Blackburn Hice, Jody B.
 Blum Higgins (LA)
 Bost Hill
 Brady (TX) Holding
 Brat Hudson
 Bridenstine Huizenga
 Brooks (AL) Hultgren
 Brooks (IN) Hunter
 Buchanan Jenkins (KS)
 Buck Jenkins (WV)
 Bucshon Johnson (LA)
 Budd Johnson (OH)
 Burgess Johnson, Sam
 Byrne Jordan
 Calvert Joyce (OH)
 Carter (GA) Katko
 Carter (TX) Kelly (MS)
 Chabot Kelly (PA)
 Cheney King (IA)
 Coffman King (NY)
 Cole Kinzinger
 Collins (GA) Knight
 Collins (NY) Kustoff (TN)
 Comer Labrador
 Comstock LaHood
 Conaway LaMalfa
 Cook Lamborn
 Costello (PA) Lance
 Cramer Latta
 Crawford Lewis (MN)
 Culberson LoBiondo
 Curbelo (FL) Long
 Davidson Loudermilk
 Davis, Rodney Love
 Denham Lucas
 Dent Luetkemeyer
 DeSantis MacArthur
 DesJarlais Marchant
 Diaz-Balart Marino
 Donovan Marshall
 Duffy Mast
 Duncan (SC) McCarthy
 Duncan (TN) McCaul
 Dunn McClintock
 Emmer McHenry
 Estes (KS) McKinley
 Farenthold McMorris
 Faso Rodgers
 Ferguson McSally
 Fitzpatrick Meadows
 Fleischmann Meehan
 Flores Messer
 Fortenberry Mitchell
 Foxx Moolenaar
 Franks (AZ) Mooney (WV)
 Frelinghuysen Mullin
 Gaetz Murphy (PA)
 Gallagher Newhouse
 Garrett Noem
 Gianforte Norman
 Gibbs Nunes

NOES—196

Adams Bera
 Aguilar Beyer
 Amash Bishop (GA)
 Barragán Blumenauer
 Bass Blunt Rochester
 Beatty Bonamici

Butterfield
 Capuano
 Carbajal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty (CT)
 Evans
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gomez
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hanabusa
 Hastings
 Heck

NOT VOTING—7

Cummings Napolitano
 Hollingsworth Roskam
 Issa Ryan (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). There are 2 minutes remaining.

□ 1415

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3298. An act to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund

to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 473 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3219.

Will the gentleman from Arkansas (Mr. HILL) kindly take the chair.

□ 1416

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, with Mr. HILL (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on the legislative day of Wednesday, July 26, 2017, a request for a recorded vote on amendment No. 63 printed in House Report 113-259 offered by the gentleman from Pennsylvania (Mr. PERRY) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-259 on which further proceedings were postponed, in the following order:

Amendment No. 62 by Mrs. BLACKBURN of Tennessee.

Amendment No. 63 by Mr. PERRY of Pennsylvania.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

AMENDMENT NO. 62 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 140, noes 285, answered “present” 1, not voting 7, as follows:

[Roll No. 428]

AYES—140

Allen	Grothman	Norman
Amash	Guthrie	Olson
Babin	Handel	Palazzo
Banks (IN)	Harris	Palmer
Barton	Hensarling	Paulsen
Biggs	Hice, Jody B.	Perry
Bilirakis	Hill	Poe (TX)
Black	Holding	Poliquin
Blackburn	Hudson	Polis
Blum	Huizenga	Ratcliffe
Brady (TX)	Hultgren	Rice (SC)
Brat	Hunter	Roe (TN)
Bridenstine	Hurd	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Rooney, Francis
Buck	Johnson (OH)	Rooney, Thomas
Bucshon	Johnson, Sam	J.
Budd	Jones	Rothfus
Burgess	Jordan	Rouzer
Carter (GA)	Kelly (MS)	Royce (CA)
Chabot	King (IA)	Russell
Collins (GA)	Kustoff (TN)	Sanford
Comer	Labrador	Schweikert
Conaway	LaHood	Scott, Austin
Cramer	LaMalfa	Sensenbrenner
Crawford	Lamborn	Sessions
Culberson	Lance	Shuster
Davidson	Latta	Smith (MO)
DeSantis	Lewis (MN)	Smith (NE)
DesJarlais	Long	Stewart
Duffy	Loudermilk	Upton
Duncan (SC)	Love	Wagner
Duncan (TN)	Lucas	Walberg
Dunn	Marchant	Walker
Estes (KS)	Marshall	Walorski
Farenthold	Massie	Walters, Mimi
Ferguson	McCarthy	Weber (TX)
Flores	McCauley	Webster (FL)
Fox	McClintock	Wenstrup
Garrett	McHenry	Westerman
Gibbs	McMorris	Williams
Gohmert	Rodgers	Wittman
Goodlatte	McSally	Woodall
Gosar	Meadows	Yoho
Gowdy	Messer	Young (IA)
Graves (GA)	Mitchell	Zeldin
Graves (LA)	Mooney (WV)	
Griffith	Mullin	

NOES—285

Abraham	Cicilline	Emmer
Adams	Clark (MA)	Engel
Aderholt	Clarke (NY)	Eshoo
Aguilar	Clay	Espallat
Amodei	Cleaver	Esty (CT)
Arrington	Clyburn	Evans
Bacon	Coffman	Faso
Barletta	Cohen	Fitzpatrick
Barr	Cole	Fleischmann
Barragán	Collins (NY)	Fortenberry
Bass	Comstock	Foster
Beatty	Connolly	Frankel (FL)
Bera	Conyers	Franks (AZ)
Bergman	Cook	Frelinghuysen
Beyer	Cooper	Fudge
Bishop (GA)	Correa	Gabbard
Bishop (MI)	Costa	Gaetz
Bishop (UT)	Costello (PA)	Gallagher
Blumenauer	Courtney	Galleo
Blunt Rochester	Crist	Garamendi
Bonamici	Crowley	Gianforte
Bost	Cuellar	Gomez
Boyle, Brendan	Curbelo (FL)	Gonzalez (TX)
F.	Davis (CA)	Gottheimer
Brady (PA)	Davis, Danny	Granger
Brown (MD)	DeFazio	Graves (MO)
Brownley (CA)	DeGette	Green, Al
Buchanan	Delaney	Green, Gene
Bustos	DeLauro	Grijalva
Butterfield	DelBene	Gutiérrez
Byrne	Demings	Hanabusa
Calvert	Denham	Harper
Capuano	Dent	Hartzler
Carbajal	DeSaulnier	Hastings
Cárdenas	Deutch	Heck
Carson (IN)	Diaz-Balart	Herrera Beutler
Carter (TX)	Dingell	Higgins (LA)
Cartwright	Doggett	Higgins (NY)
Castor (FL)	Donovan	Himes
Castro (TX)	Doyle, Michael	Hoyer
Cheney	F.	Huffman
Chu, Judy	Ellison	Jackson Lee

Jayapal	Meehan	Scott, David
Jeffries	Meeks	Serrano
Jenkins (WV)	Meng	Sewell (AL)
Johnson (GA)	Moolenaar	Shea-Porter
Johnson (LA)	Moore	Sherman
Johnson, E. B.	Moulton	Shimkus
Joyce (OH)	Murphy (FL)	Simpson
Kaptur	Murphy (PA)	Sinema
Katko	Nadler	Sires
Keating	Neal	Slaughter
Kelly (IL)	Newhouse	Smith (NJ)
Kelly (PA)	Noem	Smith (TX)
Kennedy	Nolan	Smith (WA)
Khanna	Norcross	Smucker
Kihuen	Nunes	Soto
Kildee	O'Halleran	Speier
Kilmer	O'Rourke	Stefanik
Kind	Pallone	Stivers
King (NY)	Panetta	Suozi
Kinzinger	Pascarell	Swalwell (CA)
Knight	Payne	Takano
Krishnamoorthi	Pearce	Taylor
Kuster (NH)	Pelosi	Tenney
Langevin	Perlmutter	Thompson (CA)
Larsen (WA)	Peters	Thompson (MS)
Larson (CT)	Peterson	Thompson (PA)
Lawrence	Pingree	Thornberry
Lawson (FL)	Pittenger	Tiberi
Lee	Pocan	Tipton
Levin	Posey	Titus
Lewis (GA)	Price (NC)	Tonko
Lieu, Ted	Quigley	Torres
Lipinski	Raskin	Trott
LoBiondo	Reed	Tsongas
Loeback	Reichert	Turner
Lofgren	Renacci	Valadao
Lowenthal	Rice (NY)	Vargas
Lowey	Richmond	Veasey
Luetkemeyer	Roby	Vela
Lujan Grisham,	Rogers (AL)	Velázquez
M.	Rogers (KY)	Visclosky
Luján, Ben Ray	Ros-Lehtinen	Walden
Lynch	Rosen	Walz
MacArthur	Ross	Wasserman
Maloney,	Roybal-Allard	Schultz
M.	Ruiz	Waters, Maxine
Luján, Ben Ray	Ruppersberger	Watson Coleman
Lynch	Rush	Welch
MacArthur	Rutherford	Wilson (FL)
Maloney,	Sánchez	Wilson (SC)
Malone, Sean	Schakowsky	Womack
Marino	Schiff	Yarmuth
Mast	Schneider	Yoder
Matsui	Schrader	Young (AK)
McCollum	Scott (VA)	
McEachin		
McGovern		
McKinley		
McNerney		

ANSWERED “PRESENT”—1

Barbanes

NOT VOTING—7

Cummings	Napolitano	Scalise
Davis, Rodney	Roskam	
Hollingsworth	Ryan (OH)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1420

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SARBANES. Mr. Chair, during rollcall Vote No. 428 on H.R. 3219, I mistakenly recorded my vote as “present” when I should have voted “no.”

AMENDMENT NO. 63 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 248, not voting 8, as follows:

[Roll No. 429]

AYES—177

Abraham	Gowdy	Norman
Aderholt	Granger	Nunes
Allen	Graves (GA)	Olson
Amash	Graves (LA)	Palazzo
Amodei	Graves (MO)	Palmer
Arrington	Grothman	Pearce
Babin	Harris	Perry
Bacon	Hartzler	Pittenger
Banks (IN)	Hensarling	Poe (TX)
Barletta	Herrera Beutler	Poliquin
Barr	Hice, Jody B.	Posey
Barton	Higgins (LA)	Ratcliffe
Bergman	Hill	Renacci
Biggs	Holding	Rice (SC)
Bilirakis	Huizenga	Roby
Bishop (UT)	Hultgren	Rogers (KY)
Black	Hunter	Rohrabacher
Brat	Hurd	Rokita
Bridenstine	Issa	Rooney, Francis
Brooks (AL)	Jenkins (KS)	Ross
Brooks (IN)	Jenkins (WV)	Rothfus
Buchanan	Johnson (LA)	Rouzer
Buck	Johnson, Sam	Royce (CA)
Bucshon	Jones	Russell
Budd	Jordan	Sanford
Burgess	Kelly (MS)	Schweikert
Byrne	Kelly (PA)	Scott, Austin
Calvert	King (IA)	Scott, Austin
Carter (TX)	King (NY)	Sensenbrenner
Chabot	Kustoff (TN)	Sessions
Cheney	Labrador	Shimkus
Coffman	LaHood	Shuster
Collins (GA)	Lamborn	Simpson
Comer	Lewis (MN)	Smith (MO)
Conaway	Long	Smith (NE)
Cramer	Loudermilk	Smith (TX)
Crawford	Love	Stewart
Davidson	Lucas	Stivers
Dent	Luetkemeyer	Taylor
DeSantis	Marchant	Thornberry
DesJarlais	Marino	Tipton
Diaz-Balart	Marshall	Trott
Duffy	Massie	Turner
Duncan (SC)	Mast	Wagner
Duncan (TN)	McCarthy	Walker
Emmer	McCaul	Walorski
Estes (KS)	McClintock	Weber (TX)
Farenthold	McHenry	Webster (FL)
Ferguson	McMorris	Wenstrup
Fleischmann	Rodgers	Westerman
Foxx	McSally	Williams
Franks (AZ)	Meadows	Wilson (SC)
Frelinghuysen	Meehan	Wittman
Gaetz	Messer	Womack
Garrett	Mitchell	Yoder
Gianforte	Mooney (WV)	Yoho
Gibbs	Mullin	Young (AK)
Gohmert	Murphy (PA)	Young (IA)
Goodlatte	Newhouse	Zeldin
Gosar	Noem	

NOES—248

Adams	Brownley (CA)	Cole
Aguilar	Bustos	Collins (NY)
Barragán	Butterfield	Comstock
Bass	Capuano	Connolly
Beatty	Carbajal	Conyers
Bera	Cárdenas	Cook
Beyer	Carson (IN)	Cooper
Bishop (GA)	Carter (GA)	Correa
Bishop (MI)	Cartwright	Costa
Blackburn	Castor (FL)	Costello (PA)
Blum	Castro (TX)	Courtney
Blumenauer	Chu, Judy	Crist
Blunt Rochester	Cicilline	Crowley
Bonamici	Clark (MA)	Cuellar
Bost	Clarke (NY)	Culberson
Boyle, Brendan	Clay	Curbelo (FL)
F.	Cleaver	Davis (CA)
Brady (PA)	Clyburn	Davis, Danny
Brown (MD)	Cohen	Davis, Rodney

DeFazio	Kilmer	Reichert
DeGette	Kind	Rice (NY)
Delaney	Kinzinger	Richmond
DeLauro	Knight	Roe (TN)
DeBene	Krishnamoorthi	Rogers (AL)
Demings	Kuster (NH)	Rooney, Thomas J.
Denham	LaMalfa	Ros-Lehtinen
DeSaulnier	Lance	Rosen
Deutch	Langevin	Roybal-Allard
Dingell	Larsen (WA)	Ruiz
Doggett	Larson (CT)	Ruppersberger
Donovan	Latta	Rush
Doyle, Michael	Lawrence	Rutherford
F.	Lawson (FL)	Lee
Dunn	Lee	Sánchez
Ellison	Levin	Sarbanes
Engel	Lewis (GA)	Schakowsky
Eshoo	Lieu, Ted	Schiff
Españalat	Lipinski	Schneider
Esty (CT)	LoBiondo	Schrader
Evans	Loebbeck	Scott (VA)
Faso	Lofgren	Scott, David
Fitzpatrick	Lowenthal	Serrano
Flores	Lowe	Sewell (AL)
Fortenberry	Lujan Grisham,	Shea-Porter
Foster	M.	Sherman
Frankel (FL)	Luján, Ben Ray	Sinema
Fudge	Lynch	Sires
Gabbard	MacArthur	Slaughter
Gallagher	Maloney,	Smith (NJ)
Gallego	Carolyn B.	Smith (WA)
Garamendi	Maloney, Sean	Smucker
Gomez	Matsui	Soto
Gonzalez (TX)	McCollum	Speier
Gottheimer	McEachin	Stefanik
Green, Al	McGovern	Suozi
Green, Gene	McKinley	Swalwell (CA)
Griffith	McNerney	Takano
Grijalva	Meeks	Tenney
Guthrie	Meng	Thompson (CA)
Gutiérrez	Moolenaar	Thompson (MS)
Hanabusa	Moore	Thompson (PA)
Handel	Moulton	Tiberi
Harper	Murphy (FL)	Titus
Hastings	Nadler	Tonko
Heck	Neal	Torres
Higgins (NY)	Nolan	Tsongas
Himes	Norcross	Upton
Hoyer	O'Halleran	Valadao
Hudson	O'Rourke	Vargas
Huffman	Pallone	Veasey
Jackson Lee	Panetta	Vela
Jayapal	Pascrell	Velázquez
Jeffries	Paulsen	Visclosky
Johnson (GA)	Payne	Walberg
Johnson (OH)	Pelosi	Walden
Johnson, E. B.	Perlmutter	Walters, Mimi
Joyce (OH)	Peters	Walz
Kaptur	Peterson	Wasserman
Katko	Pingree	Schultz
Keating	Pocan	Waters, Maxine
Kelly (IL)	Polis	Watson Coleman
Kennedy	Price (NC)	Welch
Khanna	Quigley	Wilson (FL)
Kihuen	Raskin	Yarmuth
Kildee	Reed	

NOT VOTING—8

Brady (TX)	Napolitano	Scalise
Cummings	Roskam	Woodall
Hollingsworth	Ryan (OH)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. HOLDING) (during the vote). There is 1 minute remaining.

□ 1424

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MCCAUL. Mr. Chair, on rollcall no. 429, I mistakenly voted "yes" when I intended to vote "no."

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Chair, I was absent during rollcall votes No. 426 through No. 429 due to my spouse's health situation in California. Had I been present, I would have voted "nay" on the Motion on Ordering the Previous

Question on the Rule providing for consideration of H.R. 3219. I would have also voted "nay" on H. Res. 478—Rule providing for consideration of H.R. 3219—"Make America Secure Appropriations Act, 2018." I would have also voted "nay" on the Blackburn Amendment. I would have also voted "nay" on the Perry amendment.

The Acting CHAIR. There being no further amendments pursuant to House Resolution 473, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HILL) having assumed the chair, Mr. HOLDING, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2018

GENERAL LEAVE

Ms. GRANGER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the further consideration of H.R. 3219, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 478 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3219.

Will the gentleman from California (Mr. ISSA) kindly take the chair.

□ 1427

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, with Mr. ISSA (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 63 printed in House Report 115-259 offered by the gentleman from Pennsylvania (Mr. PERRY) had been disposed of.

Pursuant to House Resolution 478, the further amendment printed in part A of House Report 115-261 shall be considered as adopted.

The text of the further amendment printed in part A of House Report 115-261 is as follows:

After division D, insert the following:

DIVISION E—DEPARTMENT OF HOMELAND SECURITY BORDER INFRASTRUCTURE CONSTRUCTION APPROPRIATION ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2018, namely:

U.S. CUSTOMS AND BORDER PROTECTION PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses for U.S. Customs and Border Protection for procurement, construction, and improvements, \$1,571,239,000, to remain available until September 30, 2020, which shall be available as follows:

- (1) \$784,000,000 for 32 miles of new border bollard fencing in the Rio Grande Valley, Texas.
- (2) \$498,000,000 for 28 miles of new bollard levee wall in the Rio Grande Valley, Texas.
- (3) \$251,000,000 for 14 miles of secondary fencing in San Diego, California.
- (4) \$38,239,000 for planning for border wall construction.

TITLE I—GENERAL PROVISIONS

REFERENCES TO ACT

SEC. 101. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

This Act may be cited as the “Department of Homeland Security Border Infrastructure Construction Appropriations Act, 2018”.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 115–261, amendments en bloc described in section 3 of House Resolution 478, and available pro forma amendments described in section 4 of House Resolution 473.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of House Resolution 473, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment, except as provided by section 4 of House Resolution 473, and shall not be subject to a demand for division of the question.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MS. GRANGER OF TEXAS

Ms. GRANGER. Mr. Chairman, pursuant to section 3 of House Resolution 478, as the designee of the gentleman from New Jersey (Mr. FRELINGHUYSEN), I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 1, 2, 3, 4, 5, 6, 7, 9, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 32, 33, 34, 36, 37, 40, 44, 46, 49, 50, 52, 53, and 54 printed in part B of House Report 115–261, offered by Ms. GRANGER of Texas:

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 3, line 4, after the dollar amount, insert “(reduced by \$2,000,000) (increased by \$2,000,000)”.

AMENDMENT NO. 2 OFFERED BY MR. BRIDENSTINE OF OKLAHOMA

Page 7, line 15, after the dollar amount, insert “(reduced by \$5,000,000)”.

Page 34, line 6, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 3 OFFERED BY MR. LOWENTHAL OF CALIFORNIA

Page 7, line 15, after the dollar amount insert the following: “(reduced by \$5,600,000)”.

Page 8, line 23, after the dollar amount insert the following: “(increased by \$5,000,000)”.

AMENDMENT NO. 4 OFFERED BY MR. COLLINS OF NEW YORK

Page 7, line 15, after the dollar amount, insert “(reduced by \$6,000,000)”.

Page 34, line 6, after the dollar amount, insert “(increased by \$6,000,000)”.

AMENDMENT NO. 5 OFFERED BY MR. MAST OF FLORIDA

Page 7, line 24, after the dollar amount, insert “(reduced by \$598,000)”.

Page 33, line 19, after the dollar amount, insert “(increased by \$598,000)”.

AMENDMENT NO. 6 OFFERED BY MS. SHEA- PORTER OF NEW HAMPSHIRE

Page 7, line 24, after the dollar amount, insert “(reduced by \$7,000,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$7,000,000)”.

Page 37, line 23, after the dollar amount, insert “(increased by \$7,000,000)”.

AMENDMENT NO. 7 OFFERED BY MR. MEEHAN OF PENNSYLVANIA

Page 8, line 23, after the dollar amount insert “(reduced by \$10,000,000)”.

Page 16, line 3, after the dollar amount insert “(increased by \$10,000,000)”.

AMENDMENT NO. 9 OFFERED BY MR. LANCE OF NEW JERSEY

Page 8, line 23, after the dollar amount insert the following: “(reduced by \$100,000) (increased by \$100,000)”.

AMENDMENT NO. 11 OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 8, line 23, after the dollar amount insert the following: “(reduced by \$194,897,000) (increased by \$194,897,000)”.

AMENDMENT NO. 14 OFFERED BY MR. GALLAGHER OF WISCONSIN

Page 8, line 23, after the dollar amount, insert “(reduced by \$26,200,000)”.

Page 23, line 18, after the dollar amount, insert “(increased by \$26,200,000)”.

AMENDMENT NO. 15 OFFERED BY MR. HUNTER OF CALIFORNIA

Page 8, line 23, after the dollar amount insert “(reduced by \$20,000,000)”.

Page 27, line 24, after the dollar amount insert “(increased by \$20,000,000)”.

AMENDMENT NO. 16 OFFERED BY MS. ROSEN OF NEVADA

Page 8, line 23, after the dollar amount, insert “(reduced by \$6,000,000)”.

Page 33, line 12, after the dollar amount, insert “(increased by \$6,000,000)”.

AMENDMENT NO. 17 OFFERED BY MR. WILSON OF SOUTH CAROLINA

Page 8, line 23, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 33, line 12, after the dollar amount, insert “(increased by \$4,000,000)”.

AMENDMENT NO. 18 OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Page 8, line 23, after the dollar amount, insert “(decreased by \$20,000,000)”.

Page 33, line 19, after the dollar amount, insert “(increased by \$20,000,000)”.

AMENDMENT NO. 19 OFFERED BY MR. SOTO OF FLORIDA

Page 8, line 23, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 37, line 23, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 20 OFFERED BY MR. SOTO OF FLORIDA

Page 8, line 23, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 37, line 23, after the dollar amount, insert “(increased by \$10,000,000)”.

AMENDMENT NO. 21 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Page 8, line 23, after the dollar amount, insert “(reduced by \$2,500,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 37, line 16, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 22 OFFERED BY MR. NOLAN OF MINNESOTA

Page 8, line 23, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 37, line 23, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 23 OFFERED BY MR. DELANEY OF MARYLAND

Page 8, line 23, after the dollar amount, insert “(reduced by \$8,000,000)”.

Page 87, line 10, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 24 OFFERED BY MR. KNIGHT OF CALIFORNIA

Page 28, line 15, after the dollar amount, insert “(increased by \$16,000,000)”.

Page 34, line 18, after the dollar amount, insert “(reduced by \$16,000,000)”.

AMENDMENT NO. 25 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 31, line 16, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 37, line 23, after the dollar amount, insert “(increased by \$10,000,000)”.

AMENDMENT NO. 26 OFFERED BY MS. CHENEY OF WYOMING

Page 32, line 25, before the colon, insert “, except for missile defense requirements resulting from urgent or emergent operational needs”.

Page 37, line 1, before the semicolon, insert “, except for missile defense requirements”.

resulting from urgent or emergent operational needs”.

AMENDMENT NO. 28 OFFERED BY MR. PAULSEN OF MINNESOTA

Page 33, line 12, after the dollar amount, insert “(increased by \$12,000,000)”.

Page 34, line 18, after the dollar amount, insert “(reduced by \$12,000,000)”.

AMENDMENT NO. 29 OFFERED BY MR. EMMER OF MINNESOTA

Page 33, line 12, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 33, line 19, after the dollar amount, insert “(reduced by \$2,500,000)”.

Page 34, line 18, after the dollar amount, insert “(reduced by \$2,500,000)”.

AMENDMENT NO. 32 OFFERED BY MR. GARAMENDI OF CALIFORNIA

Page 34, line 6, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 34, line 18, after the dollar amount, insert “(reduced by \$12,500,000)”.

AMENDMENT NO. 33 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 34, line 18, after the dollar amount, insert “(increased by \$20,000,000)”.

Page 34, line 18, after the dollar amount, insert “(reduced by \$20,000,000)”.

AMENDMENT NO. 34 OFFERED BY MR. BROWN OF MARYLAND

Page 34, line 18, after the dollar amount, insert “(reduced by \$4,135,000) (increased by \$4,135,000)”.

AMENDMENT NO. 36 OFFERED BY MR. COURTNEY OF CONNECTICUT

In section 8010, strike “SSN Virginia Class Submarine” and insert “up to 13 SSN Virginia Class Submarines”.

AMENDMENT NO. 37 OFFERED BY MR. PALAZZO OF MISSISSIPPI

Page 49, line 18, strike “up to 10”.

AMENDMENT NO. 40 OFFERED BY MR. WELCH OF VERMONT

At the end of division A (before the short title), insert the following:

SEC. ____ None of the funds appropriated or otherwise made available under the heading “Afghanistan Security Forces Fund” may be used to procure uniforms for the Afghan National Army.

AMENDMENT NO. 44 OFFERED BY MR. DELANEY OF MARYLAND

At the end of division A (before the short title) insert the following:

SEC. ____ None of the funds made available in this Act may be used for the closure of a biosafety level 4 laboratory.

AMENDMENT NO. 46 OFFERED BY MR. CONYERS OF MICHIGAN

At the end of division A (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

AMENDMENT NO. 49 OFFERED BY MS. SPEIER OF CALIFORNIA

Page 80, line 4, after the dollar amount, insert “(increased by \$10,000,000)”.

AMENDMENT NO. 50 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 8, line 23, after the dollar amount, insert “(reduced by \$6,250,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 37, line 16, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 52 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 33, line 19, after the dollar amount, insert “(increased by \$24,000,000)”.

Page 34, line 18, after the dollar amount, insert “(reduced by \$27,500,000)”.

AMENDMENT NO. 53 OFFERED BY MR. NOLAN OF MINNESOTA

Page 129, line 18, after the dollar amount, insert “(reduced by \$12,000,000)”.

Page 143, line 13, after the dollar amount, insert “(increased by \$6,000,000)”.

AMENDMENT NO. 54 OFFERED BY MR. RASKIN OF MARYLAND

Page 8, line 23, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 37, line 15, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 37, line 23, after the dollar amount, insert “(increased by \$10,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 478, the gentlewoman from Texas (Ms. GRANGER) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 10 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. GRANGER. Mr. Chairman, the amendments included in the en bloc were made in order by the rule for consideration of division A of H.R. 3219 and have been agreed to by both sides.

Mr. Chairman, I support the amendment and urge its adoption, and I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in support of the amendment.

I yield 1 minute to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Chairman, I rise today to urge passage of my amendment which supports the Army's unfunded requirements request for improved munitions precision.

The continued development of missile cooling technology, which releases a refrigerant at predetermined temperatures, maintains the integrity of missile electronics when fired. This improves flight control, extends range, and provides greater targeting precision.

My amendment improves current and future missile systems, furthering our ability to reach every corner of the world in defense of our Nation.

As we grapple with threats from adversaries such as North Korea, Russia, and Iran and execute our counter-ISIL campaign, our military deserves the greatest technological edge so that our troops never find themselves in a fair fight.

Mr. Chairman, I urge my colleagues to support this important amendment to maintain America's military technology superiority as our servicemembers bravely safeguard our Nation.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Chairman, I have an amendment that would—it is shocking that it would have to even do this—prohibit spending money on these Afghan uniforms that met the sartorial taste of a general that corresponded to lush tropical forests. Number one, what the general wants for sartorial splendor of his troops is not our problem.

Number two, his sartorial taste had to do with tropical forests, which is not what we have in Afghanistan.

I am very happy that General Mattis himself was outraged by this, and I applaud him. But it is an opportunity for us to express our outrage as well.

We all want to support our men and women in uniform, and we all want them to have good uniforms. But it is not up to an Afghan general to take taxpayer money on a vanity project that ultimately undercuts the security of our troops.

So, Mr. Chairman, I believe I speak for everyone. Let's not do it.

Mr. VISCLOSKY. Mr. Chairman, first of all, I want to commend the gentleman from Vermont for his amendment and for his thoughtful approach to this problem.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Chairman, I rise in support of the bipartisan amendment that I am leading on with Representative COMSTOCK, along with many of our colleagues on the STARBASE Caucus. I appreciate it being included in the en bloc package of amendments.

This amendment would simply increase funding for the Department of Defense's STARBASE program from 25 to \$30 million for the fiscal year 2018, bringing funding back to the fiscal year 2017 enacted level. Providing science, technology, engineering, and math, STEM education, to America's youth is critical to the global competitiveness of our Nation.

The STARBASE program engages local fifth grade elementary students by exposing them to STEM subjects through an inquiry-based curriculum.

Serving communities from Los Alamitos, California, to Winchester, Virginia, and across the Nation, there are now 59 programs in congressional districts throughout 30 States, including the District of Columbia and Puerto Rico. Close to 1 million fifth graders across the Nation have now had the opportunity to participate in hands-on STEM classes on military bases thanks to STARBASE.

Moreover, the Department of Defense's STARBASE program is one of the most cost-effective programs across the Federal Government.

Mr. Chairman, I urge the adoption of this amendment.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Chairman, I rise in strong support of Mr. DELANEY's bipartisan amendment included in this en bloc that would increase funding for the Fisher House Foundation.

Fisher House has now served our veterans and their families for 26 years providing valuable housing opportunities as veterans receive medical treatment at military and VA medical centers across the country. When I first

learned of them—longer than I want to admit—there were just a few of them. Now there are 72 and many more in the pipeline. They have served 305,000 military families.

For many veterans and their families, the distance to their nearest VA medical center can be too far to travel on a routine basis, and the cost over time means many veterans are alone—nobody by their side—during their treatment or hospital stay—a situation no one should be in.

No veteran who has served their country should have to face medical care or a hospital stay without the support of their loved ones by their side. Fisher Houses provide the lodging and transportation resources to help families stay together throughout the treatment process.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. VISCLOSKY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maine (Ms. PINGREE), who is a member of the full committee.

Ms. PINGREE. Mr. Chairman, I thank the ranking member very much for yielding to me today.

I rise during this en bloc amendment debate to discuss an issue that is raised in the amendment about the importance of the DDG-51 to our Navy. In particular, I am grateful to our committee for the clear guidance and language that was provided in the fiscal year 2017 Omnibus Appropriations Act that was passed in this body just 2 short months ago.

That language called attention to the need not only to support the DDG-51 program but to ensure we do so with a design and upgrade that is technically mature and fiscally responsible.

It was clear in that language, and in report language that is included in the bill before us today, that Congress continues to expect the Navy to comply with the direction that the additional fiscal year '16 DDG-51 ship be contracted and completed as a flight II-A ship.

Because there are concerns raised by the GAO about the new flight III design radar upgrade for the DDG-51, there needs to be a thoughtful process in place.

Again, I want to thank the chair and ranking member who have been incredibly supportive of the DDG program in the past and the work that it brings to States like Maine and across the country.

Mr. VISCLOSKY. Mr. Chairman, I simply, again, reiterate my support for the amendment, and I yield back the balance of my time.

Ms. GRANGER. Mr. Chairman, I yield back the balance of my time.

Mr. SOTO. Mr. Chair, I want to make a statement regarding the passage of H.R. 3219, the Make America Secure Appropriations Act, 2018. Specifically, I would like to make a statement about my amendment, Soto

Number 20, to Division A, the Department of Defense Appropriations Act, 2018. My amendment moved \$10 million from the Operation and Maintenance, Defense-Wide account to the Defense Health Program's Peer-Reviewed Prostate Cancer Research Program.

Prostate cancer is the most commonly diagnosed cancer in men and is the second most common cause of male death. In 2017, approximately 161,360 men in the U.S. will be diagnosed with prostate cancer and an estimated 26,730 will die from it.

The Prostate Cancer Research Program is a unique research program in that it prioritizes research that will lead to the elimination of death from prostate cancer while enhancing the well-being of men experiencing the impact of the disease.

I support funding prostate cancer research and thank my colleagues for their support of my amendment.

Mr. Chair, I want to make a statement regarding the passage of H.R. 3219, the Make America Secure Appropriations Act, 2018. Specifically, I would like to make a statement about my amendment, Soto Number 19, to Division A, the Department of Defense Appropriations Act, 2018. My amendment moved \$1 million from the Operation and Maintenance, Defense-Wide account to the Defense Health Program's Peer-Reviewed Gulf War Illness Research Program.

If we are going to spend money on medical research within the Department of Defense, the Department must adequately fund research on those diseases that originate in war and wholly affect our servicemen and women. Over a quarter of a million veterans display symptoms of this disease, and the time has come to find, and fund, a cure for it.

I support funding Gulf War illness research and thank my colleagues for their support of my amendment.

Ms. JACKSON LEE. Mr. Chair, I want to thank Chairwoman GRANGER and Ranking Member VISCLOSKY for shepherding this legislation to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe and for their work in ensuring that they have resources needed to keep our Armed Forces the greatest fighting force for peace on earth.

Mr. Chair, thank you for the opportunity to explain my amendment, which is simple and straightforward and affirms an example of the national goodness that makes America the most exceptional nation on earth.

The purpose of Jackson Lee Amendment No. 1 is to provide the Secretary of Defense flexibility to allocate resources needed to provide technical assistance by U.S. military women to military women in other countries combating violence as a weapon of war, terrorism, human trafficking, narcotics trafficking.

Mr. Chair, the United States is committed to combating violent extremism, protecting our borders and the globe from the scourge of terrorism.

The United States Armed Forces possess an unparalleled expertise and technological capability that will aid not only in combating and defeating terrorists who hate our country and prey upon innocent persons, especially women, girls, and the elderly.

But we must recognize that notwithstanding our extraordinary technical military capabilities,

we face adversaries who adapt very quickly because they are not constrained by geographic limitations or norms of morality and decency.

Al Qaeda, Boko Haram, Al Shabaab, ISIS/ISIL and other militant terrorists, including the Sinai's Ansar Beit al-Maqdis in the Sinai Peninsula which poses a threat to Egypt.

Jackson Lee Amendment No. 1 helps provide the Department of Defense with the resources needed to provide technical assistance to countries on innovative strategies to provide defense technologies and resources that promote the security of the American people and allied nation states.

Terrorism, human trafficking, narcotics trafficking and their impact on women and girls across the globe has had a great adverse impact on us all.

According to a UNICEF report, rape, torture and human trafficking by terrorist and militant groups have been employed as weapons of war, affecting over twenty thousand women and girls.

Looking at the history of terrorism highlights the importance of providing technical assistance through our military might, as this enables us to combat terrorism which now can plague us here in the United States.

Jackson Lee Amendment No. 1 will help curb terrorism abroad by making available American technical military expertise to military in other countries, like Nigeria, who are combating violent jihadists in their country and to keep those terrorists out of our country.

Time and again American lives have been lost at the hands of terrorists.

These victims include Christians, Muslims, journalists, health care providers, relief workers, schoolchildren, and members of the diplomatic corps and the Armed Services.

This is why the technical assistance offered by our military personnel is integral to promoting security operation of intelligence, surveillance, and reconnaissance aircraft for missions to empower local forces to combat terrorism.

Terrorists across the globe have wreaked havoc on our society and cannot be tolerated or ignored, for their actions pose a threat to our national security and the security of the world.

Mr. Chair, from the United States to Africa to Europe to Asia and the Middle East, it is clear that combating terrorism remains one of our highest national priorities.

Collectively, helping our neighbors and their military build capacity to combat terrorism, eradicate human trafficking, stop narcotics trafficking and negate their impact on women and girls across the globe serves our national interest.

I urge my colleagues to support Jackson Lee Amendment No. 1.

Mr. Chair, I want to thank Chairwoman GRANGER and Ranking Member VISCLOSKY for shepherding this legislation to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe.

Mr. Chair, thank you for the opportunity to explain my amendment, which is identical to an amendment that I offered and was adopted last year to the Defense Appropriations Act for FY2017 (H.R. 5293).

My amendment increases funding for the Defense Health Program's research and development by \$10 million.

These funds will address the question of breast cancer in the United States military.

The American Cancer Society calls several strains of breast cancer as a particularly aggressive subtype associated with lower survival rates; in this instance, it is a triple negative.

But I raise an article: "Fighting a Different Battle; Breast Cancer and the Military."

Breast cancer can affect both men and women.

The bad news is breast cancer has been just about as brutal on women in the military as combat.

Let me say that sentence again.

Breast cancer has been just about as brutal on women in the military as combat.

More than 800 women have been wounded in Iraq and Afghanistan, according to the *Army Times*; 874 military women were diagnosed with breast cancer just between 2000 and 2011.

And according to that same study, more are suspected. It grows.

The good news is that we have been working on it, and I want to add my appreciation to the military.

Jackson Lee Amendment No. 25, however, will allow for the additional research.

That research is particularly needed since women are joining the Armed Services in increasing numbers and serving longer, ascending to leadership.

Within increased age comes increased risk and incidence of breast cancer.

Not only is breast cancer striking relatively young military women at an alarming rate, but male service members, veterans and their dependents are at risk as well.

With a younger and generally healthier population, those in military tend to have a lower risk for most cancers than civilians—including significantly lower colorectal, lung and cervical—but breast cancer is a different story.

Military people in general, and in some cases very specifically, are at a significantly greater risk for contracting breast cancer, according to Dr. Richard Clapp, a top cancer expert at Boston University who works at the Centers for Disease Control and Prevention on military breast cancer issues.

Dr. Clapp notes that life in the military can mean exposure to a witch's brew of risk factors directly linked to greater chances of getting breast cancer.

So, I am asking that we do the right thing. We are on the right track, we're on the right road.

But with the expansion of women in the military, it is extremely important to move forward with this amendment to help ensure that the men and women who risk their lives to protect our freedom can live longer, healthier lives.

I urge my colleagues to support Jackson Lee Amendment No. 25.

Mr. Chair, I am pleased that the En Bloc Amendment also includes Jackson Lee Amendment No. 50 that was made in order under the Rule.

Jackson Lee Amendment No. 50 increases funding for the PTSD by \$5 million.

These funds should be used toward outreach activities targeting hard to reach vet-

erans, especially those who are homeless or reside in underserved urban and rural areas, who suffer from Post-Traumatic Stress Disorder (PTSD).

Mr. Chair, along with traumatic brain injury, PTSD is the signature wound suffered by the brave men and women fighting in Afghanistan, Iraq, and far off lands to defend the values and freedom we hold dear.

For those of us whose daily existence is not lived in harm's way, it is difficult to imagine the horrific images that American servicemen and women deployed in Iraq, Afghanistan, and other theaters of war see on a daily basis.

In an instant a suicide bomber, an IED, or an insurgent can obliterate your best friend and right in front of your face.

Yet, you are trained and expected to continue on with the mission, and you do, even though you may not even have reached your 20th birthday.

But there always comes a reckoning. And it usually comes after the stress and trauma of battle is over and you are alone with your thoughts and memories.

And the horror of those desperate and dangerous encounters with the enemy and your own mortality come flooding back.

PTSD was first brought to public attention in relation to war veterans, but it can result from a variety of traumatic incidents, such as torture, being kidnapped or held captive, bombings, or natural disasters such as floods or earthquakes.

People with PTSD may startle easily, become emotionally numb (especially in relation to people with whom they used to be close), lose interest in things they used to enjoy, have trouble feeling affectionate, be irritable, become more aggressive, or even become violent.

They avoid situations that remind them of the original incident, and anniversaries of the incident are often very difficult.

Most people with PTSD repeatedly relive the trauma in their thoughts during the day and in nightmares when they sleep.

These are called flashbacks; a person having a flashback may lose touch with reality and believe that the traumatic incident is happening all over again.

Mr. Chair, the fact of the matter is that most veterans with PTSD also have other psychiatric disorders, which are a consequence of PTSD.

These veterans have co-occurring disorders, which include depression, alcohol and/or drug abuse problems, panic, and/or other anxiety disorders.

Jackson Lee Amendment No. 50 recognizes that these soldiers are first and foremost, human, who live their experiences.

Ask a veteran of Vietnam, Iraq, or Afghanistan about the frequency of nightmares they experience, and one will realize that serving in the Armed Forces leaves a lasting impression, whether good or bad.

Jackson Lee Amendment No. 50 will help ensure that "no soldier is left behind" by addressing the urgent need for more outreach toward hard to reach veterans suffering from PTSD, especially those who are homeless or reside in underserved urban and rural areas of our country.

I thank the Chair and Ranking Member for including Jackson Lee Amendment No. 50 in

the En Bloc Amendment and urge my colleagues to support the En Bloc Amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Texas (Ms. GRANGER).

The en bloc amendments were agreed to.

AMENDMENT NO. 8 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115-261.

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 23, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 34, line 18, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment today to support the DOD Cyber Scholarship Program with strong bipartisan support from my good friends, Mr. RATCLIFFE, Ms. STEFANK, Mr. CORREA, Ms. ROSEN, Mr. LIEU, and Ms. SHEA-PORTER.

Mr. Chairman, since 2001, DOD has run the Information Assurance Scholarship Program in order to boost the Nation's cyber workforce through scholarship and capacity-building grants. Scholarship recipients are required to fulfill a service obligation by working in a cybersecurity position at DOD upon graduation.

Mr. Chairman, this program had been extremely successful, bringing nearly 600 students into the DOD workforce. However, due to budget constraints, the Department has reduced funding and stopped recruiting new students. This year we seek to reinvigorate the program, calling it the DOD Cyber Scholarship Program.

As the ranking member of the House Armed Services Subcommittee on Emerging Threats and Capabilities, I fully understand the budget pressure the Department has been facing. However, cutting the pipeline of cyber talent into the Department is incredibly shortsighted. We face a critical workforce shortage right now, as we speak, when it comes to cybersecurity across all sectors of the economy and in government.

The challenges of building up our cyber talent is something that keeps me up at night. We know that cybersecurity is the national security issue of the 21st century and that no conflict, both today or in the future, will be

fought without a cyber component as a part of it.

Now, DOD has made significant strides in preparing to defend the Nation in this new domain, standing up USCYBERCOM and improving its cybersecurity posture through programs like the wildly successful Hack the Pentagon program and DARPA's Cyber Grand Challenge. But these initiatives need talented network engineers, cybersecurity researchers, and, yes, hackers.

The Cyber Scholarship Program encourages students to look at cybersecurity as an area of academic study and then exposes them to the amazing mission set at the Department. While we may not be able to compete on a dollar-to-dollar basis with the private sector in terms of salary, public service certainly is its own reward, and DOD has the most challenging and rewarding problems facing us today and the honor that comes with protecting their fellow Americans.

We need as many digital natives to enter this exciting field and experience the rewards of public service, which is why we must reinvigorate the Cyber Scholarship Program with this amendment.

Mr. Chairman, I worked with the same colleagues who joined me on this amendment to include similar funding in the National Defense Authorization Act. I would like to thank my friends, Senators KAINE, PERDUE, and ROUNDS for leading a similar effort across the Capitol in the Senate.

So I would also like to, again, thank Chairwoman GRANGER and Ranking Member VISCLOSKEY for their steadfast commitment to our armed services. This commonsense amendment will help ensure DOD is prepared for future fights, and I urge its adoption.

Ms. GRANGER. Will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman from Texas.

Ms. GRANGER. Mr. Chairman, I am prepared to accept the amendment.

Mr. LANGEVIN. Mr. Chair, I reserve the balance of my time.

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Mr. VISCLOSKEY. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CORREA).

Mr. CORREA. Mr. Chairman, I rise in support of amendment No. 8 offered by Mr. LANGEVIN to provide funding for the Department of Defense Cyber Scholarship Program.

Our country is facing a severe shortage of trained cyber professionals, a shortage that includes about 10,000 cybersecurity experts in government alone, and estimated to be about 1 mil-

lion shortages throughout our economy by 2019.

We need to give young people the incentive to follow careers in cybersecurity to learn skills such as computer coding and ethical hacking. This amendment provides \$10 million for scholarships for associate degrees at community colleges and assists with program execution from DOD and NSA.

I cosponsored this amendment, and I want to thank Congressman LANGEVIN for offering this important piece of legislation. I urge all my colleagues to support this amendment.

Mr. VISCLOSKEY. Mr. Chairman, I yield back the balance of my time.

Mr. LANGEVIN. Mr. Chairman, just briefly, I thank my colleagues that were speaking in favor of my amendment. I thank the majority for accepting the amendment and supporting the effort to build up our Nation's cyber workforce.

Cybersecurity is the national security challenge of the 21st century. We are doing great things to meet those challenges. We just need to make sure our workforce can meet those needs. I know this amendment will be a major step in helping us to achieve that goal.

I thank all my colleagues on both sides of the aisle, and I thank the chair and ranking member for their support of this effort.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. SUOZZI

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 115-261.

Mr. SUOZZI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 23, after the dollar amount, insert "(reduced by \$34,734,000)".

Page 14, line 13, after the dollar amount, insert "(increased by \$34,734,000)".

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from New York (Mr. SUOZZI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SUOZZI. Mr. Chair, I rise today to speak in support of a bipartisan amendment that I am offering with Congressman PETER KING and Congressman PAUL COOK.

Amendment No. 10 under the rule is to division A of the Defense Appropriations bill. The purpose of the amendment is to match the \$34 million in funding for the Navy's Environmental Restoration Account, authorized unanimously in the 2018 National De-

fense Authorization Act, but was not included in the appropriations process.

In my district, for almost four decades, the people of Bethpage and the surrounding areas have been dealing with an environmental crisis. Groundwater pollution, stemming from the Navy and defense contractor activity, has resulted in an underground plume of contaminated water that is moving south through Long Island's sole source of drinking water, towards Congressman KING's district.

While costly remediation efforts ensure the water is safe to consume, it doesn't change the fact that residents deserve to have this cleaned up before it spreads any further.

The contamination, known as the Navy-Grumman Plume, is one of thousands of sites at hundreds of locations that have experienced environmental degradation because of defense-related activities. Congressman PETER KING, Congressman PAUL COOK, and I have submitted this bipartisan amendment that will increase funding for the Navy's Environmental Restoration Account, which helps fund cleanup and remediation efforts for these sites.

This is not a partisan issue. The funding levels sought by this amendment received bipartisan support in the NDAA. Chairman THORNBERRY's mark and my amendment together, which was joined by Congressman COOK and Congresswoman HANABUSA, increased the authorized amount by \$42 million.

The amount sought here, \$34 million, will match the appropriated amount with the authorized funding levels. Our colleagues on both sides of the aisle supported that effort because this funding will help clean up sites from Maine to Hawaii, from Florida to Washington State, and were provided for with the appropriate pay-for.

I ask for my colleagues' support for this bipartisan amendment so we can help fund efforts across the country to help clean up environmental contamination in our districts. People in my district and regions across the country deserve to have these sites fully cleaned. It is commonsense, bipartisan, and the right thing to do. I urge my colleagues on both sides of the aisle to support this amendment.

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

Ms. GRANGER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. GRANGER. Mr. Chairman, I appreciate the gentleman raising this issue.

I am supportive of efforts to ensure that the Department of Defense takes responsibility for any potential contamination issues. That is why this bill provides more than \$1 billion for environmental restoration accounts, nearly \$48 million more than fiscal year 2017.

The bill includes an increase of \$10 million specifically to support water

contamination efforts. In addition, the committee provided an additional \$57 million for those efforts in the fiscal year 2017 supplemental appropriations.

The committee has already provided a generous amount of funding to address water contamination, and the Department of Defense has assured me that they are addressing each side on a priority basis.

The amendment offered by the gentleman provides additional funding that the Department may not be able to execute, and the funding comes at the expense of the warfighter readiness account. Therefore, I must oppose the amendment.

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

Mr. SUOZZI. Mr. Chairman, I would just like to point out to the gentleman, respectfully, that it will cost billions of dollars to clean up these sites in the United States of America. The increase that we are seeking here, in a bipartisan fashion, is \$34 million to simply match the amount of money that was authorized in the NDAA.

In addition, this percentage increase that we are seeking is commensurate with the overall percentage increase in the overall NDAA budget this year from last year. So we are just simply seeking the same commensurate amount increase in this portion of the budget that there is in another portion.

We are looking to have the pay-for to come from the operations and maintenance defense-wide account, of which there is over \$33 billion. We are looking for \$34 million just to try to advance some of these cleanups.

Mr. VISCLOSKEY. Will the gentleman yield?

Mr. SUOZZI. I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. Mr. Chairman, I thank the gentleman for yielding.

I would point out that the gentleman is absolutely correct. The committee worked hard to increase funding for these accounts.

Also, I would point out, representing the First Congressional District of Indiana, I am intimately familiar with the problems these environmental sites have.

There is much to do, many resources we need to look for, and I would support the gentleman's amendment.

Mr. SUOZZI. Mr. Chairman, I would just like to close by saying that I do appreciate the hard work that has been done by so many on both sides of the aisle in this particular area. We all appreciate how important the cleanup of these environmental sites are. The people in my district have been suffering with this for 40 years, and we are trying to bring attention to the issue and trying to get the resources focused on this.

We have met with people from the Navy, from the Army Corps of Engineers, from the EPA, from the DEC,

and from local State officials in the State of New York that are interested. Congressman PETER KING and Congressman PAUL COOK both understand how important it is that we try and send the signal that we are trying to have a commensurate increase in this account with the overall increase in the budget.

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

Ms. GRANGER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SUOZZI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SUOZZI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 115-261.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 23, after the dollar amount insert the following: "(reduced by \$60,000,000)".

Page 14, line 13, after the dollar amount insert the following: "(increased by \$30,000,000)".

Page 15, line 8, after the dollar amount insert the following: "(increased by \$30,000,000)".

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, this is a bit of a complex issue, so I will do my best to explain. It is, unfortunately, an issue that my constituents and a number in the suburban Philadelphia area have been dealing with now for the last 2½ years.

The chemicals with the acronyms PFOS and PFOA are part of a class of manmade, highly fluorinated chemicals that are highly persistent in our environment.

In the 1970s, the Department of Defense began using a firefighting foam with the acronym AFFF. Unfortunately, that firefighting foam to extinguish petroleum fires contained these chemical compounds. These chemicals have subsequently been linked to problems in liver, thyroid, and pancreatic function, as well as changes in hormone levels.

Some studies have shown developmental issues in children, decreased fertility, increased cholesterol, immune system deficiencies, and an increased cancer risk. Production of AFFF has ceased, but stockpiles remain.

Today, the Department of Defense is evaluating and testing the drinking water systems of hundreds of communities nationwide due to PFOA and PFOS contamination on or surrounding these defense installations across the country that used AFFF.

So far, water contamination has been found near 27 military bases in 16 States. This includes the community that I represent and that my colleagues share in representing. In my district alone, families surrounding Naval Air Station Joint Reserve Base Willow Grove, as well as the Horsham Air Guard Station, suffer from the uncertainty of wondering whether their child's or their spouse's illness is caused by the military's contamination on the base in their local community.

They have paid for endless stockpiles of bottled water and higher utility fees, as their communities have taken steps to reduce the water system's exposure. I commend the steps the military has taken to date, but more can and must be done.

I know that our communities in the Philadelphia area are, sadly, just the tip of the iceberg. This past year alone, since the EPA tightened its lifetime health advisory under the Safe Drinking Water Act, the Department has completed testing of 480 drinking water systems at locations where the Department supplies drinking water. It continues to conduct preliminary assessments and site inspections under CERCLA to identify sites where PFOA and PFOS may have been released by the Department of Defense.

The Department spent approximately \$200 million just last year in response to PFOA and PFOS contamination nationwide. This funding has been used to conduct preliminary assessments and site inspections, test drinking water systems, and provide mitigation such as bottled water or drinking water filtration systems where water system tests indicated PFOA and PFOS are above the EPA advisory levels.

Unfortunately, though, the Department has been funding this response using existing funds that were originally programmed for other response actions.

In order to support near-term outreach and engagement in local communities that have this impacted drinking water system and adequately prepare for long-term remediation of what is likely to be billions of dollars' and many years' worth of response, I worked with the House Armed Services Committee to increase its authorization for the Navy and Air Force environmental remediation accounts by an

additional \$30 million each in the NDAA the House passed earlier this month. My amendment would bring the appropriation in line with that authorization.

This funding is a necessary response to an ongoing environmental issue that is only going to get worse and more expensive for the Department, not to mention the countless innocent communities impacted across the country, both in Republican and Democratic districts.

□ 1500

I want to thank my Republican neighbors PAT MEEHAN and BRIAN FITZPATRICK for working with me on this issue in a truly bipartisan manner. I hope the House comes together in a similar manner today to strengthen our Department of Defense's response to drinking water contamination it is causing in the communities we represent.

Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 15 seconds remaining.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chair, I yield the balance of my time to the gentleman from Pennsylvania (Mr. FITZPATRICK), my neighbor and colleague from Bucks County.

Mr. FITZPATRICK. Mr. Chairman, with my limited time, I just want to say Brendan said it well. He has done a fabulous job working with Congressman MEEHAN and me, all of whom have districts that have been impacted by this real tragedy, and I stand in full support.

I urge my colleagues on both sides of the aisle to support this amendment.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chair, I yield back the balance of my time.

Ms. GRANGER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Ms. GRANGER. Mr. Chair, I share many of the gentleman's concerns, and I appreciate him raising this issue. I support environmental remediation efforts that ensure that drinking water is safe in communities across the Nation. That is why this bill includes \$1 billion for environmental restoration.

The amount represents \$48 million more than the fiscal year 2017 level and includes \$10 million above the request to specifically address PFC contamination. In addition, we include an additional \$57 million for drinking water cleanup in the fiscal year 2017 supplemental appropriations.

This committee has included significant funding to address drinking water contamination issues, and I am concerned that the Department will not be able to execute the additional \$60 million offered by this amendment; therefore, I oppose the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 115-261.

Mr. GROTHMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 23, after the dollar amount, insert "(reduced by \$30,000,000)".

Page 22, line 17, after the dollar amount, insert "(increased by \$30,000,000)".

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the chairwoman and ranking member for their collaborative effort to bring this bill forward.

Mr. Chairman, I rise in support of my amendment to H.R. 3219. Nothing is more important than the safety of our men and women in uniform, and I believe that we in Congress are committed to ensuring our armed services receive the best equipment possible. This equipment includes platforms like the Joint Light Tactical Vehicle, or JLTV. This vehicle is the centerpiece of the Army and Marine Corps' tactical wheeled vehicle modernization strategy and closes an existing critical capability gap for both services.

The JLTV demonstrates many significant improvements over the current vehicle fleet, including strengthened protection for passengers against current and future battlefield threats, more payload capacity, and better automotive performance.

This is basically what replaces years ago what you would call your Jeep. Anybody who talks to veterans or hears about people being injured and all, so many of them died or were seriously injured driving in a vehicle that hit an explosive. These vehicles are going to be a dramatic improvement over what we have now as far as saving lives in our troops.

As long as we have troops in Afghanistan, it is important that, as quickly as possible, we deliver the best equipment possible. To achieve that goal, Congress should maintain its support for the existing JLTV acquisition plan.

Recently, we in the House passed the National Defense Authorization Act of 2018. My amendment to this appropriations bill would simply transfer funds from the operations and maintenance account in the bill and then appropriate those funds to the JLTV program to bring them in line with what we in the House authorized in the NDAA.

The JLTV program supports American jobs with more than 300 suppliers from 30 States. Pure and simple, the JLTV platform will save lives and improve our troops' effectiveness in the field. I encourage my colleagues to support this amendment.

Ms. GRANGER. Will the gentleman yield?

Mr. GROTHMAN. I yield to the gentleman from Texas.

Ms. GRANGER. Mr. Chairman, I thank the gentleman for his amendment. The amendment proposes to add funding back to the JLTV program, cutting the House defense bill due to a lack of information provided by the Army budget justification.

The cut to the JLTV program reflects the committee's concern with the Army's failure to provide the full budget justification information for an \$804 million program. Failure to provide this information makes it impossible for the committee to exercise its fiscal oversight responsibilities.

However, the JLTV program is important to the warfighter and is executing well. I do not oppose this amendment.

Mr. GROTHMAN. Mr. Chair, I would like to thank the Appropriations Committee for the hard work they have done.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was agreed to.

AMENDMENT NO. 31 OFFERED BY MR. DUNN

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in part B of House Report 115-261.

Mr. DUNN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, line 6, after the dollar amount, insert "(reduced by \$30,000,000) (increased by \$30,000,000)".

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Florida (Mr. DUNN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DUNN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, throughout the country, there are remote areas where the men and women of our armed services prepare for war in order to protect the peace.

Although these places are often overlooked, our investments in military test and training ranges are returned to the Nation many times over in the projection of American military supremacy around the globe protecting the homeland and preserving international order.

In the Southeast, the Joint Gulf Range Complex facilities are for testing and training of supersonic and hypersonic weapons systems, including combat training and live-fire exercises of the frontline fighters like the F-22 and F-35.

The 325th Fighter Wing and the 53rd Weapons Evaluation Group at Tyndall Air Force Base, the 96th Test Wing at Eglin Air Force Base, and the Special Operations Command at Hurlburt Field make extensive use of the Joint Gulf Range Complex.

There is no comparable area in the United States near an established base with instrumentation infrastructure that can support advanced testing and joint training exercises like this. However, deployment of the instrumentation necessary to collect the data during the training on these fifth- and sixth-generation weapons systems is not in keeping with the U.S. Air Force needs. Instrumentation limitations have restricted the F-35 and F-22 training missions to the northernmost portion of the range. According to a study by the 96th Test Wing at Eglin Air Force Base, this limitation causes congestion and has obstructed at least 80 missions per year.

This amendment, which I am offering with my Florida colleagues, Mr. TOM ROONEY, Mr. MATT GAETZ, and Mr. FRANCIS ROONEY, will accelerate investments approved by Congress to deploy new infrastructure along the Joint Gulf Range Complex. The amendment will maximize the utility of this vast range, which is a true national treasure for combat training and advanced testing and evaluation.

Mr. Chair, I urge my colleagues to support the amendment.

Ms. GRANGER. Mr. Chair, will the gentleman yield?

Mr. DUNN. I yield to the gentleman from Texas.

Ms. GRANGER. Mr. Chair, the committee has no objection. The amendment's funding for major test facilities is critical to ensuring our military retains its competitive lead over our competitors. I am prepared to accept the amendment.

Mr. DUNN. Mr. Chair, I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. Mr. Chair, I am pleased to accept the gentleman's amendment.

Mr. DUNN. Mr. Chair, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ), my colleague and friend.

Mr. GAETZ. Mr. Chair, I thank the gentleman for yielding, and I thank our colleagues in the House for their agreement.

Mr. Chair, I rise in support of the brave men and women of the greatest military on Earth and to ensure that they are properly equipped for any and all challenges on the horizon. I support increased investments in our military test and training ranges with help from our Armed Forces to deal with the world's challenges.

In my district, the Gulf Test Range provides approximately 120,000 square miles of overwater airspace. It is used for high-altitude, supersonic air combat training, air-to-air missile testing, drone targeting, hypersonic weapons testing, space launches, and much more. It is critical training space for our Armed Forces, including the Air Force Special Operations Command, the 96th Test Wing, the 33rd Fighter Wing, and others. This is why I ask my colleagues to support the amendment to increase funding for the test range program.

I thank the Congressman from Florida, Dr. DUNN, for his leadership, for the men and women in the military. I thank Chair GRANGER for her agreement to this amendment. I thank the minority party.

Mr. DUNN. Mr. Chair, I have no further comments or remarks; however, I would like to encourage my colleagues to support this amendment to enhance military readiness and national security.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DUNN).

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part B of House Report 115-261.

Ms. SPEIER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, line 23, after the dollar amount, insert "(reduced by \$25,000,000) (increased by \$25,000,000)".

The Acting CHAIR. Pursuant to House Resolution 478, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SPEIER. Mr. Chairman, the American people are becoming more and more aware of the degenerative disease known as chronic traumatic encephalopathy, CTE, due to the crisis in the NFL. The NFL, of course, has

been trying to sweep this under the rug.

Very recently, the Journal of the American Medical Association, a premier journal that is peer-reviewed, provided a study that found severe neurological damage in the vast majority of former football players' brains that were donated for research after they developed mental symptoms during life. Eighty-seven percent of all football players' brains showed CTE, but a truly horrible figure, 99 percent of the brains of NFL players showed CTE.

However, the dangers of CTE are not confined to football. Our servicemen and -women are subject to similar—or, oftentimes, even worse—dangers in the line of duty for the service they provide to our Nation.

Last year, I was honored to host Dr. Bennet Omalu for the State of the Union. He is the doctor portrayed in the film "Concussion," exposing the impact of CTE on professional football players. He began his research covering his own expenses and exposing a cover-up of the suicides of former athletes. However, his research and the research of others is limited by the funding, which is why I am offering this amendment.

Today we have an opportunity to prevent a similar kind of coverup among our service agencies. This amendment would dedicate \$25 million in funding as part of the Congressionally Directed Medical Research Programs to award grants to medical researchers and universities to support early detection of CTE.

□ 1515

This amendment would not increase spending, but take the funding already allocated and put some of it—a very small part of it—towards CTE.

Every hour, we lose another veteran to suicide. We have made great strides towards supporting PTSD research, but the exposure to IEDs and other blasts and blows to the head, may be doing similar damage, which goes unseen until it is too late. By diagnosing CTE early among servicemembers, perhaps we can begin to change the troubling trend of suicides among our veterans.

You may hear arguments today that this amendment is not necessary, since DOD is already spending \$125 million on TBI research. But this research is on short-term trauma, not on long-term effects of repeated head injuries and, what are called, subconcussive blows. Servicemembers at risk of CTE may not even have acute trauma. CTE can result from minor events over a long period of time.

You may also hear that Congress shouldn't dictate the DOD research. But it is absolutely Congress' role to have input into DOD spending, and there is a huge need that is not being filled. And we already are requiring that they do TBI research as it is.

Now, some have suggested: Well, there has been some projects funded. Of the \$125 million of funding, the amount of money going to CTE projects has been, since 2012, only five projects, for a grand total cost of \$2.9 million. And not one dime has been spent since 2013.

It is time for us to accept that science is real here. JAMA has just put out a stunning report that suggests that this is a very serious problem, and it is time for us to combat this issue.

Creating dedicated grants for the early detection of CTE has the potential to prevent suicides among our servicemembers and will have, I think, a very important impact on how we look at CTE in the future and how we make sure that our servicemembers are properly protected.

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

Ms. GRANGER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. GRANGER. Mr. Chairman, I appreciate the gentlewoman's concern to provide adequate funding for this very important research, and we have spoken about it. I am a strong supporter of funding for research in this area, and that is why the bill already provides \$125 million toward grants for PTSD and traumatic brain injury research, including CTE, which has previously received millions of dollars in research grants under this program.

A previous amendment would create a new research program, focused solely on CTE research. And since CTE research is already eligible under the PTSD-TBI research program, it is much more appropriate to add funding to the PTSD-TBI program, rather than create a new research program. Therefore, I oppose the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I reluctantly join with the chair in opposition to the gentlewoman's amendment and share the chair's concern over the issue raised. However, I don't think the approach is an appropriate one in that we would carve out another budget line.

Given my anticipation that we will not have a full 12-month fiscal year for this money to be spent, I am very concerned that we will find enough projects for this money to be spent on. In the meantime, they would then be eliminated from the existing line for other possible research.

Mr. Chairman, I would look to work with the gentlewoman to address this issue in a fulsome fashion, but not in this manner.

Ms. GRANGER. Mr. Chairman, I thank the gentleman for his remarks, and I reserve the balance of my time.

Ms. SPEIER. Mr. Chairman, I thank both of my colleagues for their expression of support for the concept of making sure that CTE is studied.

I am just hopeful that we can guarantee, through this amendment, that of that \$125 million, some portion of it is set aside for CTE research. The fact that only \$2.9 million has gone to CTE research since 2012, and not a dime since 2013, makes me worry that it is not a high priority within the Department.

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

Ms. GRANGER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER). The amendment was rejected.

AMENDMENT NO. 38 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in part B of House Report 115-261.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 8094 and 8095.

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment will strike sections 8094 and 8095 of the bill that prohibit the transfer of Guantanamo detainees to the United States and prohibit the use of funds to construct or modify facilities in the United States for Guantanamo detainees. These provisions are designed to further delay the transfer of detainees out of Guantanamo.

Guantanamo is costing us a fortune. It costs the American taxpayer \$10 million a year to keep a single detainee in Guantanamo, and only \$78,000 to keep a detainee in a Federal maximum security prison in the United States. That is a waste of \$440 million a year.

Perhaps, most importantly, it is a question of values. What is most offensive is not that the prisoners are at Guantanamo, as opposed to some prison in the United States, but that we are holding people without any hearing, without any due process, essentially forever. That is against all American values.

Mr. Chairman, we have debated Guantanamo amendments every year, multiple times a year. The last time was 2 weeks ago. It is an issue I care deeply about, and I offer this amendment again. However, yesterday, the President took an action that is so egregious, and so offensive, that I feel

compelled to use a portion of my time to address it directly.

Yesterday's attack by the Commander in Chief on our military's Active-Duty transgender personnel is appalling. Transgender individuals are part of the fabric of America and have always been part of our military, whether we have historically acknowledged them or not.

The arguments against allowing transgender servicemembers to serve openly in our military are the same arguments that have been used against every other group that has been prohibited from serving in our country's history—including Black and Latino men, women, gays, lesbians, and bisexuals. Each time the doors of our military open farther to better reflect the diversity of our Nation, the same tired and discredited arguments are brought back: that any individual in the new group, regardless of his or her ability, is unfit to serve and that their service will disrupt unit cohesion.

The Acting CHAIR. The time of the gentleman has expired.

Mr. NADLER. Mr. Chairman, I yield myself an additional 1 minute.

Not only should all willing and able Americans be allowed and encouraged to serve—they already do. A report prepared for the Department of Defense estimates thousands of transgender individuals serve today, without issue.

The President must not impose blanket bans that prejudice servicemembers based on their identity, rather than their own merits. President Trump is attacking people who have shown a willingness—indeed, an eagerness—to risk their lives in the service of our country. It is apparent that the decision to ban transgender people from military service was taken without consulting Secretary of Defense Mattis, who seemed surprised by the tweets, or the military, which seems at a loss as to how to implement the order.

Even if this bigoted order is motivated by political opportunism, it disgraces our country and must be rescinded.

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

Ms. GRANGER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. GRANGER. Mr. Chairman, these important revisions have been included in several appropriations bills for several years running. They represent a strong and enduring consensus in Congress that Guantanamo should remain open and that detainees should not be transferred to the United States for any reason.

Striking these provisions would have unknown consequences for U.S. communities. It is impossible to know how many detainees might be brought here, where they might be held, and the impacts on communities and facilities

holding them. It is also impossible to know what the potential costs could be.

Putting detainees in U.S. prisons, as the administration originally proposed, would be disruptive and, potentially, disastrous. Former FBI Director Mueller has stated: "To transfer detainees to local jails could affect or infect other prisoners or have the capability of affecting events outside the prison system."

The idea of bringing detainees for trials in the U.S. quickly collapsed as local jurisdictions voiced their strong opposition.

As everyone here is aware, several detainees who have been released from Guantanamo have gone back to the fight and killed and wounded Americans. The threat is real, and Guantanamo is already equipped to handle the detention and military trial of these individuals, as appropriate.

Any proposal that results in these detainees being sent to the United States, for any reason, is simply the wrong policy.

I, therefore, oppose the amendment, and I urge my colleagues to vote against this amendment.

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

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York has 2 minutes remaining.

Mr. NADLER. Mr. Chairman, I yield the balance of my time to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Chairman, I thank the gentleman for yielding me time, and I thank him for his continued leadership on this issue.

Mr. Chairman, I rise in strong support of this amendment, which would remove a provision that prevents the Department of Defense from closing the detention facility at Guantanamo Bay, Cuba.

The continued use of this facility does not make our country safer and only serves to undermine our national security.

Well respected military leaders and national security officials have said that Guantanamo remains a propaganda tool for terrorist groups that is used to incite violence against Americans.

In 2015, the Organization for Security and Co-operation in Europe, which is composed of 57 member states, including all NATO allies, concluded that Guantanamo serves as an obstacle to counterterrorism cooperation and that the facility should be closed.

In addition, the cost of housing detainees and maintaining the facility continues to be a financial drain on the Department of Defense.

According to Human Rights First, Guantanamo costs the U.S. approxi-

mately \$445 million per year to operate. The average cost per detainee at Guantanamo is more than \$10 million.

At the same time, the cost per prisoner at the Federal supermax prison in Colorado, which houses such terrorists as 9/11 conspirator Zacarias Moussaoui, World Trade Center bomber Ramzi Yousef, and Boston Marathon bomber Dzhokhar Tsarnaev, is \$78,000.

Mr. Chairman, this should not be a partisan issue. National security experts on both sides of the aisle have concluded that keeping Guantanamo open is harmful to American interests.

Secretaries of State from previous Republican administrations, including Henry Kissinger, James Baker, and Colin Powell, have all said that closing Guantanamo would improve America's image around the world.

Former chairmen of the Joint Chiefs of Staff, General Martin Dempsey and Admiral Mike Mullen, have both said that the detention facility needs to be closed.

Former President George W. Bush has said that the detention facility has "become a propaganda tool for our enemies and a distraction for our allies."

Senator JOHN MCCAIN, the man whose credibility on the horrors of war is unimpeachable, has repeatedly said that he favors closing the detention facility because of the image of the United States that it projects to the rest of the world.

Closing the Guantanamo Bay detention facility will strengthen our national security and show the rest of the world the principle of equal justice under law is inviolable.

Mr. Chairman, I urge my colleagues to send an important message about the values discussed and support the Nadler amendment.

Mr. NADLER. Mr. Chairman, I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, as the designee of the ranking member, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I feel compelled to rise in support of the gentleman's amendment, as it relates to the detention facility at Guantanamo Bay, and would simply make a few brief remarks.

This is, I believe, a very substantive and serious issue facing a constitutional government, our government of laws.

I would point out that it is a sad state of affairs if somewhere in the United States of America we cannot find a secure facility to detain 41 individuals at this late date, given the fact that President Bush released over 500 people from Guantanamo, and President Obama released 197.

Mr. Chairman, I would simply close by observing that, within the last week, the Attorney General of the

United States of America could not find a justification to have an alleged terrorist, who recruits for al-Qaida, having been extradited from Spain, an Algerian, placed in Guantanamo. That person, as I understand it, as I speak at this moment, is being detained in the United States of America. That is what should happen with the other 41 people.

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

Ms. GRANGER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

It is now in order to consider amendment No. 39 printed in part B of House Report 115-261.

It is now in order to consider amendment No. 41 printed in part B of House Report 115-261.

□ 1530

AMENDMENT NO. 42 OFFERED BY MR. FOSTER

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in part B of House Report 115-261.

Mr. FOSTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used for the procurement, the deployment, or the research, development, test, and evaluation of a space-based ballistic missile intercept layer.

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

PARLIAMENTARY INQUIRY

Mr. VISCLOSKY. Mr. Chair, I just have a parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. VISCLOSKY. Mr. Chair, I have a question on the procedure. I understand that Mr. FOSTER is recognized. Did I lose track of an amendment for Mr. POLIS?

The Acting CHAIR. That amendment was called, and the gentleman was not present.

Mr. VISCLOSKY. And Mr. POE?

The Acting CHAIR. That amendment was also called, and the gentleman was not present.

Mr. VISCLOSKY. I appreciate the information. Sorry for the interruption very much.

The Acting CHAIR. The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Chairman, as you know, the National Defense Authorization Act for fiscal year 2018 tasks the Missile Defense Agency with developing a space-based ballistic missile intercept layer.

There is no doubt that a space-based missile defense, if it is technologically feasible and economically justifiable, would make an important contribution to our national security. So would the Star Trek transporter or the warp drive, but as a scientist and, in fact, the only Ph.D. scientist in the U.S. Congress, I think that we need to do our homework before investing hundreds of billions of dollars into attempting to develop this system. As such, my amendment would prohibit the use of funds to attempt to develop a space-based missile intercept layer.

It has been more than 30 years since President Reagan called for defending the United States against a first strike by developing a strategic defense system, commonly known as Star Wars.

The idea of a space-based version of this has gone in and out of fashion for the last 30 years, but every time this space-based concept has been looked at by technologically competent outside experts, it was deemed to be unworkable, impossibly expensive, vulnerable to countermeasures, easy for an opponent to destroy, easy to overwhelm with a small number of enemy missiles, or all of the above. This approach was judged technologically unworkable in 1983, and the status quo has not changed.

In order to reach a ballistic missile during the first few minutes of flight, a large number of interceptors must be stationed in low-altitude orbit. A report conducted by the American Physical Society in 2003 concluded that in order to ensure full coverage, a fleet of 1,000 or more orbiting satellites would be required to intercept just a single missile.

To put that in perspective, the United States currently has slightly more than 600 satellites in Earth orbit, which includes commercial, scientific, and military satellites. Moreover, the amount of launch that is required to put this material into orbit in a reasonable amount of time would greatly exceed the current U.S. launch capability.

The National Academies of Sciences estimated that it would cost at least \$300 billion—in 2003 dollars—for just such a limited capability. And just last year, in his testimony to the House Armed Services Committee, the former Director of the Missile Defense Authority, Admiral Syring, concluded the same thing.

Setting aside the high cost, a space-based missile defense system has inherent vulnerabilities that greatly limit its effectiveness. Even with thousands

of interceptors deployed, only a few would be within range to target an incoming missile, and those could be easily overwhelmed by the launch of several missiles from one location. And because interceptors must be stationed in low-altitude orbit, they are easily detected, tracked, and destroyed.

Finally, there is a more fundamental question that we must ask ourselves. And that is: Is it wise to deploy weapons in space, especially when the required technology is becoming widely available around the world?

Deploying such a system would strain strategic relationships around the globe and almost certainly trigger a space arms race.

There is no doubt that ensuring our Nation's defense and national security are of paramount priority, but spending hundreds of billions of dollars on a system which will not work, without having serious debate and at least some concept for how this might be remotely practical or affordable, is indefensible.

Mr. Chairman, I urge my colleagues to join me in voting "yes" on my amendment.

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

Mr. FRANKS of Arizona. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Chairman, the space-based missile defense layer that we debate today will be one of the most significant technological advancements in our missile defense capability since Ronald Reagan first brought this possibility to the Nation.

Mr. FOSTER's amendment would prevent the next revolution in missile defense as we seek to expand our umbrella protection into space, the ultimate high ground.

Mr. Speaker, the most critical priority of this Congress is the defense of the Nation. If we fail that task, little else we might do will be of any consequence.

To prohibit the development of the next generation missile defense capabilities because other countries will object is to grant our potential adversaries a veto over our national security. Mr. FOSTER's amendment would do just that.

It should be noted that every significant missile defense milestone ever achieved by this Nation has been over the objections of gentlemen like Mr. FOSTER and his supporters. They have been wrong about missile defense for decades, and they have a consistent record of demonstrably bad judgment on this issue. They have imposed their philosophy on the science and physics involved. Theirs is a broken record which began playing back in the 1970s. If we had listened to them, we would have no missile defense today and we

would all be completely vulnerable to the likes of North Korea.

The reason it was called Star Wars was because they derisively renamed Mr. Reagan's Strategic Defense Initiative to Star Wars and said it was impossible because it would be hitting a bullet with a bullet. But, Mr. Chairman, today we not only hit a bullet with a bullet, we hit a dot on the side of a bullet with a bullet.

The technology is here. We have demonstrated it time and time again. It is important to defeat this amendment for the sake of the Constitution, for the sake of the United States of America.

Ms. GRANGER. Will the gentleman yield?

Mr. FRANKS of Arizona. I yield to the gentlewoman from Texas.

Ms. GRANGER. Mr. Chairman, I join Mr. FRANKS in his remarks, and I urge rejection of this amendment.

Mr. FRANKS of Arizona. Mr. Chair, I reserve the balance of my time.

Mr. FOSTER. Mr. Chairman, can I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Illinois has 1 minute remaining.

Mr. FOSTER. Mr. Chairman, I would like to point out that Ronald Reagan never illuminated the possibility of this to the American public, because the possibility never existed.

What we have today is not a missile defense system. It has failed in the great majority of tests. It has been tested against a very small fraction of the countermeasures that are elementary to deploy against it.

I hope that no one involved in the missile defense system is telling President Trump that we have an effective antimissile system today, because if he gambles counting on any defense from that system, he is putting our country at risk.

Mr. Chairman, I yield the remaining amount of my time to the ranking member.

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the gentleman yielding.

I simply would want to rise in support of his amendment. I would point out that in 2010, the Ballistic Missile Defense Review made no request for space-based interceptors. Currently, this is a matter under review by the Department. I think we should allow that review to be concluded before we expend moneys.

The Acting CHAIR. The time of the gentleman from Illinois has expired.

Mr. FRANKS of Arizona. Mr. Chairman, can I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 3 minutes remaining.

Mr. FRANKS of Arizona. Mr. Chairman, I think I would just say that the opponents to missile defense, especially to space-based missile defense, have hilariously overstated the cost of this system.

A regionally deployed system would cost in the range of \$20 billion over 30 years, and the cost would go down, as launch costs often do.

It is important to keep in mind that when two airplanes hit two buildings, it cost us \$2 trillion.

What would that cost have been like if it had been a nuclear warhead that hit New York?

I would just suggest, Mr. Chairman, that it is important that we do all that we possibly can to make sure that that does not indeed occur.

I don't know what price we put on national security, but the systems that we are talking about, our GMD system—our Ground-based Midcourse Defense system—was just tested against an ICBM target recently, and it was successful.

We have had 14 out of 14 successful tests with our THAAD system—our Terminal High Altitude Area Defense system. The technology has been proven time and again.

We should not undersell the United States of America. We can build the system. We will build it. It will help us get to the left of the launch. It will help us to be able to have a boost-phase defense against missiles when they are in their most vulnerable position and over enemy territory.

This is vital for the American national security, for our future, for our children, and for our children's children. I would hope that we would defeat this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The amendment was rejected.

AMENDMENT NO. 43 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in part B of House Report 115-261.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. 10004. None of the funds appropriated by this Act may be used to plan for, begin, continue, complete, process, or approve a public-private competition under the Office of Management and Budget Circular A-76.

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chairman, I rise today to offer an amendment that would prohibit the Department of Defense from conducting what is called new A-76 studies. I offer this amend-

ment on behalf of myself, as well as Mr. COLE of Oklahoma, Mr. JONES of North Carolina, Mr. BISHOP of Utah, Mr. DONOVAN of New York, Mr. COOK of California, Mr. RATCLIFFE of Texas, Mr. LOEBACK of Iowa, Mr. KILMER of Washington, Ms. SHEA-PORTER of New Hampshire, and Mr. BEYER of Virginia.

These flawed A-76 studies are relying on a process that both the GAO and the inspector general of the Department of Defense determined could not demonstrate any savings to the American taxpayer. That is why A-76 studies have been subject to a congressional moratorium since 2010. The amendment I am offering today would continue that moratorium.

The fundamental flaw inherent in the A-76 process is the erroneous underlying methodology used to determine whether or not Federal civilian jobs would be outsourced. 2003 was the last time this process was updated.

Mr. Chairman, the inspector general's report notes that it simply fails to keep track of costs and savings. It has no anchor in reality, and incorporates an arbitrary 12 percent overhead factor cost for Federal employees as opposed to contractors.

The inspector general concluded that: "... multimillion-dollar decisions are based, in part, on a factor not supported by data. . . . Unless DOD develops a supportable rate or an alternative method to calculate a fair and reasonable rate, the results of future competitions will be questionable."

Decisions involving taxpayer money should never be based on such a faulty process, especially when American jobs are at risk as well.

We are debating the appropriation of hundreds of billions of dollars, the lion's share of our country's discretionary spending. This is as it should be. We should spare no expense to provide the best care for our veterans. We should not haggle over the national defense, but when we spend this much money, we have a responsibility to do it carefully and based on actual data.

□ 1545

As legislators, we should exercise care to ensure that we represent the interests of our constituents as well as possible. A flawed process based on pseudocalculations has no basis, no place in that reputation.

Ultimately, the A-76 process uses faulty, antiquated methodology to determine whether Federal civilian jobs should be outsourced, a matter we simply cannot approach so haphazardly. Both the GAO and the inspector general of the DOD concluded the process could not demonstrate any savings for the American taxpayer. This A-76 process is outdated, antiquated, and simply not anchored in reality.

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

Mr. CALVERT. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. FRANKS of Arizona). The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I support competition, and these competitions, as a whole, have been beneficial to the Department of Defense.

The OMB has reported that, regardless of whether the Federal Government or the private contractor win the competition, the act of competition alone has saved or generated a cost savings up to 10 to 40 percent—10 to 40 percent, just having the competition.

This amendment would block opportunities for the defense industrial base, protect the status quo within the DOD civilian workforce, prevent cost savings at the DOD, and negate the natural innovation that comes from competition.

I urge a "no" vote on this amendment.

Ms. GRANGER. Will the gentleman yield?

Mr. CALVERT. I yield to the gentleman from Texas.

Ms. GRANGER. I want to thank the gentleman for his valuable contributions to the Defense Subcommittee. I join him in opposition to this amendment that would limit the Defense Department's flexibility to achieve efficiency and save taxpayer dollars.

I urge rejection of the amendment.

Mr. CALVERT. Mr. Chairman, I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Chairman, this body owes a duty to our warfighters, a duty to the taxpayers, and a duty to the civilian workforce. Allowing these flawed A-76 studies to move forward, it really is a breach to all three groups.

I urge my colleagues to vote "yes" on this amendment, to maintain the moratorium currently in place on these A-76 studies and protect our military readiness from a process in desperate need of radical revision.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I would say we have a duty to taxpayers to perform the best we can, to give the best product to our warfighters at the best price. I urge a "no" on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 45 OFFERED BY MR. DAVIDSON

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part B of House Report 115-261.

Mr. DAVIDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used with respect to Yemen in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Yemen, into situations in Yemen where imminent involvement in hostilities is clearly indicated by the circumstances, or into Yemeni territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution.

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Ohio (Mr. DAVIDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. DAVIDSON. Mr. Chairman, I rise to encourage my colleagues to support this amendment which simply says that none of these funds may be used in contravention of the War Powers Act in Yemen.

We are involved in a critical effort to defeat enemies of our country who took action on 9/11. Al-Qaida and their affiliates have been declared enemies, an authorized force, for nearly 16 years now. And in Yemen, al-Qaida in the Arabian Peninsula has found sanctuary.

Unfortunately, we also find ourselves in conflict with other enemies there. It is clear that the Houthis, who are Shia, are not affiliates of al-Qaida. In fact, they are engaged in a civil war there.

Over the years, we have sold arms and munitions, built a great alliance with a good ally in Saudi Arabia, and they are involved there. An enemy of the United States, Iran, is also involved as supporters of the Houthis, and so it is important to maintain our relationship with our ally Saudi Arabia.

It is important to recognize the strategic, operational, and tactical threats posed by Iran and their proxies like the Houthis, but it is also important that we restore the emphasis of Article I of our Constitution and our clear duty in Congress to authorize our Nation's wars. So this amendment simply says nothing outside of the War Powers Act may be engaged in without further future authorization.

I reserve the balance of my time.

Ms. GRANGER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. GRANGER. Mr. Chair, the gentleman proposes an amendment that cuts all funding for the introduction of

U.S. Armed Forces in the hostilities in Yemen. U.S. Forces need the flexibility to enter any theater where terrorists target the United States. Just 2 months ago, American Special Operations Forces conducted a ground raid against al-Qaida's Yemen branch, killing seven suspected militants.

We consulted leadership at the Department of Defense regarding this amendment. The Department recommends a more thorough legal review of the implications of this amendment.

Further, the Joint Staff asserts that a U.S. provision of limited support to the Saudi-led coalition might be construed in this context as participation in civil war, in which case, removal of such support could have a damaging effect on the U.S. relationship with Saudi Arabia and create further implications for regional security.

With Special Operations fighting terrorism around the globe to protect our safety, does Congress want to show its lack of support?

This amendment is poorly timed and overly restrictive and has many unforeseen complications. Therefore, the committee strongly opposes this amendment.

Mr. VISCLOSKY. Will the gentlewoman yield?

Ms. GRANGER. I yield to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentlewoman for yielding and join her in opposition; although, I must tell you I am always very reserved about opposing an amendment put forth by a Notre Dame graduate.

But, in all seriousness, I would say that I do appreciate the gentleman's concern with the devolving situation in Yemen in that we do not want to get involved in a proxy war between Saudi Arabia and Iran.

I am also in agreement with much of the intent behind the amendment and certainly agree that Congress has relinquished much of its oversight role over Presidential decisions about sending U.S. Armed Forces into hostilities provided under the War Powers Act. That is why I am a strong supporter of efforts to develop a new Authorization for Use of Military Force for the global war on terror. Congress needs to, finally, after 16 years, carry out its constitutional duty and stop hiding from this very important debate that the gentleman has raised in his amendment.

However, I do have concerns that the gentleman's amendment, as written, is overly broad and would place undue restrictions on U.S. Forces within the Middle East to respond to legitimate threats within Yemen.

So, again, very reluctantly, I join with the chairwoman in opposition, and I appreciate her yielding.

Ms. GRANGER. Mr. Chairman, I reserve the balance of my time.

Mr. DAVIDSON. Mr. Chairman, I respect the arguments of my colleagues in support of our national command authority. I wholeheartedly support that. In fact, I wore our Nation's uniform for nearly 12 years, served in Ranger Regiment, though I was not involved as a combat veteran.

I would not want to do anything to limit our ability to fight and win the war on terror. Indeed, the sole intent of this is to keep us laser-focused where we can. Resources are scarce, and the need to focus on defeating our enemies who have already been authorized by combat to engage in combat is critical.

In fact, it does alarm me to see that there is some concern that this is overly broad and limiting, as it is the law of the land. The War Powers Act is recognized as something that does give our Commanders flexibility. It gives them 90 days to engage in combat anywhere where there is a clear and present danger to the national security of the United States.

That could very well happen in that region of the country. The waters are tight. The threats are real. As I said, there are strategic, operational, and tactical concerns at play.

But this is nothing different than what President Eisenhower foresaw. In an enduring conflict, he said: "We face a hostile ideology global in scope, atheistic in character, ruthless in purpose, and insidious in method."

"Unhappily, the danger it poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle—with liberty at stake. Only thus shall we remain, despite every provocation, on our charted course toward permanent peace and human betterment."

I couldn't say it better, so I borrowed President Eisenhower's words.

I hope we can respect our Constitution, as our duty under it, the oath we have sworn to support and defend it, to limit the scope of our war to things that are Congress-authorized and not passive-aggressively through funding and cutting the checks, but through full authorization. We do not have such authorizations with respect to the Houthis, whether they are in Yemen or other Iranian proxies outside the scope of the War Powers Act.

I reserve the balance of my time.

Ms. GRANGER. Mr. Chairman, I urge opposition to the amendment, and I yield back the balance of my time.

Mr. DAVIDSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. LAMBORN). The question is on the amendment offered by the gentleman from Ohio (Mr. DAVIDSON).

The amendment was rejected.

AMENDMENT NO. 47 OFFERED BY MR. DESANTIS

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part B of House Report 115-261.

Mr. DESANTIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used to purchase heavy water from Iran.

The Acting CHAIR. Pursuant to House Resolution 478, the gentleman from Florida (Mr. DESANTIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DESANTIS. Mr. Chairman, this amendment is a very simple limitation amendment: No funds made available by this act may be used to purchase heavy water from the Islamic Republic of Iran.

Why are we doing this?

If you remember, the JCPOA provided Iran with \$150 billion in sanctions relief, even had the appalling spectacle of planes hauling in \$1.7 billion in cold, hard cash, dropped off in Tehran. So this regime has been flush with money as a result of the nuclear deal done during the Obama administration.

One of the frustrating things about that was that, even after that deal is enacted, even after all this money is flowing as a result of the deal, the Obama administration—this was not even required by the deal—sent millions of dollars to Iran in order to get heavy water. And that was not required by the deal. That was a gratuitous transaction, but it certainly provided more economic—an even greater economic lifeline to Iran.

This is still, to this day, the world's leading state sponsor of terrorism. They are fomenting discord all around the Middle East, in Lebanon, in Syria. They fund Hamas in the Gaza Strip. They are supporting the Houthis in Yemen. They have major control over portions of Iraq, and the Shiite militias that they back are running rampant.

Remember, they were probably the leading source of U.S. servicemember deaths in Iraq during the Iraq campaign. They funded Shiite militias. They had their Quds Force from Iran's Revolutionary Guard Corps on the ground in Iraq; and certainly, hundreds of our servicemembers, some estimates say as many as 1,500 servicemembers, were killed from some of these Iranian proxies. They have never been held accountable for that.

□ 1600

Now this administration came in saying the Iran deal was a bad deal. They haven't left the deal. They haven't

really done anything to fight back against the deal, and I hope that will happen. But in the meantime, I want to make sure that this administration is not repeating the mistakes of the Obama administration. No more taxpayer dollars to the world's leading state sponsor of terrorism.

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

Mr. VISCLOSKY. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I certainly would acknowledge that Iran is up to very nefarious purposes as far as sponsoring terrorism internationally.

I also acknowledge the gentleman referenced the previous administration more than once during his remarks as far as the issue before the House today.

In 2016, last year, heavy water was purchased by the Department of Energy and the State Department, but I would point out this is 2017 with a different administration, and essentially the amendment is a solution to a problem that does not exist.

The current administration has recertified Iran's compliance with the agreement twice. Iran does not have a nuclear weapon and is subject to intense scrutiny by the International Atomic Energy Agency.

But importantly to the point raised today, I would suggest that the Department of Energy consistently has indicated at the time of the 2016 heavy water purchase from Iran that the United States would not be a regular buyer of Iranian heavy water.

Since that purchase, the United States has not purchased any additional heavy water from that country. In fact, the U.S. has, through refraining from purchases of excess supply, forced Iran to ship excess heavy water abroad so that it can continue to adhere to the agreement entered into.

It seems highly unlikely that the current administration would now seek out an opportunity to purchase this heavy water.

Again, I believe the gentleman has a solution to a problem that does not exist, and I am opposed to his amendment.

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

Mr. DESANTIS. Mr. Chairman, I would just say, if you want money to go to purchase heavy water from Iran, then obviously you should oppose the amendment. But if you don't think that is a good idea, then it doesn't hurt us to have this in here, given what has happened in the past.

I wish I had 100 percent confidence that we would not be repeating mistakes. I hope that is where we go, but I have not yet seen the real robust ac-

tion to turn the tide away from a deal that has put Iran on the path to a nuclear bomb. The danger with the deal was always less that Iran would cheat on the deal. I think they probably are, but the danger is they get a bomb by keeping the deal.

This is a major problem. This is one small area of this to protect the taxpayer.

Mr. Chairman, I urge my colleagues to vote "yes," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DESANTIS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. DESANTIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, as we begin to conclude debate on H.R. 3219, the Make America Secure Appropriations Act, I am sure I join with Ranking Member NITA LOWEY in thanking all the Members of the House for the manner in which this debate has been conducted over the last couple of days.

I thank the subcommittee chairs, the ranking members, and the Members who presented well over 120 amendments that were made in order.

Let me reiterate why this package of appropriations bills is so important. From 2010 to 2014, defense spending was cut 21 percent in real terms. We heard that from Chairman THORNBERRY of the Armed Services Committee. Yet, as we know, the world did not get 21 percent safer.

In fact, we ask more of our military than ever before, and we need to support them here at home and abroad.

Today—and I said this earlier in the debate—we have the oldest Air Force in history, the Navy's fleet is smaller than it has been in decades, and the Army has just three combat brigade teams fully prepared to fight.

Moreover, we have too many aircraft that can't fly, too many ships that cannot sail, too many troops who cannot deploy. We need better equipment and training for our warfighters, and we need more of the warfighters. We need a cyber component that is really effective.

In April—it seems like years ago—we began to rebuild our Armed Forces with the fiscal year 2017 consolidated appropriations bill. Today, this legislation we are considering continues that critical work.

Mr. Chairman, this four-bill package is carefully crafted to fund our critical military priorities, reinforce our nuclear deterrent, support veterans, make our borders more secure, and strengthen protection for our constituents and for Members.

Once again, I thank Chairwoman KAY GRANGER; Chairmen MIKE SIMPSON, CHARLIE DENT, KEVIN YODER; all chairmen and their ranking counterparts; and our remarkable staff for bringing us to the finish line this afternoon, earlier than we thought.

I also thank the rest of the Members and the staff of the Appropriations Committee for their extraordinary efforts over the past several months. It was full speed ahead, and they performed in a remarkable way.

I would like to note the work of our clerk Nancy Fox and her team, Jim Kulikowski, Carol Murphy, Shannon O'Keefe, Stephen Sepp, Maureen Holohan, Jennifer Hing, Marta Dehmlow Hernandez, Tammy Hughes, Rachel Kahler, David Roth.

And in my personal office: Katie Hazlett.

And those who work with Mrs. LOWEY—and this may be the short list—Shalanda Young, Chris Bigelow, Adam Berg, and Becky Leggieri.

May I say that I didn't mean to leave out Chairman CARTER of the Homeland Security Committee for the work that he has done.

My colleagues, each and every one of these bills deserves to be sent to the President's desk. I look forward to completing our work on all 12 appropriations bills when we return from the recess, or perhaps even before then.

Mr. Chairman, I urge support of the bill, and I yield back the balance of my time.

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in part B of House Report 115-261.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. LOWEY. Mr. Chairman, I wish we were considering bills under regular order, but I hope that in the weeks ahead we can work together to raise the budget caps and enact bipartisan bills we can all support.

I thank Chairman FRELINGHUYSEN, my friend; and KAY GRANGER, the chair; and, of course, PETE VISCLOSKEY for your hard work on this bill.

However, this is not the regular way to proceed. I urge my colleagues to vote "no" on this bill which would waste \$1.6 billion on Trump's border wall, use fraudulent defense numbers, gut critical investments in clean energy, include poison pill riders, and leave the remaining spending bills with no path forward.

Mr. Chairman, as I conclude, I thank again all of the Members, all of my

hardworking staff on both sides of the aisle. On this bill, I urge a "no" vote.

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

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. DESANTIS

Mr. VISCLOSKEY. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on the amendment offered by the gentleman from Florida to the end that the Chair puts the question *de novo*.

The Acting CHAIR. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DESANTIS).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-261 on which further proceedings were postponed, in the following order:

Amendment No. 10 by Mr. SUOZZI of New York.

Amendment No. 12 by Mr. BRENDAN F. BOYLE of Pennsylvania.

Amendment No. 38 by Mr. NADLER of New York.

Amendment No. 43 by Mr. CARTWRIGHT of Pennsylvania.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 10 OFFERED BY MR. SUOZZI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. SUOZZI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 211, not voting 8, as follows:

[Roll No. 430]

AYES—214

Adams	Capuano	Cook
Aguilar	Carbajal	Cooper
Barragán	Cárdenas	Correa
Bass	Carson (IN)	Costa
Beatty	Cartwright	Costello (PA)
Bera	Castor (FL)	Courtney
Beyer	Castro (TX)	Crist
Bishop (GA)	Chu, Judy	Crowley
Blumenauer	Cicilline	Cuellar
Blunt Rochester	Clark (MA)	Curbelo (FL)
Bonamici	Clarke (NY)	Davis (CA)
Boyle, Brendan	Clay	Davis, Danny
F.	Cleaver	Davis, Rodney
Brady (PA)	Clyburn	DeFazio
Brown (MD)	Cohen	DeGette
Brownley (CA)	Comstock	Delaney
Bustos	Connolly	DeLauro
Butterfield	Conyers	DelBene

Demings	Langevin	Richmond
DeSaulnier	Larsen (WA)	Ros-Lehtinen
Deutch	Larson (CT)	Rosen
Dingell	Lawrence	Roybal-Allard
Doggett	Lawson (FL)	Ruiz
Donovan	Lee	Ruppersberger
Doyle, Michael	Levin	Rush
F.	Lewis (GA)	Sánchez
Ellison	Lieu, Ted	Sarbanes
Eshoo	Lipinski	Schakowsky
Españillat	LoBiondo	Schiff
Esty (CT)	Loeb	Schneider
Evans	Lofgren	Schrader
Faso	Lowenthal	Scott (VA)
Fitzpatrick	Lowe	Scott, David
Fleischmann	Lujan Grisham,	Serrano
Foster	M.	Sewell (AL)
Frankel (FL)	Luján, Ben Ray	Shea-Porter
Fudge	Lynch	Sherman
Gabbard	Maloney,	Shuster
Gallego	Carolyn B.	Simpson
Garamendi	Maloney, Sean	Sinema
Gomez	Mast	Sires
Gonzalez (TX)	Matsui	Slaughter
Gottheimer	McCollum	Smith (NJ)
Green, Al	McEachin	Smith (WA)
Green, Gene	McGovern	Soto
Grijalva	McNerney	Speier
Gutiérrez	Meehan	Stefanik
Hanabusa	Meeks	Suozy
Hastings	Meng	Swalwell (CA)
Heck	Moore	Takano
Higgins (NY)	Moulton	Tenney
Himes	Murphy (FL)	Thompson (CA)
Hoyer	Nadler	Thompson (MS)
Huffman	Neal	Tiberi
Jackson Lee	Nolan	Titus
Jayapal	Norcross	Tonko
Jeffries	O'Halleran	Torres
Johnson (GA)	O'Rourke	Tsongas
Johnson, E. B.	Pallone	Vargas
Jones	Panetta	Veasey
Kaptur	Pascarella	Vela
Katko	Payne	Velázquez
Keating	Pelosi	Visclosky
Kelly (IL)	Perlmutter	Walz
Kennedy	Peters	Wasserman
Khanna	Pingree	Schultz
Kihuen	Pocan	Waters, Maxine
Kildee	Polis	Watson Coleman
Kilmer	Price (NC)	Welch
Kind	Quigley	Wilson (FL)
King (NY)	Raskin	Yarmuth
Krishnamoorthi	Reed	Young (IA)
Kuster (NH)	Rice (NY)	Zeldin

NOES—211

Abraham	Cole	Graves (LA)
Aderholt	Collins (GA)	Graves (MO)
Allen	Collins (NY)	Griffith
Amash	Comer	Grothman
Amodel	Conaway	Guthrie
Arrington	Cramer	Handel
Babin	Crawford	Harper
Bacon	Culberson	Harris
Banks (IN)	Davidson	Hartzler
Barletta	Denham	Hensarling
Barr	Dent	Herrera Beutler
Barton	DeSantis	Hice, Jody B.
Bergman	DesJarlais	Higgins (LA)
Biggs	Diaz-Balart	Hill
Bilirakis	Duffy	Holding
Bishop (MI)	Duncan (SC)	Hudson
Bishop (UT)	Duncan (TN)	Huizenga
Black	Dunn	Hultgren
Blackburn	Emmer	Hunter
Blum	Engel	Hurd
Bost	Estes (KS)	Issa
Brady (TX)	Farenthold	Jenkins (KS)
Brat	Ferguson	Jenkins (WV)
Bridenstine	Flores	Johnson (LA)
Brooks (AL)	Fox	Johnson (OH)
Brooks (IN)	Franks (AZ)	Johnson, Sam
Buchanan	Frelinghuysen	Jordan
Buck	Gaetz	Joyce (OH)
Bucshon	Gallagher	Kelly (MS)
Budd	Garrett	Kelly (PA)
Burgess	Gianforte	King (IA)
Byrne	Gibbs	Kinzinger
Calvert	Gohmert	Knight
Carter (GA)	Goodlatte	Kustoff (TN)
Carter (TX)	Gosar	Labrador
Chabot	Gowdy	LaHood
Cheney	Granger	LaMalfa
Coffman	Graves (GA)	Lamborn

Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson

Palazzo
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions

Shimkus
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)

NOT VOTING—8

Cummings
Fortenberry
Hollingsworth

Napolitano
Palmer
Roskam

Ryan (OH)
Scalise

□ 1641

Messrs. POE of Texas, COLLINS of New York, MCCARTHY, RICE of South Carolina, HARRIS, JOYCE of Ohio, and Ms. HERRERA BEUTLER changed their vote from “aye” to “no.”

Messrs. RODNEY DAVIS of Illinois, CASTRO of Texas, KATKO, LOWENTHAL, ELLISON, BEYER, COOPER, SIMPSON, TIBERI, GENE GREEN of Texas, Ms. ROS-LEHTINEN, Messrs. WALZ, COSTA, FLEISCHMANN, O’ROURKE, and YOUNG of Iowa changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. POE of Texas). The next amendment votes will be 2-minute votes. Members are advised to stay on the floor.

AMENDMENT NO. 12 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE of Pennsylvania) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 256, noes 169, not voting 8, as follows:

[Roll No. 431]

AYES—256

Abraham
Adams
Aguilar
Bacon
Banks (IN)
Barietta
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Buchanan
Bustos
Butterfield
Byrne
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Comstock
Conaway
Connolly
Conyers
Cook
Correa
Costa
Costello (PA)
Courtney
Crist
Crowley
Cuellar
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Dunn
Ellison
Engel
Español
Esty (CT)
Evans
Faso
Fitzpatrick
Fleischmann
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi

Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hartzler
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Knight
Krishnamoorthi
Kuster (NH)
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marino
Mast
Matsui
McCollum
McEachin
McGovern
McKinley
McMorris
Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Neal
Nolan
Norcross
O’Halloran

O’Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reed
Rice (NY)
Richmond
Rogers (AL)
Ros-Lehtinen
Rosen
Rothfus
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schradner
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Suozi
Swalwell (CA)
Takano
Tennet
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wenstrup
Wilson (FL)
Yarmuth
Yoder
Young (AK)
Zeldin

NOES—169

Aderholt
Allen
Amash
Amodei
Arrington
Babin
Barr
Barton
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cole
Collins (GA)
Collins (NY)
Comer
Cooper
Cramer
Crawford
Culberson
Davidson
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer
Estes (KS)
Farenthold
Ferguson
Flores
Foxy
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte

Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hudson
Huizenga
Hultgren
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kelly (MS)
King (IA)
Kinzinger
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lance
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marshall
Massie
McCarthy
McCauley
McClintock
McHenry
Meadows
Messer
Mitchell
Moolenaar
Mullin

Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ross
Rouzer
Rutherford
Scott, Austin
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Stewart
Stivers
Taylor
Tiberi
Tipton
Trott
Wagner
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (IA)

NOT VOTING—8

Cummings
Fortenberry
Hollingsworth

Napolitano
Palmer
Roskam

Ryan (OH)
Scalise

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1646

Mr. JOHNSON of Louisiana changed his vote from “aye” to “no.”

Mrs. CAROLYN B. MALONEY of New York, Messrs. HUNTER and RODNEY DAVIS of Illinois changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 252, not voting 9, as follows:

[Roll No. 432]

AYES—172

Adams	Foster	Neal
Amash	Frankel (FL)	Nolan
Barragán	Fudge	Norcross
Bass	Gabbard	O'Rourke
Beatty	Garamendi	Pallone
Bera	Gomez	Panetta
Beyer	Green, Al	Pascrell
Bishop (GA)	Grijalva	Payne
Blumenauer	Gutiérrez	Pelosi
Blunt Rochester	Hanabusa	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan	Heck	Pingree
F.	Higgins (NY)	Pocan
Brady (PA)	Himes	Polis
Brown (MD)	Hoyer	Price (NC)
Brownley (CA)	Huffman	Quigley
Bustos	Jackson Lee	Raskin
Butterfield	Jayapal	Rice (NY)
Capuano	Jeffries	Richmond
Carbajal	Johnson (GA)	Roybal-Allard
Carson (IN)	Johnson, E. B.	Rush
Cartwright	Kaptur	Sánchez
Castor (FL)	Keating	Sanford
Castro (TX)	Kelly (IL)	Sarbanes
Chu, Judy	Kennedy	Schakowsky
Cicilline	Khanna	Schiff
Clark (MA)	Kihuen	Schneider
Clarke (NY)	Kildee	Schrader
Clay	Kilmer	Scott (VA)
Cleaver	Kind	Scott, David
Clyburn	Krishnamoorthi	Serrano
Cohen	Kuster (NH)	Shea-Porter
Connolly	Langevin	Sherman
Conyers	Larsen (WA)	Slaughter
Cooper	Larson (CT)	Smith (WA)
Costa	Lawrence	Soto
Courtney	Lee	Speier
Crowley	Levin	Swalwell (CA)
Davis (CA)	Lewis (GA)	Takano
Davis, Danny	Lieu, Ted	Thompson (CA)
DeFazio	Loeb sack	Thompson (MS)
DeGette	Lofgren	Titus
Delaney	Lowenthal	Tonko
DeLauro	Lowe y	Torres
DelBene	Lujan Grisham,	Tsongas
Demings	M.	Vargas
DeSaulnier	Luján, Ben Ray	Veasey
Deutch	Lynch	Vela
Dingell	Matsui	Velázquez
Doggett	McCollum	Visclosky
Doyle, Michael	McEachin	Walz
F.	McGovern	Wasserman
Duncan (TN)	McNerney	Schultz
Ellison	Meeks	Waters, Maxine
Engel	Meng	Watson Coleman
Eshoo	Moore	Welch
Espallat	Moulton	Wilson (FL)
Esty (CT)	Murphy (FL)	Yarmuth
Evans	Nadler	

NOES—252

Abraham	Brady (TX)	Collins (NY)
Aderholt	Brat	Comer
Aguilar	Bridenstine	Comstock
Allen	Brooks (AL)	Conaway
Amodei	Brooks (IN)	Cook
Arrington	Buchanan	Correa
Bacon	Buck	Costello (PA)
Banks (IN)	Bucshon	Cramer
Barletta	Budd	Crawford
Barr	Burgess	Crist
Barton	Byrne	Cuellar
Bergman	Calvert	Culberson
Biggs	Cárdenas	Curbelo (FL)
Bilirakis	Carter (GA)	Davidson
Bishop (MI)	Carter (TX)	Davis, Rodney
Bishop (UT)	Chabot	Denham
Black	Cheney	Dent
Blackburn	Coffman	DeSantis
Blum	Cole	DesJarlais
Boat	Collins (GA)	Diaz-Balart

Donovan	Knight	Rogers (KY)
Duffy	Kustoff (TN)	Rohrabacher
Duncan (SC)	Labrador	Rokita
Dunn	LaHood	Rooney, Francis
Emmer	LaMalfa	Rooney, Thomas
Estes (KS)	Lamborn	J.
Farenthold	Lance	Ros-Lehtinen
Faso	Latta	Rosen
Ferguson	Lawson (FL)	Ross
Fitzpatrick	Lewis (MN)	Rothfus
Fleischmann	Lipinski	Rouzer
Flores	LoBiondo	Royce (CA)
Foxx	Long	Ruiz
Franks (AZ)	Loudermilk	Ruppersberger
Frelinghuysen	Love	Russell
Gaetz	Lucas	Rutherford
Gallagher	Luetkemeyer	Schweikert
Gallego	MacArthur	Scott, Austin
Garrett	Maloney	Sensenbrenner
Gianforte	Carolyn B.	Sessions
Gibbs	Maloney, Sean	Sewell (AL)
Gohmert	Marchant	Shimkus
Gonzalez (TX)	Marino	Shuster
Goodlatte	Marshall	Simpson
Gosar	Massie	Sinema
Gottheimer	Mast	Sires
Govdy	McCarthy	Smith (MO)
Granger	McCauley	Smith (NE)
Graves (GA)	McClintock	Smith (NJ)
Graves (LA)	McHenry	Smith (TX)
Graves (MO)	McKinley	Smucker
Green, Gene	McMorris	Stefanik
Griffith	Rodgers	Stewart
Grothman	McSally	Stivers
Guthrie	Meadows	Suozzi
Handel	Meehan	Taylor
Harper	Messer	Tenney
Harris	Mitchell	Thompson (PA)
Hartzler	Mooleenaar	Thornberry
Hensarling	Mooney (WV)	Tiberi
Herrera Beutler	Murphy (PA)	Tipton
Hice, Jody B.	Murphy (PA)	Trott
Higgins (LA)	Newhouse	Turner
Hill	Noem	Upton
Holding	Norman	Valadao
Hudson	Nunes	Wagner
Huizenga	O'Halleran	Walberg
Hultgren	Olson	Walden
Hunter	Palazzo	Walker
Hurd	Paulsen	Walorski
Issa	Pearce	Walters, Mimi
Jenkins (KS)	Perry	Weber (TX)
Jenkins (WV)	Peterson	Webster (FL)
Johnson (LA)	Pittenger	Wenstrup
Johnson (OH)	Poe (TX)	Westerman
Johnson, Sam	Poliquin	Williams
Jones	Posey	Wilson (SC)
Jordan	Ratcliffe	Wittman
Joyce (OH)	Reed	Womack
Katko	Reichert	Woodall
Kelly (MS)	Renacci	Yoder
Kelly (PA)	Rice (SC)	Yoho
King (IA)	Roby	Young (AK)
King (NY)	Roe (TN)	Young (IA)
Kinzinger	Rogers (AL)	Zeldin

NOT VOTING—9

Babin	Hollingsworth	Roskam
Cummings	Napolitano	Ryan (OH)
Fortenberry	Palmer	Scalise

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1651

Mr. SCHNEIDER changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 43 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 172, not voting 8, as follows:

[Roll No. 433]

AYES—253

Abraham	Dunn	Maloney,
Adams	Ellison	Carolyn B.
Aderholt	Engel	Maloney, Sean
Aguilar	Eshoo	Marino
Barletta	Espallat	Matsui
Barragán	Esty (CT)	McCollum
Bass	Evans	McEachin
Beatty	Faso	McGovern
Bera	Fitzpatrick	McKinley
Bergman	Foster	McNerney
Beyer	Frankel (FL)	Meehan
Bishop (GA)	Fudge	Meeks
Bishop (UT)	Gabbard	Meng
Blumenauer	Gallego	Moore
Blunt Rochester	Garamendi	Moulton
Bonamici	Gomez	Mullin
Bost	Gonzalez (TX)	Murphy (FL)
Boyle, Brendan	Gottheimer	Murphy (PA)
F.	Green, Al	Nadler
Brady (PA)	Green, Gene	Neal
Bridenstine	Grijalva	Newhouse
Brown (MD)	Gutiérrez	Nolan
Brownley (CA)	Hanabusa	Norcross
Buchanan	Hastings	O'Halleran
Bustos	Heck	O'Rourke
Butterfield	Hensarling	Palazzo
Capuano	Herrera Beutler	Pallone
Carbajal	Higgins (NY)	Panetta
Cárdenas	Himes	Pascrell
Carson (IN)	Hoyer	Paulsen
Cartwright	Huffman	Payne
Castor (FL)	Jackson Lee	Pearce
Castro (TX)	Jayapal	Pelosi
Chu, Judy	Jeffries	Perlmutter
Cicilline	Johnson (GA)	Peters
Clark (MA)	Johnson, E. B.	Peterson
Clarke (NY)	Jones	Pingree
Clay	Kaptur	Pocan
Cleaver	Katko	Polis
Clyburn	Keating	Posey
Cohen	Kelly (IL)	Price (NC)
Cole	Kelly (PA)	Quigley
Collins (GA)	Kennedy	Raskin
Comstock	Khanna	Ratcliffe
Connolly	Kihuen	Reed
Conyers	Kildee	Rice (NY)
Cook	Kilmer	Richmond
Cooper	Kind	Rogers (AL)
Correa	King (NY)	Ros-Lehtinen
Costa	Krishnamoorthi	Rosen
Costello (PA)	Kuster (NH)	Roybal-Allard
Courtney	LaMalfa	Ruiz
Crist	Lance	Ruppersberger
Crowley	Langevin	Rush
Cuellar	Larsen (WA)	Russell
Curbelo (FL)	Larson (CT)	Rutherford
Davis (CA)	Lawrence	Sánchez
Davis, Danny	Lawson (FL)	Sarbanes
Davis, Rodney	Lee	Schakowsky
DeFazio	Levin	Schiff
DeGette	Lewis (GA)	Schneider
Delaney	Lieu, Ted	Schrader
DeLauro	Lipinski	Scott (VA)
DelBene	LoBiondo	Scott, Austin
Demings	Loeb sack	Scott, David
Denham	Lofgren	Serrano
Dent	Love	Sewell (AL)
DeSaulnier	Lowenthal	Shea-Porter
Deutch	Lowe y	Sherman
Diaz-Balart	Lucas	Shuster
Dingell	Lujan Grisham,	Sinema
Doggett	M.	Sires
Donovan	Luján, Ben Ray	Slaughter
Doyle, Michael	Lynch	Smith (NJ)
F.		Smith (WA)

Soto	Tonko	Watson Coleman
Speier	Torres	Welch
Stefanik	Tsongas	Westerman
Stewart	Vargas	Wilson (FL)
Suozi	Veasey	Wittman
Swalwell (CA)	Vela	Woodall
Takano	Velázquez	Yarmuth
Tenney	Visclosky	Young (AK)
Thompson (CA)	Walz	Young (IA)
Thompson (MS)	Wasserman	Zeldin
Thompson (PA)	Schultz	
Titus	Waters, Maxine	

NOES—172

Allen	Gosar	Moolenaar
Amash	Gowdy	Mooney (WV)
Amodel	Granger	Noem
Arrington	Graves (GA)	Norman
Babin	Graves (LA)	Nunes
Bacon	Graves (MO)	Olson
Banks (IN)	Griffith	Perry
Barr	Grothman	Pittenger
Barton	Guthrie	Poe (TX)
Biggs	Handel	Poliquin
Bilirakis	Harper	Reichert
Bishop (MI)	Harris	Renacci
Black	Hartzler	Rice (SC)
Blackburn	Hice, Jody B.	Roby
Blum	Higgins (LA)	Roe (TN)
Brady (TX)	Hill	Rogers (KY)
Brat	Holding	Rohrabacher
Brooks (AL)	Hudson	Rokita
Brooks (IN)	Huizenga	Rooney, Francis
Buck	Hultgren	Rooney, Thomas J.
Bucshon	Hunter	Ross
Budd	Hurd	Rothfus
Burgess	Issa	Rouzer
Byrne	Jenkins (KS)	Royce (CA)
Calvert	Jenkins (WV)	Sanford
Carter (GA)	Johnson (LA)	Schweikert
Carter (TX)	Johnson (OH)	Sensenbrenner
Chabot	Johnson, Sam	Sessions
Cheney	Jordan	Shimkus
Coffman	Joyce (OH)	Simpson
Collins (NY)	Kelly (MS)	Smith (MO)
Comer	King (IA)	Smith (NE)
Conaway	Kinziger	Smith (TX)
Cramer	Knight	Smucker
Crawford	Kustoff (TN)	Stivers
Culberson	Labrador	Taylor
Davidson	LaHood	Thornberry
DeSantis	Lamborn	Tiberi
DesJarlais	Latta	Tipton
Duffy	Lewis (MN)	Trott
Duncan (SC)	Long	Turner
Duncan (TN)	Loudermilk	Upton
Emmer	Luetkemeyer	Valadao
Estes (KS)	MacArthur	Wagner
Farenthold	Marchant	Walberg
Ferguson	Marshall	Walden
Fleischmann	Massie	Walker
Flores	Mast	Walorski
Foxx	McCarthy	Walters, Mimi
Franks (AZ)	McCaull	Weber (TX)
Frelinghuysen	McClintock	Webster (FL)
Gaetz	McHenry	Wenstrup
Gallagher	McMorris	Williams
Garrett	Rodgers	Wilson (SC)
Gianforte	McSally	Womack
Gibbs	Meadows	Yoder
Gohmert	Messer	Yoho
Goodlatte	Mitchell	

NOT VOTING—8

Cummings	Napolitano	Ryan (OH)
Fortenberry	Palmer	Scalise
Hollingsworth	Roskam	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. COLLINS of Georgia) (during the vote). There is 1 minute remaining.

□ 1656

Ms. STEFANIK and Mr. DENHAM changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, and, pursuant to House Resolution 478, he reported the bill, as amended by that resolution and by House Resolution 473, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Ms. ROYBAL-ALLARD. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. ROYBAL-ALLARD. Yes, I am opposed to the bill.

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

The Clerk read as follows:

Strike division E.

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

Ms. ROYBAL-ALLARD. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

In last year's election, no campaign rhetoric was more infamous than the President's promise to “build a great, great wall on our Southern border” and “make Mexico pay for it.”

The reality is the funding would come from U.S. taxpayers, not from Mexico, as the President promised. This motion to recommit strikes the \$1.6 billion appropriation for construction of nearly 74 miles of border wall.

Beyond the initial 74 miles, we have no idea of how many miles of border wall the President plans to build or how much it will cost because we have not received the required report on the long-term plan and justification for border security investments.

Even with the plan, we will need time to evaluate whether investments in the border wall are more cost effective than alternatives and more urgent than clearly established unmet needs.

With \$1.6 billion, we could buy two of the four heavy Coast Guard icebreakers we need to protect U.S. interests in the Arctic. This purchase would help minimize the danger highlighted in a National Academies of Science report, which concluded the Coast Guard requires four new heavy icebreakers to protect U.S. interests in the Arctic, where Russia has an ever-increasing presence.

The Coast Guard is ready to solicit proposals for new icebreakers in fiscal year 2018. In this bill there is no funding for essential icebreakers. There is no acquisition funding for them in the Homeland Security bill.

The \$1.6 billion could also be used for investments in additional scanning technology in the hiring of thousands of Customs officers at every U.S. port of entry. This would reduce wait times for travelers, better facilitate the flow of commerce, and contribute to economic growth in many of our districts. It would also enhance our ability to intercept contraband and illegal narcotics mostly smuggled directly into the U.S. through our ports of entry, not where the wall would be built.

The bill before us does not adequately address these and other areas of security vulnerabilities.

As Members of Congress, protecting our Nation and the American public is our greatest responsibility. It is our obligation to act in their best interest and to invest their tax dollars wisely. If the only Homeland Security item in this bill remains the funding for 74 miles of border wall, we will fail to meet our obligations.

Unfortunately, the President's border wall is now a proxy for the broader immigration debate. There is a false and misleading assumption that building a border wall will solve the immigration challenges we face. The reality is we will never be able to fix our broken immigration system with an enforcement-only approach that turns a blind eye to the desperate circumstances that compels so many to make the often deadly journey to the U.S.

We will never be able to address our immigration challenges by treating as criminals the millions of undocumented people in this country, many of whom are our neighbors and friends.

For years or even decades, the vast majority have called the U.S. their home. They have paid their taxes, acted responsibly, contributed to their communities, and worked hard to provide opportunity for their family.

Immigration enforcement is as much a moral issue as it is a legal one. Our Statue of Liberty has always been a welcoming symbol of hope for those who, like now, are fleeing poverty, oppression, famine, war, and violence in their home country. Many of our ancestors come from somewhere else, often within certain legal status, and made significant contributions to help

our country become the greatest in the world. Today's immigrants continue to contribute to that noble legacy.

What we truly need is comprehensive immigration reform that protects our homeland and reflects our American values. Democrats stand ready to work with Republicans to achieve that goal, but Democrats will not support the use of taxpayer dollars for an ill-conceived border wall that has more to do with a campaign promise than the security of our homeland.

In spite of the President's assurances, Mexico is not paying for this wall. The American taxpayer is. My motion to recommit would prevent that from happening. I urge my colleagues to support the motion to recommit.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, the United States Senate is now considering what is called a "skinny bill" on the Affordable Care Act.

The Senators are being told that they are voting for that bill to send it over here so it can go to conference and be perfected.

The Rules Committee has just met and a provision was offered to the martial law, which means that we can take something up right away, that what we can take up is to go to conference. That was rejected by the Rules Committee.

There is a suspicion that I have—and I see the majority leader on the floor—that there may be an intent to send the bill immediately back to the Senate and have it go to the President without 72 hours of consideration, without hearings, without scoring. I would hope the majority leader could give us assurances.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, as we gather here, nearly 250,000 men and women in uniform are deployed in nearly 177 countries in all corners of the globe. Another 2 million Active Guard and Reserve are standing watch back here at home in the United States.

They are doing their jobs. We should do our jobs by providing them with everything they need to complete their mission. They are trusting us to do our jobs.

Defeat the motion to recommit, support national security, and vote "yes" on final passage.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Ms. ROYBAL-ALLARD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill.

The vote was taken by electronic device, and there were—ayes 193, noes 234, not voting 6, as follows:

[Roll No. 434]

AYES—193

Adams	Gallego	Nolan
Aguilar	Garamendi	Norcross
Barragán	Gomez	O'Halleran
Bass	Gonzalez (TX)	O'Rourke
Beatty	Gottheimer	Pallone
Bera	Green, Al	Panetta
Beyer	Green, Gene	Pascarell
Bishop (GA)	Grijalva	Payne
Blumenauer	Gutiérrez	Pelosi
Blunt Rochester	Hanabusa	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan F.	Heck	Peterson
Brady (PA)	Higgins (NY)	Pingree
Brown (MD)	Himes	Pocan
Brownley (CA)	Hoyer	Polis
Bustos	Huffman	Price (NC)
Butterfield	Jackson Lee	Quigley
Capuano	Jayapal	Raskin
Carbajal	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Richmond
Carson (IN)	Johnson, E. B.	Rosen
Cartwright	Jones	Roybal-Allard
Castor (FL)	Kaptur	Ruiz
Castro (TX)	Keating	Ruppersberger
Chu, Judy	Kelly (IL)	Rush
Cicilline	Kennedy	Ryan (OH)
Clark (MA)	Khanna	Sánchez
Clarke (NY)	Kihuen	Sarbanes
Clay	Kildee	Schakowsky
Cleaver	Kilmer	Schiff
Clyburn	Kind	Schneider
Cohen	Krishnamoorthi	Schrader
Connolly	Kuster (NH)	Scott (VA)
Conyers	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Correa	Larson (CT)	Sewell (AL)
Costa	Lawrence	Shea-Porter
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sinema
Crowley	Levin	Sires
Cuellar	Lewis (GA)	Slaughter
Davis (CA)	Lieu, Ted	Smith (WA)
Davis, Danny	Lipinski	Soto
DeFazio	Loebach	Speier
DeGette	Lofgren	Suozzi
Delaney	Lowenthal	Swalwell (CA)
DeLauro	Lowe	Takano
DelBene	Lujan Grisham,	Thompson (CA)
Demings	M.	Thompson (MS)
DeSaulnier	Luján, Ben Ray	Titus
Deutch	Lynch	Tonko
Dingell	Maloney,	Torres
Doggett	Carolyn B.	Tsongas
Doyle, Michael F.	Maloney, Sean	Vargas
Ellison	Matsui	Veasey
Engel	McCollum	Vela
Eshoo	McEachin	Velázquez
Españillat	McGovern	Visclosky
Esty (CT)	McNerney	Walz
Evans	Meeks	Wasserman
Foster	Meng	Schultz
Frankel (FL)	Moore	Waters, Maxine
Fudge	Moulton	Watson Coleman
Gabbard	Murphy (FL)	Welch
	Nadler	Wilson (FL)
	Neal	Yarmuth

NOES—234

Abraham	Goodlatte	Nunes
Aderholt	Gosar	Olson
Allen	Gowdy	Palazzo
Amash	Granger	Palmer
Amodel	Graves (GA)	Paulsen
Arrington	Graves (LA)	Pearce
Babin	Graves (MO)	Perry
Bacon	Griffith	Pittenger
Banks (IN)	Grothman	Poe (TX)
Barletta	Guthrie	Poliquin
Barr	Handel	Posey
Barton	Harper	Ratcliffe
Bergman	Harris	Reed
Biggs	Hartzler	Reichert
Bilirakis	Hensarling	Renacci
Bishop (MI)	Herrera Beutler	Rice (SC)
Bishop (UT)	Hice, Jody B.	Roby
Black	Higgins (LA)	Roe (TN)
Blackburn	Hill	Rogers (AL)
Blum	Holding	Rogers (KY)
Bost	Hudson	Rohrabacher
Brady (TX)	Huizenga	Rokita
Brat	Hultgren	Rooney, Francis
Bridenstine	Hunter	Rooney, Thomas J.
Brooks (AL)	Hurd	Ros-Lehtinen
Brooks (IN)	Issa	Ross
Buchanan	Jenkins (KS)	Rothfus
Buck	Jenkins (WV)	Rouzer
Bucshon	Johnson (LA)	Royce (CA)
Budd	Johnson (OH)	Russell
Burgess	Johnson, Sam	Rutherford
Byrne	Jordan	Sanford
Calvert	Joyce (OH)	Schweikert
Carter (GA)	Katko	Scott, Austin
Carter (TX)	Kelly (MS)	Sensenbrenner
Chabot	Kelly (PA)	Sessions
Cheney	King (IA)	Shimkus
Coffman	King (NY)	Shuster
Cole	Kinzing	Simpson
Collins (GA)	Knight	Smith (MO)
Collins (NY)	Kustoff (TN)	Smith (NE)
Comer	Labrador	Smith (NJ)
Comstock	LaHood	Smith (TX)
Conaway	LaMalfa	Smucker
Cook	Lamborn	Lance
Costello (PA)	Lance	Latta
Cramer	Latta	Lewis (MN)
Crawford	Lewis (MN)	LoBiondo
Culberson	LoBiondo	Long
Curbelo (FL)	Long	Loudermilk
Davidson	Loudermilk	Love
Davis, Rodney	Love	Lucas
Denham	Lucas	Luetkemeyer
Dent	Luetkemeyer	MacArthur
DeSantis	MacArthur	Marchant
DesJarlais	Marchant	Marino
Diaz-Balart	Marino	Marshall
Donovan	Marshall	Massie
Duffy	Massie	Mast
Duncan (SC)	Mast	McCarthy
Duncan (TN)	McCarthy	McCaul
Dunn	McCaul	McClintock
Emmer	McClintock	McHenry
Estes (KS)	McHenry	McKinley
Farenthold	McKinley	McMorris
Faso	McMorris	Rodgers
Ferguson	Rodgers	McSally
Fitzpatrick	McSally	Meadows
Fleischmann	Meadows	Meehan
Flores	Meehan	Messer
Foxx	Messer	Mitchell
Franks (AZ)	Mitchell	Moolenaar
Frelinghuysen	Moolenaar	Mooney (WV)
Gaetz	Mooney (WV)	Mullin
Gallagher	Mullin	Murphy (PA)
Garrett	Murphy (PA)	Newhouse
Gianforte	Newhouse	Noem
Gibbs	Noem	Norman
Gohmert	Norman	

NOT VOTING—6

Cummings	Hollingsworth	Roskam
Fortenberry	Napolitano	Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1713

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 192, not voting 6, as follows:

[Roll No. 435]

YEAS—235

Abraham	Goodlatte	Nunes
Aderholt	Gosar	O'Halleran
Allen	Gottheimer	Olson
Amodel	Gowdy	Palazzo
Arrington	Granger	Palmer
Babin	Graves (GA)	Paulsen
Bacon	Graves (LA)	Pearce
Banks (IN)	Graves (MO)	Perry
Barletta	Griffith	Pittenger
Barr	Grothman	Poe (TX)
Barton	Guthrie	Poliquin
Bergman	Handel	Posey
Biggs	Harper	Ratcliffe
Bilirakis	Harris	Reed
Bishop (GA)	Hartzler	Reichert
Bishop (MI)	Hensarling	Renacci
Bishop (UT)	Herrera Beutler	Rice (SC)
Black	Hice, Jody B.	Roby
Blackburn	Higgins (LA)	Roe (TN)
Blum	Hill	Rogers (AL)
Bost	Holding	Rogers (KY)
Brady (TX)	Hudson	Rohrabacher
Brat	Huizenga	Rokita
Bridenstine	Hultgren	Rooney, Francis
Brooks (AL)	Hunter	Rooney, Thomas J.
Brooks (IN)	Hurd	Ros-Lehtinen
Buchanan	Issa	Ross
Buck	Jenkins (KS)	Rothfus
Bucshon	Jenkins (WV)	Rouzer
Budd	Johnson (LA)	Royce (CA)
Burgess	Johnson (OH)	Russell
Byrne	Johnson, Sam	Rutherford
Calvert	Jordan	Schweikert
Carter (GA)	Joyce (OH)	Scott, Austin
Carter (TX)	Katko	Sensenbrenner
Chabot	Kelly (MS)	Sessions
Cheney	Kelly (PA)	Shimkus
Coffman	King (IA)	Shuster
Cole	King (NY)	Simpson
Collins (GA)	Kinzinger	Sinema
Collins (NY)	Knight	Smith (MO)
Comer	Kustoff (TN)	Smith (NE)
Comstock	Labrador	Smith (NJ)
Conaway	LaHood	Smith (TX)
Cook	LaMalfa	Smucker
Costello (PA)	Lamborn	Stefanik
Cramer	Lance	Stewart
Crawford	Latta	Stivers
Crist	Lewis (MN)	Taylor
Culberson	LoBiondo	Tenney
Curbelo (FL)	Long	Thompson (PA)
Davidson	Loudermilk	Thornberry
Davis, Rodney	Love	Tiberi
Denham	Lucas	Tipton
Dent	Luetkemeyer	Trott
DeSantis	MacArthur	Turner
DesJarlais	Marchant	Upton
Diaz-Balart	Marino	Valadao
Donovan	Marshall	Wagner
Duffy	Mast	Walberg
Duncan (SC)	McCarthy	Walden
Dunn	McCaul	Walker
Emmer	McClintock	Walorski
Estes (KS)	McHenry	Walters, Mimi
Farenthold	McKinley	Weber (TX)
Faso	McMorris	Webster (FL)
Ferguson	Rodgers	Wenstrup
Fitzpatrick	McSally	Westerman
Fleischmann	Meadows	Williams
Flores	Meehan	Wilson (SC)
Foxx	Messer	Wittman
Franks (AZ)	Mitchell	Womack
Frelinghuysen	Moolenaar	Woodall
Gaetz	Mooney (WV)	Yoder
Gallagher	Mullin	Yoho
Garrett	Murphy (PA)	Young (AK)
Gianforte	Newhouse	Young (IA)
Gibbs	Noem	Zeldin
Gohmert	Norman	

NAYS—192

Adams	Gallego	Nolan
Aguilar	Garamendi	Norcross
Amash	Gomez	O'Rourke
Barragán	Gonzalez (TX)	Pallone
Bass	Green, Al	Panetta
Beatty	Green, Gene	Pascarella
Bera	Grijalva	Payne
Beyer	Gutiérrez	Pelosi
Blumenauer	Hanabusa	Perlmutter
Blunt Rochester	Hastings	Peters
Bonamici	Heck	Peterson
Boyle, Brendan F.	Higgins (NY)	Pingree
Brady (PA)	Himes	Pocan
Brown (MD)	Hoyer	Polis
Brownley (CA)	Huffman	Price (NC)
Bustos	Jackson Lee	Quigley
Butterfield	Jayapal	Raskin
Capuano	Jeffries	Rice (NY)
Carbajal	Johnson (GA)	Richmond
Cardenas	Johnson, E. B.	Rosen
Carson (IN)	Jones	Roybal-Allard
Cartwright	Kaptur	Ruiz
Castor (FL)	Keating	Ruppersberger
Castro (TX)	Kelly (IL)	Rush
Chu, Judy	Kennedy	Ryan (OH)
Cicilline	Khanna	Sánchez
Clark (MA)	Kihuen	Sanford
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	Krishnamoorthi	Schneider
Cohen	Kuster (NH)	Schrader
Connolly	Langevin	Scott (VA)
Conyers	Larsen (WA)	Scott, David
Cooper	Larson (CT)	Serrano
Correa	Lawrence	Sewell (AL)
Costa	Lawson (FL)	Shea-Porter
Courtney	Lee	Sherman
Crowley	Levin	Sires
Cuellar	Lewis (GA)	Slaughter
Davis (CA)	Lieu, Ted	Smith (WA)
Davis, Danny	Lipinski	Soto
DeFazio	Loebach	Speier
DeGette	Lofgren	Suozzi
Delaney	Lowenthal	Swalwell (CA)
DeLauro	Lowe	Takano
DelBene	Lujan Grisham, M.	Thompson (CA)
Demings	Luján, Ben Ray	Thompson (MS)
DeSaulnier	Lynch	Titus
Deutch	Maloney,	Tonko
Dingell	Carolyn B.	Torres
Doggett	Maloney, Sean	Tsongas
Doyle, Michael F.	Massie	Vargas
Duncan (TN)	Matsui	Veasey
Ellison	McCollum	Vela
Engel	McEachin	Velázquez
Eshoo	McGovern	Visclosky
Espallat	McNerney	Walz
Esty (CT)	Meeks	Wasserman
Evans	Meng	Schultz
Foster	Moore	Waters, Maxine
Frankel (FL)	Moulton	Watson Coleman
Fudge	Murphy (FL)	Welch
Gabbard	Nadler	Wilson (FL)
	Neal	Yarmuth

NOT VOTING—6

Cummings	Hollingsworth	Roskam
Fortenberry	Napolitano	Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1719

Miss RICE of New York changed her vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 430 through No. 435 due to my spouse's health situation in California. Had I been present, I would have voted "yea" on the Souza Amendment. I

would have also voted "yea" on the Boyle Amendment. I would have also voted "yea" on the Nadler Amendment. I would have also voted "yea" on the Cartwright Amendment. I would have also voted "yea" on the Democratic Motion to Recommend H.R. 3219. I would have also voted "nay" on the Final Passage of H.R. 3219—"Make America Secure Appropriations Act, 2018."

WOUNDED OFFICERS RECOVERY ACT OF 2017

Mr. HARPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3298) to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wounded Officers Recovery Act of 2017".

SEC. 2. PAYMENTS FROM UNITED STATES CAPITOL POLICE MEMORIAL FUND FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.

(a) AUTHORIZING PAYMENTS FROM FUND.—Section 2 of Public Law 105-223 (2 U.S.C. 1952) is amended—

(1) in the section heading, by inserting "AND CERTAIN OTHER UNITED STATES CAPITOL POLICE EMPLOYEES" before the period at the end;

(2) by striking "(Subject to the regulations" and inserting "(a) IN GENERAL.—Except to the extent used or reserved for use under subsection (b) and subject to the regulations"; and

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

"(b) PAYMENTS FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.—In addition to the amounts paid under subsection (a), and in accordance with the regulations issued under section 4(b), amounts in the Fund may be paid to—

"(1) families of employees of the United States Capitol Police who were killed in the line of duty; or

"(2) employees of the United States Capitol Police who have sustained serious line-of-duty injuries."

(b) REGULATIONS OF CAPITOL POLICE BOARD.—Section 4 of Public Law 105-223 (2 U.S.C. 1954) is amended—

(1) by striking "The Capitol Police Board" and inserting "(a) IN GENERAL.—The Capitol Police Board"; and

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

"(b) REGULATIONS GOVERNING PAYMENTS FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.—In carrying out subsection (a), the Capitol Police Board shall issue specific regulations governing the use of the Fund for making payments

to families of employees of the United States Capitol Police who were killed in the line of duty and employees of the United States Capitol Police who have sustained serious line-of-duty injuries (as authorized under section 2(b)), including regulations—

“(1) establishing the conditions under which the family of an employee or an employee is eligible to receive such a payment;

“(2) providing for the amount, timing, and manner of such payments; and

“(3) ensuring that any such payment is in addition to, and does not otherwise affect, any other form of compensation payable to the family of an employee or the employee, including benefits for workers’ compensation under chapter 81 of title 5, United States Code.”.

(c) TREATMENT OF AMOUNTS RECEIVED IN RESPONSE TO INCIDENT OF JUNE 14, 2017.—The second sentence of section 1 of Public Law 105–223 (2 U.S.C. 1951) is amended by striking “deposit into the Fund” and inserting “deposit into the Fund, including amounts received in response to the shooting incident at the practice for the Congressional Baseball Game for Charity on June 14, 2017,”.

Mr. HARPER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

RUSSIAN ENERGY THREATS

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

Mr. BACON. Mr. Speaker, I rise today to call attention to the growing threat to our overseas military facilities posed by the Russian Federation.

Today, one of the serious risks to our bases in Europe is Russia’s corner on oil and natural gas. One such facility is the Army’s new medical complex in Germany, planned to be located near Ramstein Air Base, where I was the installation commander.

It would be financially irresponsible and strategically reckless to spend \$1 billion for a state-of-the-art hospital, only to have the design of the new facility compromise the very reason it exists by relying on Russia as its primary source of fuel. There are local mixed-fuel energy supply options readily available, and it would be inexcusable not to make them part of the design of this project. This is good strategy, good economics, and just plain common sense.

We can’t allow ourselves to be put in a situation where Russia has the ability to cut off energy to our forward bases, especially when we could have averted this tragic vulnerability ahead of time.

Mr. Speaker, I ask my colleagues in the House and Senate to join me in ex-

ercising aggressive oversight of this threat to our national security.

POISON PILL RIDER ON A BORDER WALL IS JUST SHAMEFUL

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

Mr. RUIZ. Mr. Speaker, our constituents sent us here to discuss our differences honestly and openly and come together to pass bipartisan legislation addressing our Nation’s most pressing issues.

Every year I have been in Congress, I have voted in favor of bipartisan, clean funding bills to give our troops a pay raise and fund our military in the VA. I took those votes proudly, working with Democrats and Republicans.

Today, I am outraged Republican leadership played politics with this critical funding. To include a poison pill rider that wastes \$1.6 billion in taxpayer dollars on an ineffective border wall is just shameful. We all know this wall will not make us any safer. Even law enforcement officials oppose this funding.

I am very disappointed GOP leaders would link President Trump’s divisive campaign rhetoric with what should unite all Americans: supporting our troops and veterans.

Because of procedural trickery, debate was not allowed. That would have allowed a bipartisan agreement on a clean bill supporting our troops and our veterans.

Shameful.

BUILD THE WALL

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

Mr. HARRIS. Mr. Speaker, a few minutes ago, the House delivered on one of the President’s promises to increase security in the United States to stop foreign infiltration into the States to protect us from terrorists possibly crossing our border.

The bottom line is, Mr. Speaker, build the wall.

RECESS

The SPEAKER pro tempore (Mr. BACON). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o’clock and 26 minutes p.m.), the House stood in recess.

□ 1816

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o’clock and 16 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 114, DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

Ms. CHENEY from the Committee on Rules, submitted a privileged report (Rept. No. 115–262) on the resolution (H. Res. 480) providing for consideration of the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3180, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2018; WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 31, 2017, THROUGH SEPTEMBER 4, 2017

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115–263) on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 3180) to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for proceedings during the period from July 31, 2017, through September 4, 2017, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOLLINGSWORTH (at the request of Mr. MCCARTHY) for July 26 and for the balance of the week on account of the birth of his son, Joseph Albert Hollingsworth, IV.

ADJOURNMENT

Ms. CHENEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o’clock and 18 minutes p.m.), the House adjourned until tomorrow, Friday, July 28, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2105. A letter from the Assistant General Counsel for the Division of Regulatory Services, Department of Education, transmitting the Department's final regulations — Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities (RIN: 1820-AB74) received July 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2106. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's withdrawal of regulatory guide — Assessment of the Assumption of Normality (Employing Individual Observed Values) [NRC-2017-0161] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2107. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's revision 5 of RG 1.26 — Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear Power Plants received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2108. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's revision 3 of RG 1.54 — Service Level I, II, III, and In-Scope License Renewal Protective Coatings Applied to Nuclear Power Plants received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2109. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's withdrawal of regulatory guide — Recommended Practice for Dealing with Outlying Observations [NRC-2017-0077] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2110. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's revision 0 of RG 1.164 — Dedication of Commercial-Grade Items for Use in Nuclear Power Plants received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2111. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's issuance of regulatory guide 5.41 — Shipping, Receiving, and Internal Transfer of Special Nuclear Material at Fuel Cycle Facilities received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2112. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's issuance regulatory guide — Guidance for the Application of the Theft and Diversion Design-Basis Threat for Category I Fuel

Cycle Facilities [NRC-2017-0042] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2113. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's withdrawal of regulatory guide — Limit of Error Concepts and Principles of Calculation in Nuclear Materials Control [NRC-2017-0059] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2114. A letter from the Acting Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting the 2017 U.S. Government report on the President's Malaria Initiative; to the Committee on Foreign Affairs.

2115. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Residential Substance Abuse Treatment (RSAT) Study, pursuant to Sec. 102 of Public Law 110-199, the Second Chance Act (SCA) of 2007; to the Committee on the Judiciary.

2116. A letter from the Acting Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting the Corps' Encinitas-Solana Beach CSDR Project for August 2015 (revised July 2016) (H. Doc. No. 115-58); to the Committee on Transportation and Infrastructure and ordered to be printed.

2117. A letter from the Chair, U.S. International Trade Commission, transmitting the Commission's report titled, "The Year in Trade 2016", pursuant to 19 U.S.C. 2213(c); Public Law 93-618, Sec. 163(c) (as amended by Public Law 100-418, Sec. 1641); (102 Stat. 1271); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 480. Resolution providing for consideration of the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs (Rept. 115-262). Referred to the House Calendar.

Ms. CHENEY: Committee on Rules. House Resolution 481. Resolution providing for consideration of the bill (H.R. 3180) to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for proceedings during the period from July 31, 2017, through September 4, 2017 (Rept. 115-263). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. BYRNE (for himself, Ms. FOXX, Mr. WALBERG, Mr. WILSON of South Carolina, Mr. HUNTER, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, Mr. GUTHRIE, Mr. ROKITA, Mr. BARLETTA, Mr. MESSER, Mr. GROTHMAN, Ms. STEFANIK, Mr. ALLEN, Mr. LEWIS of Minnesota, Mr. FRANCIS ROONEY of Florida, Mr. MITCHELL, Mr. GARRETT, Mr. SMUCKER, Mr. FERGUSON, Mrs. HANDEL, Mr. CHABOT, Mr. CUELLAR, Mr. KELLY of Pennsylvania, Mr. BARR, Mr. PERRY, Mr. ROUZER, Mrs. MIMI WALTERS of California, Mr. COLLINS of Georgia, and Mr. CORREA):

H.R. 3441. A bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. BUDD:

H.R. 3442. A bill to provide for a study and reconsideration by Congress of certain major rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Ms. CLARK of Massachusetts, Ms. SPEIER, Ms. NORTON, Mr. MEEKS, Miss RICE of New York, Mrs. NAPOLITANO, Mr. CUMMINGS, Mr. AGUILAR, Ms. JUDY CHU of California, Ms. MCCOLLUM, Mr. TAKANO, Mr. RYAN of Ohio, Mrs. CAROLYN B. MALONEY of New York, Mr. CICILLINE, Mr. ENGEL, Ms. BONAMICI, Mr. HASTINGS, Ms. WASSERMAN SCHULTZ, Mr. EVANS, Mr. KILMER, Ms. MOORE, Mr. WELCH, Ms. SLAUGHTER, Mr. HECK, Mr. ELLISON, Mr. KHANNA, Mr. SEAN PATRICK MALONEY of New York, Ms. LOFGREN, Mr. MCGOVERN, Mr. GALLEGO, Mr. CONYERS, Ms. LEE, Mr. GRIJALVA, Ms. VELÁZQUEZ, Mr. LANGEVIN, Ms. CASTOR of Florida, Mr. DANNY K. DAVIS of Illinois, Ms. SHEA-PORTER, Ms. KELLY of Illinois, Ms. BARRAGÁN, Mr. GUTIÉRREZ, Mr. VARGAS, Mr. MCNERNEY, Ms. SÁNCHEZ, Ms. BORDALLO, and Mr. KEATING):

H.R. 3443. A bill to amend the Public Health Service Act to prohibit wellness programs, including those offered by health insurance issuers or in connection with a group health plan, from disclosing personally identifiable information related to individuals' use or non-use of contraceptives; to the Committee on Energy and Commerce.

By Ms. PINGREE:

H.R. 3444. A bill to decrease the incidence of food waste, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Ways and Means, Education and the Workforce, Energy and Commerce, Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE of California (for himself, Mr. ENGEL, Mr. SMITH of New Jersey, and Ms. BASS):

H.R. 3445. A bill to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge

Corporation, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ISSA:

H.R. 3446. A bill to help States combat abuse of occupational licensing laws by economic incumbents, to promote competition, to encourage innovation, to protect consumers, and to facilitate the restoration of antitrust immunity to State occupational boards, and for other purposes; to the Committee on the Judiciary.

By Ms. JENKINS of Kansas (for herself, Mr. THOMPSON of California, Mr. HARPER, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 3447. A bill to amend title XVIII of the Social Security Act to provide prescription drug plans under part D of the Medicare program with parts A and B Medicare claims data to promote the appropriate use of medications and improve health outcomes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART:

H.R. 3448. A bill to amend title 18, United States Code, to provide for penalties for the unauthorized disclosure of classified information to a person not authorized to receive such information; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY (for herself, Mr. PALLONE, Mr. RUSH, Mr. BUTTERFIELD, and Ms. MATSUI):

H.R. 3449. A bill to require auto dealers to fix outstanding safety recalls before selling or leasing a used passenger motor vehicle; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Mr. DEUTCH, Ms. NORTON, Mr. GRIJALVA, Mr. POCAN, and Ms. MICHELLE LUJÁN GRISHAM of New Mexico):

H.R. 3450. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Energy and Commerce.

By Mr. DENHAM (for himself and Mr. VALADAO):

H.R. 3451. A bill to amend title III of the Public Health Service Act to expand the program for payments to teaching health centers with GME programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas:

H.R. 3452. A bill to amend section 5307 of title 49, United States Code, with respect to the treatment of a community as an urbanized area following a major disaster; to the Committee on Transportation and Infrastructure.

By Ms. VELÁZQUEZ:

H.R. 3453. A bill to amend the Internal Revenue Code of 1986 to provide a standard deduction for the trade or business expenses of artists; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia:

H.R. 3454. A bill to amend title 40, United States Code, to reauthorize regional economic and infrastructure development programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ABRAHAM (for himself, Mr. PETERSON, and Mr. CRAWFORD):

H.R. 3455. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By Ms. BARRAGAN:

H.R. 3456. A bill to amend title 39, United States Code, to provide that care packages mailed to a member of the Armed Forces by any family member shall be carried at no cost to the family member, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself and Ms. ESHOO):

H.R. 3457. A bill to require the Comptroller General of the United States to conduct an evaluation on the extent to which the Medicare and Medicaid programs provide reasonable accommodations to individuals who are blind or visually impaired; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of Maryland (for himself, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Mr. CONNOLLY, Mr. GUTIERREZ, Mr. LARSON of Connecticut, Mr. MCEACHIN, Ms. NORTON, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SUOZZI, and Mr. VARGAS):

H.R. 3458. A bill to require certain semi-automatic pistols manufactured, imported, or sold by Federal firearms licensees to be capable of microstamping ammunition, and to prohibit the removal, obliteration, or alteration of the microstamped code or microstamping capability of a firearm; to the Committee on the Judiciary.

By Mr. BROWN of Maryland (for himself and Mr. DEFAZIO):

H.R. 3459. A bill to direct the Secretary of Veterans Affairs to make certain improvements in the transparency of the personnel vacancies and staffing levels of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BUTTERFIELD (for himself, Mr. PRICE of North Carolina, Ms. ADAMS, Mr. ROUZER, Mr. JONES, Mr. HUDSON, Ms. FOXX, Mr. WALKER, Mr. BUDD, Mr. MCHENRY, and Mr. MEADOWS):

H.R. 3460. A bill to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the "John Hervey Wheeler United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CARTWRIGHT:

H.R. 3461. A bill to amend the Older Americans Act of 1965 to develop and test an expanded and advanced role for direct care workers who provide long-term services and supports to older individuals in efforts to coordinate care and improve the efficiency of service delivery; to the Committee on Education and the Workforce.

By Mr. CICILLINE (for himself, Mr. BLUMENAUER, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. COHEN, Mr. COSTA, Mrs. DINGELL, Mr. GENE GREEN of Texas, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KHANNA, Mrs. LAWRENCE, Mr. TED LIEU of California, Mr. MCGOVERN, Mr. NADLER, Mr. O'HALLERAN, Mr. PAYNE, Mr.

QUIGLEY, Mr. RASKIN, Mr. SANFORD, Ms. SCHAKOWSKY, and Mr. VARGAS):

H.R. 3462. A bill to amend the Ethics in Government Act of 1978 to provide that the Director of the Office of Government Ethics may be removed only for neglect of duty or malfeasance in office; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARK of Massachusetts (for herself and Mr. YOUNG of Alaska):

H.R. 3463. A bill to amend the Higher Education Act of 1965 to provide greater support to students with dependents, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CLYBURN (for himself, Mrs. BEATTY, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BUTTERFIELD, Ms. CASTOR of Florida, Mr. COHEN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DESAULNIER, Ms. FUDGE, Mr. HASTINGS, Ms. KELLY of Illinois, Mr. KILDEE, Mr. LANGEVIN, Mr. MCGOVERN, Mr. MEEKS, Ms. NORTON, Mr. RUSH, Mr. SMITH of Washington, Mr. SWALLOWELL of California, and Mr. YARMUTH):

H.R. 3464. A bill to prohibit firearms dealers from selling a firearm prior to the completion of a background check; to the Committee on the Judiciary.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. CARSON of Indiana):

H.R. 3465. A bill to amend title IV of the Social Security Act to ensure funding for grants to promote responsible fatherhood and strengthen low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELANEY (for himself, Mr. ELLISON, Ms. NORTON, Mr. NOLAN, Mr. MCNERNEY, and Mr. LANGEVIN):

H.R. 3466. A bill to provide support for pre-kindergarten education through an Early Education Trust Fund, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. SCOTT of Virginia, Mr. CONYERS, Mr. POCAN, Mr. DESAULNIER, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. GENE GREEN of Texas, Ms. NORTON, Ms. CLARK of Massachusetts, Mr. SERRANO, Ms. MATSUI, Mr. ELLISON, Ms. ROYBAL-ALLARD, Ms. VELÁZQUEZ, Mr. LANGEVIN, Mr. PASCRELL, Mr. NADLER, Ms. MCCOLLUM, Mr. LEWIS of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. CLARKE of New York):

H.R. 3467. A bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations,

and for other purposes; to the Committee on Education and the Workforce.

By Ms. DeLAURO (for herself, Ms. NOR-
TON, and Mr. CONYERS):

H.R. 3468. A bill to provide for temporary financing of short-time compensation programs; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee:

H.R. 3469. A bill to designate the bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as "Bridge 2") as the "Dean Stone Bridge"; to the Committee on Natural Resources.

By Mr. FARENTHOLD:

H.R. 3470. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself and Mr. EVANS):

H.R. 3471. A bill to amend section 203(b)(5) of the Immigration and Nationality Act to implement new reforms, and to reauthorize the EB-5 Regional Center Program, in order to promote and reform foreign capital investment and job creation in communities in the United States, and for other purposes; to the Committee on the Judiciary.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 3472. A bill to amend title 49, United States Code, with respect to air cargo in Puerto Rico, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRIJALVA (for himself, Mr. COLE, Ms. MCCOLLUM, Mr. MULLIN, Mrs. NAPOLITANO, Mrs. TORRES, Mrs. DINGELL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MOORE, Mr. GALLAGHER, Ms. CLARKE of New York, Mrs. RADEWAGEN, Mr. BLUMENAUER, Mr. O'HALLERAN, Mr. JONES, Mr. ISSA, and Mrs. NOEM):

H.R. 3473. A bill to amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development and implementation of statewide suicide early intervention and prevention strategies to collaborate with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. GRIJALVA:

H.R. 3474. A bill to provide for the establishment of an accountable and humane border security strategy for the international land borders of the United States, address cultural, economic, ecological, environmental and humanitarian impacts of border security infrastructure, measures, and activities along the international land borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, the Judiciary, Natural Resources, Agriculture, Foreign Affairs, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTHRIE:

H.R. 3475. A bill to amend title 23, United States Code, to permit certain vehicles to

continue to operate on an Interstate System route in the State of Kentucky; to the Committee on Transportation and Infrastructure.

By Mr. HIGGINS of Louisiana:

H.R. 3476. A bill to amend the Internal Revenue Code of 1986 to repeal the cover-over of rum excise tax revenue; to the Committee on Ways and Means.

By Mr. HUDSON (for himself, Mr. BUTTERFIELD, Mr. CARTER of Georgia, and Mr. KRISHNAMOORTHY):

H.R. 3477. A bill to deem the compliance date for amended energy conservation standards for ceiling fan light kits to be January 21, 2020; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Mr. PRICE of North Carolina, Ms. ESHOO, Mr. GRIJALVA, Mr. KHANNA, Mr. MCNERNEY, Mr. RASKIN, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. BEYER, Mr. ELLISON, and Ms. ROYBAL-ALLARD):

H.R. 3478. A bill to eliminate the discount for UHF television stations for purposes of the limitation on the aggregate national audience reach of television broadcast stations in which a party may have a cognizable interest; to the Committee on Energy and Commerce.

By Mr. HURD (for himself, Mr. CUELLAR, Mr. VALADAO, Mr. KNIGHT, Mr. PEARCE, Mr. FITZPATRICK, Mr. ROTHFUS, Mr. GONZALEZ of Texas, and Mr. KATKO):

H.R. 3479. A bill to improve border security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Louisiana:

H.R. 3480. A bill to amend the GONE Act to provide for additional reports on the status of grant awards from agencies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Louisiana:

H.R. 3481. A bill to require the inclusion of audit information on the website required by the Federal Funding Accountability and Transparency Act of 2006, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Ohio (for himself and Ms. MATSUI):

H.R. 3482. A bill to amend title XVIII of the Social Security Act to expand the use of telehealth under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 3483. A bill to amend the Internal Revenue Code of 1986 to require as a condition of the earned income tax credit that an individual be allowed to engage in employment in the United States; to the Committee on Ways and Means.

By Mr. KATKO (for himself, Mr. SEAN PATRICK MALONEY of New York, Ms. STEFANIK, Mr. KING of New York, Mr. ENGEL, Ms. CLARKE of New York, Mr. TONKO, Ms. TENNEY, Mr. REED, Mr. DONOVAN, and Mr. FASO):

H.R. 3484. A bill to direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Con-

trol and Prevention, to award grants to States to implement a tick identification pilot program; to the Committee on Energy and Commerce.

By Mr. KIND:

H.R. 3485. A bill to amend the Federal Election Campaign Act of 1971 to eliminate the thresholds for reporting the identification of persons making contributions to political committees with respect to elections for Federal office; to the Committee on House Administration.

By Mr. KING of Iowa:

H.R. 3486. A bill to authorize the Capitol Police to enforce the immigration laws, and for other purposes; to the Committee on House Administration.

By Mr. KING of Iowa:

H.R. 3487. A bill to amend section 1332 of title 28, United States Code, to provide that the requirement for diversity of citizenship jurisdiction is met if any one party to the case is diverse in citizenship from any one adverse party in the case; to the Committee on the Judiciary.

By Mr. KINZINGER (for himself, Ms. KELLY of Illinois, Mr. MEEHAN, Mrs. HARTZLER, Mr. SMITH of New Jersey, Mrs. WAGNER, and Mr. MCCAUL):

H.R. 3488. A bill to amend the Trafficking Victims Protection Act of 2000 to encourage a victim-centered approach to combating human trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. KRISHNAMOORTHY (for himself, Mr. TAKANO, Ms. VELÁZQUEZ, Mr. RUPPERSBERGER, Ms. KAPTUR, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CRIST, Ms. SPEIER, Mrs. WATSON COLEMAN, Mrs. BEATTY, Mr. EVANS, Mr. GARAMENDI, Mr. CARBAJAL, Ms. JAYAPAL, Mr. PRICE of North Carolina, Mr. NADLER, Mr. ESPAILLAT, Ms. DELBENE, Ms. ADAMS, Mr. WELCH, Ms. MCCOLLUM, Mr. PAYNE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. POLIS, and Mr. PALLONE):

H.R. 3489. A bill to require the publication of the name of any person pardoned by the President, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself, Mr. DANNY K. DAVIS of Illinois, Ms. BASS, Mrs. LAWRENCE, and Mr. MARINO):

H.R. 3490. A bill to amend the Public Health Service Act to authorize grants to eligible entities to develop and implement statewide or tribal post-adoption and post-legal guardianship mental health service programs for all children who are adopted or placed in legal guardianship, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LANGEVIN (for himself, Mr. DANNY K. DAVIS of Illinois, Ms. BASS, Mrs. LAWRENCE, Mr. FRANKS of Arizona, and Mr. MARINO):

H.R. 3491. A bill to amend part E of title IV of the Social Security Act to provide incentives for improving support services for adopted children and families; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. JONES, Mr. KINZINGER, Mr. HULTGREN, Ms. MOORE, Mr. RUSH, Mr. O'HALLERAN, Mrs. COMSTOCK, Mrs. TORRES, Mr. YOUNG of Alaska, and Ms. NORTON):

H.R. 3492. A bill to amend title 38, United States Code, to expand educational assistance to veterans who pursue certain apprenticeship programs, to establish a pilot program for veterans to pursue certification

programs in computer numerically controlled machining, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Ms. ROSELEHTINEN, Ms. MOORE, Mr. SEAN PATRICK MALONEY of New York, Ms. SHEA-PORTER, Mr. BEN RAY LUJÁN of New Mexico, Mr. GALLEGOS, Mrs. DINGELL, Ms. ROYBAL-ALLARD, Ms. NOR-TON, and Mr. EVANS):

H.R. 3493. A bill to amend the Public Health Service Act to authorize grants for local care corps programs through which qualified volunteers provide care, companionship, and other services to seniors and individuals in need, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3494. A bill to amend the Public Health Service Act to establish a National Care Corps, and to authorize grants for local care corps programs, through which qualified volunteers provide care, companionship, and other services to individuals in need, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COHEN, Mr. BUTTERFIELD, Mr. O'HALLERAN, Mr. EVANS, Mr. SEAN PATRICK MALONEY of New York, Mr. DEUTCH, Ms. DEGETTE, Ms. KUSTER of New Hampshire, Ms. JAYAPAL, and Mr. MCEACHIN):

H.R. 3495. A bill to amend the 21st Century Cures Act to appropriate funds for the Account for the State Response to the Opioid Abuse Crisis through fiscal year 2023, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. TAKANO, and Mr. RYAN of Ohio):

H.R. 3496. A bill to amend the Museum and Library Services Act to authorize grants to support the use of public libraries for community economic development; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. McMORRIS RODGERS (for herself and Mr. MOULTON):

H.R. 3497. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a secure, patient-centered, portable medical records system, that would allow veterans to have access to their Personal Health Information, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MESSER:

H.R. 3498. A bill to require the Secretary of the Treasury to issue reports with respect to extraordinary measures, and for other purposes; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 3499. A bill to amend the Internal Revenue Code of 1986 to expand personal saving and retirement savings coverage by enabling employees not covered by qualifying retirement plans to save for retirement through automatic IRA arrangements, and for other purposes; to the Committee on Ways and

Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself, Mr. ROSKAM, Mr. RICE of South Carolina, and Mrs. BLACK):

H.R. 3500. A bill to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 3501. A bill to establish a procedure under which certain small employers may withdraw from a multiemployer plan in connection with the establishment of a collectively bargained plan; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 3502. A bill to direct the Securities and Exchange Commission to withdraw guidance regarding disclosure related to climate change; to the Committee on Financial Services.

By Mr. POSEY:

H.R. 3503. A bill to prohibit the payment of death gratuities to the surviving heirs of deceased Members of Congress; to the Committee on House Administration.

By Mr. POSEY:

H.R. 3504. A bill to amend title 18, United States Code, to establish a uniform 5-year post-employment ban on all lobbying by former Members of Congress, to establish a uniform 2-year post-employment ban on all lobbying by former officers and employees of Congress, to lower the income threshold for applying such ban to former officers and employees of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. POSEY:

H.R. 3505. A bill to provide that a former Member of Congress or former senior Congressional employee who receives compensation as a lobbyist representing a foreign principal shall not be eligible for retirement benefits or certain other Federal benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 3506. A bill to sunset new Federal regulatory rules after 3 years, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. BLUMENAUER, and Mr. REED):

H.R. 3507. A bill to amend the Internal Revenue Code of 1986 to make permanent and modify the energy efficient commercial buildings deduction, and for other purposes; to the Committee on Ways and Means.

By Mr. RENACCI (for himself and Mr. DAVIDSON):

H.R. 3508. A bill to amend the Internal Revenue Code of 1986 to provide for a small part-

nership exception from certain requirements; to the Committee on Ways and Means.

By Mr. THOMAS J. ROONEY of Florida (for himself, Mr. VALADAO, and Mr. VELA):

H.R. 3509. A bill to authorize certain citrus programs, to increase the limitations on assistance for the tree assistance program, and for other purposes; to the Committee on Agriculture.

By Mr. SCHRADER:

H.R. 3510. A bill to amend title 10, United States Code, to exempt members of the Armed Forces who voluntarily separate from active duty and incur a service-connected disability after being recalled to active duty from the requirement to repay voluntary separation pay; to the Committee on Armed Services.

By Mr. SHERMAN (for himself, Mr. SUOZZI, Mr. RASKIN, Mrs. NAPOLITANO, Ms. NORTON, Mr. BEYER, and Mr. RYAN of Ohio):

H.R. 3511. A bill to amend the Internal Revenue Code of 1986 to establish a free on-line tax preparation and filing service and programs that allow taxpayers to access third-party provided tax return information; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 3512. A bill to make certain countries ineligible to be designated as a beneficiary developing country for purposes of receiving preferences under the Generalized System of Preferences, and for other purposes; to the Committee on Ways and Means.

By Ms. STEFANIK (for herself, Mr. DEUTCH, and Mr. HUNTER):

H.R. 3513. A bill to amend the Immigration and Nationality Act to authorize admission of Canadian retirees as long-term visitors for pleasure described in section 101(a)(15)(B) of such Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SUOZZI (for himself and Mr. ZELDIN):

H.R. 3514. A bill to amend the National Trails System Act to designate the Washington Spy Ring National Historic Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. TIBERI (for himself and Mr. KIND):

H.R. 3515. A bill to amend the Internal Revenue Code of 1986 to provide for expensing of qualified energy efficient heating and air-conditioning property for certain taxpayers and accelerated cost recovery for such property for other taxpayers; to the Committee on Ways and Means.

By Mr. VEASEY (for himself, Mr. HASTINGS, Mr. PAYNE, Ms. BARRAGÁN, Mr. EVANS, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. RUSH, and Ms. MOORE):

H.R. 3516. A bill to require the Internal Revenue Service to meet higher standards in security screening and to improve the process for obtaining return information and verification of nonfiling in connection with completing a Free Application for Federal Student Aid (FAFSA); to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 3517. A bill to amend chapter 11 of title 35, United States Code, to require the

voluntary collection of demographic information for patent applications, and for other purposes; to the Committee on the Judiciary.

By Mr. WALBERG (for himself and Mr. RYAN of Ohio):

H.R. 3518. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a Great Lakes basin initiative for agricultural nonpoint source pollution prevention; to the Committee on Agriculture.

By Ms. MAXINE WATERS of California:

H.R. 3519. A bill to increase accountability of the Securities and Exchange Commission and to require the Commission to implement a rigorous, fair, and public process for waiving bad actor disqualifications in the securities laws; to the Committee on Financial Services.

By Mrs. WATSON COLEMAN (for herself, Mr. AGUILAR, Mr. BLUMENAUER, Mr. CARBAJAL, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mr. ELLISON, Mr. EVANS, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. HANABUSA, Mr. HIGGINS of New York, Ms. JAYAPAL, Mr. KHANNA, Mr. KILDEE, Ms. LEE, Ms. JACKSON LEE, Mr. LEVIN, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALLONE, Mr. PAYNE, Mr. PETERS, Mr. POCAN, Mr. POLIS, Miss RICE of New York, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Ms. VELÁZQUEZ, and Ms. LOFGREN):

H.R. 3520. A bill to prohibit discrimination in public accommodations on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mrs. WATSON COLEMAN:

H.R. 3521. A bill to require reimbursement for costs associated with Presidential travel, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTERMAN (for himself and Mr. MOULTON):

H.R. 3522. A bill to improve the coordination and use of geospatial data; to the Committee on Science, Space, and Technology, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 3523. A bill to require the Comptroller General of the United States to conduct a study and submit a report on filing requirements under the Universal Service Fund programs; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself, Mr. LATTA, and Mr. LOEBACK):

H.R. 3524. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of contributions to Alaska Native Settlement Trusts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for

a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROBY:

H.J. Res. 114. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Mr. SHERMAN, and Mr. MOULTON):

H.J. Res. 115. A joint resolution proposing an amendment to the Constitution of the United States to clarify the presidential pardoning power; to the Committee on the Judiciary.

By Ms. LEE (for herself, Ms. MAXINE WATERS of California, Mrs. BEATTY, Ms. VELÁZQUEZ, Mr. AL GREEN of Texas, and Mr. ELLISON):

H. Con. Res. 74. Concurrent resolution affirming the right of all renters to a safe, affordable, and decent home; to the Committee on Financial Services, and in addition to the Committees on the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself and Mr. CROWLEY):

H. Res. 479. A resolution of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax return information of President Donald J. Trump as well as the tax returns of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e; to the Committee on Ways and Means.

By Ms. DELAURO (for herself and Mr. DUFFY):

H. Res. 482. A resolution expressing support for the designation of September 2017 as National Ovarian Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. HUNTER:

H. Res. 483. A resolution expressing the support of the House of Representatives for the priorities and goals of Executive Order 13443; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN:

H. Res. 484. A resolution expressing concern for the well-being of Liu Xia, and urging the Government of the People's Republic of China to unconditionally release Liu Xia from illegal detention, cease surveillance, and allow her freedom of movement; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers

granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BYRNE:

H.R. 3441.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BUDD:

H.R. 3442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, granting authority to regulate interstate commerce, along with Article I, Section 8, Clause 18, granting authority to make all laws that are necessary and proper for executing the foregoing.

By Ms. DELBENE:

H.R. 3443.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. PINGREE:

H.R. 3444.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of the US Constitution

By Mr. ROYCE of California:

H.R. 3445.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. ISSA:

H.R. 3446.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, "To regulate Commerce with foreign Nations, and among the several States,"

Article 1, Section 8, clause 18, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. JENKINS of Kansas:

H.R. 3447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. STEWART:

H.R. 3448.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Ms. SCHAKOWSKY:

H.R. 3449.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SCHAKOWSKY:

H.R. 3450.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. DENHAM:

H.R. 3451.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, US Constitution.

By Mr. WEBER of Texas:

H.R. 3452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I (The Spending Clause)—Which states,

“The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .”

By Ms. VELÁZQUEZ:

H.R. 3453.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

By Mr. JOHNSON of Georgia:

H.R. 3454.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S.

Constitution, which gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with Indian tribes.

By Mr. ABRAHAM:

H.R. 3455.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Ms. BARRAGÁN:

H.R. 3456.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BILIRAKIS:

H.R. 3457.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1

By Mr. BROWN of Maryland:

H.R. 3458.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause (Art. 1, Sec. 8, Cl. 3)

By Mr. BROWN of Maryland:

H.R. 3459.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. BUTTERFIELD:

H.R. 3460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Necessary and Proper Clause.

By Mr. CARTWRIGHT:

H.R. 3461.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. CICILLINE:

H.R. 3462.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. CLARK of Massachusetts:

H.R. 3463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, United States Constitution

By Mr. CLYBURN:

H.R. 3464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3465.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DELANEY:

H.R. 3466.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution and Amendment XVI of the Constitution

By Ms. DELAURO:

H.R. 3467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. DELAURO:

H.R. 3468.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution and Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. DUNCAN of Tennessee:

H.R. 3469.

Congress has the power to enact this legislation pursuant to the following:

Article IV

Section 3:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. FARENTHOLD:

H.R. 3470.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 3 of the U.S. Constitution, and the 4th and 14th Amendments to the U.S. Constitution

By Mr. FITZPATRICK:

H.R. 3471.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 3472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the U. S. Constitution

“All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

By Mr. GRIJALVA:

H.R. 3473.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 3474.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GUTHRIE:

H.R. 3475.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HIGGINS of Louisiana:

H.R. 3476.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I Sec. 8 cl. 18

By Mr. HUDSON:

H.R. 3477.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. HUFFMAN:

H.R. 3478.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or office thereof.

By Mr. HURD:

H.R. 3479.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. JOHNSON of Louisiana:

H.R. 3480.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7, of the United States Constitution.

By Mr. JOHNSON of Louisiana:

H.R. 3481.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7, of the United States Constitution.

By Mr. JOHNSON of Ohio:

H.R. 3482.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article 1, Section 8, Clause 3

By Mr. SAM JOHNSON of Texas:

H.R. 3483.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. KATKO:

H.R. 3484.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. KIND:

H.R. 3485.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 18.

By Mr. KING of Iowa:

H.R. 3486.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 “to establish a uniform Rule of Naturalization.”

By Mr. KING of Iowa:

H.R. 3487.

Congress has the power to enact this legislation pursuant to the following:

Article 3, Section 2

By Mr. KINZINGER:

H.R. 3488.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution which states that Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. KRISHNAMOORTHY:

H.R. 3489.

Congress has the power to enact this legislation pursuant to the following:

The authority to offer this bill derives from Article I, Section 8, Clause 18 of the US Constitution

By Mr. LANGEVIN:

H.R. 3490.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LANGEVIN:

H.R. 3491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LIPINSKI:

H.R. 3492.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, line 1 "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States"

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution: "The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3494.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution: "The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. BEN RAY LUJAN of New Mexico:

H.R. 3495.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BEN RAY LUJAN of New Mexico:

H.R. 3496.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

By Mrs. McMORRIS RODGERS:

H.R. 3497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MESSER:

H.R. 3498.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Art. I Sec. 8 cl. 2, under the power "To borrow Money on the credit of the United States" and Art. I Sec. 8 cl. 18, under the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. NEAL:

H.R. 3499.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, and the Sixteenth Amendment.

By Mrs. NOEM:

H.R. 3500.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. PAULSEN:

H.R. 3501.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POSEY:

H.R. 3502.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POSEY:

H.R. 3503.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause. 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POSEY:

H.R. 3504.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POSEY:

H.R. 3505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Pow-

ers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POSEY:

H.R. 3506.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REICHERT:

H.R. 3507.

Congress has the power to enact this legislation pursuant to the following:

"Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. RENACCI:

H.R. 3508.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 18 of Section 8 of Article I of the United States Constitution.

By Mr. THOMAS J. ROONEY of Florida:

H.R. 3509.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. SCHRADER:

H.R. 3510.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under:

U.S. Const. art. 1, § 8, cl. 12;

U.S. Const. art. 1, § 8, cl. 16;

By Mr. SHERMAN:

H.R. 3511.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. SMITH of New Jersey:

H.R. 3512.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. STEFANIK:

H.R. 3513.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the Government of the United States or in any Department or officer thereof.

By Mr. SUOZZI:

H.R. 3514.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all

Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department of Officer thereof”

By Mr. TIBERI:

H.R. 3515.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 7

By Mr. VEASEY:

H.R. 3516.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Ms. VELÁZQUEZ:

H.R. 3517.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WALBERG:

H.R. 3518.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Ms. MAXINE WATERS of California:

H.R. 3519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

“The Congress shall have power . . . to make all laws which shall be necessary and proper for carrying the execution of the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.”

By Mrs. WATSON COLEMAN:

H.R. 3520.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. WATSON COLEMAN:

H.R. 3521.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. WESTERMAN:

H.R. 3522.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. YOUNG of Alaska:

H.R. 3523.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 3524.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 1

By Mrs. ROBY:

H.J. Res. 114.

Congress has the power to enact this legislation pursuant to the following:

Article 5:

“The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intent and Purposes, as Part of this Constitu-

tion, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

By Mr. AL GREEN of Texas:

H.J. Res. 115.

Congress has the power to enact this legislation pursuant to the following:

Powers and Duties of the President (Art. 2, Sec. 2, Cl. 1)

Mode of Amendment (Art. 5)

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 44: Mrs. LOVE.
H.R. 47: Mr. COHEN.
H.R. 61: Mr. COHEN.
H.R. 65: Mr. COHEN.
H.R. 140: Mr. NORMAN and Mr. YOHO.
H.R. 203: Mr. KATKO.
H.R. 233: Mr. TONKO, Ms. SINEMA, and Ms. DEGETTE.
H.R. 303: Mr. CARTER of Georgia.
H.R. 351: Mr. CRAWFORD and Mr. ELLISON.
H.R. 358: Mr. EMMER and Mr. ALLEN.
H.R. 377: Mrs. NOEM.
H.R. 392: Mr. ESPAILLAT and Mr. HURD.
H.R. 398: Mr. RODNEY DAVIS of Illinois, Mr. PALLONE, Mr. KHANNA, and Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 449: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 477: Ms. LOFGREN.
H.R. 490: Mr. LATTI.
H.R. 525: Mr. DEFazio and Mr. LAMALFA.
H.R. 535: Ms. TENNEY and Mr. SHIMKUS.
H.R. 545: Mr. LANCE, Mr. OLSON, and Mr. TAYLOR.
H.R. 632: Ms. KELLY of Illinois, Mr. CLAY, and Mr. BEYER.
H.R. 638: Mr. PETERS and Mr. CORREA.
H.R. 664: Mr. LOBIONDO.
H.R. 681: Mr. BLUM.
H.R. 717: Mr. GIANFORTE.
H.R. 721: Mrs. BLACK.
H.R. 747: Ms. LOFGREN and Mr. HIMES.
H.R. 754: Mr. SOTO, Mr. PASCRELL, Mr. VEASEY, Ms. DELAURO, Mr. MCGOVERN, Ms. VELÁZQUEZ, Mr. CARBAJAL, Mr. WALZ, Mr. EVANS, and Ms. ROYBAL-ALLARD.
H.R. 767: Mr. BLUMENAUER.
H.R. 790: Ms. LOFGREN.
H.R. 809: Mr. O'HALLERAN.
H.R. 812: Ms. JACKSON LEE.
H.R. 821: Mr. GOMEZ.
H.R. 831: Mrs. NOEM.
H.R. 838: Mr. COHEN.
H.R. 839: Mr. COHEN.
H.R. 840: Mr. COHEN.
H.R. 873: Mrs. MURPHY of Florida, Ms. SPEIER, and Mr. MESSER.
H.R. 916: Ms. LOFGREN.
H.R. 918: Mr. TIPTON.
H.R. 930: Mr. JOHNSON of Louisiana, Mr. POLIQUIN, and Mr. BRAT.
H.R. 947: Mr. GOMEZ.
H.R. 952: Ms. ROSEN.
H.R. 975: Mr. KHANNA and Mr. CURBELO of Florida.
H.R. 1002: Mr. GALLEGU.
H.R. 1017: Mr. GENE GREEN of Texas and Mr. DOGGETT.

H.R. 1046: Mr. PASCRELL.
H.R. 1057: Mr. ZELDIN, Mr. TAYLOR, and Mr. CROWLEY.
H.R. 1060: Ms. BLUNT ROCHESTER.
H.R. 1118: Mrs. NOEM.
H.R. 1122: Mr. CHABOT.
H.R. 1142: Mrs. BLACK and Mr. COHEN.
H.R. 1164: Mr. RICE of South Carolina, Mr. KING of Iowa, and Mr. PERRY.
H.R. 1185: Mr. PASCRELL.
H.R. 1205: Mr. ABRAHAM.
H.R. 1216: Mr. ZELDIN.
H.R. 1264: Mr. UPTON and Mr. BISHOP of Michigan.
H.R. 1267: Mrs. MURPHY of Florida, Mr. DESJARLAIS, and Mr. HASTINGS.
H.R. 1268: Mr. SOTO, Mr. FITZPATRICK, Ms. MCCOLLUM, Ms. BLUNT ROCHESTER, and Mr. VALADAO.
H.R. 1270: Mr. LIPINSKI.
H.R. 1358: Mrs. CAROLYN B. MALONEY of New York, Mr. CROWLEY, Ms. VELÁZQUEZ, Ms. ADAMS, Mr. PRICE of North Carolina, and Mr. PANETTA.
H.R. 1360: Mr. POE of Texas.
H.R. 1377: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1406: Mr. CAPUANO, Ms. KUSTER of New Hampshire, and Mr. MCGOVERN.
H.R. 1445: Mr. TIPTON.
H.R. 1456: Mr. MCCAUL, Mr. SMITH of Texas, Ms. MCCOLLUM, and Mr. PANETTA.
H.R. 1472: Ms. BORDALLO and Mr. CARBAJAL.
H.R. 1516: Mr. CONNOLLY, Mr. GOMEZ, Mr. MCGOVERN, and Ms. HANABUSA.
H.R. 1539: Mr. BEN RAY LUJÁN of New Mexico and Mr. KENNEDY.
H.R. 1552: Mr. SMITH of Texas.
H.R. 1555: Mr. ROE of Tennessee, Mr. CARTER of Georgia, Mr. BLUMENAUER, Mr. BEYER, and Mr. DESANTIS.
H.R. 1563: Mr. NOLAN.
H.R. 1606: Mr. SMITH of Texas, Mr. FOSTER, and Ms. BROWNLEY of California.
H.R. 1621: Ms. MENG.
H.R. 1626: Mr. AMODEI.
H.R. 1661: Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, and Mr. GIBBS.
H.R. 1697: Mr. AMODEI.
H.R. 1699: Mr. GOSAR, Mr. POE of Texas, Mr. KNIGHT, and Mr. DENT.
H.R. 1731: Mr. BRADY of Pennsylvania, Mr. DUNCAN of Tennessee, and Mr. POLIS.
H.R. 1744: Mr. KING of New York.
H.R. 1778: Mr. JENKINS of West Virginia.
H.R. 1795: Mr. DESANTIS.
H.R. 1796: Mr. LANGEVIN.
H.R. 1836: Mr. CÁRDENAS.
H.R. 1868: Mr. VISCLOSKEY.
H.R. 1869: Mr. GOMEZ.
H.R. 1899: Ms. LOFGREN.
H.R. 1918: Mr. WILSON of South Carolina.
H.R. 1928: Mr. NORCROSS and Mr. LIPINSKI.
H.R. 1978: Mr. COHEN.
H.R. 1980: Mr. COHEN.
H.R. 1987: Ms. SLAUGHTER.
H.R. 2000: Ms. PINGREE and Mr. SERRANO.
H.R. 2001: Ms. PINGREE and Mr. SERRANO.
H.R. 2012: Ms. PINGREE.
H.R. 2020: Mr. COHEN.
H.R. 2023: Mr. CARTER of Georgia.
H.R. 2147: Mrs. MURPHY of Florida and Mr. TIPTON.
H.R. 2198: Mr. LOEBACK, Mrs. TORRES, Mr. CURBELO of Florida, and Ms. NORTON.
H.R. 2209: Mr. PRICE of North Carolina.
H.R. 2215: Mr. DAVID SCOTT of Georgia.
H.R. 2226: Mr. POE of Texas.
H.R. 2276: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. NORMAN.
H.R. 2282: Mr. GOMEZ.
H.R. 2299: Mr. BOST.
H.R. 2315: Mr. CRAWFORD, Mr. SAM JOHNSON of Texas, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 2339: Mr. SMITH of Texas and Mr. LUETKEMEYER.

H.R. 2358: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2368: Mr. SMUCKER.

H.R. 2401: Ms. SÁNCHEZ, Mr. PETERS, Mr. KIND, Mr. KILDEE, Ms. SINEMA, Mr. VARGAS, and Mrs. BUSTOS.

H.R. 2408: Mr. WILSON of South Carolina.

H.R. 2417: Mr. PASCARELL, Ms. BORDALLO, Mr. COHEN, Mrs. DINGELL, Ms. CLARKE of New York, Mr. DELANEY, Mr. FOSTER, Mr. HIGGINS of New York, Mr. TONKO, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, and Mr. GALLEGO.

H.R. 2418: Mr. GUTIÉRREZ.

H.R. 2422: Mr. AL GREEN of Texas, Mr. PETERS, and Ms. LEE.

H.R. 2425: Mr. LAMALFA.

H.R. 2435: Mr. CUMMINGS.

H.R. 2475: Mr. CARSON of Indiana, Ms. BORDALLO, Mrs. LAWRENCE, Mr. KILDEE, and Mr. SWALWELL of California.

H.R. 2477: Ms. BORDALLO, Ms. FRANKEL of Florida, Mr. LARSEN of Washington, and Mr. GOMEZ.

H.R. 2486: Ms. FUDGE, Mr. GRIJALVA, Ms. WILSON of Florida, Mr. DESAULNIER, Mr. JEFFRIES, and Mr. TAKANO.

H.R. 2495: Mr. RUPPERSBERGER.

H.R. 2519: Ms. TENNEY, Mr. DEFazio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HIGGINS of New York, Ms. HERRERA BEUTLER, Mr. LANCE, Mr. SARBANES, Mr. DENT, Mr. SCHIFF, Mr. WEBSTER of Florida, Mr. DAVIDSON, Mr. MCCLINTOCK, Mr. ROYCE of California, Mr. REED, Mr. EVANS, Mr. SAM JOHNSON of Texas, Mrs. MURPHY of Florida, and Mr. BARLETTA.

H.R. 2520: Mr. LOBIONDO and Mr. LIPINSKI.

H.R. 2525: Ms. BROWNLEY of California.

H.R. 2532: Mr. ROKITA and Mr. RUSSELL.

H.R. 2553: Mr. ZELDIN.

H.R. 2603: Mr. DUNCAN of South Carolina and Mr. GIANFORTE.

H.R. 2651: Mrs. BROOKS of Indiana.

H.R. 2658: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2666: Ms. MCCOLLUM.

H.R. 2670: Mr. COHEN.

H.R. 2712: Mrs. NOEM.

H.R. 2732: Mr. SHERMAN.

H.R. 2735: Mr. PAULSEN, Mr. TIBERI, and Mr. HUFFMAN.

H.R. 2740: Mr. ELLISON, Mr. DONOVAN, Mr. RUSH, Mr. YODER, Mr. CHABOT, Mr. DESAULNIER, Mr. STEWART, Mr. SUOZZI, Mrs. RADEWAGEN, Mr. GIBBS, Mrs. COMSTOCK, and Mr. GOMEZ.

H.R. 2756: Mr. NORCROSS.

H.R. 2779: Mr. KNIGHT, Mr. RODNEY DAVIS of Illinois, and Mr. NUNES.

H.R. 2806: Mr. NOLAN.

H.R. 2821: Mr. KELLY of Pennsylvania, Mr. KIND, and Ms. BONAMICI.

H.R. 2830: Ms. MCCOLLUM.

H.R. 2832: Mr. GRAVES of Missouri, Mr. LAMBORN, Mrs. WAGNER, and Mr. HARRIS.

H.R. 2851: Mr. PERRY and Mr. DIAZ-BALART.

H.R. 2852: Mr. KIND.

H.R. 2871: Mr. STEWART.

H.R. 2890: Mr. SENSENBRENNER, Mr. BOST, and Ms. KELLY of Illinois.

H.R. 2903: Mr. MEADOWS and Mr. GIBBS.

H.R. 2908: Ms. PINGREE.

H.R. 2911: Ms. HERRERA BEUTLER, Mr. VARGAS, Mr. AGUILAR, Ms. CLARKE of New York, and Mr. DOGGETT.

H.R. 2913: Mr. KHANNA and Mr. COHEN.

H.R. 2933: Mr. COURTNEY.

H.R. 2942: Mr. BLUMENAUER and Mr. GOMEZ.

H.R. 2968: Ms. BORDALLO and Mrs. DINGELL.

H.R. 2976: Ms. CASTOR of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BLUMENAUER, and Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 2989: Mr. RUSH, Mr. DENT, Mrs. COMSTOCK, and Ms. MOORE.

H.R. 2991: Mr. CARTWRIGHT.

H.R. 3026: Mr. PANETTA and Mrs. DINGELL.

H.R. 3032: Mr. RASKIN, Mr. CLAY, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Mr. AGUILAR, Mr. FASO, Mr. YOUNG of Iowa, Mr. TIPTON, Mr. DEFazio, Mrs. COMSTOCK, and Mr. DONOVAN.

H.R. 3055: Mr. FRANKS of Arizona.

H.R. 3056: Mr. FRANKS of Arizona.

H.R. 3089: Mr. SMITH of New Jersey and Ms. ESHOO.

H.R. 3117: Mr. BYRNE, Ms. CHENEY, and Mr. PALMER.

H.R. 3124: Ms. MCCOLLUM.

H.R. 3127: Mr. CRAMER.

H.R. 3128: Mr. CRAMER.

H.R. 3129: Ms. MOORE, Mr. NOLAN, and Mr. SIMPSON.

H.R. 3139: Mr. JODY B. HICE of Georgia, Mr. BABIN, Mr. NORMAN, Mr. YOHO, and Mr. BROOKS of Alabama.

H.R. 3186: Mr. BLUMENAUER, Mr. CARTWRIGHT, Mr. WALZ, Mrs. WATSON COLEMAN, Mr. HUFFMAN, and Mrs. BEATTY.

H.R. 3197: Ms. KUSTER of New Hampshire, Ms. LOFGREN, Mr. POE of Texas, Mr. QUIGLEY, Mr. COHEN, and Mrs. NAPOLITANO.

H.R. 3204: Mrs. NAPOLITANO.

H.R. 3227: Mr. CLAY, Mr. BLUMENAUER, and Ms. MENG.

H.R. 3236: Mr. RODNEY DAVIS of Illinois.

H.R. 3239: Mr. PERLMUTTER.

H.R. 3249: Mr. KING of New York.

H.R. 3252: Ms. BARRAGÁN and Mr. EVANS.

H.R. 3269: Mrs. BEATTY, Ms. KUSTER of New Hampshire, and Mr. SIRE.

H.R. 3271: Mr. GUTHRIE.

H.R. 3272: Ms. ROSEN, Mr. BISHOP of Georgia, Mrs. DINGELL, Mr. JONES, Mr. GRIJALVA, Ms. MOORE, Mr. RUSH, Mrs. NAPOLITANO, Mr. O'ROURKE, Mr. MCCAUL, Mr. GRAVES of Louisiana, Mr. WEBSTER of Florida, Mr. MCGOVERN, and Ms. TITUS.

H.R. 3273: Mr. SERRANO.

H.R. 3274: Mr. CLAY, Mr. MCCAUL, Mr. GIBBS, Mr. ROYCE of California, Mr. RUTHERFORD, Mr. ROTHFUS, Mr. BOST, Mr. BACON, Mrs. WALORSKI, Ms. DELBENE, Mr. SMITH of Missouri, Mr. THOMAS J. ROONEY of Florida, Mr. RUSH, Mr. GRAVES of Missouri, Mr. RODNEY DAVIS of Illinois, Mr. ARRINGTON, Mr. MULLIN, Mr. EMMER, Mr. ADERHOLT, Mr. HILL, Mr. DUNCAN of South Carolina, Mr. FLEISCHMANN, Mr. NORMAN, Mr. PALAZZO, Mr. SMITH of New Jersey, Mr. SWALWELL of California, and Mr. HARPER.

H.R. 3282: Mrs. NOEM, Mr. OLSON, Mr. MARINO, Mr. CRAMER, Mr. YODER, Mr. KNIGHT, Mr. MARSHALL, and Mr. SHIMKUS.

H.R. 3285: Mr. HASTINGS.

H.R. 3311: Mrs. NAPOLITANO and Mr. COHEN.

H.R. 3314: Mr. ELLISON, Ms. VELÁZQUEZ, Mr. QUIGLEY, and Mr. NADLER.

H.R. 3316: Mr. SOTO, Mr. RYAN of Ohio, and Ms. BORDALLO.

H.R. 3325: Mr. MEEHAN, Mr. COOK, Mr. SMITH of Missouri, Mr. MCCAUL, Mr. BILI-

RAKIS, Mr. SMUCKER, Mr. CONYERS, Mr. THOMPSON of Pennsylvania, Mr. FOSTER, Mr. CÁRDENAS, Mr. TIPTON, Mr. CLYBURN, Ms. ROYBAL-ALLARD, Mr. CLAY, Mrs. NAPOLITANO, Ms. NORTON, Mr. GARAMENDI, and Mr. ENGEL.

H.R. 3326: Mr. SHERMAN.

H.R. 3327: Mr. HUFFMAN.

H.R. 3329: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DEUTCH, and Mr. BROOKS of Alabama.

H.R. 3332: Mrs. COMSTOCK, Mr. LOEBSACK, Mr. RUSH, and Mr. COHEN.

H.R. 3347: Ms. JACKSON LEE.

H.R. 3361: Mr. SWALWELL of California.

H.R. 3380: Ms. MCCOLLUM.

H.R. 3397: Ms. BORDALLO.

H.R. 3401: Mr. RUSH.

H.R. 3407: Mr. RUSH.

H.R. 3408: Mr. RUSH.

H.R. 3416: Mr. RUSH.

H.R. 3419: Mr. JORDAN.

H.R. 3431: Mr. JOHNSON of Louisiana.

H.J. Res. 31: Mr. EVANS.

H.J. Res. 51: Mr. WALBERG.

H. Con. Res. 10: Mrs. BROOKS of Indiana.

H. Con. Res. 27: Ms. PINGREE.

H. Con. Res. 59: Mr. RUSH.

H. Res. 12: Mr. COHEN.

H. Res. 30: Mr. LAMBORN.

H. Res. 128: Mr. WILSON of South Carolina and Mr. JOHNSON of Georgia.

H. Res. 161: Mr. DUNCAN of Tennessee, Mr. CRAWFORD, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Ms. MENG.

H. Res. 188: Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 274: Mr. MARSHALL.

H. Res. 279: Ms. BASS and Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 311: Mr. DONOVAN and Mr. WILSON of South Carolina.

H. Res. 344: Mr. KATKO.

H. Res. 357: Mr. WILSON of South Carolina, Mr. RENACCI, Mr. CONNOLLY, and Mr. TAYLOR.

H. Res. 359: Mr. WILSON of South Carolina and Mr. KEATING.

H. Res. 395: Ms. KUSTER of New Hampshire and Mr. LIPINSKI.

H. Res. 401: Mr. ZELDIN, Ms. BARRAGÁN, Mr. CAPUANO, Ms. HANABUSA, and Mr. DEFazio.

H. Res. 402: Ms. KAPTUR.

H. Res. 445: Ms. KELLY of Illinois, Mr. CAPUANO, Mr. ZELDIN, Mr. MACARTHUR, Mr. POCAN, and Mr. CONNOLLY.

H. Res. 467: Mr. MCGOVERN.

H. Res. 477: Mr. LABRADOR.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROE OF TENNESSEE

The provisions that warranted a referral to the Committee on Rules in the Amendment in the Nature of a Substitute to S. 114, as amended, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Thursday, July 27, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Spirit of God, descend on our hearts. For apart from You, we live our lives in vain. May our Senators walk in Your ways, keeping Your precepts with such integrity that they will never be ashamed. Lord, incline their hearts to Your wisdom, providing them with the understanding they need to accomplish Your purposes in our world. Let Your mercy protect them from the dangers of this life, as they learn to find delight in Your guidance. Keep them ever mindful of the fewness of their days and the greatness of their work. Remove from them any bitterness or resentment that corrodes their peace. Deliver them from the tyranny of trifles, as they strive to accomplish Your work on Earth.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. STRANGE). The majority leader is recognized.

HEALTHCARE

Mr. MCCONNELL. Mr. President, Americans have been hurting under ObamaCare. Senators took a big step toward moving beyond its failures with the motion-to-proceed vote earlier this week. It allowed the Senate to proceed with this important debate. It allowed the Senate to work through an open amendment process.

Senators have considered proposals already, including some procedural motions from across the aisle. Senators will have the opportunity to consider many, many more amendments tonight. I know that colleagues in both parties are eager to do so.

I encourage Senators with healthcare ideas—whether Republicans, Democrats, or Independents—to bring their amendments to the floor. We have

heard many different ideas on healthcare in recent months. Not every idea, of course, is a good one.

One idea from the Democratic leader is simply to throw money at insurance companies—no reforms, no changes, just a multimillion-dollar bandaid.

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

We will vote on single payer this afternoon, and we will find out what support it enjoys in the Senate—especially on the other side of the aisle. We all know this is likely to be a very long night. It is part of a long process that has taken a lot of hard work from a lot of dedicated colleagues already.

One phase of that process will end when the Senate concludes voting this week, but it will not signal the end of our work—not yet. Ultimately, the goal is to send legislation from Congress to the President—legislation that can finally move us beyond ObamaCare's years of failures.

The President is ready to sign legislation. Congress will keep working to pass it because we know the American people deserve better than ObamaCare. They deserve better than ObamaCare and its skyrocketing costs. They deserve better than ObamaCare and its plummeting choices. They deserve better than the job-killing regulations, crushing mandates, and collapsing markets ObamaCare has given them.

We all know this. We all know that the ObamaCare status quo hasn't been working for the people we represent. We have known it for literally years.

Many of us committed to voting for a better way on healthcare. That is what every Senator who supported the motion to proceed voted for on Tuesday.

Let's finish our work. Let's not allow this opportunity to slip by. We have made important progress already. We can build on it now.

The moment before us is one many of us have waited for and talked about for a very long time. It is a moment that can't come soon enough for the people we represent. I urge everyone to keep working hard so we can get this over the finish line. It is what our constituents and our country deserve.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AMERICAN HEALTH CARE ACT OF 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1628, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

Pending:

McConnell amendment No. 267, of a perfecting nature.

McConnell (for Daines) modified amendment No. 340 (to amendment No. 267), to provide for comprehensive health insurance coverage for all United States residents, improved healthcare delivery.

The PRESIDING OFFICER. Under the previous order, the time until 2:15 p.m. will be equally divided between the leaders or their designee.

If no one yields time, time will be charged equally to both sides.

The Senator from Delaware.

Mr. CARPER. Mr. President, I spent many years of my life in Navy airplanes. I am a retired Navy captain. Senator ALEXANDER said something the other day about the fact that a pilot doesn't start up and take off in an airplane unless he or she knows what the destination is. I thought that was pretty interesting. It is true.

With respect to healthcare in this country, we have actually known for a long time what the destination is, and the destination is a combination of three things: better healthcare coverage for less money—and cover everyone. That is really our destination. It is not just the destination this year in this Congress; it has been our destination really since Harry Truman was President.

For some years, we have argued and disagreed about how to get to the destination. I don't think anyone would argue about the need to get to that destination, but the question is how.

In 1993—I mentioned yesterday in my remarks on the floor—Hillary Clinton was a brandnew First Lady and worked on something called HillaryCare. In response, Republicans came up with

something that really has its roots and origin from the Heritage Foundation. They had more of a market-based approach, which called for every State having their own exchange, where people without coverage could get healthcare coverage. There would be a sliding scale tax credit that would help buy down the cost of premiums for folks who got the coverage in their State's exchange. Low-income people got a bigger tax credit. Higher income people had a smaller tax credit that would eventually fade away.

The third piece of the Republican alternative to HillaryCare was the idea of an individual mandate, which basically said that everybody has to get coverage. If you don't, we can't make you, but you have to pay a fine. Over time the fine would go up.

The fourth piece of the Republican proposal in 1993 was that employers of a certain size with a certain number of employees would have to make sure they provided coverage for their employees. I don't remember a lot of specificity of what that coverage would include, but if they had quite a few employees, they would have to provide coverage for them, make it available.

The last piece was the idea that health insurance companies would say at that time: If you have a preexisting condition, sorry, we are just not going to cover you. The Republican proposal said: That is verboten. You can't do that, insurance companies.

So that was their idea that was introduced here. There were, I think, about 23 cosponsors, led by John Chafee, who was a former marine, former Governor of Rhode Island, U.S. Senator, and highly regarded. The legislation he introduced in 1993 had 20, 22 cosponsors, I think, including some people who are still here—Senator HATCH, Senator GRASSLEY, and a number of others. That idea became RomneyCare.

In 2006, Governor Romney sought to cover everybody in the State of Massachusetts before running for President. It was a pretty good idea. It was such a good idea that when we worked on the Affordable Care Act, that idea was one of the major principles, one of the major pillars of the Affordable Care Act.

Now—I said this yesterday—Barack Obama gets credit for coming up with that approach to provide healthcare. He is a smart guy, but that wasn't his deal. He didn't come up with that. I didn't come up with that. Governor Romney didn't come up with that. I don't think Senator John Chafee, beloved Senator from Rhode Island—neither he nor Senator HATCH nor Senator GRASSLEY came up with that. I think it was an idea from the Heritage Foundation. It is probably heresy, as a Democrat, to say this, but it was a good idea. It was a good idea in 1993. It was a good idea in 2006 in Massachusetts, and it was a good idea when we folded it into

the Affordable Care Act as one of the major pillars.

I want to go back and revisit 2009 just for a little bit. There are those who believe that there was no bipartisan involvement and the ACA was just hustled through without a lot of thought or debate. As it turns out, I think we spent 80 days all total in the U.S. Senate in that Congress in 2009, debating the bill in committees—the two committees of jurisdiction. I served then and I serve now on the Finance Committee. We spent a heck of a lot of time in debates and markups where people had a chance to offer amendments, debate them. The Health, Education, Labor, and Pensions Committee spent a lot of time that year, 2009, similarly in bipartisan hearings, with bipartisan amendments, debate.

All totaled, I believe, over 300 amendments were offered in Senate committees of jurisdiction, and I am told that 160 amendments offered by Republican Senators were adopted and made part of the legislation.

I know our Republican colleagues believe that they were shut out of the process, but I think a closer review of that process in history would suggest that just wasn't so. Was it a perfect process? No. Could it have been better? Sure. You can always do things better. But it was a process that we went through in order to address this concern.

In 2008, during that year's election, one of the things I learned was that we were spending in this country, as a percentage of GDP for healthcare, 18 percent of GDP. I have a friend who, when I ask him how he is doing, says: Compared to what?

I would just say: Well, what were the Japanese spending in 2008 as a percentage of GDP for healthcare? It was 8 percent. Think about that. Well, maybe we got better results; maybe people live longer in this country or we have lower rates of infant mortality than the Japanese. No, it is not true. They got better results. They spent half as much, and they got better results.

Well, maybe a lot of people in that country didn't have coverage and we covered everyone. Actually, just the opposite is true. They covered everyone. We had 40 million people who went to bed in 2008 without any healthcare coverage, and for a lot of them, access to healthcare coverage was the emergency room of a hospital.

As you all know, as we know, when people get sick enough, they will get care in this country. It may not be cost-effective care. It may be expensive care because it is not just an emergency room visit. In many instances, it is the admission to the hospital and a stay that could last for days or even weeks. We do have some idea how much it costs to stay in the hospital. It is hugely expensive. Eventually, people would get healthcare coverage or

healthcare attention, but a lot of times it costs an arm and a leg, literally and figuratively. So the question was, could we do better than that?

What we came up with is a multifaceted approach, which includes that Heritage Foundation idea of the exchanges where people didn't have access to coverage. And the focus would be not just on spending money on people when they were sick, but to save us—not to have so much a sick care system, but to have a healthcare delivery system that focuses more on helping people to stay healthy and well, with a much bigger focus on prevention and wellness and frankly a focus on, for example, making sure people, when they reach the age of 50, get a colonoscopy and they don't have to pay a whole lot of money to get it because it would be part of their health insurance coverage.

I have a friend whose mom died several years ago. My friend and I work out at the YMCA in Wilmington from time to time. She just turned 50, and I said: Well, how old are your parents? My friend is really fit, and I said: How old are your parents now?

She said: They are both deceased.

I said: Really? What happened?

She said: My mom died of colon cancer a number of years ago.

I said: Didn't she get the colon screening—the colorectal screening and all?

She said: No, no, no. She didn't like that, didn't want to do that. It costs a lot of money, and so she just didn't do it.

We have other people who, over the years, have not had prostate screenings for prostate cancer, and we have had people who didn't have breast cancer screenings because, in some cases, it is unpleasant and, in some cases, just because it can cost a lot of money, and a lot of that was out of pocket, so people would forego that. We have changed that. We want people to get the screenings and to be able to get those screenings and find out and make sure that they are not going to get sick and cost a lot of money.

My friend's mother was sick for many months. I can't imagine how much it cost—and all that for maybe a \$1,000 colorectal screening that was not taken.

We don't do that stuff in this country much anymore. We actually offer the screenings. They are free. With our focus on wellness and prevention and things like annual physicals, we want to catch problems when they are small.

One of the reasons healthcare coverage in Japan—as a Naval flight officer, I flew a lot of missions in and out of Japan during the Vietnam war, and one of the things I learned about Japan is that, one, the people are very slender. In this country, about one-third of our people now are obese or on their way to being obese. Obesity is a great

precursor, which says that this person is going to have healthcare problems and costly healthcare problems. There are a lot of people in this country who still smoke—not as many as before—but that is another predictor of people on whom we are going to have to spend a whole lot of money.

The other thing that caught my eye in Japan was the access to primary healthcare close to where people live. In almost every neighborhood of any consequence, people had access to a clinic where they could go for a check-up, for a physical to catch problems when they are small and to address them when they are small. As we looked around the world at things that were working, that would seem to be something that worked, we tried to make sure that was part of our approach in the Affordable Care Act.

Another thing we found that worked is, in some countries and literally here in this country—the Mayo Clinic, the Cleveland Clinic, and places like that—one of the secrets of their success, better results for less money, is the idea of coordinating the delivery of healthcare—coordinating the delivery of healthcare.

My mom, now deceased, lived until she was 82. She had dementia. She had arthritis. She had congestive heart failure. She had any number of ailments. My dad had passed away several years earlier. She lived near Clearwater, FL. We had people—my sister had people living with her to take care of her until later in her life. At one time, my mom was seeing five or six doctors. They were prescribing a total of 15 medicines for her. I remember we had in her home something that looked like a fishing tackle box—my dad's fishing tackle box. You may have seen one of these. If you open it up, it has all these medicines in it to take before breakfast, with breakfast, after breakfast, before lunch, all the way to bedtime, and they are all set up and arranged. Fifteen different medicines she was taking from five or six doctors who never talked to each other. Nobody had any idea what was being prescribed for my mom. Nobody was coordinating that care. That is foolish. I know a lot of those medicines probably interacted badly with each other and hastened my mom's decline and death.

The focus we had on the Affordable Care Act, with coordinated delivery of healthcare among different doctors and different specialties and with hospitals, nursing homes, federally qualified community health centers, and the VA, we do a much better job at coordinating delivery of healthcare.

In Delaware, we just don't have electronic health records for healthcare—we have those all over the country now. One thing that came out of the Affordable Care Act was we put the pedal to the metal and said we want a whole lot more electronic health

records being used that talk to each other for coordinated delivery of healthcare—better care. Delaware took it a step further. In Delaware, we have something called the Delaware Information Network, which I signed into law, authorizing it in my last term as Governor. I had no idea really what the potential was of what we were doing, but with some help from the Federal Government, we have now just a terrific utility, a terrific mechanism to help us take this idea of coordinating delivery of healthcare and put it on steroids and further improve the quality of healthcare.

I have been approaching this day with real concern. I am an optimistic guy. I am a glass half-full guy, but I have been troubled a lot more than not. I went home last night and my wife met me at the door and she said: You don't seem yourself. I said: I am troubled, and she said she was too. She had been watching too much TV. There are a lot of concerning things going on in this city, at the White House, and even in this building.

We are at our best when we work together. We Democrats didn't create Social Security by ourselves. The GI bill—I was a beneficiary of the GI bill at the end of the Vietnam war, and so was my father at the end of World War II. There have been good ideas like Medicare. Democrats didn't create them by themselves, Republicans didn't create them by themselves. We worked together to create those landmark pieces of legislation and programs that all of us would agree are good for this Nation and good for our people.

When you are dealing with a subject that involves maybe everybody in the country and perhaps one-sixth of our population, this is one we ought to do together. We ought to do this together.

JOHN MCCAIN and I served during the Vietnam war. We came to the House of Representatives together, and we worked on normalizing relations with Vietnam. He was a Senator with John Kerry, and I was a House Member with a bunch of my colleagues over there.

JOHN MCCAIN stood right over here a couple days ago. We were all happy to see him back. We welcomed him back because we need him and his leadership. He said a number of times during his remarks that what we need is regular order.

I guess people who might have been watching on C-SPAN are wondering what is regular order.

We have a new crop of pages here. Let me just say to our pages who are rising juniors and coming from States all over America and actually do a great job of helping make sure this place doesn't get too messed up in more ways than one, regular order is when people have a good idea, whether it is in healthcare, defense, or agriculture, and actually take their good

idea and introduce legislation. I try to introduce legislation most times with bipartisan support. I have learned you get better results in the end if you do that.

The idea of regular order is introducing legislation that reflects and addresses a need or an issue. That bill is introduced here in this Chamber. It is assigned by the Parliamentarian to the committee of jurisdiction. The sponsor or sponsors of the bill go see the chair of the committee where the bill is assigned and ask for a hearing. If they convince the chair of the committee it is a good bill, with a good idea, then there is a good chance they will have a hearing. At that hearing will be witnesses—expert witnesses, stakeholders. Those witnesses will say: I like this about that bill or I see a problem with that bill, and there are changes that should be made to the bill. In some cases, we invite the Congressional Budget Office, sometimes Senators or House Members to come in and testify as well.

On an issue that is this important, we need regular order because whatever the Republican ideas are—and hopefully we will find out what their ideas are today—we need to check the tires, take the time to find out what is good about it and what is not and fix it in committee, where Democrats and Republicans can offer amendments, debate them. That would be done in the Finance Committee and also in the Health, Education, Labor, and Pensions Committee.

That is what we ought to do. If we take that approach, we will end up with a better final result; rather than being a country that looks at other countries around the world, asking: Why does Japan get better results than we do, spending half as much money and they can cover everybody—why is that?

I am proud of much of what we do in this country with respect to healthcare; in many ways, we are on the right track, but as I said, in everything I do, I know I can do better. We can sure do a better job on healthcare.

Last thought. I see we have been joined by the Democratic leader, and I will say a few words before yielding the floor. I was fortunate enough to visit Tanzania with my wife. We met our sons over there two summers ago. After going to a seminar, we went out across the country, had a chance to just see an amazing—for those who have never been there, and I never spent much time in Africa, it was an incredible experience, all the life and animals and nature and it was beautiful and incredibly exciting. One of the many things I learned there was this proverb, and it goes something like this:

African proverb: If you want to go fast, go alone. If you want to go far, go together.

If you want to go fast, go alone. If you want to go far, go together.

We need to hit the pause button. We need to fix the exchanges in every State to stabilize the exchanges. There are three easy ways to do it: make clear that the individual mandate is going to be maintained or replaced by something that is at least as effective; a doctor reinsurance program that will help stabilize the program, much as reinsurance was used as a mechanism to stabilize and make successful the Medicare Part D Program; and, finally, we should make clear that the cost-sharing arrangements we have, the subsidies that help reduce the costs, the copays and deductibles for people getting their coverage in the exchanges, just make it clear they are not going to go away. The insurance companies tell us, if we would do those three things—secure the individual mandate or something as good as the individual mandate, reinsurance, and address the cost-sharing arrangements, that they are not going away—if we do those three things, they tell us the cost of premiums across the country would drop by as much as 25 percent to 35 percent.

Think about that. What you would have is the insurance companies not fearing they are going to lose their shirts because of not having a pool of people they can insure. They are fearful of having a pool of people to insure in the exchanges that are sick, crippled, and there are not a lot of young, healthy people who create a mix that can actually, effectively and predictably, be insured by insurance companies. The great thing about reducing premiums by 25 to 35 percent in the exchanges is this. People who get the coverage in the exchanges benefit. They save money.

Do you know who else saves money? Uncle Sam, because we are paying a significant amount of support to help make sure the exchanges envisioned all those years ago by the Heritage Foundation—to make sure they work.

That sounds like a pretty good step: hit the pause button; stabilize the exchanges; make sure we have coverage for people in every State through the exchanges in every county and bring down the premiums by 25 percent to 35 percent; provide certainty and predictability for the insurance companies. With that predictability and certainty, we have more competition. The insurance companies get into the game, and they say we are going to offer policies as well.

After we have done that, let's pivot and address, as Democrats and Republicans working together, fixing those parts of the Affordable Care Act that need to be fixed and preserve the parts that need to be preserved. Let's do that together.

With that, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

THANKING THE SENIOR SENATOR FROM DELAWARE

Mr. SCHUMER. First, let me thank my colleague, the senior Senator from Delaware, not only for his remarks but for his constant, conscientious concern about this country in just about every area. Whenever he speaks, he has a great deal of thought behind it because he is always thinking. My guess is, he is thinking while he sleeps at night. He has so many thoughts. It also comes from a good soul and a good heart because he really cares about making this country better and is working together in a bipartisan way to do that whenever he can. I thank my colleague.

Mr. President, it is likely, at some point today, we will finally see the majority leader's final healthcare bill, the bill he intends to either pass or fail. Thus far, we have been going through a pretense, defeating Republican bills that never had enough support even within their own caucus to pass. Repeal and replace has failed. Repeal without replace has failed. Now we are waiting to see what the majority leader intends for the Republican plan on healthcare. If the reports in the media are true, the majority leader will offer a skinny repeal as his final proposal.

As I mentioned last night, Democrats will offer no further motions or amendments until we see this skinny bill, but make no mistake, once we do see the bill, we will begin preparing amendments. In the event the bill fails, we can move directly to the NDAA, and out of deference to my dear friend Senator MCCAIN, we will work to move that piece of legislation quickly.

If the skinny bill passes, remember, Democrats have an unlimited right, after it passes, to offer an unlimited amount of amendments. Now, many of my colleagues have many amendments on healthcare. They have just been waiting to see the final bill Leader MCCONNELL will bring to the floor.

I want to put my colleagues on both sides of the aisle on notice, my Democratic and Republican colleagues, that they should prepare for numerous Democratic amendments if the skinny bill passes. With the skinny bill passing—I hope it doesn't, but if it does—it will not be the last vote. There will be many more after that to change it and to modify it. I want everyone to understand that.

I also want everyone in this body to understand the consequences of the skinny repeal. We Democrats asked the nonpartisan Congressional Budget Office to score the skinny repeal based on the four or five provisions of the bill that seem to be what the majority leader is considering: get rid of the individual mandate, get rid of the business mandate, get rid of the Cadillac tax, get rid of the tax on medical de-

vices, and get rid of some of—I believe they considered getting rid of some of the essential healthcare provisions as well. Even if the bill is slightly different from the one we asked to be scored, the score will be pretty much the same.

To my colleagues on the other side of the aisle who are thinking of voting for this skinny bill, listen to what the CBO said, which is nonpartisan and headed by a Republican whom Senator MCCONNELL and Speaker RYAN agreed to appoint. The Congressional Budget Office said that a skinny repeal would cause 16 million Americans to lose insurance, and millions of Americans would pay 20 percent more for their premiums starting next year. Premiums would go up 20 percent—not 3 years from now but in January—according to the CBO.

Let me repeat that.

A skinny repeal means 16 million fewer Americans with insurance and premiums up 20 percent next year and will stay there. It is not that they go down later, as in one of these CBO estimates of one of the other Republican bills. They stay there, getting higher every year, with people paying more and more. The premiums will go up immediately, as early as January 1, as I mentioned—not 3 years forward but on January 1. One of the promises our Republican friends have made over and over is to bring down premiums, but a skinny repeal would break that promise, and the American people would see it in just 5 months.

Yesterday, a bipartisan group of Governors sent a letter that urges us away from a skinny repeal—these are the Governors, bipartisan—warning that it would “accelerate health plans leaving the individual market, increase premiums, and result in fewer Americans having access to coverage.” Republican Governors Sandoval and Kasich and a few other Republican Governors were on that letter.

Now, the argument from the Republican leadership is for Republicans to vote for this bill because they made a campaign promise to repeal and replace the Affordable Care Act. Yet I ask my Republican friends: Did you promise the American people that you would raise premiums on everyone? I didn't hear that in the promises. That is what a skinny repeal does. Did you promise the American people that you would take healthcare away from tens of millions? I didn't hear that. That is what the skinny bill does.

No, the Republicans not only promised to repeal the Affordable Care Act, but they promised to replace it with something better. I do not know why, but, somehow, the first promise is more important than the second. The skinny plan manages to anger everyone—conservatives, who know it is a surrender and know it does not come close to the full repeal they promised, and moderates, who know that it will be terrible for their constituents.

Is this the one plan that finally unites the Republican Senate—a plan that angers everyone—conservatives, moderates, and, perhaps, most of all, the American people? I cannot believe that, and I hope it would not.

If the Republicans pass such a devastating plan, either one of two things could happen. The House could simply take up the skinny bill repeal, making all of those terrible possibilities a reality—premiums would go up in January, and insurance markets would collapse. In fact, if the House passed this skinny bill, our entire healthcare system could well implode. Everyone who voted for it, regardless of motivation, will regret it.

Or they could take it to conference, which is a pathway to full repeal. In conference, the Freedom Caucus will demand a full repeal—or something close to it—with all of the associated cuts to Medicaid and tax breaks for the wealthy, which so many here in the Senate have labored months to undo.

So this thing is turning into a game of hot potato. The House passed a bill that they do not like. They had to hurry it up. They had to do it twice and pass the hot potato to the Senate. Senator MCCONNELL is juggling that hot potato. He cannot get the repeal, and he cannot get repeal and replace. So he comes up with this plan that no one likes, but they say: OK, we can send the hot potato back to the House.

How many more months is this going to go on, when we could be sitting down, in a bipartisan way, as my good friend from Arizona has recommended, and work together in the committee process?

In the gym this morning, I saw LAMAR ALEXANDER, the head of the HELP Committee. We see each other just about every morning in the gym. I was wearing, I think, my Syracuse T-shirt, and he was wearing his Tennessee Volunteers T-shirt.

I said to LAMAR: If this skinny bill goes down, as it should—and I spoke to PATTY MURRAY, our ranking member—we will sit down and work in a bipartisan way to improve ObamaCare. We know that ObamaCare needs some work. We do not deny that. Let's do it in a bipartisan way instead of passing this hot potato back and forth, back and forth, back and forth, and not getting anything done.

While our leaders are passing this hot potato, insurers will be setting their rates for 2018. That means that insurers will lock in rates for the next year with this massive uncertainty hanging over their heads, leading to huge rate increases or decisions to pull out of markets. A skinny repeal as a way to get to conference is a recipe for disaster. Beyond that, it is a shameful way of legislating.

My Republican friends should listen to the wonderful speech that the man whom we admire gave—JOHN MCCAIN—

when he came back. We should be working in a bipartisan way. My Republican friends, you should not be passing a bill that you do not support or believe in, that you pray will not become law. If you believe that this bill should become law, vote yes, but if you do not believe that the bill should become law, you vote no—plain and simple. Then we can resume in the Finance Committee and in the HELP Committee a bipartisan process of making the present healthcare system better, which needs to be done.

You do not vote to advance terrible legislation and hope that it will magically get better in conference. Let's not forget that, months ago, many House Republicans justified their voting for their nightmare bill because they thought that it would get better in the Senate. It has not gotten any better. In fact, it has only gotten worse, and a conference will be no different. Voting yes on a bill that you do not support just to get it to conference is an unserious way of legislating, particularly on this issue, but that is, so far, what the Republican leader is doing.

There may be no better example than the amendment offered by Senator DAINES, which favors Medicare for all. I cannot believe that this is happening, because all of the Republicans are going to vote against it. It is just pure cynicism, pure politics, and is not a serious effort to legislate and make things better when people need help. Senator DAINES does not support the bill. He just wants to get Democrats on the record. The majority leader has made pending an amendment that both he and the author of the amendment will oppose, and that is the very definition of a political game.

We Democrats are not going to go along, because this is not a game. This is not a joke. It is not hot potato. We are talking about people's lives. We do not have time for phony amendments or phony bills. You do not play games with the healthcare of the American people.

As I said, anyone who listened to the eloquent words of my dear friend from Arizona should blush at this process. His was a clarion call that both sides of the aisle can do better. He criticized his side for being partisan, and he criticized our side for being partisan. He is right on both counts. We all can do better. Let's start. The Daines amendment does not do that. That is for sure. The only answer is to start over together, to work together through regular order, and to get some legislation that we can all live with.

RUSSIA SANCTIONS

Mr. President, I have one other point, on Russia sanctions. It is apropos. I didn't know, when we read all of this stuff, that my good friend from Arizona would be here. Even as we debate other items on the floor, we should not delay

this legislation on the Russia sanctions any longer.

Last night, the chairman of the Foreign Relations Committee here in the Senate said that he was ready to move the package quickly. That is what Senator CORKER said, and I am glad he did. I will work with the majority leader to send this legislation to the President's desk before the recess. We have already cleared this legislation on the Democratic side. We are prepared to move it by unanimous consent at any time.

I hope the White House signs this. This morning, the White House Communications Director said that President Trump may veto the legislation so that he could make a tougher deal with Russia than could Congress. The idea that the President would veto this legislation in order to toughen it up is laughable. I am a New Yorker, too, and I know bull when I hear it. If the President vetoes this bill, the American people will know that he is being soft on Putin, that he is giving a free pass to a foreign adversary who violated the sanctity of our democracy by meddling in our election and who seeks to undermine democracy and American life in any way he can. I hope and expect, if the President decides to use the first veto of his Presidency on this bill, that Congress will swiftly override it.

I see my friend here, the majority leader. I appreciate his work on making this Russia sanctions bill happen and being available. I hope that we will get the House bill to the President's desk, and I hope the President signs it.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection to vitiating the quorum call? Without objection, it is so ordered.

NDAA

Mr. SCHUMER. Mr. President, I will just clarify, the Republican leader and the chair of the Armed Services Committee want to discuss NDAA. They will not make any motion to move to it. I have no problem with them discussing it.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, while the Democratic leader is still on the floor, I just wanted to mention that I understand his concern about the healthcare issue and the amendments and the process for moving forward and the necessity for doing so. I made my views very clear; I won't repeat that eloquent speech I made. I would just like to say to my friend from New York that we do have a bill that passed through the committee 27 to 0—not a single person against it—after many days of debate, amendments, discussion, including a couple hundred

amendments that were disposed of in the tradition of the Armed Services Committee. I believe it is in everybody's interest to go ahead and take up the Defense bill so that we can go to conference and resolve other issues, such as sequestration, et cetera.

I understand the frustration my friend from New York feels, but where I have a disagreement with my friend from New York is saying that these two issues are inseparable. I believe that our obligation to the men and women in the military is transcendent.

I understand the frustration of the Senator from New York. I was here when, with 60 votes, the bill was rammed through over Republican objections without a single amendment. I understand his frustration.

What the majority leader and I are asking for is just that tomorrow we take up the NDAA bill. We can get it done in a few hours. We can send it to conference, take care of the equipment, training, all of the things the men and women who are serving in the military need.

By the way, I understand the emotion on the other side. I felt the same emotion on this side some years ago, and I haven't forgotten it yet. So I would hope—and I know the Senator from New York has to discuss with his conference this issue of the Defense authorization bill. I would remind him and all of my colleagues that for 53 years now, we have passed and had the President of the United States sign the Defense authorization bill. That is a precedent that I really hope we do not break, because of our obligation to the men and women who are serving in the military. I know the Senator from New York feels exactly the same way.

I am not impugning the integrity of the Senator from New York. I just ask that we consider it. I know the Senator from New York has to go back to his conference. I hope they all will consider it.

Let me just finally say, I note, for example, the Senator from Virginia here on the floor, who has been a vital part of the—no, not the other one; not him. Both have been vital members of the Armed Services Committee. Yes, we have our disputes. Yes, we have our arguments. Yes, we are spirited. But we come out unanimously in favor of taking care of the men and women in the military.

I hope the Senator from New York will consider this.

Mr. SCHUMER. Will my colleague from Arizona yield so that I can answer him before the majority leader speaks?

Mr. MCCAIN. Yes.

Mr. SCHUMER. First, I wish to express our respect for the Senator from Arizona. My dear friendship—really love for the man is unbounded.

I am repeating in my head, as many of us have, the speech our friend from Arizona gave when he came back, and

we were all so joyous that he did. He talked about going to regular order. He talked about working in a bipartisan way. He talked about doing this healthcare bill the right way—with hearings, with debate, with amendment. Even I accepted his chastisement that we passed a partisan bill. He knows the record shows I didn't want to do that. But we did have debate and amendments. We had a process where six people—three from each party—spent 6 months trying to come to an agreement. They did not.

But I must say the reason that we must ask unanimous consent to go to the bill is because we are in reconciliation—the very process that has prevented us from debating, from having hearings, from having some kind of bipartisan input. I would say to my colleague, if you want to get rid of this reconciliation, fine. Let's recommit the bill to committee and start on a fair process, and we can go to NDAA immediately—in an hour—if we were to do that.

The reason we can't do that is our dear friend the majority leader is insisting on the reconciliation process. And you can't say—we can't, because we feel defense is important and we feel the healthcare of tens of millions of Americans is equally important. And we can't say you can turn on and turn off the reconciliation process when you want to and when you don't. What is good for the goose is good for the gander.

If reconciliation is poor and prevents NDAA from coming up immediately, it is equally poor—maybe more so—when it comes to healthcare.

So my plea and suggestion: Let's not go forward with this bill. We don't even know what it is yet. Let's go back to committee.

I spoke to Senator ALEXANDER, I spoke to Senator MURRAY this morning. If this bill fails, they will go back and try to negotiate bipartisan improvements—just as my good friend from Arizona recommended when he came back and gave his moving speech.

But my caucus—I have spoken to a few—feel very strongly that this process on healthcare has been awful, and it is because of reconciliation, and now reconciliation has put NDAA in a bind as well. Let's get rid of reconciliation, and we can do what the Senator from Arizona wants and what I think the American people want—a fair process.

I yield the floor.

Mr. MCCAIN. Mr. President, reclaiming my time.

Mr. SCHUMER. Mr. President, I ask unanimous consent that my remarks count against leader time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I don't want to continue; our leader has im-

portant words to say. All I can say to the Senator from New York is, this is not the same. Defending the Nation is our first priority. That is what our Declaration of Independence says. That is the basis for all of our roles here. There are men and women who are in harm's way today, whose lives are in danger, who need this legislation in order to be better equipped and better able to defend themselves and this Nation.

I am asking for a few hours because, as my two colleagues over there will state, we passed this bill 27 to 0 through the Armed Services Committee. We fight. We argue. We insult. But the fact is, we come out with a product that we are proud of, and then all of us have support.

So all I am asking of the Senator from New York is if we could go off of this for a few hours, because we have basically an agreement on amendments, and get this thing to the President's desk so that he can protect and defend this Nation. That is all I am asking.

Mr. SCHUMER. Mr. President, I would simply say once more to my colleague briefly—

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. We can do both. We can do both. It is very simple. It is just what my dear friend from Arizona asked about 2 days ago: regular order on both. We can have both.

You can't ask—it is unfair, in my judgment—and I have great respect—to ask for one and then continue to tie our hands on reconciliation on healthcare.

I yield the floor.

Mr. MCCAIN. Mr. President, very quickly, that is equating these two issues at the same level of concern. I would argue that defending this Nation and the men and women who are serving it is our first priority. I don't wish to debate the Senator from New York.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, this is becoming overly complicated. The chairman of the Armed Services Committee and I are talking about what comes next after we finish the healthcare debate. As we discussed in my office a few moments ago, the chairman would like to turn to NDAA next. Healthcare, whether our friends on the other side like it or not, will come to a conclusion here at some point. The issue is what comes next.

As the chairman of the Armed Services Committee has pointed out, this is a totally separate issue and, as he pointed out, a bill that came out of his committee 27 to 0. As we all know, he is available to manage that bill this week.

What I am saying to our colleagues on both sides of the aisle is when we

finish healthcare either the way I would like to finish it or the way our Democratic friends would like to finish it, we are going to try to turn to NDAA and accommodate the chairman's schedule and give him an opportunity to finish that bill while he is here. That is the issue.

So I hope we will be able to work our way toward that when we finish healthcare. I will ask unanimous consent—not now, but I will be asking for unanimous consent to turn to the National Defense Authorization Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, last Wednesday at the White House, President Trump invited Republican Senators there, and he recommended to us that we repeal and replace ObamaCare at the same time, simultaneously. He said that before in his interview on "60 Minutes" in January—we should repeal and replace ObamaCare simultaneously, which means, to me, at the same time.

That is one reason I voted yes on Tuesday for us to proceed to the House of Representatives' bill, because it would replace and repeal ObamaCare at the same time. That is one reason I voted on Tuesday for the Senate healthcare bill, which would have replaced and repealed ObamaCare at the same time. I agree with the President—we should replace and repeal ObamaCare at the same time. The House voted to do that, the President recommended we do it, and I agree we should repeal and replace at the same time.

Why would I say it needs to be done at the same time? There was a time in the past where we might have just repealed it and said: In 2 years, we may come up with an answer. But we can't do that now. Conditions have changed in Tennessee. Our State insurance commissioner, Julie McPeak, says our individual insurance market is "very near collapse." That means that up to 350,000 individuals in our State—songwriters, workers, farmers—who buy their insurance on the individual market are sitting there worrying in July and in August whether they will have any option to buy insurance in 2018.

So I don't think we can wait 2 years to repeal and replace ObamaCare, which is why I voted twice on Tuesday to do it now and why I voted against an amendment yesterday that said: Repeal it now and replace it in 2 years, if you can. I don't think Tennesseans would be very comfortable canceling insurance for 22 million Americans now and saying: Trust Congress to find a replacement in 2 years. Pilots like to know where they are going to land when they take off, and so should we.

We are proceeding ahead with our debate on the healthcare bill. It may be a little convoluted for people watching

from the outside, but it is fairly straightforward. The House of Representatives has gone through a series of processes in committees and votes, and it passed a bill to repeal and replace ObamaCare now, to do both now. The Senate has been working for 6 months not just to repeal ObamaCare but to repeal and replace it now.

There is some urgency about this. We have millions of Americans who are worrying they may not be able to buy insurance in 2018. That is a very personal worry for millions of Americans. They want us to address it now, not 2 years from now.

How do we do that? Well, later today we will have an opportunity to vote for a bill which will take us to the place called a conference committee with the House of Representatives, where we can get a solution to our goal of repealing and replacing ObamaCare now. It is being called a skinny bill because it won't have much in it. It is not a solution to the Affordable Care Act problems, but it is a solution to how we get to a place where we can write the solution to the Affordable Care Act problems. And it is wide open. For those who want to watch late into the night or early into the morning, we are here. We will be offering amendments. People can see that. When we move to the conference committee with the House of Representatives, historically those deliberations have been open. People can watch that. They can see that. That will take place over the next several weeks.

After the conference committee agrees—if it does—on a bill to repeal and replace major parts of the Affordable Care Act now, not in 2 years, then it goes back to the House and back to the Senate for debate and approval on an up-or-down vote.

That is the process. I want to make it clear to the American people that insofar as I am concerned, I am not interested in telling you we are going to repeal something now, and trust us—trust the Congress—to come up with some answer in 2 years. I don't want to say that to the American people.

What I do want to say is, we have major problems with the Affordable Care Act. We can't repeal all of it in the budget process, but the House of Representatives showed we can make major changes and major improvements, and the Senate bill, which I voted for on Tuesday, to repeal and replace ObamaCare, shows that we can make major changes and major improvements.

I am convinced that if we can move this process to a conference committee today, between the House of Representatives and the United States Senate—which is part of our regular procedure—we will be able to agree on a way to improve the Affordable Care Act. What that means is that we will repeal major parts of it, and we will replace

those parts with parts that work better, parts that give Americans more choices of insurance, that give 350,000 Tennesseans in the individual market some peace of mind to know they will actually be able to buy insurance next year, whereas if we don't act, many of them won't be able to, just like millions of Americans may not be able to.

If we do not act, there will be counties in the United States where some of the most vulnerable Americans will have zero insurance options in 2018, no support to buy insurance, and if they don't get a subsidy from the Federal Government, a hard-working American who might be earning \$50,000 or \$60,000 a year—no Federal subsidy—that person will have insurance so expensive, with such high deductibles, they won't be able to buy insurance either.

So I think we are on a path toward a solution, and the solution means, No. 1, that we move the debate out of the Senate this afternoon on to the conference committee and that our goal when we get there is to repeal major parts of ObamaCare, the Affordable Care Act, and replace those parts with provisions that transfer responsibilities to the States to make decisions that give consumers more choices of health insurance at lower costs. That is a noble goal, one we are pursuing, and one in which I hope we succeed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, life is at its core a series of votes. We forget the mundane choices: what we wore to work or what we had for lunch last week. We remember the momentous choices, however: taking a new job or starting a family.

My colleagues in this Chamber on both sides of the aisle are here because they chose to answer the call of public service, and folks in our States chose us to represent them. Week in and week out, we choose how we will vote in committees, on the floor, on nominees, as well as on legislation. We choose to cooperate when we find consensus, and we choose to resist when we don't. We cast hundreds of votes every Congress, year in and year out. Some are memorable, and some are not.

One of the most memorable choices of my career in public service was voting for the Affordable Care Act—a bill that, while imperfect, I knew would literally save thousands of lives and help millions of Americans afford the health insurance they need. In the months and years since, I have heard countless stories from Michiganders whose lives were changed for the better as a result of this law.

A few weeks ago, I shared the story of a fellow Michigander named Stefanie. Stefanie is from Livonia and worked her entire adult life in the retail and restaurant industry. Stefanie

had never been offered health coverage by her previous employers but was able to purchase a plan because of the Affordable Care Act.

In December 2015, Stefanie's third-floor apartment caught fire, and an unthinkable choice was forced on her: Stay and die in the fire, or leap from a third-floor window in order to save her life. Stefanie chose to jump. She sustained serious injuries, including a broken back and a shattered foot. Her total treatment costs came close to \$700,000—an amount which would surely bankrupt nearly all Americans if they did not have health insurance. Because of the Affordable Care Act, Stefanie was able to receive treatment for her injuries and have a second shot at life.

Last week, Stefanie traveled to Washington, DC, and I had the honor of meeting with her in my office. Her family, friends, and others in the community had actually pulled together funds to send her here to Washington, DC, so she could share her story with me and with others in Congress firsthand. I can't imagine how painful it is for Stefanie to relive this trauma, but she chooses to share because she wants others to have access to the same care she had.

Any mother, father, sister, son, or daughter could someday face an unexpected emergency, just like Stefanie. Nobody chooses to get sick, and nobody should be denied health insurance when they need it.

Having health coverage afforded Stefanie a new lease on life. Instead of filing for bankruptcy due to her medical bills, Stefanie now plans to go back to school and become a paralegal. Stefanie and others just like her—like you and me—deserve to know that when we get sick or when we get hurt, we still have a shot at life.

My colleagues on the other side of the aisle face a very difficult choice of their own. They can choose to do what is politically expedient by passing legislation tonight to repeal parts of the Affordable Care Act. This would cause millions more Americans to go without insurance, create chaos in our insurance markets, and risk skyrocketing premiums. But my Republican colleagues can still do the right thing: Vote no on whatever flawed bill they finally put forward tonight, start over, work across the aisle in a bipartisan manner, keep what works, and let's fix what doesn't work.

I urge my Republican colleagues to think about people like Stefanie who will be hurt by repealing the Affordable Care Act. I urge them to choose to work with us on a bipartisan healthcare plan that helps people by lowering premiums while expanding access to care. I urge my colleagues to stop this partisan process that is sure to hurt people and choose a path that improves healthcare for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

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

Mr. President, I wish to withhold my suggestion of an absence of a quorum.

The PRESIDING OFFICER. If no one yields time, time will be charged equally to both sides.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by taking a moment to kind of summarize for the American people where we are in this enormous discussion which is causing a great deal of anxiety all over Vermont and all over America.

Several months ago, the Republican-led House passed by, I believe, three votes legislation that would throw 23 million Americans off of the health insurance they currently have—23 million Americans, men, women, and children, people who are struggling with cancer, heart disease, diabetes, and with other life-threatening illnesses. They would simply be thrown off of the health insurance they have.

That legislation also cut Medicaid by \$800 billion over a 10-year period. That means children with disabilities in Alaska or Vermont who are now on Medicaid might no longer be able to get the help they need in order to survive or to live a dignified life. At a time when Medicaid provides two-thirds of the funding for nursing homes all over this country, it means that if the Republican legislation were to succeed, we don't know, but thousands and thousands of people all over this country with Alzheimer's, with terrible illnesses, who are now in nursing homes would be thrown out of their nursing homes.

Where would they go? Nobody really knows. When you cut Medicaid by \$800 billion and Medicaid funds two-thirds of nursing home care, needless to say, people in nursing homes would be forced to leave, to go—nobody knows where.

Right now in my State of Vermont and across this country, we are dealing with a massive heroin and opioid crisis. Every day, people are dying from heroin, opioid overdoses. It turns out that Medicaid is the major source of funding in terms of treating heroin and opioid addiction.

If you make massive cuts to Medicaid, the impact in States like Vermont, West Virginia, Kentucky—States that are struggling with opioid and heroin addiction—would be horrendous. People would no longer be able to get the treatment they need.

I recall, during the campaign, Donald Trump said that he was a champion of working families; he was going to stand up for workers, take on the establishment. If the Republican House bill were to be passed, older workers—

people who are 60, 62 years of age—would see, in many cases, at least a doubling of the premiums they pay. In many cases, they would go from \$4,000 a year today to over \$8,000 a year. That is not being a champion or a friend of the working class.

My Republican friends, and you hear them even today, talk about freedom, choice. They love choice. They love freedom. People in America should have the right to get healthcare anywhere they want. It should be a right to have any insurance policy they want.

Two and a half million women have made a choice. The choice they have made is they want to get quality healthcare through Planned Parenthood. If the Republican bill in the House were to pass, those 2.5 million women would be denied their choice.

You have a Republican bill in the House that throws 23 million people off of health insurance. How many of those people will die? My Republican friends get very nervous when I raise that issue because they say—and I understand it—nobody here wants to see anyone die unnecessarily. No Republican does, no Democrat, no American does.

According to study after study, including studies done at the Harvard School of Public Health, when you throw 23 million people off of health insurance—people with cancer, people with heart disease, people with diabetes, people with life-threatening illnesses—what do you think will happen? What these studies show is that thousands and thousands of Americans every year will die unnecessarily because they will not have the treatment they need to deal with their life-threatening illnesses. That is the reality. That is not BERNIE SANDERS talking. That is study after study. PolitiFact backed that up. They looked at all of the studies. They said: Yes, thousands of people will die. That is the result.

In the House bill, after you throw 23 million people off of health insurance, raise deductibles, defund Planned Parenthood, after you make older people pay more for healthcare, \$800 billion in cuts to Medicaid, what else is in the bill?

Oh, there are some people who will do well in the bill—not the children, not the elderly, not the sick, not the poor. But there are some people—and we have to acknowledge that—who would do well under the Republican bill; that is, if you are in the top 1 percent. Congratulations. Republican legislation, after throwing disabled children off of healthcare, congratulations—you are going to get a massive tax break.

Who in America believes that it makes sense to throw disabled children off of health insurance and tell people with cancer that they can't continue to get the treatment they need in order to get \$300 billion in tax breaks for the top 1 percent and hundreds of billions

more in tax breaks for insurance companies and drug companies?

Do you know what? My Republican colleagues may think that is a good idea. That is not what the American people believe. The latest poll that I saw, the USA Today poll, had 12 percent of the American people thinking that was a good idea. I can only believe those 12 percent had not really looked at this issue. There is massive opposition from Republicans, Democrats, and Independents to this absurd Republican proposal.

It is not just the American people who think that it is absurd to give tax breaks to the rich and throw 23 million Americans off their health insurance. It is not just the American people. It is those people who are most engaged in healthcare in America—the people who know the most.

It is important to understand that throughout this process, whether in the House or in the Senate, virtually every major healthcare organization in America—the people who treat us every single day are opposed to this Republican legislation.

One might think that maybe my Republican colleagues would say: Well, wait a second. What is going on when those in the American Medical Association—our doctors, the people who treat us—think this legislation is a mistake? Doctors say no. The American Hospital Association says no because they understand that when you make massive cuts to Medicaid, rural hospitals in Vermont and all over this country may go under. Then what happens to a rural community that no longer has its hospital?

The American Hospital Association is opposed to this legislation. The American Cancer Society is opposed to this legislation. They know what its impact will be for folks who are struggling with cancer. The American Heart Association, the American Academy of Family Physicians, the American Academy of Pediatrics, the American Psychiatric Association, the Federation of American Hospitals, the Catholic Health Association, the American Lung Association, the Cystic Fibrosis Foundation, the March of Dimes, the National MS Society, and the American Nurses Association—one might think, when virtually every major national healthcare organization in this country is opposed to legislation, that maybe, just maybe, my Republican colleagues might think twice about going forward.

In this process, they have not had the opportunity, amazingly enough, to hear from doctors, to hear from hospital administrations, to hear from patient advocates. As you well know, despite the fact that we are dealing with an issue that impacts every single American—which is what healthcare does—an issue that impacts one-sixth of the American economy, over \$3 tril-

lion a year, there has not been one hearing, one public hearing on this bill. This bill has been written behind closed doors. Senator MCCAIN the other day made that point.

How do you deal with one-sixth of the economy and their desire to transform the American healthcare system without listening to one doctor, without listening to one hospital administration, writing a bill with a few Republican Senators behind closed doors?

This is an unprecedented and disastrous process for healthcare. On those grounds alone, what every Member of this Senate should agree to—and Senator MCCAIN made this point; this process has been awful. Kill it now. Go back to what is called regular process, regular order. Go back to the committee and start this discussion. Please do not throw 22, 23 million people off of health insurance without hearing from doctors, patient advocates, hospital administrators.

No, that is not where the Republicans are today. They want to rush this through behind closed doors and get a quick vote on it.

Interestingly enough, as I understand it, Senator DAINES of Montana today is going to introduce legislation for a Medicare-for-all healthcare system. That is very interesting. I hope this is really a breakthrough on the part of my Republican colleagues. I very much hope they finally recognize that maybe the United States of America should join every other major country on Earth in guaranteeing healthcare to all people as a right and not a privilege.

I hope that when Senator DAINES comes down here, he will say: No, it does not make sense to throw 23 million more people off of healthcare, but, in fact, we have to move forward, do what Canada does, what Germany does, what the UK does, what France does, what every major country on Earth does, and guarantee healthcare to all people as a right. I hope very much that is what Senator DAINES will be saying.

Do you know what? I kind of think that is not what he will be saying. I kind of think that in the midst of this discussion in which millions of Americans are wondering whether they are going to continue to have healthcare, what is going to happen to their kids, what is going to happen to their parents, I suspect what Senator DAINES is doing is nothing more than an old political trick: trying to embarrass Democrats. Will they support the Medicare-for-all bill introduced by Congressman JOHN CONYERS?

At a time when we are engaged in a very serious debate about the future of healthcare, I think this is not a time for political games. If Senator DAINES is serious about a Medicare-for-all proposal, let's work together, but now is not the time for political games.

Senator DAINES, as I understand it, is going to offer an amendment, but we

don't know what he is amending because we don't even know what is in the legislation the Republicans will bring forward.

How do you amend something when we don't even have a base bill to amend? This is, I suspect—I hope I am wrong. I hope Senator DAINES has seen the light, but I suspect not, and I suspect it is just a political game. I do hope, by the way, at some point within this debate, if we can—if not, certainly in the near future—to, in fact, be introducing a Medicare-for-all single-payer program. It will be somewhat different than my friend JOHN CONYERS' bill in the House, but what it will do is say that in America, if you are rich or if you are poor, if you are a man, woman, and child, yes, you are entitled to healthcare as a human right and not a privilege.

As you may or may not know, our current healthcare system is the most expensive, bureaucratic, and wasteful system in the entire world. While the healthcare industry makes hundreds of billions of dollars a year in profits—and in many ways what our healthcare system is about is not providing quality care to all of us but seeing how the insurance companies and the drug companies can rip us off. The truth is, even today, we have some 28 million people who have no health insurance so our goal should be to say to those 28 million: We are going to provide health insurance to you, to all Americans, and not throw 22, 23 million more people off of health insurance.

All of us recognize that the Affordable Care Act is far from perfect. What the American people want us to do—and poll after poll suggests this—is they want us to improve the Affordable Care Act, not destroy it. The American people are paying deductibles that in many instances are far too high, keeping people from going to the doctor when they need to. Today, copayments are much too high; premiums, much too high. I do find it interesting that when Donald Trump campaigned for President, he talked about the high cost of prescription drugs. He is right. In this country—and I am going to get into that in a moment—we pay, by far, the highest prices in the world for prescription drugs. That is what the American people want us to deal with in healthcare legislation, not throw 22 million people off of healthcare. They want us to lower the cost of prescription drugs. I have not heard one word from the Republicans about the need to lower the cost of prescription drugs.

The United States spends far more per capita on healthcare than any major country on Earth. We often have worse outcomes. If we go back to regular order, if we go back to committee process—which is what we should do—the very first question a Member of the Senate should ask is, How does it happen that here in America we spend far

more per capita on healthcare than do the people of any other country? Here is the chart. The United States is spending \$9,990 per person on healthcare, almost \$10,000 per person on healthcare. What do they spend in Germany? Well, they spend \$5,300, almost half of what we spend. What about Canada? I live 50 miles away from the Canadian border. It is a really nice country. They spend \$4,533. How does it happen that we are spending more than double per person compared to the Canadians and almost double what the Germans do? The French spend less than half of what we do. Australians spend less than half of what we do. The Japanese spend less than half. The UK spends about 40 percent less.

Don't you think the very first question a Member of the Senate might ask is, Why do we spend so much compared to other countries? By the way, all of these other countries guarantee healthcare to all of their people. In many instances, the outcomes, the health outcomes in those countries, are better than our country. They live longer. The life expectancy is longer. Their infant mortality rate is lower. In some particular diseases, they do better in treating their people. Here is a simple truth. The truth is, if we took a hard look at countries around the world—all of which have one form or another of national healthcare programs, all of which said healthcare is a right, whether you are rich or you are poor—maybe we might want to learn something, but, no, we have not had one hearing in order to discuss why we spend twice as much per capita on healthcare and why we pay the highest prices in the world for prescription drugs.

You know why we haven't had any hearings on that, fellow Americans? Because it might get the insurance companies a little bit nervous. Insurance companies pour hundreds of millions of dollars in campaign contributions into the political process. The pharmaceutical industry spends a huge amount of money on campaign contributions and lobbying efforts.

I say to my colleagues in the Senate, maybe, just maybe, we might want to stand up for working people and the middle class rather than for the owners of the insurance companies and the pharmaceutical industry.

It is interesting. One never knows what to expect from the President. Every given day there is another adventure out there, but a couple of months ago, the President met with, I believe, the Australian Prime Minister. That was in May. President Trump said during that meeting: Australia has a "better healthcare" system than the United States. That is what Donald Trump said. To my Republican friends here who support President Trump, listen to what he said. On this one in-

stance—he is not right very often—but I will confess on this issue, he is right. In Australia, everyone is guaranteed healthcare as a right. Australia has a universal healthcare program called, ironically, Medicare, that provides all Australians with affordable, accessible, and high-quality healthcare. While the United States has the most expensive, bureaucratic, wasteful, and ineffective healthcare system in the world, Australia, it turns out, has one of the most efficient.

President Trump was right. In 2014, Australia's healthcare system ranked sixth out of 55 countries in efficiency. The United States ranked 44. Not only does Australia guarantee universal healthcare coverage, it spends less than half what we spend on healthcare per capita. In 2015, they spent \$4,500 while we spent almost \$10,000. While the Australian Government spent 9 percent of its GDP on healthcare, the United States spent nearly double that, 17 percent. Further, many healthcare services are far cheaper in Australia. An MRI costs about \$350 in Australia versus \$1,100 in the United States. One day in a hospital costs about \$1,300 in Australia versus \$4,300 in the United States. An appendectomy costs about \$5,200 in Australia versus roughly \$14,000 in the United States, et cetera.

Not only does Australia guarantee universal healthcare, spend less on healthcare per capita, and pay less than we do for many health services, they have better health outcomes. In 2014, the average life expectancy in Australia was 82.4 years compared to 78.8 years in the United States. They live longer in Australia. For context, according to a 2014 report from the World Health Organization, Australian men have the third longest life expectancy and Australian women have the seventh longest life expectancy in the world. The United States doesn't even crack the top 10 for life expectancy, despite spending so much more than any other country on healthcare.

What all of this comes down to is the fact that America is the wealthiest country in the history of the world. The question we have to ask ourselves—and I hope Senator DAINES will address that question as he introduces his Medicare-for-all bill—is how does it happen that in Canada, every man, woman, and child is guaranteed healthcare? The same is true in the UK, in Germany, France, Australia, Japan, and every other major country on Earth. How does it happen that every industrialized country understands that healthcare is a right of all people, because all of us get sick? All of us have accidents, not just the rich. How does every major country on Earth say healthcare is a right except the United States? How is it today we have 28 million without any health insurance—more who have high deductibles and high copayments, who

are underinsured—and the response of our Republican friends is to say: Twenty-eight million uninsured? That is not enough. Let's throw another 22 million people off of health insurance.

Our response should be to move forward and guarantee healthcare to all people, not throw another 22 million people off of health insurance. I don't have the time to go into great detail as to why our wasteful and bureaucratic healthcare system ends up spending almost twice as much per capita as systems around the world. That is a subject for a lot of discussion, and I intend to play an active role in that discussion, but let me just give you some examples: because we have such a bureaucratic and complicated system; because hospitals in America have to deal with this person who has a \$5,000 deductible, that person who has an \$8,000 deductible; this person who has this, that person has that—they have to deal with dozens and dozens of different configurations for insurance. It requires an enormous amount of time, energy, and manpower to deal with those myriad of insurance companies. The result of that is, the United States spends far more on hospital administrative costs than most other countries. These costs accounted for one-quarter of total U.S. hospital spending from 2010 to 2011, more than \$200 billion—over twice what was spent in Canada and in Scotland.

What I would hope—if we don't sit around just worrying about the profits of the insurance companies—what I would hope is, all of us would agree that when we spend a dollar on healthcare, we want that dollar to go to doctors, to nurses, to medicine. We want that dollar to go to the provision of healthcare, not to advertising, not to profiteering, not to dividends, not to outlandish CEO insurance company salaries but to the actual provision of healthcare which keeps us well. Yet we do that worse than any other major country on Earth.

The large health insurance and drug companies are making hundreds of billions of dollars in profits every single year, and they are rewarding their executives with outrageous compensation packages. Once again, the function of healthcare, in my mind, is to provide quality care to all in a cost-effective way, not to make CEOs of insurance companies and drug companies even richer than they are today.

In 2015, the top 58 health insurance companies made \$24 billion in profits. Should the function of healthcare in America be to allow insurance companies to make huge profits or should we make sure all of our people get quality healthcare? Not only do the insurance companies make huge profits, but their CEOs make outlandish salaries, while 28 million Americans have no health insurance at all, and others have very high deductibles. In 2015, Aetna's CEO

made \$17.2 million in compensation. Now, Aetna, like every other insurance company, spends half their life trying to tell people they are not covered for what they thought they were covered, but they do manage to find \$17 million in salary compensation for their CEO. CIGNA's CEO made \$17.3 million in compensation. UnitedHealth Group's CEO made \$14.5 million in compensation. Anthem/Wellpoint's CEO made \$13.6 million. Humana's CEO made \$10.3 million. Is the function of healthcare in America to make CEOs of insurance companies outlandishly wealthy, or is it to provide healthcare to all people?

It is not just the insurance companies. If you ask people in my State of Vermont what their major concern is—and I think they would say the same in Iowa and probably any State in America—they would say: I am sick and tired of being ripped off by the drug companies. I go into my pharmacy, have a medicine I have been using for 10 years, and suddenly the price has doubled, tripled, for no particular reason other than the pharmaceutical industry could get away with it.

We are the only major country on Earth not to control the prices of the pharmaceutical industry. The result is—and this is an outrage, and it speaks to everything that should be discussed but which is not being discussed in the Republican bill—is that today, one out of five patients under the age of 65 who gets a prescription from their doctor is unable to afford that prescription. How crazy is that? What kind of dysfunctional healthcare system allows somebody to go to a doctor because they are sick, the doctor writes a prescription, and one out of five Americans can't even afford to fill that prescription. What happens to that person? Well, the likelihood is they get even sicker, and then they end up in the emergency room at outrageous costs or, maybe even worse, they end up in the hospital. How crazy is that?

I have not heard one word—not one word—from our Republicans about addressing the absurdity of Americans paying by far the highest prices in the world for prescription drugs. I have a chart over here that just deals with half a dozen drugs, but we can list many, many more.

Lantus, a diabetes drug, costs \$186 in the United States. Diabetes is a very serious problem. Lantus costs \$186 in the United States and \$47 in France. It is the same drug.

This is a healthcare reform debate. I have yet to hear one Republican raise that issue, but I think the people in Iowa and the people in Vermont want us to raise that issue.

Crestor, a popular drug for high cholesterol, costs \$86 in the United States and \$29 in Japan.

Advair, which is used to treat asthma—another very serious problem—

costs \$155 in our country and \$38 in Germany.

The list goes on and on and on. That is why millions of people, by the way, are now buying their medicine in Canada and other countries, because they are sick and tired of being ripped off by the pharmaceutical industry—an industry that spends billions of dollars over a period of time on lobbyists here and campaign contributions.

You might think—just might—that when we deal with healthcare reform, one Republican—just one—might stand up and say: Well, you know, maybe we might want to stand with the elderly and the sick in this country and not just with the pharmaceutical industry. I have not heard one Republican in this debate talk about that issue.

To give an example of the greed of the pharmaceutical industry—and I can go on and on. They are the greediest, maybe with the exception of Wall Street. It is hard to determine which one of these institutions is more greedy, but the pharmaceutical industry certainly can make a claim for being the greediest industry in this country. Out in California a few months ago, there was an effort to lower the cost of prescription drugs in their State. It is called proposition 61. The big drug companies spent \$131 million to defeat that ballot initiative—\$131 million to defeat a ballot initiative in California that would have lowered the cost of prescription drugs. And all over this country, the American people cannot afford the medicine they need, but the drug companies had \$131 million to spend just on one initiative.

Meanwhile, while the American people are getting sicker and sicker and sometimes dying because they cannot afford the medications they need, I have received—and I think every Member of the Senate has received—communications from oncologists, people who are dealing with patients who have cancer, who are saying: My patients cannot afford the high cost of cancer medicine. And it is not just cancer, of course.

While the American people are getting ripped off by the drug companies, in 2015 the five largest drug companies in America made over \$50 billion in profits—five companies, \$50 billion in profits. Yet one-fifth of the American people cannot afford to buy the prescriptions they need. How outrageous is that? And my Republican colleagues are telling us they are dealing with healthcare reform without mentioning one word about the high cost of prescription drugs. Give me a break. You are dealing with many things, but you are not dealing with healthcare reform.

Again, it is not just the pharmaceutical companies that are making huge profits; we are seeing executives from these large drug companies making outrageous compensation. In fact, in 2015, the top 10 pharmaceutical in-

dustry CEOs made \$327 million in total compensation. Elderly people walking to the drugstore can't afford the prescription drugs they need, and yet CEOs of major drug companies are making \$327 million in total compensation.

Former CEO of Gilead, John Martin, became a billionaire because his drug company charged \$1,000 a pill for Sovaldi, a hepatitis C drug that costs \$1 to manufacture and can be bought in India today for just \$4. In this country, it sold for \$1,000 a pill, and he became a billionaire as a result of it. That is a healthcare system out of control.

I know it is a radical idea here in the Senate, but maybe—just maybe—we might want to represent the American people and not the CEOs of the drug companies and the insurance companies.

Some of my Republican colleagues have been spending the last few days using words like “freedom,” “choice,” and “opportunity” to try to convince the American people about their abysmal healthcare legislation. This is the same language that rightwing ideologues, like the billionaire Koch brothers, use when they try to discredit government programs and move to privatize them. What the Koch brothers mean by “freedom” is their own freedom. And by the way, they are the second wealthiest family in America, worth some \$80 billion. What they mean by “freedom” is their own freedom to profit off the misery of ordinary Americans who rely on a wide variety of government programs that make life bearable and, in some cases, even possible.

I want to say a word about freedom. This is a 203-foot yacht. This is a yacht owned by a billionaire that costs about \$90 million to purchase. Like everybody else, I think, in this Chamber, I think the American people—every American should have the freedom to purchase this \$90 million yacht, and I would urge all Americans to go on the internet, find out where the yacht stores are—wherever they sell yachts—and go out there and say: Hey, I got the freedom to buy this \$90 million yacht. We all believe in that. You got the money; you buy it.

Here is a picture of a home, and this home is worth tens and tens of millions of dollars. It looks to me like it has 30 or 40 or 50 rooms, probably 5, 10 bathrooms. It is a very nice house, and it is owned by a billionaire.

You know, I think every American who wants to own a home worth tens and tens of millions of dollars, go to your local Realtor. You go out and you buy that home.

What we are talking about today in terms of freedom is not freedom to buy a yacht or freedom to buy a mansion; we are talking about the freedom to stay alive, the freedom to be able to go to the doctor when you are sick, the

freedom not to go bankrupt if you end up in the hospital with a serious disease.

So when my Republican friends talk about freedom of choice, fine, we all agree: You got the money, you go out and buy any big house you want or buy any big yacht you want. But where there is a serious disagreement is, we say that the children of this country who have serious illnesses have the freedom to stay alive even if their parents do not have a lot of money; that older people who are now in nursing homes should have the freedom to get dignified care in a nursing home even if they have Alzheimer's and even if they don't have a lot of money. Healthcare is not another commodity. Healthcare is not a mansion. Healthcare is not a yacht. Healthcare is whether we stay alive or whether we don't, whether we ease our suffering or whether we don't. And I believe—unlike, unfortunately, many of my Republicans—that right to get healthcare when you need it is something every American should be able to get.

Here in the Senate, we have good health insurance. Over the last 10 years, a number of Senators have had serious illnesses, and they have gotten some of the best care in the world. If it is good for the Senate, it is good for every American. Healthcare must be a right of all people, not a privilege. Quality care must be available to all, not just the wealthy.

Senator DAINES is going to come down here in a while to offer a Medicare-for-all proposal. Again, I hope this is a breakthrough. I hope our Republican colleagues understand that we have to join the rest of the industrialized world. And if Senator DAINES comes down here and is prepared to vote for that legislation, prepared to get his other Republican Senators prepared to vote for that legislation, my God, we can win this vote overwhelmingly and move this country in a very different direction.

But I have a feeling that is not what Senator DAINES has in mind. I think this is another joke, another game, another sham as part of a horrendous overall process. So I will not be supporting that amendment, unless Senator DAINES and Republicans vote for it as well. But this I will do: Whether in this debate—and I hope I have the opportunity—or in the very near future, I will offer a Medicare-for-all, single-payer program which finally has the United States doing what every other major country on Earth does—guarantee healthcare to every man, woman, and child in a cost-effective way. And when we do that and when we eliminate the need for families to spend \$15 or \$20,000 a year for health insurance, we will save the average middle-class family substantial sums of money.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Kansas.

Mr. MORAN. Madam President, I come to speak about healthcare, and I begin by paying tribute to our colleague from Arizona, Senator MCCAIN, on his return earlier this week. I wish him the very best as he begins a process of cure, treatment, and a bright future in his life. I appreciate the remarks he indicated that were so heartfelt to his colleagues here in the Senate. We welcome him back and thank him for his service to the Senate, to the people of Arizona, to the people of America, but I also thank him most especially for his service in the U.S. military.

Another great hero in my life and in our country's history is my predecessor in the Senate, Senator Bob Dole, who earlier this week celebrated his 94th birthday. Service to Kansans and all Americans exemplify Bob Dole's life. While I admire him for his time in the Senate, I respect him even more so for his service to our country during World War II and for his efforts ever since then to care for those who have come into harm's way as a result of their service. I often see him at the World War II Memorial when there is an Honor Flight from Kansas or across the country, and he is such a role model for so many people.

Again, I admire him for his commitment to other veterans and to making certain that veterans receive the care and the gratitude that they deserve.

Madam President, one of the most important ways we can demonstrate that we honor those who served our country is by making certain that we live up to our commitment—the commitment that was made to them—to provide the benefits that they deserve, including access to timely and quality healthcare. Unfortunately, today, we find ourselves in another crisis moment in regard to veterans' healthcare and, in particular, the Veterans Choice Program, which was designated to provide access to veterans who were in danger of an inability to access that care because the VA did not provide the service, could not provide it in a timely manner, or the service was so far from where the veteran lived that he was unable to obtain that service because of distance.

So, in 2014, this Congress passed and the President then signed what has been labeled the Choice Act. It came about in the wake of a scandal, particularly in Phoenix but across the country, in which we saw fake waiting lists and the belief that there were veterans who died as a result of not obtaining the care that they were entitled to in the VA system.

The Choice Program has helped thousands of veterans across the country, especially those in rural communities, where distance remains a problem. I have heard from many veterans in my State as to how important the Choice Program is to them. Instead of driving

for 4 hours to see a physician at the VA, they can drive 4 minutes to see a physician in their hometowns.

This Choice Program is set to expire on August 7 of this year. Just a few days from now, it is scheduled to come to an end. At the start of 2017, the VA estimated that there would be more than \$1 billion remaining in the Choice account that the VA told us would last until January 2018. Rather than letting those funds expire, I joined Senator MCCAIN, Senator ISAKSON, Senator TESTER, and others in a Choice extension bill to remove that August 7 deadline and sunset the program until the funds expired, which, as I said, was believed to be in January of 2018.

The President signed that bill on April 19, but less than 6 weeks later, we learned from the VA that the VA had made unfortunate miscalculations. As a result of poor budgeting and finance, the dollars for the Choice Program are not going to last until January and are soon to expire, just within the next few days. Demand for the Choice Program is up 30 or 40 percent, and it is clear by that increase in demand that veterans need Choice, that they like Choice, that it is working for them, and we now owe it to those veterans to make certain that the Choice Program continues and that the funds are available to accomplish that goal.

With Choice, the funds that they had anticipated would last until January now will run out sometime in August—we think in the next couple of weeks. Those depleted funds will mean that Kansas veterans and veterans across the country who have been using the Choice Program will no longer be able to, and it means that those who could use the Choice Program into the future will be without that option. We run the real risk—the likelihood is almost a certainty—that the Choice Program will be discontinued in a matter of days.

I chair the Appropriations Subcommittee that funds the Department of Veterans Affairs, and when I learned of the budget miscalculations, we immediately contacted the Secretary of the Department to get his understanding of the circumstance that we were in. We only learned of the shortfall after we learned that veterans at home were being denied access to the Choice Program. The Secretary had made a decision to reduce those veterans who are eligible. We asked him to withdraw that guidance to his regional officers across the country, and he did. However, when the Secretary then testified before our subcommittee, the subcommittee on Military Construction, Veterans Affairs, and Related Agencies, we learned that new guidance had been issued because of the fear of depleting those dollars. It again limited the access of veterans to the Choice Program.

We now hear of veterans who are forced to drive hours to get appointments at VA facilities when, just 2 weeks ago, they were receiving that care in their hometowns and in their neighborhoods—nearby opportunities that no longer exist.

Dr. Shulkin of the VA recognized that their projections and budgeting were off and must be fixed. I hope that turns out to be the result and that we have a better ability at the Department of Veterans Affairs to make the calculations necessary for Congress and the Department to make wise decisions. The system has to be fixed, and it has to be fixed quickly. There is an immediate crisis.

One of the things that now happens as a result of reduced use of Choice is that the networks that were created to support Choice—the third-party administrators of the Choice Program—because of a lack of volume, are no longer financially viable to stay in the business of being the network to connect the VA, the private sector, and the veterans in a way that cares for those veterans, gets them their appointments, and establishes the payment process by which the provider—the physician or the hospital—is paid.

This is not just a circumstance in which the third-party administrators can leave the business and return if we get our work done here and the VA Choice Program is defunded. Those networks will disappear, and we will not be able to easily restart the Choice Program, so if we do not make a fix shortly—today, tomorrow, by the weekend—and pass legislation in a timely fashion, it is not as if we can come back in September and say: OK. Let's appropriate the money now, and Choice can restart.

It will not happen. Choice will be gone.

There are big consequences at play for the future of community care. The funding crisis and the inability to sustain Choice risk shutting down—shuttering—the entire networks, and it will diminish the faith that veterans and our providers were slowly beginning to have in the Choice Program.

Early in the Choice Program, many veterans were discouraged because of the bureaucracy and paperwork associated with Choice. Providers then were not often paid in a timely fashion, and they became discouraged by the program. In recent months, that confidence in the program had returned as veterans were beginning to get their care at home, and providers were being paid for the services that they provided veterans. Now, if the third-party administrators—the network—go away, we will send one more message to veterans and to those who wish to serve them—the healthcare community—that the program is not a viable or a valuable one.

Fortunately, both the House and Senate have been working to fix this

situation. Since June, my colleagues on the Senate Veterans' Affairs Committee have joined me in working to find a solution that protects access to community care for veterans. The Choice Program is funded by mandatory spending. We have also been working with the House as they have tried to develop a solution that maintains Choice and that is fiscally responsible.

There has been a lot of back and forth, a lot of conversation, a lot of talk, and a lot of negotiations going on, and I support the efforts of our chairmen and ranking members of the Veterans' Affairs Committees, both in the House and Senate, who are trying to work on an agreement to come together for our Nation's veterans. I would hope and I expect that a bill will come from the House yet this week.

My point to my colleagues here today is that we do not have the luxury of then trying to figure out something different to do than what the House sends us. We need to have our plan in place, and we need to have something that can pass both the House and Senate in the next 2 days. I want to motivate my colleagues to do what is right for veterans and set aside the differences that have prevented the necessary cooperation to see that we have one bill that can pass both the House and Senate and save Choice.

I stood here in 2014 to implore my colleagues to support the passage of the Choice Act in the first place, and I stand here again today to implore my colleagues to come together and support the passage of this critical funding for the continuation of the Choice Program and community care for veterans. I am here to make certain that we end the delays and find a way to understand the differences and accept that we must act quickly on behalf of veterans. It has to happen immediately. We owe our veterans better than what we have been providing them.

I am, once again, partnering with the Senator whom I honored in my opening comments—Senator MCCAIN—and others to introduce legislation that will put funds back into the Choice Program and make sure that our veterans do not experience a lapse of care at home or a termination of the program.

We are working hard with our colleagues across the aisle and in the House to determine the future of this program and what community care will look like. While we work to create that system that will serve future generations of veterans for years to come—how we make Choice better—we cannot allow the program to expire at this critical point in time. Taking care of veterans must be a priority above any one specific “ask” or “must have” in the funding. Not acting is not an option.

Upon his return to the Senate, Senator MCCAIN's words remind us of the importance of this task and many oth-

ers before us. I am honored to work with him on this effort to save Choice and to serve our veterans. I ask my colleagues to help us save this important program that benefits rural and urban veterans, that makes care more timely, that provides care in the circumstances in which the VA does not have the capabilities, either in a timely or a quality fashion, to provide the services to veterans.

This does not diminish the role or necessity of the Department of Veterans Affairs or their hospitals and clinics across the country. Veterans continue to use VA hospitals, and they continue to use our outpatient clinics, but we ought not allow for the elimination of the third opportunity for veterans' care—the Choice Program—that serves so many veterans in so many communities.

Again, I thank Senator MCCAIN for his leadership and his bipartisan work that originally created this program—this opportunity—with Senator SANDERS.

We seek bipartisanship to put veterans first and to put their healthcare access above everything else. I am urging my colleagues today to know that this issue exists, not to walk away from it, to make certain that we accomplish our goals, and that this critical funding be provided before we depart for the weekend.

Preserving this important benefit honors our heroes—Senator Dole, Senator MCCAIN, and the thousands of Americans who did not ask about whether it was Republicans who served the country or Democrats who served the country. They are those who believe that having served their country is what motivated them to see that their families were safe and secure and to see that America had a bright future. We ought not deny them that kind of service today.

Madam President, I thank you for the opportunity to address the Senate.

THE PRESIDING OFFICER. The Senator from Arizona.

WOUNDED OFFICERS RECOVERY ACT OF 2017

Mr. FLAKE. Madam President, I come to the floor to pass the Wounded Officers Recovery Act. This legislation comes after last month's terrible shooting at the Republican practice for the annual Congressional Baseball Game.

As many of you already know, U.S. Capitol Police DPD Special Agents Crystal Griner and David Bailey were both wounded in the line of duty as they successfully fought off and subdued the gunman. I witnessed firsthand the unbelievable bravery and heroism of the Capitol Police on that morning. It is not at all an exaggeration to say that, if not for their actions, I probably would not be here today.

I and my colleagues certainly have a special place in our hearts for them and an appreciation for what they did on that fateful morning. It is a privilege to be able to help them out now. They had our backs, and now we need to have theirs.

This bill amends the policies of the United States Capitol Police Memorial Fund to expand eligibility to include any U.S. Capitol Police employee who has been injured in the line of duty. This will enable Special Agents Griner and Bailey to access funds raised for victims of the congressional baseball practice shooting.

Previously, the fund only allowed donated funds to be given to the families of officers killed in the line of duty. I am hopeful all of my colleagues will agree that this issue should rise above any partisan wrangling.

Special Agents Crystal Griner and David Bailey have our gratitude, and we ought to be able to help them. I am grateful for their sacrifice. I hope we can speak with one voice in support of the brave men and women of the Capitol Police and pass this bill without delay.

I wish to thank the cosponsors here in the Senate, including Senator PAUL, Senator DONNELLY, Senator MURPHY, and all of those who played in the congressional baseball game, also, in the House, the managers of the Republican and the Democratic teams respectively, Joe Martin and MIKE DOYLE.

The congressional baseball game is one of the best institutions in Congress, one of the most bipartisan institutions. We are able to raise a lot of money for needy causes as well as the Capitol Police. We want to make sure a lot of the money that was raised this year—a portion of that money—can go to these deserving individuals who helped us out in a very real way and saved our lives.

Madam President, I ask unanimous consent that the Committee on Rules be discharged from further consideration of H.R. 3298 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3298) to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

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

Mr. FLAKE. Madam President, I ask unanimous consent that the Flake amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 409) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wounded Officers Recovery Act of 2017”.

SEC. 2. PAYMENTS FROM UNITED STATES CAPITOL POLICE MEMORIAL FUND FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.

(a) AUTHORIZING PAYMENTS FROM FUND.—Section 2 of Public Law 105–223 (2 U.S.C. 1952) is amended—

(1) in the section heading, by inserting “AND CERTAIN OTHER UNITED STATES CAPITOL POLICE EMPLOYEES” before the period at the end;

(2) by striking “Subject to the regulations” and inserting “(a) IN GENERAL.—Except to the extent used or reserved for use under subsection (b) and subject to the regulations”; and

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

“(b) PAYMENTS FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.—In addition to the amounts paid under subsection (a), and in accordance with the regulations issued under section 4(b), amounts in the Fund may be paid to—

“(1) families of employees of the United States Capitol Police who were killed in the line of duty; or

“(2) employees of the United States Capitol Police who have sustained serious line-of-duty injuries.”.

(b) REGULATIONS OF CAPITOL POLICE BOARD.—Section 4 of Public Law 105–223 (2 U.S.C. 1954) is amended—

(1) by striking “The Capitol Police Board” and inserting “(a) IN GENERAL.—The Capitol Police Board”; and

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

“(b) REGULATIONS GOVERNING PAYMENTS FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.—In carrying out subsection (a), the Capitol Police Board shall issue specific regulations governing the use of the Fund for making payments to families of employees of the United States Capitol Police who were killed in the line of duty and employees of the United States Capitol Police who have sustained serious line-of-duty injuries (as authorized under section 2(b)), including regulations—

“(1) establishing the conditions under which the family of an employee or an employee is eligible to receive such a payment;

“(2) providing for the amount, timing, and manner of such payments; and

“(3) ensuring that any such payment is in addition to, and does not otherwise affect, any other form of compensation payable to the family of an employee or the employee, including benefits for workers’ compensation under chapter 81 of title 5, United States Code.”.

(c) TREATMENT OF AMOUNTS RECEIVED IN RESPONSE TO INCIDENT OF JUNE 14, 2017.—The second sentence of section 1 of Public Law 105–223 (2 U.S.C. 1951) is amended by striking “deposit into the Fund” and inserting “deposit into the Fund, including amounts re-

ceived in response to the shooting incident at the practice for the Congressional Baseball Game for Charity on June 14, 2017.”.

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

The bill was read the third time.

The bill (H.R. 3298), as amended, was passed.

AMERICAN HEALTH CARE ACT OF 2017—Continued

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I want all my colleagues and everyone listening right now to be very clear about what Republican leadership is planning for today. Faced with defeat after defeat on their plans to rip apart our healthcare system—“no” on a bill that would spike families’ premiums, gut Medicaid, and deny 22 million people healthcare; “no” on a bill that would cause chaos and healthcare costs to skyrocket and deny 32 million people healthcare—it appears the Republican leader has a last-ditch plan waiting in the wings.

As soon as they have an official score from the CBO—which could be hours from now—in the dead of night, Senator MCCONNELL will bring forward legislation that Democrats, patients, families, and even many Senate Republicans have not seen, and try to pass it before anyone can so much as blink.

Now, we have heard rumors about what could be in this bill, and based on what we know, Democrats took it upon ourselves to do the best we could to figure out what its impact will be. The CBO scored our best guess at what Republicans are talking about doing, and here is what they found: Sixteen million people will lose their healthcare coverage in the next 10 years under this bill; premiums will increase by 20 percent every single year for the next 10 years; your premiums will increase 20 percent every single year in the next 10 years, all while special interests in the healthcare industry are going to get a massive tax break.

Republicans could still play games with the language as they negotiate in secret somewhere to try to get a bit “better” than this, but no matter what they do here, if they jam it through, they will be held accountable for the millions of people who lose care and the millions and millions more who will see their premiums go up.

I hope, when my Senate Republican colleagues began their process, they were not planning to pass a bill in the dark of night to deny millions of people healthcare and hand special interests billions in tax breaks, but, right now, that is the path they are careening down—even as more and more people are speaking up about what the impact of this legislation would have.

In fact, just yesterday, a bipartisan group of 10 Governors wrote a letter

urging Senate Republicans to reject this secret bill, saying it would—I am quoting 10 bipartisan Governors—“accelerate health plans leaving the individual market, increase premiums, and result in fewer Americans having access to coverage.”

I hope every single Senate Republican read that letter.

I also hope they understand that if they pass this bill tonight, it will only get worse from here. If this secret bill—the lowest common denominator—goes through and a conference starts with the House, then every Senate Republican who voted for it has just bought TrumpCare a trip to the White House. The Senate Republicans who so loudly made clear they hated the TrumpCare bill when it passed the House could now very well find themselves being held responsible for sending that same bill straight to President Trump’s desk because, let’s be honest, extreme conservatives aren’t going to rest until they have a bill on the way to the White House that would spike premiums and out-of-pocket costs, gut protections for preexisting conditions, end Medicaid as we know it, defund Planned Parenthood, and kick tens of millions of people off their coverage—a bill that would, in other words, shatter the promises of more responsible Republicans who I know are deeply concerned about ways these outcomes would impact the people they serve.

So, to put it simply, a bill in conference is no excuse to kick people off coverage, spike premiums by 20 percent for everyone, and give a massive tax break to the wealthy, especially because it will simply be an opportunity to hand the keys over to the House Freedom Caucus.

I want to remind any Senate Republican who doesn’t want to have TrumpCare on their hands—who truly does want to make our healthcare system work better for patients and families—there is a better path. As Senator McCain said so powerfully earlier this week, we shouldn’t let the “bombastic loudmouths” drive our work. We should get back to regular order, and we still can.

I am saying to every Senate Republican every chance I get: Drop this partisan, sham floor process. Drop it. Start over with an open, transparent process in which both sides, patients, and families across the country have a voice.

I hope that as big as our differences are, many of my Republican colleagues would prefer that bipartisan voice and route. They have said as much. Their votes to reject the partisan TrumpCare and full repeal bills this week made it even clearer.

So let’s have hearings like Chairman ALEXANDER has proposed to do in our HELP Committee. Let’s have a public debate. Let’s focus on policies that lower costs, that expand coverage, and improve quality.

Democrats are ready. We are at the table. I hope Senate Republicans who are ready to work on real solutions will join us, but, first, for that to happen, Senate Republicans need to step away from this sham process we are on today. Say no. Vote no. Return us to a process we are all involved in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

SEPARATION OF POWERS

Mr. SASSE. Madam President, in the fall of 2015, when I first spoke on the Senate floor, I gave Nebraskans and every Member of this body my word that I would speak up when a Republican President exceeded his or her powers. At that moment, the Democratic President had taken to himself powers the Constitution had not given him. My opposition was not that President Obama was a Democrat but rather that our brilliant Constitution intentionally separates executive and legislative powers.

I gave my promise then because, despite the lazy, partisan rhetoric of this city, not everything is actually a blood feud between Republicans and Democrats. That is because American politics at its best is acutely aware of the difference between justice and strength. That is because when our body is working well in the Senate, we take seriously our history, our duties, and our unique place in the Constitution’s architecture of separate powers, both vertically and horizontally.

In 2014, the U.S. Supreme Court ruled that the Obama administration had made unconstitutional appointments when it declared this body to be in recess when the U.S. Senate was not, in fact, in recess, and it functionally claimed power—that is, the administration functionally claimed power—that belonged to the Senate under our Constitution.

So today I have come to the floor to keep my promise and to offer a word of humble advice to the President. If you are thinking of making a recess appointment to push out the Attorney General, forget about it. The Presidency isn’t a bull and this country isn’t a china shop. Mr. President, you are a public servant, in a system of limited government, with a duty to uphold and to defend and to teach to our kids the Constitution’s system of checks and balances. This—is this is the world’s greatest experiment in self-government. It works only if all of us—Presidents, Senators, Republicans, Democrats, Independents, and judges—if we all keep our faith to the American institutions and to the rule of law.

Our oath is not to popularity, it is not to polls, and it is not to political parties. Our oath is to the Constitution and to the rule of law. Our duty is to the American people—the men and women who elected us, the men and women who came before us, and espe-

cially the men and women who will come after us in this greatest of experiments in self-government.

Madam President, with respect to the healthcare debate that we are having in this body, while I obviously look forward to taking seriously and considering any and all amendments offered by my colleagues, both Republicans and Democrats, the basic trajectory of where we are in healthcare has not changed. We should all be disappointed by where we are.

Here is what I mean. It is very likely that in the coming decade, basic math is going to force Americans and those who will serve them in this and other institutions of government—they are going to be forced to choose between two paths. This isn’t that hard to see. We are ultimately going to choose between single-payer, socialized medicine—something I think is terrible policy, but it is intellectually coherent—or we are going to actively build the innovative, disruptive system of consumer-based health insurance that actually goes with consumers and patients and Americans and taxpayers across job and geographic change. We are ultimately going to make a choice.

Sadly, this has been a missed opportunity. We are not making the big choice now. We are making a choice between a couple of small options. We have forks in front of us that are, I think, dissatisfying to everyone. I have one constituent at home, who also happens to be my wife, who when she checks in on the processes of Washington, she regularly says: Both of your political parties are so gross. She is dissatisfied, like so many of the constituents who call us and come to our offices, with the fact that we are not debating the real stuff around here. We are making a choice between two small, pretty crappy options, when really the big choice that is in front of us—when we have health entitlements which dwarf everything else on the Federal budget—the two choices before us aren’t really that hard to see. We are ultimately going to migrate toward a European-style single-payer system, where government will be more effective at controlling costs, but it will do it by crowding out lots and lots of the private sector. We are either going to have single-payer healthcare or eventually we will create a system where you have portable, affordable insurance.

We have none of those things today. We have no portability today. You can’t take your insurance policy with you across job and geographic change. When I change jobs, I don’t lose my life insurance. I don’t have to cancel my car insurance because I changed jobs. But we are still living on a system that launders our insurance, which is really mostly the collectivized prepayment of mostly predictable medical expenses. We launder it through a tax accident

from the 1940s. So you have to do that through your large employer group. You can't do it in the small market or as an individual. So we don't have portability, and we all know we need portability.

We did this 30 years ago in pensions. We used to also launder through a tax accident where, when people were presumed to work at one firm through their whole career, they had a defined benefit pension plan. It worked when you worked at the same place from high school graduation to retirement. It doesn't work when the average duration at a job for Americans is now under 4 years. So we did the hard work of reforming a pension system from a defined benefit to a defined contribution, tax-protected, portable 401(k) plan.

Obviously, we all know that if we are not going to end up in socialized medicine, we should have portability in our health insurance benefits. We should have farmers and ranchers in the Presiding Officer's State or in my State able to keep their insurance that they usually have to buy through the individual market, or we need the gig economy mobile workers who are going to change jobs even faster than every 4 years to not become uninsured for 4 to 6 months every fourth year when they change jobs. That is actually the No. 1 driver of uninsurance in America today.

To listen to pundits screaming on TV, you would think that somehow there are so many sicker or so many poorer Americans and that is why we have had arcing uninsurance since 1990. But that is not true. We don't have more poor people and we don't have more sick people. Uninsurance went up from 1990 to 2009 because people change jobs more rapidly, and every 4 years when they change jobs, if they have a 4- to 6-month period of uninsurance, that is when they get the breast cancer diagnosis, or probabilistically that might be when they get in the car accident, and now they become the pre-existing condition population of 5 and 10 and 15 years from today.

This isn't rocket science. Uninsurance has grown in America over the last 25 years because we change jobs more and we have a stupid, clunky system from 60 years ago that we still launder through a tax accident. We should have portability. We should have affordability. We should have a real debate in this body about why so many—and by the way, I have been critical of my party for not having a good plan for replace. But I will say to those on the other side of the aisle, the "Affordable Care Act" is an absurdly Orwellian name for a piece of legislation that those who were in this body and voted for 7 years ago told the American people—you all did a press conference at the White House, and you said premiums would fall \$2,500 per

family of four. They have risen \$3,200 on average per family of four. So your plus or minus sign was off to the tune of \$5,700 per American family.

In my State and in the Presiding Officer's State, we now have a lot of farming families in counties where there is only one insurer, where premiums are now north of \$20,000 a year for the insurance market.

Stop pretending this is in any way affordable.

What we have is a system where the assumption is that because the system is so broken, the only way anybody could ever get health financing—and supposedly, health financing is the means to getting access to the health delivery system—is that everybody needs to be on welfare. That doesn't work.

We should have a robust social welfare safety net for the poorest and sickest among us, and we all in this body should be accountable for passing a piece of legislation that delivers a system where lower middle-class and middle-class and upper middle-class Americans can afford their own health insurance. Not everybody in America needs to be on welfare, and not everybody in America wants to be on welfare.

So our system is not affordable, it is not portable, and fundamentally it is not really insurance.

We have a system that is mostly about the collectivized prepayment of all medical expenses. We don't do this in any other sector of the economy. Think how absurd it would be for us to pass a law in this body mandating that Allstate and State Farm have to buy all your gas and schedule all your Jiffy Lube appointments. That is what we are trying to do in healthcare. Guess what. We can guess what it would look like. Jiffy Lube would be open at the wrong hours; it would be at the wrong locations; we wouldn't know what services they deliver; there wouldn't be quality metrics on any of it; and it would probably grow at 2 to 2½ times inflationary or GDP growth—just like healthcare.

We are trying to hyper-regulate and micromanage all of the largest sector of the U.S. economy from here by pretending we are talking about insurance, when we are not. What this body and what the Congress and what Washington, DC, have wanted to do for years is run every decision in healthcare but not tell the American people the truth—that it turns out it is really expensive.

Nobody comes to the floor and advocates—maybe BERNIE does. Maybe Senator SANDERS comes to the floor and actually honestly advocates for raising taxes to the level of all the micromanagement of the health sector that people in this body want to do. But what most people want to do—and it isn't just your side of the aisle; it turns out it might be a lot of people on my

side of the aisle as well—they would like to have so much control over the healthcare sector but not admit how expensive it is, that we will do it by regulations on the financing model so you can hide it under the word "insurance." Most of what is happening in American healthcare isn't insurance. Insurance is insulating people from catastrophic loss from non-behaviorally-driven, unpredictable events.

Everybody in this body wants every American to have health insurance, and everybody in this body should also want a health delivery system where the average American family living on middle-class wages could afford to buy their healthcare without potentially going broke or needing to become a ward of the State in the form of welfare. We should be having that debate. We should have a debate about portable insurance, about affordable insurance, versus socialized medicine. I am against socialized medicine, but people who want to advocate for it have an intellectually coherent position. That is the debate we should be having. Instead, we are going to kick the can down the road and have another small-ball debate. This is a lost opportunity for the American people, and it kind of makes a sham of the joke that this is the greatest deliberative body on the face of the Earth.

I live in a little farm town in Nebraska. There are 10 not-for-profit boards in my town that deliberate a heck of a lot better than we deliberate in this body. We can and should do better.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, the first three words of our Constitution are "We the People." Indeed, our entire system was set up to be a government which produces results of, by, and for the people, but certainly right now, that is not what we are getting.

We are getting a secret plan which has not yet been put on this floor, with a promise that there will be a debate in the middle of the night—no chance for committee hearings on it, no chance to consult with experts, no chance for us to go home and talk to our constituents. This is about as far away from a deliberative democratic republic as you can possibly get.

It makes us think of 1787, when Ben Franklin came out of the Constitutional Convention and was stopped by someone in the crowd and asked: What do we have—a monarchy or a republic?

He answered: A republic, if you can keep it.

Well, we are not keeping it right now through this secret, middle-of-the-night, non-consultative process. We are disgracing the notion that our Founders fought for the "we the people" Republic.

This is something which touches so many Americans. We are not talking

about the weight limit on a highway. We are not talking about what kinds of signs to post. We are talking about fundamental access to healthcare.

If the rumors are right, my colleagues plan to bring forward a bill that will blow up insurance on the exchange for millions of Americans.

An insurance pool is a little bit like a swimming pool. You tear a hole in the side of a swimming pool, the water drains out and there are only a few inches left, and the only people who would bother to go into that depleted swimming pool would be those who really, really want to swim. It is the same with the healthcare pool. The bill coming out tonight, we are told, will rip a big hole in the side of the insurance pool, and it will do so in a fashion that only those who have preexisting conditions, only those who are sick, only those who are old, will truly try to get that insurance. This means the price will be driven up, and many of them can't afford it, so they will drop out. So it means the pool will have even more people who are sick and older. This is the death spiral.

My colleagues today are planning to put forward a bill tonight, we are told, that creates a death spiral insurance. Who pays the price? Who pays the price? Our Nation pays the price with an estimated 16 million people who would lose insurance. We are talking about those who have every desire to have the peace of mind that if their loved one gets sick, they will get the care they need. We are talking about Americans who have every desire to know that if their loved one gets injured, they won't end up bankrupt. But all of that is at risk tonight.

A few moments ago, my colleague from Nebraska came to the floor, and he started out by saying we need to ensure that the President doesn't overstep his powers. Let's talk, too, about this Senate not destroying its procedures designed to ensure a "we the people" republic, which means we should all vote to send whatever bill comes out tonight to committee, where it can be duly considered in a bipartisan fashion, with experts, with consultation. In fact, my colleague from Arizona, who came back and gave a dramatic and beautiful speech just 2 days ago, said it should be considered by committee.

Let's work together to take whatever plan comes out tonight and put it where it needs to be—in committee for due deliberation. This issue touches too many lives. It is too core to the quality of life of our fellow Americans. Let's not allow any bill to pass out of this Chamber that would do so much destruction.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from New Mexico.

Mr. UDALL. Mr. President, the Senate is now in its third day of voting on

major healthcare legislation, and we still have no idea exactly what the Republican leadership wants or what bill they are going to put on the floor. The Republican leadership tosses out options, bills that would affect the lives of millions of Americans and one-sixth of our economy. Not even Republicans know what proposal is coming next, and the American public certainly doesn't know what is coming, and they are very interested because they have healthcare and they want to know if it is going to be taken away from them.

It is as if the Republicans are playing healthcare roulette. The leader spins the roulette wheel, the ball lands arbitrarily on some version of the ACA repeal, and the leader quickly calls a quick vote on that random version of ACA repeal.

Soon we are going to vote on a cynical amendment from the Republicans offering Medicare for all. My understanding is the Senator offering this isn't even going to support his own amendment. If you were in a State legislature, you would be prohibited from offering an amendment like that. They oppose this Medicare-for-all amendment. They oppose Medicare for all. So why are they seeking a vote? To distract from their own dangerous bills and reckless process. It is a desperate ploy, and everyone sees through it. I support healthcare for all. It should be a right in this Nation. But this is a phony and insincere amendment.

All the while, the President stands to the side, not caring one whit what the bill looks like or how many people will be hurt in the rush to get a bill out the Senate door.

On Tuesday, we voted on the leadership's Better Care Reconciliation Act 2.0. That would cut 22 million Americans off healthcare. It also has been rejected overwhelmingly by Americans.

Yesterday, we voted on straight ACA repeal, not replacement. That bill would throw 32 million Americans off of healthcare. That idea is no more popular than the other bills.

Today, maybe we will vote on a last-ditch version which would repeal parts of ObamaCare, the so-called skinny repeal option. That bill is no better. It would mean 16 million Americans get thrown off healthcare, and the other very important part of this is that it would raise premiums 20 percent. We have heard our friend from Nebraska come down here on the floor and talk about their concern about healthcare and concern about the cost of premiums. They ought to know that this proposal is going to raise premiums 20 percent.

This bill is the Republicans' last hope. It takes away the individual mandate to get health insurance and the employer mandate to provide health insurance to employees. Like the other schemes the Republicans have tried, it would hike premiums for the elderly and for the sick.

Blue Cross Blue Shield is opposed to this proposal. They say "strong incentives for people to obtain health insurance and keep it year round"—that is what they are looking for, that is what is in current law, and we have the Republicans wanting to take it out.

There must be Affordable Care Act cost-sharing provisions for consumers. Otherwise, there will be—and this is Blue Cross Blue Shield again—"steep premium increases and diminished choices that would make coverage unaffordable and inaccessible."

Like the other schemes, this won't ensure that more Americans will have healthcare; it means many fewer will. It doesn't decrease healthcare costs; it increases healthcare costs. Even worse, there have been no committee hearings, no public input on this or any of the other versions of ACA repeal the Republican roulette ball has landed on.

To give you a sample of the public feeling on this issue—I am seeing it across New Mexico—my office has received 14,500 calls, emails, and letters rejecting the Republican plans. It is an unprecedented number from the small State of New Mexico.

I agree with Senator MCCAIN. We must go back to regular order. We must stop this gamesmanship. We need to work together on a solution to improve the Affordable Care Act by bringing down costs, making it easier for small businesses to provide healthcare, and especially making prescription drugs more affordable—but not by denying New Mexico families and millions more access to quality healthcare.

The Republicans are playing with people's lives. Making sure severely disabled children have healthcare through Medicaid is not a game; neither is kicking elderly grandparents out of their Medicaid-funded nursing homes or enabling women to get breast and cervical cancer screenings from Planned Parenthood.

It is hard to keep up with the Republican versions 2.0, 3.0, 4.5, 5.0 of the Affordable Care Act repeal. Every bill is consistent in cutting care for millions of Americans.

The Republicans keep proposing so-called healthcare bills that are not actual healthcare bills. The real healthcare bill would protect gains made, cover more people, and make health insurance more affordable. The Republican bills do none of these things. Their bills reverse the gains, cover millions fewer people, and make health insurance less affordable, especially for those most vulnerable.

The American people want everyone to have affordable healthcare. That must be our goal. Republicans and Democrats should be working hard right now to get us to that national goal.

I have shared the stories of New Mexicans who have lives that have

been changed, and even saved, because of the Affordable Care Act—New Mexicans like Mike, from Placitas. Mike had an aggressive cancer but was diagnosed early, thanks to the Affordable Care Act, and doctors saved his life. Alexis, from Albuquerque, had a stroke and brain surgeries when she was 28. She had affordable health insurance under the ACA, and those subsidies helped her keep health insurance and get healthcare coverage. Elena was able to afford a lifesaving mastectomy because of Medicaid expansion. These are real people who are now jeopardized by the Republican bills and Republican proposals.

There are thousands more across New Mexico and millions across the country who are crying out for the Republican majority to change this reckless and dangerous scheme.

I yield the floor.

My colleague from New Mexico, Senator HEINRICH, is here. He has been a real champion in terms of fighting for working families and for their healthcare.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

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

Mr. HEINRICH. Mr. President, for over 7 years, Republicans in Washington have cheered shortcomings in our healthcare system and blamed the Affordable Care Act for every problem under the premise that they would do so much better if just put in charge.

Repealing the law made for great bumper stickers and great campaign promises, but the trouble is that their opposition to the ACA has always been more about politics than it ever was about actual policy or, for that matter, plans to do better for the American people.

The shockingly rushed and secretive effort on display this week in the Senate is only further evidence that President Trump and Republicans in Congress don't have any real solutions to improve our Nation's healthcare system. After months of negotiations behind closed doors, when Senate Republicans released their secret TrumpCare bill, its contents proved too harmful for passage, even among themselves. Stuck without a path forward, their latest idea is to pass a small backroom deal before sundown today—which no one has seen yet—and then go to conference with the tea party and the Freedom Caucus in the House of Representatives.

While we still don't know what we will be voting on, we know that the so-called skinny repeal bill would mean higher premiums and millions of Americans losing their healthcare coverage, not to mention deep cuts that would dismantle the Medicaid Program as it

currently exists and throw millions of Americans off their healthcare coverage and put our entire healthcare system into chaos—all to give a massive tax break to the wealthiest among us. That is awful policy any way you look at it.

Since January, I have heard from literally thousands of New Mexicans who have told me how important their healthcare coverage is to them and their families. What answers do President Trump and Republicans in Congress have for the grandmother in Santa Fe who wonders where she will go when her nursing home closes because of Medicaid cuts or the woman in Albuquerque who wrote to me about how scared she is about losing access to mental healthcare for her depression and anxiety? What are they going to tell the single mother in Rio Rancho who relies on Medicaid to cover her children's medical costs or the young man in Espanola who needs treatment to get clean from opioid addiction? These New Mexicans and millions of other Americans will be harmed if this bill becomes law.

I am not outraged about all of this because I am a Democrat or because of what I think of President Trump. I am outraged about this bill because of what it will do to my constituents in New Mexico. I will do everything I can to oppose this appalling legislation and this appalling process and fight to keep quality healthcare accessible and affordable for New Mexicans.

If we can halt this mad rush, we can all work—Republicans and Democrats—to get to the things that we agree need fixing in our system. There is much work to be done there, no doubt about it.

As Senator MCCAIN told us all Tuesday: "We have been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle."

There is a better way forward. We can come together and work on the things that we know need to be fixed in the ACA. People's lives hang in the balance. There are real bipartisan solutions if we can get back to regular order.

I want to thank my colleague from New Mexico for his incredible leadership in this debate and say how hard we are going to work to make sure that we keep fighting for our constituents in New Mexico on this healthcare legislation.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I am aware that the time is at an end. I ask unanimous consent for 7 additional minutes.

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

Mr. BENNET. Mr. President, I thank my colleagues from New Mexico, my neighbors, for being here.

I thank the Presiding Officer for his statement. As usual, he is pointing the Senate in a direction that we should be headed.

Whether people in my State support the Affordable Care Act or whether they don't, they are dissatisfied with the way our healthcare system works. The Affordable Care Act—or ObamaCare or whatever you want to call it—is just part of our healthcare system. We have Medicare. We have Medicaid. We have hospitals. We have doctors. We have nurses. It all adds up, in America in the 21st century, to a system that is really hard on people and makes it very hard for them to predict their future. It creates situations where they have to make choices that no other people in the industrialized world have to make, about raising their family, about staying in a job—as the Presiding Officer was talking about—that they might not want to stay in for fear they would lose their health insurance.

I thought the Presiding Officer made an excellent point when he said that you don't lose your car insurance when you leave your place of business for another job. Why should you lose your health insurance? Why should you? Why should you have to put up with things in this country that nobody else in the industrialized world has to put up with?

It may be that the debate we are going to have is as binary as the Presiding Officer was saying. Maybe it is a debate about single payer versus what he described as more consumer based. Maybe there is something in between. America has a way of trying to figure those kinds of things out—or at least we have historically.

My colleague from Oregon earlier quoted the famous line, which somebody yelled out to Ben Franklin: What kind of government are you creating, a monarchy or republic? That was the question.

His answer was, as the Senator of Oregon said: "A republic, if you can keep it"—if you can keep it.

The Founders had extraordinary vision, and they were creating something that had never existed before in the history of humankind—never existed. You could make an argument about a couple of small principalities or places in Switzerland, and there would be some argument about ancient Rome, but, really, this exercise in self-government had sprung from their imagination and their desire as human beings to govern themselves, to slough off the monarchy that ruled them and ruled others in Europe.

What Ben Franklin said was so important and so wise because he didn't say: "A republic." He said: "A republic, if you can keep it."

When they wrote the Constitution, they were creating a mechanism for the American people to resolve their

disputes. They were not creating a republic where they believed that everyone would agree with each other. They had vast disagreements. They had disagreements far greater than the ones we have. They had geographic disagreements. They had disagreements about big States and little States. They had disagreements about slavery.

They were able to come together and create a mechanism to resolve our differences. They didn't believe, as some people seem to on talk radio every day, that if you don't agree with the other person that you must be a Communist or you must be some rightwinger. That is not what they believed.

They believed there was a public purpose, that there was public virtue that underlay the work they were trying to do and that we would be able to persist in this Republic only if we kept it—if we kept it.

That is how self-government works. It is not a king telling you what to do. It is not the generation of the Founders telling you what to do. It is doing what you need to do, as the Presiding Officer said, for the sake of people who did their jobs before us but, more importantly, as he said, for the people who are coming after us. Seeing from this perspective, this process is a disgrace. This is why we have a 9-percent approval rating in the U.S. Senate—what has been referred to in past generations as the greatest deliberative body in the world. Those words are spoken mockingly today.

The people I represent, and the people the Presiding Officer represents, are paying a price for this. It has been a long time since I have been in the majority—I am sad to say, but it is true—but there was a time when I would preside, as the Presiding Officer is doing today. A reporter asked me once: What do you think about when you are up there? As JOHN MCCAIN said the other day: We aren't doing anything here. He is right. We are not.

So the reporter said: What are you thinking about?

Do you know what I told him? I said: What I think about is, What is China doing right now, while Democrats and Republicans here had their fight that has nothing to do with the people whom we represent?

We know what China is doing right now. While we don't even have the decency to maintain the assets and infrastructure, the roads and bridges that our parents and grandparents had the decency to build for us—starting on this floor—they are building trains, not just in China but all over Asia, to bind them together in an economic union to come after the United States. What is China doing?

What I deeply regret about this debate is that the end product, whether we pass this bill or if we don't, is not going to improve healthcare for the people I represent. Again, my starting

point is that there are people who like the Affordable Care Act and there are people who don't like the Affordable Care Act, but everybody is deeply dissatisfied, as they should be, with the way our healthcare system works. What we should do is abandon this process and, instead, go to committee. Chairman ALEXANDER—he is a Republican—is perfectly capable of running a bipartisan process that could lead us to a place where we actually are making things better for people who live on the Eastern Plains of Colorado, on the Front Range of Colorado, or on the Western Slope of Colorado, who may be Republicans and Democrats, but for whom healthcare is not political. It is about their family and about their future. That is what we should be keeping in mind, instead of just the next election around here. Everybody has lamented that.

I am running out of time, but I remember when the majority leader was not the majority leader. He is a smart person. He came here and said: "Major legislation is now routinely drafted, not in committee, but in the Majority Leader's conference room and then dropped on the floor with little or no opportunity for members to participate in the amendment process, virtually guaranteeing a fight."

That is what he said. I am telling those of you with whom I was in town-hall meetings 7 years ago, when people were saying: Read the bill, read the bill. The tea party was at the height, bringing pocket Constitutions to my meetings, telling me to be faithful to that process. I say that we should be saying that right now: Be faithful to that constitutional process.

He knew the process wasn't working as it should. What he said was this:

When Democrats couldn't convince any of us—

That is, Republicans—

that [the Affordable Care Act] was worth supporting as written, they decided to do it on their own and pass it on a party line vote.

He continued:

It may very well have been the case that on ObamaCare, the will of the country was not to pass the bill at all. That's what I would have concluded if Republicans couldn't get a single Democrat vote for legislation of this magnitude, I'd have thought, maybe this isn't a great idea.

So I say to the Republicans and Democrats who are here today, maybe it isn't a great idea because they can't even get the Republican votes. They haven't gotten one Democratic vote. They haven't gotten the Republican votes to repeal and replace, even though they have run on this for 8 years. They had to bring the Vice President here to cast the deciding vote because we were tied. What a shame for the Senate not to do its work and to rely on the executive branch to come here and supply that vote.

Every single person in this body knows the President of the United States has no idea or interest in what is in this legislation. Every single person here knows that. So why are we doing it? We are doing it, I guess, to fulfill a campaign promise to repeal ObamaCare. I can understand why there is pressure for people to do that, because they said that over and over, even though I disagree with their characterization of the bill.

I disagree with the facts they presented. I understand that impulse, but I don't understand the impulse of writing a bill in secret—listen to this folks—not having a single committee hearing—not one committee hearing in the Senate. Talk about "read the bill." How about having a bill that is written down on paper so we can read it? Where are my brethren in the tea party who wanted to read the other bill? There was a bill then. There had been a bill for a year and a half.

There is no bill. There is no bill because what they are trying to do is to figure out what they can eke out across the line here. They are calling it a skinny repeal. I don't even know how that satisfies the laugh test, when it comes to the campaign promises that were made around here, but that is not my issue. But we should just stop. We are at 9 percent. This bill, I think, the last time I checked, had a 15-percent approval rating. Don't pass that. We have wasted 6 months—not of our time but of the American people's time. I have people all over the State of Colorado who would love to come here and testify at a committee hearing about how healthcare is intersecting with their lives and making their lives difficult or how they are benefiting from certain things. I would love for them to have a chance to come here and testify, but we haven't set up that process. We should. We should stop this.

The American people would be relieved if we would stop this partisanship to get together and work on the committee as we should do and pass something on the floor. What we have forgotten about the Affordable Care Act—even though it didn't have Republican votes, and it should have—is that it had almost 200 Republican amendments adopted as part of the process. I agree with what the majority leader said then. If the process is lousy, the outcome of the bill is likely to be lousy. An important point he made is that it is unlikely to reflect the will of the American people, and when it doesn't, what it is going to mean is that we are just going to continue to seesaw from one election to the next election and we are not going to get a result.

I am willing to settle for 80 percent of what I want, or 70 percent of what I want—I am. I don't think that is an unvirtuous position to have. All these

people here are talking all the time about the principle they are standing on. When you scratch at that and look for the content of the idea underneath that principle, there is very seldom anything there. They are often repeating something they heard last night on FOX or MSNBC, but it wouldn't be recognizable to the Founders as a principle. For them, a fundamental principle was that you had to unleash the imagination of people with different sets of experiences and different sets of opinions and from different geographic places in order to do the right thing for this country. That is what we should do today.

I realize the indulgence of the Presiding Officer. I thank him for his kindness.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wanted to weigh in on a debate that took place on the floor a couple of hours ago—actually, when I was presiding in the chair—between the majority leader and the minority leader on what we are going to be doing here in the next couple of days on the Senate floor.

So right now we are having a healthcare debate. We are finally having a healthcare debate. Many Members on both sides of the aisle—I say to the Presiding Officer, I saw your speech a few hours ago—are talking about the importance of healthcare for our country, the importance of, from our perspective, repealing, replacing, repairing a healthcare system that is not working. It is certainly not working the way in which it was promised to Americans. I will not repeat all the promises made by the former President and many Senators, but we know those haven't come to pass.

As a matter of fact, a number of us—I certainly believe in my State, the State of Alaska, the so-called Affordable Care Act has done a lot more damage than good. Here are just a few statistics in Alaska: Premiums in the individual market went up over 200 percent since the enactment of the Affordable Care Act—200 percent. Alaskans in that market—individual Alaskans, for one health insurance plan for one individual, pay almost \$1,100 a month in premiums for healthcare. That is not affordable.

So we are debating it. It is important. There is an open amendment process. We are probably going to be debating all night, and that is what we should be doing—the world's greatest deliberative body debating a very important topic, but healthcare is not the only issue the Senate is focused on.

NDAA

As a matter of fact, a number of us on the Armed Services Committee, over the last several weeks, have been working on and debating and bringing

amendments to the National Defense Authorization Act, the yearly act that authorizes funding and training and equipment and policy for our military and young men and women who serve in our military. It is one of the most important things we do in the Senate, by far. So we have been doing that as well as healthcare, which is also extremely important.

Three weeks ago, after a lot of debate in committee, after a lot of hard work, debate between Republicans and Democrats, the draft NDAA of 2017, the National Defense Authorization Act—focused on our national security, focused on our troops—passed out of the Armed Services Committee 27 to 0, a very bipartisan bill, a very important bill, and a very important bill for the country to move on after the healthcare debate.

So the majority leader and the chairman of the Armed Services Committee had a very simple request of the minority leader this morning when I was in the chair presiding, and the request was: Once we are done for now—because it is going to continue with the healthcare debate, we will not be done for a long time—once we complete the business we are undertaking for the next several hours on the healthcare debate, that we move forward to debate and pass the NDAA of 2017. It is a pretty simple request, a very reasonable request.

This bill, like healthcare, is extremely important for the Nation, for our troops, for national security. On a personal note, it is particularly important for one of our Members, the chairman of the Senate Armed Services Committee, Senator MCCAIN of Arizona. We all know him. Americans know him. He has been a mentor to many of us, a leader, certainly an American hero who has sacrificed immeasurably for our country. In another of a series of heroic acts by the Senator from Arizona, he returned to the Senate this week after announcing that he is fighting brain cancer. Now, Senator MCCAIN is a fighter. He is going to win this fight, but he is going back to Arizona very soon for treatment.

So many of us—but especially the chairman of the Senate Armed Services Committee who did more than anyone to move that bill forward in such a bipartisan way—want to take up the NDAA after the healthcare debate. It is pretty simple, pretty reasonable, and really good for the country: finish the healthcare debate for now with this open amendment process that we are beginning already on the floor, then turn to the NDAA after and debate that. It is good for our troops, good for our national security, and it would show a lot of respect to the chairman of the committee who has done more for his country and more to advance this important bill than anyone else.

I hope all of my colleagues—this shouldn't be a partisan issue—can

agree to this, but unfortunately we are hearing rumors that the other side is saying: Unless we vote against any healthcare bill to continue to move forward, unless we vote against it to move forward, then they are not going to take up the NDAA. Now, does that make any sense? We are going to debate healthcare. That is really important, but now we are hearing the other side saying: If they don't get their way in the debate, then forget about it. We are not going to take up the bill that authorizes the training and equipping and the policies of the U.S. military. Does that make any sense?

The answer to everybody—everybody in the Senate Chamber, anyone watching on TV—it makes no sense. These are not connected. These are not connected issues.

Is playing politics with our troops, tying it to another bill, any way to advance the national security and the welfare of the men and women serving in our military? The answer is no.

Unfortunately, we have seen this movie before. Some might remember last summer, right around this time, we were working hard on appropriations bills. The Appropriations Committee voted different appropriations bills out of committee, as they are supposed to do, and they voted the Defense appropriations bill out of committee with an overwhelming bipartisan vote.

So what did we do? We brought it to the floor to debate it and try to pass it—funding for the troops. That bill was filibustered six times by my colleagues on the other side of the aisle, six times. Go home and explain that vote, why you filibustered spending for our troops—when they are in combat, by the way—six different times. I came down to this floor numerous times asking somebody, anybody on the other side to come down to the floor and explain why they were filibustering spending for our troops on a bill that passed out of the Appropriations Committee with overwhelming bipartisan support.

I am going to ask the same question. The NDAA came out of the Armed Services Committee 27 to 0. If the minority leader is going to filibuster that, he should come down and explain it. If he is really saying we will only take up the NDAA if we get our way on the healthcare debate we are having right now, he should come down and explain that because it makes no sense. It makes no sense, particularly because we all know that right now we are seeing very significant national security threats to our country. Pick up the paper—Iran, Russia, China, and in particular North Korea.

There was a report in the paper just the other day—yesterday, front page of the Washington Post—saying it is now estimated that North Korea is going to have an intercontinental ballistic nuclear missile likely by next year that

could range not only my great State of Alaska but the rest of the continental United States. These are serious national security threats. One of the provisions in the NDAA that had bipartisan support was to significantly enhance our country's missile defense. Is that important? Given the North Korean threats that are at our doorstep, do you think the American people care about that? It is important. It is important, as are the hundreds of other bipartisan provisions in the NDAA that will enhance our national security, authorize funding for our military forces, increase the numbers in our military end strength—and again very bipartisan.

Mr. President, you and I have the honor of serving on the Armed Services Committee. It is a great committee. It is very bipartisan. We get a lot of work done, led again by a great U.S. Senator, JOHN MCCAIN. It is an honor to serve there.

I believe right now the Senate is trying to reach a unanimous consent agreement that as soon as we are done with healthcare, we will then take up this critically important bill. As the chairman wants, as he has requested, and as our military needs, we should do that. This is not a hard decision by Democrats or Republicans. I hope we can do that.

I encourage all my colleagues on both sides of the aisle, whatever your plans are in the next couple of days, we will get through this healthcare debate—very important for the country—and then let's get through the NDAA debate and pass that bill as well. What we shouldn't be doing is playing politics with our military or somehow tying moving forward on an important piece of legislation for them to another issue that has nothing whatsoever to do with it. We shouldn't be doing that, and if we are, shame on those who are.

So let's move forward, let's have this healthcare debate, and when it is completed, let's immediately move to the NDAA and pass that. It is a bipartisan bill. It is going to help our Nation, help our troops, enhance our national security in dangerous times. There is no reason anyone should block moving forward on that important piece of legislation as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Montana.

AMENDMENT NO. 340, AS MODIFIED

Mr. DAINES. Mr. President, I have listened to some of my colleagues from across the aisle decry our desire to repeal and replace ObamaCare. Yes, I do want to repeal and replace ObamaCare.

Why? Why are we doing this?

Repealing and replacing ObamaCare is a means to an end. This is what I have heard from so many Montanans. Here is the end, and I will sum it up into three items: No. 1, to lower costs; No. 2, to ensure that we save Med-

icaid—protect Medicaid—for the most vulnerable in our society; and, No. 3, to ensure that we protect those with pre-existing conditions.

Some of my friends across the aisle want to see more government control of families' healthcare decisions—in fact, a complete government takeover. I believe that we need less government control, not more government control. Their gold standard for healthcare reform is really socialized medicine. It is called various things. Some call it government-run healthcare. Some call it single-payer healthcare. Some call it Medicare for all. But, in essence, it is socialized medicine.

The amendment that I am putting forward today is cut-and-pasted text. It is the exact, precise language. It is a carbon copy—down to every last comma and period—of Representative JOHN CONYERS' bill, who is the Representative from Michigan, which has 115 Democratic cosponsors as I speak. It is an impressive 60 percent of the Democratic caucus in the U.S. House that supports and, in fact, has cosponsored this very bill—this very amendment—that I am putting on the floor here today.

In addition to the 115 House Members, who on the Senate side supports this bill? Well, moveon.org has circulated a petition in support of the Conyers' bill, and the bill has been endorsed by hundreds and hundreds of labor groups, medical groups, political groups, and civic organizations.

Let me be clear. I believe that socialized medicine would be a disaster for the American people. Last November, the American people voted to make America great again, not to make America like England again. Yet I believe that Montanans and the American people deserve to see us debate different ideas right here on the Senate floor. This is referred to as the greatest deliberative body in the world. Well, let's deliberate, including the leading idea coming from the other side of the aisle, which is why I have offered this amendment.

Mr. ROBERTS. Will the Senator yield for a question?

Mr. DAINES. Yes, Mr. Chairman.

Mr. ROBERTS. Mr. President, I am sorry that I did not catch all of the Senator's remarks, but I think he said that this is a vote on a bill that was introduced in the House.

How many cosponsors are on this bill? Is this a legitimate effort here?

Mr. DAINES. For those who are watching and observing, it is H.R. 676. There are 115 Democratic cosponsors on that bill as we speak.

Mr. ROBERTS. So this is a legitimate bill that is up. Well, it is not up for consideration now in the House.

Is this the Conyers' bill?

Mr. DAINES. It is the Conyers' bill. I did not write this amendment—this bill—that I am offering. We cut and

pasted the precise text and are bringing it over here and offering it today.

Mr. ROBERTS. Is there at least a preamble to this bill or just an opening of a couple of paragraphs or something? Would the Senator describe it?

Mr. DAINES. Mr. Chairman, in preparing this and in reading this bill, for those who want to see the heart and soul—the vision—of the Democrats, they can be found in this first paragraph of the bill. In fact, I will read it. "The bill establishes the Medicare-for-all program to provide all individuals residing in the United States free healthcare."

It goes on to say a couple of paragraphs later: "Health insurers may not sell health insurance that duplicates the benefits provided under this bill."

If that is not a complete takeover of the healthcare system from the government, then you tell me what is.

Mr. ROBERTS. And that is in the bill?

Mr. DAINES. It is in the opening paragraphs of the bill, the preamble part.

Mr. ROBERTS. Well, I think we have a very honest choice. There has been a lot of talk about single payer. There was a lot of talk about it early on in the debate about ObamaCare. I recall in observations made by President Obama that this was the first step toward single payer. I understand that—well, I know that the former Secretary of Health and Human Services, Kathleen Sebelius, had the same plan, that ObamaCare was the first step toward single payer. All you are doing is just saying, OK, if that is the goal, bring it to a vote.

Mr. DAINES. Thank you, Mr. Chairman. I agree with you. That is what I am planning to do today.

I ask unanimous consent for an additional 6 minutes of debate equally divided between the managers or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DAINES. As the chairman, the Senator from Kansas, just mentioned, I believe that Montanans and the American people deserve to see us debate different ideas. That is why I brought this amendment to the floor today.

Earlier today, a couple of hours ago, my colleague from Vermont, Senator BERNIE SANDERS, was on the Senate floor suggesting that my amendment is intended to embarrass Democrats.

Senator SANDERS, my amendment shouldn't embarrass anyone. I am trying to show the American people—bring it out here in full light—who is supportive of socialized medicine and who is not. If you are supportive of that, why be embarrassed?

The Senator from Vermont announced that he wouldn't support the amendment unless I voted for the amendment myself. But let me be

clear. I don't support socialized medicine. Senator SANDERS does. It is time to fish or to cut bait. Why are Senators on the other side of the aisle running for the hills when they now have the chance to vote on the gold standard bill their party supports?

Senator SANDERS and the Democrats who support Representative CONYERS' bill shouldn't be dependent on my support. Senator SANDERS said he would vote for it if I voted for it. Guess what. Tell the American people what you think. I think we should vote no on this. What say you?

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be equally divided.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SANDERS. Mr. President, this is an exciting day. After years and years, some of my Republican colleagues have begun to understand that we cannot continue a dysfunctional healthcare system which allows 28 million Americans to have no health insurance, which forces us to pay the highest prices in the world, by far, for healthcare and even higher prices—outrageously high prices—for prescription drugs.

I understand that Senator DAINES has offered a Medicare-for-all, single-payer system, and I congratulate him. It sounds to me as though the Republicans are beginning to catch on about the need to transform our healthcare system and join the rest of the industrialized world.

So I say to Senator DAINES, if he is prepared to vote for this legislation and if he can get maybe five, six more Republicans to vote for this legislation, I think we can win it, and I think the United States can join the rest of the industrialized world and finally guarantee healthcare to all people.

So if Senator DAINES and five or six other Republicans vote for this, count me in. And we are going to work together, finally, to provide healthcare to all people. But if Senator DAINES is just playing a political trick—I ask unanimous consent for 30 more seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SANDERS. Mr. President, if Senator DAINES is just playing a political trick and does not intend to vote for this legislation or have any other Republican vote for it, I would suggest that every Member in the Senate vote present on this bill.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 340, as modified.

Mr. THUNE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Ms. BALDWIN (when her name was called). Present.

Mr. BENNET (when his name was called). Present.

Mr. BLUMENTHAL (when his name was called). Present.

Mr. BOOKER (when his name was called). Present.

Mr. BROWN (when his name was called). Present.

Ms. CANTWELL (when her name was called). Present.

Mr. CARDIN (when his name was called). Present.

Mr. CARPER (when his name was called). Present.

Mr. CASEY (when his name was called). Present.

Mr. COONS (when his name was called). Present.

Ms. CORTEZ MASTO (when her name was called). Present.

Ms. DUCKWORTH (when her name was called). Present.

Mr. DURBIN (when his name was called). Present.

Mrs. FEINSTEIN (when her name was called). Present.

Mr. FRANKEN (when his name was called). Present.

Mrs. GILLIBRAND (when her name was called). Present.

Ms. HARRIS (when her name was called). Present.

Ms. HASSAN (when her name was called). Present.

Mr. HEINRICH (when his name was called). Present.

Ms. HIRONO (when her name was called). Present.

Mr. KAIN (when his name was called). Present.

Ms. KLOBUCHAR (when her name was called). Present.

Mr. LEAHY (when his name was called). Present.

Mr. MARKEY (when his name was called). Present.

Mrs. MCCASKILL (when her name was called). Present.

Mr. MENENDEZ (when his name was called). Present.

Mr. MERKLEY (when his name was called). Present.

Mr. MURPHY (when his name was called). Present.

Mrs. MURRAY (when her name was called). Present.

Mr. NELSON (when his name was called). Present.

Mr. PETERS (when his name was called). Present.

Mr. REED (when his name was called). Present.

Mr. SANDERS (when his name was called). Present.

Mr. SCHATZ (when his name was called). Present.

Mr. SCHUMER (when his name was called). Present.

Mrs. SHAHEEN (when her name was called). Present.

Ms. STABENOW (when her name was called). Present.

Mr. UDALL (when his name was called). Present.

Mr. VAN HOLLEN (when his name was called). Present.

Mr. WARNER (when his name was called). Present.

Ms. WARREN (when her name was called). Present.

Mr. WHITEHOUSE (when his name was called). Present.

Mr. WYDEN (when his name was called). Present.

The PRESIDING OFFICER (Mr. CASSIDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 0, nays 57, as follows:

[Rollcall Vote No. 173 Leg.]

NAYS—57

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	King	Sullivan
Cruz	Lankford	Tester
Daines	Lee	Thune
Donnelly	Manchin	Tillis
Enzi	McCain	Toomey
Ernst	McConnell	Wicker
Fischer	Moran	Young

ANSWERED "PRESENT"—43

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Udall
Casey	Markey	Van Hollen
Coons	McCaskill	Warner
Cortez Masto	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

The amendment (No. 340), as modified, was rejected.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 389 TO AMENDMENT NO. 267 (Purpose: To provide for premium assistance for low-income individuals.)

Mr. ENZI. Mr. President, I call up amendment No. 389.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. STRANGE, proposes an amendment numbered 389 to amendment No. 267.

Mr. ENZI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of July 26, 2017, under "Text of Amendments.")

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

The majority whip.

Mr. CORNYN. Mr. President, this week we are about the business of keeping our promises. For 7 years, we have promised to help the millions of Americans who have been let down, not to mention deceived, by the promises of ObamaCare. It is absolutely critical that we fulfill our commitments.

This is not just about moving past the failures of ObamaCare but laying the groundwork for providing Americans access to better care. We said all along that we have four principles:

One is to help stabilize the insurance markets so people living in Iowa, for example, would make sure they have a place where they can actually buy health insurance.

It is about getting premiums lower by eliminating the mandates and making it possible for people to choose alternatives that happen to suit their needs at a price they can afford.

Third, we said we are going to continue to do everything in our power to protect people with preexisting conditions so they are not afraid about changing jobs and being excluded from their new employer's insurance coverage because of something we have done here. We protect people against the preexisting conditions exclusion.

Fourth, what we said we want to do is to take Medicaid, an essential safety net healthcare program, and make sure we put it on a sustainable path. I know there are some in Washington, DC, who think we can just continue to spend borrowed money endlessly. Well, we can't. It really jeopardizes the very viability of some of our most essential safety net programs like Social Security, Medicare, and, yes, Medicaid in this instance.

What we have done, and what we intend to do, working with our colleagues in the House, is to put Medicaid on a sustainable path while we grow the expenditures to Medicaid each year, over a 10-year period, by \$71 billion.

So those who say we are somehow gutting Medicaid or we are cutting Medicaid, I think, they simply have to deal with those facts. I haven't heard a satisfactory explanation for how you can conclude that somehow we are gutting Medicaid or cutting it when we are actually making it sustainable in the long run.

Throughout this process, what I have learned is, Senators have a lot of different ideas. Everybody has come to the table to try to help make this better. I would say, unfortunately, our

Democratic colleagues have chosen not to participate in the process. This would be a lot easier—and the product we come up with would be a lot more durable over the long haul—if, in fact, Democrats would work with us.

The fact is, in this amendment process we are engaged in, and will be engaged in this evening, any Senator, Democrat or Republican, majority, minority party Member, can offer an amendment and get a vote on it. So I don't really understand why our Democratic colleagues are sitting on their hands and will not participate in the process.

I fear what they want is to change nothing about the structure of ObamaCare, notwithstanding the failed experiment of the last 7 years. Then what they want to do is come back and throw money at the insurance companies under these cost-sharing risk pools. We are willing to do what we need to do to stabilize the insurance market, but I am not going to vote for an insurance company bailout without reform.

Leader MCCONNELL reiterated yesterday that our constituents are counting on us. I can tell you, the 28 million Texans I have the great privilege of representing are counting on me and Senator CRUZ to do our part to come up with a solution. The Texan whose premiums have tripled and lost his doctor is counting on us. The ER employee who witnessed the emergency room busting at the seams with Medicaid patients—people who ostensibly have coverage under Medicaid but who can't find a doctor who will accept a new Medicaid patient so they end up going to the emergency room—is counting on us. The small business owner who was forced to fire employees to avoid a \$100,000 fine, that person is counting on us too. The young woman coming out of nursing school who was forced to change her plan three times, only to end up with a plan with coverage options she didn't want, at a price she could barely afford, she is counting on us too.

My constituents in Texas and Americans across the country are counting on us. They are sick and tired of the bickering and the lack of productivity here in Washington, DC, and I don't blame them one bit. They are counting on us to free them from some of ObamaCare's mandates that force them to make very tough economic decisions, like the 28 million people under ObamaCare who either pay a fine—about 6.5 million of them—or, the rest, who claim hardship exemptions so they don't have to buy insurance. But in Texas alone, there are more than 400,000 Texans who earn less than \$25,000 a year who can't afford to buy the insurance. So they pay the fine to the government. So their government fines them for not buying a product they can't afford.

So now is the time to deliver some relief to our constituents. They are counting on us to keep the deeply personal choice of healthcare plans and doctors in their hands and not the Federal Government's. So it is time to deliver, and my goal is to make sure we find a solution and get it to the President's desk.

One of the most offensive parts of the Affordable Care Act—or we should have called it the un-Affordable Care Act, since premiums have gone up 105 percent since 2013 alone—is that people who were told a family of four would see a reduction of \$2,500 a year in their premiums have seen their premiums go up by more than \$3,000. There are a lot of stories—I am sure even here in this room, in this Chamber—where people simply have seen their premiums go up, up, and up along with their deductibles, basically denying them the benefit of their insurance. But the individual mandate is a prime example of government getting in the way of individual freedom and the right to choose.

The so-called individual mandate—we really should call this the penalty that government imposes on its citizens for failing to purchase a product they don't want and, in some cases, don't even need—forces them to do so at a cost that was crippling and continues to be crippling for many individuals and families.

Here is a shocking statistic. An estimated 8 million Americans pay the fine associated with this mandate each year. Eight million Americans are penalized by their own government, forced to pay a fine that could be used on coverage that might actually suit their needs. If ObamaCare would make it possible that the market could prosper and insurance companies offered a variety of products at different prices that people could choose from, maybe some of these folks could take the money they are paying their own government as a penalty and actually buy insurance coverage.

Then there is the employer mandate. This is one of the most pernicious of the mandates. I remember sitting with a friend of mine, who happens to own a small architectural firm in San Antonio, back when ObamaCare passed, and I explained to him: If you have more than 50 employees, then you are going to have to buy or provide ObamaCare-compliant healthcare for your employees.

He said: Well, I may have to lay off some people because we have 54 employees. So I am going to have to fire at least four of them to get below that 50-person threshold so I can avoid the fine and the insurance that I can't afford to provide for my employees.

So this has literally been a job-killing employer mandate. This is not some benign or innocuous requirement. This has been one of the reasons why

the economy has been so anemic even since the great recession of 2008, and this is the reason why so many people feel like the economy has not really recovered, because it hasn't provided them job opportunities and larger wages. So this mandate has stifled business growth, to be sure, especially among small businesses, which are the primary job engine of our economy. Oftentimes jobs were cut in order to avoid bankrupting the business through ObamaCare fines.

So Americans have been forced by their own government, no less—government is supposed to serve the people, not the other way around—to live under mandates, taxes, broken promises, and collapsing markets for too long. So this week is about keeping our promises, demonstrating that we can govern, even, unfortunately, without the assistance of our Democratic colleagues, and paving the way to tackle other important issues, like tax reform, infrastructure construction—things we need to do to keep the economy growing and moving forward.

So we will be hearing more about a possible solution and a way forward, something I call “the freedom to choose” plan, where we free the American people from the destructive impact of this so-called individual mandate, where we free small employers from the employer mandate, letting them hire the employees they need and not having to choose between that and bankruptcy.

And, yes, we are going to push more power out of Washington, DC, and back to the States. I know, based on the public opinion polling I have seen, that people sure trust their States a lot more than they trust Washington, DC, when it comes to healthcare. So we are going to provide the flexibility and tools that the States, the Governors, and the legislators need, as well as the insurance commissioners, to come up with a viable market using resources we are going to provide to them.

It would be better if we could all come together to find a solution to engage in debate—Republicans and Democrats alike—and pass a final product and get it to the President's desk. That is, actually, how the legislature is supposed to function. But unfortunately we are in unusual times, when almost half of the Senate refuses to participate. Actually, they will be actively trying to undermine our efforts to come to the rescue of the people that are hurting as a result of the deception and the failures of ObamaCare. I don't know how you explain that. You certainly can't explain it to constituents like I have. I bet you a dollar that every single one of the Senators here who is trying to blow up this process and undermine the progress we are making has constituents back home who are suffering the same way my constituents are, but they are turning

a deaf ear to them and saying: You know what, politics and party and ideology are more important to me than actually addressing the needs of my constituents. That is what their actions are effectively saying, and it is a shame.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I wish I could stand here today and tell you that the Affordable Care Act, or so-called ObamaCare, had worked. I wish I could sit here and tell you today that the American people were better off as a result of the Affordable Care Act, but I can't do that, and it gives me no joy in having to make that statement.

Now, as you know, Mr. President, not a single Republican voted for the Affordable Care Act. The Affordable Care Act was passed at President Obama's suggestion by the Democratic Members of the House and the Senate. They had a majority, and in this body the majority rules. I don't want to ascribe to the President or to our Democratic friends any ill motives whatsoever. They wanted what was best for the American people. It wasn't a question of bad motives. It was just a bad idea. It didn't work.

Let me say this another way. I believe that President Obama and our colleagues on the Democratic side of the aisle in the Senate and in the House of Representatives passed ObamaCare with the best of intentions. But, you know what, Mr. President—I know you also happen to be a physician—150 years ago, doctors used to bleed their patients with the best of intentions, and they stopped doing that. They did it. They didn't have any bad motives in doing it. They did it because they thought it would help the patient. It killed many of them. So they stopped doing it.

You know we were told when the Affordable Care Act, so-called ObamaCare—I don't mean any disrespect in calling it ObamaCare. President Obama himself refers to it as ObamaCare. When the Democrats in the Congress passed ObamaCare, I remember well what we were told because I wanted to believe it. The President said: If you like your insurance plan, you can keep your insurance plan. I think he meant that at the time. It wasn't true. It turned out not to be true.

The President said: If you like your doctor, you can keep your doctor. I think that is what he wanted, but you couldn't.

He said the Affordable Care Act would “cover every American and cut the cost of a typical family's premium by up to \$2,500 a year.” It is not even close.

President Obama said ObamaCare would “bend the cost curve for healthcare” without adding “one dime

to the deficit.” None of that was true. I think the President meant it at the time. I think he wanted it at the time. I know I did. I know you did, Mr. President. But it just turned out not to be true.

Now, the simple fact of the matter is—and I think every reasonable person has to conclude—that the Affordable Care Act has not worked for the American people.

Let's talk about the exchanges. As you know, Mr. President, there are two parts of the Affordable Care Act. There are the exchanges through which people go and buy insurance directly from an insurance company, and then there is the Medicaid expansion. I want to talk about the exchanges for a moment.

In 2016, under ObamaCare, we started out with 281 insurance companies offering insurance to the American people. That is a good start. The problem is that now we have 141, and they are dropping like flies. In my State of Louisiana we are down to three. A third of all of the counties in America have only one choice—one insurance company that will still write insurance—and many of our counties have zero, none, nada, zilch. They can't get insurance at all. They have been given a bus ticket, but there is no bus.

As for Louisiana, let me talk just for a moment about my State—our State—Mr. President. In Louisiana, premiums have gone up 123 percent on the exchanges since 2013. That is an average of a \$3,600 increase per plan. Nationwide, the average ObamaCare plan now costs 105 percent more than when it started. That is \$3,000 per person. What is particularly incredible to me, Mr. President—you know these statistics better than I do—in Louisiana we have 136,000 people who, rather than buying insurance off the exchanges, have chosen to pay the fine. Let me say that again: 136,000 people in my State have looked at the insurance offered to them, with the subsidies, and have said: We would rather pay the fine. Of that 136,000 who said they would pick the fine instead of the insurance, 84 percent of them make \$50,000 or less, 48 percent of them, or half, make \$25,000 or less. Now, do you know what that tells me? That tells me that 136,000 people in my State, most of whom are too poor to be sick, looked at the Affordable Care Act plan and said: We can't afford it. We would rather pay the fine. We are better off paying the fine. So they are out of pocket the money for the fine, and they still don't have insurance. No reasonable person would call that a success.

Let me give a couple more examples because we talk around here in concepts, and we all know what we are talking about, but average Americans who get up every day and go to work, who obey the law and pay their taxes, who try to do the right things for their

kids and try to save money for retirement do not have time to deal in concepts. They are too busy earning a living. They just want to know: What kind of health insurance do I have, and what is it going to cost? So let me give some examples right now from Louisiana. This is brought to you by the Affordable Care Act.

Let's suppose that I am a 60-year-old, nonsmoking male who is living in Baton Rouge, LA. I am making \$50,000 a year. According to healthcare.gov—I did not make this up—the cheapest and most basic plan available to me would cost me \$689.14 a month, with a \$4,500 deductible, for a grand total of \$9,000 a year—deductibles, my out-of-pocket, plus my premiums. Now, I am 60 years old. I am living in Baton Rouge, LA, where the cost of living is not that high, and I am making \$50,000. The Federal Government has said: We have a great deal for you. Give us \$9,000, and then we might be able to give you some healthcare.

For that \$9,000, what do I get?

Suppose I say: OK. Here is my \$9,000.

I don't know where I am going to find it, as I am only making \$50,000 a year, and, of course, the government is taking some of that for taxes, but I find \$9,000 a year. Do you know what I get? I get four doctor visits, I get two lab tests, and I get nine prescription drugs and additional medical costs for a grand total of \$100. That is not insurance; that is giving somebody a bus ticket without a bus.

All right. Let's suppose that I am a 50-year-old female. I don't smoke. I am living in Lafayette, LA, which is to the west of Baton Rouge. I am making \$50,000 over in Lafayette. The most basic plan in Lafayette—once again, I am 50 years old. So I am not 60 now; I am 50 years old, a female, and I don't smoke. The most basic plan, the cheapest plan I could get would cost me \$450 a month in premiums, with a \$4,800 deductible, for a grand total of \$6,550. So I have to go into my pocket for \$6,550 before I can get any kind of health insurance. That is not health insurance.

I would remind the Presiding Officer, as he is a physician who has been on the frontlines in caring for people in our charity hospital system in Louisiana—and God bless him for that—that the options I describe are the cheap ones. They are the most affordable ones. That is the best-case scenario.

Nobody wanted this. I know President Obama did not want it to turn out this way. I know our friends on the Democratic side did not. They wanted what was best for America. It was not a bad motive; it was just a bad idea.

What do we need? Everybody has his own opinion of that. That is what we are going to try to convince each other of over the next few days as we vote. I will tell you what I think we need. I think that in the healthcare delivery

system, we do not need more government.

I know that some of my friends on the Democratic side think they have the solution, and I respect them for all of the time and care they have put into this. Some of my friends on the Democratic side say they have the solution. Government has failed, they will admit. They do not say it very loudly, but they will privately say: We realize the government has failed with ObamaCare. Our prescription to fix it is more government, so let's go to a single-payer system. Let's have the Federal Government be in charge of everybody's healthcare, and let's let the Federal Government regulate our doctors and our nurses and our hospitals and our health insurance companies and our patients and our lab techs like they were utilities.

I have lived under a system like that. England has a system like that. You can not name me a single G20 country—not one—that has a single-payer system that is working. It is not the answer.

Quickly, because I am running out of time, here is what we need.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY. I will conclude then, Mr. President. I thank him for his time and attention.

America needs a healthcare delivery system and deserves it like somebody designed the dadgum thing on purpose.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, there has been a lot of talk here on the Senate floor about this so-called skinny health package, and if you believe the reports, the skinny health package was going to be written today at the Senate Republican lunch. On the day that the Senate is supposed to vote, the future of American healthcare may have gotten an overhaul between the salad course and the entree.

I would like to talk a little about where things are and really contrast these reports about the skinny health package with the process that brought together the Affordable Care Act.

Our colleague, the Presiding Officer, now serves on the Finance Committee. There were dozens of hearings in the Finance Committee about the Affordable Care Act, and there were dozens of hearings in the HELP Committee. Both committees had markups that lasted longer than a week and incorporated ideas from both sides. I was a pretty junior member of the Finance Committee at that time, and I remember a flock of Republican amendments being added, in the Finance Committee, to the Affordable Care Act. When the bill came to the floor, the Senate debated it for 25 legislative days. It was the second-longest consecutive debate in history.

We are not seeing anything that resembles that today. You have a rush

job. So I am going to try to spend a few minutes talking about what comes out when you have a rush job and about some of the red flags that I think my colleagues might want to think about, particularly some on the other side of the aisle who are thinking about voting for this skinny package.

Any Senator who believes that Medicaid makes it out of the skinny package without taking a hit ought to take a look again. Senator MURRAY and I spent a long time in working with the Congressional Budget Office to, in effect, get them to do some analysis of some of the ideas that are part of a CBO package. What the Congressional Budget Office said—and it is the impartial, nonpartisan umpire—is that under this skinny package that is not supposed to do any harm to Medicaid—and it is on the first page of the CBO report—Medicaid gets hit with a \$220 billion reduction for over a decade under this so-called skinny proposal.

So if you are one of our colleagues on the other side of the aisle who say they really feel strongly about Medicaid and about seniors—Medicaid, we all know, picks up the cost of two out of three nursing home beds, and it covers a wide variety of community-based services.

I have loved to watch the development of those community-based services. We started them in Oregon back in the days when I was the director of the Gray Panthers.

In this so-called skinny budget, according to the Congressional Budget Office, Medicaid would get hit with a \$220 billion reduction. I think my colleagues on the other side of the aisle who are saying "Hey, the skinny package isn't going to have any implications for Medicaid" would want to take a look at it because I think the Congressional Budget Office is saying there really are implications for vulnerable seniors, for kids with special needs, for the disabled, and for all of those Americans who are walking on an economic tightrope every single month in balancing their food costs against their fuel costs and their fuel costs against their health bills.

The numbers on skinny repeal show that 16 million Americans will lose coverage and that premiums are going to jump by 20 percent immediately if it becomes law. Industry experts are saying there is not any way this can work. It just causes too much bedlam and uncertainty. It is like pouring still more gasoline onto the fires of uncertainty in the marketplace. Republican and Democratic Governors have come out against the skinny bill.

By the way, as the ranking Democrat on the Senate Finance Committee—I guess we have 100 percent of the Senators who are here who serve on the Finance Committee. I do not even see Republican Senators making much of an attempt to defend the skinny bill on its merits. In fact, in the halls, many of

them seem to be telling folks, including some folks, I believe, in the press, that they are kind of worried about its becoming law.

There are a few directions for this process to take. It is possible that, if you pass it, the House could just take up the skinny repeal and then they could pass it. My guess is that when people around here think about what that means and what those CBO numbers mean, the premium hikes and the implications for Medicaid, they will look at those CBO numbers and probably get a little heartburn—my Republican colleagues in this Chamber who are thinking about being for this.

The other possibility is that passing the skinny repeal bill leads to a conference. I am telling you that if it heads to conference, a skinny repeal is sort of a gateway drug to TrumpCare. The fact that a conference is going to fix every problem and solve every disagreement is just fantasy. If this gets to conference and if suddenly there is a new Republican replacement plan that everybody likes—that is about as likely to happen as my joining the NBA for the upcoming season.

Let's take an honest look at how the debate has unfolded.

Republicans have had 7 years to come up with a replacement to the Affordable Care Act that they can all agree to. Obviously, that has not worked out. In the Senate, the process flatlined until the majority leader began the shell game that has culminated in today's vote. There were not 50 votes for TrumpCare here in the Senate. There were not 50 votes for repeal. That is why a skinny repeal is the only proposal left on the table. As I indicated, who knows what was done at the Republican lunch today at noon between the salad course and the entree?

Yet let's be clear about what is likely to happen when the House gets involved. The guarantees that Members of this body will get to protect their constituents are out the window—kids with disabilities and older people—say, a baby boomer. My colleague in the chair, who is a skilled physician, understands this. You have a baby boomer who has had a stroke, who is in his late fifties, early sixties, and he is in a nursing home. He is going to really face some challenges in terms of how to be able to afford that care with the kinds of cuts that, on page 1 of the report to Senator MURRAY and me, the CBO has said it believes will take place in Medicaid.

We know these rural hospitals are the economic engine of communities. I have made eight stops on a rural healthcare listening tour in my home State, and what we see is, without rural healthcare, you aren't going to have rural life. It is going to be particularly important because other efforts could conceivably result in seniors between 55 and 64 paying five

times as much as younger people and getting fewer tax credits. Nobody can honestly say that the millions of Americans with preexisting conditions will be shielded from discrimination, and what a step backward that would be.

Before the Presiding Officer was here in this body, 14 Senators—7 Democrats and 7 Republicans—joined me in the 2008, 2009 period. Many of them are still here on both sides of the aisle. Republicans were a part of the effort and Democrats were a part of the effort. We wrote a bipartisan bill that had airtight, loophole-free protection for those who have preexisting conditions. We got it in the Affordable Care Act. All of the Senators who joined on that bill ought to feel pretty good about taking a big step to move America away from healthcare that is just for the healthy and wealthy. Now we are talking about the prospect of policies that will walk that back.

It is my view that the clear choice for my colleagues who don't like the risks in skinny repeal and don't like TrumpCare is to reject the process. It seems to me the surest way to prevent a bill you don't like from becoming law is to vote against it. Quaint idea: Just vote against it.

I want to turn, as well, to another bit of breaking news, which comes from our Parliamentarians who do so much good work, and they have an extraordinarily stressful job. Another key part of the Republican plan has been deemed ineligible in the last few hours to move forward via the partisan approach—reconciliation. The decision pertains to a proposal that lets States undo the consumer protections built into insurance marketplaces under the Affordable Care Act. That proposal will not get fast-track privileges or a 50-vote threshold under reconciliation here on the Senate floor.

Here is what that section of the bill was all about. I wrote a provision—and, again, our group of 14 bipartisan Senators, seven Democrats and seven Republicans, can take credit for this as well—about an issue that the Presiding Officer and I have talked about a number of times: letting the States be the laboratories of democracy, taking the lead on creative health solutions.

So out of our bipartisan bill—14 Senators—we said that we are going to give the States the chance to do better. The States would have the chance to do better. When we did it, we got some flak from all over the political spectrum. But we pushed very hard, and we got it in to the final legislation. It was about providing flexibility to States because so many on both sides of the aisle—my guess is our friend from Pennsylvania, and anyone who is on the Finance Committee, has heard again and again that State officials, business leaders, and others have said: If you just give us the freedom, we can

do better. They don't say: Give us the freedom to let us do worse. They say: Give us the freedom to let us do better.

That is what section 1332 was all about. It said that States could chart their own course on healthcare as long as they were going to do better—better for coverage, better for affordability. They made it clear that if you feel you can do better—if the Louisiana Legislature says: We have ideas for what works for Louisiana, which may not necessarily work for Oregon; give us the freedom to go do our thing—that is in the Affordable Care Act, the freedom to do better.

I would be the last person to tell my friend from Louisiana, a skilled physician who has a great interest in health policy—I would be the last person to say: Hey, I am going to dictate to Louisiana what an approach involving a waiver should be all about. It is quite the opposite. I am prepared to say to Louisiana, to Pennsylvania, to all of our colleagues, if you have ideas that are going to do better by people—better coverage, more affordable—God bless you and your constituents. That is what 1332 is all about.

We said that all we are going to say is we have to have some basic consumer protection here. You can't just get a waiver and go off and do nothing or just spend the money on some pork kind of project; you have to do better by people—better coverage, more affordable coverage, having basic consumer protections. The Senate TrumpCare bill tried to basically throw those consumer protections out the window. States would be able to get waivers to opt out of basic consumer protections—basic, plain, vanilla consumer protection for coverage and affordability. My view was that kind of stuff is a backdoor way to set up junk insurance—junk insurance that wouldn't cover much more than gauze bandages and aromatherapy.

Some people may wonder why this is important today, since the Senate resoundingly voted down the Better Care Reconciliation Act earlier this week.

The answer is that my colleagues on the other side still seem to be trying to shoehorn this scheme for worse coverage—not better coverage—under a waiver into the skinny repeal proposal the Senate is going to vote on in a matter of hours. But the decision has come down. The decision has come down from the Parliamentarian that regulatory changes that gut consumer protection, that was right at the heart of that waiver in the Affordable Care Act, isn't going to fly. And, frankly, I think it calls into question what the Parliamentarian said—it calls into question whether any of these big anti-consumer schemes are going to get 50 votes.

So this is yet more uncertainty ahead if Senate Republicans pass this skinny repeal bill and the debate drags on.

Now, at the risk of boring our wonderful pages and the staff who have heard me on the floor saying this before, there is a bipartisan approach. I think I have shown my bona fides over the years with respect to bipartisanship. I mentioned our universal coverage bill—the first time Republicans, Democrats came together and said that this is something where there is common ground because it is common sense. I have worked with colleagues who are perhaps some of the most conservative Members of the Congress on initiatives to move healthcare forward. That is what I have wanted to dedicate my entire professional service to—bipartisanship in health. Ever since those days with the Oregon Gray Panthers, that is what I always thought was the most important thing because if Senator TOOMEY, the Presiding Officer, all of our colleagues—all the people here—if you don't have your health, then pretty much everything else is uphill. So healthcare has always been the most important issue—an important issue we have to deal with in a bipartisan way.

I have said—which is why I wanted to alert the pages and the professional staff about the prospect of true boredom and just nodding off through the afternoon—that there is an alternative. If Republicans drop the reconciliation, the our-way-or-the-highway approach, colleagues on this side have said that they want to work on a bipartisan basis. It doesn't take rocket science to figure out what that needs to be.

The first thing that Democrats and Republicans would do is stabilize the private insurance market—the first thing. Everyone over here has said that the Affordable Care Act is far from perfect. We have colleagues here, including Senator KAINE with his reinsurance proposal, Senator SHAHEEN with her cost-sharing effort, Senator MCCASKILL to try to help areas where there is little or no coverage, and I am certain there are Republicans who have ideas that would be part of a good bipartisan package if we drop this our-way-or-the-highway partisan approach.

We ought to be working together to bring down prescription drugs prices. I have spoken on a number of occasions with the Presiding Officer about the fact that literally out of nowhere over the last few years we saw a whole industry develop around prescription drugs, where a bunch of middlemen are supposed to be getting the consumer a good deal on medicine, but nobody knows what they put in their pocket and what they put in the consumers' pocket. They are called pharmaceutical benefit managers. So I said: How about a little sunlight on that? How about a little sunshine, the best disinfectant?

I sure think people ought to be able to work together on those kinds of things. That, colleagues, is not what is on offer right now.

I urge my colleagues to say: We are getting out of this shell game. Nobody has to accept the skinny repeal option or the dictates of the other body. If you are unhappy with the option on the table—and I hope more people will be unhappy now that I have outlined what some of the key considerations are in this Budget Office report Senator MURRAY and I worked hard to get—I hope some people are going to think again, especially on the other side of the aisle, about voting it down. Twenty percent premium hikes—those go into effect on January 1 of 2018. And I expect we will have more information on it, but I think there are going to be 20-percent hikes after that. That is real. That is not what some interest group made up or some liberal partisan or anybody else who has an ax to grind. That is what our impartial umpire found.

So if you are unhappy with a proposal with those kinds of options, you ought to vote it down.

I want to close by way of echoing a point that so many colleagues on this side have said. This is not about saying: Look, we are just against what you want to do. Quite the opposite. For all my time in public service, I have said what I want to do is try to find common ground with people with common sense.

Let us defeat this skinny, sham, shell game kind of process that looks like what we are going to be voting on tonight and then get serious about doing what legislators do, which is not take each other's crummy ideas, but take good ideas and work on them in a bipartisan way.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, on Tuesday, the Vice President cast a tie-breaking vote to move to debate on a healthcare reconciliation bill, the contents of which even now remain a mystery to most of us.

This vote to proceed without a transparent path forward underscores a process that has, from the beginning, been politics and policymaking at their worst. You would think that, after 7 years of campaigning to repeal the Affordable Care Act, the majority would have a plan in place to do just that. Instead, a dozen or so male, Republican lawmakers met behind closed doors, shielded from public view, to negotiate a grand plan to repeal the Affordable Care Act and make devastating cuts to the Medicaid Program—no hearings, no debate, no process. This is not the path taken when we considered, debated, and approved the Affordable Care Act. This is not the way the Senate, the greatest deliberative body in the world, should conduct such far-reaching and impactful business. This is not the Senate that I know and respect.

In spite of multiple drafts and a go-it-alone, hyperpartisan philosophy, the majority leader was still unable to gar-

ner enough support within his own Caucus to pass a sweeping healthcare bill. I joined with many Democrats to offer motions to get the Senate back to regular order and have the appropriate committees study the effects of these policies on Medicaid beneficiaries and those with disabilities, on women and children, on seniors and the most vulnerable, but Republicans voted down those efforts and plowed ahead. During this debate, the Senate has also considered multiple amendments to rewrite the Affordable Care Act. Each of these amendments would have caused tens of millions of Americans to lose insurance and would have made it harder for those with preexisting conditions to obtain coverage. When those amendments failed, the Republican leadership attempted to fully repeal the Affordable Care Act. That did not work either.

The collapse of these ideas should have resulted in a renewed spirit of bipartisanship, where we could work together to stabilize and improve the health insurance markets. Instead, the Republican majority is so intent on voting on anything, that we are considering voting to repeal two or three policies from the Affordable Care Act solely in order to get something through the Senate and into conference with the House. This is nothing more than legislative malpractice. We are presumably considering a bill that will devastate our health insurance markets, and the best reason the Republicans can come up with for supporting final passage is “because we said we would.”

The notion that this majority would reduce themselves—and the Senate—to finding the lowest common denominator in order to move ahead with a policy of this magnitude is not only absurd, it is dangerous. While all the versions of the Republican plans we have seen differ slightly, they all have the same, basic structure. Let's call these plans what they are: a massive tax cut for the wealthy on the backs of pregnant women, children, and the disabled who depend upon Medicaid for their health coverage. It is a tax plan in the guise of a health plan. We are considering massive entitlement reform bills that the Republican majority is trying to sell as fixes to the Affordable Care Act, but we know that these bills would fix nothing and would instead create tremendous new challenges.

According to the nonpartisan Congressional Budget Office, CBO, each of the various Republican proposals would cause at least 22 million people to lose their health insurance. For instance, the CBO projected that the Senate Republican's first proposal would result in marketplace enrollees paying on average 74 percent more towards their premiums for a plan in 2020 than under current law. Another proposal offered

by the majority would result in higher deductibles, rising from \$3,600 under current law to \$6,000. Under this one proposal, Americans would be expected to pay more money for less care. And as if the Medicaid cuts in the House bill were not deep enough—which caused the President to call the bill “mean”—another Senate Republican proposal would double down and even deepen Medicaid cuts beginning in 2025. The Senate’s proposals have certainly not been less “mean” than the House bill. If anything, the Senate’s bills are meaner.

In Vermont, the effects of any of these bills would be disastrous. Since the passage of the Affordable Care Act, Vermont has made exceptional progress to cut the rate of uninsured Vermonters by half. The number of uninsured Vermonters is now less than 4 percent. Because of the Medicaid Program and the Children’s Health Insurance Program, known as Dr. Dynasaur in Vermont, 99 percent of children have health insurance in our State. TrumpCare, in any version, places Vermont’s progress at risk.

Vermont has also worked on new and innovative ways of delivering healthcare, which has brought down costs and increased coordination of care. One of the most significant ways Vermont has done this is through existing flexibility in Medicaid. It is through the Medicaid Program that Vermont has offered comprehensive treatment and counseling services for those suffering with opioid addiction. In Vermont, 68 percent of those receiving medication-assisted treatment for opioid addiction are Medicaid recipients. If hundreds of billions of dollars are cut from the Medicaid Program, States will be forced to limit coverage, jeopardizing Vermont’s ability to overcome this crisis. Provisions that cap Medicaid spending do not create “flexibility” in Medicaid. This policy would instead force States to ration care.

This spring, I met a Vermont mother who has two young daughters. Both of her daughters suffer from cystic fibrosis. Luckily, they have the disease mutation that allows them to benefit from new drug therapies, but it is because of Medicaid that they have the resources necessary to afford the \$20,000 per month that it costs to provide medication for each of her children. How can we tell this mother that her daughters might no longer be able to take this medication because of fiscal constraints in Medicaid? How can we tell future children who should have access to Medicaid that it was more important to give the wealthiest Americans a tax cut?

I heard from another woman in Norwich who shared this story with me: “Five years ago, both on the same day, my husband and I were diagnosed with cancer. The fact that we are both alive today is entirely thanks to President

Obama. My treatment alone involved two hospital admissions, four months of chemotherapy, and fourteen surgeries. I still take drugs every day. There is no way we could have afforded any of this without Obamacare. Before the ACA, our health insurance costs—both premiums and deductibles—were sky high. My husband and I used to avoid going to the doctor, reserving that luxury for our three children. Without Obamacare, it’s entirely possible that we wouldn’t have had the check-ups that led to our diagnoses.”

These TrumpCare proposals are not healthcare bills. A true healthcare bill would not kick millions of Americans off health insurance. A true healthcare bill would not allow insurance companies to charge people more for less coverage. A true healthcare bill would not move us backwards to a time when healthcare was unaffordable.

Instead, we should be working on proposals that improve our existing system. Where there are deficiencies, let’s fix them. Where we can find common ground, let’s act. One of the first things we should do is stabilize the insurance market by making cost-sharing payments permanent. We should also be working to reduce the cost of prescription drugs, which is why I have introduced a bill, along with Senator Grassley, that would help reduce drug costs by helping generic alternatives come to market faster. The American people expect us to work on real solutions. We should not be voting on a cobbled together plan where the primary goal seems to be to get to 50 votes, rather than actually improving our health insurance system. Importantly, no Member should vote on a proposal unveiled at the eleventh hour, with no debate—a proposal that will impact such a large component of our economy and tens of millions of Americans.

Was the Affordable Care Act absolutely perfect when it was passed? No, and we acknowledged the need for continual improvement as the ACA would be implemented. Unlike other important social programs that have been created over the years—such as Social Security and Medicare—Republicans have not allowed us the opportunity to improve, strengthen, and perfect it over time. Those programs were also not perfect, but instead of playing partisan games, Republicans and Democrats came together to get something done, time and time again. We did not vote to repeal the Social Security Act. No, we came together and we discussed what needed to be done to better help the American people, not unravel their safety net.

I hope that we can end this dangerous exercise and move forward in a responsible way. Let us act on the best interests of our constituents and not resort to cynical, bumper-sticker politicking. At its best, the Senate has been able to

act as the conscience of the Nation. I hope now is such a time and that the Senate will rise to the occasion to defeat this harmful bill.

Mr. BLUMENTHAL. Mr. President, I had previously submitted to the RECORD my intention to submit a motion to H.R. 1628 regarding the Prevention and Public Health Fund. That motion was also supported by Senator NELSON.

Mr. FRANKEN. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions that would repeal the medical loss ratio and allow insurers to spend less of their revenue from premiums on providing high quality medical care and more on corporate profits and administrative overhead.

Ms. HIRONO. Mr. President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Hirono moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill will not result in the loss of health care coverage, increased out-of-pocket health care costs, or increased taxes for any individual in the State of Hawaii, with such changes maintaining the deficit neutrality of the bill over the 10-year budget window.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Hirono moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide that, for each calendar year that begins after the date of enactment, each State shall provide medical assistance through the State Medicaid program to any individual residing in the State who is between 50 and 64 years of age and who demonstrates that the least expensive private health insurance coverage available to such individual would require the individual to pay premiums that would exceed 9.5 percent of such individual’s income.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Hirono moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide that, for each calendar year that begins after the date of enactment—

(A) each State shall provide medical assistance through the State Medicaid program to any individual residing in the State who is between 50 and 64 years of age and who demonstrates that the least expensive private health insurance coverage available to such individual would require the individual to pay premiums that would exceed 9.5 percent of such individual's income; and

(B) The Federal medical assistance percentage applicable to medical assistance provided by a State under the State Medicaid program to individuals described in paragraph (1) shall be equal to 100 percent.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. HIRONO moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would prohibit tax credits from being used for a qualified health plan which has an annual or lifetime cap on benefits, or any plan which does not cover all necessary treatment for a condition until cured (including rehabilitation or reconstruction procedures).

Ms. HIRONO. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. HIRONO moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that any child who is enrolled in a State Medicaid program shall not be disenrolled from such program without proof that the child has alternative insurance coverage that is equally affordable and that provides at least the same level of coverage.

Ms. DUCKWORTH. Mr. President, I ask unanimous consent that the text of these motions to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure the reduction of infant mortality.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill will not reduce funding for, or otherwise harm, rural telehealth programs.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike any provision in the bill that results in decreased access to preventive or primary care services for low-income children.

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike any provision in the bill that results in decreased access to rehabilitative or rehabilitative services for children with disabilities or children with medically complex needs.

Mr. BROWN. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

This motion would commit the bill to the Finance Committee with instructions to eliminate all provisions that would increase healthcare costs for the middle class and those struggling to get into the middle class.

I am offering this motion because healthcare costs are already too high for hard-working Ohioans, and this bill would make them even higher. We ought to be working to bring down costs; yet as my colleague Senator HELLER said, there is nothing in this bill that would lower premiums.

The first test of a bill should be, do no harm so I would hope all my colleagues will join me in ensuring that any bill that comes out of this body doesn't saddle working families with higher healthcare bills.

My motion is supported by the following Senators: BALDWIN, BLUMENTHAL, WHITEHOUSE, HIRONO, FEINSTEIN, LEAHY, VAN HOLLEN, HARRIS, FRANKEN, CARPER, UDALL, COONS, MENENDEZ, DUCKWORTH, DURBIN, REED, STABENOW, WARREN, BOOKER, NELSON, and KLOBUCHAR.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Brown moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that will increase health costs for the middle class and those struggling to get into the middle class.

Mr. CARPER. Mr. President, I intend to offer a motion to commit the rec-

onciliation bill to the Health, Education, Labor and Pensions, HELP, Committee with instructions to ensure the bill does not harm or reduce the size of the individual health insurance market risk pool in any State.

I am offering this motion to ensure that the healthcare bill does no harm to the States' individual and small business health insurance markets by fracturing or reducing insurance market risk pools in ways that would drive up health insurance premiums and deductibles for older Americans or Americans with preexisting conditions.

The following Senators support my motion to commit: Senators COONS and SHAHEEN.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Carper moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill does not weaken or reduce the size of the individual market risk pool in any State.

Mr. CARPER. Mr. President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to ensure the bill includes reforms to our healthcare system that lower healthcare costs and improve health outcomes.

I am offering this motion because the healthcare bills before us make devastating changes to our country's healthcare system that endanger Americans' access to healthcare and raise healthcare costs for all Americans, but contains no commonsense reforms to our healthcare system that drive down underlying healthcare costs and improves health outcomes. Millions of Americans wrestle with unaffordable healthcare costs and our fee-for-service healthcare system remains inefficient and wasteful. Instead of passing the buck to States and reducing access to healthcare for low- and middle-income Americans, we should be focusing on reforms that can improve the healthcare system and lower healthcare costs for all Americans.

The following Senators support my motion to commit: Senators COONS and SHAHEEN. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Carper moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill improves health outcomes and lowers health care costs.

Mr. MARKEY. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators LEAHY, SHAHEEN, VAN HOLLEN, and WARREN.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Markey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would reduce the Federal Government's financial commitment to currently active and successful Medicaid waivers under section 1115 of the Social Security Act that are promoting the objectives of title XIX of such Act.

Mr. COONS. Mr. President, I intend to offer the following motion to H.R. 1628 and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Coons moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes to prohibit a State through a waiver from allowing annual and lifetime limits to be applied by a health insurance issuer with respect to any essential health benefit defined by the Secretary of Health and Human Services under section 1302(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(b)).

Mr. COONS. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Coons moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) require the President to notify in writing any individual who receives a cut in health care benefits, lower quality health insurance, or loses health insurance altogether that these changes are the result of H.R. 1628, the Trumpcare bill.

Mr. COONS. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators DURBIN, BLUMENTHAL, BALDWIN, and BROWN.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Coons moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) ensure that States that elect to waive essential health benefits under section 1332 of the Patient Protection and Affordable Care Act provide for new essential health benefits that provide at least a level of coverage that is equal to the essential health benefits coverage of Members of Congress.

Mr. COONS. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators VAN HOLLEN, BALDWIN, BROWN, LEAHY, HARRIS, FRANKEN, STABENOW, CARPER, UDALL, HIRONO, MENENDEZ, REED, DURBIN, WARREN, BLUMENTHAL, DUCKWORTH, MARKEY, FEINSTEIN, KLOBUCHAR, and SHAHEEN.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Coons moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill increases the number of Americans with health coverage rather than stripping millions of coverage.

Mr. COONS. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL and MENENDEZ.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Coons moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) expand the credit for employee health insurance expenses of small employers to include employers with a greater number of employees, to extend the credit period, and to increase other limitations under the credit.

Mr. MURPHY. Mr. President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out-of-pocket costs for individuals with rare diseases.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would destabilize health insurance markets.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out of pocket costs for Americans.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out of pocket costs for Americans with Alzheimer's disease.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out-of-pocket costs for pediatric cancer patients.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out of pocket costs for Americans older than 55 years.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out-of-pocket costs for disabled veterans.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out-of-pocket costs for individuals with mental health or substance use disorders.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out-of-pocket costs for individuals with breast cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. MURPHY moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would lead to increased premiums and out-of-pocket costs for domestic violence victims.

Mr. SANDERS. Mr. President, I ask unanimous consent that a motion to commit be printed in the RECORD to instruct the Committee on Health, Education, Labor, and Pensions to report back with changes that ensure the bill includes a provision establishing a robust public health insurance option that is affordable and high quality, that provides comprehensive benefits, and that may be offered on the Federal and State exchanges.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Sanders moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill includes a provision establishing a robust public health insurance option that is affordable and high-quality, that provides comprehensive benefits, and that may be offered on the Federal and State Exchanges.

Mr. SANDERS. Mr. President, I ask unanimous consent that a motion to commit be printed in the RECORD to instruct the Committee on Finance to report back with changes that ensure that no provision in the bill will reduce or eliminate the amount of Medicaid

funding provided to schools under current law.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Sanders moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no provision in the bill will reduce or eliminate the amount of Medicaid funding provided to schools under current law.

Mr. SANDERS. Mr. President, I ask unanimous consent that a motion to commit be printed in the RECORD to instruct the Committee on Finance to report back with changes that ensure the bill includes a provision to lower the eligibility age for Medicare benefits to age 55.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Sanders moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill includes a provision to lower the eligibility age for Medicare benefits under title XVIII of the Social Security Act to 55 years of age.

Ms. HEITKAMP. Mr. President, I intend to offer the following motion to H.R. 1628. I ask unanimous consent that it be printed in the RECORD and that the RECORD acknowledge the support of this motion by Senators UDALL, CANTWELL, CORTEZ MASTO, HEINRICH, FRANKEN, MURRAY, MERKLEY, SCHATZ, STABENOW, and TESTER.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Heitkamp moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) provide that any reduction or limitation of Federal payments to help cover the cost of private health insurance not apply with respect to private health insurance purchased by American Indians or Alaska Natives; and

(3) provide that any reduction or limitation of Federal payments for spending under the Medicaid program shall not apply with respect to services provided by the Indian Health Service, an Indian Health Program, an Urban Indian Organization, or Indian tribes or other tribal organizations, or with respect to services provided to individuals who are American Indians or Alaska Natives.

Mr. SANDERS. Mr. President, I ask unanimous consent that a motion to

commit be printed in the RECORD to instruct the Committee on Health, Education, Labor and Pensions to report back with changes that are based on hearings held by the committee.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Sanders moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee based on hearings held by the Committee.

Mr. MARKEY. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Markey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with the following amendment (inserted at the appropriate place):

SEC. ____ REGULAR ORDER.

Notwithstanding any other provision of law, nothing in this Act, including the amendments made by this Act, shall take effect until the both the Senate and the House of Representatives pass this Act through regular order.

Mr. MARKEY. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Markey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with the following amendment (inserted at the appropriate place):

SEC. ____ REQUIREMENT TO HOLD CONFERENCE.

Notwithstanding any other provision of law, no provision of this Act, including any amendment made by this Act, shall take effect until a bipartisan conference has been convened and produced a conference report with respect to this Act, and such conference report has passed the Senate and the House of Representatives. The conference committee shall hold multiple public meetings and consider the input of stakeholders.

Ms. HIRONO. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Hirono moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with cervical cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with colorectal cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Lymphoma.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Lung cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Melanoma.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with ovarian cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with prostate cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Alzheimer's Disease.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Cerebral Palsy.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Cystic Fibrosis.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Crohn's Disease.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with ulcerative colitis.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Lupus.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Rheumatoid arthritis.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with AIDS.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with multiple sclerosis.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Muscular Dystrophy.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Parkinson's.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for people with Lou Gehrig's Disease (ALS).

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could result in the loss of health insurance coverage for Korean War Veterans.

Mr. CARDIN. Mr. President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to report the bill back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would strike any provision that would eliminate, limit access to, or reduce the affordability of pediatric dental services by repeal all or part of the Patient Protection and Affordable Care Act, ACA, or otherwise negatively impact children's access to coverage or such services.

I am offering this motion because the Finance Committee should review the implications of depriving millions of children of access to dental care. An estimated one of five children aged 5 to 11 years and one of seven adolescents aged 12 to 19 years in the U.S. have at least one untreated decayed tooth. Consequently, tooth decay has led to 51 million school hours lost annually, and related dental disease can cost billions to our healthcare infrastructure. Early childhood cavities and related oral health complications also disproportionately affect low-income families and minority communities.

The ACA has expanded access to dental services nationwide by designating pediatric dental services as one of the essential health benefits. Expanding access to affordable dental benefits is essential to securing the health and well-being of our children. Many have heard me speak before about the tragic loss of Deamonte Driver, a 12-year-old Prince George's County resident, in

2007. Deamonte's death was particularly heartbreaking because it was entirely preventable. What started out as a toothache turned into a severe brain infection that could have been prevented by an \$80 extraction.

We cannot let what happen to Deamonte happen again.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would strike any provision that would—
(A) eliminate, limit access to, or reduce the affordability of pediatric dental services by repealing all or part of the Patient Protection and Affordable Care Act, or

(B) otherwise negatively impact children's access to coverage of such services.

Mr. CARDIN. Mr. President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to report the bill back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would eliminate or reduce access to affordable preventive services that are currently offered without copayment or cost-sharing under the Patient Protection and Affordable Care Act, ACA, including blood pressure screening, colorectal screening, breast cancer screening, cervical cancer screening and domestic and interpersonal violence screening and counseling.

I am offering this motion because the Finance Committee should review the implications of reducing access to affordable preventative services to millions of Americans. A key provision of the ACA is the requirement that private insurance plans cover recommended preventive services without any patient cost-sharing. Chronic diseases, such as heart disease, cancer, and diabetes, are responsible for 7 of every 10 deaths among Americans each year and account for 75 percent of the Nation's health spending. Research has shown that evidence-based preventive services can save lives and improve health by identifying illnesses earlier, managing them more effectively, and treating them before they develop into more complicated, debilitating conditions.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Health, Education,

Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would strike any provisions that would eliminate or reduce access to affordable preventive services that are currently offered without copayment or cost-sharing under the Patient Protection and Affordable Care Act, including blood pressure screening, colorectal screening, breast cancer screening, cervical cancer screening and domestic and interpersonal violence screening and counseling.

Mr. CARDIN. Mr. President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to report the bill back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would strike any provision that would eliminate, limit access to, or reduce the affordability of health services for homeless individuals.

I am offering this motion because the Finance Committee should review the implications of depriving millions of children of access to dental care. On any single night, over 500,000 people experience homelessness. On any single night over 50,000 of these individuals are homeless veterans. Many individuals experiencing homelessness have significant healthcare needs and may suffer from mental health conditions, substance use disorders, and chronic diseases like diabetes, asthma, and hypertension. Without access to health services, individuals tend to use hospitals and emergency departments at high rates, driving up overall healthcare costs. The Patient Protection and Affordable Care Act, ACA, has greatly decreased the uninsured rate among homeless individuals, leading to better health outcomes, and creating stability in the individual's life. Health centers that treat the poor and homeless in States that expanded Medicaid report that 80 or 90 percent of their patients are now covered by insurance.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would strike any provisions that would eliminate or reduce access to health services for homeless individuals.

Mr. CARDIN. Mr. President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to report the bill back to the Senate within 3 days,

not counting any day on which the Senate is not in session, with changes that would strike any provisions that would eliminate or reduce access to mental health services and substance abuse treatments.

I am offering this motion because the Finance Committee should review the implications of reducing access to mental health services and substance use treatment to millions of Americans. An estimated 43.6 million Americans ages 18 and up experience some form of mental health condition, and over 20 million adults have a substance use disorder. Of these, over 8 million have both a mental health condition and a substance use disorder. That Patient Protection and Affordable Care Act, ACA, has been vital to giving these individuals access to affordable treatment options where they had none before.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

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

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would strike any provisions that would eliminate or reduce access to mental health services and substance abuse treatments.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent to speak on the healthcare topic for 15 minutes.

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

Mr. TOOMEY. Mr. President, I am going to speak mostly about some Medicaid reforms that were proposed in the BCRA, but in the course of the discussion, I am going to touch on some of the issues that our colleague who just finished raised.

As we know, the BCRA bill is not going to be the vehicle we will take to a conference committee with the House, but I hope we will get to a conference committee with the House, and I hope the result of that, among other things, is that we will address the need to make important reforms to Medicaid because they are long overdue.

I will start with a chart which illustrates our Federal deficits and what exactly is driving our Federal deficits. The fact is—I think we all know here—we have two big categories of Federal spending. One is the discretionary spending which Congress approves at Congress's discretion every year. The other category is the programs on autopilot—programs where spending is driven by a person's eligibility for the program without Congress acting in any way.

That latter category we call mandatory spending. In 1980, that was only 50 percent of the Federal budget. By 1995, it was 64 percent. Last year, it was 70 percent of our entire budget, and we are on a path to have these mandatory spending—the blue line. We can see the growth in mandatory spending. We can see the relative lack of growth in the other categories of spending, be it defense or nondefense discretionary spending.

The budgetary problem we have is mandatory spending. This is not breaking news. This is nothing that is controversial. Anybody who has taken an honest look at the numbers can come to no other conclusion. The discretionary portion of the budget, which used to be the lion's share of the budget, has been relatively flat. Actually, it has even declined in recent years. The mandatory spending has been going through the roof.

Of course, there are multiple problems with this, not the least of which is—at this kind of growth in mandatory spending—the first thing it does is it squeezes out all other categories of spending. We are already living through that, as the discretionary spending—including on our Nation's defense—has been declining because you can't do so much of both, but in time you could zero out all the discretionary spending, and there still will not be enough for all the mandatory spending which is coming our way if we stay on the path we are on.

Where is all this mandatory spending coming from? The next chart shows that pretty clearly. The bulk of mandatory spending, especially in recent years, is from Medicaid. The reason I say that is, Social Security is a big program, but Social Security has a dedicated revenue stream. The payroll tax historically used to cover all of it. For a while there, it covered more than the ongoing payments for Social Security. While that fluctuated when we suspended the payroll tax, by and large, the payroll tax pays most of the Social Security costs that we have day-to-day.

Medicare also has a revenue stream that is dedicated from payroll taxes, but it doesn't cover nearly as large a percentage of the Medicare costs as Social Security so we see the green line generally is higher than the blue line.

The line which is higher than all by far is the Medicaid line because there is no dedicated revenue stream to Medicaid, and the net expense, therefore, is by far the biggest of all our entitlement programs.

Medicaid has been growing at a really shocking rate for years. In 1980, Medicaid spending was only 2.4 percent of our budget, a half a percent of our economy; by 1995, it was almost 6 percent of our budget; and today it is 10 percent of our whole budget, 17 percent of all healthcare spending. So this is

happening because Medicaid is growing much faster than our economy is growing.

The fact is, no Federal program can grow faster than the economy indefinitely because the economy has to fund the entire Federal Government. Hopefully, funding the government is only a portion of what our economy is doing. The main purpose of our economy is to provide a livelihood for the people who create it, but Medicaid, as we can see, is growing at a staggering rate compared to our economy as measured by GDP.

This picture right here summarizes, really, for me the very definition of an unsustainable Federal program because as it continues to grow at a rate that is much greater than our economy, it necessarily is consuming an ever greater percentage, an ever greater portion of our economy and our Federal budget. Nothing can grow faster than our economy indefinitely. It is just arithmetic. Eventually, it would become bigger than the economy, which is obviously an impossibility, and long before that happened, it would cause a fiscal crisis. This is the very essence of what is unsustainable.

You don't have to take my word for it, and I am certainly not the first person to observe this. We could take the words of Democratic President Bill Clinton, who told us this very thing. Back in 1995, President William Jefferson Clinton said:

We all now, looking ahead, know that our number one entitlement problem is Medicare and Medicaid. They are growing much more rapidly than the rate of inflation plus population.

Now, President Bill Clinton wasn't making this point because he is some kind of ideologue who wants to get rid of Medicaid. I don't think he has ever been accused of that. It is not because he has some passionate ideological commitment to reducing the size of government. I don't think he has ever been accused of that. I think Bill Clinton was making this point because he knew this program was unsustainable, and he wanted to reform it so it would be sustainable, so our Federal budget would be sustainable, so Medicaid would be there for the next generation. I think that was Bill Clinton's motivation at the time.

So what was his solution? What was it that Bill Clinton thought we ought to do about this program that was unsustainable?

President Bill Clinton suggested the Federal Government put caps on the amount of money it would contribute to the States based on the number of individuals enrolled. In other words, it was a per beneficiary limit on the Federal contribution. That was what Bill Clinton proposed in 1995. He wanted to maintain the eligibility of individuals to participate in the program, but he wanted to put limits on what the Fed-

eral Government's share would be. He wanted to have it grow at about the rate the economy would grow so you wouldn't continue to have this wildly accelerating line relative to this modest growth line but that the two lines would converge, because then, as Bill Clinton knew, the program would be sustainable over time. We would be able to afford it.

One might wonder, what did Congress think of this idea at the time. This is 1995. Bill Clinton came along and said: Let's establish per beneficiary caps on Medicaid expenditures by the Federal Government, and let's limit the growth of those caps to about the growth of the economy. That was Bill Clinton's idea.

Helpfully, the Democrats, who controlled the Senate, decided to weigh in on the matter, and on December 13, 1995, Senator PATTY MURRAY—who serves with us today—submitted a letter to the CONGRESSIONAL RECORD. I am going to read a very brief comment she made when she submitted this for the RECORD. The senior Senator from Washington, PATTY MURRAY, said:

Mr. President, I hold in my hand today a letter to President Clinton that is signed by all 46 members of the Democratic Caucus. This letter urges him to hold firm to our commitment to basic health care for children, pregnant women, the elderly, and the disabled in this country. This letter supports a per capita cap approach to finding savings in the Medicaid program.

It was signed by every single Democratic Senator. They expressed their strong support for the Medicaid per capita cap structure.

I want to be very specific about this because as they developed the particulars, they decided the cap should not grow at an index that was tied to healthcare spending. They wanted it to be tied to an index which would grow at the rate of the economy overall, and they proposed it would go into effect the very next year. They didn't want to wait. They didn't want to have a transition. They didn't want it to be gradual. They wanted it to go into effect the next year. They proposed implementing the changes for the very next fiscal year.

So you can imagine that some of us are a little bit surprised by the shrill, over-the-top attacks we have been hearing from the other side. We Republicans have been accused of launching a war on Medicaid. We have been accused of draconian cuts. We have been accused of wanting to decimate healthcare for the most vulnerable. We could go on. As you and I both know, all across this country, on this floor, in every form imaginable, our Democratic colleagues have attacked Republicans for the proposal in the BCRA bill we have been considering.

What is really so outrageous about this is, we proposed the Democratic solution. What we proposed was Bill Clinton's idea, as ratified by every single

Democrat serving in the Senate at the time, including several who are still with us today. We proposed that we take Medicaid and restructure it the way the Federal Government reimburses States for their expenses so that we would put caps on the amount the Federal Government would contribute per beneficiary. We would allow the caps to grow, but just as President Clinton and all the Democrats in the Senate suggested, we would make sure that growth eventually converged to the growth of our economy so we would have a sustainable program.

There are two big differences between what the Democrats proposed in the mid-1990s and what many of us have proposed these last few weeks:

One, we proposed that the change occur more gradually. We suggested that we would implement these changes, but we do it over time, not suddenly, the way they had proposed it.

The other big difference, I would suggest, is they proposed this structural change to Medicaid before ObamaCare came along and made an unsustainable program worse. We are proposing it in the aftermath of that huge problem.

I get our Democratic colleagues have done a 180 reversal. I get they no longer acknowledge that this is unsustainable. I get that they don't want to do anything about entitlements. I understand all that. You are entitled to change your opinion, you are entitled to decide you want to ignore this issue, but it is a little bit over the top to attack our motives, our integrity, when we are proposing exactly what they themselves proposed just a few years ago under President Clinton.

I wish we could have a substantive discussion about the policy without the character attacks.

Let me get into a little bit more about these changes to Medicaid.

As the Presiding Officer very well knows, traditionally, Medicaid was available, from the time the program was launched, to four categories of Americans—four categories of people who were of very low income and were deemed to be unable to purchase healthcare for themselves. Those are the elderly poor, disabled, blind and disabled children, and adults with dependents. So the program set up a partnership with the States—a generous partnership. The Federal Government has always paid a majority of the costs, ranging anywhere in some States as high as 75 percent of the costs and no State less than 50 percent—on average, 57 percent.

ObamaCare came along and created a new category of eligibility. Under President Obama, for the first time—under ObamaCare—a new category was created; that is, adults, working-aged, able-bodied people with no dependents, would now be eligible for Medicaid if

their income was below 138 percent of the poverty line. The Federal Government would pay all of the costs initially, and then after a short period of time, it would go to 90 percent. Then the Federal Government would pay 90 percent in perpetuity.

Well, there are a few problems with this design. The most fundamental and obvious is the Federal Government couldn't afford this. We were not on a sustainable path before, and now we have created this whole new liability which can only make it worse and bring a fiscal crisis closer to the present.

The second thing is, when States have no skin in the game, we find out they behave as though they have no skin in the game. When States have to contribute only 10 percent of the cost—think about it. Every dollar a State spends in this category gets matched with nine Federal dollars, nine free dollars. That is a huge incentive to spend a lot, and guess what. That is exactly what they have done. Medicaid spending in this category has ended up being over 50 percent more than what was expected.

So what did the Senate propose in our legislation? We proposed not that we would disallow this coverage, not that we would eliminate this category of eligibility, not that we would throw a single person off Medicaid—we have said, in fact, we will codify the expansion. We will make it permanent. No one loses eligibility, no one gets thrown off.

What we will do is gradually, over 7 years, we will ask States to pay their fair share for this new category—this expansion category, the able-bodied adults with no dependents. We will ask the States to pay the same amount for these folks that they pay for the traditional four categories of eligibility. That is the first category.

The second reform we proposed is what I alluded to earlier, the Bill Clinton-Democratic Senate proposal of establishing per beneficiary caps. That was in our legislation. What the underlying Senate bill did was allow the spending to grow very rapidly on those caps. Only in the eighth year did we ask that the growth rate slow down slightly so we would have a reasonable chance so the growth in the program would be about the same as the economy. That is what we proposed. That is what was in the bill. That is what we have been hearing about—all of these draconian cuts.

Let's get to the discussion about these cuts. We have another chart that illustrates this because it has been a favorite theme for some of my colleagues on the other side to talk about all of these cuts.

If you look at the CBO score—again, this is the Senate BCRA, the legislation on which we didn't get enough votes this week to pass, but I hope we

will revisit it—the largest of the so-called cuts in Medicaid spending comes from CBO's assumption that if you repeal the individual mandate—the statute that says you must buy insurance, you must have insurance—millions of people on Medicaid, millions of people who did get free health insurance, will decide: Oh, I don't want free health insurance anymore. If I am not being forced to buy it, I am not going to take free healthcare. Why would I do that?

I don't know about you, but that is a little counterintuitive to me. To my friend from Oregon who is attacking the so-called skinny bill, 100 percent of the so-called Medicaid cuts in that bill come from exactly this source. The assumption is that, if people are not forced by the government to have insurance, they will not want Medicaid. You can decide how much credibility you want to put in that assumption. It strikes me as ridiculous, but that is the truth. That is the reality of the so-called CBO cuts in Medicaid.

In the BCRA, that was only the lion's share of the so-called cuts. Another category of so-called cuts to Medicaid in the CBO analysis of the BCRA are their assumptions about expansion. They decide that under current law, if nothing else happens, a whole lot of States will choose to become Medicaid expansion States.

They haven't made that choice yet. They can't point to which ones. It is a political decision in the various States. They don't know who is going to be leading those States. They have no idea about how that would happen, but yet they predict States that have chosen thus far not to be Medicaid expansion States would adopt the expansion under current law. If we passed the law that was proposed earlier, those States would not make that decision. Furthermore, some States that have expanded will rescind the decision to expand.

Any honest person, including the folks at the CBO, have to acknowledge that this is entirely speculative. They can't name a single State that will expand under the current law but hasn't yet. They can't name a single State that would rescind its expansion having already done so. They are just speculating that could happen.

That, my friends, is the lion's share of the CBO's headline numbers about all these cuts in Medicaid.

Let me go to chart 5. Despite that, even if you accept the CBO's unbelievable assumptions that people only participate in Medicaid if they are forced to and that these mysterious States will expand and others will not—these are the draconian cuts—each and every year, under the BCRA, Federal spending on Medicaid grows. It grows every year—every single year. It is only in Washington that spending can increase every year, and it is a draconian cut.

No, the truth of the matter is that what we do under that legislation is

that we slow down the rate of growth. We slow the rate at which the program grows to a rate that is sustainable, so that this program is viable, so that we are diminishing the certainty of a fiscal crisis. That is what we do.

If somebody has a better idea for how we put Medicaid on a sustainable path, I am all ears. I would love to hear it. In the 1990s, our Democratic colleagues proposed exactly what we are proposing now. That was a very constructive idea. Unfortunately, there wasn't a consensus to do it, and that is a shame.

I urge my Democratic colleagues to go back to their notes, to go back to the discussion, to go back to the arguments they were making together with President Bill Clinton on the floor of this Senate and around the country about Medicaid, because we are making those arguments now. You would think we might be able to find some common ground.

The fact is that Medicaid is a very, very important program. The most vulnerable Americans depend on Medicaid to a very significant degree. The fact is that, in its current form, it is unsustainable. Our Democratic colleagues in the past used to recognize this. They used to acknowledge this, and they used to want to do something about it. I urge them to return to that attitude so that we can work together and get something done.

The sooner we act on this, the sooner we can have gradual, sensible, thoughtful reforms that make the program sustainable and allow our States to plan for these changes and allow for a transition. If we wait too long, the fiscal crisis that will hit us will force sudden and draconian changes.

We are not going to vote on this provision today. This was embedded in the BCRA. That is behind us this week, but it is my hope that we will pass a version of ObamaCare repeal that will enable to us to go to conference and that we will be able to begin to repair the enormous damage to the individual markets that ObamaCare has done, that we will be able to stabilize them, that we will be able to move in the direction of consumers actually having control of their own healthcare once again, and that we will put Medicaid on a sustainable path, because the time is overdue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. WYDEN. Mr. President, I will be very brief.

To respond to my friend from Pennsylvania, No. 1, none of what he has discussed has come up in the Senate Finance Committee. What I can tell you about past debates is that our side

was always interested in reform-minded ideas, for example, bringing the private sector into the delivery system of Medicaid. That is No. 1. No. 2, we still have not seen the skinny bill.

I said earlier: Who knows what happened at the Republican Senate lunch between one course and another. We would like to see the skinny bill. I think, once again, we have heard from the other side that they disagree with the umpire. They disagree with the impartial CBO, and I think that is unfortunate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 17 minutes.

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

Mr. GRASSLEY. It is my understanding that if the managers need time to break into my speech, I will be glad to accommodate that.

I rise today to inject a dose of badly needed reality into this very important debate. Healthcare is a profoundly personal issue that matters to every single American. In fact, every single Senator in this body ought to agree on this point. Healthcare hits home for each and every constituent we represent from our home States. From standard wellness checks to lifesaving cancer treatments, each of us wants the best, most effective and affordable medical care for the people we love and for ourselves.

As policymakers, it is our job to solve problems. It goes without saying that we are facing a big problem right now. Access to affordable healthcare is out of touch for millions of Americans. That is despite the promises made over and over. Remember that ObamaCare was rammed through on a last-ditch Christmas Eve party-line vote.

Look at what that got us. Health insurance markets are collapsing around the country. Since 2013, the average premium increase on the individual market has jumped 105 percent.

Remember when President Obama promised affordable healthcare for all? He promised we could keep our doctor. He promised that Americans could keep their healthcare plan, and he promised all Americans that their premiums would go down by \$2,500.

We all know ObamaCare did not uphold these promises. Instead, we got higher taxes, costly penalties, double-digit premium increases, unaffordable copays, job-crushing and wage-crushing employer mandates, and thickets of Federal regulations.

Now ObamaCare is collapsing. No one on the other side of the aisle has made an attempt to legislate remedies to the law despite its grave condition.

At this very moment, 72,000 Iowans in my home State are gripped with uncertainty. Two insurance carriers have

dropped out of the exchanges, leaving only one to offer individual plans starting in January. The policies offered by that insurance company will go up over 40 percent next year, on top of huge increases this year, making it still unaffordable.

ObamaCare is unsustainable, unaffordable, and unacceptable. This brings me to the reality check that I mentioned when I started. As I listen to some of my colleagues on the other side of the aisle, I am, frankly, astounded that they can deliver their talking points with a straight face.

They would like the American people to believe that Republicans are dead set on ripping healthcare away from children, the elderly, and the disabled. Despite their red hot rhetoric, we have neither horns nor tails, but we are dead set on working out the devilish details to get to yes.

Democrats' hyperbole and fearmongering are standing in the way of getting the job done for the American people. Fear is easy to achieve. Legislating in good faith is hard work. ObamaCare defenders would rather disparage than engage. They would rather obstruct a path forward than to construct a path forward. They are standing in the way of solving problems.

In the process, they are scaring the living daylights out of hard-working Americans who aren't able to stretch their paychecks to afford health insurance for their families. If there is one job the defenders of the big government have mastered, it is the role of Chicken Little. They squawk, cluck, and crow at every opportunity to grow the size, scope, and reach of government into our daily lives. To their way of thinking, ObamaCare was a step toward single payer.

They will say and do whatever it takes to secure sweeping, universal government control of the healthcare system, no matter how much it costs the taxpaying public, the toll it takes on the U.S. economy, or the loss of personal freedom.

Their message is dead wrong. Our reform efforts are not making the sky fall. The Democrats' rhetoric reminds me of a similar situation. The debate 20-some years ago was to reform welfare by reining in runaway Federal spending and increasing the independence of individuals. Just like now, that debate was full of dire predictions.

Some of my colleagues will remember the late Daniel Patrick Moynihan of New York, then-chairman of the Senate Finance Committee. He strongly opposed efforts to reform the welfare system. He predicted that the bipartisan proposals would result in an apocalypse and said:

If, in 10 years' time, we find children sleeping on grates, picked up in the morning frozen, and ask, why are they here, scavenging, awful to themselves, awful to one another, will anyone remember how it began? It will

have begun on the House floor this spring and the Senate chamber this autumn.

That is the end of the quote from Senator Moynihan 20 years ago. The facts will show that welfare reform was, in fact, not “legislative child abuse,” as the former Senator of Massachusetts Ted Kennedy predicted. Quite the contrary.

In the two decades since historic, bipartisan welfare reform was enacted, reality shatters this doomsday prophecy of 20 years ago. The reality is that the number of African-American children living in poverty has fallen to the lowest level in history. The problem still exists and deserves our attention, of course, but 1.5 million fewer children are in poverty today, and 3.4 million more families are independent from assistance.

At the time of welfare reform, the Chicken Littles forecasted homelessness, poverty, and despair. Senator Moynihan also said that requiring welfare recipients to work and limiting the length of time that they could collect benefits added up to “the most brutal act of social policy since Reconstruction. Those involved will take this disgrace to their graves.”

With all due respect to the memories of my former colleagues, their rhetoric simply does not square with reality. The 1996 welfare reform law lifted millions out of generational poverty, replacing lifelong impoverishment and lifestyles of dependency with livelihoods restored with hope and opportunity. These facts separate Democratic rhetoric from reality.

In the absence of a credible reason to continue with ObamaCare’s failure, the only defense tactic left to the Democrats is fear. In a vein similar to that of her predecessor from New York, former Senator and Democratic Presidential nominee Hillary Clinton said: “If Republicans pass this bill, they’re the death party.”

In another vein similar to her predecessor, another Senator from Massachusetts said that “I’ve read the Republican ‘health care’ bill. This is blood money. They’re paying for tax cuts with American lives.”

They are not alone in their obstructionism. The minority leader has said that Republican-led efforts to reform ObamaCare are “heartless. It is a wolf in sheep’s clothing. It brings shame on the body of the Senate.”

Another Democrat chimed in that the Senate bill is “downright diabolical” and would be “one of the blackest marks on our national history.”

Still another Democrat said his constituents are “scared for their children, they are scared for their spouses, they are scared for their aging parents. . . . And . . . scared . . . for their own health and well-being.”

Another one chimed in that “our emergency rooms would be overwhelmed. They would be unable to deal

with the scope of that kind of humanitarian need.”

Not surprisingly, the law’s champion-in-chief, President Obama, has fueled the fear factor, saying that the Republican efforts to reform the healthcare law would put pregnant mothers, addicts, children with disabilities, and poor adults in harm’s way.

Such overheated rhetoric shows Democrats have abandoned rhyme, reason, and reality. Too often, the arguments from the other side are based on what Medicare was supposed to do, not what it actually did, which fell far short of projections from the experts. Defenders of ObamaCare are relying on a phantom rather than the reality of the law.

Democrats are refusing to work with us toward a better solution that truly works. After years of neglecting consequential problems with a partisan-passed law now on the books, they say that they have a better deal. Let me tell you, thousands of Iowa families and small business owners have contacted me with their personal stories of hardships. To them, ObamaCare has been nothing but a raw deal, rather than a better deal. What good is having insurance, they say, if it is too expensive to use?

After more than 7 years of ObamaCare, the chickens have come home to roost. And in less than 10 years, look what happens when government gets in the way of the free market and consumer choice. Well, it is obvious: higher premiums, bigger copays, fewer choices, less freedom. Health insurance that costs too much to use is just not working for hard-working American families.

I will end my speech today with an appeal from an Iowan from Avoca, IA. She has contacted me many times about the hardships her family has experienced since ObamaCare was enacted. She pays more than \$25,000 a year to insure her family on the individual market. If that sounds like chicken feed to some of ObamaCare’s defenders, I urge you with all sincerity to get your heads out of the clouds and join us to fix this flawed law. Republicans and Democrats can work together for the greater good of the country.

It is said that when there is a will, there is a way. Many of us recognize that ObamaCare isn’t working as promised. Half of us voted this week to move ahead to fix this problem. The other half is blocking any effort put forward to reform the broken law. They are digging in their heels and pulling out all stops of any solution and stopping it dead in its tracks. Again, it reminds me of those who fought tooth and nail to stop welfare reform 20 years ago. I quoted those people from 20 years ago. At the time, they predicted the most dire consequences would befall our most vul-

nerable citizens. Thank goodness, the pessimists back then did not prevail in their obstruction against welfare reform. While welfare reform has not been perfect, it has restored hope and opportunity to millions of Americans.

We can’t afford to let the pessimists and obstructionists prevail today against healthcare reform, and they seem to be acting like the very same people that opposed welfare reform 20 years ago. The American people deserve high-quality, affordable healthcare. ObamaCare has not lived up to its promises, so it is time for elected leaders to live up to the promise we made to the American people. Let’s worry less about who wins and worry more about who will lose when Congress fails to restore the collapsing Federal law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the time until 5 p.m. be equally divided between the managers or their designees; that at 5 p.m., the Senate vote in relation to the Strange amendment No. 389; further, that following disposition of the Strange amendment, the Senate proceed to the consideration of H.R. 3364, which was received from the House; that there be 20 minutes of debate, equally divided between the leaders or their designees; that following the use or yielding back of that time, the bill be read a third time and the Senate vote on passage of H.R. 3364; finally, that following disposition of H.R. 3364, the Senate resume consideration of H.R. 1628.

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

Who yields time? If no one yields time, time will be charged equally to both sides.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield myself such time as I need, up to the limit that we have. This week, we have been debating why it is so urgent for Congress to act on rescuing Americans from the collapsing ObamaCare healthcare law.

We have heard from our colleagues across the aisle, questioning our motives and our actions. Congress literally has millions upon millions of reasons to replace and repeal this law. Hard-working American families are begging us to provide them with some relief. These are families who are forced to purchase high-deductible coverage insurance and are facing thousands of dollars of out-of-pocket costs before their coverage even begins. For them, the status quo—doing nothing—is not an option.

For Senate Republicans, rescuing the American people from this law is our only option. But the defenders of this law don’t seem to grasp—or are unwilling to admit—that ObamaCare is not

affordable insurance and has been a crisis-inducing failure. This is why Republicans are working to fix the damage. Insurance markets are collapsing, premiums are soaring, and healthcare choices are disappearing.

Americans expect the Congress and the President to address the problem. With ObamaCare getting worse by the day, the time to act is now. Just look at my home State of Wyoming, which is down to one insurer in the individual market, both on and off the exchange. This should be treated as the national scandal it is.

Some on the other side of the aisle like to focus on how many people are insured under the law, but let's look at how many are not insured. Almost 28 million Americans remain without insurance under ObamaCare because they cannot afford insurance or no longer have access to it due to ObamaCare's collapsing markets in their State or county. But coverage numbers can be misleading because, even with insurance, many hard-working families still cannot afford the care due to surging deductibles. Insurance with sky-high deductibles is coverage in name only.

When it comes to Medicaid coverage, what most news stories will not tell you is that the newly insured gained coverage only through a flawed Medicaid Program that is providing inferior quality and threatening to bankrupt States across the Nation.

The Democratic leader, NANCY PELOSI, famously said that Congress would have to pass the bill to find out what's in it. Well, Americans soon discovered that President Obama and congressional Democrats focused almost exclusively on coverage numbers boosted by government mandates handed down from Washington, instead of true healthcare reforms that might have actually provided better care, provided affordable care. Obama's alleged coverage numbers are only on paper. Coverage was their sacred cow, worshipped above all others, because for President Obama, NANCY PELOSI, and Harry Reid, coverage equaled healthcare.

Large coverage numbers touted by the Obama administration and congressional Democrats have proved to have the healthcare utility of a pet rock. Do you remember the pet rock? Millions of people purchased a rock. It was very nicely packaged in a box. They would bring it home and open it up and find a rock. Pet or not, it served no purpose other than its name: a pet rock.

This is essentially how ObamaCare has worked, except people were forced to purchase this marketing gimmick. Americans have purchased insurance through ObamaCare exchanges with the promise of accessible coverage. What they actually received, however, is coverage in name only. It serves no healthcare purpose, and it doesn't work—merely packaging a pet rock, if you will—and millions of Americans

soon found out. The high cost of insurance plans they forced people to buy made it nearly impossible for them to pay for the coverage they signed up for, or if they could afford coverage, they realized the care they were paying for came with sky-high deductibles.

Congressional Democrats and President Obama focused almost exclusively on the numbers of people now enrolled in ObamaCare and relentlessly highlighted this information, which showed this law was used mainly for public relations purposes at a large cost, as opposed to an actual policy accomplishment. Instead, the reality is that Americans who were able to get insurance were often plagued with inadequate coverage, joined with enormous out-of-pocket costs. Senators from across the country this week have been sharing stories about families in their States who have had to forgo medical care, not because they don't have insurance but because it was simply too expensive to go to the doctor under the ObamaCare health plan.

For years, Republicans have pledged to repeal this disastrous law, and this week we are working to address the broken promises of ObamaCare to help ensure better care for each and every American. We are doing this by working to stabilize collapsing insurance markets that have left millions of Americans with no options, which will help improve the affordability of health insurance and therefore healthcare. Our goal is to preserve access to care for Americans with pre-existing conditions and to safeguard Medicaid for those who need it most by giving States more flexibility, while ensuring that those who rely on this program won't have the rug pulled out from under them. Most importantly, Republicans hope to free the American people from onerous ObamaCare mandates that require them to purchase insurance they don't want or can't afford.

The President and Republicans in Congress last fall promised to rescue the millions of American families suffering under ObamaCare, which is what this bill will do.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, may I inquire, what is the remaining Republican time?

The PRESIDING OFFICER. Three minutes.

Mr. BLUNT. Mr. President, the majority time is 3 minutes?

The PRESIDING OFFICER. Yes.

Mr. BLUNT. Senator STRANGE is coming, and I will take my time later.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, we have loaned time before to the other side of the aisle. If they would loan us some

time so that the person propounding this amendment could have a moment to explain his amendment—they have agreed. So I yield time to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. STRANGE. Mr. President, I ask unanimous consent to speak for up to 2 minutes.

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

Mr. STRANGE. Thank you.

AMENDMENT NO. 389

Mr. President, I rise today in support of an amendment that will relieve millions of Americans of a moral conflict. For too many, access to healthcare coverage comes only with the restriction of deeply held personal convictions about the sanctity of human life.

The amendment before us offers the opportunity to end the flow of taxpayer dollars to abortion procedures once and for all. It allows Hyde protections to be extended to all funds appropriated through the healthcare legislation we are considering today.

Let me provide some context. Premium tax credits implemented under ObamaCare currently provide over \$8.7 billion in annual subsidies for nearly 1,000 different insurance plans that cover elective abortion on the State exchanges. This provision stands in violation of the fundamental principle of the Hyde amendment and the long-held understanding that the U.S. Government has no role in funding abortions.

In recent weeks, the Senate has debated countless nuances of healthcare policy, and we have taken several crucial votes on efforts to rescue the American people from a failed social experiment, bringing us to this moment. Under our current procedural circumstances, in order to ensure that both the spirit and the letter of the Hyde amendment's provision against taxpayer-funded abortion is upheld, we need a new solution.

My amendment would establish a matching arrangement between stability funds and premium tax credits, delivering an arrangement that complies with the Byrd rule. Starting in 2019, the value of premium tax credits that continue to subsidize elective abortions would drop to 10 percent, with the remaining 90 percent being made available as Hyde-protected monthly payments to insurers to benefit the same people who relied on those tax credits.

Let me be clear. This amendment does not reduce the amount of tax credit dollars available to low-income Americans. It does not result in their losing coverage. It certainly does not create or expand an entitlement program.

When hard-working Americans pay their taxes, they do so with the understanding that the rights granted to

them by the Constitution are not checked at the door. For the people of my State, the right to life is foremost among these, codified by the Hyde amendment and engrained in the conscience of a majority of Americans. The amendment before us allows for a clear conscience. It allows for a concise, conservative solution to a problem that has dogged this Chamber for the 44 years since *Roe v. Wade* changed the landscape of American society.

On behalf of the unborn and the conscience rights of millions of Americans, I am proud to offer this amendment, and I urge my colleagues to join me in this effort.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUNT). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I make a point of order that the pending amendment violates section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. STRANGE. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 389 and, if adopted, for the provisions of the adopted amendment included in any subsequent amendment to H.R. 1628 and any amendment between Houses or conference report thereon, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 174 Leg.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NAYS—50

Baldwin	Casey	Franken
Bennet	Collins	Gillibrand
Blumenthal	Coons	Harris
Booker	Cortez Masto	Hassan
Brown	Donnelly	Heinrich
Cantwell	Duckworth	Heitkamp
Cardin	Durbin	Hirono
Carper	Feinstein	Kaine

King	Murphy	Stabenow
Klobuchar	Murray	Tester
Leahy	Nelson	Udall
Manchin	Peters	Van Hollen
Markey	Reed	Warner
McCaskill	Sanders	Warren
Menendez	Schatz	Whitehouse
Merkley	Schumer	Wyden
Murkowski	Shaheen	

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3364, which the clerk will read.

The legislative clerk read as follows:

A bill (H.R. 3364) to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes.

The PRESIDING OFFICER. There is now 20 minutes of debate, equally divided.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I yield myself 3 minutes.

I first thank Senator CORKER, Senator CRAPO, Senator BROWN, Senator SCHUMER, and Senator MCCONNELL for their help in getting us to this moment. This is an important moment for our country, and I am very proud of what we were able to accomplish.

The legislation we are about to vote on will give the United States the strongest possible hand to stand up against the aggression of Russia. Russia attacked us and our democratic institutions; Russia invaded the sovereignty of other countries, including Ukraine and Georgia; Russia is participating in war crimes in Syria, and this legislation will give the United States the strongest possible hand in taking action against Russia.

Mandatory sanctions are included in this legislation with regard to the energy sector, the financial sector, the intelligence and defense sectors—not only with primary sanctions but with secondary sanctions. This legislation provides for a democracy fund, working with Europe, to protect ourselves against Russia's attacks. This legislation provides a review process so the President, on his own, cannot eliminate sanctions. He must come to Congress. As President Obama had to in regard to the Iran sanctions, the President would have to come to Congress in regard to sanction relief against Russia.

This is a tough bill to stand up to what Russia has done and requires mandatory action. There are so many people to thank in regard to this. Of course, we also have the Iran sanc-

tions. I thank Senator MENENDEZ, on our side, particularly on the Iran sanctions issues. We are taking actions against Iran for their nonnuclear violations, their support of terrorists, their ballistic missile violations, their support of the arms embargo, human rights violations.

What we do here is totally consistent with the JCPOA. The bills are very consistent with what passed this Chamber 98 to 2. We maintained the integrity of the Iran and Russia provisions consistent with what was done in our committees.

In regard to North Korea, I know we all want to take actions against North Korea. The provisions added by the House are consistent with what we think are appropriate for North Korea.

This is an important moment for our country. I really do want to thank all involved. I know Senator CORKER, Senator BROWN, and Senator CRAPO would agree with me: I really thank our dedicated staff. We could not have done this without our staff. They worked 24/7 for the last 7 weeks to get this done. As a result of their action, the United States is going to be in a better position dealing with Russia when this legislation is enacted, and I am proud to be part of that.

I reserve the remainder of my time.

Mr. CORKER. Mr. President, I thank the ranking member for his outstanding efforts, along with many others.

What I would like to do now is yield to Senator MCCAIN, and I will speak last.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Democratic leader for his courtesy, as always.

In just the last 3 years, under Vladimir Putin, Russia has invaded Ukraine, annexed Crimea, threatened NATO allies, and intervened militarily in Syria, leaving a trail of death, destruction, and broken promises in his wake. Of course, last year Russia attacked the foundations of American democracy with a cyber and information campaign to interfere in America's 2016 election.

I am proud—I am proud—of the two individuals who just spoke, the Senator from Maryland and the Senator from Tennessee. Both of them have worked in a bipartisan fashion and got legislation to this floor. Although it is long overdue, it is here. I believe we will see an overwhelming vote, and I thank them for their bipartisanship.

In the last 8 months, what price has Russia paid for attacking American democracy? Very little. This legislation would begin to change that. The legislation would impose mandatory sanctions on transactions with the Russian defense or intelligence sectors, including the FSB and the GRU, and the Russian military intelligence agency which was primarily responsible for Russia's attack on our election.

I believe my colleagues know what is in this. It would codify existing sanctions on Russia by placing into law six Executive orders signed by President Obama in response to both Russian interference in the 2016 election and its illegal actions in Ukraine, and it would take new steps to tighten those sanctions.

The legislation would target the Russian energy sector, which is controlled by Vladimir Putin's cronies, with sanctions on investment in Russian petroleum and natural gas development as well as Russian energy pipelines.

My friends, the United States of America needs to send a strong message to Vladimir Putin and any other aggressor that we will not tolerate attacks on our democracy. That is what this bill is all about. We must take our own side in this fight, not as Republicans, not as Democrats but as Americans.

It is time to respond to Russia's attack on American democracy with strength, with resolve, with common purpose, and with action. I am proud to have played a small role. What I am most proud of is the bipartisanship you are seeing manifested today on both sides of the aisle. We need a little more of it.

I yield the floor.

Mr. CORKER. Mr. President, I thank the distinguished Senator from Arizona for his dedication to our national security, for his tremendous involvement in this legislation, and all that he does on behalf of all of us to make sure that our Nation is secure.

Thank you so much for those comments and for your deep involvement in this piece of legislation.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the chairman of the Foreign Relations Committee and the ranking member, Senator CARDIN.

Senator CRAPO and I began working on this months and months ago. I appreciate that partnership.

Senator MCCAIN—I read an op-ed he wrote in USA Today about 3 weeks ago. It was about what Putin tried to do with some level of success in Montenegro, and nobody has watched Putin and his intervention in our elections and European elections and their governments and his desire to destabilize democracy around the world—nobody has recognized it quite as early or with the acute sense that Senator MCCAIN has, and we thank him for that.

I rise to urge my colleagues to join me and vote for this critical sanctions legislation, which is the product of months of bipartisan effort in this body.

At a time when it is difficult to get things done in this far-too partisan Senate, this effort proves it is still possible for Congress to come together and accomplish big things. The bill pro-

vides for a range of tough new sanctions against Iran, Russia, and North Korea.

The Ukrainian community in my State knows firsthand the dangers of decades of unchecked Russian aggression. Congress must act to punish Russia for its continued actions in Ukraine, in East Ukraine, in Crimea, and for its interference in our Presidential election and to deter future such aggression.

This bill will prevent President Trump from relaxing sanctions on Russia without congressional review. We are all concerned about that.

Iran is one of the world's leading state sponsors of terrorism and a continuing source of instability throughout the region. This bill is carefully written to avoid violating U.S. commitments under the Iran nuclear agreement, and it applies new sanctions in response to Iran's support for terrorism, its human rights abuses, and its ballistic missile program.

It also incorporates sanctions on North Korea, including measures to toughen enforcement of current U.N. Security Council rules. North Korea's efforts to develop nuclear capabilities must be countered. We must take a stand against its horrendous human rights record, including the savage treatment of Otto Warmbier that led to his death.

These are important steps. More can be done to address the situation in North Korea.

I thank my staff, Colin McGinnis, Mark Powden, and Graham Steele on this. I appreciate the work of the staff in all four of these offices on Banking and Foreign Relations, and I ask my colleagues to concur.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent to speak on leader time.

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

Mr. SCHUMER. Mr. President, last year, we know the United States was victim of an attack by a foreign power on the very foundation of this dear democracy—the right of the people to a free and fair election.

The consensus view of 17 agencies is that Mr. Putin interfered in the 2016 election. For that alone, the United States has more than just cause to sanction President Putin and the intelligence apparatus he directs. To date, Mr. Putin and his allies have not suffered serious repercussions for this stunning breach of our right as a sovereign nation not to have our elections disturbed by a foreign capital. That all changes today.

Congress has drafted this sanctions bill to hold Mr. Putin accountable for his actions and to send a message to him and the rest of the world that any further attempts to degrade our democ-

racy will meet further sanctions and action. We will not stand by idly as this is done.

There is no process more sacred in a democracy than the guarantee of free and fair elections. That fundamental right was attacked by Mr. Putin. With this vote, let us finally—finally—officially condemn and forcefully respond to that attack on our country. Let us send this bill to the President's desk for his signature.

We still don't know if President Trump will sign this legislation. I say to my colleagues: If the Congress speaks loudly enough and strongly enough and we send this bill with a veto-proof majority, it will not matter what President Trump decides.

Before I yield the floor, I wish to thank my colleagues. At the top of the list are Senators MCCAIN and GRAHAM, who early on had the idea to do this. Their strength against transgressions against this country is wonderful.

I thank the chairman of the Foreign Relations Committee. He had to pursue this legislation through ups and downs. He didn't relent, and here we are today because of his efforts.

I thank his ranking member, Senator CARDIN. They are a great bipartisan team.

Similarly, Chairman CRAPO and Ranking Member BROWN, again, in a bipartisan way, not letting partisan politics get in the way—they passed this legislation.

I would like to thank leader MCCONNELL because when he and I talked about bringing this legislation to the floor, he didn't blink. He didn't hesitate. He was forthright and said: Let's do it.

This piece of legislation proves that when this body works the way it should, when both parties talk to each other, work with each other, and the committee chairmen and ranking members negotiate legislation through proper procedure, we can produce good, strong bipartisan legislation.

I would be remiss if I didn't mention, in this moment of bipartisanship, the same thing could happen with healthcare.

With that, I urge all of my colleagues to vote yes.

I yield the floor.

Mr. CORKER. I thank the minority leader for his comments, and I yield a moment to Senator CRAPO, who played an outstanding role as the leader of our committee.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. I thank Senator CORKER. Mr. President, I thank, too, all those who were mentioned: the Foreign Relations leadership, Senator CORKER and Senator CARDIN; Senator BROWN, my colleague in the Banking Committee; and all the others who have been so involved in this issue.

This is one of the examples of how we can work together in a bipartisan fashion to craft critical legislation for protecting and strengthening America. Frankly, it is past time for us to stand strong as a nation in response to the increasing aggression that we see in Russia around the world—whether it be in Ukraine, in Crimea, in Syria, in facilitating corruption globally, or in the cyber security attacks we have seen that have been directed not only at us but at our allies across the world.

It is very important that we implement this legislation. I am glad to see the solid bipartisanship that we have been able to build. I also hope that we can build this bipartisanship on many, many other issues.

We are going to be looking at North Korea, as has already been said. I am hopeful and confident that we will stand again on this floor soon as we deal with the threats we face from North Korea.

Again, I thank all of those who have worked so closely with us on this legislation and appreciate the opportunity for us to move forward, united tonight on this critical issue.

I yield back.

Mr. CORKER. I yield the floor to Senator MENENDEZ.

Mr. CARDIN. May I have a moment?

First, I want to join in thanking Senator MCCAIN and Senator GRAHAM for their work. We started in January on this legislation—their legislation. How we drafted it is intact here, and I thank Senator MCCAIN and Senator GRAHAM.

The leader on the Iran sanctions, going back many, many Congresses, has been Senator MENENDEZ. In introducing him, I want to thank him for his leadership on Iran and, also, these other bills. I look forward to his comments.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, let me thank the ranking member for his kind comments. I thank the chairman for his continuous engagement in this regard and his leadership.

I remind my colleagues that what gave us the vehicle to consider Russia and North Korea was the countering Iran act that I was pleased to author with the chairman and with the ranking member and other colleagues in a bipartisan approach.

When we started on Iran, there were those who wanted to look only at its intercontinental ballistic missile violations. I and others persisted and said: Wait a minute. Iran is far more nefarious in its activities—beyond intercontinental ballistic missiles.

It is collective leadership that brought us to a much broader bill that we are about to vote on today, where Iran is being pursued for the violation of its international order.

We just had the Prime Minister of Lebanon here, and he was saying to us:

If you are concerned about Hezbollah, then find where the source of the money is. The source of money for Hezbollah is Iran. If you are concerned about intercontinental ballistic missiles, I would add, it is Iran. If you are concerned about the greatest exporter of terrorism, it is Iran. If you are concerned about human rights violations within Iran, it is the leadership of Iran.

This is about sending a message to Iran that, in fact, when you violate the international order, there are consequences to it. It is about sending a message to Russia that when you violate the international order, annex Crimea, invade Ukraine, indiscriminately bomb civilians in Syria—and then when you try to affect the elections of the United States of America, you have a cyber attack, from my view, on the election process.

We can debate whether it affected the election. That is not the issue. The mere fact that Russia tried to affect our elections should be upsetting from the average citizen to the President of the United States. We have an opportunity to make very clear to Russia and to any other nation that this will not be tolerated.

Finally, to North Korea: North Korea's dangerous provocations in its path to nuclear weapons and a delivery system to be able to deliver those nuclear weapons are some of the greatest challenges we have.

We have an opportunity to come here today and say: You have to observe the international order. We have to go back to the basis of the rules that ultimately came about after our leadership in World War II to preserve the international order that has brought us peace and prosperity.

There are only a handful of peaceful diplomacy tools you can pursue. One of them is the use of sanctions in order to try to prod countries to move in a certain direction and to observe the international order. That is our opportunity today with Iran, with Russia, with North Korea. I hope we will seize it unanimously because when we do that, we send the most powerful message in the world that the United States—Democrats, Republicans, Independents—stand together in terms of defending the national interests and security of the United States.

I yield the floor.

Mr. CORKER. I thank the Senator from New Jersey for his outstanding leadership on Iran and his leadership on Russia and North Korea. He has led us for years and years in sanctioning Iran and has brought them to the table. I thank him for that.

For those who are here and want to vote, I am going to yield 1 minute to Senator GARDNER. I am going to speak for about a minute and a half, and to my knowledge, we will be ready to vote. I thank all of my colleagues for their patience.

Senator GARDNER.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I thank Senator MENENDEZ. I appreciate the opportunity to talk about what this Senate and Congress has done. Last Congress, we passed unanimously the North Korea Sanctions and Policy Enhancement Act.

This legislation that we are about to vote on builds on the success we started with last year. We have more work to do to stop the crazed Kim regime.

I thank the chairman and the leader for committing to further conversations on North Korea, further action that needs to be taken because we know that, in China, there are over 5,000 businesses still doing business with North Korea. China is responsible for 90 percent of the North Korean economy. Now, 10 of those 5,000 businesses are responsible for 30 percent of the economic activity, the imports from North Korea into China. More work has to be done to stop this madman in Pyongyang.

I thank this Senate for moving forward on legislation today to build on the success we had last year. I urge its passage. We have more work to do to put an end to this regime.

Mr. CORKER. I thank the Senator for his leadership on North Korea, and I thank him for speaking.

Mr. President, I will be very brief, as I normally am. This bill has taken passion, tenacity, and all of us working together to bring out the best in this body and to get to this point where we are today. I want to thank everybody who has been involved.

Senator CARDIN has been an outstanding ranking member. As always, we worked together, just as we did today on another markup, to get to where we are. We have Senators CRAPO and BROWN. I think there were about four committees working to get this piece of legislation out. It was an incredible effort working around the clock for days and nights. I want to thank them for their leadership.

I want to thank Senator MENENDEZ, again, for his involvement, in particular on Iran, but on all of these issues.

Certainly, thanks go to Senators MCCAIN and GRAHAM for their tremendous leadership in beginning the process, especially on Russia. Thank you so much.

Thank you, Senator SCHUMER and Senator MCCONNELL, for giving us the freedom to operate under regular order, the freedom to operate in the committee process, which I know all of us long to get to on all issues that we deal with here, and thank you to all of those Members who have been so involved. Our staffs have been incredible. Thank you so much for the professionalism, the knowledge, the energy, and the willingness to work late hours to make this happen.

The attributes of this legislation have been discussed. I think we all are ready for this moment. We are all ready to speak to what Russia has done to our country and to others, to speak to what Iran is doing outside of the nuclear agreement, and to speak to what North Korea continues to do.

One attribute that hasn't been spoken to is this: It has been my goal as chairman, working with the ranking member, that Congress continue to be more and more relevant and to garner back the powers that we have given to the executive branch for decades. One of the most important attributes of this legislation is the congressional review, where, when major decisions are made, Congress is involved; Congress has a say. I hope we will build upon that, not only in foreign policy but in other matters.

I want to thank all involved.

I urge a strong vote on this piece of legislation that sends a strong message to Iran, to Russia, and to North Korea.

With that, I yield the floor.

The PRESIDING OFFICER. All time is yielded back.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. CORKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 98, nays 2, as follows:

[Rollcall Vote No. 175 Leg.]

YEAS—98

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

NAYS—2

Paul Sanders

The bill (H.R. 3364) was passed.

AMERICAN HEALTH CARE ACT OF 2017—Continued

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Wyoming.

AMENDMENT NO. 502 TO AMENDMENT NO. 267

Mr. ENZI. Mr. President, I call up amendment No. 502, the Heller amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] for Mr. HELLER, proposes an amendment numbered 502 to amendment No. 267.

Mr. ENZI. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the sunset of the repeal of the tax on employee health insurance premiums and health plan benefits)

Strike subsection (c) of section 109.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, we are talking today, obviously, as we move into the final hours of this debate, about the two mandates in the original Affordable Care Act, the individual mandate and the employee mandate—certainly, the individual mandate but both of these mandates.

First, I want to talk about the individual mandate. It was unprecedented in Federal law. The idea that the Federal Government could tell somebody they had to buy a product, tell them what that product had to look like, and have very little input on the price or competition is just something the Federal Government had never done before. They didn't just set guidelines, they didn't even just set subsidies but actually a requirement to buy a product or pay a penalty.

Now, when this case got to the Supreme Court, the government was still arguing it was a penalty and there was nothing wrong with that penalty, until apparently they figured out the Court wanted to look at this as a tax because a penalty wouldn't have been constitutional.

Now, we all know this is a penalty. The Supreme Court can call it a tax, the Obama lawyers could at that moment decide, well, even though we set up the law as a penalty, we really think it must be a tax, and that 5-to-4 decision decided that because it was a tax, not a penalty, that part of the law was upheld.

Nobody ever thought this was a tax before that day, nobody has ever seriously thought it was a tax after that day. It was a penalty you pay if you decide you don't want to do something the Federal Government tells you that you have to do.

There is no constitutional basis that gives the government the authority to make that kind of decision, and families and individuals have been hurt by that decision.

There is only one place to go on the individual market, the exchange. Remember that? We have almost forgotten the total disaster of the exchange. States tried to operate exchanges, almost none of them worked. States spent millions and tens of millions, and I think a time or two maybe even more than that to put an exchange together. It didn't work. That part of the law didn't work so you wind up mostly with one big exchange. Even with one big exchange, you have to think about whether the policies available in the county you live in—most of the debate over the past several years, a lot of the debate has been we ought to expand the marketplace, we ought to buy across State lines, we should have more choices and more places to go. Somehow we managed to define in this law, the law that is currently the law of the land, a marketplace that is about as small as it could possibly be.

In our State, in Missouri, we have counties that have a million people. We have a county that has a million people. We have a county that has 4,000 people. The county that has 4,000 people has its own buying unit when it comes to looking at how the marketplace is set up. It just doesn't make sense. The deductibles are so high, the choice is so low. Some defenders of the law will say that costs will go up if the amendment passes. That is possible, but we know the costs will go up if the amendment fails. We know the costs will go up if we stay where we are.

Costs, since 2013, have increased an average of over 100 percent in the country—105 percent. This was the law that was going to reduce family costs by \$2,500 a year. Families are generally relieved if their insurance didn't increase by \$2,500 a year, let alone fail to reduce by \$2,100 a year. So a 105-percent increase in 4 years—in Missouri, where I live, 145 percent is the increase.

I think at least three States have had an increase of more than 200 percent, and even with an increase of more than 200 percent, nobody wants to sell insurance there. Not only is there no competition, I think about one-third of the counties in America this year don't have more than one company that will even offer a product. Some have had no companies that would offer a product, and 40 percent is the estimate for next year. There are places where no more than one company will offer a product. What kind of competitive marketplace is that?

The government, with the mandate, says you have to buy a product and you have to buy it in that marketplace and you have to buy it from that one company at whatever rate some other level of government has finally approved to

keep the company there that probably didn't want to be there, but if you don't buy it, you pay a penalty.

This is not working. Millions of people have chosen to pay the current penalty, which was \$695, rather than to participate in a system that didn't work for them. Families can't continue to pay more and get less.

Remember former President Clinton's observation on this: What a crazy system. The costs keep going up and the coverage keeps going down. We have forced people to be in a system that according to President Clinton, the costs keep going up, the coverage keeps going down, and if you don't participate in that, you pay a penalty.

We have to move in a different direction. Eliminating these mandates helps to do that. There are some Congressional Budget Office numbers out there that estimate what is about to happen. They certainly totally misestimated the current law. I believe, under the current law, there would be 25 million people, roughly, or some big number like that on the exchange today. There are 10 million instead of 25 million, 22 million, whatever the projection was for this date in 2017. There are about 10 million.

CBO is notoriously wild with their projections. They projected, for instance, that 15 million people would drop out of the individual market if one of the many burdens of this bill or these amendments passed. There are only 10 million people in the market. How do 15 million people drop out if there are only 10 million people there?

They said that 7 million people who get Medicaid and pay nothing for it wouldn't take that if the government didn't force them to. There must be something wrong with the insurance product and Medicaid both if people don't take it even if it is available to them. The current system isn't working.

The other mandate, the employer mandate, is telling employers what they have to do. One of the great benefits of health insurance in this country since World War II has been insurance at work. It was pretty much an accident in 1946. The war was over, and no one wanted to heat up the economy too quickly so it was decided to have wage and price controls. Somebody asked the price control person: If we add insurance at work, does that count toward wages? They wanted to compete for more and better employees they could get coming back into that economy from the war. So they asked, if we add insurance to work, does that count as wages? The wage and price control person said, no, it wouldn't count. So they went to the IRS person and said: If it doesn't count toward the wage, is it taxable if they get it at work? That person said, no, it wouldn't be taxable either. So we have this unique system that developed. We need to figure out

how more people can get insurance at work, more people can get insurance as a part of bigger groups. There are things that work and things that don't. The government requiring you to do something and thinking there is a constitutional right to do that just simply doesn't work.

In fact, with the employer mandate, there are all kinds of unintended consequences. People with 50 employees didn't want to get more than 50 employees. The 30-hour workweek became a problem. In fact, Ms. COLLINS, the Senator from Maine, from almost day one has said: Why do we want to enshrine the 30-hour workweek? Let's have a 40-hour workweek. Her amendment was offered and filed over and over again. Companies were reluctant to hire new employees. These are the unintended consequences of the employer mandate. Too many people have two 26-hour jobs now who need a 40-hour job with good benefits instead of two 26-hour jobs with no benefits.

More choices and the kind of access to healthcare people need is where we ought to be focused, a solution that provides healthcare and not just coverage. It is great to have insurance coverage. It is great to have even a government insurance coverage like Medicaid, unless no doctor wants to take any new Medicaid patients or if your insurance coverage deductible is so high. The averages on the bronze plan is \$6,000 per individual, \$12,000 per family. If your deductible is so high you can't go to the doctor, you don't have the kind of access to healthcare you need. You only have access to catastrophic sickness care. This system needs to change, and I believe one of the fundamental flaws in the system from day one was the government believing it could force people to purchase a product that didn't meet their needs and didn't meet what their family could afford to do.

I am glad we are having this debate.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I would like to tell my colleagues a couple of stories. We are going to talk about what is happening in healthcare right now. There is the healthcare that is happening here in this room in the debate that is ongoing that started months ago, continuing to try to figure out the solutions to what we face with the Affordable Care Act. Then there are the healthcare issues happening at home.

Sometimes we get caught up in this conversation and think this is what the center of the healthcare conversation is about. It is not. The center of the healthcare conversation in America is around dinner tables. Let me tell my colleagues what that conversation sounds like.

This comes from one of my constituents who just wrote to me. He said:

My premium increases from \$1,308 per month to \$2,489 per month. This is for just my wife and I. We are self-employed small business owners and simply cannot afford to pay nearly \$30,000 per year for health insurance. We will have to pay the penalty for not having healthcare, but we have to eat and pay our bills. Sadly, we are both in our late 50s, and we probably need healthcare more now than ever. Mr. Lankford, this is not the America that I grew up in, the America my father fought to preserve in World War II.

That is the healthcare debate happening in America right now—individuals who used to be able to afford their healthcare coverage, but now they cannot and no longer have healthcare.

The Affordable Care Act did cover a new group of people who were not covered before, but it also pushed out another whole group who used to have coverage and now does not.

This is an extremely personal issue. This is not a political issue. These are families and lives and children. These are individuals who have cancer and diabetes and a history of genetic diseases in their families, and they are very concerned about what happens politically in this room because it affects their families and their real lives.

Congress needs to act on this. What is happening right now with the status quo is untenable for families all across the country. Insurance carriers have left the market. Rates have gone up dramatically. We have fewer choices and more control but less control for families.

What does that look like in my State? Well, in my State, premiums went up last year 76 percent—last year—a 1-year increase. I have folks all the time who say to me that their great complaint is about the rising cost of college tuition. Let me give my colleagues a glimpse. College tuition has increased 76 percent in 15 years. Insurance in my State went up 76 percent in 1 year. In fact, since ObamaCare fully rolled out in 2013 until now, insurance in my State has gone up 201 percent. That is not the Affordable Care Act; that is a recipe to be able to push people out of insurance and keep them out.

ObamaCare was designed to force healthy people to buy insurance to increase the risk pools for those insurance companies. But when you can't afford the premiums, you are forced to pay this big tax. Now, the question is, Who is paying the tax? Originally, ObamaCare said: Well, people who didn't buy into the insurance who want to just take the risk on their own, these wealthy individuals, they would have to pay the extra tax. Really? What did that end up looking like? Again, coming back to my State, 96,000 Oklahomans are currently paying the tax to the IRS because they don't have healthcare insurance. Who are they? Eighty-one percent of the people who pay the penalty make less than \$50,000 a year. These are individuals who cannot afford the insurance, and they also

can't afford the fine that is coming from the IRS. It is a poverty tax that the Affordable Care Act created to try to force these people into insurance they cannot afford, and when they can't afford that, then they get a big hit on their taxes as well. It is literally a no-win situation for them.

One of the major goals of the Affordable Care Act was to provide affordable coverage. It was to be able to help people get into insurance. It was to be able to help improve the safety net. Those are not irrational goals. Those are good goals, but the execution of it was terrible, and the implementation has caused more problems than it has solved.

In my State, many physicians in rural areas used to be independent. Now they have all been forced into working for big hospitals because they can't afford the compliance costs to keep their office moving anymore. So independent doctors and independent clinics are now part of big conglomerate hospital companies. I am glad they are there, or we would have no access to care at all.

My State used to have four insurance carriers in the State. Now it has one, and that one is discussing leaving.

I hear all the time people who are mad at Republicans saying: Why haven't you solved this yet? Quite frankly, this is an incredibly difficult issue. But I also want to be able to respond back to people: Don't gripe at the firefighters fighting the wildfire. They didn't start it. We are trying to put it out. Yes, I know the fire line is big, and, yes, I know it is difficult to put it out, but we are doing our best to resolve a fire we did not start. We will resolve this.

So what is happening right now with our trying to resolve it? What are we trying to accomplish? We are trying to do several specific things dealing with the Affordable Care Act. This is not about resolving everything in healthcare. There are, quite frankly, lots of issues on which we have bipartisan agreement that we should work on in the days ahead, things like prescription drugs and so many other things we can do to help bring down the cost of healthcare itself, but in the meantime, we do have a dispute.

Our Democratic colleagues have said to us that they want to be able to cooperate with us on healthcare, but the parameters are that we have to keep the individual mandate—that tax penalty on people in my State for people who make \$50,000 or less to pay this giant tax; they want to keep that. They want to keep the employer mandate, which is dramatically driving up the cost of insurance for employers and decreasing wages. The initial estimates are that people in my State are making about \$2,500 a year less now than they would be because of the employer mandate that is on them. So we can't nego-

tiate and say "Let's form a bipartisan agreement on this" if they want to keep the individual mandate and the employer mandate. Those things hurt people at home.

So here is what we are trying to do. This is a budget bill. It is called reconciliation. We are limited to only budget-related items to be able to deal with. So we are working on some of the basics of what needs to be repealed in the Affordable Care Act. We do want to get rid of the individual mandate. We do want to get rid of the employer mandate.

We do want to deal with how we can take control of healthcare out of Washington, DC, and get it back to the States, where it used to be. Prices are much cheaper when there is local control on healthcare than when there is Federal, centralized control.

We would also like to find a way to get some of the bureaucracy out of this. You see, when there is a healthcare dollar paid and it first has to pay the Federal bureaucracy, then it goes to the State bureaucracy, then it pays an insurance company bureaucracy, and then it pays a hospital bureaucracy, there is not much of that dollar left to finally get to patient care at the end. If we can take out one of those bureaucracies, we can actually get more dollars to patients rather than having them just feeding the bureaucracy of another layer.

We are simply trying to deal with the mandates that are there, who actually makes the healthcare decisions for regulations and policy, whether it is the State or the Federal Government, and how we are going to balance out coverage for individuals who desperately need it in the safety net.

I have heard a lot of folks talking about CBO scores. I will tell you, I am in the middle, and I am very frustrated with CBO right now. Every policy we want to float to say this is something we think will be very effective to be able to help people in the safety net or to be able to help people purchase insurance, CBO responds back to us: That sounds like an interesting idea; it will take us about 4 weeks to study it. When we are in the legislative process, when we are doing amendments, we can't wait 4 weeks between each amendment. We have to be able to get answers from them.

So we are stuck in this spot, so our resolution is—we have a House version that has been scored, and we have a Senate version. We have a lot of changes we want to make, even to our latest version. The best answer we have while we wait on CBO scoring—another month to get us an answer—is to be able to get an interim bill, get into a conference between the House and the Senate, allow CBO the month that they need to score this, and for us to be able to pass a better bill in September. So that is where we are stuck right now.

This is not a final bill that is coming out. This is still an interim process that is moving. But we need to be able to keep this process moving because there are people at home who are counting on this actually getting better for them in the future. Their words to me are: This cannot get worse, because I can't afford what we currently have, and I can't afford that access I have been given to healthcare.

In the middle of all of this debate, a lot of people on the outside look at it and say: How come the Senate can't move faster?

I respond back to them: We can't get a score from CBO, so we can't move any faster. We are stuck waiting on them.

They typically will call me and say: Well, just run over CBO.

We are not going to ignore the law, and we are not going to ignore the rules of the Senate, but we are going to work to actually get this right.

In the meantime, I have heard an awful lot of scare tactics coming out. It usually circles around, there will be 22 million people who will suddenly not have insurance. That is a fascinating number to me since only 9 million people have ObamaCare right now. Nine million are actually on the exchange. So it seems difficult to me for 22 million people to lose what only 9 million people have. But if you are an economist, they look at, on the horizon, people who may one day join in at some point, and then those people who may have joined in then might have lost their insurance. It makes total sense to an economist, but to all of us who just look at math, it becomes very difficult.

CBO also believes that without a Federal mandate and a tax penalty on individuals, they will not buy this insurance product. People do not want to buy it and will not buy it unless they are made to buy it.

The problem is, there are 6.5 million people in the country who are also required to buy it who are just paying the tax rather than buying the insurance.

We need to allow people to make decisions on their own lives, but we need to also make sure there is actually an insurance product they can afford. And all the scare tactics about how we are going to throw out preexisting conditions and people who have preexisting conditions will be on their own—that is not true. Every single one that we have debated has included protection for preexisting conditions. We all are still honoring things like lifetime caps, annual caps. We have all included 26 and under. If you want to stay on your parents' insurance, you can still do that.

There have been all of these scare tactics, like this will throw senior adults out on the street, and Medicaid is going to have these dramatic cuts. I looked at one of the proposals that was put out by the Senate and one of the

drafts that we went through, and it said “dramatic cuts.” Here are the “dramatic cuts” we had in Medicaid: Every year for the next 8 years, Medicaid increased at twice the rate of inflation. Every year for 8 years in a row, twice the rate of inflation, Medicaid went up. That is twice as fast as Medicare goes up—twice as fast as Medicare. So Medicaid was accelerating twice as fast as Medicare, and then 8 years from now, Medicaid went back to growing at the same speed as Medicare—at the rate of inflation. That was the “dramatic cut” in Medicaid. Every year going up twice as fast as inflation is a cut? Nine years from now, only growing as fast as inflation is a cut? But it is being portrayed that people are going to be thrown out on the streets and Medicaid is going away.

I would encourage Americans to understand that the conversation has been a lot about political rhetoric. This body really is committed to the safety net. This body really is committed to allowing people to have choices again that they can actually afford for insurance. We are really committed to taking control of healthcare out of Washington, DC, and pushing it back to the States and to families so they can control healthcare decisions again. That is the real debate that is happening here. I know it is boisterous, and I know it is much easier just to have bumper sticker comments, but at the end of this, we have to realize there really are people who are involved in this, who are deeply affected by it.

A couple more stories. A gentleman recently sent me an email saying that he received word that his premiums are rising from \$1,229 a month to \$2,205 a month to cover just him and his wife. His deductible is rising to \$4,000 a person. His out-of-pocket maximum is rising to \$13,000. That is under ObamaCare now.

Another person who wrote me is currently enrolled in ObamaCare now. He is 62 years old, and his wife is 61.

Our monthly health insurance premium increased by 71 percent to \$2,900 last year. My wife and I are healthy with no major problems, so my health insurance is the size of my mortgage payment.

That is under ObamaCare now.

Under ObamaCare now, a lady from my State wrote me and said that for her first year, her monthly premium was \$1,200. This year, she will pay \$1,900 a month. She just got a letter from the one insurance company left in her State—the one opportunity she has to get insurance—saying that her monthly premium next year will be \$3,540. That is an increase of 84 percent, or \$42,000 a year, for insurance under ObamaCare now. Her simple statement to me is, How is this possible?

I speak to some of my colleagues, and they say: Those stories aren't true.

I say: Let me introduce you to some real-life people outside of this political

debate who are debating around their kitchen table about how they are going to make it with the rates that have been put on them.

What we have now has to be addressed. I know this is a boisterous, loud process. But as we walk through the process, the end solutions are for these families, so that our noise helps them to actually move back to thinking about their kids and what they are going to do next in their retirement, and not to say: How in the world am I going to pay for my health insurance anymore?

Let's get this finished. Let's move to the next stage. Let's get to conference and try to resolve the differences between the House and the Senate. By September, when we finally get a score back from CBO on all of our scoring and they finally get us information on the things we have asked for, let's get this passed so we can actually get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, let me congratulate my colleague from Oklahoma for a very fine statement, and let me associate myself with each and every word and each and every fact he outlined in his very fine statement, and also with the remarks of my friend from Missouri who went before him. I appreciate their leadership on this issue.

Let me, at this point, also give a salute to the First Amendment of the Constitution of the United States, to the right of freedom of speech, which we have seen exercised in this building and in this Nation during the course of this debate, and the freedom granted to petition the government for address of grievances. We have seen examples of that. They have been on full display in this healthcare debate, a phase of which will come to a close I hope this evening.

Let me give a shout out to our staff members. They have fielded thousands, if not tens of thousands, of phone calls, letters, emails, and visits from Americans exercising their rights under the First Amendment. Americans have come to their Capital City, almost all of them in an appropriate and non-disruptive way—sometimes intense, for sure—expressing their opinions but also in display of their First Amendment rights.

After all the debate, all the conversation, and all the exhortation on this issue, we have seen a lot of things said from the floor and a lot of things said on the news media that have amounted to a matter of opinion. But here is one thing I know for a fact. For four straight elections—2010, 2012, 2014, and 2016—Republicans ran on a promise to repeal and replace ObamaCare. We ran on that platform, and for four straight elections Republicans prevailed at the

ballot box on the strength of that platform. I know that for a fact, and this I believe. Millions of Americans are at work today or at home or getting home from their offices, from their shops, from their factories. They are turning on the media. They are checking online. They are turning on the radio. They are wondering if a campaign promise is going to be kept by this party to which they have given the reins of government in four straight elections.

We are close to keeping that promise. We are closer than we have ever been, and we can take a big step tonight on making good on that promise. That is not just a matter of keeping a promise, but I will say to my colleagues that it is important this platform be honored.

Mr. President, I ask unanimous consent to speak for 10 additional minutes if there are no other people on the other side asking for consent.

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

Mr. WICKER. So we are keeping a promise, but there is a lot more to it, as my friend from Oklahoma outlined, not only in fact but also in stories from honest-to-goodness Americans.

This debate is about keeping Americans from hurting, about relieving the pain that this 2009 ACA has caused people to have. They were told they could keep their doctors. They wanted to keep their doctors, and it turns out they lost their doctors. They were told they could keep their healthcare plans. They liked their healthcare plans, and, in fact, they were not able to keep their healthcare plans. They were told their premiums would go down, and we have seen chapter and verse—as the gentleman from Oklahoma so forcefully outlined—of the dramatic, drastic, unspeakable increase in premiums that Americans have undergone. They were told they would have choice when it came to health insurance, and they have not had that choice. They have lost their freedom to make their own healthcare decisions, and that has been sacrificed in favor of a big government approach. So people are hurting, as has been explained on the floor tonight.

Families in my State who do not have employer-based health insurance are paying nearly \$3,000 more per year in premiums than they did 4 years ago. In my State, it is a 116-percent increase in premiums under the Affordable Care Act over this short period of time. I guess we should be thankful we are not the 201-percent increase in premiums that our neighbors from Oklahoma have, or the 223-percent increase in healthcare premiums that our neighbors across the line in the State of Alabama have. But still, it is pretty bad wherever you go, and they were told and this program was sold on a promise of reducing healthcare premiums.

As has also been pointed out, 6 million independent-minded Americans

have just said: I will not purchase this required insurance. I will pay the penalty, instead. The Supreme Court says it is a tax. We know it is a penalty. It comes right out of their pockets. They are doing that many times because they are independent-minded but many times because it is the only thing they can afford.

So Americans are hurting. Americans from Missouri, Oklahoma, and Mississippi are hurting, and they are hurting all across America. My Republican colleagues know this. My Democratic colleagues know this.

They say: Well, the ACA needs adjustment. It needs some help.

But what is their solution? I think we are beginning to know, based on statements made and based on information coming forward, that our Democratic friends really want a single-payer system. That is their solution to the failed ObamaCare system we have now—a British-style, European-style, government-run insurance-for-all program. I don't think we need that in America. I don't think that is what Americans thought they were getting.

My wife and I have never moved our family to Washington, DC. We have kept our home on the same street in Tupelo, MS, the whole time. We raised our kids in Mississippi. When the last bell rings this weekend, I will be on a plane back home to my State, moving around the State, talking to Mississippians, speaking to people who gave me this great opportunity to serve in this great body and this great system of government.

I want to be able to tell them when I go home after this vote that I have taken a big step in keeping the Federal Government out of the business of deciding healthcare for their families. I want to be able to tell them that they are now going to have more options to choose the plan that works for them. I want to tell people back home who put me in office that we put more power in the hands of the States, not unelected Washington, DC, bureaucrats. I want to be able to tell them we passed a bill that, as my friend from Oklahoma says, answers their concerns about pre-existing conditions and takes care of those people with low incomes who need assistance in buying insurance. I want to assure the people back in my home State and all across America, as my friend from Oklahoma just did so eloquently, that the Medicaid Program will continue. As a matter of fact, it will continue to grow, but at a rate that is more sustainable, so we can afford it today and so we can afford the Medicaid Program in future generations.

This has taken long hours of give and take. It may take more long hours in debates tonight and in a conference with the House, but we can get there. I see the solution formulating, and I am

as optimistic as I have ever been that we will be able to keep this four-election promise we made.

These reforms are now within reach. We should take advantage tonight of this opportunity to deliver on what was promised to the American people, to relieve Americans who are hurting from the current ObamaCare system, and to give them a better opportunity for affordable and accessible healthcare.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I ask unanimous consent that the time until 8:30 p.m. be equally divided between the managers or their designees and that at 8:30 p.m., the Senate vote in relation to the Schumer or designee motion to commit, which is at the desk, followed by a vote in relation to the Heller amendment No. 502.

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

The Senator from Nevada.

AMENDMENT NO. 502

Mr. HELLER. Mr. President, I rise today to talk about my amendment, Heller amendment No. 502. It addresses one of the most onerous taxes enacted as part of the Affordable Care Act, commonly known as the Cadillac tax. The Cadillac tax is a 40-percent excise tax set to take effect in 2020 on employer-sponsored health insurance plans.

In Nevada, 1.3 million workers are covered by an employer-sponsored health insurance plan. These are public employees in Carson City and service industry workers that work on the Las Vegas Strip. They are small business owners, and they are retirees across my State.

Hardly anyone in Nevada will be shielded from the devastating effects of this Cadillac tax. Across America, 54 percent of employers and almost 151 million workers who currently enjoy employer-sponsored healthcare benefits will experience massive changes to their healthcare by the year 2020. We are talking about reduced benefits, we are talking about increased premiums, and we are also talking about higher deductibles. Hard-working Americans will suffer.

That is why I joined Senator HEINRICH from New Mexico in introducing what was called the Middle Class Health Benefits Tax Repeal Act earlier this year, with the support of over 75 organizations. Some of those organizations include unions, chambers of commerce, small business owners, State and local government employees, and retirees. They are all saying the same thing—that the Cadillac tax needs to be repealed. From unions to small businesses, employers are proposing sweeping changes to employee benefits today—right now—to avoid this onerous tax later.

First, over 33 million Americans who use flexible spending accounts and 13.5 million Americans who use health savings accounts may see these accounts vanish in the coming years as companies scramble to avoid the law's 40-percent excise tax. HSAs and FSAs are used for things like hospital and maternity services, dental care, physical therapy, and access to mental health services. Access to these lifesaving services could all be gone for millions of Americans if the Cadillac tax is not fully repealed.

Second, I have heard from employers, large and small, from all over Nevada, saying that they will inevitably have to eliminate services their workers currently enjoy, dramatically increase deductibles and premiums, and will have to cut certain doctors out of their networks. This goes right at the heart of ObamaCare's broken promise: If you like your healthcare, you can keep it; if you like your doctor, you can keep your doctor.

This onerous tax targets Americans who already have high quality healthcare, and Nevadans have reached out to tell me how this tax will affect them. One of the stories that hit me the hardest was hearing from a school teacher in Las Vegas. As the son of a cafeteria worker, I know the sacrifices that these educators make each day. Cynthia, who works in the Clark County School District, sacrificed a higher paycheck to ensure that a quality health plan would be there when she retired. The Cadillac tax would place a 40-percent excise tax on her retiree benefits and cause her to deplete her savings to cover the loss.

Seniors have worked their entire lives for these benefits, and the Cadillac tax puts at risk the sacrifices they have made for decades to have a safe and stable retirement. That is why I am committed to repealing this very bad tax. Many are in the service industry, like Michael from Las Vegas, who wrote to my office and explained how he is worried that the cost of his union-sponsored health insurance premium will now skyrocket. He is already seeing his deductibles increase and understands that next year there will be more increases to his healthcare premiums. Michael also shares his concerns about an imposed fine from the Internal Revenue Service, should he not have health insurance. He makes a valid point. If he loses his job, then how can he be expected to pay for his healthcare?

Norm, a city employee from Southern Nevada, shared a concern with me recently: The last thing a self-insured provider wants to do is reduce benefits for his employees.

Back in 2015, 90 Senators voted on the record in support of repealing the Cadillac tax, and I hope all 90 will join me again today. They recognize it will hurt middle-class families who, for reasons outside of their control, have

health plans that already or soon will reach the Cadillac tax's cost limits. The tax will force many employers to pay steep taxes on their employees' health plans, flexible spending accounts, and possibly eliminate some employer-provided health coverage plans altogether. Under this tax, deductibles will be higher and benefits will be reduced even more, putting a strain on middle-class families trying to make ends meet.

The short-term success of this was pushing the delay through 2020. Now it needs to be fully repealed. So I encourage all my colleagues to join me today in voting to support Heller amendment No. 502 to fully repeal this bad tax and send a message that Congress is serious about lowering costs for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, you know, late this afternoon, around 5 o'clock, a number of Republican Senators indicated their unwillingness to support the so-called skinny bill, which would rip healthcare from 16 million people, according to CBO, and increase health insurance premiums by 20 percent—and not 20 percent over several years, 20 percent per year for the next several years, doubling health insurance premiums over the next 4 or 5 years. That is the bill we are talking about. They said that they don't like this bill, but they are willing to vote for it if they are provided assurances that this is just sort of a procedural vote.

We just had a motion to proceed that was procedural in nature, according to them. We think it is the vote on healthcare.

Now, this second vote, which is actually a vote to enact legislation—they are saying they are going to vote for it but only on the condition that we go to conference committee.

Something just happened over the last couple of hours that is actually pretty astonishing. The House Rules Committee adopted what they call martial law. Now, it is not quite as bad as it sounds, but it is pretty bad. What that means is it gives total control over the procedures to the House majority. The House majority now is in a position to enact the skinny bill right away.

There are a lot of Members of the Senate who want to talk about this, but I will just give you my little indicators that they are going to enact this into law by Sunday. They are going to enact this into law by Sunday. No. 1, the White House already has a name for it, the President has indicated a willingness to sign it sight unseen, and PAUL RYAN just issued a statement

that was not at all reassuring. There were lots of words, but none of them included "We will not enact anything that comes from the Senate. We will go to conference committee, and if we don't have an agreement, we will not enact the Senate version of the bill."

They are desperate to enact a bill before the summertime starts, and that is why we are all terrified here. There are a lot of people on the Republican side who hate the bill that they are going to be asked to vote for, and the only reason they are entertaining the possibility is that they want to go to conference. But they are not going to end up in a conference committee; they are going to end up in a signing ceremony over the weekend.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, if I could just pick up on the comments of my colleague from Hawaii, we had a comical discussion 2 days ago in the Democratic caucus lunch. Comedy isn't that unusual in a caucus with AL FRANKEN, but the comic discussion was about how we would describe to the American public what a skinny repeal is. It was kind of phraseology that we might understand; how do we describe that to the American public? We took about half an hour to try to figure out how to do it, but about 2 hours ago, one of our Republican colleagues did it in 5 seconds. He said—and this is the Senator from South Carolina—that the skinny repeal is a fraudulent disaster. That is what Senator GRAHAM said—the skinny repeal is a fraudulent disaster. He did such a better job than we did of describing what the bill is, and it is a fraudulent disaster because it hurts people. It takes health insurance away, according to the CBO, from 16 million people, and it would jack up premiums in a compounding 20 percent this year, then an additional 20 percent—40 percent the next year. That is why it is a fraudulent disaster.

But some Members, as was described by my colleague from Hawaii, are entertaining that: Even though we call it a fraudulent disaster, we can vote on it because, don't worry, the House will create an opportunity for us to fix it and make it better. But the comments of the Speaker, which had to be clarified a few minutes later by his press spokesperson, have made absolutely plain that if this bill passes out of the Senate, it is intended to be passed by the House ASAP, and the President's spokesperson has said: We like this bill, and the pen is in hand—we are ready to sign it.

So no one in this body should have any illusions: If the skinny repeal—otherwise known as the fraudulent disaster—passes, it is not to continue a process; it is to take health insurance away from 16 million people, and it will raise premiums dramatically. And that

is what the intent of this vote would be.

With that, Mr. President—

Mr. WYDEN. Mr. President, will my colleague yield for a question?

Mr. Kaine. I will yield the floor for a question.

Mr. WYDEN. Mr. President, just very quickly, the Senator pointed out this analysis we have gotten where the premiums go into the stratosphere. Senator MURRAY and I worked a long time on it.

Wages for working people are going up about as fast as a snail trying to climb uphill. I am curious what you think that means for working-class families in Virginia, because I know in my home State—and Senator MERKLEY and I have talked about this—we have working families right now who every single month are walking on an economic tightrope, balancing their food bill against the fuel bill, the fuel bill against the rent bill.

Because my colleague was correct with respect to the fact that this would start, by the way, in January—this is not some kind of far-removed thing—people are going to feel the hit of these skyrocketing premiums right away. What does my colleague think that is going to mean for working-class families in his home State?

Mr. Kaine. Well, to respond, Mr. President, to my colleague from Oregon, one of the things we have seen in the first half year of this administration is, whatever job report comes out month to month—comes out at the beginning of each month, we are not seeing wage growth. We are not seeing wage growth. So imagine that continuing forward—essentially no wage growth and 20 percent increases in premiums that then compound to 40 percent next year, 60 percent the year after that. This will be devastating.

So if you put together the CBO consequences—16 million losing insurance, the 20 percent compounding increases in premiums, a likely dramatic destabilization of the insurance market, and then other features that we hear are in the skinny bill—for example, if you take funding away from Planned Parenthood—and 3 million women have decided that is their choice, that is where they are going to get healthcare, including many working women and women in working-class families—the premium effect is going to be absolutely dramatic, and it will be devastating to Virginians and Oregonians.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we are here at a historic moment, and we listened to a historic speech just within the last 48 hours from our colleague, Senator JOHN MCCAIN. All of us welcomed him back and were inspired and overjoyed by his return and then

by his speech asking that we go back to the regular order, that we have committee consideration of a bill, with hearings and markup and the democratic process really working.

What threatens us tonight is the democratic process being brought to new lows.

If this bill is passed with the assurance that it won't go to conference—and there are conservatives, and I could quote them.

Senator LINDSEY GRAHAM said earlier today:

There's increasing concern on my part and others that what the House will do is take whatever we pass—the so called “skinny bill”—not take it to conference, go directly to the House floor, vote on it, and that goes to the President's desk with the argument, “This is better than doing nothing.” Here's my response. The “skinny bill” as policy is a disaster. The “skinny bill” as a replacement for Obamacare is a fraud. The “skinny bill” is a vehicle to get in conference to find a replacement. It is not a replacement in and of itself. The policy is terrible because you eliminate the individual and employer mandate which we all want eliminated but we actually want to have an overall solution to the problem of Obamacare, so you're going to have increased premiums and most of Obamacare stays in place if the “skinny bill” becomes law. Not only do we not replace Obamacare, we politically own the collapse of healthcare. I'd rather get out of the way and let it collapse than have a half-assed approach where it is now our problem.

Senator JOHN MCCAIN said earlier today:

I'm not supportive of the legislation as it stands today. I am in close consultation with Arizona governor over the so-called “skinny repeal.”

Senator RON JOHNSON said earlier today:

Virtually nothing we're doing in these bills and the proposal are addressing the problems and challenges and the damage done to people.

We will see, in effect, a betrayal of our trust, and I say that very seriously.

I hope this body will keep faith with our democracy and make sure that a bill that is regarded as a bad bill—and rightly so because it will eliminate insurance for 16 million people, it will raise premiums by 20 percent in less than a year, it will drive up costs, and it will bring down the number of people who are insured by catastrophic numbers. We owe it to the American people to vote against this so-called skinny bill, which is really a sham repeal. It is a skeletal version of TrumpCare 2.0, 3.0, 5.0, 7.0. We can do that.

With that, I yield the floor to my distinguished colleague from the State of Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I want to speak for a few minutes on the floor to answer the calls I am getting into my office, the texts and the emails I am getting with people asking: What is going on? What is happening in the

U.S. Senate? They can't keep track of what it is we have moved to.

We don't know either.

We are here probably all night waiting for the majority to finally produce the bill that they will use to attempt to repeal and maybe replace—or not—the Affordable Care Act.

All we know is, every single proposal that has been brought forward in recent days has two features: It reduces coverage, and it raises costs.

It may be that 16 million Americans will lose healthcare coverage. It might be 20 million, might be 32 million. Those are different scores for different proposed bills.

It may raise costs by 15 percent, 20 percent, or 30 percent. Sometime later tonight, we will see the final bill presented on this floor, and hopefully we will get some score so we know what we are voting on before we finally get there, but what is so scary to families I am hearing from, is that after 7 months of majority rule, where the Republican Party controls the Senate, House, and White House, we don't have a finished bill for us to debate tonight in detail, and we don't know yet exactly what we will vote on later tonight. We just know a simple theme—every proposal that has been brought forward when scored by the CBO, the independent scorekeeper, offers less coverage and higher costs.

Folks, I want to remind you about something because I just ran into a family out on the steps of the Capitol, outside the building, not inside the building—a family who is raising two typical children and one child with Down syndrome, a family where the father of the family is Active-Duty U.S. military. They asked me: “Why can't we be heard?”

The process that brought us here tonight did not include committee hearings, where doctors, nurses, patient advocates, folks who run hospitals, or folks who are specialists on insurance were heard.

In a press conference earlier this evening, four of our colleagues said they are going to vote for this bill later tonight so it can go to conference and get fixed. They said the current expected skinny repeal bill is a fraudulent disaster, to paraphrase a colleague.

Well, what I really think we should do is heed the advice that Senator MCCAIN laid out on the floor a few days ago and go back to regular order.

Just earlier today, there was an inspiring moment when we took up and passed by a vote of 97 to 2 the Russia sanctions bill. We heard the chair and ranking Republican and Democrat of the Foreign Relations Committee speak positively of each other and positively of the process and they said the outcome is in the best interest of our country.

As we have seen, we don't always follow regular order. Both parties have re-

sponsibility for moving things over the years without fully consulting each other and without going through the committee process. I think this is the moment where we should look at what happened earlier today on this very floor and follow that process, where the committees are included and consulted, and where we find a bipartisan resolution to what ails America. I am afraid that is not what is going to happen, and later tonight we will be forced to vote for or against a bill that raises healthcare costs for Americans and lowers the number of Americans who get healthcare coverage. If that is the case, this Senator will vote no.

Thank you.

With that, I yield the floor to my colleague from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Thank you, Mr. President.

We are starting to hear rumors of what is in the so-called skinny bill, and it is not skinny. It is humongous. It is filled with all sorts of conservative priorities, whether it be—these are rumors—the end to the individual mandate, the elimination that insurance companies are required to include certain coverages, the denial of funding to Planned Parenthood. This is not a bill that is designed to go to conference. This is a bill that is designed to become law.

I just want to put all of the pieces together for folks what we are hearing tonight, because you are hearing, if you are following this all across America, different pieces of news emerging from different parts of this city. Let me try to put it together for you for a minute.

First, you are seeing this skinny bill get fatter and fatter, which all of a sudden looks like a piece of legislation that is not designed to go to conference. It looks like a piece of legislation designed to become law.

It is healthcare arson. It sets the insurance markets on fire. It immediately takes insurance from 16 million people and drives rates up by 20 percent on a compounding basis. This is insanity.

It is getting bigger and bigger, which makes you wonder, wait a second, is this about going to conference or becoming law? Then we got another piece of information. The White House doesn't support the conference. The White House likes the skinny bill and wants it to become law. Then we got another piece of information. The House of Representatives tomorrow morning will declare what is called martial law. That is a procedural move that will allow the House to pass the bill that comes from the Senate as quickly as possible. This isn't going to conference, this is becoming law. Then the icing on the cake is the most curious piece of news: a statement from the

Speaker of the House in which he says, not “we will go to conference,” he says, “I am willing to go to conference.”

Why “I am willing to go to conference” and not “we will go to conference”? Well, maybe you got the clarification from his spokesman who said: “Conference committee is one option under consideration, and something we are taking steps to prepare for should we choose that route, after first discussing with the members of our conference.”

Can you see what is happening here? Can you see what is happening here? This is a bill that is being sold as just a procedural step to get to conference, but everything else that is happening around it suggests this is becoming law. Even if I am not right, let's also be clear about the process. Even if there is a conference, how on Earth is the conference going to come to a conclusion that the Senate could not? Right? You are going to introduce the Freedom Caucus to the U.S. Senate and think you are going to get more functionality and not less functionality? Even if you get to that conference, it will last for a couple days, maybe a couple weeks. They will come to no conclusion, and then guess what. The skinny bill, which is not so skinny any longer, is there for the U.S. House of Representatives to pass and put into law. All the while, the President of the United States is cheering that on. That is the signal he gave you. The President of the United States does not support a conference. He supports a bill that we are going to have unveiled later tonight and passed. He supports that bill going into law.

So even if you get to conference, with the President chiding the conference to give us and pass the Senate bill, which is available to the House for passage, that is what the outcome will be.

So for our Senate friends who want assurances that this bill will not become law, you are getting exactly the opposite tonight.

With that, I yield the floor to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank my colleague from Connecticut for that really good and detailed description of how we got to where we are because I think it is really hard to explain to Americans at home who are watching this what a debate really is. I don't see my friends from the other side of the aisle right now, but watch what is happening here today because what I have seen in my State the last few months is extraordinary.

Families are coming up in the middle of a Fourth of July parade with their child with Down syndrome, bringing him over and saying: He is not just a preexisting condition. He is our child whom we love.

This last weekend, I was with a family with two identical twins, Mariah and Evelyn. One is the catcher and one is the pitcher on their 11-year-old softball team. Just in the last few years, one of them found out that she has a severe case of juvenile diabetes. The other one is perfectly healthy. What the mom told me is that they can hardly make it, paying for the cost of the insulin that has gone up astronomically over the years, paying for the testing strips and everything involved in this.

Yet, now, instead of seeing a bill which reduces the cost of prescription drugs by including some of the provisions I have long advocated for—from ending pay for delay, where big pharmaceutical companies are paying off generic companies to keep their products off the market, or bringing in less expensive drugs from other countries or allowing for negotiation under Medicare Part D—instead of doing some of those innovative things we need to bring costs down for regular Americans, what we see here is going to make it worse.

When I met with these two girls, I told them and their family that I had their back and that I would tell their story on the floor of the U.S. Senate. Never once did I think I would be saying it, even this last week, when we are facing this kind of onslaught to this family—because what I would tell these girls now is that this bill, from what we have learned—we have not seen it, we don't know exactly what is in it—but from what we have heard, what would happen is, according to the nonpartisan Congressional Budget Office, it would kick 16 million people off of healthcare.

I would ask those girls: Do you know how many people that is, girls? It is 14 States' worth of people. It is the combined population of 14 States in the United States of America.

What we have learned about this bill is that it would increase premiums by over 20 percent, again, according to the nonpartisan Congressional Budget Office. What I would tell them is that is more than their school clothes, it is more than their softball clothes, it is a good chunk of their college education. This is real money for real people and this reduces coverage and it makes it more expensive. We can do so much better.

A few months ago, we went to that baseball game where the Republican men's team played the Democratic team. I was there in the stands, and I watched at the end this beautiful scene when the Democratic team won and they took the trophy and they gave it to the Republicans' team, and they said to put it in Representative SCALISE's office.

Why did they do that? Because they were saying we are all on one team. That is what this should be.

When we are dealing with one-sixth of the American economy, we shouldn't be at night passing a bill that one of our most trusted colleagues on the other side of the aisle, a Republican, has just called “a fraudulent disaster.” That is not what we should be doing. We should be working on the fixes that so many people have been working on for so many years—bringing drug prices down, making the exchanges stronger with reinsurance and cost sharing. These are things we actually can do together.

I ask my colleagues to work with us. We have opened the door. We want to work together on these changes and not to pass this fraudulent disaster.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Thank you, Mr. President. I appreciate so much my colleagues being out here on the floor.

We are debating a bill that relates to 16 percent of our gross domestic product, almost 20 percent of our economy.

I wish there were folks on the other side of the aisle who were out here tonight having this debate. I thank my colleague from Minnesota for the point she made.

I want to state that I am really discouraged about where we are in our political system right now, and part of that is because politicians seem to think they can say one thing when they are running for office and do another thing when they get here and that somehow there is not a consequence.

I guess one of the reasons people think there is no consequence is that we have begun to treat edited content—journalism—as though somehow it is inferior to somebody just shooting their mouth off on the internet. We hear the President verbally assaulting journalists who have covered terrorism and who have tried to bring the story in Syria to the United States. Some have lost their lives. The President says they are not covering terrorism; then he attacks them as fake news. He goes to places like Youngstown and gets people to attack CNN or the New York Times or the Wall Street Journal—anything that is actually edited content.

I think it is because he thinks, A, he will not withstand the scrutiny of real journalists, but I think, B, he thinks it will help with this anything-goes style of politics, which says you can say one thing in the election and do something else.

The PRESIDING OFFICER (Mr. KENNEDY). The time of the Senator has expired.

Mr. BENNET. I ask for an additional 3 minutes.

The PRESIDING OFFICER. The Democratic time has expired.

Mr. BENNET. I ask unanimous consent for an additional 5 minutes.

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

Mr. BENNET. Mr. President, I just don't think this Republic will work very well if we don't have a free press that is respected and if we don't hold people accountable for their campaign promises.

Here is one of the things Donald Trump said during the campaign about what he was going to produce for the American people with respect to healthcare. He said that it was going to be beautiful, terrific—a beautiful and terrific plan to provide such great healthcare at a tiny fraction of the cost, and it is going to be so easy.

That is what he said, in rally after rally across the United States of America, and a lot of people believed it. He talked about how much he hated the Affordable Care Act, or ObamaCare, whatever you want to call it, and all the reasons why; many of the reasons he talked about were manufactured.

But that doesn't really matter anymore. He is the President. The Republicans are in the majority of the Senate, and the Republicans have a majority of the House. Their characterization—or mischaracterization—of the Affordable Care Act is not the issue anymore; the issue is what are they going to do for people living in the State of Colorado who are dealing with a healthcare system that is not supporting them terribly well. My colleagues heard that right. People who support the Affordable Care Act or oppose it, in my State, are deeply discouraged about the way our healthcare system works. And I think that if the President were keeping his promise, we would see 100 people support the bill because it is actually consistent with what people at home want. They want more transparency when it comes to healthcare. They want more affordability. They want more predictability. That is what they want.

If I set out to write a bill less responsive to that aspiration of the people I represent, who are critics of the Affordable Care Act—Republicans in my State—I couldn't write a bill less responsive than the one the House of Representatives has passed and the one that was introduced by the majority leader after he wrote it in secret.

It is 8:20 on the night we are going to have this vote, and we haven't seen the bill. After a year and a half of almost countless committee hearings, after adopting almost 200 Republican amendments on the Affordable Care Act, and then going to townhall after townhall, being accused of being a Bolshevik who hadn't read the bill, my question is, Why aren't people being held to that standard tonight? Maybe they are not asking us to read the bill because there is no bill at 8:20 on the night that we are supposed to take away 16 million Americans' healthcare, or 20 million Americans' healthcare—on the night we are supposed to vote for a bill that the Congressional Budget Office says

will jack up insurance rates by 20 percent.

They wrote the bill in secret. They didn't have a single hearing in the Senate—not one hearing in the Senate. Now it is 8:20 at night, and there are people in my State who think they are going to lose their health insurance because they might be one of those 16 million people or they might have a kid or a parent who has a preexisting condition, like the thousands of people who have contacted my office. They are terrified, and they are not even on the floor, and they can't read the bill. Read the bill.

Now we are told there is going to be a procedural trick that is going to allow the House of Representatives to just pass this through over the weekend.

That is a shameful way to run the Senate. It is exactly the opposite of what the majority leader promised he would do when he was the minority leader in the Senate. He is the one who said: If you can't get a vote from the other side—if you can't get one vote from the other side—you maybe should acknowledge that the American people aren't behind your bill.

They can't even get all of the Republicans to vote for this. They had to have MIKE PENCE, who is the Vice President, come here to break a tie. What a disgrace to ask the executive branch to come here and save your bacon because you can't get the votes. And there is not a Democratic vote for this bill tonight because it doesn't meet the test that the minority leader himself had.

I see my colleague from Michigan is here. I will yield the floor by just saying that we should stop this catastrophe. The only thing we know about this catastrophe is if it passes, there will be 16 million people who lose their health insurance and a bunch of rates go up. If we don't do it, that will not happen.

I yield the floor.

The PRESIDING OFFICER. The time of the Democrats has expired.

Ms. STABENOW. Mr. President, I ask unanimous consent for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I want to support what my colleagues have been saying on this floor. The reason we haven't seen a bill, the reason we have no idea what is coming is that this is a political exercise by the Republicans. It is about winning and losing. But for people in the country, for people in Michigan, it is personal. This is not a political game. This is personal. For everyone who cares about their children and wants to make sure they can take them to the doctor; if you have a mom with Alzheimer's and you might lose the ability to have nursing home care; if you have cancer

and know you may not be able to get the full treatments that you need, this is personal. And, as has been said, every single proposal of theirs is higher costs and less coverage.

So we voted on what was behind door No. 1, which would gut Medicaid healthcare. Three out of five Michigan seniors get their nursing home care from Medicaid. Half of the people we see with Medicaid healthcare are children. All of the funds in the first proposal would go to tax cuts for the wealthy few and pharmaceutical companies and destabilize and undermine and raise costs for everybody else. So that is door No. 1: higher costs, less coverage.

Then, when that didn't go forward, it was door No. 2. Door No. 2: Repeal everything that was passed under the Affordable Care Act and then say to folks somewhere down the road, we will figure out how to replace it. That is higher costs and less coverage.

Now we are at door No. 3, and we don't know what is behind door No. 3. All we know for sure is that it will be higher costs and less coverage.

Now, we as Democrats want just the opposite. We want to work together with our Republican colleagues to lower costs—by the way, starting with the outrageous increases in prescription drug costs. And we want to increase coverage options, increase health insurance. That is what we are all about. I believe—I know in Michigan—that is what people want me to be focused on.

Are there problems in the current system? Of course, and we should fix those, but we don't have to rip away healthcare and raise everybody's costs 20 percent a year as is being talked about now in order to fix the problems that are there.

I want to quote Senator MCCAIN, who said that it is time to "return to regular order," work to reduce "out-of-pocket costs," and learn to "trust each other" again.

It is pretty tough to trust colleagues, to trust the majority, when we aren't even given the respect of knowing what we are going to be voting on. And it is not just—it is not about us. It is not about us as individuals; it is about the fact that every person who is getting cancer treatments right now needs to know what the U.S. Senate is going to be voting on and have a chance to respond. Every person who cares about their child, who cares about their parent in a nursing home, who cares about their future has the right to know and to read a bill and know what is going on.

I want to say in conclusion—I want to close with the words of Margo, who manages a health clinic in Kent County in the western part of Michigan. Margo knows the benefits of increased access to healthcare because she sees it every day. She knows it is not political; it is personal. There is nothing

more personal than being able to take your child to the doctor and get the healthcare you need or care for your parents.

Margo wrote:

Seeing working people who have struggled all of their adult lives to manage their chronic health conditions finally have access to regular doctor visits, health education, and prescription medications has been a tremendous relief. It is amazing how different the lives of our patients are today compared to what they were a few years ago.

She added: "You can't imagine the sense of dignity the people I see feel."

The PRESIDING OFFICER. The Senator's time has expired.

Ms. STABENOW. It is time to bring back some dignity to the U.S. Senate. I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I heard somebody say that nobody was listening. Well, I was listening. I have read a little bit from this book before on the floor about healthcare. It is called "Demystifying ObamaCare" by David G. Brown, who is a doctor. He does a marvelous job of going through the history of how we got to where we are.

He says, maybe we need to answer the question: "What does ObamaCare do? What does ObamaCare purport to do? What does ObamaCare not do?"

He says that those answers are relatively simple.

ObamaCare is not a system of healthcare, nor is it a healthcare reform. It is a system of healthcare control.

ObamaCare was supposed to significantly reduce healthcare costs, but instead it has dramatically increased costs for even those who are not directly within the ObamaCare program.

ObamaCare was supposed to increase access to care, but instead it can actually reduce access (availability) of care.

ObamaCare reduces the effectiveness of the safety net program, which is so very important to economically poor Americans.

The quality of healthcare in America was derided when ObamaCare was passed, but ObamaCare instead reduces the quality of U.S. healthcare by reducing innovation.

And then he says:

ObamaCare removes a person's ability to make his own decisions about his healthcare and that of his family. It does so by removing the freedom to make those decisions.

He continues that what we are trying to do is correct those problems and get back to a system of healthcare where the patient and the doctor get to make some of the decisions, where we encourage more people to be in the system, where we expand the use of HSAs, refundable tax credits, where we also allow people to buy insurance across State lines.

We could put money back into State high-level risk pools. In fact, I really like the invisible risk pools that allow people to continue to pay what they were paying before, but to get the unique care.

We could "pass Medicaid to the States in terms of 'block grants' or 'per

capita allotments,'" and we could "partially privatize Medicare starting in 2024 with the premium support system."

That is not in the bill; I am reading suggestions that he gives, including "cap the amount for tax exclusions in higher cost employer-based plans."

Now, you need to know that in the proposals that we have been putting out, in spite of what I have been hearing on this side, kids under 26 still get to be on their parents' insurance. We are not taking that off. I keep hearing we are eliminating the preexisting conditions. We are not. There hasn't been a proposal to eliminate the preexisting conditions. So quit saying that. That is just fearmongering. As to eliminating the lifetime caps on insurance, I haven't heard a proposal for that. Also, allowing people to continue to be insured even if they change jobs—that is what this guy wrote in the book, and I would like for everybody to read it.

He said there are five factors that drive up healthcare costs. One is taxes, another is mandates. Another is regulations. Another is lack of competition and flexibility within the marketplace. As to the fifth one, I don't know of anybody addressing yet, but it is the medical liability system that encourages defensive medicine and drives the costs up.

Seniors need to be protected. There needs to be an effective and viable safety net system. Nobody is trying to work against that, regardless of what you are hearing here.

I understand my time has expired. I have a lot more of the book I would like to share, but I am not sure it is productive, anyway.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that before the next amendment each side be given 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MOTION TO COMMIT

Mr. SCHUMER. Mr. President, I have a motion to commit at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike the subsequent effective date in the repeal of the tax on employee health insurance premiums and health plan benefits, which reinstates the tax in later years.

The PRESIDING OFFICER. The question is on the Schumer motion to commit.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 57, as follows:

[Rollcall Vote No. 176 Leg.]

YEAS—43

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Sanders
Booker	Heitkamp	Schatz
Brown	Hirono	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Coons	Markey	Van Hollen
Cortez Masto	McCaskill	Warren
Donnelly	Menendez	Whitehouse
Duckworth	Merkley	Wyden
Feinstein	Murray	
Franken	Nelson	

NAYS—57

Alexander	Flake	Murphy
Barrasso	Gardner	Paul
Blunt	Gillibrand	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kaine	Strange
Crapo	Kennedy	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Tillis
Durbin	McCain	Toomey
Enzi	McConnell	Warner
Ernst	Moran	Wicker
Fischer	Murkowski	Young

The motion was rejected.

AMENDMENT NO. 502

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to the vote on the Heller amendment.

The Senator from Nevada.

Mr. HELLER. Mr. President, my amendment at the desk, Heller amendment No. 502, repeals the Cadillac Tax, plain and simple. No gimmicks. It repeals the Cadillac Tax, plain and simple. This is a bipartisan issue with bipartisan support. Under these circumstances, it is probably appropriate that we have a bipartisan issue that is here in front of us.

I would like to thank Senator HEINRICH, my friend from New Mexico, for his hard work and effort on behalf of this particular issue. He has worked hard.

This is an issue that is well-endorsed. We have the endorsement of organized labor, chambers of commerce, local and State governments, and small business organizations. They all supported repealing this very bad and onerous tax. Over 83 groups have endorsed full repeal. They are saying the same thing—that the Cadillac tax needs to be fully

repealed, or employees will experience massive changes in their healthcare.

Previously, this Chamber has voted nearly unanimously to support this full repeal.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HELLER. Thank you, Mr. President.

I would ask support from my colleagues on this Heller amendment.

Thank you.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, first on the issue before us, most Democrats—the vast majority—are for repeal of the Cadillac tax. We are not for many of the other provisions being put forward. This requires the two to be tied together. We are for repealing the Cadillac tax but not harming the healthcare of millions of Americans.

I want to make another point, especially to my friends, Senators MCCAIN, GRAHAM, JOHNSON, and CASSIDY, who said correctly that the skinny bill was totally inadequate and they would require assurances from the House.

Let me first read what Mr. RYAN said: "If moving forward requires a conference committee, that is something the House is willing to do." That is not worth anything—only if moving forward is required.

But I make another point that makes the case proof positive that this bill could pass and there is no assurance from the House. The House Rules Committee. There was a motion to limit the waiver of clause 6(a) of rule XIII—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCHUMER. I ask unanimous consent for 30 seconds.

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

Mr. SCHUMER. To limit it just for motions to go to conference; rejected 4 to 9.

If the House was intent on going to conference, they would have voted for this rule. It means they want to pass this bill, this skinny repeal, and send it to the President.

I would urge my four colleagues and all the others to vote no until they get that assurance.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HELLER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 177 Leg.]

YEAS—52

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heinrich	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Cornyn	Isakson	Strange
Cortez Masto	Johnson	Sullivan
Cotton	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—48

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Sasse
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Cooms	Manchin	Tester
Corker	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden

The amendment (No. 502) was agreed to.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 667 TO AMENDMENT NO. 267

(Purpose: Of a perfecting nature.)

Mr. MCCONNELL. Mr. President, I call up amendment No. 667.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 667 to amendment No. 267.

Strike all after the first word and insert the following:

SHORT TITLE.

This Act may be cited as the "Health Care Freedom Act of 2017".

TITLE I

SEC. 101. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking "2.5 percent" and inserting "Zero percent", and

(2) in paragraph (3)—

(A) by striking "\$695" in subparagraph (A) and inserting "\$0", and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 102. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting "(\$0 in the case of months beginning after December 31, 2015, and before January 1, 2025)" after "\$2,000".

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting "(\$0 in the case of months beginning after December 31, 2015, and before January 1, 2025)" after "\$3,000".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 103. EXTENSION OF MORATORIUM ON MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Section 4191(c) of the Internal Revenue Code of 1986 is amended by striking "December 31, 2017" and inserting "December 31, 2020".

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

SEC. 104. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) IN GENERAL.—Subsection (b) of section 223 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(9) INCREASED LIMITATION.—In the case of any month beginning after December 31, 2017, and before January 1, 2021—

"(A) paragraph (2)(A) shall be applied by substituting 'the amount in effect under subsection (c)(2)(A)(ii)(I)' for '\$2,250', and

"(B) paragraph (2)(B) shall be applied by substituting 'the amount in effect under subsection (c)(2)(A)(ii)(II)' for '\$4,500'."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 105. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term "prohibited entity" means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as

part of a nationwide health care provider network, exceeded \$1,000,000.

(2) **DIRECT SPENDING.**—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

SEC. 202. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

SEC. 203. WAIVERS FOR STATE INNOVATION.

Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)(3)—

(A) in the first sentence, by inserting “or would qualify for a reduction in” after “would not qualify for”;;

(B) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.”;

(C) in the paragraph heading, by striking “PASS THROUGH OF FUNDING” and inserting “FUNDING”;

(D) by striking “With respect” and inserting the following:

“(A) PASS THROUGH OF FUNDING.—With respect”; and

(E) by adding at the end the following:

“(B) **ADDITIONAL FUNDING.**—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, \$2,000,000,000, to remain available until the end of fiscal year 2019. Such amounts shall be used to provide grants to States that request financial assistance for the purpose of—

“(i) submitting an application for a waiver granted under this section; or

“(ii) implementing the State plan under such waiver.”;

(2) in subsection (b)(1), in the matter preceding subparagraph (A)—

(A) by striking “may” and inserting “shall”; and

(B) by striking “only”;

(3) in subsection (d)(1), by striking “180” and inserting “45”; and

(4) in subsection (e), by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 8 years unless the State requests a shorter duration;

“(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

“(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).”.

The **PRESIDING OFFICER** (Mr. **TOOMEY**). The majority leader.

Mr. **MCCONNELL**. Mr. President, the legislation I just laid down is called the

Health Care Freedom Act, and it restores freedom to Americans that ObamaCare took away. It does so in a number of ways.

First, the Health Care Freedom Act repeals the core pillars of ObamaCare. It eliminates the so-called individual mandate that forces many Americans to buy ObamaCare insurance they don't want, can't afford, or can't use, and taxes those who don't. It also repeals the employer mandate that cuts hours, take-home pay, and job opportunities for workers.

Second, the Health Care Freedom Act provides significant new flexibility to States. The Health Care Freedom Act gives States just the kind of flexibility they need to implement reforms that provide more options for consumers to buy the health insurance they actually want. These reforms also help make insurance more affordable and flexible so it is something Americans actually want to buy.

Finally, the Health Care Freedom Act frees Americans from ObamaCare in several other ways too. It provides 3 years of relief from the medical device tax, which increases costs, hurts innovation, and has drawn significant criticism from both sides of the aisle. It expands, for 3 years, the contribution limits to health savings accounts so Americans can better manage their health costs and pay down more of their medical expenses like prescriptions with pretax dollars.

Also, the legislation will prioritize funding for women's health through community health centers instead of large abortion providers and political organizations.

The American people have suffered under ObamaCare for too long. It is time to end the failed status quo. It is time to send legislation to the President which will finally move our country beyond the failures of ObamaCare. Passing this legislation will allow us to work with our colleagues in the House toward a final bill that could go to the President, repeal ObamaCare, and undo its damage.

I urge everyone to support it.

Mr. President, I ask unanimous consent that Senator **MURRAY** or her designee be recognized to offer a motion to commit; further, that the remaining time be equally divided between the managers or their designees.

The **PRESIDING OFFICER** (Mr. **KENNEDY**). Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

MOTION TO COMMIT

Mrs. **MURRAY**. Mr. President, I move to commit H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of such committee.

Mr. President, after months of secret negotiations and backroom deals and shutting out patients and families and women and Democrats and even many Republicans from the process, Republican leaders continue to say they are planning to force a vote on this latest TrumpCare bill tonight—a bill even Republicans admit would throw our markets into turmoil. It is going to kick millions of people off of care, it is going to raise premiums for millions of families, it will eliminate healthcare for women across the country, and so much more—none of it good.

It does not have to be this way. In fact, Republicans can still reverse this course. They can drop this once and for all and join with Democrats to get to work to actually improve healthcare, to reduce costs, to increase access, and to improve quality. We can start over with an open, transparent process, in which both sides—Democrats and Republicans—have a voice and one in which patients and families can make sure their priorities are being addressed.

Now, I know many of our Republican colleagues prefer this bipartisan route. We have heard them say it. They have said it over and over in their votes to reject the partisan TrumpCare bill and full repeal bills this week, in their discussions of hearings we should be holding, and in their comments even over the past few hours, laying out how devastating this bill would be for patients and healthcare markets and making it clear they do not trust the House to not simply pass whatever moves through the Senate.

So I call on Republicans now to join us. Let's do what my colleague, the senior Senator from Arizona, and so many others have bravely called for. With this motion, we will send it back to the committee, where we can debate it, where we can work together, where we can do what is right for the people we represent.

I urge my colleagues to support this motion to commit in the way that Republicans and Democrats have been talking about. I can personally assure every one of you that I will work with you—and I know other Democrats will as well—if we reject this process and send it back with this motion to commit to do it the right way, the respectful way.

Mr. President, I yield the floor.

The **PRESIDING OFFICER**. The Senator from Connecticut.

Mr. **MURPHY**. Mr. President, this process is an embarrassment. This is nuclear-grade bonkers what is happening here tonight.

We are about to reorder one-fifth of the American healthcare system, and we are going to have 2 hours to review a bill which, at first blush, stands essentially as healthcare system arson.

This bill is lighting the American healthcare system on fire with

intentionality. To use the word “freedom” at its center—there is freedom in this bill. There is the freedom to go bankrupt, there is the freedom to get sick and not be able to find a doctor, and there is freedom in this bill to die early. That is not hyperbole. That is what happens when, overnight, 16 million people lose insurance.

Don't tell us that is because people all of a sudden will not be mandated to buy it. This is a vicious cycle that happens. When you get rid of the mandate, every insurance company will tell you that rates skyrocket because you are not getting rid of the provision that requires insurance companies to price sick people the same as healthy people. CBO says that rates go up immediately by 20 percent and then 20 percent after that and then 20 percent after that. So all of a sudden you can't have the individual mandate because nobody can afford to buy the product.

There is a lot of freedom in this bill, it is just not the kind of freedom we all thought was at the heart of this reform measure. This is real life. It is not a game.

I know lots of Members on the Republican side are voting for this because they have some promise that even though this bill is terrible—and everybody admits it doesn't solve any problems—it will get to a forum in which the problems can be truly solved. That is gamesmanship. That is not senatorial. That is not what this place was supposed to be. This was supposed to be the great deliberative body where we solved big problems, and this bill surrenders to the House of Representatives.

Let's just be honest about what is going to happen when this bill gets to the House. Maybe there will be a conference committee, but it will not resolve any of the problems which have been inherent in the Republican conference here in the Senate. In fact, those problems will get worse because you will inject the Freedom Caucus into a Republican conference here that alone wasn't able to come to a conclusion. They will argue for a couple weeks, maybe a month, and then the House will decide to proceed with a vote on this bill.

There is nothing in the rules that locks this bill into the conference committee once it is there. The House can pick it up out of that conference committee and move it to a vote—and they will do that because none of the problems that were solved here will be solved there.

We have seen this happen before. Remember the budget stalemate in which this hammer of sequestration was created, and the supercommittee was supposed to solve all the problems the House and the Senate couldn't? They didn't, and now we are stuck with sequestration—something nobody thought would happen. This is the same thing.

This will not be a hammer sufficient enough to solve the dysfunction which has always been present in this process. Thus, the conference will be doomed, and this bill will become law—raising rates for everyone, locking millions of people out of the system of insurance, with no answer for the parents of those disabled kids who have been begging to get into Senators' offices. This isn't a game. This is real life. If this bill becomes law, real people will be hurt.

We are begging our colleagues to vote for the motion to commit. Take us at our word. We want to work with you. We acknowledge there are still problems that need to be solved, though we maintain there are parts of the Affordable Care Act that are working. What if we owned the problem and the solution together? What if this wasn't a perpetual political football? There is still time for us to work this out together if you support us and vote for the motion to commit.

This process is an embarrassment to the U.S. Senate. This isn't why we all came here—and don't delude yourself into thinking that this bill you are voting on will not become law. There is a very good chance that it will, and the end result will be absolute devastation and humanitarian catastrophe visited upon this country.

It doesn't have to be this way.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, it has been an amazing process. I have been here a little over 10 years, and I have never seen anything like this.

We voted cloture a few days ago to move to debate. Nothing. Now we have a bill here today that as Senator MURPHY has already pointed out, will rip healthcare away from millions of people, increase premiums by 20 percent a year, and basically solve none of the problems that are out there that need to be solved that affect Americans every day, especially rural Americans.

I must thank the Senator from Washington, Mrs. MURRAY, for the motion to take this back to committee. This is where we should have started. We should have started in the committee process like our forefathers had designed this place to work, the greatest deliberative body in the world, but it didn't. Every bill has been drafted by a select few in a backroom, with no input from anybody, especially people from rural America. So it is really time, folks, to open this process up.

As I have gone around the State of Montana—and I have for the last 8 months—talking to folks about healthcare in rural America, they are very nervous. I am going to tell you something. If people cannot pay their bills because they don't have health insurance or they don't have the money, it is going to put these small hospitals at risk, these rural hospitals at risk.

I will tell you a little bit about the town I grew up in. This is a town where my grandparents homesteaded over 100 years ago. From the time of the homestead era until the midsixties, they didn't have a hospital. Their hospital was the top floor of a place that sold dry goods. In the midsixties, they finally scratched up enough money, and they built a hospital.

Big Sandy is not near as big today as it was back then. I am going to tell you, the hospital administrators from these small hospitals, the folks in the Montana Hospital Association have told me that if charity care goes up, they could close and at a bare minimum change their method of delivery for healthcare.

What does that do to a small town? Oftentimes, the hospital is the largest employer in that town. They usually fight with the school district for that honor. You take the hospital out, you take the heart and soul out of that community.

You want to see a mass exodus from rural America, even bigger than it has been over the last 50 years? Pass this bill. Pass this bill.

This isn't about numbers, and it isn't about words; it is about people. Big Sandy is not unique. Every rural town in the State of Montana that has a hospital is in that position. It is the same thing in Wyoming. It is the same thing in North and South Dakota. It is probably the same thing in more urban States that have rural areas, where these small hospitals will be put at risk of closure. It is not right.

I am going to tell you that if we follow the process that should be followed in this great body, we would take this healthcare bill and put it back in committee, have a debate, listen to ideas from everybody, rural and urban alike—farmers and ranchers, businesspeople, healthcare professionals, families, doctors, nurses—and we could come up with a bill that could work for this country. But that is simply not the case here tonight, and we should not be proud of this at all.

Our forefathers set up a great system that can work, and the majority has chosen to ignore that system. It is a disgrace to the Senate.

I yield the floor.

THE PRESIDING OFFICER. (Mr. TOOMEY). Who yields time?

The Senator from Ohio.

Mr. BROWN. Mr. President, let's look at how all this started. Right down this hall, a few months ago, Senator MCCONNELL, a handful of Republican Senators, the drug lobbyists, insurance company lobbyists, and Wall Street lobbyists met in that office behind closed doors. Most Republican Senators didn't know what was happening, no Democratic Senators knew what was happening, and the American public didn't know what was happening.

This bill—written by drug companies, insurance companies, and Wall Street—

was sent to the Senate floor, was discussed, and, alas, it was big tax cuts for the drug companies and the insurance companies.

When you think about this, you have U.S. Senators who get taxpayer-subsidized insurance, Senators who get insurance provided by taxpayers who are going to rip it away from potentially 700-, 800-, 900,000 Ohioans.

I stand with Governor Kasich. Governor Kasich said: You don't pass legislation—you don't meet in the majority's leader's office down the hall here, write legislation with drug company and insurance company lobbyists, and then take Medicaid away, take insurance away, disrupt the insurance markets. You just don't do things that way.

A professor of healthcare finance at Case Western in Cleveland wrote yesterday that millions would lose coverage and that middle-income Americans would be "priced out of the market."

If I could talk for a moment about what happens to individuals, yesterday I was on the phone with Donna May from Gahanna, OH. She told me:

My mother is 91 years old. She worked hard all her life. I'm 73 years old and still work. Without Medicaid, or even large cuts in Medicaid, I will not be able to care for my Mom.

Donna and so many others pay into Social Security. They pay into Medicare. They pay into unemployment insurance. And then this Congress is going to cut their Medicaid. This Congress is going to take money away from them when they need it, when they run out of money at the end of their lives and they are in nursing homes. Is that what we stand for as a country?

In Toledo, I talked to Kelly Peterson. Her dad is in a nursing home and relies on Medicare. She told me:

My family would be devastated by these proposed cuts to Medicaid. My dad worked in the auto industry and paid into the system 30 years. Now when he needs it most, conservatives in Congress want to take it all away.

Again, these people paid into Social Security. They paid into Medicare. Now we are going to take their insurance away from them as they grow older. A bunch of Members of Congress who have insurance provided by taxpayers think it is morally OK to strip the insurance from millions of people in our States.

Again, I side with Governor Kasich. I am a Democrat. He is a Republican. He is as repulsed as I am that down this hall, Senator McCONNELL and Republican leadership, with the drug and insurance company lobbyists, wrote this bill.

I stand with Governor Kasich, who wants to do a simple thing: Stop this outrageous attempt tonight. Sit down with Republicans and Democrats in

both parties. I could sit with Senator PORTMAN. We could come up with legislation to fix the Affordable Care Act; to encourage more young, healthy people into the insurance pools; to stabilize the insurance market; to go after the outrageous cost of prescription drugs; maybe even to open up Medicare eligibility for people between 55 and 64. It is not complicated.

The special interests have taken over this Chamber. We should be ashamed of ourselves. We ought to do this right. I ask my colleagues to vote yes on the Murray motion to recommit.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise in support of the motion to commit by my friend from the State of Washington. Let me tell you why.

We have a problem that most all of you have in your States, which is opioids. This opioid addiction that goes on is affecting everybody—not just Democrats, not just Republicans. I don't care whether you are poor or rich or whether you are conservative or liberal—it has no base at all; it is a silent killer.

For the first time, under the Affordable Care Act, we are able to get some treatment. We have not been able to do that before. The only treatment people have gotten before—when a parent comes to you and says: I just have to hope my child—if my child gets arrested, they can go into drug court, and maybe they can get some care, some treatment.

For the first time, through Medicaid, we can give treatment for opioid addiction. We never had this chance before, never had this opportunity. It is really lifesaving for these people. It gets them back into the workforce, too, and they can clean up their lives. They really want this done.

We are talking about 33,000 Americans who lost their lives in 2015. In any other scenario, that would be an epidemic or a pandemic. Here we go. We still don't have any adequate treatment centers. We have no way that we can go forward and fight this illness. We sit here and talk about it.

Now we are talking about, well, we know 16 million people are going to be thrown off. We know that. We know the premiums will go up 20 percent.

Some one said: You know, you can still have preexisting conditions. We are going to take care of them. They can find it. It is available.

I have said this before: A Rolls Royce is available to me; I just can't afford to buy it. That is what we are going to be faced with.

But this is fixable. What we have said about fixable, we as Democrats—there are those of us in this body who will sit down—as Senator MURRAY has said—will sit down tonight. We will start tonight if you want to and look at ways we can make this more effective, more beneficial for everybody.

When you think about the reinsurance, we know it has worked in Alaska. The Affordable Care Act—the so-called ObamaCare—has been out long enough now that we know where the problems are, we know where the fixes need to be, and we know how to do it. We have seen Alaska do something that looks very promising.

Also, when Vice President PENCE was Governor in Indiana, they did a Medicaid expansion in Indiana. They are putting in accountability and responsibility. It has great effects. My good friend Mitch Daniels was the Governor at the time they put this plan into place, and it has worked and worked well.

We are willing to sit and talk. These are good things. We think we can make this happen. We have been shut down at every turn. I have said: This is not how we were taught in West Virginia. It is not how we do business. We sit down and work through it.

I don't care what side of the aisle you are on—we came here to do the right thing for the country. We are all Americans. We all have something in common. We are all on the same team, I hope, and that is Team America. Let's fix this.

Let me tell you what will happen if you don't fix it. Let me tell you what will happen for the people who lose it. Do you know where they go back to? And I don't know why people think there is a savings involved. They are going back to the emergency room.

When I was Governor, every year they came to me and said: Governor MANCHIN, we need \$12 million for a rural hospital. We gave all this charity care away.

They are going to go back to that. Do you think that is quality? There is no preventive care. There is no planning. There is nothing to help these people have a better quality of life. We are going to pay again. We are going to pay dearly for this. We are not going to have any chance to get people back in the workforce.

All we are asking for, please vote for Senator MURRAY's motion to recommit. Give us a chance to do what we were sent here to do. Let's work the legislation. Let's sit down and find the commonality that we can find as Americans and move forward with a piece of legislation that can change people's lives, that can save people's lives and can give them hope again for the first time. That is all we are asking for.

I would ask each and every one of us to search our souls and our hearts while we are here, what we are here to do, what our purpose of being here is, and give us a chance to fix a healthcare system that needs to be fixed but also needs to be available for the people in my great State of West Virginia and everyone in this great country.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, this bill is the product of the most secretive and partisan process I have seen in my 10 years in the Senate. Who did the magicians who came up with this listen to? They obviously didn't listen to the doctors. The American Medical Association is opposed to this. The American Pediatric Society is opposed to this. The American Academy of Family Physicians is opposed to this. Certainly the doctors didn't get a chance to get heard in this process.

How about the hospitals? The American Hospital Association is opposed to this. Catholic hospitals are opposed to this. Rural hospitals are warning that this could end their very existence. Let's have a process that gives the hospitals a chance to be listened to.

The nurses in Rhode Island are opposed to this. I think nurses around the country are opposed to this. Why not have an open process that gives the nurses a chance to be heard?

Our community health centers are opposed to this. They have been to Washington to say: Please don't do this. You will be hurting real people whom we care for.

Illness advocacy groups—the people they are fighting for are stuck in this healthcare system with serious illnesses. Did we listen to the American Cancer Society? No. Did we listen to the American Lung Association? No. We didn't even listen to the hemophilia group, for Pete's sake. Addiction treatment groups are against this.

We have listened to nobody. We didn't even listen to the Republican Governors, let alone the Democratic Governors, like my Governor, who is telling me: We are working fine. We have people on Medicaid. Our exchanges are working.

Why fire this torpedo into perfectly working exchanges when we can be working on fixing the few where it is not working?

Why are we here? Who is behind this? Who was telling the little group of magicians in their secretive back room what to do? This is what happens when a party becomes beholden to a small handful of creepy billionaires and stops listening to the people. They are conducting a freakish social experiment on other people's health coverage, because you can bet those billionaires have all the coverage they need, but they have this ideology about taking coverage away from people by the millions. And our Republican friends are standing up in lockstep to march the billionaire march on a bill that everybody hates and that will cause damage in everybody's home State. And it doesn't matter because the billionaires have the dark money, the dark money floods our politics, and everybody marches to the tune of the anonymous billionaires.

We could be doing great things. We could be solving the known problem of end-of-life care and making sure people get their wishes honored at that precious time. We could be dealing with opioid and behavioral health issues that are bedeviling communities across this country. We could be helping doctors with payment reform that lets them treat people in a way that keeps them healthier, rather than having to wait to be paid until they do stuff to people—running up the cost of healthcare.

We could be dealing with hospital-acquired infections. How many people know someone who had a hospital-acquired infection, which brings enormous costs into the system as you have to treat it? Do we address that? No, because we didn't bother to listen to the hospitals.

We could do something about pharmaceutical prices. People in America are irate about jacked-up pharmaceutical prices, driven up by people who aren't even in the drug manufacturing industry but are just speculating on their ability to use monopoly pricing to drive up prices. But they put money into the system, so they get what they want.

This bill is a nightmare in and of its own, and it is a colossal missed opportunity to do something good for the American people that will actually help them. So let's support Senator MURRAY's motion to recommit and just try the regular order that the majority leader has proclaimed he was a champion of for year after year, until the creepy billionaires said to him: We are giving you the money; this is the bill we want. We don't care about those people or those hospitals. Shove it through because it suits our ideology.

This is no way to govern. Give the people, the hospitals, the doctors, the nurses, the community health centers, and the people suffering from illnesses at least a chance to be heard in some kind of open environment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, at last count, I think it was the Gallup poll that found 12 percent of the American people had confidence in the U.S. Congress. I think we are on our way tonight to single digits because in the modern history of this country there has never been a process as absurd as what we are seeing right here.

We are talking about legislation that impacts one-sixth of the American economy—over \$3 trillion. We are talking about legislation, because it is healthcare, that impacts every man, woman, and child in this country.

Mr. President, maybe you can help me. How many public hearings have we had dealing with legislation that is of enormous significance to tens of millions of people? Well, I will help you

with the answer: There have been zero hearings.

What impact will this legislation have on doctors who are trying to treat us every day? One might think that we would hear from the doctors of the American Medical Association to tell us how this legislation would impact their work. We have not had one public hearing to hear from one doctor.

What has the American Hospital Association had to say about how this legislation would impact rural hospitals in America, many of which may close down? They have not had one moment, one opportunity to say one word on this legislation.

We are proceeding here with major legislation written behind closed doors by a handful of Republicans. Most Republicans have not been involved in this process, let alone Democrats, let alone the American people.

By the way, when we think of the American people, how do they feel about this legislation? Well, the last poll that I saw was USA Today. They had 12 percent of the American people thinking that this legislation makes sense. Well, maybe the American people got it wrong. How do the major healthcare organizations in America feel about this legislation—the people who are on the cutting edge, the people who do the work every day? Well, guess what. The AMA, the American Medical Association, is opposed; the American Hospital Association is opposed; AARP, the largest senior group in America, is opposed because they know the horrendous impact this will have in raising premiums for older workers; the American Cancer Society is opposed; the American Heart Association is opposed; the American Academy of Family Physicians is opposed; the American Academy of Pediatrics is opposed; the American Psychiatric Association is opposed. Virtually every major national healthcare organization is opposed to this disastrous legislation.

So the American people are opposed, and the healthcare organizations all across this country are opposed. The bill was written behind closed doors. Yet, under those circumstances, they want to bring it to the floor for a vote.

Now, what most Americans are sitting around and thinking—they are saying: Look, the Affordable Care Act has done some good things. Before the Affordable Care Act, we had some 50 million people without any health insurance. The Affordable Care Act provided insurance for about 20 million people. That is no small thing.

In the majority leader's own State of Kentucky, the rate of uninsured went from 20 percent down to 7 percent. That is pretty good—not great, but it is pretty good. In West Virginia, the rate of uninsured went way down. We have seen 20 million people gain insurance. We have dealt with the Affordable Care Act under a total obscenity;

that is, if somebody had a serious illness—breast cancer, diabetes—they could not get insurance at an affordable cost because of a preexisting condition. How insane is that? The American people said that is nonsense. What is the function of insurance if not to cover us when we need it the most for those illnesses that we have had? We ended that absurdity. That was a good thing. The Affordable Care Act has done other very important things.

Have you heard one Member of this body say that the Affordable Care Act is perfect? Have you heard one person here say that the Affordable Care Act does not need to be improved? Of course, it does. Right now, throughout this country—in my State of Vermont and all over this country—deductibles are too high. I have talked to people with \$5,000, \$10,000 deductibles. They can't go to the doctor when they should. We have to lower deductibles. Copayments are too high. Premiums are too high.

I will tell you something else. Donald Trump ran for President, and he campaigned, and he said: I am going to stand with the working people of this country. Prescription drug costs are too high. I am going to take on the pharmaceutical industry. We are going to lower prescription drug costs in America. Today, if you can believe it, one out of five Americans under 65 cannot afford to fill the prescription their doctors write. Today, somebody walked into a pharmacy and found that the cost of the medicine they have been using for 10 years has doubled, maybe tripled, because we have no legislation that stops the drug companies from charging us anything they want. And they will charge us anything they want. The result is, we have the highest prices in the world for prescription drugs.

Those are the problems that the American people want answers to: Deductibles are too high, premiums are too high, copayments are too high, and prescription drug costs are too high. We are not doing enough good work in primary healthcare. Too many people, even with insurance, cannot find the doctors they need. There are many other problems. Those are what the American people want us to solve.

This legislation only makes a very bad situation worse. How do you improve healthcare in America when you throw 16 million people off of the health insurance they currently have? How do you improve healthcare in America when, according to the CBO, premiums are going to go up 20 percent every year? Let's get that clear: 20 percent on January 1, another 20 percent the following year—that is 40 percent—and another 20 percent the year after. Do you think this is really improving healthcare, bringing freedom to the American people? I think not.

So what is the solution? The solution is—I know this is a radical idea—that

maybe we should do what the American people want us to do and not what special, powerful interests want, not what billionaire campaign contributors want—whose rightwing ideology wants to end government services for working families all across this country.

I hope that we will have the common sense and the decency to sit down, throw the problems on the table, and then resolve them. I think we can do that. That is why we have to end this absurd process. We have to go back to regular order, which simply means go back to the committee.

I am a member of the Health, Education, Labor, and Pensions Committee. Let's have that discussion. Let's hear different ideas. Let's solve problems. Let us not make a bad situation worse, and let us not make the American people even feel more contemptuous of this institution than they currently do.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my colleague from Vermont.

Mr. President, in my hand is one of the closely kept secrets in Washington, DC. These eight pages have been so carefully guarded that for 3 days, we have been on the floor of the U.S. Senate waiting for this moment. Within the last hour, the Republicans finally released their plan to change healthcare for every American. We have been waiting a long time.

They have been meeting behind closed doors, in secret sessions, writing what I have in my hand. You have to think to yourself, why would they do it in secret? If this is something that will affect every American, family, business, and individual and if they are proud of what they have done, why did they wait so long? Well, when you read it, you can understand it, because this measure proposed by the Republican leadership makes things worse for American families when it comes to health insurance.

It has a great name. I am sure somebody invested time thinking about this one: The Health Care Freedom Act. It appears that for 16 million Americans, they will be free of health insurance protection; 16 million Americans will lose their health insurance protection because of this Republican plan. Every other American buying health insurance will be free to pay 20 percent more each year for the premiums on their health insurance. You don't have to be a math major to figure out compound interest at 20 percent a year. By the fourth year, you are knocking on a 100-percent increase in your premiums. Your health insurance premiums will double in about 4 years under the Republican plan.

Is that why they started this debate, so they could take health insurance

away from millions of Americans and raise the cost of health insurance for others? Four Senators had a press conference this evening at 5 p.m. I watched it carefully. I listened as my colleagues came to the floor and those four Senators described this plan. They had seen it, this so-called skinny repeal plan. One of the Senators said that this plan was a "fraud," it was a "disaster," it would have a disastrous impact on the premiums charged to people he represented in his State, and it didn't achieve the goal of reforming and repairing the Affordable Care Act. I will quickly add—because you will think, well, we expect the Democrats to say that—this was a press conference of four Republican Senators about 6 hours ago. They had read the Republican plan and called it a "fraud," a "disaster," raising premiums, and not really bringing reform to healthcare in America.

It will take only one of those four Senators to stand up and speak up and vote no for the right thing to happen—for this proposal to go to committee where it should have started and to be considered by the experts first, so we know its real impact, and then to have an amendment process where better ideas might be offered and debated and added to this proposal—benefits voted out of committee. Then bring it to the floor of the U.S. Senate for the same thing to happen.

Do you know who came up with the radical idea that we should go through the committee process and both parties participate in writing this reform? None other than Senator JOHN MCCAIN. He came to this floor a couple of days ago. It was a historic moment. Everyone—both political parties—was cheering this man whom we have served with and love and respect. And he warned us. He warned us that if we didn't do this together—Democrats and Republicans—the results would be terrible.

Can you afford terrible results when it comes to healthcare for your family, for you, for your baby? Of course, you can't. We have to do our level best not to win the political debate but to win the confidence of the American people that we understand how to make healthcare better and more responsive in America.

I have been through a lot of measures, and I have voted on a lot of things over the years. My proudest vote was for the Affordable Care Act, because I knew we would extend the reach, protection, and peace of mind of health insurance to millions of Americans.

I had an experience early in my life. I was newly married and had a brand new baby girl with a serious health issue, and I had no health insurance—none. I went to the local hospital here, waiting in the charity ward, in the hopes that the doctor who walked through that door would be the one

who would save my baby's life. I thought to myself: I will never let that happen again. I will have health insurance, no matter what it takes, the rest of my life. I know the feeling, and some others do too.

I don't want American families and individuals to go through this. I want them to have the peace of mind and protection of good health insurance. That is why this Republican proposal taking health insurance away from 16 million Americans is such a travesty. That is why the notion of raising health insurance costs beyond the reach of working families is so wrong and so disgraceful, and that is why, with the help of one more Republican Senator, we can send this measure back to a committee where it can be seriously considered, worked on, improved, and passed so that we can say to the American people: We did our job as Senators. We did what JOHN MCCAIN challenged us to do—to come together on a bipartisan basis and to make this a better bill.

I am glad my colleagues are here this evening. I am glad to see my friend from the State of Wyoming who is here. We have worked on many issues together. We disagree on this one, but I hope that he will realize and the others will, too, that this secret that they have kept from the American people is plain wrong. It is a secret that now it has been outed. It has to be put to rest. Let's do this the right way. Let's do it for the well-being and health of American families across this Nation.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I stand today sort of feeling like a great New Jerseyan named Yogi Berra, who has a saying that "this is *deja vu* all over again." The reason why it feels like *deja vu* all over again to me is because I have been watching this process move along. When the House first tried to push through a healthcare bill, I was so proud that the American public—Republicans and Democrats—were outraged and stopped that version 1 in the House. But then version 2 was rushed through without a CBO score, and they got it done. We heard Republicans in the House literally saying on the record: I so hope that they will fix this in the Senate; maybe something will happen in the Senate that this will get fixed.

Well, now I have *deja vu* all over again, and it is because we see a whole bunch of folks—and now we have heard Republican Senators say this on the record: Gosh, we know what we are doing is flawed; we know what we are doing is wrong; we know the process has been outrageous, but our hope is, if we can get it into the conference committee, then they will fix it in the conference committee.

Well, I am proud to be a U.S. Senator. But, dear God, this is not what

this body is about—to push their responsibilities off, to derelict their duties, and to not make legislation happen here that puts people first. We all know this process is broken. We all know that what we are doing here is not just imperfect. Many of us see this, like the CBO, as a serious threat to millions of Americans.

We are about to do something that is unconscionable to me to be in the Senate, where I have seen this place work, I have seen regular order, I have seen hearings, I have seen witnesses brought in, and I have seen people work hard on crafting actual legislation. So now this is just going to be shoved over with the hope in this body that, even though the House didn't do their job and the President of the United States even criticized what the House did and called it "mean," it gets kicked over to the Senate, and the Senate is refusing to do their job. They are just passing the buck to something called a conference committee, where they are going to hope again.

So I stand here, and I just have to confess that this has been 2 days for me where I haven't just been frustrated and angry like so many Americans. I have actually been struggling with being a little sick. I started feeling it about 2 days ago. By yesterday my throat was so sore, I went to bed. I had a horrible night, got up, and could barely even swallow. I had the worry in my head that maybe I had strep throat.

But guess what. Unlike the thousands of New Jerseyans who have reached out to me, for me to worry about an illness, maybe that I have strep throat—I went to a doctor today. I had myself tested for strep. You see, we, in this body, enjoy health coverage, which right now millions of Americans are worried about losing, and many other ones worry, as we heard said tonight, about copays and prescription drug costs. I wonder where the justice is in that.

What are the American values that hold us all together? I know we pledge allegiance to that flag. We put our hands on our hearts, and we swear this oath to liberty and justice for all. Where is the justice in this country, where some people who are favored and privileged enough and wealthy enough to afford good health coverage can have it, but for other folks, a night with a bad sore throat or, worse, with a disability or disease—where is their justice in the wealthiest country on the planet Earth? We can't even, in this body, come together and do what the President said in his campaign that he would do—everyone would be covered and have healthcare that—I think the quote was this—was terrific.

Well, it brings me back to what our values are as a country, and I wonder: For we who believe in life and liberty and the pursuit of happiness, how can we have life when we see millions of

people about to be thrown off their health coverage? We in this Nation hold these values so dear. We believe that all are created equal and, in my belief, should have equal rights and equal opportunities for the basics that are necessary to succeed and to compete, and that is health insurance.

I wonder how we have gotten to a point as a body on an issue like this that is not just one-sixth of our economy, that will not just affect millions and millions of lives, but that really goes to the core of who we are as a country.

This great man, Patrick Henry, said: "Give me liberty or give me death." Those words have been coming back to me a lot in the last months of this debate and this discussion: "Give me liberty or give me death."

Well, what is the quality of the liberty in this country, where there are people who are shackled with preventable disease and conditions that could be treated because they don't have access to healthcare? What is the quality of liberty in this country, where people are chained to poverty, have to sell their cars, have to sell their homes, and go into bankruptcy because they can't afford their healthcare coverage?

"Give me liberty or give me death." What is the quality of the liberty when people are imprisoned by fear and worry and stress because they have a sick child or they have a parent who is elderly and needs care? These are the values of this country, and I don't understand how we could be at this moment right now with the ideas that I have heard on both sides of the aisle to make healthcare better, to improve upon the Affordable Care Act, to extend health coverage to even more people, to make this Nation live up to its most powerful and profound values that made us a light unto nations, and how we could have gotten to this point now after gaining ground, after having more people experience the freedom and the liberty that comes from not having to worry about your health coverage, from having access to quality healthcare? How can we have moved forward and now be about, in a matter of hours, to push this Nation back? I don't understand how we could be here where no one can justify the process and no one can justify this body having gone through such a contorted process that bends our traditions and breaks our values. I do not understand how we could have gotten here.

Who will be hurt? Who will be hurt? I have read lots of studies recently about how, when health insurance rates goes down, mortality rates go up, and when health insurance rates go down, mortality rates go up. It makes me wonder about the duty that we each have to each other as Americans. As a man of faith, it makes me wonder about all of us who profess our faith and how we could be allowing a process

to go forward where the most vulnerable among us will face fear and deprivation and will see things that will cost life and have them surrender liberty. We are better than this. This Nation is greater than this.

This moment casts a shame and a shadow over the soul and the heart of America, and I will fight even in these last hours with every breath that I have, like the patriots before us, not to allow this to happen to my fellow Americans. This is unjust, this is wrong, and we can and must in these hours do better.

Let's send this bill into committees. Let's do this process as this institution was designed to have it done. Let's open the doors of the Capitol and invite America to come—the American Medical Association, the American Cancer Society, hospital associations. Let's invite the AARP. Let's have America come down here. Let's join together like our forefathers and foremothers have done to expand liberty, to expand opportunity, to extend hope. We can do that. All of us collectively have that power, and it is what the people want right now. This is not what the people want.

What we are about to vote on has only seen the light of day for a matter of minutes now—a matter of minutes.

This Nation was founded with a proclamation that we the people—this idea that all of us together—can do better, that when we join together, when we stand together, when we fight together, and when we work together, we can create a transcendent reality. That is the story of America, and this is not. This is the betrayal of our values. This is the betrayal of our history. This is the betrayal of the great body in which we all are Members.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, so many of us have spoken so many times now against the repeal of the Affordable Care Act, which would hurt millions and millions of people in our country and especially the sickest, poorest, and oldest among us.

I would say that I am probably the only Senator here who was not born in a hospital. I was born at home in rural Japan. I lost a sister to pneumonia when she was only 2 years old in Japan. She died at home, not in a hospital, where maybe her life could have been saved.

It is hard for me to talk about this. I think you can tell. Give me a moment.

When I came to this country as an immigrant, my mother brought me and my brothers to this country so we could have a chance at a better life. We came here with nothing. She had low-paying jobs. There was no health coverage. Growing up as a young girl in Hawaii, my greatest fear was that my

mother would get sick and, if she got sick, how were we going to pay for her care, and how would she go to work? If she didn't go to work, there would be no pay, there would be no money. I know what it is like to run out of money at the end of the month. That was my life as an immigrant here.

Now, here I am, a U.S. Senator. I am fighting kidney cancer, and I am just so grateful that I had health insurance so that I could concentrate on the care that I needed rather than how the heck I was going to afford the care that is going to probably save my life.

Guess what. When I was diagnosed with kidney cancer and facing my first surgery, I heard from so many of my colleagues, including so many of my colleagues on the other side of the aisle, who wrote to me wonderful notes sharing with me their own experience with major illness in their families or with their loved ones.

You showed me your care. You showed me your compassion. Where is that tonight?

I can't believe that a single Senator in this body has not faced an illness or whose family member or loved one has not faced illness who was not so grateful that they had healthcare. I cannot believe there is a single Senator who has not experienced that in their family or their lives.

I know how important healthcare is. What is in here? Why doesn't every single Senator know that? Why are we here tonight voting on a bill that has not had a single hearing? Why are we here tonight voting on a bill that would eliminate healthcare coverage that could save lives for 16 million people? Why are we here voting on a bill that would probably mean that people like me, millions in this country, who are now in the ranks of those receiving care with preexisting conditions will not get the healthcare we need? Why are we here tonight? Where is your compassion? Where is the care you showed me when I was diagnosed with my illness?

I find it hard to believe that we can sit here and vote on a bill that is going to hurt millions and millions of people in our country. We are better than that.

I listened to JOHN MCCAIN calling on us to have hearings and to do the right thing, and I am so saddened he was unable to move us in that direction. I would call on him tonight to vote his conscience, to vote for us who say we are going to stand for the millions of people in our country who will be hurt by what we are contemplating tonight.

Mr. President, I will yield the floor by asking my friends to show the compassion to everybody in this country that you showed me. We all should be voting to send this bill to committee.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Virginia.

Mr. KAINÉ. Mr. President, I also rise with my colleagues, tremendously moved by the powerful words of my friend from Hawaii: Why can't you show compassion to others that you showed to me? That is a haunting question, and I hope people will hear that not just with their ears but with their hearts.

I also support the motion to do what we should have done in January—to commit this important topic to the committee that has jurisdiction over it.

A few years ago, there was a popular thing to do, and that was to wear a button or bracelet with the letters WWJD. That button and bracelet stood for "What would Jesus do." I was on the floor the other night, and I don't think that is a very hard question because in Matthew 25, he basically tells us: I was sick and you cared for me. In different translations: I was sick and you looked after me. I was sick and you visited me. I was sick and you took care of me. I think the answer to WWJD is pretty straightforward tonight.

I am going to talk about a different JOHN MCCAIN. JOHN MCCAIN, based on the tremendously moving presentation he made on the floor the other day, one that led us to a standing ovation because he talked about how this body should work, he said that things weren't working here as they should for the American public. He said we needed to fix the Senate and be an example for the public. We needed to restore confidence, and the way to do that would be to return to operate as the Senate should operate, with putting bills in committees and having hearings and listening to the public and, most importantly, listening to each other.

That is the process JOHN MCCAIN's committee just used, the Armed Services Committee, to get a unanimous defense authorizing bill to the floor, which I hope we will take up in the next few days.

I just want to spend a few minutes talking about if that is what we should do. If those words led us to leap to our feet in a standing ovation, why are we standing here 2 days later preparing to break every suggestion and recommendation he made to us?

When should we start the process of listening to each other and listening to the American public? Should we start on an inconsequential issue that doesn't matter? I think now is the time to start. I think we all know it is the time to start. If we didn't believe in our heart that now was the time to start fixing this place, we wouldn't have leapt to our feet and given Senator MCCAIN a standing ovation. This is the time, and this is the issue to start fixing this place and doing what we do with the spirit that is worthy of the American people who sent us here.

Why is now the right time? First, because this issue is so important to people. You heard moving—moving—words from our friend from Hawaii and our friend from New Jersey. We have all spent months going from town to town in our States having people come plead with us for solutions. I shared stories about being in the medical clinic in Appalachia a week ago tomorrow and seeing the tremendous need in this richest and most compassionate Nation on Earth.

There is nothing about a person's life that is more important than their health. There is no expenditure that a human being ever makes that is as important as an expenditure they make for their health. This is the right issue to start fixing this place because it is important to people.

It is important to the economy. This is the largest sector of the American economy. We are proposing to reorient one-sixth of the American economy on a snap vote, in the middle of the night, without having a single hearing or listening to a single expert.

It is an important issue because we definitely need to hear from the public. You know, committee hearings sound kind of wonky. We haven't had a committee hearing. What does that mean? What it means is, we haven't had a witness table where a patient or a doctor or the American Cancer Society or others could stand up and share their points of view. We need to listen, and if we don't listen, we will not get this right.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KAINE. I ask unanimous consent for 2 minutes to close, Mr. President.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KAINE. The time is right because the consequences are so severe: 16 million people lose insurance, 20 percent premiums compounding over the years, insurance markets skyrocketing and unstable, and Planned Parenthood defunded—the healthcare provider of choice for 3 million women.

The final reason we should do this the right way, not the wrong way, is what was said by Senator GRAHAM just a few hours ago. He described the bill that is now on the floor, the skinny repeal, the skinny bill, as a policy is a disaster as a replacement for ObamaCare. It is a fraud.

Is "fraudulent disaster" the best that the United States Senate can do now? Is that now the bar we have to get over? If we can say something is a fraudulent disaster, it is suddenly good enough to vote for? That is salt in the wound of a family that is worried about their sick child. That is salt in the wound of anybody who is worried about what would happen to their family tomorrow. Will they lose insurance? Will they pay more? Will they be

blocked from going to Planned Parenthood? If this body passes a bill that even Members who vote for it claim is a fraudulent disaster, how do you think the American public will view this body? How will they view the degree of care and concern we exhibit to them?

This is not the best the Senate can do. We can do much better than this, we must do much better than this, and I ask my colleagues to send this to committee where we can listen to one another and get this right.

Thank you, Mr. President.

I yield the floor.

Ms. COLLINS. Mr. President, few issues are as important or personal to the American people as healthcare, which is why this debate has been so fervent and ignites such passion.

On the one hand, the Affordable Care Act, ACA, has allowed millions of individuals and families to obtain health insurance for the first time. It has also brought important patient protections like those for people with preexisting conditions and prohibitions on annual and lifetime limits on insurance payments for needed care.

On the other hand, too many Americans face skyrocketing premiums and unaffordable deductibles coupled with mandates that give them few, if any, choices. Some insurance plans have become so restrictive that families find they can no longer go to the doctor or hospital of their choice. In addition, the ACA's employer mandate discourages businesses from creating jobs or giving their workers more hours, while its tax credits and subsidies are designed so poorly as to cause "wage lock"—"where working harder to get ahead can instead make some Americans fall further behind."

Despite President Obama's campaign promise that his health plan "would save the average family \$2,500 on their premiums" per year, the opposite has happened as premiums are increasing in nearly every State, with an average increase of 25 percent nationally last year. Today, despite the implementation of the ACA, 28 million Americans remain uninsured.

These problems require a bipartisan solution. The Democrats made a big mistake when they passed the ACA without a single Republican vote. I don't want to see Republicans make the same mistake.

Earlier this week, I voted against proceeding to healthcare reform legislation—the American Health Care Act of 2017—that passed the House of Representatives last May without a single Democratic vote. For many Americans, this bill could actually make the situation worse. Among other things, the bill would make sweeping changes to the Medicaid Program—an important safety net that for more than 50 years has helped poor and disabled individuals, including children and low-income seniors, receive health care. The

nonpartisan Congressional Budget Office, CBO, projects that the number of uninsured Americans would climb by 23 million under this bill.

Senate leaders, recognizing that the House bill did not have sufficient support, advanced their own substitute proposal that would make similar structural changes to the Medicaid program, as well as many other changes. CBO estimates that this plan would reduce the number of people with insurance by 22 million, cause premiums and other out-of-pocket costs to soar for Americans nearing retirement, and shift billions of dollars of costs to State governments. It also would undermine the financial stability of rural hospitals and long-term care facilities and likely lead to the loss of important consumer protections for many Americans, while doing virtually nothing to address the underlying problem of escalating healthcare costs. Earlier this week, this body struck down that proposal by a vote of 43 to 57.

A separate proposal that would simply repeal the ACA without a replacement also failed, by a vote of 45 to 55. That legislation, according to CBO, would result in 32 million people losing their insurance, bringing the total number of uninsured Americans to 60 million a decade from now. Clearly, that is going in the wrong direction.

In a final effort to reach consensus, Republican leaders have pieced together a plan that would repeal key portions of the ACA while punting on many of the more difficult questions. While I support many of the components of this plan, this approach will not provide the market stability and premium relief that is needed. In fact, a bipartisan group of Governors wrote Senate leaders this week, urging rejection of this so-called skinny plan, which they say "is expected to accelerate health plans leaving the individual market, increase premiums, and result in fewer Americans having access to coverage."

I ask unanimous consent that the letter be printed in the RECORD following my remarks.

Also included in all of these plans is a misguided proposal that would block Federal funds, including Medicaid reimbursements, from going to Planned Parenthood. Millions of women across the country rely on Planned Parenthood for family planning, cancer screening, and basic preventive healthcare services. Denying women access to Planned Parenthood not only runs contrary to our goal of letting patients choose the healthcare provider who best fits their needs, but it also could impede timely access to care.

If Planned Parenthood were defunded, other family planning clinics in Maine, including community health centers, would see a 63 percent increase in their patient load. Some patients would need to drive greater distances

to receive care, while others would have to wait longer for an appointment,

Let me be clear that this is not about abortion. Federal law already prohibits the use of Federal funds to pay for abortion except in cases of rape, incest, or when the life of the mother is at risk.

This is about interfering with the ability of a woman to choose the healthcare provider who is right for her. This harmful provision should have no place in legislation that purports to be about restoring patient choices and freedom.

We need to reconsider our approach. The ACA is flawed and in portions of the country is near collapse. Rather than engaging in partisan exercises, Republicans and Democrats should work together to address these very serious problems. In their letter to Senate leaders, the bipartisan group of Governors correctly notes that, "True, lasting reforms can only be achieved in an open, bipartisan fashion."

Healthcare is extraordinarily complex, and we must work together systematically in order to "do no harm" and improve our healthcare system. In developing legislation, our focus should be on the impact on people, premiums, and providers.

We are dealing with an issue that affects millions of Americans and one sixth of our economy, and we need to approach reforms in a very careful way. That means going through the regular process of committee hearings; receiving input from expert witnesses such as actuaries, Governors, advocacy groups, and healthcare providers; and vetting proposals with our colleagues on both sides of the aisle. It needs to be a much more deliberative process, and I am pleased that Chairman ALEXANDER has expressed a willingness to begin hearings in the Senate Health Committee.

Neither party has a monopoly on good ideas, and we must work together to put together a bipartisan bill that fixes the flaws in the ACA and works for all Americans.

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

JULY 26, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. CHARLES E. SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: As the Senate debates the House-passed American Health Care Act (H.R. 1628), we urge you to set aside this flawed bill and work with governors, both Democrats and Republicans, on solutions that will make health care more available and affordable for every American. True, lasting reforms can only be achieved in an open, bipartisan fashion.

We agree with Senator John McCain that the Senate should "return to regular order,"

working across the aisle to "provide workable solutions to problems Americans are struggling with today."

Congress should be working to make health insurance more affordable while stabilizing the health insurance market, but this bill and similar proposals won't accomplish these goals. The bill still threatens coverage for millions of hardworking, middle class Americans. The bill's Medicaid provisions shift costs to states and fail to provide the necessary resources to ensure that no one is left out, including the working poor or those suffering from mental illness or addiction. The Senate should also reject efforts to amend the bill into a "skinny repeal," which is expected to accelerate health plans leaving the individual market, increase premiums, and result in fewer Americans having access to coverage.

Instead, we ask senators to work with governors on solutions to problems we can all agree on: fixing our unstable insurance markets. Improvements should be based on a set of guiding principles, which include controlling costs and stabilizing the market, that will positively impact the coverage and care of millions of Americans, including many who are dealing with mental illness, chronic health problems, and drug addiction.

The next best step is for senators and governors of both parties to come together to work to improve our health care system. We stand ready to work with lawmakers in an open, bipartisan way to provide better insurance for all Americans.

Sincerely,
John W. Hickenlooper, Governor of Colorado;

Steve Bullock, Governor of Montana;

Brian Sandoval, Governor of Nevada;

Larry Hogan, Governor of Maryland;

Tom Wolf, Governor of Pennsylvania;

John Bel Edwards, Governor of Louisiana;

Terence R. McAuliffe, Governor of Virginia;

Charles D. Baker, Governor of Massachusetts;

John R. Kasich, Governor of Ohio;

Phil Scott, Governor of Vermont.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, for 2½ days I have been listening to the same rhetoric. It sounds like *deja vu*. For 2½ days I have been listening to this. I have been giving extra time to the other side to speak. I have been hoping out of that I would get one constructive suggestion for what could be done with healthcare.

It has all been criticism. It has been criticism against all cuts. Even tonight, after the bill was read here on the floor, I heard that we were changing Social Security. We are not changing Social Security. We can't change Social Security under the budget.

I heard we were changing Medicare. We are not changing Medicare. I am not going to allow other time for that side. I will suggest that side of the aisle go and read the bill. I think it would be a worthwhile exercise.

There isn't even Medicaid in there. You have threatened about what was going to be done about Medicaid. You talked about what was going to be done with Medicaid, but it is not based on fact. So take a look at the bill.

Another way that this is *deja vu* is I remember being here on Christmas Eve when technical corrections were accepted from the other side, but you went ahead and passed the bill. We mentioned things that needed to be changed in the meantime, and we were told: No, no, that doesn't have to be done. It just needs more time.

Well, we had more time, and there does need to be corrections. You keep talking about how the Republicans have ruined the insurance market. No, last October, the high rates came out for States across this country that pointed out that healthcare was going down the tubes. So something needed to be done. Something needed to be done, but without getting constructive suggestions from the other side—just criticism, saying *ObamaCare* is perfect, until this debate started, and then I started hearing: It is not perfect. It is not perfect.

Well, where are the suggestions for making it as near perfect as possible? We put up a lot of—

Ms. HEITKAMP addressed the Chair.

Mr. ENZI. I am not asking that as a rhetorical question. Think about it for a little while, come up with constructive suggestions.

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Ms. HEITKAMP. Would the Senator yield for a question?

Mr. ENZI. No, I will not yield for a question.

When I feel like there is something constructive that is going to be done around here—I remember that one of the Senators on the other side of the aisle said: If you just take Medicaid out, I will be for it. Well, Medicaid is not in this version so that ought to be some kind of a commitment on it.

I keep referring to this book, which goes back to a lot of the history that we have experienced around here. Here is what has happened, and all of this is footnoted. I was reading at first the footnotes. I didn't check out all the footnotes, but I did look to see if they were footnoted.

Under the bill that we are trying to make some changes to, there have been costs from new taxes. There are 21 taxes that have been included in *ObamaCare*, but the most enormous one is the increased taxes on healthcare companies that are then passed on to the public as higher costs for insurance and pharmaceuticals.

I have heard that word "pharmaceuticals" thrown out a lot, and I agree there are things that need to be changed there. I do remember the pharmaceuticals joining in on the process of getting *ObamaCare* passed because they did this little thing with the pharmaceutical Part D, where there was this doughnut hole, and through the doughnut hole we were hoping that people would switch to generic, but the pharmaceutical companies said: No, no,

no. If you will stick with the brand name, we will cover you through the doughnut hole. Do you know why? Because people, as they go through the doughnut hole, go beyond the doughnut hole, and beyond the doughnut hole the Federal Government picks up the cost of the name brands—the name brand pharmaceuticals. My insurance commissioner was by to visit with me, and he mentioned that I have twins in Wyoming, and they have a rare disease. There is a prescription for it, and the prescription is costing \$30,000 a year each. Well, that is quite a bit of money, and the insurance company is picking that up. Then the name brand pharmaceutical company bought out the generic one. This was generics they were getting.

So now they have to have name brand because the generic isn't on the market now. The cost? It is \$1.6 million for each kid, each year.

That is why the companies, why the insurance companies are dropping out of the market. I mean, Wyoming is the least populated State in the Nation, and an insurance company that is limited to Wyoming is going to have to bear that \$3.2 million worth of cost. So they are going to be saying: We are the only ones covering Wyoming; maybe we shouldn't provide insurance in Wyoming either. We lost the other two companies already, and we are down to just one, but we have one, and they cover all of the counties, unlike—it kind of surprised me that the rules allow companies to just do some counties in some States.

Also, under ObamaCare, the insurance plans have to cover more.

This includes plans for the patient who may not want a particular coverage but has to have this. [It comes under the] essential health benefits, which are required through HHS. This led to 5 million Americans losing their insurance in the individual market.

Reduction of lower cost plans. High deductible [health savings accounts] are very important in reducing costs for individuals, families, and businesses. A RAND study in 2011 found that an HSA/high deductible plan (with a deductible of at least \$1,000) would reduce healthcare spending an average of 14%. That savings incurred not only for patients but also for employers and for total healthcare expenditures. These more effective plans have been reduced under ObamaCare.

Most of the young people on my staff were getting HSAs, and the reason they did is because they did a little bit of a calculation. They did a little bit of financial literacy. They looked to see what the plan was for the full coverage, and then they looked to see what an HSA would cost, and they said: Well, gee, if I take the difference in the cost between the regular insurance and the HSAs and I put that in one of these savings accounts that can grow tax-free, in a maximum of 3 years, I will cover any deductible that I might have.

So they considered that to be good insurance and they got to make a lot of their decisions.

But I don't think we want individuals making their decisions; that appears to be how ObamaCare is constructed.

Then there is an increase in mandates, which is item No. 4.

Mandates existed before ObamaCare but have dramatically increased with ObamaCare. It added mandates "guaranteed issue and community ratings." Both have been previously tried in the states. Such mandates distort the marketplace and drive up the cost of care. Policies within states that had more mandates could actually have doubled the cost of [their] premiums.

5. Increased costs by constricting hospitals and physician systems. There has been consolidation with increased hospital mergers by 50% compared with 2009. There has also been movement of doctor's practices to connect with hospital systems and both the contractures within the hospital system and then physician's systems increased costs to the patients. For example, group practice charges increased costs 18% to 20% and specialty care charges increased costs even more, 34% after connecting the care with hospital systems. These changes in care i.e. changing from private practice systems into hospital-based systems have significantly driven up the cost of care for the patients.

6. Medical legal liability reform has not been a part of ObamaCare but is a significant driver of healthcare costs.

That is not considered in it, and it is considered to be about a 10 to 25 percent increase in total costs.

Mrs. MURRAY. Mr. President, may I respectfully ask the chairman a question?

The PRESIDING OFFICER. Does the Senator yield for a question?

Mr. ENZI. I think this is under my time.

Mrs. MURRAY. It is, and I just—

The PRESIDING OFFICER. Does the Senator yield for a question?

Mrs. MURRAY. Regarding time, I just have a question so that Members can know how to manage their time between now and the 45 minutes when we have the vote.

The PRESIDING OFFICER. The Republicans have 46 minutes remaining; the Democrats have zero.

Mrs. MURRAY. If I could just respectfully ask the chairman, since we have only had this bill for an hour, we have, as you can see, a number of Senators who want to speak. I would just respectfully ask if there is any time we will have between now and the vote to make any comments, since we have just had, for a very short amount of time, the bill that we will be voting on, which will obviously impact millions of Americans.

Mr. ENZI. I think the answer that I gave was perhaps your time might be better spent taking a look at the bill because the conversations I have heard here didn't necessarily speak to the bill.

Mrs. MURRAY. Mr. Chairman, I—

Mr. ENZI. They speak to the process, and I think we have already covered that in 3 days.

Mrs. MCCASKILL addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Mrs. MCCASKILL. Mr. President, will he yield for a question about the bill? He clearly knows more about it than we do because he has seen it for much longer than we have.

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Mrs. MCCASKILL. He will not yield for a question?

Mr. ENZI. I want to continue on with why we are trying to change this.

The Galen Institute—Grace-Marie Turner wrote about 70 changes to ObamaCare that occurred after it went into effect. And those changes include the "employer mandate delay, individual mandate delay, preserved benefits to the military and VA, and reduction of funding to agencies used for implementation of ObamaCare including IPAB, CO-OP's, and IRS."

Co-ops are an interesting thing. I was suggesting during the time that ObamaCare was being considered that small business health plans might make a real difference in costs for small businesses. Now, the only thing I can see on small businesses in here is that if you are a small business and you have over 50 employees, you have a problem.

I have people in Wyoming who come to me and say: I have this business. It is working really well, and in the next town over—and most of the towns aren't big enough to hold two of the same kind of store—so in the next town over, I would like to put in the same kind of shop.

My question to them is: How many employees do you have?

Most of them have said: Well, I have about 48 employees.

I said: How many will you need in the other store?

They said: Well, I hope to need the same amount of people.

I said: Well, the way this works, you are going to come under much increased healthcare costs, and you better take a look at that before you make your expansion.

So it has cost jobs that way.

Now, with small business insurance, with the small business health plan—

Ms. WARREN addressed the Chair.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Wyoming has the floor.

Mr. ROUNDS. Regular order.

Ms. WARREN. Will the Senator from Wyoming yield for a question about the new study on the impact of ObamaCare on jobs?

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Ms. WARREN. Will he yield?

Mr. ENZI. I will not yield. I would appreciate the same courtesy from that side that I gave to you when you were doing your expositions about healthcare, which included the things

that I have mentioned that aren't even in the bill. Our side has some time, and I would like to use some of that time.

As I have been through this process for a long time now—I have been on the Health, Education, Labor, and Pensions Committee for the whole time that I have been here, which is 20 years. Of course, it wasn't Health, Education, Labor, and Pensions when I first got here, but we thought that that was a clever acronym: We are from the Federal Government, and we are here to help you. There are a lot of people back home who don't think we really help out much.

But, at any rate, the small business health plans, after three of us who were in the Gang of 6 got thrown under the train or under the bus or whatever it was, small business health plans were changed to co-ops, and they were given a significant amount of money to work with, and they haven't fared very well.

I will find the information about the co-ops here. Again, this isn't stuff that I wrote; this is stuff somebody else wrote and footnoted and sent to all of us. Again, the name of the book is "Demystifying ObamaCare: How to Achieve Healthcare Reform." It gives some good suggestions.

He does point out that "ObamaCare is not a system of healthcare, nor is it healthcare reform. It is a system of healthcare control."

People are told what they are going to do.

ObamaCare was supposed to significantly reduce healthcare costs, but instead it has dramatically increased costs for even those who are not directly within the ObamaCare program. ObamaCare was supposed to increase access to care, but instead it actually reduced access to the availability to care. ObamaCare reduces the effectiveness of the safety net program, which is so very important economically for Americans.

Under an amendment that I would like to see is one that would have covered the people who make a living of under \$11,000—because with \$11,000, you can't get insurance. They don't get subsidies; they are just left out in the cold. It is one of the corrections that should have been made and wasn't made. ObamaCare does reduce the effectiveness of the safety net program, which is important to economically poor Americans.

There are a lot of people out there in the States, several thousand in my State, who can't get insurance under that.

The quality of healthcare in America was derided when ObamaCare was passed, but ObamaCare instead reduces the quality of U.S. healthcare by reducing innovation, and it removes a person's ability to make his own decisions about his healthcare and that of his family, and it does so by removing the freedom to make those decisions by putting so many qualifications on it.

Again, I repeat that we haven't done anything to take people off of their policy if they are under their parents' policy if they are under the age of 26.

We haven't done anything to deny patients who have preexisting conditions. I have heard that for 3 days.

We haven't eliminated the lifetime caps on insurance. I have heard that for weeks.

So there are things that need to be done. They could be done. We have tried to do it in this bill, again, without constructive suggestions from the other side. For any recognition that there was any problem that ought to be solved, we have gone ahead. It is not my choice for the mechanism that would be used; it is the mechanism that was chosen by leadership and it falls to them. One of the things that makes this difficult is it is a budget reconciliation, so there are things that have to be written in a budget form in order to comply. That limits some of the things that I would have liked to have done that I think would have made quite a difference. And I think there would have been some things the other side might have joined on and been excited about too. But, again, we are limited by the mechanism that we have here, and there is no indication that—

Mr. MURPHY. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. The Senator will be in order.

The Senator from Wyoming has the floor.

Mr. ENZI. Mr. President, I have heard so many times that the other side would love to be cooperative, but I have yet to see cooperation. I am not going to take questions; I am going to—I really would appreciate it if you would just take some time to look at the bill. I have heard the rhetoric.

The PRESIDING OFFICER. The Senator will be in order.

Mr. MURPHY. Maybe this time would be better used if you allowed us to ask you some questions about the bill.

The PRESIDING OFFICER. The Senator will be in order.

The Senator from Wyoming has the floor.

Mr. ENZI. Yes, and I have an hour, whether I use it or not. As I said, for the past few days I have been yielding time to the other side. I haven't gotten much satisfaction out of that. I have listened for the last hour, and I didn't get any satisfaction out of that either. I did sit through all of it. I did listen to it. Again, it is complaints about the process, but not constructive suggestions on what could be done.

There are taxes, mandates, regulations, lack of competition in the marketplace, increasing costs. When I travel across Wyoming, I have people who have come up to me and they say: My insurance premium is bigger than my house payment, and it is growing.

And they said: If something happens to us, my deductible is bigger than my year's premium. That shouldn't happen

in America, but that is where we are. Those aren't isolated cases; those are a lot of cases. That is the situation we find ourselves in. We are not trying to hurt anybody; we are trying to fix some of these things.

As I said, for 8 years, every time there has been a waiver—that is part of that thing that I mentioned about the 70 changes to ObamaCare so far—a lot of those were in the way of waivers.

Every time there was a waiver, I said: Why are we waiving this? Why don't we just fix it?

I was told: It is not broke; it just needs more time.

Well, it has had more time. Last year—this was before the election, so you can't blame us. We had no idea who was going to be the President. We had no idea who was going to be in the majority. Last October, people started pulling out of insurance markets, and rates increased dramatically. You can't put that blame on us.

Mrs. MURRAY. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator yield for a parliamentary inquiry?

Mr. ENZI. No.

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Mr. MURRAY. Mr. President, I just wanted to ask how much time is left on a bill that we haven't had much time to look at much in the last hour that we are going to vote on.

The PRESIDING OFFICER. The Senator from Wyoming has 34 minutes remaining, and the Senator has the floor.

Mr. ENZI. Mr. President, I think what we have is a motion to commit and the right for the other side to do other amendments. I would hope that some of them would be constructive, but I am not expecting that. As I said, I have been listening for 3 days and actually listening a lot longer before that time.

I could talk about some of the things we can learn from ObamaCare, because we should. We can learn that decisions have to be made by the patients and not by the bureaucrats for the government. There are some key examples of when the government starts making those decisions. I don't have to pick on ObamaCare for it necessarily; the VA has had a few problems, and I am sure all of you have been working casework on what the VA has been doing. That is where the government and the bureaucrats are making decisions. We have been through some enormous times on that. That is why we did the Choice Act. And the Choice Act had a lot of problems. That is government healthcare.

People say: Well, Choice got to go outside of the government.

That is not quite true. I think the folks with the VA picked the companies you have to go through for healthcare, and when they did, they

didn't want it to be efficient. They wanted as much of it as possible to come back to the VA. I am sure all of us, as we travel across our States, are running into people who are having problems with providers not getting paid or not being able to get their appointments. If you check with the providers, you find out what kind of a terrible process they have to go through to get paid. That is government healthcare.

In my State, I provide the VA with a list every week of the new cases I have of people who are not getting care. That shouldn't happen. But they told me when I first inquired: Well, there are only two doctors who haven't been paid.

I said: That is impossible. There are more than two doctors in my own town who haven't been paid, and there are a lot of towns in Wyoming—when I go to them, I hear that they are not paid.

They said: One was not paid for 30 days, and one wasn't paid for 45 days.

I said: Well, I don't know why either one wasn't paid before those kinds of deadlines.

But I can tell you there are a lot more problems than that.

So if we are thinking about going to a Federal healthcare—and I guess we are not because we had that vote a little bit earlier on whether we would have a single-payer system. I was amazed at the number of people who chose not to vote on that. At any rate, I don't think that is where America wants to go. I have had some people ask me about that. I have given them some suggestions on where to check to see what kind of care they would get under that, and they have come back to me and said: I don't think that is where we want to go.

I know the other side of the aisle has wanted to go that way for a long time. When I first got here, Phil Gramm was one of my mentors, and I really appreciated all of his advice in so many areas. One of the things he said to me was, you have to watch out for healthcare because where the Democrats want to go is to single-payer healthcare. In other words, they don't care who drives the train as long as it wrecks.

So I look back on ObamaCare and I say: Man, this was 18, 19, 20 years ago that he told me this. Is that where ObamaCare is supposed to go, to wreck the train so we can go to single-payer? I don't think so, but I think we are on the way to a train wreck, and I am not hearing a lot of disagreement about the train wreck. I am hearing some disagreement about the amount of calamity in the train wreck but not on whether there is going to be a train wreck.

There are a number of things we could do to take care of the costs that have gone up under this. That can be confronted within a free market as op-

posed to the government-run, government-controlled market we are under now. One of them is to reduce the tax burden. I did notice that I have a lot of people in Wyoming—again, we are one of the smallest or least populated in the Nation. We are big in land mass, but we are small in population—In Wyoming, \$5.6 million was collected from people for fines for not having the adequate healthcare.

Those were people who said: Wait a minute, I have to spend so much on my healthcare and then a high deductible that I am never going to get anything out of it. So when I calculate the annual cost, the \$1,700 that I have to pay as the fine—or \$1,500, somewhere in that range—is cheaper than paying for all those premiums and then a deductible if anything ever happens to me.

These are real people I am talking about.

Mr. SCHATZ. Mr. President, would the Senator yield for a question?

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Mr. ENZI. I allowed the other side to have their hour. I expect to have this hour, even if some of it is in silence.

I mentioned reducing the tax burden.

We could also eliminate some regulations. We really need to take a look at some of those regulations within the essential health benefits and see if everybody needs all of them or if there are some they would opt out of, given the opportunity, because they know they will never need them. There are a lot of examples of that.

We could eliminate the mandates from the Federal and State. We have the elimination of the Federal mandates in this bill, both the individual mandate and the employer mandate.

We could also increase competition within the marketplace by increasing flexibility. Some of these things we can't do, particularly to the level we would like to do them, but we could have more competition if we could increase the number of insurance companies. Competition makes a difference.

I have had a number of people, though, who have suggested to me that the biggest thing we could do would be to pass the medical liability reform because doctors are practicing defensive medicine, which drives up the cost, so that if they are ever in a lawsuit, they can prove they did every possible thing that they could ever imagine or that anybody could raise as an issue. There is a cost to doing that. One of the suggestions—

Mr. HEINRICH. Mr. President, I would ask if the Senator would yield.

The PRESIDING OFFICER. The Senator will be in order.

The Senator from Wyoming has the floor.

Mr. HEINRICH. Will the Senator from Wyoming yield for a question?

Mr. ENZI. I will not.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. ENZI. It has been suggested that the government could have an appropriate role in healthcare by maybe using advanceable, refundable credits to prevent any lapse in coverage. One of the problems we have right now is that people can wait until they have something terrible happen to them, and they can sign up for insurance on the way to the hospital—you can't pay when you are in the ambulance, and you can't pay when you are getting treatment, and you can't pay when you are getting rehab—and when they are done, they drop out of it. It is hard for an insurance company to figure in the cost of something they are not going to get paid for at all.

There have been a number of suggestions. I don't know whether they are any good. I could throw them out. One of them is that if you don't keep continuous coverage, you should have to pick up your own expenses for the first 6 months. That would encourage people to have continuous coverage. It is just one possible suggestion.

There is a role for government within this setting, and that is requiring some transparency within the system, encouraging the development of new healthcare competition, prevention of collusion between healthcare companies, and having prices posted.

I remember a hearing we had once—

Ms. WARREN. Mr. President, will the Senator yield for a question?

Mr. ENZI. I will not. You got your hour; it is my hour.

The PRESIDING OFFICER. The Senator will be in order.

The Senator declines to yield.

The Senator from Wyoming has the floor.

Mr. ENZI. When I was chairman or when Senator Kennedy was chairman of the Health, Education, Labor, and Pensions Committee, we switched from doing hearings to doing roundtables. That was an interesting experience too. Instead of having all of the witnesses except one picked by the majority and the other one picked by the minority and then everybody coming up to beat up on the person who was in the opposite field, we went to roundtables.

What you do with a roundtable is you pick 2 or 6 or 8 or 10 people who are actually knowledgeable in that field, who have actually done something, who have had their hands on what we were talking about.

I remember the first one. One of the questions at the end was by Senator Kennedy, and he asked the witnesses that he and I had selected. This wasn't me selecting; this was a joint effort selecting them. He said: What do you think about single-payer insurance? As they went around, there was only one out of 10 people who said: Well, it might be a good idea, but we probably ought to take a look at it. The rest of them said: It won't work in America. We are already used to something different.

When the hearing was over, Senator Kennedy said to me: You know, I think these roundtables are a good idea. I think it is a good thing to kind of hear about what the people are actually experiencing out there before we write the bill.

Well, we did a lot of healthcare roundtables. One of the witnesses was from Safeway. Safeway had been able to hold their costs level and started to bring them down. Of course, we were interested in anybody who could hold healthcare costs level or bring them down. The way they had done that was to find out what the costs of different procedures were in the area where they had stores. After they knew what the cost of the procedure was, they could take the median price for whatever it was, and if the people in their store would take the median price, it didn't cost them anything. If they went above the median price, they had to pay the difference. If they went below the median price, they got the difference. So they were actually paying attention, using some financial literacy in any of the treatments they needed to get, and they appreciated that their company had done this research for them in advance so they could have some kind of an idea of what the market held. He estimated that if they were able to increase the flexibility they had with this, they could bring down their costs by about 5 to 7 percent a year.

I worked on a 10-step plan—in conjunction with Senator Kennedy on a lot of it—and talked about it across the country and particularly across Wyoming. It would have been 10 steps to get healthcare for everyone without mandates but with incentives.

Mr. VAN HOLLEN addressed the Chair.

The PRESIDING OFFICER. The Senate will be in order.

Mr. VAN HOLLEN. I wonder if the Senator would yield for a question.

The PRESIDING OFFICER. The Senate will be in order.

Mr. VAN HOLLEN. Will the Senator yield for a question?

Mr. ENZI. The Senator will not yield.

The PRESIDING OFFICER. The Senator declines to yield.

The Senator from Wyoming has the floor.

Mr. ENZI. Earlier I mentioned the CO-OPS. I would have preferred the small business health plans. I didn't think the CO-OPS would work.

CO-OPS were included in ACA.

These plans were meant to provide competition with existing health insurance companies.

It was an opportunity to set up insurance companies that actually were funded.

The CO-OPS were given \$2.4 billion in "federal loans."

The CO-OPS were prohibited from having former healthcare executives with managerial or accrual experience.

The CO-OPS were conceived to drive down the premiums by providing competition and underselling the cost for policies.

More than half the 23 CO-OPS went out of business in 2015, but 8 of the remaining 11 CO-OPS were in financial trouble.

The number of CO-OPS is now down to 7 (4 of the prior CO-OPS went bankrupt in 2016).

Examples of how the CO-OPS that have failed and have cost the taxpayers. In 2015 alone, there was a huge amount of money lost and also cost the enrollees in the CO-OPS their insurance.

New York Health Republic, 23,000 policies lost, \$57 million dollars lost in the first half of 2015.

Iowan and Nebraska CO-Opportunity Health, 120,000 policies canceled, \$146 million dollars lost. Arizona CO-OP, 59,000 enrollees lost their insurance, \$90 million dollars lost. Colorado CO-OP, 89,000 enrollees insurance canceled, \$72 million dollars lost.

Ms. HASSAN addressed the Chair.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Wyoming has the floor.

Ms. HASSAN. Mr. President, I wonder if the Senator from Wyoming will yield for a question.

The PRESIDING OFFICER. Does the Senator from Wyoming yield for a question?

Mr. ENZI. No.

The PRESIDING OFFICER. The Senator does not yield.

The Senator from Wyoming has the floor.

Mr. ENZI. Continuing:

The [Health and Human Services] and administration officials knew that the CO-OPS were at risk even before they received their first "loan" in 2014. Senator ROB PORTMAN, Chairman of the Senate Permanent Subcommittee on Investigations, said that the HHS knew of serious problems concerning the failed CO-OPS enrollment strategies, pricing and financial management before the department ever approved their initial loans.

Dr. Mandy Cohen, the director of the CMS, testified before a House subcommittee that 8 of the 11 remaining CO-OP companies were in serious financial difficulty and receiving "enhanced oversight" and "corrective action." Dr. Cohen did not explain what that "corrective action" or "enhanced oversight" consisted of nor could she indicate the enrollment figures and the possibility of financial survival for the CO-OPS that were being monitored.

Also, 4 more CO-OPS have failed over the first half of 2016, leaving only 7 remaining.

I am not sure what today's number is.

The HHS continued to make these federal loans though they knew the CO-OPS were failing.

Under the small business health plans, there is no requirement to have the Federal Government fund it unless we want to fund more oversight. I am not opposed to that either.

So What are the American People Think of This?

There has been greater than \$1 billion dollar loss of taxpayer money to CO-OPS that have gone bankrupt.

Only 7 of the initial 23 CO-OPS remain in business.

The CO-OPS were constructed as a way of providing competition against existing com-

panies, however in order to do that they underpriced their products. No company can survive if they take in less than what they put out in services and understandably, the majority of CO-OPS have gone out of business.

That could be something to do with their being prohibited from having former healthcare executives with managerial and accrual experience.

This was known by the HHS before the first "federal loans" had ever been approved.

Over 800,000 people have lost their insurance because the CO-OPS have gone out of business and there are more to come.

It speaks to the fact that the HHS and ObamaCare Administration had very little regard for the American taxpayer and the American people.

The disturbing question is whether any of the taxpayer's money will be returned.

I did say those were loans, and there aren't many left that can pay back the loans, which is a little bit of a difficulty.

Of course we did hear that ObamaCare was supposed to bend the cost curve down. I ought to point out some facts on that as well.

From 2009 to 2012 healthcare spending grew less than 4 percent, as spending started increasing dramatically in the first quarter of 2014. This was the start of the implementation of the legislation. Subsequent healthcare spending from 2015 showed a 6.8% rise. In 2016, it is estimated to increase to 6.5% spending growth.

We know from last year, which isn't included in this, that it started doubling at that point.

Deductibles both inside and outside ObamaCare exchanges have increased enormously and will continue to increase. Healthcare costs are now increasing more than inflation.

Why has spending increased? There has been increased utilization services. The increased healthcare spending thus led to higher insurance costs. A particular cause of increased spending related to ObamaCare is a marked increase in deductibles and health insurance premiums in the ObamaCare exchanges. Additionally, because of the increased number of patients with Medicaid expansion there have been increased costs. Healthcare costs [will] continue to rise.

The total healthcare spending for 2016 is to increase to over \$3 trillion dollars.

I will get some updated numbers on that.

Total healthcare spending . . . rate of spending increase.

Medicaid increased: 11%

Medicare increased: 5.5%

Private insurance spending increased: 4.4%.

If I would have known that Medicare was going to be mentioned, even though it is not in the bill, I would have shown the little chart that I have, which shows how much revenue we get for different mandatory spending that we have.

All of those mandatory spendings are in a little bit of trouble because the revenue streams to take care of them are not sufficient. At one point, they were sufficient in some of them, and the federal government doesn't have any place to park cash. The federal government puts bonds in a drawer and

spends the cash. That is kind of double dipping because there is nothing there for later. There is a Social Security trust fund.

I have learned from trust funds that you have to find money to put in before you can take money out. I never saw a trust fund that operated that way until I got here. We have some crises that are coming up. We are going to compound healthcare because for Federal pensions, we really don't put any money away for them. We require businesses to put it away, and we have had some other suggestions. I have some small pension plans I would like people to look at, some pooling for that, which I think would encourage more people to have pension plans in small business.

But the cost of administration is extremely high unless they can share in that. All of them would require that there be money put away to be able to cover with reasonable growth in the interest of the fund so that what was promised could be taken care of.

In 2006, Senator Kennedy and I worked on saving some pension plans, trying to make sure that promises that were made could be met. We did a pension bill that needs to be redone again, particularly for some sectors of the pension.

The private sector is required to put away money. When the market goes down, it increases dramatically the amount of money that they need to put in and creates some problems for business.

The point I am making is that the Federal Government doesn't do that with any excess funds we get. I don't care if it is in healthcare or Social Security or where it is, those excess funds are allowed to be spent with bonds put in a drawer, with the promise that the full faith and credit of the Federal Government will cover them. I don't know how many people at home believe that, but that is what it is.

How has the battle for the quality of healthcare fared? This gets covered in this book too.

Here is a little bit on the quality of healthcare and outcomes.

The infant mortality rate . . . has been used by politicians and others in political debate to describe the inferiority of the U.S. healthcare [system]. U.S. ranked only 30th in the world (and the neonatal mortality below that). When you look at this data, however, you find a very different picture. The United States followed the World Health Organization definition that a live birth is any infant that shows any sign of life, i.e. a baby that takes a single breath or has a heartbeat. . . . Other countries however including both developed and underdeveloped countries use different standards. The definition of "live births" varies between different countries. For example, in Switzerland a newborn has to be 30 cm. long to be considered a live birth. In Belgium and France, infants have to be at least 26 weeks to be considered as live births. Infants less than 24 weeks gestational age are excluded from registries of live birth in multiple other countries including Japan and Hong Kong. In Canada, Germany, and Austria, the newborns weighing

less than 500 grams are not considered viable and are excluded from the infant mortality rates.

What I am saying is, there are games that can be done with that, with the performance ratings, with the life expectancy data, with the Commonwealth Fund. All of these things are issues that we are embarrassed about and things we ought to be working on, things we ought to improve, things we ought to help with our country.

We need to be looking at all of those outcomes—the cancer outcomes, the cardiac disease outcomes, the stroke outcomes, the chronic illness outcomes, the hypertension outcomes, the diabetes and cholesterol outcomes.

We know that the earlier and more effective there is treatment of the disease, the better treatment of the disease for chronic disease, the better the results are. The more accessible and better technology there is, the more access to specialty care for early diagnosis and treatment, better preventive screening, and the inventiveness of the American people.

I think it was today—my days blend together these days with this healthcare that we are working on. I was visited by a couple of young people from Wyoming who have diabetes. We have put some additional money into research. We, as a Senate, don't say exactly where that money has to go because we shouldn't be kicking the tires on the different diseases and figuring that out. I worry about where we might put the money, if that were the case, because we are affected differently than what our constituents are.

Both of these young people were on a pump, and I have gotten to meet Dean Kamen who invented the pump. It is kind of an interesting story. Of course, that wasn't his first medical invention. His first medical invention was actually when he was a junior in high school and his brother was doing a residency in a hospital that handled transplants for infants. They were mentioning some devices similar to a needle in which medicine can evidently go through. This was needed for transplant of a kidney. He was lamenting they didn't have that capability. He went down to the basement and figured out how to make one of those. That was his first patent. You probably know him more for the patents of the Segway.

After he made some money, he got to experiment with some different things. One of them is that mobile thing that police use and shopping centers use and tourists use where you ride around on a Segway. He built that for a specific medical purpose, which was to figure out a way to have a wheelchair that could climb stairs. Instead of building a ramp and being limited where there wasn't a ramp, he figured out a wheelchair that could climb stairs. It could do a number of other things too. For instance, if the person in a wheelchair went to a cocktail party, they could ro-

tate the wheels up so they were at standing level to everybody else.

He had a lot of problems getting it through FDA. He finally got it through FDA, then was told there are other wheelchairs that are less expensive so we are not going to pay for that. I think another company is coming back in to do that. It is an outstanding experience to sit in a wheelchair and go downstairs with it.

He worked on this diabetic pump. It is interesting how he got into the diabetic pump. He was told pregnant women who are on insulin, if they take the insulin doses, they wind up often with babies that have a bigger head, which makes the delivery a bit more difficult. Everything changes so the head becomes normal after a period of time, but it is a problem at childbirth. He thought, what if we gave them a dose of insulin over a longer period of time; would that have an effect on the infant? So he invented a machine which started out being a fairly good-sized machine, but it worked. If they got their insulin over a slow period of time, but sufficient insulin, the baby didn't have the larger head.

Well, this man is a businessman. He said: That is good. That will provide part of a market, but there ought to be a bigger market for it. He said: I wonder if men would have any benefit from having a diabetic pump? So he was able to have a trial and found out that also worked. He worked it down to be smaller and smaller and is working on other kinds of inventions that will do better things.

We need to keep putting things into innovation. I said a lot of times: If there is a problem in America and we put on a small incentive, there will be somebody who will figure out how to turn that into something very useful.

Mr. President, I think I have been requested by Senator SCHUMER to have 2 minutes, and to have 5 more minutes by UC perhaps for others, but I would ask that at the end, Senator CORNYN be allowed 2 minutes before the vote.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that Mr. CORNYN can conclude, but I be given 5 minutes and the Senator from Oregon be given 5 minutes.

Mr. ENZI. I was wrong. I need 5 for Senator CORNYN.

Mr. SCHUMER. Senator CORNYN is to speak after us.

The PRESIDING OFFICER. Is there objection to 5 minutes for both sides?

Mr. SCHUMER. No. I ask 5 minutes for the Senator from New York, 5 for the Senator from Oregon, and 5, finally—or however much time the Senator from Texas wants.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I reserve the right to object. I think it is

only fair that each side gets 5 minutes to speak. Everybody is ready to vote. We had 2 hours of debate. So I would ask to amend the unanimous consent request that each side be given 5 minutes to close, divided up any way you want.

I ask unanimous consent that each side be given 5 minutes to speak.

Mr. SCHUMER. I would simply say to my friend, this is a huge bill. We have not had a huge amount of time to debate it. We have just seen it for 2 hours. To ask for another 5 minutes on our side for the ranking member of Finance, in addition to mine, is not too much to ask.

Mr. CORNYN. Mr. President, I object.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Mr. President, I ask unanimous consent that there be given 5 minutes to the Senator from Oregon, 5 minutes to myself, and, in conclusion, 5 minutes to the Senator from Texas.

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

The Senator from Oregon.

Mr. WYDEN. Thank you, Mr. President.

I thank my leader, Senator SCHUMER.

Colleagues, before morning, millions of Americans could be on their way to lives filled with healthcare misery, eye-popping cost increases, hollowed-out coverage, and gutted consumer protections.

Colleagues, there are already stories of Americans hoarding pills and clamoring for screenings because they fear what the future is going to bring. These are the Americans who took deep breaths of relief 7 years ago when the Affordable Care Act became law. Women were no longer penalized for their gender. Cancer survivors no longer had to worry about busting a limit on coverage and facing personal bankruptcy. Entrepreneurs with a big idea had the freedom to set out on their own, no longer tied to their employer insurance because they had a preexisting condition. Now all of them are looking at lives on hold.

The skinny repeal package makes a mockery out of the President's promise to lower premiums. He made that promise repeatedly to the American people: no reductions in coverage, no increases in premiums. This bill makes a mockery out of that Presidential pledge. Don't take my word for it. The Congressional Budget Office—the independent umpires—have told us the premiums are going to jump 20 percent

next year as a result of this bill. That goes into effect, colleagues, January 1 of this year. Some happy New Year: Your premiums have jumped through the roof.

Colleagues, vote for this and try to explain it to the people you represent and have them tell you that there is not going to be anything they can sacrifice to pay for that rate hike. Their wages are flat, they are on an economic tightrope, and they are going to have to have premium hikes with a 20-percent hit.

The Finance Committee is accountable for funds that are critical for women's health. This measure begins the effort to take away the right of women to go to the provider they choose. That, too, will be hard to explain to millions of Americans who simply want what we have: the right to make your own healthcare choices.

Colleagues, the damage may get worse. Skinny repeal could be the gateway drug to TrumpCare. We still don't know what is going to happen with Medicaid so seniors are worried, kids with special needs, disabled folks. If the Senate and the House head to a conference—that is a big “if”—this body is going to face a radical set of demands from a very stubborn extreme on the other side of the Capitol.

My time has expired. I appreciate Leader SCHUMER getting me this time. The promises Senators have gotten to protect their constituents, those promises could well be in the trash can within 48 hours.

I urge my colleagues to think about what it is going to be like to go home and explain to their constituents how this misery—how this healthcare misery came to be a part of their lives every single day. I don't think they are going to be able to make the case.

I urge my colleagues to support Senator MURRAY on this motion to recommend.

I yield back.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, let me thank my colleagues on the other side of the aisle for yielding us time.

This august body has been around for over 220 years. It has rules. It has traditions we are very proud of. In recent years—both parties to blame—many of those traditions have been eroded. What happens when you erode the traditions—the bipartisanship, the ability to work through the regular order—is very simply that the product that emerges is not very good. There is a reason this body has been the greatest deliberative body in the world, and it is because it had those traditions. Now we don't have them.

We have a bill that we have seen for 2 hours. It affects the healthcare, perhaps the lives—almost certainly the lives—of millions. It affects the daily lives of men and women and children.

We haven't even had a chance to explore all the ramifications. There is a lot of anger on the other side at the ACA. I understand that, but you are repeating what you claim are the same mistakes.

Just as maybe ObamaCare could have been made better if it were a bipartisan proposal, this one certainly would have been made better. This skinny repeal, CBO tells us, will kick 15 million people—16 million people—off care. This skinny bill, after all the cries of reducing premiums as the major reason that ObamaCare needed changes, will raise premiums 20 percent a year, ad infinitum. The average working family is going to struggle to get healthcare even more than they have now.

Why is this being rushed through this way? Why is this being done in the dark of night? I can't believe my colleagues are proud of it. If they were, there would be brass bands down the streets of smalltown America celebrating this bill. That is not what is happening. It is midnight. Debate is curtailed. We can't amend it in the open. We can't do what is needed.

So I would plead once more with my colleagues, let's start over. We are the first to admit that the present law needs some changes. We are the first to want—maybe having learned our own lessons—that it should be done in a bipartisan and sharing way. Let's start over.

We can do better. We can do better for all those people who are going to be hurt. We can do better for the traditions of this great institution. We can do better as Americans who love our country and love our democracy and love our process. It is not too late to turn back from this proposal ideologically driven and do better because we all are not proud of this product. I don't think there is hardly anyone in this body who is proud of this product.

Let's make this a turning point, not just on healthcare but in how we function together. We plead with you, let us commit this bill. Let us vote against skinny repeal, and let's work together to improve our healthcare system in the way our Founding Fathers intended us to improve it.

I yield the floor

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, it is important to remember how we got here. I still remember voting on the Affordable Care Act at 7:30 in the morning on Christmas Eve. Because this bill—the 2,700-page bill that our Democratic friends did not read and which Ms. PELOSI said we have to pass it before we know what is in it—that bill was passed on a party-line vote and signed into law by President Obama without any participation of Republicans. So it is a little hard on the ears to hear my friend, the Democratic leader, plead for bipartisan solutions now.

I agree with him, it is not too late because this is an open amendment process. Our Democratic friends, rather than trying to kill the bill, can help us make this bill better.

I suspect that based on their comments, that they really need—we need to have some sort of remedial legislation 101 because this is not the end of the process. But in order for the House and the Senate to work together to come up with a bill we both agree to, there is a conference committee, which Members of both parties can appoint Members to the conference committee to work out differences. I don't believe my friend, the Democratic leader, is really interested in working on a bipartisan basis to fix the structural defects in ObamaCare.

We know the individual market is in meltdown. Premiums are skyrocketing, contrary to the promises made by the President when the bill was sold. We know deductibles are so high that people are basically denied the benefit of their coverage and, yes, insurance companies are fleeing because they are bleeding red ink, and they can't economically sell insurance on the exchanges anymore.

So we all know something needs to be done, but we are not interested in just throwing more money at insurance companies, bailing out insurance companies, which is what I have heard from our friends on the other side. Well, it is not true. It is not the only thing we have heard. We have also heard the Senator from Vermont, for example, advocate for a single-payer system.

What this bill does do is it repeals the individual mandate, which to us is an unacceptable government coercion of American citizens forcing them to buy a product they don't want and they can't afford, because currently 28 million people are uninsured under ObamaCare. I thought it was supposed to provide coverage for everybody, but in my State, about 450,000 Texans who earn less than \$25,000 a year are paying the penalty because they can't afford the insurance, so they pay the penalty, and it is not working.

We are doing everything we can, given the fact that our friends on the other side of the aisle are simply sitting on their hands and not participating in the process, other than to try to undermine it.

We intend to pass a bill and go to conference with the House to make this bill better because our goal is to stabilize the markets, to bring down premiums, to protect people with pre-existing conditions, and to put Medicaid, the safety net for low-income Americans, on a sustainable path. You would think those would be things that our colleagues across the aisle would want to join us in and participate in but apparently not.

We need to move on. We can't let the fact that our Democratic friends are

unwilling to participate keep us from doing our duty the best we can under the circumstances, and that is what this bill represents. It is not perfect, but it is better than the status quo, and we intend to do our duty.

Mr. President, I yield back.

The PRESIDING OFFICER. All time has expired.

VOTE ON MOTION TO COMMIT

The question is on agreeing to the Murray motion to commit.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 178 Leg.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

The motion was rejected.

VOTE ON AMENDMENT NO. 667

The PRESIDING OFFICER (Mr. PERDUE). The question is on agreeing to amendment No. 667.

Mr. ENZI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 179 Leg.]

YEAS—49

Alexander	Burr	Corker
Barrasso	Capito	Cornyn
Blunt	Cassidy	Cotton
Boozman	Cochran	Crapo

Cruz	Isakson	Rubio
Daines	Johnson	Sasse
Enzi	Kennedy	Scott
Ernst	Lankford	Shelby
Fischer	Lee	Strange
Flake	McConnell	Sullivan
Gardner	Moran	Thune
Graham	Paul	Tillis
Grassley	Perdue	Toomey
Hatch	Portman	Wicker
Heller	Risch	Young
Hoeven	Roberts	
Inhofe	Rounds	

NAYS—51

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Collins	Manchin	Udall
Coons	Markey	Van Hollen
Cortez Masto	McCain	Warner
Donnelly	McCaskill	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murkowski	Young
Franken	Murphy	
Gillibrand	Murray	

The amendment (No. 667) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that H.R. 1628 be returned to the calendar.

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

HEALTHCARE

Mr. MCCONNELL. Mr. President, this is clearly a disappointing moment. From skyrocketing costs to plummeting choices and collapsing markets, our constituents have suffered through an awful lot under ObamaCare. We thought they deserved better. That is why I and many of my colleagues did as we promised and voted to repeal this failed law. We told our constituents we would vote that way, and when the moment came, most of us did. We kept our commitments. We worked hard, and everybody on this side can certainly attest to the fact that we worked really hard and tried to develop a consensus for a better way forward.

I want to thank everybody in this conference for the endless amount of time they spent trying to achieve a consensus to go forward. I also want to thank the President and the Vice President, who couldn't have been more involved and more helpful.

So, yes, this is a disappointment indeed. To our friends over in the House, we thank them, as well. I regret that our efforts were simply not enough this time.

I imagine many of our colleagues on the other side are celebrating. They are pretty happy about all of this, but the American people are hurting, and they need relief. Our friends on the other side decided early on they didn't want to engage with us in a serious way to help those suffering under ObamaCare.

They did everything they could to prevent the Senate from providing a better way forward, including such things as reading amendments for endless amounts of time, such things as holding up nominations for key positions in the administration because they were unhappy that we were trying to find a way to something better than ObamaCare. So I expect that they are pretty satisfied tonight. I regret to say that they succeeded in that effort.

Now I think it is appropriate to ask, what are their ideas? It will be interesting to see what they suggest as the way forward. For myself, I can say—and I bet I am safe on saying this for most of the people on this side of the aisle—that bailing out insurance companies with no thought of any kind of reform is not something I want to be part of. And I suspect that not many folks over here are interested in that. It will be interesting to see what they have in mind, like quadrupling down on the failures of ObamaCare with a single-payer system. We had that vote a little earlier, thanks to the Senator from Montana. Almost everybody voted “present.” Apparently, they didn’t want to make a decision about whether they were for or against socialized medicine—a government takeover of everything; European healthcare. Only four of them weren’t afraid to say they didn’t think that was a good idea. So maybe that is what they want to offer. We will be happy to have that debate with the American people.

It is time for our friends on the other side to tell us what they have in mind. We will see how the American people feel about their ideas. So, I regret that we are here, but I want to say, again, I am proud of the vote I cast tonight. It is consistent with what we told the American people we would try to accomplish in four straight elections if they gave us a chance. I thank all of my colleagues on this side of the aisle for everything they did to try to keep that commitment.

What we tried to accomplish for the American people was the right thing for the country, and our only regret tonight—our only regret is that we didn’t achieve what we had hoped to accomplish. I think the American people are going to regret that we couldn’t find a better way forward, and, as I said, we look forward to our colleagues on the other side suggesting what they have in mind.

Now, Mr. President, it is time to move on.

UNANIMOUS CONSENT REQUEST— H.R. 2810

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 10 a.m. on Friday, July 28—that is tomorrow—the Senate proceed to consideration of Calendar No. 175, H.R. 2810, the House-

passed national defense authorization bill.

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

WORKING TOGETHER

Mr. SCHUMER. Mr. President, first, let me say that it has been a long, long road for both sides. Each side had sincere convictions, and we are at this point.

I want to say three things. First, I suggest that we turn the page. It is time to turn the page.

I say to my dear friend the majority leader that we are not celebrating. We are relieved that millions and millions of people who would have been so drastically hurt by the three proposals put forward will, at least, retain their healthcare, be able to deal with pre-existing conditions, deal with nursing homes and opioids that Medicaid has paid for.

We are relieved, not for ourselves, but for the American people. But as I have said over and over again, ObamaCare was hardly perfect. It did a lot of good things, but it needs improvement. I hope one part of turning that page is that we go back to regular order, work in the committees together to improve ObamaCare.

We have good leaders—the Senator from Tennessee, the Senator from Washington, the Senator from Utah, the Senator from Oregon. They have worked well together in the past and can work well together in the future. There are suggestions we are interested in that come from Members on the other side of the aisle—the Senator from Maine and the Senator from Louisiana.

So let’s turn the page and work together to improve our healthcare system, and let’s turn the page in another way. All of us are so inspired by the speech and the life of the Senator from Arizona, and he asked us to go back to regular order, to bring back the Senate that some of us who have been here a while remember. Maybe this can be a moment where we start doing that.

Both sides will have to give. The blame hardly falls on one side or the other, but if we can take this moment—a solemn moment—and start working this body the way it had always worked until the last decade or

so, with both sides to blame for the deterioration, we will do a better job for our country, a better job for this body, a better job for ourselves.

Finally, I am glad that the leader asked us to move to NDAA. We need to do it. I can say that on this side of the aisle, we will move expeditiously. I know that the Senator from Rhode Island has worked with the Senator from Arizona on a list of amendments that can be agreed to, and we can finish this bill up rather quickly. As I mentioned to the majority leader, there are some other things we can do rather quickly, including moving a whole lot of nominations.

We can work together. Our country demands it. Every place in every corner of the country where we go, the No. 1 thing we are asked—and I know this because I have talked to my colleagues from the other side of the aisle—is: Can’t you guys work together? Let’s give it a shot. Let’s give it a shot.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I just want to announce to all my colleagues that the next vote will be at 5:30 p.m. on Monday, on cloture on Kevin Newsom to be United States Circuit Judge for the Eleventh Circuit. There will be no more votes tonight.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 172, Kevin Newsom to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Dan Sullivan, John Barrasso, John Cornyn, Orrin G. Hatch, Ron Johnson, Chuck Grassley, Tom Cotton, Richard Burr, James Lankford, Lamar Alexander, John Kennedy, Cory Gardner, James M. Inhofe, Michael B. Enzi, John Thune, Richard C. Shelby, Mitch McConnell.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

SERVICEMEMBER STUDENT LOAN AFFORDABILITY ACT

Mr. DURBIN. Mr. President, student loan borrowers currently carry about \$1.4 trillion in student loan debt. This breaks down to about 44 million borrowers holding student loan debt with an average balance of \$30,000. This crushing debt has pushed many borrowers to delay important life decisions, including marriage, having children, or buying homes. Despite that, some still choose careers in public service to give back to their community and support our country.

However, the immense burden of student loan debt is not put on pause while individuals choose to forgo other work opportunities to serve our Nation in the military or public service. Recognizing this, the Federal Government established two ways to alleviate some of this burden for those who serve our country.

The Servicemember Civil Relief Act protects our servicemembers from interest rates above 6 percent on all loans while they are on Active Duty. This protection extends to both public and private student loans taken out preservice.

Public service loan forgiveness encourages people to become public servants by forgiving student loan debt after 10 years of public service, including military service. Under this program; borrowers must enroll in a qualifying repayment plan and make 10 years of payments while working in public service before the loan is forgiven. Additionally, borrowers with Perkins or Federal Family Education Loans must consolidate their loans into a Direct Consolidation Loan.

However, the act of consolidating these loans carries an unintended con-

sequence for servicemembers. Currently, if a servicemember chooses to consolidate his or her preservice loans to qualify for public service loan forgiveness, those loans are no longer eligible for the 6 percent interest rate cap provided under the Servicemember Civil Relief Act. The act of consolidating old debt for the purpose of enrolling public service loan forgiveness is treated as creating a new loan under current law, effectively forcing servicemembers to choose between the 6 percent interest rate cap while they are on Active Duty and enrolling in a program that will forgive their loans after 10 years of service and steady payments.

Requiring servicemembers to give up the interest rate cap while on Active Duty for a chance to earn loan forgiveness in the future was never the intention of Congress. Rather, in enacting the Public Service Loan Forgiveness Program and the Servicemember Civil Relief Act, Congress intended to support servicemembers burdened with student loan debt. We owe it to our servicemen to fix this unintended consequence.

This week, Senator DUCKWORTH and I reintroduced the Servicemember Student Loan Affordability Act. This bill would allow preservice private or Federal student loan debt to be consolidated or refinanced while retaining the 6 percent interest rate cap. This minor change to the law will have a significant impact on servicemembers with student loan debt by allowing them to get the benefits Congress intended for them.

The bill is supported by the American Legion, the Association of United States Navy, the National Guard Association of the United States, the Retired Enlisted Association, the Paralyzed Veterans of America, Veteran Education Success, The Institute of College Access and Success, and the National Education Association.

I urge my colleagues to consider this simple solution to help servicemembers. I hope they will join Senator Duckworth and myself and support the Servicemember Student Loan Affordability Act.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 3001 of S. Con. Res. 3, the concurrent resolution on the budget for fiscal year 2017, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation related to healthcare reform. The authority to adjust is contingent on the legislation not increasing the deficit over the period of the total of fiscal years 2017 to 2026.

I find that amendment No. 667 fulfills the conditions of deficit neutrality found in section 3001 of S. Con. Res. 3.

Accordingly, I am revising the allocations to the Committee on Finance, the Committee on Health, Education, Labor and Pensions, HELP and the budgetary aggregates to account for the budget effects of the amendment. I am also adjusting the unassigned to committee savings levels in the budget resolution to reflect that while there are savings in the amendment attributable to both the HELP and Finance Committees, the Congressional Budget Office and Joint Committee on Taxation are unable to produce unique estimates for each provision due to interactions and other effects that are estimated simultaneously.

This adjustment supersedes the adjustment I previously made for the processing of amendment No. 267. This adjustment applies while this amendment is under consideration. Should the amendment be withdrawn, fail, or lose its pending status, this adjustment will be null and void and the adjustment for amendment No. 267 shall remain active.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

	\$s in millions	2017
Current Aggregates:		
Spending:		
Budget Authority		3,329,289
Outlays		3,268,171
Adjustments:		
Spending:		
Budget Authority		1,400
Outlays		-1,000
Revised Aggregates:		
Spending:		
Budget Authority		3,330,689
Outlays		3,267,171

BUDGET AGGREGATE—REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

	\$s in millions	2017	2017–2021	2017–2026
Current Aggregates:				
Revenue		2,682,088	14,498,573	32,351,660
Adjustments:				
Revenue		-5,400	-73,300	-145,700
Revised Aggregates:				
Revenue		2,676,688	14,425,273	32,205,960

REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

	\$s in millions	2017	2017–2021	2017–2026
Current Allocation:				
Budget Authority		2,277,203	13,101,022	31,274,627
Outlays		2,262,047	13,073,093	31,233,186
Adjustments:				
Budget Authority		-1,000	-80,400	-275,700
Outlays		-1,000	-80,400	-275,700
Revised Allocation:				
Budget Authority		2,276,203	13,020,622	30,998,927
Outlays		2,261,047	12,992,693	30,957,486

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH,
EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

\$s in millions	2017	2017–2021	2017–2026
Current Allocation:			
Budget Authority	17,204	90,282	176,893
Outlays	15,841	89,820	183,421
Adjustments:			
Budget Authority	2,400	–500	–8,700
Outlays	0	1,000	–5,600
Revised Allocation:			
Budget Authority	19,604	89,782	168,193
Outlays	15,841	90,820	177,821

COUNTERING AMERICA'S
ADVERSARIES BILL

Mr. VAN HOLLEN. Mr. President, I voted in support of H.R. 3364, the Countering America's Adversaries Act, which sanctions Russia, Iran, and North Korea. I call on President Trump to sign this package into law, without delay.

This act imposes tough sanctions on Russia for its interference in our elections, its attempts to undermine faith in the democratic process across the West, its support of the brutal regime of Syrian President Bashar al-Assad, and its intervention in Ukraine. Critically, the legislation prevents President Trump—who has repeatedly demonstrated his affinity for Vladimir Putin—from removing sanctions on Russia without the approval of the Congress. It sends a clear and unequivocal message to the Kremlin: the United States will not tolerate attacks on our democracy.

The administration has repeatedly certified Iran's compliance with the Joint Comprehensive Plan of Action. This landmark, multilateral nuclear accord is a critical part of our effort to prevent Iran from obtaining a nuclear weapon and has made our partners and allies in the region safer. However, Iran's ballistic missile tests, its support for regional terrorism, and its human rights abuses merit a strong response. This act codifies executive orders sanctioning Iran for these dangerous, nonnuclear actions.

Our response to North Korea—which U.S. officials now believe will be able to field a reliable, nuclear-capable intercontinental ballistic missile as early as next year—must be bold and comprehensive. While I support the sanctions imposed on North Korea under the Countering America's Adversaries Act, I believe they fall far short of the aggressive sanctions needed to sever North Korea's ties to the international financial system and create the leverage necessary for successful nuclear negotiations. That is why I strongly urge the Senate to pass the Banking Restrictions Involving North Korea Act, which I introduced with Senator TOOMEY. I look forward to working expeditiously with my colleagues to pass comprehensive sanctions on North Korea in the fall.

NOMINATION OF JOHN K. BUSH II

Mr. VAN HOLLEN. Mr. President, I cannot support John K. Bush II's nomination to the U.S. Court of Appeals for the Sixth Circuit.

Mr. Bush does not possess the temperament or discernment required of a Federal judge. He is not only a deeply flawed nominee; he is unqualified for a lifetime judicial appointment.

William Howard Taft, 27th President of the United States, 10th Chief Justice of the Supreme Court, and a judge on the Sixth Circuit Court of Appeals, once said, "Don't write so that you can be understood, write so that you can't be misunderstood." Mr. Bush's more than 400 blog posts, written under a pseudonym, cannot be misunderstood despite his attempts to distance himself from his writings. In his blog posts, Mr. Bush equated a woman's right to an abortion to chattel slavery, advanced spurious claims based on conspiracy theories propagated by White supremacists, advocated violence and use of force against Democratic opponents, argued that journalist's First Amendment rights should be weakened, and advocated for unlimited amounts of money in politics.

When asked to clarify his past written statements during his confirmation hearing, Mr. Bush said that his, "personal views are irrelevant to the position for which [he has] been nominated." I do not believe that hundreds of crude, insensitive, and hateful posts, widely shared on the internet, are irrelevant in analyzing a candidate's suitability for a Federal judgeship. Mr. Bush's writings and statements make me question if he could apply the law evenly and without bias.

Every judge takes the oath of justice and swears to "administer justice without respect to persons, and do equal right to the poor and to the rich," and to "faithfully and impartially discharge and perform all the duties incumbent" upon them. Based on Mr. Bush's own statements, I am not confident that he will uphold that oath.

TRIBUTE TO LES AND EVA
AIGNER

Mr. WYDEN. Mr. President, I want to recognize Les and Eva Aigner, two brave Oregonians who lived through the horrors of the Holocaust. I want to honor Les and Eva in the Senate today and share how they survived Nazi atrocities and went on to live in Portland, OR, where they have taught countless young men and women about the dangers of intolerance and hate.

Eva Aigner, nee Spiegel, was born in 1937 in Košice, Czechoslovakia, where she lived with her sister, mother, and father. Two years after her birth, Eva's father lost his business license due to growing anti-Semitism, prompting the family to move to Budapest. There they hoped they would be safe from

Nazi extremism, but even in Hungary, as a Jew, Eva's father struggled to find work.

As time went on, new laws forced Eva and her family to wear the yellow star, and Eva and her sister were soon unable to attend school due to growing intolerance. Soon after, Eva's father was taken to a forced labor camp where he was killed. Eva and her remaining family members were then taken to the Budapest ghetto where the Nazis selected Eva's mother for deportation to a concentration camp.

The remaining children, including Eva and her sister, as well as the sick and the old who were unable to work for the Nazi war machine, were taken to the Danube in the middle of the night to be shot. Eva and her sister only managed to survive because their mother escaped from the deportation train and bribed a guard to spare their lives. From there, they were taken back into the Budapest ghetto where they hid, without food or running water, until the Russian soldiers liberated the ghetto on January 18, 1945. The rest of Eva's extended family, who remained in Czechoslovakia, with the exception of one cousin, did not survive the Holocaust.

Like Eva, Leslie "Les" Aigner was born in Czechoslovakia. In his case, the small town of Nove Zamky, on June 3, 1929. He had two sisters—one older, one younger. The Aigners moved to Hungary in the early 1940s to escape the growing Nazi threat, settling in Csepel, on the outskirts of Budapest. Since Jewish children were not allowed access to higher education, Les went to a trade school to become a machinist. Eventually, it became unsafe for Les to even walk to school, and his devoutly religious family stopped attending synagogue for fear of attack. Les's father was soon taken to a labor camp, and his 16-year-old sister was taken to a paper mill to do forced labor. Les, his mother and his 8-year-old sister were then forced into the Budapest ghetto before being taken to Auschwitz. Upon arrival, the Nazis selected Les's mother and sister for the gas chambers and took Les to the camp.

Les spent 4 months in Auschwitz. He worked in the kitchen and survived by stealing food. During his imprisonment in the concentration camp, Les was injured after a guard threw a pitchfork through his foot. While Les was in the hospital with an infection from this injury, a Dr. Epstein warned Les that the Nazis planned to execute prisoners who were no longer able to walk. At Dr. Epstein's urging, Les limped out of the hospital in the middle of the night to avoid being taken to the gas chamber. Dr. Epstein, a prisoner himself, saved Les's life that night.

Les then exchanged his clothing with another prisoner who wanted to stay with his father in Auschwitz and was transferred to Landsberg, a sub-camp

of Dachau. He performed hard labor for several months and was then transferred again to Kaufering Camp, where he contracted typhus before being sent to Dachau on the so-called Death Train.

By the time he arrived, Les weighed only 75 pounds. He was finally freed by American soldiers on April 29, 1945. It took over a month of treatment before Les was able to walk on his own. When Les finally regained his health, he made his way back to Budapest, where he reunited with his father and older sister. Most of their other family members had been killed.

After the war, both Eva and Les began to rebuild their lives in Budapest. They finished school and joined the workforce, Les as a machinist and Eva as an office worker at a collective fur company. In 1956, Les and Eva where introduced to one another by Eva's colleague, who happened to be a distant relative of Les. Les and Eva quickly became engaged and were married only 59 days later. When the Hungarian Revolution began against the communist regime, Les and Eva, along with Les's father and stepmother, fled to Austria and then the U.S., eventually settling in Portland, OR.

Starting over in a new country was challenging, but the Aigners carried on and made a life in Portland, finding work and starting a family. Les continued to work as a machinist, and Eva worked as a cosmetologist, eventually opening her own salon. Eva's mother came to live with them in Portland as well. Les and Eva are the proud parents of their daughter Sue, and their son Rob, who blessed them with four wonderful grandsons. They are waiting to welcome their first great-grandchild.

Les and Eva rebuilt their lives, but they never forgot the horrors they had endured. As Holocaust deniers became increasingly vocal in the 1980s, the Aigners began telling their stories publicly and speaking out against discrimination and intolerance. They have worked with the Holocaust Memorial Coalition since its inception in 1994. Eva was even the vice chair of the project to build the Oregon Holocaust Memorial, which she said was the proudest achievement in her life besides giving birth to her children.

Many of my colleagues in the Senate have heard me speak about my own family's experience fleeing the Nazi regime during the Holocaust. We lost family and loved ones on Kristallnacht and at Theresienstadt. Tolerance, inclusiveness, and compassion are issues my family takes very seriously. That is why I am so deeply honored to be able to recognize the Aigners today and to pay tribute to the invaluable work that they do.

At a time when hate and intolerance seem increasingly pervasive in our social and political discourse, it is now more important than ever that we re-

member the horrors that so many people endured at the hands of the Nazi regime, the death and pain they suffered in the name of hate, discrimination, and fear. In Eva Aigner's own words, "Discrimination can start with little things. It can start with as much as racial jokes or religious jokes. It can start with just small hatred which can grow. . . . The way to fight is to educate the young people. To let them know what discrimination can do. And how innocent people can get killed and go through such terrors . . . and have their family pulled apart."

We must not forget; we must educate. We must educate ourselves and each other so that nothing like the horrors of the Nazi regime will ever happen again. Les and Eva Aigner have dedicated their lives to exactly that, and that is why I am so incredibly grateful to honor them today, for their strength, their compassion, their generosity, and their willingness to educate and make Oregon, our country, and our world a more tolerant, safer, and better place.

For that reason, I offer both Les and Eva Aigner my deepest affection and warmest thanks for using their voices to teach generations to come to never, ever forget.

TRIBUTE TO DR. JOSEPH T. "TIM" ARCANO

Mr. CARDIN. Mr. President, I wish to commend Dr. Joseph T. "Tim" Arcano, technical director for Naval Surface Warfare Center, NSWC, Carderock Division, who is retiring after a lifetime of service to the U.S. Navy, our Federal Government, and the scientific community.

Tim Arcano has dedicated his professional life to serving our country, first in the military and later as a civil servant. His knowledge of ships and the oceans they sail and nuclear safety and capabilities has been developed through his education and in his myriad positions throughout the Navy and our Federal Government. Two of Dr. Arcano's academic degrees were earned in my us, home State, where he attended the U.S. Naval Academy, and later earned his Ph.D. at the University of Maryland. In addition, he holds an Ocean Engineer degree and a masters in mechanical engineering from the Massachusetts Institute of Technology, MIT.

Dr. Arcano's first career was in our military, where he served for 30 years in both Active and Reserve service. As technical director and ship design manager for the Virginia-Class Submarine Program, as technical authority for advanced submarines at Naval Sea System Command, NAVSEA, and as a program manager at the Defense Nuclear Facilities Safety Board, Dr. Arcano developed an understanding and expertise that few can match. Those skills were

further utilized in five Reserve commands.

Dr. Arcano's dedication to our country continued after his transition from Active service to the Reserves in 1992 and his later retirement from the Navy as captain in June of 2008. He served as deputy chief of Nuclear Safety at the United States Department of Energy and as the director of the Office of Ocean Exploration and Research at the National Oceanic and Atmospheric Administration. During that time, he returned to the Naval Academy to hold the Corbin A. McNeill Endowed Chair in Naval Engineering, where he created a course on engineering of submersible systems.

Dr. Arcano came to NSWC Carderock in May of 2013, bringing his wealth of experience as he took the helm of a campus of over 3,000 employees. His impact has been magnified by his commitment to STEM education and developing the next generation of scientific leaders. Under Dr. Arcano's leadership, employees at NSWC Carderock have mentored countless high school and college interns, even reaching to our youngest developing scientists by leading elementary students in FIRST Robotics clubs. Dr. Arcano "walks the walk" himself, giving greatly of his own time by taking interns under his wing to offer advice and helping them chart their path, wherever that might lead.

As part of his encouragement of STEM education, Dr. Arcano and NSWC Carderock have continued to host the International Human Powered Submarine Races. Teams from not just corporations and research centers, but from universities and even high schools come from around the world to race their independently built one- or two-person submarines through a course at the historic David Taylor Model Basin at Carderock. For 2 years, these competitors learn about hydrodynamic design, propulsion, underwater life support, materials science, and other scientific principles in creating their own designs for these vehicles. The lessons learned, both in science and engineering and in collaborating on a team project, help to fuel their enthusiasm for careers in science and technology.

Dr. Arcano's career reflects his selflessness, his unparalleled leadership capabilities, and his devotion to our country. He commands the respect and admiration of all who have had the privilege to know and work with him. His leadership will be greatly missed, but he has left a legacy of scientific leadership that will continue to develop through the principles and practice that he exercised every day. We are deeply grateful for his devotion to our national security, to naval science, and to America's future generations.

I offer the thanks of a grateful nation to Dr. Arcano and, by extension, to his family—his wife, Brenda, their daughter, Heather, and sons, Greg, Joseph,

and Tyler—for as we all know, the support of family is critical. I am honored and pleased to recognize Dr. Tim Arcano for his outstanding career in public service and wish him all the best in his future pursuits.

TRIBUTE TO CYNTHIA K. DOHNER

Mr. BOOZMAN. Mr. President, today I wish to recognize the distinguished public service career of Cynthia K. Dohner. Cindy served the U.S. Fish and Wildlife Service with distinction and honor for more than 24 years and will leave the Service on August 30, 2017.

Cindy's passion for the outdoors began at an early age while fishing and hunting with her father. These experiences encouraged her to pursue an education to ensure the outdoor way of life she enjoyed would continue to be available for future generations.

She earned a bachelor's degree in marine biology, a master's degree in fisheries and aquaculture, and led a long career protecting fish and wildlife and their habitats.

Cindy worked for a private environmental consulting firm and held positions in several State and Federal agencies before joining the U.S. Fish and Wildlife Service in 1993. Prior to her time in the Southeast Region, Cindy worked with the Service's Division of Fish Hatcheries and as the branch chief for Recovery and Consultation in Washington, DC. She moved to Atlanta in 1999 to serve as the assistant regional director for Ecological Services and later served as deputy regional director.

For the last 7 years, Cindy led the Southeast Region in its mission to make a difference for fish, wildlife, plants, and the people who live and work in communities across the region. As regional director, she has provided vision and leadership to more than 1,300 employees in 10 southeastern States, Puerto Rico, and the U.S. Virgin Islands and has positively influenced conservation successes and solutions nationally.

In Arkansas and throughout the Southeast, Cindy is recognized as an honest partner and innovative leader. She has worked alongside Arkansas' fish farmers, cattlemen, and local elected officials, including the Association of Arkansas Counties, to solve complex conservation challenges in a way that keeps working lands working, reduces regulatory burden, and helps local economies to thrive. Her responsiveness to private-sector concerns and willingness to find creative ways to conserve fish and wildlife resources has made a difference to wildlife and people alike.

Under her leadership, the Southeast Region has joined forces with States, private landowners, the Department of Defense and other Federal agencies, and several sectors of industry and

business including energy, timber and finance among others to find creative ways to conserve fish and wildlife resources. This collaboration resulted in notable conservation successes including removing Arkansas Magazine Mountain shagreen snail and the Louisiana black bear from the endangered species list and precluding the need to list more than 100 fish, wildlife, and plants petitioned for Federal protection in the past several years. She and her team worked closely with many partners to restore more than 1 million acres of bottomland hardwood habitat in the South that is critical for migratory waterfowl and other wildlife in decline. Cindy was remarkably effective in large part because she recognized and emphasized the little things while building relationships that often had big implications and made conservation successes possible on larger scales.

I applaud Cindy for her dedication to public service and the lasting difference that she has made at the U.S. Fish and Wildlife Service. I am hopeful FWS will continue to build on her cooperative conservation legacy. I ask that my colleagues join me in expressing our sincere appreciation and gratitude for her public service and wishing Cindy success and happiness in her future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO KEITH GEIS

• Mr. BARRASSO. Mr. President, Wyoming has a longstanding tradition of recognizing individuals who make invaluable contributions to agriculture and communities across our State. Each year, Senator Enzi and I have the pleasure of introducing these honorees as they are inducted into the Wyoming Agriculture Hall of Fame. This year, Keith Geis will be honored as one of these outstanding individuals during the 105th Wyoming State Fair.

In Wyoming, we talk a lot about the code of the West. "Take pride in your work," "Always finish what you start," and "Ride for the Brand" are just a few tenets of the creed that motivates the way we live in Wyoming. Growing up on a dairy farm in Wheatland, Keith learned these principles early and abides by them today.

Across the state, Keith is well known for his steadfast commitment to strong Wyoming communities. After starting his career in banking and spending nearly two decades with the Farm Credit Services of America, Keith has served as the president of Platte Valley Bank in Wheatland for 15 years. In addition to his work at the bank, Keith is exceptionally active in his community. The list of organizations, boards, and associations that have benefited from Keith's leadership and involvement is long. He has served, among others, as a

member of the Platte County Economic Development Board of Directors, as chairman of the Wyoming Agriculture in the Classroom, and as a member of the Wyoming Stock Growers Land Trust Board of Directors. Most notable, however, is Keith's focus on the youngest members of our Wyoming communities.

Keith and his wife, Marie, have two children, several grandchildren, and have served as foster parents. Keith knows that a community's strength is in its future, and he has worked hard to ensure that the next generation will be as dedicated to our State as he is. As president of the Platte Valley Bank in Wheatland, WY, Keith works with agriculture producers every day, including young people whose 4H or FFA project may become a lifelong passion. His work to ensure the next generation of farmers and ranchers will have the capital and an understanding financial officer is renowned across the State.

Selection as a member of the Wyoming Agriculture Hall of Fame is about more than a good calf crop or strong growing season. The people who grow crops, raise livestock, and provide the capital to make ranching possible are the people who give of their time to school boards, economic development groups, and even nursing home boards. Keith is one of the people who makes our Wyoming home so special.

It is with great honor that I recognize this outstanding member of our Wyoming community. Keith makes outstanding contributions to families across the State and sets an exceptional example for current and future generations of farmers and ranchers. My wife, Bobbi, joins me in congratulating Keith Geis as one of the 2017 inductees into the Wyoming Agriculture Hall of Fame. •

TRIBUTE TO SKIP WALTERS

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Skip Walters of Great Falls for a tremendous radio broadcasting career. Last week, Skip retired after providing over four decades of entertainment to his fellow Montanans. It was great to be interviewed by Skip on several occasions; he was always professional and never pulled any punches.

Skip originally came to Montana while serving our Nation in the U.S. Air Force during the early 1970s, and his media journey began in Miles City on the same weekend as the annual Bucking Horse Sale in 1976. During his early days in Custer County, he broadcast mostly rock-and-roll tunes and covered local sports, on KATL radio for the folks in eastern Montana. Three years later, an opportunity in his industry brought Skip to Great Falls. It was in Great Falls that Skip would further refine his skills by broadcasting

country music to the listeners in Cascade County and the surrounding communities of central Montana. His 41-year career in the radio business culminated at KMON radio in Great Falls, where he broadcast for 27 years.

Among his accomplishments, Skip was recognized in 2008 by the Journalism Education Association as a "Friend of Scholastic Journalism." When asked about the circumstances that inspired him to begin a career in radio, Jim stated "it's all about the music." Skip's love of music has been an acoustic blessing to many in the Treasure State.

From helping to guard the inter-continental ballistic missile fields in the center of the State, to broadcasting good tunes across an even larger swath of the State, Skip has had a good journey. As he begins to enjoy his retirement, I would like to offer my thanks for his service to our Nation and appreciation for the artistic entertainment he provided to our State.●

TRIBUTE TO ZANE HEHNKE

● Mrs. ERNST. Mr. President, today I wish to recognize the distinguished accomplishment of Mr. Zane Hehnke of Winterset, IA, a 2017 finalist for the NFIB Young Entrepreneur of the Year Award.

Mr. Hehnke, of Winterset, IA, is the founder and owner of Inspired Finds, an interior design company which specializes in designing and creating accents using vintage and antique items.

I ask my colleagues to join me as I proudly recognize Mr. Hehnke on his outstanding achievements. We wish him nothing but the best in his future entrepreneurial and academic pursuits.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:10 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1927. An act to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes.

H.R. 2370. An act to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance.

H.R. 3210. An act to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes.

At 5:54 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 3298) to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

ENROLLED BILL SIGNED

At 6:27 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3298. An act to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

MEASURES REFERRED

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

H.R. 1927. An act to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2370. An act to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance; to the Committee on Energy and Natural Resources.

H.R. 3210. An act to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANKFORD, from the Committee on Appropriations, without amendment:

S. 1648. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-137).

By Ms. COLLINS, from the Committee on Appropriations, without amendment:

S. 1655. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-138).

By Mr. SHELBY, from the Committee on Appropriations, without amendment:

S. 1662. An original bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-139).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. Con. Res. 15. A concurrent resolution expressing support for the designation of October 28, 2017, as "Honoring the Nation's First Responders Day".

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. MCCAIN for the Committee on Armed Services.

*Lucian Niemeyer, of Pennsylvania, to be an Assistant Secretary of Defense.

*John H. Gibson II, of Texas, to be Deputy Chief Management Officer of the Department of Defense.

*Matthew P. Donovan, of Virginia, to be Under Secretary of the Air Force.

*Ellen M. Lord, of Rhode Island, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.

Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

*Richard Ashooh, of New Hampshire, to be an Assistant Secretary of Commerce.

*J. Paul Compton, Jr., of Alabama, to be General Counsel of the Department of Housing and Urban Development.

*Neal J. Rackleff, of Texas, to be an Assistant Secretary of the Department of Housing and Urban Development.

*Anna Maria Farias, of Texas, to be an Assistant Secretary of Housing and Urban Development.

*Christopher Campbell, of California, to be an Assistant Secretary of the Treasury.

By Mr. CORKER for the Committee on Foreign Relations.

*Callista L. Gingrich, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See.

Nominee: Callista L. Gingrich.

Post: Ambassador to the Holy See.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: **Please see Attachment A.**

2. Spouse: Newton Leroy Gingrich:

Please see Attachment A.

3. Children and Spouses: Kathy Gingrich Lubbers: **Please see Attachment B.** Paul Lubbers. None. Jackie Gingrich Cushman: **Please see Attachment B.** James Cushman. None.

4. Parents: Bernita Ann Bisek: None. Alphonse Bisek—Deceased.

5. Grandparents: N/A—Deceased.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: N/A.

ATTACHMENT A: FEDERAL CAMPAIGN
CONTRIBUTION REPORT

All donations from the Gingrich household should be considered joint.

CALLISTA L. AND NEWTON L. GINGRICH CAMPAIGN
CONTRIBUTIONS

Donee	Date of Donation	Amount
Georgia Republican Party	1/17/2001	\$600.00
Georgia Republican Party	6/24/2004	600.00
Michael Allen Collins	10/25/2005	2,000.00
Lynn A. Westmoreland	11/4/2005	1,000.00
Thomas Edmunds Price	12/9/2005	1,000.00
John S. McCain	08/31/2008	4,600.00
Newt Explore	03/04/2011	5,000.00
Newt2012	03/22/2011	2500.00
Citizens for Vince Haley	03/30/2015	500.00
Donald J. Trump for President	09/26/2016	800.00
Republican National Committee	09/26/2016	200.00
Judson Hill for Congress	12/05/2016	500.00

ATTACHMENT B: FEDERAL CAMPAIGN
CONTRIBUTION REPORT

KATHY GINGRICH LUBBERS

Donee	Date of Donation	Amount
Mario Diaz-Blart	05/22/2008	\$250.00
Lincoln Diaz-Balart	5/22/2008	250.00

JACKIE GINGRICH CUSHMAN

Donee	Date of Donation	Amount
George W. Bush	02/5/2004	\$2,000.00
Samuel Fenn Little	09/26/2010	250.00
Robert Smith	02/4/2014	250.00

ATTACHMENT C: FEDERAL CAMPAIGN
CONTRIBUTION REPORT

AMERICAN LEGACY PAC CONTRIBUTIONS TO
FEDERAL CANDIDATES—2014 CYCLE

DONATIONS TO REPUBLICAN HOUSE CANDIDATES

Recipient	Amount
Dave Brat	\$2,500.00
Barbara Comstock	2,400.00
Lynn Jenkins	1,000.00
Steve Lonegan	5,000.00
Alex Mooney	5,000.00
Bill O'Brien	5,000.00
Elise Stefanik	1,000.00
Ryan Zinke	1,000.00

DONATIONS TO REPUBLICAN SENATE CANDIDATES

Recipient	Amount
Jeff Bell	\$5,000.00
Scott Brown	5,000.00
Shelley Moore	
Capito	5,000.00
Bill Cassidy	10,000.00
Ted Cruz	5,000.00
Joni Ernst	5,000.00
Cory Gardner	5,000.00
Ed Gillespie	2,500.00
Gabriel Gomez	5,000.00
Terri Lynn Land	5,000.00
James Lankford	5,000.00
Mike Lee	5,000.00
Mitch McConnell	5,000.00
Rand Paul	5,000.00
David Perdue	5,000.00
Pat Roberts	10,000.00
Mike Rounds	5,000.00
Ben Sasse	5,000.00
Tim Scott	5,000.00
Dan Sullivan	5,000.00
Monica Wehby	5,000.00

AMERICAN LEGACY PAC CONTRIBUTIONS TO
FEDERAL CANDIDATES—2016 CYCLE

DONATIONS TO REPUBLICAN HOUSE CANDIDATES

Recipient	Amount
Richard Allen	\$5,000.00
Paul Babeu	2,500.00
Marsha Blackburn	5,000.00
Rod Blum	2,500.00
Jason Chaffetz	5,000.00
Mike Coffman	5,000.00
Drew Ferguson	5,000.00
Brian Fitzpatrick	2,500.00
Trey Gowdy	5,000.00
Will Hurd	2,500.00
Mia Love	2,500.00
Brian Mast	5,000.00
Martha McSally	2,500.00
Jeff Miller	2,500.00
Stewart Mills	2,500.00
Danny Tarkanian	5,000.00
Claudia Tenney	5,000.00
Tim Walberg	2,500.00
Lee Zeldin	2,500.00

DONATIONS TO REPUBLICAN SENATE CANDIDATES

Recipient	Amount
Kelly Ayotte	\$5,000.00
Roy Blunt	5,000.00
Daryl Glenn	5,000.00
Chuck Grassley	5,000.00
Joe Heck	5,000.00
Ron Johnson	5,000.00
Mark Kirk	5,000.00
John McCain	5,000.00
Rob Portman	5,000.00
Marco Rubio	5,000.00
Kathy Szeliga	5,000.00
Pat Toomey	5,000.00

*Kelly Knight Craft, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

Nominee: Kelly Knight Craft.

Post: Ottawa, Canada.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, date, amount, recipient:

1. Self—Direct Contributions to Federal Committees: 10/23/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/23/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/9/2014, \$2,600.00, Ernst, Joni K via Joni for Iowa; 10/9/2014, \$2,600.00, Gardner, Cory via Cory Gardner for Senate; 10/14/2014, \$2,600.00, Tillis, Thom R via Thom Tillis Committee; 6/30/2015, \$2,700.00, Bush, Jeb via Jeb 2016, Inc.; 12/22/2015, \$1,000.00, McCarthy, Kevin via Kevin McCarthy for Congress; 5/25/2016, \$2,700.00, Atkinson, Thomas M. via Tom Atkinson for Congress; 8/10/2016, \$5,400.00, Rubio, Marco via Marco Rubio for Senate; 9/13/2016, \$2,700.00, Coffman, Mike Rep. via Coffman for Congress 2016; 9/13/2016, \$2,700.00, Johnson, Ron Harold via Ron Johnson for Senate Inc.; 9/13/2016, \$2,700.00, Heck, Joe via Friends of Joe Heck; 9/13/2016, \$2,700.00, Young, Todd Christopher via Friends of Todd Young, Inc.; 9/13/2016, \$2,700.00, Comstock, Barbara J. Honorable via Comstock for Congress.

Contributions to Joint Fundraising Committees: 9/27/2013, \$25,000.00, Boehner for Speaker; 7/14/2016, \$105,400.00, Trump Victory; 9/15/2016, \$160,000.00, Trump Victory.

Final Recipients of Joint Fundraising Committee Contributions: 9/27/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 9/27/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 9/30/2013, \$19,800.00, NRCC; 3/31/2014, \$10,000.00, Republican Party of Kentucky; 7/14/2016, \$10,000.00, Republican

Party of Wisconsin; 7/14/2016, \$10,000.00, Republican Federal Committee of Pennsylvania; 7/14/2016 \$2,700.00 Trump, Donald J via Donald J. Trump for President Inc.; 7/14/2016, \$2,700.00, Trump, Donald J. via Donald J. Trump for President, Inc.; 7/14/2016, \$10,000.00, Illinois Republican Party; 7/14/2016, \$10,000.00, Missouri Republican State Committee-Federal; 7/14/2016, \$33,400.00, Republican National Committee; 8/10/2016, \$2,256.25, Alabama Republican Party; 9/15/2016, \$2,256.25, Republican Party of Virginia Inc.; 9/15/2016, \$7,743.75, Republican Party of Virginia Inc.; 9/15/2016, \$2,256.25, North Dakota Republican Party; 9/15/2016, \$2,256.25, Republican Party of Louisiana; 9/15/2016, \$7,743.75, Kansas Republican Party; 9/15/2016, \$7,743.75, Republican Party of Louisiana; 9/15/2016, \$2,700.00, Trump, Donald J via Donald J. Trump for President, Inc.; 9/15/2016, \$2,256.25, Kansas Republican Party; 9/15/2016, \$2,256.25, NY Republican Federal Campaign Committee; 9/15/2016, \$7,743.75, NY Republican Federal Campaign Committee; 9/15/2016, \$2,256.25, California Republican Party Federal Acct; 9/15/2016, \$7,743.75, California Republican Party Federal Acct; 9/15/2016, \$7,743.75, Mississippi Republican Party; 9/15/2016, \$2,256.25, West Virginia Republican Party, Inc.; 9/15/2016, \$7,743.75, West Virginia Republican Party, Inc.; 9/15/2016, \$2,256.25, Wyoming Republican Party, Inc.; 9/15/2016, \$2,256.25, Mississippi Republican Party; 9/15/2016, \$2,256.25, Republican Party of Arkansas; 9/15/2016, \$7,743.75, Republican Party of Arkansas; 9/30/2016, \$7,743.75, New Jersey Republican State Committee; 9/30/2016, \$7,743.75, Republican Party of Minnesota-Federal; 9/30/2016, \$7,743.75, Tennessee Republican Party Federal Election Account; 9/30/2016, \$7,743.75, Connecticut Republican Party; 9/30/2016, \$7,743.75, South Carolina Republican Party; 10/27/2016, \$2,256.25, Republican Party of Minnesota-Federal; 10/27/2016, \$10,000.00, North Carolina Republican Party; 10/27/2016, \$2,256.25, New Jersey Republican State Committee; 10/27/2016, \$2,256.25, Tennessee Republican Party Federal Election Account; 10/27/2016, \$2,256.25, Connecticut Republican Party; 10/27/2016, \$2,256.25, South Carolina Republican Party.

2. Spouse: Joseph Walton Craft III—Direct Contributions to Federal Committees: 3/18/2013, \$2,500.00, Capito, Shelley Moore MS via Capito for West Virginia; 6/10/2013, \$5,000.00, Alliance Coal, LLC PAC; 2/19/2014, \$2,000.00, Louisville & Jefferson County Republican Executive Committee; 4/24/2014, \$2,600.00, Jenkins, Evan H via Jenkins for Congress; 4/24/2014, \$2,600.00, Jenkins, Evan H via Jenkins for Congress; 6/10/2014, \$32,400.00, NRSC; 6/24/2014, \$2,600.00, Tillis, Thom R via Thom Tillis Committee; 6/24/2014, \$5,200.00, Joni Ernst for US Senate; 6/27/2014, \$2,600.00, Daines, Steven via Steve Daines for Montana; 6/27/2014, \$2,600.00, Guthrie, S. Brett, Hon. via Guthrie for Congress; 6/27/2014, \$2,600.00, Land, Terri Lynn via Terri Lynn Land for Senate; 6/27/2014, \$2,600.00, Land, Terri Lynn via Terri Lynn Land for Senate; 6/27/2014, \$2,600.00, Capito, Shelley Moore Ms via Capito for West Virginia; 7/9/2014, \$5,000.00, Citizens for Josh Mandel; 7/17/2014, \$2,600.00, Wehby, Monica via Dr Monica Wehby for US Senate; 8/22/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 8/22/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 8/22/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 8/25/2014, \$2,600.00, Toomey, Patrick Joseph via Friends of Pat Toomey; 8/25/2014, \$100.00, Toomey, Patrick Joseph via Friends of Pat Toomey; 9/3/2014, \$2,600.00, Coffman, Mike Rep. via Coffman for Congress; 9/3/2014, \$2,600.00, Gillespie, Edward W via Ed Gillespie for Senate; 9/3/2014, \$2,600.00, Joyce,

David P via Friends of Dave Joyce; 9/3/2014, \$2,600.00, Dold, Robert James Jr via Dold for Congress; 9/3/2014, \$2,600.00, McFadden, Michael via McFadden for Senate; 9/3/2014, \$2,600.00, Mills, Stewart Mr. via Friends of Stewart Mills, Inc.; 9/3/2014, \$32,400.00, Republican National Committee; 9/3/2014, \$2,600.00, Rounds, Mike via Rounds for Senate; 9/3/2014, \$2,600.00, Gardner, Cory via Cory Gardner for Senate; 9/3/2014, \$2,600.00, McSally, Martha via McSally for Congress; 9/3/2014, \$2,600.00, Perdue, David via Perdue for Senate; 9/3/2014, \$2,600.00, Cotton, Thomas via Cotton for Senate; 9/3/2014, \$2,600.00, Sullivan, Dan via Sullivan for US Senate; 9/3/2014, \$2,600.00, Heck, Joe via Friends of Joe Heck for Congress; 9/3/2014, \$2,600.00, DeMaio, Carl via Carl DeMaio for Congress; 9/3/2014, \$2,600.00, Moonney, Alexander Xavier via Mooney for Congress; 2016; 9/03/2014, \$2,600.00, Tisei Congressional Committee; 10/7/2014, \$2,600.00, Lankford, James Paul via Families for James Lankford; 10/7/2014, \$5,000.00, COALPAC, A Political Action Committee of the National Mining Association; 1/29/2015, \$2,500.00, Guthrie, S. Brett Hon. via Guthrie for Congress; 1/29/2015, \$2,700.00, Guthrie, S. Brett Hon. via Guthrie for Congress; 2/20/2015, \$2,700.00, Lankford, James Paul via Families for James Lankford; 2/27/2015, \$5,000.00, Oklahoma Strong Leadership PAC; 3/19/2015, \$5,000.00, Leadership Matters for America PAC, Inc.; 3/26/2015, \$334,000.00, Republican National Committee; 4/2/2015, \$5,000.00, COALPAC, A Political Action Committee of the National Mining Association; 5/15/2015, \$5,400.00, Johnson, Ron Harold via Ron Johnson for Senate Inc.; 9/28/2015, \$2,700.00, McCarthy, Kevin via Kevin McCarthy for Congress; 10/28/2015, \$2,700.00, Cole, Tom via Cole for Congress; 12/23/2015, \$5,000.00, Alliance Coal, LLC PAC; 3/29/2016, \$100,200.00, Republican National Committee; 3/29/2016, \$100,200.00, Republican National Committee; 3/29/2016, \$33,400.00, Republican National Committee; 3/29/2016, \$5,000.00, COALPAC, A Political Action Committee of the National Mining Association; 3/31/2016, \$5,400.00, Blunt, Roy via Friends of Roy Blunt; 4/12/2016, \$2,700.00, Comer, James via Comer for Congress; 5/25/2016, \$2,700.00, Atkinson, Thomas M. via Tom Atkinson for Congress; 6/6/2016, \$5,000.00, Chamber of Commerce of the United States of America PAC (US Chamber PAC); 6/6/2016, \$5,000.00, Alliance Coal, LLC PAC; 7/11/2016, \$2,700.00, Paul, Rand via Rand Paul for US Senate; 7/11/2016, \$2,700.00, Paul, Rand via Rand Paul for US Senate; 7/26/2016, \$5,400.00, Rubio, Marco via Marco Rubio for Senate; 7/26/2016, \$12,500.00, Republican Party of Kentucky; 9/13/2016, \$2,700.00, Coffman, Mike Rep. via Coffman for Congress 2016; 9/13/2016, \$2,700.00, Heck, Joe via Friends of Joe Heck; 9/13/2016, \$2,700.00, Young, Todd Christopher via Friends of Todd Young, Inc.; 9/13/2016, \$2,700.00, Comstock, Barbara J.; Honorable via Comstock for congress; 9/29/2016, \$5,000.00, Okstrong PAC; 5/25/2017, \$5,000.00, Chamber of Commerce of the United States of America PAC (US Chamber PAC).

Contributions to Independent Expenditure-Only Committees: 5/4/2013, \$100,000.00, Kentuckians for Strong Leadership, 12/20/2013, \$500,000.00, American Crossroads; 3/28/2014, \$100,000.00, Kentuckians for Strong Leadership; 3/28/2014, \$500,000.00, American Crossroads; 5/6/2014, \$25,000.00, USA Super PAC; 6/27/2014, \$300,000.00, Ending Spending Action Fund; 9/30/2014, \$500,000.00, Congressional Leadership Fund; 09/30/2014, \$250,000.00, American Crossroads; 9/30/2014, \$250,000.00, Priorities for Iowa Political Fund; 06/06/16, \$1,000,000.00, American Crossroads; 08/05/2016,

\$100,000.00, Kentuckians for Strong Leadership; 9/28/2016, \$125,000.00, Congressional Leadership Fund; 9/28/2016, \$750,000.00, Future45.

Contributions to Joint Fundraising Committees: 5/21/2013, \$50,000.00, Boehner for Speaker; 10/16/2013, \$5,200.00, McConnell Victory Kentucky; 6/27/2014, \$10,000.00, McConnell Victory Kentucky; 9/30/2014, \$47,400.00, Boehner for Speaker; 4/16/2015, \$5,400.00, Burr Toomey Victory Fund; 9/14/2015, \$43,800.00, Boehner for Speaker; 12/7/2015, \$5,400.00, Scalise Leadership Fund; 3/31/2016, \$43,800.00, Team Ryan; 7/11/2016, \$100,000.00, Trump Victory; 9/13/2016, \$65,400.00, Trump Victory.

Final Recipients of Joint Fundraising Committee Contributions: 5/28/2013, \$7,400.00, Ohio Republican Party State Central & Executive Committee; 5/31/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 5/31/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 5/31/2013, \$5,000.00, Freedom Project, The; 5/31/2013, \$32,400.00, NRCC; 12/29/2013, \$2,600.00, Cotton, Thomas via Cotton for Senate; 12/29/2013, \$2,600.00, Cotton, Thomas via Cotton for Senate; 12/31/2013, \$2,600.00, Daines, Steven via Steve Daines for Montana; 12/31/2013, \$2,600.00, Daines, Steven via Steve Daines for Montana; 12/31/2013, \$2,600.00, Sullivan, Dan via Sullivan for US Senate; 12/31/2013, \$2,600.00, Sullivan, Dan via Sullivan for US Senate; 3/31/2014, \$5,200.00, Republican Party of Kentucky; 9/3/2014, \$10,000.00, Republican Party of Kentucky; 9/30/2014, \$5,000.00, Freedom Project, The; 9/30/2014, \$32,400.00, NRCC; 9/30/2014, \$10,000.00, Ohio Republican Party State Central & Executive Committee, 6/10/2015, \$2,700.00, Burr, Richard M via Richard Burr Committee, The; 9/18/2015, \$2,700.00, Boehner, John A. via Friends of John Boehner; 9/18/2015, \$2,700.00, Boehner, John A. via Friends of John Boehner; 9/18/2015, \$5,000.00, Freedom Project, The; 9/18/2015, \$33,400.00, NRCC; 9/18/2015, \$33,400.00, NRCC; 12/28/2015, \$2,700.00, Scalise, Steve Mr via Scalise for Congress; 12/28/2015, \$2,700.00, Scalise, Steve Mr via Scalise for Congress; 12/28/2015, \$2,700.00, Scalise, Steve Mr via Scalise for Congress; 4/13/2016, \$10,800.00, NRCC; 4/13/2016, \$33,400.00, NRCC; 4/13/2016, \$5,000.00, Prosperity Action Inc.; 4/13/2016, \$2,700.00, Ryan, Paul D. via Ryan for Congress, Inc.; 4/13/2016, \$5,912.50, Alabama Republican Party; 7/11/2016, \$5,912.50, California Republican Party Federal Acct; 7/11/2016, \$6,327.50, Illinois Republican Party; 7/11/2016, \$5,912.50, Kansas Republican Party; 7/11/2016, \$3,036.36, Mississippi Republican Party; 7/11/2016, \$6,327.50, Missouri Republican State Committee-Federal; 7/11/2016, \$5,912.50, North Dakota Republican Party; 7/11/2016, \$3,036.36, NY Republican Federal Campaign Committee; 7/11/2016, \$4,087.50, NY Republican Federal Campaign Committee; 7/11/2016, \$6,327.50, Republican Federal Committee of Pennsylvania; 7/11/2016, \$3,036.36, Republican Party of Arkansas; 7/11/2016, \$3,036.36, Republican Party of Louisiana; 7/11/2016, \$3,036.36, Republican Party of Virginia Inc.; 7/11/2016, \$6,327.50, Republican Party of Wisconsin; 7/11/2016, \$2,700.00, Trump, Donald J via Donald J. Trump for President, Inc.; 7/11/2016, \$2,700.00, Trump, Donald J via Donald J. Trump for President 5 Inc.; 7/11/2016, \$3,036.36, West Virginia Republican Party, Inc.; 9/15/2016, \$4,087.50, California Republican Party Federal Acct; 9/15/2016, \$4,087.50, Kansas Republican Party; 9/15/2016, \$4,087.50, Mississippi Republican Party; 9/15/2016, \$4,087.50, Republican Party of Arkansas; 9/15/2016, \$4,087.50, Republican Party of Louisiana; 9/15/2016, \$4,087.50, Republican

Party of Virginia Inc; 9/15/2016, \$4,087.50, West Virginia Republican Party, Inc.; 9/27/2016, \$3,036.36, South Carolina Republican Party; 9/30/2016, \$3,036.36, Connecticut Republican Party; 9/30/2016, \$4,087.50, Connecticut Republican Party; 9/30/2016, \$2,700.00, McConnell, Mitch via McConnell Senate Committee; 9/30/2016, \$3,036.36, New Jersey Republican State Committee; 9/30/2016, \$4,087.50, New Jersey Republican State Committee; 9/30/2016, \$4,087.50, Republican Party of Minnesota—Federal; 9/30/2016, \$4,087.50, South Carolina Republican Party; 9/30/2016, \$3,036.36, Tennessee Republican Party Federal Election Account; 9/30/2016, \$4,087.50, Tennessee Republican Party Federal Election Account; 10/17/2016, \$6,327.50, North Carolina Republican Party; 10/17/2016, \$5,912.50, Republican Party of Minnesota—Federal.

3. Joseph W “JW” Craft IV—Stepson—Direct Contributions to Federal Committees: 3/19/2013, \$2,500.00, Capito, Shelley Moore MS via Capito for West Virginia; 10/23/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/23/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 3/18/2014, \$15,000.00, NRSC; 7/17/2014, \$2,600.00, Wehby, Monica via Dr Monica Wehby for US Senate; 7/24/2014, \$2,600.00, Tillis, Thom R via Thom Tillis Committee; 7/25/2014, \$2,600.00, Joni Ernst for US Senate; 7/25/2014, \$17,400.00, NRSC; 9/3/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 11/2/2014, \$2,600.00, Cory Gardner for Senate; 4/24/2015, \$5,000.00, Oklahoma Strong Leadership PAC; 12/8/2015, \$1,000.00, Whitney Westerfield for Attorney General; 2/29/2016, \$2,700.00, Rubio, Marco via Marco Rubio for President; 3/15/2016, \$5,400.00, Blunt, Roy via Friends of Roy Blunt; 3/28/2016, \$5,400.00, Cole, Tom via Cole for Congress; 4/12/2016, \$2,700.00, Comer, James via Comer for Congress.

Contributions to Joint-Fundraising Committees: 6/13/2013, \$50,000.00, Boehner for Speaker; 12/29/2013, \$15,600.00, Friends for an American Majority; 9/26/2014, \$10,000.00, McConnell Victory Kentucky; 9/18/2015, \$43,800.00, Boehner for Speaker; 4/13/2016, \$10,800.00, Team Ryan; 8/1/2016, \$2,700.00, McConnell for Majority Leader Committee.

Final Recipients of Joint-Fundraising Committee Contributions: 6/5/2013, \$7,400.00, Ohio Republican Party State Central & Executive Committee; 6/30/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 6/30/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 6/30/2013, \$5,000.00, Freedom Project, The; 6/30/2013, \$32,400.00, NRCC; 9/30/2014, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/3/2014, \$7,400.00, Republican Party of Kentucky.

3. Mollie Craft (Stepdaughter-in-Law)—Direct Contributions to Federal Committees: 10/23/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/23/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 3/19/2014, \$15,000.00, NRSC; 7/16/2014, \$2,600.00, Wehby, Monica via Dr Monica Wehby for US Senate; 7/24/2014, \$17,400.00, NRSC; 7/25/2014, \$2,600.00, Joni Ernst for US Senate; 9/3/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 10/30/2014, \$2,600.00, Gardner, Cory via Cory Gardner for Senate; 4/24/2015, \$5,000.00, Oklahoma Strong Leadership PAC; 3/3/2016, \$2,700.00, Rubio, Marco via Marco Rubio for President; 3/15/2016, \$2,100.00, Blunt, Roy via Friends of Roy Blunt; 3/29/2016, \$2,100.00, Cole, Tom via Cole for Congress.

Contributions to Joint-Fundraising Committees: 6/13/2013, \$50,000.00, Boehner for Speaker; 12/29/2013, \$15,600.00, Friends for an American Majority; 9/26/2014, \$10,000.00, McConnell Victory Kentucky; 9/18/2015, \$43,800.00, Boehner for Speaker.

Final Recipients of Joint-Fundraising: 6/5/2013, \$7,400.00, Ohio Republican Party State Central & Executive Committee.

Committee Contributions: 6/30/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 6/30/2013, \$2,600.00, Boehner, John A. via Friends of John Boehner; 6/30/2013, \$5,000.00, Freedom Project, The; 6/30/2013, \$32,400.00, NRCC; 12/29/2013, \$2,600.00, Cotton, Thomas via Cotton for Senate; 12/29/2013, \$2,600.00, Cotton, Thomas via Cotton for Senate; 12/31/2013, \$2,600.00, Sullivan, Dan via Sullivan for US Senate; 2/31/2013, \$2,600.00, Sullivan, Dan via Sullivan for US Senate; 12/31/2013, \$2,600.00, Daines, Steven via Steve Daines for Montana; 12/31/2013, \$2,600.00, Daines, Steven via Steve Daines for Montana; 10/3/2014, \$10,000.00, Republican Party of Kentucky; 9/18/2015, \$2,700.00, NRCC; 9/18/2015, \$2,700.00, Boehner, John A. via Friends of John Boehner; 9/18/2015, \$5,000.00, Freedom Project, The; 9/18/2015, \$33,400.00, NRCC.

3. Ryan Edward Craft—Stepson—Direct Contributions to Federal Committees: 3/18/2013, \$2,500.00, Capito, Shelley Moore via Capito for West Virginia; 10/16/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/16/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 7/8/2014, \$5,200.00, Joni Ernst for US Senate; 7/14/2014, \$2,600.00, Tillis, Thom R via Thom Tillis Committee; 8/2014, \$32,400.00, NRSC; 8/27/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 10/30/2014, \$2,600.00, Gardner, Cory via Cory Gardner for Senate; 4/22/2015, \$5,000.00, Oklahoma Strong Leadership PAC; 4/18/2016, \$2,700.00, Comer, James via Comer for Congress; 8/7/2016, \$5,400.00, Rubio, Marco via Marco Rubio for Senate.

Contributions to Joint Fundraising Committees: 4/24/2015, \$5,400.00, Burr Toomey Victory Fund; 5/5/2016, \$5,400.00, Team Ryan.

Final Recipients of Joint Fundraising Committee Contributions: 6/4/2015, \$2,700.00, Toomey, Patrick Joseph via Friends of Pat Toomey; 6/10/2015, \$2,700.00, Burr, Richard M via Richard Burr Committee, The; 5/5/2016, \$2,700.00, Ryan, Paul D. via Ryan for Congress, Inc.; 5/5/2016, \$2,700.00, Ryan, Paul D. via Ryan for Congress, Inc.

3. Lauren Craft—Stepdaughter-in-law—Direct Contributions to Federal Committees: 10/16/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 10/16/2013, \$2,600.00, McConnell, Mitch via McConnell Senate Committee; 7/8/2014, \$5,200.00, Joni Ernst for US Senate; 7/14/2014, \$2,600.00, Tillis, Thom R via Thom Tillis Committee; 8/2014, \$32,400.00, NRSC; 8/27/2014, \$2,600.00, Cassidy, William M via Bill Cassidy for US Senate; 4/22/2015, \$5,000.00, Oklahoma Strong Leadership PAC; 4/18/2016, \$2,700.00, Comer, James via Comer for Congress; 8/7/2016, \$5,400.00, Rubio, Marco via Marco Rubio for Senate.

Contributions to Joint Fundraising Committees: 4/24/2015, \$5,400.00, Burr Toomey Victory Fund; 5/5/2016, \$5,400.00, Team Ryan.

Final Recipients of Joint Fundraising Committee Contributions: 6/4/2015, \$2,700.00, Toomey, Patrick Joseph via Friends of Pat Toomey; 6/10/2015, \$2,700.00, Burr, Richard M via Richard Burr Committee, The; 5/5/2016, \$2,700.00, Ryan, Paul D. via Ryan for Congress, Inc.; 5/5/2016, \$2,700.00, Ryan, Paul D. via Ryan for Congress, Inc.

3. Daughter—Mia Alexandra Moross: No contributions to report.

3. Daughter—Jane Brady Knight: No contributions to report.

3. Stepdaughter—Caroline Craft Fiddes: No contributions to report.

3. Stepson-in-Law—Mark Fiddes: No contributions to report.

3. Kyle O'Keefe Craft—Stepson: No contributions to report.

4. Sherry D. Guilfoil—Mother (deceased): No contributions to report.

4. Bobby Austin Guilfoil—Father (deceased): No contributions to report.

5. Grandparents—N/A (all deceased): No contributions to report.

6. Brother—Marc Guilfoil: No contributions to report.

6. Elisabeth Jensen—Sister-in-law—Direct Contributions to Federal Committees: 5/5/2013, \$250.00, Landrieu, Mary L via Friends of Mary Landrieu, Inc.; 5/17/2013, \$869.92, Jensen, Elisabeth via Elisabeth Jensen for Congress; 5/24/2013, \$2,500.00, Kentucky State Democratic Central Executive Committee; 6/4/2013, \$758.63, Jensen, Elisabeth via Elisabeth Jensen for Congress; 6/10/2013, \$2,200.00, Jensen, Elisabeth via Elisabeth Jensen for Congress; 6/21/2013, \$250.00, Jensen, Elisabeth via Elisabeth Jensen for Congress; 6/26/2013, \$2,600.00, Jensen, Elisabeth via Elisabeth Jensen for Congress; 6/26/2013, \$2,600.00, Jensen, Elisabeth via Elisabeth Jensen for Congress; 7/1/2013, \$6.00, Jensen, Elisabeth via Elisabeth Jensen for Congress; 7/2/2013, \$13.80, Jensen, Elisabeth via Elisabeth Jensen for Congress; 7/3/2013, \$210.30, Jensen, Elisabeth via Elisabeth Jensen for Congress; 7/11/2013, \$47.52, Jensen, Elisabeth via Elisabeth Jensen for Congress; 7/17/2013, \$26.95, Jensen, Elisabeth via Elisabeth Jensen for Congress; 12/31/2013, \$2,100.00, Vernon, Monica W via Monica Vernon for Congress; 2/28/2015, \$98,142.43, Jensen, Elisabeth via Elisabeth Jensen for Congress.

7. Sister—Micah Guilfoil—No contributions to report.

*Sharon Day, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica.

Nominee: Sharon Day.

Post: San Jose, Costa Rica.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Sharon Day: \$2000.00, 2/24/2012, Allen West via Deep Strike PAC; \$500.00, 5/1/2012, Kelly for Congress; \$1000.00, 1/27/2013, Maggie's List; \$10,000.00, 6/28/2013, Republican National Committee; \$1000.00, 1/28/2014, Terri Lynn Land for Senate; \$1000.00, 2/3/2014, Maggie's List; \$1000.00, 3/18/2016, Ron Johnson for Senate Inc; \$625.00, 5/16/2016, Republican Party of Florida.

Spouse—deceased.

*Nathan Alexander Sales, of Ohio, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

Nominee: Nathan Alexander Sales.

Post: Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$1,000.00, 3/17/2014, Tom Cotton for Senate; \$500.00, 6/30/2012, Ted Cruz for Senate; \$500.00, 5/4/2012, David McIntosh for Congress.

2. Spouse: \$500.00, 3/15/2016, Hillary for America; \$250.00, 10/18/2016, Denise Gitsham for Congress.

3. Children and Spouses: Anna R. Sales, None; Catherine E. Sales, None.

4. Parents: Alex D. Sales, None; Marsha G. Sales, None.

5. Grandparents: Deceased.

6. Brothers and Spouses: Benjamin D. Sales, None.

7. Sisters and Spouses: n/a.

*George Edward Glass, of Oregon, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Portuguese Republic.

Nominee: George Edward Glass.

Post: Portugal.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$2700, 6/22/15, Jeb Bush; \$2700, 10/28/15, Ron Wyden; \$2700, 7/12/16, Donald Trump for President; \$50,000, 7/12/16, Trump Victory Campaign; \$33,400, 7/12/16, Republican National Committee; \$27,500, 9/29/16, Trump Victory Campaign; \$2700, 12/20/16, Ed Royce; \$2700, 12/21/16, Devin Nunes.

2. Spouse: Mary F. Glass: \$2700, 6/22/15, Jeb Bush; \$2700, 10/28/15, Ron Wyden; \$2700, 7/12/16, Donald Trump for President.

3. Children and Spouses: George F. Glass: \$2700, 6/30/15, Jeb Bush; Emily Grimmitt: \$2700, 6/30/15, Jeb Bush; Andrew J Glass: \$2700, 6/30/15, Jeb Bush.

4. Parents: Mary O'Leary: \$2700, 6/26/15, Jeb Bush; Jay O'Leary: \$2700, 6/26/15, Jeb Bush; Robert M. Glass—Deceased.

5. Grandparents: Gordon Wilson—Deceased; Ruth Wilson—Deceased; Robert Glass—Deceased; Adaline Glass—Deceased.

6. Brothers and Spouses: Robert and Katy Glass—None; Richard and Brigid Glass—None.

7. Sisters and Spouses: N/A.

*Robert Wood Johnson IV, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Kingdom of Great Britain and Northern Ireland.

Nominee: Robert Wood Johnson IV.

Post: U.S. Ambassador to the United Kingdom of Great Britain and Northern Ireland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, donee, date, and amount:

1. Self: Trump Victory*, 11/10/2016, \$249,200.00; Trump Victory*, 10/27/2016, \$100,000.00; Friends Of Joe Heck, 10/19/2016, \$2,700.00; Gridiron PAC, 10/14/2016, \$5,000.00; Portman, Rob Via Portman for Senate Committee, 8/3/2016, \$2,700.00; Donald J. Trump for President, Inc., 6/29/2016, \$2,700.00; Donald J. Trump for President, Inc., 6/29/2016, \$2,700.00; Trump Victory*, 6/29/2016, \$100,000.00; Friends of Kelly Ayotte, Inc., 6/29/2016, \$2,700.00; Friends of Kelly Ayotte, Inc., 6/29/2016, \$2,700.00; Liz Cheney for Wyoming, 5/27/2016, \$2,700.00; Liz Cheney for Wyoming, 5/27/2016, \$2,700.00; Heaney, Andrew via Heaney for Congress, 3/23/2016, \$2,700.00; Graham, Lindsey O via Lindsey Graham 2016, 3/21/2016, \$2,700.00; Right To Rise Pac, Inc., 2/1/2016, \$5,000.00; Gridiron PAC, 8/5/2015, \$5,000.00; Bush, Jeb via Jeb 2016, Inc., 6/15/2015, \$2,700.00; Right To Rise USA, 5/29/2015,

\$1,604.27; Right To Rise USA, 3/31/2015, \$500,000.00; Republican National Committee, 10/7/2014, \$32,400.00; McCain, John S via Friends of John McCain Inc., 9/30/2014, \$5,200.00; McConnell Senate Committee '14**, 4/29/2014, \$10,000.00; Texans for Senator John Cornyn Inc, 12/23/2013, \$2,600.00; McConnell Senate Committee '14, 11/20/2013, \$2,600.00; McConnell Senate Committee '14, 11/20/2013, \$2,400.00; Portman, Rob via Portman for Senate Committee, 9/20/2013, \$2,600.00; Republican National Committee, 5/8/2013, \$32,400.00.

*Trump Victory is a joint fundraising committee composed of Donald J. Trump for President, Inc., the Republican National Committee, and the official Republican state parties in Alabama, Arkansas, California, Connecticut, Illinois, Kansas, Louisiana, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and Wyoming. Contributions made to Trump Victory are allocated by Trump Victory to these component committees.

**McConnell Victory Kentucky was a joint fundraising committee composed of McConnell Senate Committee '14 and the Republican Party of Kentucky. Contributions made to McConnell Victory Kentucky were allocated by the joint fundraising committee to these component committees.

2. Spouse: Suzanne Ircha Johnson: Gridiron PAC, 10/14/2016, \$5,000.00; Portman, Rob via Portman for Senate Committee, 8/3/2016, \$2,700.00; Friends of Kelly Ayotte, Inc., 6/29/2016, \$2,700.00; Friends of Kelly Ayotte, Inc., 6/29/2016, \$2,700.00; Liz Cheney for Wyoming, 5/27/2016, \$2,700.00; Liz Cheney for Wyoming, 5/27/2016, \$2,700.00; Lindsey Graham 2016, 3/21/2016, \$2,700.00; Right to Rise PAC, Inc., 2/1/2016, \$5,000.00; Gridiron PAC, 8/5/2015, \$5,000.00; Jeb 2016, Inc., 7/30/2015, \$2,700.00; Republican National Committee, 10/7/2014, \$32,400.00; Texans for Senator John Cornyn, Inc., 12/23/2013, \$2,600.00; Republican National Committee, 9/24/2013, \$32,400.00.

3. Children and Spouses: Jamie Alan Ross Johnson, none; Robert Wood Johnson V, none; Jack Wood Johnson, none; Sale Trotter Case Johnson—deceased; Elizabeth Wood Johnson: Jeb 2016, Inc., 8/12/2015, \$2,700.00.

4. Parents: Robert Wood Johnson III—deceased; Betty Wold Johnson: Gridiron PAC, 10/14/2016, \$5,000.00; Friends of Kelly Ayotte Inc., 6/24/2016, \$2,700.00; Friends of Kelly Ayotte Inc., 6/24/2016, \$2,700.00; Lance, Leonard via Lance for Congress, 6/8/2016, \$2,700.00; Lance, Leonard via Lance for Congress, 6/8/2016, \$2,700.00; Right to Rise USA, 3/17/2015, \$500,000.00; Frelinghuysen for Congress, 3/1/2016, \$400.00; Frelinghuysen for Congress, 3/1/2016, \$2,700.00; Gridiron PAC, 7/29/2015, \$5,000.00; Jeb 2016, 6/26/2015, \$2,700.00; Lance, Leonard via Lance for Congress, 11/3/2014, \$2,600.00; Republican National Committee, 9/19/2014, \$32,400.00; New Hampshire for Scott Brown, 8/18/2014, \$2,600.00; Frelinghuysen for Congress, 5/12/2014, \$300.00; Frelinghuysen for Congress, 5/12/2014, \$2,300.00; Frelinghuysen for Congress, 5/12/2014, \$2,600.00; Republican National Committee, 9/25/2013, \$32,400.00; Lance, Leonard via Lance for Congress, 9/20/2013, \$2,600.00; Lonegan for Senate, 9/13/2013, \$2,600.00.

5. Grandparents: Robert Wood Johnson II—deceased; Elizabeth Ross Johnson—deceased; Karl Christian Wold—deceased; Maybelle Wold—deceased.

6. Brothers and Spouses: Keith Wold Johnson—deceased; Willard Trotter Case Johnson—deceased; Christopher Wold Johnson: Country First PAC, 11/4/2016, \$2,600.00; John McCain via Sedona PAC, 11/4/2016, \$100.00;

Gridiron PAC, 1/12/2016, \$5,000.00; Kelly Ayotte via Friends of Kelly Ayotte Inc., 10/24/2016, \$2,700.00; Jeb Bush via Jeb 2016 Inc., 6/15/2015, \$2,700.00; Scott Brown via Strong Country for today and tomorrow, 9/18/2014, \$2,600.00; John McCain via Sedona PAC, 4/28/2014, \$5,200.00; Liz Cheney via Cheney for Wyoming, 10/25/2013, \$2,600.00; Elizabeth Emken for Congress, 9/6/2013, \$2,600.00.

7. Sisters and Spouses: Elizabeth Ross Johnson—deceased.

*Luis E. Arreaga, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

Nominee: Luis Edmundo Arreaga.

Post: U.S. Embassy, Guatemala.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions: amount, date, and donee:

1. Self: None.

2. Spouse: Mary Fidelis Arreaga: None.

3. Children and Spouses: Melania Rita Arreaga (Daughter): None; Spouse: Vincent Bauermeister: None; Juan Carlos Arreaga (Son): None; Luis Mikel Arreaga (Son): None.

4. Parents: Father: Juan Arreaga: None; Mother: Gloria Arreaga: None.

5. Grandparents: Name Unknown (Grandfather): None; Leocadia Arreaga (Grandmother): None; Urbano Rodas (Grandfather): None; Dolores Rodas: None.

6. Brothers and Spouses: Antonio Arreaga (Brother): None; Loreny Arreaga (spouse): None.

7. Sisters and Spouses: Melania Morales: None; Marcelo Morales (Spouse): None.

*Krishna R. Urs, of Connecticut, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru.

Nominee: Krishna Raj Urs.

Post: Lima, Peru.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: Kathryn Kamala Urs, None; David Raja Urs, None.

4. Parents: Subaraj Venkataramaraj Urs (Deceased), None; Helen Harriet Urs (Deceased), None.

5. Grandparents: Acutha Subaraj Urs (Deceased), None; Puttama Narashiappa (Deceased), None; Walter Zimmerman (Deceased), None; Hazel Havens, None.

6. Brothers and Spouses: Sheshi Urs (half brother from India, Deceased), None; Walter Krishna Urs (Deceased), None; Jeffrey Ramesh Urs, None; Spouse Allison Urs, None.

7. Sisters and Spouses: Kamala Diane Urs, None; Spouse Juergen Juffa, \$50, 2015, Robin LaBedz's campaign for Arlington Heights Village Trustee.

*Kay Bailey Hutchison, of Texas, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: Kay (Kathryn) Bailey Hutchison. Post: Ambassador to NATO.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: (KPAC), \$1,875.00, 06/10/13, John Cornyn; \$1,875.00, 06/04/13, Mitch McConnell; \$1,875.00, 06/04/13, Susan Collins; \$1,875.00, 06/04/13, Lamar Alexander; \$1,000.00, 12/12/13, Lindsey Graham; \$1,000.00, 03/20/14, Susan Collins; \$1,000.00, 08/15/14, Kevin Brady; \$1,000.00, 09/15/14, Winning Women for the Senate; \$1,000.00, 08/31/15, Retain the Senate; \$1,000.00, 09/25/15, Rob Portman; \$1,000.00, 09/25/15, John McCain; \$1,000.00, 04/26/16, Kelly Ayotte; \$1,000.00, 10/15/16, Pete Sessions; \$2,188.25, 11/01/16, Richard Burr In-Kind; \$1,000.00, 06/23/17, Orrin Hatch.

*Lewis M. Eisenberg, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of San Marino.

Nominee: Lewis Michael Eisenberg.

Post: U.S. Ambassador to Italy.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: \$10,000.00, 01/25/13, Cantor Young Guns Victory Fund (\$5,000 went to ERIC PAC 2013 and \$5,000 went to Cantor for Congress); \$5,200.00, 03/15/13, McConnell Senate Committee 2014; \$2,600.00, 05/30/13, Roger Williams for US Congress Committee; \$1,000.00, 06/04/13, Richard Hanna for Congress; \$2,600.00, 06/04/13, Gabriel Gomez for Senate; \$1,568.00, 06/25/13, Team Graham, Inc.; -\$1,568.00, 06/25/13, Team Graham, Inc. (return); \$1,668.00, 06/25/13, Team Graham, Inc.; \$2,600.00, 08/08/13, Cheney for Wyoming; \$2,500.00, 08/22/13, Ryan Prosperity Action Committee; \$2,500.00, 08/22/13, Ryan for Congress, Inc.; \$17,500.00, 08/27/13, Republican Jewish Coalition; \$200.00, 09/23/13, Team Graham \$5,000.00, 10/14/13, Country First PAC; \$10,000.00, 10/21/13, Cowboy SuperPAC (1st payment of \$20K total); \$2,600.00, 10/21/13, Portman for Senate Committee; \$5,200.00, 10/23/13, Texans for Senator John Cornyn; \$500.00, 11/21/13, Dan Coats for Indiana; \$1,000.00, 12/27/13, Together PAC, Inc. (no record on our end and I think it is Democratic which he doesn't contribute to); \$2,300.00, 01/16/14, Chris Isola for Congress; \$2,600.00, 01/16/14, Portman for Senate Committee; \$1,000.00, 01/24/14, Lance for Congress; \$5,200.00, 02/12/14, Capito for West Virginia; \$25,000.00, 02/12/14, NRCC; \$25,000.00, 02/12/14, RNC; \$2,000.00, 02/12/14, Scott Garrett for Congress; \$2,500.00, 02/21/14, NRSC (John Child's Rob Portman event 2/23/14); \$2,600.00, 04/15/14, Shane Osborn for Senate; \$2,600.00, 04/25/14, Mark Kirk for Senate; \$5,200.00, 05/19/14, Dan Sullivan for U.S. Senate; \$1,000.00, 05/20/14, Friends of Bill Posey; \$2,600.00, 05/20/14, New Hampshire for Scott Brown; \$2,600.00, 05/21/14, French Hill for Arkansas; \$25,000.00, 05/21/14, NRSC; -\$1,500.00, 6/11/2014, Our records show refund from Chris Isola; \$2,500.00, 07/01/14, Patriots in Action PAC (Roger Williams); \$5,000.00, 07/03/14, John Bolton PAC; -\$2,133.84,

8/21/04, Our records show refund from Cantor for Congress; \$17,500.00, 09/04/14, Republican Jewish Coalition; \$2,600.00, 09/10/14, New Hampshire for Scott Brown; \$12,500.00, 09/16/14, Kentuckians for Strong Leadership (McConnell SuperPac); \$2,600.00, 09/29/14, Friends of John McCain; \$2,600.00, 10/15/14, Collins for Senator; \$10,000.00, 02/05/15, Alliance for a Strong America; \$500.00, 02/10/15, Zeldin for Congress (Campaign/FEC error); \$5,000.00, 02/13/15, PortPac (Promoting Our Republican Team PAC); \$5,400.00, 02/17/15, Marco Rubio for Senate; \$5,400.00, 03/09/15, Ron Johnson for Senate; \$1,000.00, 03/12/15, Scott Garrett for Congress; \$10,000.00, 05/21/15, RJC (Republican Jewish Coalition); \$5,400.00, 05/27/15, Kelly Ayotte for US Senate; \$266.16 06/7/15, Our records show return from Eric Cantor (contribution made in 2013); \$5,400.00, 06/18/15, American Security Initiative; \$35,000.00, 07/27/2015, RNC; -\$2,700.00, 07/28/15, My records show refund from Marco Rubio for Senate, 2015 Gen. Fund; -\$2,700.00, 08/1/15, My records show refund from Healey for Congress (gen. election); \$5,400.00, 08/11/15, Heaney for Congress; \$10,000.00, 09/28/15, Arizona Grassroots Action PAC (John McCain); \$17,500.00, 10/07/2015, RJC (Republican Jewish Coalition); \$10,000.00, 10/07/2015, RJC (Republican Jewish Coalition) Presidential Candidate Forum; \$2,700.00, 12/08/15, Zeldin for Congress; \$2,500.00, 12/08/15, Friends of John McCain; \$2,700.00, 01/06/16, Jobs for Connecticut-Larry Kudlow exploratory committee; \$35.00, 2/19/2016, RNC (sustaining membership); \$2,700.00, 01/06/16, Friends of Joe Heck; \$2,700.00, 02/19/16, Friends of Joe Heck; \$10,800.00, 03/01/16, Liz Cheney for Congress; \$500.00, 05/02/16, Friends of Bill Posey; \$2,700.00, 05/03/16, Lindsey Graham 2016 (Lindsey Graham 2016 Debt Retirement); \$2,700.00, 05/16/16, Wells for Congress; \$10,800.00, 06/21/16, Trump Victory-Revenue; \$2,700.00, 06/30/16, Kirk Victory 2016; \$25,000.00, 06/30/16, Trump Victory-Revenue; \$5,000.00, 8/4/2016, Trump for America, Inc. 501(c)(4); \$17,500.00, 11/1/2016, Republican Jewish Coalition; \$1,000.00, 11/01/16, Barbara Comstock for Congress; \$2,700.00, 11/29/16, Scott Walker Inc.; \$2,500.00, 01/24/17, Team Josh.

2. Spouse: Judith Eisenberg; \$2,600.00, 08/8/13, Cheney for Wyoming; \$5,200.00, 09/23/13, Team Graham; \$5,200.00, 02/12/14, Capito for West Virginia; \$5,000.00, 02/24/14, Collins for Senator; \$5,200.00, 03/10/14, Ed Gillespie for Senate; \$2,600.00, 09/29/14, Friends of John McCain; \$2,600.00, 02/13/15, PortPac (Promoting Our Republican Team PAC); \$2,900.00, 02/17/15, Marco Rubio for Senate; \$2,600.00, 02/20/15, Security Through Strength; Lindsey Graham 2016; \$5,400.00, 03/09/15, Ron Johnson for Senate; \$2,700.00, 07/22/15, Lindsey Graham 2016; \$3,333.00, 12/14/15, Lindsey Graham Super PAC; \$2,700.00, 03/31/16, Friends of John McCain.

3. Children and Spouses: Richard (Lisa Eisenberg) Goodwyn, None; Richard Goodwyn, \$1,000.00, 06/23/16, Trump Victory; Mrs. Laura (Eisenberg) Balestro, None; Mr. & Mrs. Paul (Stacy Eisenberg), None.

4. Parents—Deceased: Seymour Eisenberg; Estelle Ann (Iglitzen) Eisenberg.

5. Grandparents—Deceased: Louis & Lena Eisenberg; Max & Ruth Iglitzen.

6. Brothers and Spouses: Robert Eisenberg-single; None.

7. Sisters and Spouses: n/a.

*Ray Washburne, of Texas, to be President of the Overseas Private Investment Corporation.

*Kelley Eckels Currie, of Georgia, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

*Kelley Eckels Currie, of Georgia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

*Carl C. Risch, of Pennsylvania, to be an Assistant Secretary of State (Consular Affairs).

*David Steele Bohigian, of Missouri, to be Executive Vice President of the Overseas Private Investment Corporation.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. RUBIO:

S. 1641. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to limit certain administrative actions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself, Mr. TOOMEY, Mr. PETERS, and Mr. DAINES):

S. 1642. A bill to amend the Revised Statutes, the Home Owners' Loan Act, the Federal Credit Union Act, and the Federal Deposit Insurance Act to require the rate of interest on certain loans remain unchanged after transfer of the loan, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BURR (for himself, Mr. ISAKSON, Mr. HELLER, Mr. ROBERTS, and Mr. ENZI):

S. 1643. A bill to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 1644. A bill to clarify the status of the Captain John Smith Chesapeake National Historic Trail as a unit of the National Park System; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 1645. A bill to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 1646. A bill to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WICKER (for himself, Ms. DUCKWORTH, Mr. COCHRAN, and Ms. BALDWIN):

S. 1647. A bill to require the appropriate Federal banking agencies to treat certain non-significant investments in the capital of unconsolidated financial institutions as qualifying capital instruments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LANKFORD:

S. 1648. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEE (for himself, Mr. CRUZ, and Mr. SASSE):

S. 1649. A bill to help States combat abuse of occupational licensing laws by economic incumbents, to promote competition, to encourage innovation, to protect consumers, and to facilitate the restoration of antitrust immunity to State occupational boards, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. BROWN, Ms. WARREN, Mr. MARKEY, Mr. FRANKEN, and Mr. BOOKER):

S. 1650. A bill to authorize the Secretary of Health and Human Services to award grants to support the access of marginalized youth to sexual health services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. CASEY, Mrs. GILLIBRAND, Ms. HASSAN, and Mr. WHITEHOUSE):

S. 1651. A bill to provide for temporary financing of short-time compensation programs; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. BROWN, Mr. FRANKEN, Mr. DURBIN, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Ms. WARREN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. HARRIS, Ms. BALDWIN, Mr. LEAHY, Mr. BOOKER, Mr. SANDERS, Ms. HIRONO, Mr. VAN HOLLEN, Mr. CASEY, and Mr. WYDEN):

S. 1652. A bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MENENDEZ, Ms. WARREN, and Mr. MARKEY):

S. 1653. A bill to provide for the overall health and well-being of young people, including the promotion of lifelong sexual health and healthy relationships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mr. LEAHY, Mr. HELLER, Mrs. SHAHEEN, Mr. DAINES, Mr. BLUMENTHAL, Mr. GARDNER, and Mr. FRANKEN):

S. 1654. A bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS:

S. 1655. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes; from

the Committee on Appropriations; placed on the calendar.

By Mr. BLUMENTHAL:

S. 1656. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide cybersecurity protections for medical devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself and Mr. LEAHY):

S. 1657. A bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers and for geolocation information in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1658. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to give the Department of Education the authority to award competitive grants to eligible entities to establish, expand, or support school-based mentoring programs to assist at-risk students in middle school and high school in developing cognitive and social-emotional skills to prepare them for success in high school, postsecondary education, and the workforce; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. FRANKEN):

S. 1659. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mrs. FEINSTEIN, and Mr. WARNER):

S. 1660. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the acceptance by political committees of online contributions from certain unverified sources, and for other purposes; to the Committee on Rules and Administration.

By Mr. WHITEHOUSE (for himself, Mr. TESTER, Mr. PETERS, Ms. WARREN, and Mr. MENENDEZ):

S. 1661. A bill to make permanent the extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHELBY:

S. 1662. An original bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. HOEVEN:

S. 1663. A bill to amend the Internal Revenue Code of 1986 to enhance the requirements for secure geological storage of carbon dioxide for purposes of the carbon dioxide sequestration credit; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. KAINE):

S. 1664. A bill to amend section 5307 of title 49, United States Code, with respect to the treatment of communities as urbanized areas following a major disaster; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH:

S. 1665. A bill to authorize the State of Utah to select certain lands that are avail-

able for disposal under the Pony Express Resource Management Plan to be used for the support and benefit of State institutions, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 1666. A bill to direct the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself and Ms. DUCKWORTH):

S. 1667. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 1668. A bill to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel"; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER:

S. 1669. A bill to provide mandatory funding for the remediation of National Priority List sites, certain abandoned coal mining sites, and formerly used defense sites, and for the Formerly Utilized Sites Remedial Action Program and the Diesel Emissions Reduction Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself and Mr. HEINRICH):

S. 1670. A bill to require the Secretary of Energy to establish a program to increase participation in community solar and the receipt of associated benefits, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. COONS, and Mr. HELLER):

S. 1671. A bill to amend title 18, United States Code, to safeguard data stored abroad, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. ERNST (for herself, Mr. COTTON, Mrs. SHAHEEN, Mr. INHOFE, Ms. WARREN, Mr. BLUMENTHAL, Mr. KING, Mr. CRUZ, Mrs. GILLIBRAND, Mrs. McCASKILL, Mr. WICKER, Mr. DONNELLY, Mr. NELSON, Mr. SULLIVAN, Mr. TILLIS, Mr. REED, Mr. ROUNDS, Mr. GRAHAM, Mr. KAINE, Ms. HIRONO, Mr. PETERS, Mr. SASSE, Mr. PERDUE, Mrs. FISCHER, Mr. STRANGE, and Mr. HEINRICH):

S. Res. 234. A resolution recognizing the Sailors and Marines who sacrificed their lives for ship and shipmates while fighting the devastating 1967 fire onboard USS Forrestal and, during the week of the 50th anniversary of the tragic event, commemorating the efforts of those who survived; to the Committee on Armed Services.

By Mr. ROUNDS:

S. Res. 235. A resolution expressing the sense of the Senate that the Secretary of Defense should consider establishing an award program for the cyber community of the Department of Defense; to the Committee on Armed Services.

By Ms. HIRONO (for herself and Mr. CARDIN):

S. Res. 236. A resolution recognizing July 28, 2017, as "World Hepatitis Day 2017"; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 167

At the request of Mr. MORAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 167, a bill to designate a National Memorial to Fallen Educators at the National Teachers Hall of Fame in Emporia, Kansas.

S. 223

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 711

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 711, a bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes.

S. 888

At the request of Mr. GRASSLEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 888, a bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory.

S. 1028

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1028, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1146

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1146, a bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1196

At the request of Mr. SULLIVAN, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1196, a bill to expand the capacity and capability of the ballistic missile defense system of the United States, and for other purposes.

S. 1311

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

S. 1354

At the request of Mr. CARPER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1354, a bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs.

S. 1462

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

S. 1505

At the request of Mr. LEE, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1505, a bill to provide that silencers be treated the same as firearms accessories.

S. 1532

At the request of Mr. THUNE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1532, a bill to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

S. 1536

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1536, a bill to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes.

S. 1591

At the request of Mr. TOOMEY, the name of the Senator from South Caro-

lina (Mr. SCOTT) was added as a cosponsor of S. 1591, a bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes.

S. 1598

At the request of Mr. ISAKSON, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

At the request of Mr. TESTER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1598, *supra*.

S. 1601

At the request of Mrs. SHAHEEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1601, a bill to amend the Fair Housing Act to establish that certain conduct, in or around a dwelling, shall be considered to be severe or pervasive for purposes of determining whether a certain type of sexual harassment has occurred under that Act, and for other purposes.

S. 1608

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1608, a bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service.

S. 1640

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1640, a bill to reform the financing of Senate elections, and for other purposes.

S.J. RES. 47

At the request of Mr. CRAPO, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Alaska (Mr. SULLIVAN), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S.J. Res. 47, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Finan-

cial Protection relating to "Arbitration Agreements".

S. RES. 162

At the request of Mr. LANKFORD, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Res. 162, a resolution reaffirming the commitment of the United States to promoting religious freedom, and for other purposes.

S. RES. 233

At the request of Mr. REED, the names of the Senator from Arkansas (Mr. COTTON), the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Mr. SULLIVAN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Tennessee (Mr. CORKER), and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 233, a resolution designating August 16, 2017, as "National Airborne Day".

AMENDMENT NO. 274

At the request of Mr. SASSE, his name was added as a cosponsor of amendment No. 274 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 275

At the request of Mr. SASSE, his name was added as a cosponsor of amendment No. 275 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 276

At the request of Mr. KAINÉ, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 276 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 290

At the request of Ms. WARREN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 290 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 329

At the request of Ms. BALDWIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 329 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 333

At the request of Mr. COONS, the names of the Senator from Wisconsin

(Ms. BALDWIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 333 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 341

At the request of Mr. UDALL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 341 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 366

At the request of Mr. KAINE, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 366 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 378

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maryland (Mr. VAN HOLLEN), and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 378 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 383

At the request of Mr. FRANKEN, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Illinois (Ms. DUCKWORTH), and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 383 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 391

At the request of Mr. GRAHAM, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 391 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 523

At the request of Mr. CORNYN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 523 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construc-

tion, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. CASEY, Mrs. GILLIBRAND, Ms. HASSAN, and Mr. WHITEHOUSE):

S. 1651. A bill to provide for temporary financing of short-time compensation programs; to the Committee on Finance.

Mr. REED. Mr. President, today I am joined by Senators CASEY, GILLIBRAND, HASSAN, and WHITEHOUSE to introduce the Layoff Prevention Act of 2017. This bill renews and extends Federal support for State short-time compensation—or work sharing—programs, which help avert layoffs and the economic effects of long-term unemployment.

Work sharing is a proven concept that is endorsed by economists across the political spectrum. When business slows down, employers feel pressure to lay off employees. Under work sharing, employers may instead opt to reduce hours across-the-board, and employees may then collect a pro-rata unemployment compensation check for the hours they lost. This prevents layoffs, lowers employers' rehiring and training expenses, and costs States only a fraction of what they would pay if workers went on full unemployment.

The Middle Class Tax Relief and Job Creation Act of 2012 included my Layoff Prevention Act, which modernized Federal work sharing laws. Partly as a result of this increased Federal support for work sharing, State work sharing programs helped to save over 130,000 jobs between 2012 and the expiration of Federal incentives in 2015.

The legislation I am introducing today would renew incentives so that States with existing work sharing programs, and those considering enacting a program, can qualify for Federal support. Our economy has come a long way in recent years, and we should invest in proven programs like work sharing to ensure we do not experience again the same scale of job loss that we endured during the Great Recession.

I urge my colleagues to join me in supporting passage of this bill to keep American workers on the job, save taxpayers money, and provide employers with a practical, positive, and cost-effective alternative to layoffs.

By Mr. LEE (for himself, Mr. LEAHY, Mr. HELLER, Mrs. SHAHEEN, Mr. DAINES, Mr. BLUMENTHAL, Mr. GARDNER, and Mr. FRANKEN):

S. 1654. A bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order

to protect consumer privacy interests while meeting law enforcement needs, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Six years ago, Senator LEE and I first joined together to reform our outdated digital privacy laws. We recognized that our Nation's privacy rules failed to account for how we live our lives today and provided little protection for Americans' electronic information.

Most Americans are shocked to learn that a law dating back to the Reagan administration governs when the government can read their emails and texts, view their photos, obtain their location information, and even inspect their Internet browsing history. Thirty-one years ago, I led efforts to write the Electronic Communications Privacy Act (ECPA). At the time, computers were an emerging technology and there was little understanding of the Internet, let alone cloud computing. ECPA was significant and forward-looking legislation in 1986, but it was not intended to get us through 30 years of technological innovations. Modern technology and digital communications have transformed our society. It is past time for Congress to catch up.

ECPA no longer makes any sense in our digital world. When Senator LEE and I first set out to modernize the statute, we focused on one critical reform: enacting a clear, uniform rule that the government must obtain a warrant supported by probable cause whenever it seeks the content of our emails, texts, photos, and other electronic documents stored in the cloud. This is what the Constitution requires; and this is what Vermonters, Utahns, and Americans across the Country expect.

But even in the six years since we first introduced legislation to reform ECPA, it has become increasingly clear that broader reforms are necessary to ensure that the statute adequately addresses the privacy and technological challenges of the modern world. When the U.S. Court of Appeals for the Sixth Circuit held in 2010 that email was fully protected by the Fourth Amendment, the court cautioned that "the Fourth Amendment must keep pace with the inexorable march of technological progress, or its guarantees will wither and perish." The bill we introduce today would ensure our laws keep pace.

The ECPA Modernization Act of 2017 introduces a broad set of reforms to our digital privacy statutes. Like legislation we introduced in previous Congresses, this bill would create a foundational requirement that the government obtain a warrant when it seeks the content of our electronic communications from third-party service providers. The bill also goes further

by addressing the unique privacy concerns associated with Americans' location information. Following the example set by States like Vermont, Utah, and California, our bill would require that the government obtain a warrant when it seeks stored or real-time location information from third-party service providers, or uses IMSI-catchers or stingrays to get location data from individuals' own cell phones.

The ECPA Modernization Act additionally would require law enforcement to notify individuals when their communications or location information is obtained from third-party service providers. The bill would also add new privacy protections related to government requests for customer records and metadata; a suppression remedy for illegally obtained electronic data; and reform the pen register and trap and trace device statutes to bring them in line with other laws.

Senator LEE and I are proud to introduce this bill with the support of a broad range of stakeholders, including the Center for Democracy & Technology, the ACLU, the Constitution Project, New America's Open Technology Institute, the Electronic Frontier Foundation, the American Library Association, the R Street Institute, TechFreedom, FreedomWorks, Google, Engine, BSA/The Software Alliance, and many others.

Today Senator LEE and I are also introducing the Email Privacy Act, companion legislation to the bill introduced in the House of Representatives by Congressmen YODER and POLIS. The Email Privacy Act passed the House by voice vote earlier this year, and received an overwhelming 419 to 0 vote last congress. I commend Representatives YODER and POLIS for their efforts, and also commend House Judiciary Committee Chairman GOODLATTE and Ranking Member CONYERS for reaching a historic compromise that led to unanimous support for this bill in the House.

When the House passed the Email Privacy Act last year, I was hopeful that the Senate would follow suit to protect Americans' digital privacy and swiftly pass the bill so that it would be enacted into law. I was disappointed when instead of working in a bipartisan fashion, certain Republicans on the Senate Judiciary Committee threatened to use it as a vehicle to push poison pill amendments on controversial National security matters, effectively killing the bill for their own political purposes.

The Email Privacy Act is a good bill that is unanimously supported by the House of Representatives. That legislation does not include all the reforms that I believe are necessary to bring our digital privacy laws into the modern age, but it takes a significant step toward ensuring that ECPA complies with the Fourth Amendment by requir-

ing a warrant whenever the government seeks the contents of Americans' emails and electronic communication. I have worked for years to see this critical reform implemented into law, and I will take every opportunity to see that it reaches the President's desk.

But make no mistake: I believe our work must not stop there. Americans deserve Fourth Amendment protections for their location information, notice when law enforcement obtains their content or location data, and strong protections governing the acquisition of metadata and records. I will keep fighting for the protections we have now set forth in the ECPA Modernization Act. I will keep pushing the Senate to advance legislation that keeps pace with Americans' expectations of privacy. The American people expect these protections, and they deserve them.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1658. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to give the Department of Education the authority to award competitive grants to eligible entities to establish, expand, or support school-based mentoring programs to assist at-risk students in middle school and high school in developing cognitive and social-emotional skills to prepare them for success in high school, postsecondary education, and the workforce; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN, Mr. President, today I introduce the Mentoring to Succeed Act, a bill that would break down the walls of access and meet at-risk youth where they are, in school, to give them the support and guidance they need to be successful.

Barriers such as childhood poverty, inadequate schools, chronic absenteeism, adverse childhood experiences, community violence, exclusionary discipline policies, and juvenile justice involvement can lead to poor academic achievement and life outcomes. Students who grow up facing these challenges without a strong support system often struggle to transition to high school, college, and the workforce. School-based mentoring programs are an effective strategy to help at-risk students thrive in school, careers, and life.

According to a 2014 study, there are an estimated 16 million young people, including 9 million at-risk youth, who will reach the age of 19 without ever having a mentor. As a result, these youth will miss out on the powerful effects of mentoring that are linked to significant outcomes. Youth who have mentors are 52 percent less likely to skip a day of school; 55 percent more likely to be enrolled in college; 81 percent more likely to participate regu-

larly in sports or extracurricular activities; 78 percent more likely to volunteer regularly in their communities; and 130 percent more likely to hold leadership positions.

Researchers at the University of Chicago found that Youth Guidance's school-based mentoring program, Becoming a Man, reduced arrests for violent crime, improved school engagement, and increased high school graduation rates.

Mentoring programs can help youth develop the skills employers are seeking. A 2016 study found that 8 in 10 employers say social and emotional skills are the most important to success, and are the most difficult skills to find in job applicants.

In Illinois, an estimated 55,000 youth are formally matched with a mentor, with 68 percent residing in Metro Chicago. Last year, it cost the State of Illinois an average of \$172,000 to incarcerate one youth, compared to an average of \$6,000 for one youth in an intensive youth development program, and only \$2,300 per youth in a formal mentoring program. In 2012, the University of Chicago Crime Lab found that benefits to society compared to mentoring program costs in Illinois measured as high as \$31 for every \$1 dollar invested.

Lakeisha Steele, a member of my staff that has been working on this issue, is a testament to the powerful effect mentorship can have. She lost her oldest brother, Lewis Williams III, to gun violence on July 10, 1996. He was 24 years old and studying to become a welder while preparing for the birth of his only son, his namesake, who would be born a month after his death. The loss of her brother's life rocked Lakeisha's family to its core. There were limited resources in her community (she is from Kankakee, Illinois) and her family could not afford to see a grief counselor. She went through her freshman year grieving the loss of her brother and it impacted her school work. A once A-student brought home Cs and Ds. She credits her high school guidance counselor, Paul Meyer of Kankakee High School, for helping her cope with the trauma of losing her brother and keeping her focused on her education and future. She says she wouldn't be here today without his mentorship.

The Mentoring to Succeed Act would help break down the barriers that make it difficult for far too many of our children and youth to succeed, especially our students of color. This bill would provide high-need school districts, schools, and local governments with the funding they need to create, expand, and support school-based mentoring programs to improve the academic, social, and workforce skills of at-risk students. It would support partnerships with non-profit, community-based, and faith-based organizations to

serve more at-risk students. In addition, it would support youth job training by partnering with local businesses and private companies to provide at-risk students with internships and career exploration activities. Further, this bill would provide funding to train mentors on trauma and toxic stress to increase student resilience and promote social and emotional development.

Last year, the City of Chicago announced a bold and innovative mentoring initiative to help Chicago's most at-risk youth. By the year 2018, the City's goal is to reach 7,200 8th, 9th, and 10th grade boys in 22 of Chicago's highest poverty and highest violence neighborhoods.

This bill would support the City of Chicago and other local governments, schools, and school districts who have undertaken efforts to help at-risk youth by creating or expanding school-based mentoring programs. I would like to thank my colleague, Senator TAMMY DUCKWORTH from Illinois for joining me in this effort. I hope my other colleagues will join me to strengthen investments in school-based mentoring programs to help at-risk youth develop the academic, social, and workforce skills that lead to success.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1658

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mentoring to Succeed Act of 2017".

SEC. 2. PURPOSE.

The purpose of this Act is to make assistance available for school-based mentoring programs for at-risk students in order to—

- (1) establish, expand, or support school-based mentoring programs;
- (2) assist at-risk students in middle school and high school in developing cognitive and social-emotional skills; and
- (3) prepare such at-risk students for success in high school, postsecondary education, and the workforce.

SEC. 3. SCHOOL-BASED MENTORING PROGRAM.

Part C of title I of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2351 et seq.) is amended by adding at the end the following:

"SEC. 136. DISTRIBUTION OF FUNDS FOR SCHOOL-BASED MENTORING PROGRAMS.

"(a) DEFINITIONS.—In this Act:

"(1) AT-RISK STUDENT.—The term 'at-risk student' means a student who—

- "(A) is failing academically or at risk of dropping out of school;
- "(B) is pregnant or a parent;
- "(C) is a gang member;
- "(D) is a child or youth in foster care or a youth who has been emancipated from foster care but is still enrolled in high school;
- "(E) is or has recently been a homeless child or youth;

"(F) is chronically absent;

"(G) has changed schools 3 or more times in the past 6 months;

"(H) has come in contact with the juvenile justice system in the past;

"(I) has a history of multiple suspensions or disciplinary actions;

"(J) is an English learner;

"(K) has 1 or both parents incarcerated;

"(L) has experienced 1 or more adverse childhood experiences, traumatic events, or toxic stressors, as assessed through an evidence-based screening; or

"(M) lives in a high-poverty area with a high rate of community violence.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity'—

"(A) means a high-need local educational agency, high-need school, or local government entity; and

"(B) may include a partnership between an entity described in subparagraph (A) and a nonprofit, community-based, or faith-based organization, or institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

"(3) ENGLISH LEARNER.—The term 'English learner' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"(4) FOSTER CARE.—The term 'foster care' has the meaning given the term in section 1355.20 of title 45, Code of Federal Regulations.

"(5) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency that serves at least 1 high-need school.

"(6) HIGH-NEED SCHOOL.—The term 'high-need school' has the meaning given the term in section 2211 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6631).

"(7) HOMELESS CHILDREN AND YOUTHS.—The term 'homeless children and youths' has the meaning given the term in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).

"(8) SCHOOL-BASED MENTORING.—The term 'school-based mentoring' means a structured, managed, evidenced-based program conducted in partnership with teachers, administrators, school psychologists, school social workers or counselors, and other school staff, in which at-risk students are appropriately matched with screened and trained professional or volunteer mentors who provide guidance, support, and encouragement, involving meetings, group-based sessions, and educational and workforce-related activities on a regular basis to prepare at-risk students for success in high school, postsecondary education, and the workforce.

"(b) SCHOOL-BASED MENTORING COMPETITIVE GRANT PROGRAM.—

"(1) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible entities to establish, expand, or support school-based mentoring programs that—

"(A) are designed to assist at-risk students in high-need schools in developing cognitive skills and promoting social-emotional learning to prepare them for success in high school, postsecondary education, and the workforce by linking them with mentors who—

"(i) have received mentor training, including on trauma-informed practices and youth engagement; and

"(ii) have been screened using appropriate reference checks and criminal background checks;

"(B) provide coaching and technical assistance to mentors in such mentoring program;

"(C) provide at-risk students with a positive relationship with a skilled adult offering support and guidance;

"(D) improve the academic achievement of at-risk students;

"(E) foster positive relationships between at-risk students and their peers, teachers, other adults, and family members;

"(F) reduce dropout rates and absenteeism and improve school engagement of at-risk students and their families;

"(G) reduce juvenile justice involvement of at-risk students;

"(H) develop the cognitive and social-emotional skills of at-risk students;

"(I) develop the workforce readiness skills of at-risk students;

"(J) encourage at-risk students to participate in community service activities; and

"(K) encourage at-risk students to set goals and plan for their futures, including encouraging such students to make plans for postsecondary education and the workforce.

"(2) DURATION.—The Secretary shall award grants under this section for a period not to exceed 5 years.

"(3) APPLICATION.—To receive a grant under this section, an eligible entity shall submit to the Secretary an application that includes—

"(A) a needs assessment that includes baseline data on the measures described in paragraph (6)(A)(ii); and

"(B) a plan to meet the requirements of paragraph (1).

"(4) PRIORITY.—In selecting grant recipients, the Secretary shall give priority to applicants that—

"(A) serve children and youth with the greatest need living in high-poverty, high-crime areas, rural areas, or who attend schools with high rates of community violence;

"(B) provide at-risk students with opportunities for job training, professional development, work shadowing, internships, networking, resume writing and review, interview preparation, college application assistance, college visits, and leadership development through community service, including through partnerships with the private sector and local businesses to provide internship and career exploration activities and resources; and

"(C) seek to provide match lengths between at-risk students and mentors of not less than 8 months.

"(5) USE OF FUNDS.—An eligible entity that receives a grant under this section may use such funds to—

"(A) develop and carry out regular training for mentors, including on—

"(i) the impact of adverse childhood experiences;

"(ii) trauma-informed practices and interventions;

"(iii) supporting homeless children and youths;

"(iv) supporting children and youth in foster care or youth who have been emancipated from foster care but are still enrolled in high school;

"(v) cultural competency;

"(vi) confidentiality requirements for working with children and youth in foster care; and

"(vii) working in coordination with a public school system;

"(B) recruit, screen, match, and train mentors;

"(C) hire staff to perform or support the objectives of the school-based mentoring program;

"(D) provide youth engagement activities, such as—

“(i) enrichment field trips to cultural destinations; and

“(ii) career or academic exploration activities; and

“(E) conduct program evaluation, including by acquiring and analyzing the data described under paragraph (6).

“(6) REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 6 months after the end of each academic year during the grant period, an eligible entity receiving a grant under this section shall submit to the Secretary a report that includes—

“(i) the number of students who participated in the school-based mentoring program that was funded in whole or in part with the grant funds;

“(ii) data on the academic achievement, dropout rates, truancy, absenteeism, outcomes of arrests for violent crime, summer employment, and college enrollment of students in the program;

“(iii) the number of group sessions and number of one-to-one contacts between students in the program and their mentors;

“(iv) the average attendance of students enrolled in the program;

“(v) data on social emotional development of students as assessed with a validated social emotional assessment tool; and

“(vi) any other information that the Secretary may require to evaluate the success of the school-based mentoring program.

“(B) STUDENT PRIVACY.—An eligible entity shall ensure that the report submitted under subparagraph (A) is prepared in a manner that protects the privacy rights of each student in accordance with section 444 of the General Education Provisions Act (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’) (20 U.S.C. 1232g).

“(7) MENTORING RESOURCES AND COMMUNITY SERVICE COORDINATION.—

“(A) BEST PRACTICES.—The Secretary shall work with the Office of Juvenile Justice and Delinquency Prevention to—

“(i) refer grantees under this section to the National Mentoring Resource Center to obtain resources on best practices and research related to mentoring and to request no-cost training and technical assistance; and

“(ii) provide grantees under this section with information to promote positive youth development, including transitional services for at-risk students returning from correctional facilities.

“(B) TECHNICAL ASSISTANCE.—The Secretary shall coordinate with the Corporation for National and Community Service, including through entering into an interagency agreement or a memorandum of understanding, to provide technical assistance and other resources to support grantees under this section as they provide mentoring and community service-related activities for at-risk students.

“(c) AUTHORIZATION OF FUNDS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2018 through 2023.”

SEC. 4. INSTITUTE OF EDUCATION SCIENCES STUDY ON SCHOOL-BASED MENTORING PROGRAMS.

(a) IN GENERAL.—The Secretary of Education, acting through the Director of the Institute of Education Sciences, shall conduct a study to—

(1) identify successful school-based mentoring programs and effective strategies for administering and monitoring such programs;

(2) evaluate the role of mentors in promoting cognitive development and social-

emotional learning to enhance academic achievement and to improve workforce readiness; and

(3) evaluate the effectiveness of the grant program under section 136 of the Carl D. Perkins Career and Technical Education Act of 2006, as added by section 3, on student academic outcomes and youth career development.

(b) TIMING.—Not later than 3 years after the date of enactment of this Act, the Secretary of Education, acting through the Director of the Institute of Education Sciences, shall submit the results of the study to the appropriate Congressional committees.

By Mr. DURBIN (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. FRANKEN):

S. 1659. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1659

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Consumers from Unreasonable Credit Rates Act of 2017”.

SEC. 2. FINDINGS.

Congress finds that—

(1) attempts have been made to prohibit usurious interest rates in America since colonial times;

(2) at the Federal level, in 2006, Congress enacted a Federal 36 percent annualized usury cap for servicemembers and their families for covered credit products, as defined by the Department of Defense, which curbed payday, car title, and tax refund lending around military bases;

(3) notwithstanding such attempts to curb predatory lending, high-cost lending persists in all 50 States due to loopholes in State laws, safe harbor laws for specific forms of credit, and the exportation of unregulated interest rates permitted by preemption;

(4) due to the lack of a comprehensive Federal usury cap, consumers annually pay approximately \$14,000,000,000 on high-cost overdraft loans, as much as approximately \$7,000,000,000 on storefront and online payday loans, \$3,800,000,000 on car title loans, and additional amounts in unreported revenues on high-cost online installment loans;

(5) cash-strapped consumers pay on average approximately 400 percent annual interest for payday loans, 300 percent annual interest for car title loans, up to 17,000 percent or higher for bank overdraft loans, and triple-digit rates for online installment loans;

(6) a national maximum interest rate that includes all forms of fees and closes all loopholes is necessary to eliminate such predatory lending; and

(7) alternatives to predatory lending that encourage small dollar loans with minimal or no fees, installment payment schedules, and affordable repayment periods should be encouraged.

SEC. 3. NATIONAL MAXIMUM INTEREST RATE.

Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following:

“SEC. 140B. MAXIMUM RATES OF INTEREST.

“(a) IN GENERAL.—Notwithstanding any other provision of law, no creditor may make an extension of credit to a consumer with respect to which the fee and interest rate, as defined in subsection (b), exceeds 36 percent.

“(b) FEE AND INTEREST RATE DEFINED.—

“(1) IN GENERAL.—For purposes of this section, the fee and interest rate includes all charges payable, directly or indirectly, incident to, ancillary to, or as a condition of the extension of credit, including—

“(A) any payment compensating a creditor or prospective creditor for—

“(i) an extension of credit or making available a line of credit, such as fees connected with credit extension or availability such as numerical periodic rates, annual fees, cash advance fees, and membership fees; or

“(ii) any fees for default or breach by a borrower of a condition upon which credit was extended, such as late fees, creditor-imposed not sufficient funds fees charged when a borrower tenders payment on a debt with a check drawn on insufficient funds, overdraft fees, and over limit fees;

“(B) all fees which constitute a finance charge, as defined by rules of the Bureau in accordance with this title;

“(C) credit insurance premiums, whether optional or required; and

“(D) all charges and costs for ancillary products sold in connection with or incidental to the credit transaction.

“(2) TOLERANCES.—

“(A) IN GENERAL.—With respect to a credit obligation that is payable in at least 3 fully amortizing installments over at least 90 days, the term ‘fee and interest rate’ does not include—

“(i) application or participation fees that in total do not exceed the greater of \$30 or, if there is a limit to the credit line, 5 percent of the credit limit, up to \$120, if—

“(I) such fees are excludable from the finance charge pursuant to section 106 and regulations issued thereunder;

“(II) such fees cover all credit extended or renewed by the creditor for 12 months; and

“(III) the minimum amount of credit extended or available on a credit line is equal to \$300 or more;

“(ii) a late fee charged as authorized by State law and by the agreement that does not exceed either \$20 per late payment or \$20 per month; or

“(iii) a creditor-imposed not sufficient funds fee charged when a borrower tenders payment on a debt with a check drawn on insufficient funds that does not exceed \$15.

“(B) ADJUSTMENTS FOR INFLATION.—The Bureau may adjust the amounts of the tolerances established under this paragraph for inflation over time, consistent with the primary goals of protecting consumers and ensuring that the 36 percent fee and interest rate limitation is not circumvented.

“(c) CALCULATIONS.—

“(1) OPEN END CREDIT PLANS.—For an open end credit plan—

“(A) the fee and interest rate shall be calculated each month, based upon the sum of all fees and finance charges described in subsection (b) charged by the creditor during the preceding 1-year period, divided by the average daily balance; and

“(B) if the credit account has been open less than 1 year, the fee and interest rate shall be calculated based upon the total of all fees and finance charges described in subsection (b)(1) charged by the creditor since

the plan was opened, divided by the average daily balance, and multiplied by the quotient of 12 divided by the number of full months that the credit plan has been in existence.

“(2) OTHER CREDIT PLANS.—For purposes of this section, in calculating the fee and interest rate, the Bureau shall require the method of calculation of annual percentage rate specified in section 107(a)(1), except that the amount referred to in that section 107(a)(1) as the ‘finance charge’ shall include all fees, charges, and payments described in subsection (b)(1) of this section.

“(3) ADJUSTMENTS AUTHORIZED.—The Bureau may make adjustments to the calculations in paragraphs (1) and (2), but the primary goals of such adjustment shall be to protect consumers and to ensure that the 36 percent fee and interest rate limitation is not circumvented.

“(d) DEFINITION OF CREDITOR.—As used in this section, the term ‘creditor’ has the same meaning as in section 702(e) of the Equal Credit Opportunity Act (15 U.S.C. 1691a(e)).

“(e) NO EXEMPTIONS PERMITTED.—The exemption authority of the Bureau under section 105 shall not apply to the rates established under this section or the disclosure requirements under section 127(b)(6).

“(f) DISCLOSURE OF FEE AND INTEREST RATE FOR CREDIT OTHER THAN OPEN END CREDIT PLANS.—In addition to the disclosure requirements under section 127(b)(6), the Bureau may prescribe regulations requiring disclosure of the fee and interest rate established under this section.

“(g) RELATION TO STATE LAW.—Nothing in this section may be construed to preempt any provision of State law that provides greater protection to consumers than is provided in this section.

“(h) CIVIL LIABILITY AND ENFORCEMENT.—In addition to remedies available to the consumer under section 130(a), any payment compensating a creditor or prospective creditor, to the extent that such payment is a transaction made in violation of this section, shall be null and void, and not enforceable by any party in any court or alternative dispute resolution forum, and the creditor or any subsequent holder of the obligation shall promptly return to the consumer any principal, interest, charges, and fees, and any security interest associated with such transaction. Notwithstanding any statute of limitations or repose, a violation of this section may be raised as a matter of defense by recoupment or setoff to an action to collect such debt or repossess related security at any time.

“(i) VIOLATIONS.—Any person that violates this section, or seeks to enforce an agreement made in violation of this section, shall be subject to, for each such violation, 1 year in prison and a fine in an amount equal to the greater of—

“(1) 3 times the amount of the total accrued debt associated with the subject transaction; or

“(2) \$50,000.

“(j) STATE ATTORNEYS GENERAL.—An action to enforce this section may be brought by the appropriate State attorney general in any United States district court or any other court of competent jurisdiction within 3 years from the date of the violation, and such attorney general may obtain injunctive relief.”

SEC. 4. DISCLOSURE OF FEE AND INTEREST RATE FOR OPEN END CREDIT PLANS.

Section 127(b)(6) of the Truth in Lending Act (15 U.S.C. 1637(b)(6)) is amended by striking “the total finance charge expressed” and

all that follows through the end of the paragraph and inserting “the fee and interest rate, displayed as ‘FAIR’, established under section 141.”.

By Mr. CORNYN (for himself and Mr. KAINE):

S. 1664. A bill to amend section 5307 of title 49, United States Code, with respect to the treatment of communities as urbanized areas following a major disaster; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1664

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Relief for Recovering Communities Act”.

SEC. 2. DEFINITION OF URBANIZED AREAS FOLLOWING A MAJOR DISASTER.

Section 5307 of title 49, United States Code, is amended by adding at the end the following:

“(i) URBANIZED AREAS FOLLOWING A MAJOR DISASTER.—

“(1) DEFINED TERM.—In this section, the term ‘major disaster’ has the meaning given such term in section 102(2) of the Disaster Relief Act of 1974 (42 U.S.C. 5122(2)).

“(2) URBANIZED AREA MAJOR DISASTER POPULATION CRITERIA.—Notwithstanding section 5302, the Secretary shall treat an area as an ‘urbanized area’ for purposes of this section until the second decennial census conducted after a major disaster in such area if—

“(A) the area was defined and designated as an ‘urbanized area’ by the Secretary of Commerce in the decennial census immediately preceding such major disaster, effective with the 2000 decennial census; and

“(B) the population of the area fell below 50,000 as a result of such major disaster.

“(3) POPULATION CALCULATION.—An area treated as an ‘urbanized area’ under this subsection shall be assigned the population and square miles of the urban cluster designated by the Secretary of Commerce in the most recent decennial census.

“(4) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect apportionments made under this chapter before the date of the enactment of this subsection.”.

By Mrs. FEINSTEIN (for herself and Ms. DUCKWORTH):

S. 1667. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Protecting Consumers from Unreasonable Rates Act. This critical health care reform bill would address the soaring cost of insurance premiums.

Many factors contribute to increasing premiums, from the increased prevalence of chronic disease to the con-

solidation of the insurance market. But no matter the root cause of premium hikes, it is important that rate increases are reviewed to ensure they are fair. When consumers see insurance premiums increase by double digits, it can add an additional burden on top of mortgage payments, childcare, and student loans. If rates are unreasonable, they should be blocked or modified.

The Protecting Consumers from Unreasonable Rates Act would allow the Secretary of Health and Human Services to act on behalf of consumers to protect them against egregious increases in health insurance rates in States that do not take this action.

In California and several other States across the Nation, State regulators lack the authority to block or modify extreme health insurance rate increases. This legislation does not change any State’s ability to take this action. Rather, it simply allows the Secretary of Health and Human Services to help fill in the gaps in the health care regulatory space so consumers in all States would have adequate protections against this type of price gouging.

The Affordable Care Act slowed the growth of premium increases and improved the value of health insurance—including how much of premiums insurers must spend on actual medical care and ensuring rate increases are at least reviewed. These were good first steps, but more needs to be done. Far too many Americans are facing rate increases and full consumer protections must be in place to ensure that prices reflect true cost and not simply profits. Providing all Americans with affordable, quality healthcare is of the utmost importance and Congress ought to be building on the successes of the Affordable Care Act while making improvements where necessary.

This bill provides a straightforward, direct enforcement mechanism to ensure that insurers may not impose unreasonably high costs on consumers, by empowering the Secretary of Health and Human Services to step in when State regulators do not, or are unable to.

I urge my colleagues to support this legislation to protect Americans from unreasonable rate hikes and move toward real, commonsense health care solutions.

By Mr. SCHUMER:

S. 1668. A bill to rename a waterway in the State of New York as the “Joseph Sanford Jr. Channel”; to the Committee on Commerce, Science, and Transportation.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1668

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

SECTION 1. JOSEPH SANFORD JR. CHANNEL.

(a) IN GENERAL.—The waterway in the State of New York designated as the “Negro Bar Channel” shall be known and redesignated as the “Joseph Sanford Jr. Channel”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the waterway referred to in subsection (a) shall be deemed to be a reference to the “Joseph Sanford Jr. Channel”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 234—RECOGNIZING THE SAILORS AND MARINES WHO SACRIFICED THEIR LIVES FOR SHIP AND SHIPMATES WHILE FIGHTING THE DEVASTATING 1967 FIRE ONBOARD USS FORRESTAL AND, DURING THE WEEK OF THE 50TH ANNIVERSARY OF THE TRAGIC EVENT, COMMEMORATING THE EFFORTS OF THOSE WHO SURVIVED

Mrs. ERNST (for herself, Mr. COTTON, Mrs. SHAHEEN, Mr. INHOFE, Ms. WARREN, Mr. BLUMENTHAL, Mr. KING, Mr. CRUZ, Mrs. GILLIBRAND, Mrs. MCCASKILL, Mr. WICKER, Mr. DONNELLY, Mr. NELSON, Mr. SULLIVAN, Mr. TILLIS, Mr. REED, Mr. ROUNDS, Mr. GRAHAM, Mr. KAINE, Ms. HIRONO, Mr. PETERS, Mr. SASSE, Mr. PERDUE, Mrs. FISCHER, Mr. STRANGE, and Mr. HEINRICH) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 234

Whereas, in 1967, the ongoing naval bombing campaign against North Vietnam from Yankee Station in the Gulf of Tonkin was the most intense and sustained air attack operation in the history of the United States Navy;

Whereas, in June 1967, *USS Forrestal* and *Carrier Air Wing Seventeen* departed Norfolk, Virginia, for duty in the Gulf of Tonkin;

Whereas, on July 28, 1967, during an underway replenishment, the crew of *USS Forrestal* reluctantly unloaded volatile bombs that were not intended for carrier use in order to meet the combat requirements for strikes the next day;

Whereas, despite safety precautions taken by the crew, a devastating fire erupted on *USS Forrestal* after—

(1) an electrical surge in a parked aircraft caused the aircraft to fire a Zuni rocket that ruptured a fuel tank on another aircraft; and

(2) the burning fuel ignited a chain reaction of 9 bomb explosions on the flight deck;

Whereas the explosions destroyed multiple aircraft and tore massive holes in the armored flight deck of *USS Forrestal*, and burning fuel dripped into the living quarters of the crew and the below-decks aircraft hangar;

Whereas, for 18 hours, Sailors and Marines on *USS Forrestal*, assisted by others from accompanying destroyers, fought to bring the fire under control while hospital corpsmen

navigated the mangled flight deck and tended to the wounded; and

Whereas, the fire onboard *USS Forrestal* ultimately—

(1) left 134 men dead and 161 men severely injured;

(2) destroyed more than 21 aircraft; and

(3) caused *USS Forrestal* to terminate its support to the fight in Vietnam and return to Norfolk, Virginia, for repairs: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that—

(A) if not for the heroic actions of the crew of *USS Forrestal*, the consequences of the fire would have been far more devastating to the Sailors and Marines onboard and the aircraft carrier itself; and

(B) the selfless sacrifices of those who came to the rescue of fellow shipmates and *USS Forrestal* represent, and are consistent with, the highest traditions of the United States Navy;

(2) commemorates the 50th anniversary of the *USS Forrestal* fire; and

(3) expresses gratitude to the Sailors and Marines who served aboard *USS Forrestal* for their faithful service.

SENATE RESOLUTION 235—EXPRESSING THE SENSE OF THE SENATE THAT THE SECRETARY OF DEFENSE SHOULD CONSIDER ESTABLISHING AN AWARD PROGRAM FOR THE CYBER COMMUNITY OF THE DEPARTMENT OF DEFENSE

Mr. ROUNDS submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 235

Now, therefore, be it

Resolved, That the Secretary of Defense should consider—

(1) establishing an award program for employees of the Department of Defense who carry out the cyber missions or functions of the Department of Defense;

(2) all award options under law or policy, including compensation, time off, and status awards;

(3) awards based upon operational impact and meritorious service;

(4) providing the largest possible opportunity for such members or employees to earn such rewards without regard to type of position, grade, years of service, experience or past performance;

(5) individual and organization rewards; and

(6) other factors, as the Secretary considers appropriate, that would reward and provide incentive to cyber personnel or organizations.

SENATE RESOLUTION 236—RECOGNIZING JULY 28, 2017, AS “WORLD HEPATITIS DAY 2017”

Ms. HIRONO (for herself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 236

Whereas Hepatitis B, Hepatitis C, and the incidence of liver disease caused by those viruses, have become urgent problems of a global proportion;

Whereas the World Health Organization has identified viral hepatitis as an international public health challenge comparable to human immunodeficiency virus (in this preamble referred to as “HIV”), tuberculosis, and malaria;

Whereas, in 2016, the World Health Organization released a global health sector strategy on viral hepatitis that aims to eliminate viral hepatitis as a public health threat by 2030;

Whereas an estimated 240,000,000 individuals worldwide are chronically infected with Hepatitis B and an estimated 686,000 individuals worldwide die each year due to Hepatitis B;

Whereas an estimated 150,000,000 individuals worldwide are chronically infected with Hepatitis C and an estimated 700,000 individuals worldwide die each year due to Hepatitis C-related liver disease;

Whereas an estimated 1,000,000 individuals worldwide die each year due to liver failure or primary liver cancer resulting from a chronic infection of hepatitis;

Whereas an estimated 5,300,000 individuals in the United States are infected with either Hepatitis B or Hepatitis C, including 1,400,000 individuals who are chronically infected with Hepatitis B and 2,700,000 individuals who are chronically infected with Hepatitis C;

Whereas, in 2014, the Centers for Disease Control and Prevention estimated that there were 19,200 new Hepatitis B infections and 30,500 new Hepatitis C infections, respectively, in the United States;

Whereas, since 2010, the Centers for Disease Control and Prevention has found significant increases in the transmission of new hepatitis cases in the United States, including a 151 percent increase in new transmissions of Hepatitis C in the United States between 2010 and 2013;

Whereas chronic viral hepatitis claims thousands of lives in the United States each year, and in 2014 alone, there were 19,659 deaths due to Hepatitis C in the United States;

Whereas an individual who has become chronically infected with Hepatitis B or Hepatitis C may not have symptoms for up to 40 years after being infected;

Whereas some groups of individuals in the United States have a higher rate of chronic viral hepatitis infection than other groups of individuals in the United States, including African-Americans, Asian Americans, Pacific Islanders, Latinos, Native Americans, Alaska Natives, gay and bisexual men, and individuals who inject drugs intravenously;

Whereas Asian Americans and Pacific Islanders have the highest rate of Hepatitis B-related deaths in the United States;

Whereas Hepatitis B is 50 to 100 times more infectious than HIV;

Whereas Hepatitis C is 10 times more infectious than HIV;

Whereas an estimated 25 percent of individuals in the United States who are infected with HIV are also infected with Hepatitis C;

Whereas life expectancies for individuals infected with HIV have increased with antiretroviral treatment, and liver disease (largely attributed to Hepatitis B and Hepatitis C infections) has become the most common cause of death among this population, aside from acquired immune deficiency syndrome;

Whereas, despite the fact that chronic viral hepatitis is the most common blood-

borne infection in the United States, an estimated 65 percent of individuals with Hepatitis B and an estimated 75 percent of individuals with Hepatitis C are unaware of the infection;

Whereas Hepatitis B is preventable through vaccination, and both Hepatitis B and Hepatitis C are preventable with proper public health interventions, including programs that offer access to sterile injection equipment for individuals who inject drugs intravenously;

Whereas effective and safe treatment is available for individuals with Hepatitis B and Hepatitis C, including new curative treatments for Hepatitis C; and

Whereas “World Hepatitis Day 2017” will promote the elimination of viral hepatitis through greater awareness, increased diagnosis, and key interventions: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes July 28, 2017, as “World Hepatitis Day 2017”;

(2) supports broad access to Hepatitis B and Hepatitis C treatments;

(3) supports raising awareness of the risks and consequences of undiagnosed chronic Hepatitis B and Hepatitis C infections; and

(4) calls for a robust governmental and public health response to protect the health of the approximately 5,300,000 individuals in the United States, and 390,000,000 individuals worldwide, who suffer from chronic viral hepatitis.

AMENDMENTS SUBMITTED AND PROPOSED

SA 392. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 393. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 394. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 395. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 396. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 397. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 398. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 399. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 400. Mr. MCCAIN (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 401. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 402. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 403. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 404. Ms. WARREN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 405. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 406. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 407. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 408. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 409. Mr. FLAKE (for himself, Mr. PAUL, Mr. DONNELLY, and Mr. MURPHY) proposed an amendment to the bill H.R. 3298, to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

SA 410. Mr. BOOKER (for himself, Mrs. FISCHER, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 411. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 412. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 413. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 414. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 415. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the

bill H.R. 1628, supra; which was ordered to lie on the table.

SA 416. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 417. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 418. Mr. CRUZ (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 419. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 420. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 421. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 422. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 423. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 424. Mr. NELSON (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 425. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 426. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 427. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 428. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 429. Mr. LANKFORD (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 430. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 431. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 432. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 433. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 434. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 435. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 436. Mr. ROUNDS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 437. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 438. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 439. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 440. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 441. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 442. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 443. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 444. Ms. HIRONO (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 445. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 446. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 447. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 448. Mr. TESTER (for himself, Mrs. MCCASKILL, Mr. FRANKEN, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and

for other purposes; which was ordered to lie on the table.

SA 449. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 450. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 451. Mr. BLUMENTHAL (for himself, Mr. WHITEHOUSE, Mr. DURBIN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 452. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 453. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 454. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 455. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 456. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 457. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 458. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 459. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 460. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 461. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 462. Mr. MORAN (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 463. Mr. FLAKE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 464. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 465. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 466. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 467. Mr. LEE (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. WHITEHOUSE, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 468. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 469. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 470. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 471. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 472. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 473. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 474. Mr. LEE (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 475. Mr. LEE (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 476. Mr. SULLIVAN (for himself, Mr. HOEVEN, Ms. MURKOWSKI, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 477. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 478. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 479. Ms. HEITKAMP (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 480. Mr. UDALL (for himself, Mr. ROUNDS, Mr. HEINRICH, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 481. Mr. UDALL (for himself, Mr. ROUNDS, Mr. HEINRICH, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 482. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 483. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 484. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 485. Mr. CARDIN submitted an amendment intended to be proposed by him to the

bill H.R. 2810, supra; which was ordered to lie on the table.

SA 486. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 487. Mr. CARPER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 488. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 489. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 490. Mr. WARNER (for himself, Mr. SULLIVAN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 491. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 492. Mr. SCHATZ (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 493. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 494. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 495. Mr. THUNE (for himself, Mr. SULLIVAN, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 496. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 497. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 498. Mr. McCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 499. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 500. Mr. CARDIN (for himself, Mr. BOOKER, Ms. HIRONO, Mr. NELSON, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BROWN, Mr. CARPER, Mr. BLUMENTHAL, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 501. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 502. Mr. ENZI (for Mr. HELLER (for himself and Mrs. FISCHER)) proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra.

SA 503. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 504. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 505. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 506. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 507. Mr. CARDIN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 508. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 509. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 510. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 511. Mr. SULLIVAN (for himself, Mr. PETERS, Mr. CORNYN, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 512. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 513. Mr. McCAIN (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 514. Mr. REED (for himself and Mr. McCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 515. Mr. MARKEY (for himself, Mr. CARDIN, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 516. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 517. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 518. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 519. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 520. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 521. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 522. Mr. CORNYN (for himself, Mr. BLUMENTHAL, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 523. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 524. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 525. Mr. WHITEHOUSE (for himself, Mr. DAINES, Mr. PETERS, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 526. Mr. WHITEHOUSE (for himself, Mr. PETERS, Mr. TESTER, Ms. WARREN, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 527. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 528. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 529. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 530. Mrs. McCASKILL (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 531. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 532. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 533. Mrs. CAPITO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 534. Mrs. CAPITO (for herself, Mr. CORNYN, and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 535. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 536. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 537. Mr. CRUZ (for himself and Mr. TILLIS) submitted an amendment intended to

be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 538. Mr. CRUZ (for himself, Mr. GARDNER, Mr. SULLIVAN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 539. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 540. Mr. CRUZ (for himself, Mr. LEAHY, Mr. TILLIS, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 541. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 542. Mr. TILLIS (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 543. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 544. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 545. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 546. Mrs. SHAHEEN (for herself, Mr. CARPER, Mr. REED, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. COONS, Ms. HEITKAMP, Ms. STABENOW, Mr. CARDIN, Mr. MARKEY, Mr. WARNER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 547. Mrs. SHAHEEN (for herself, Mr. CARPER, Mr. REED, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. COONS, Ms. HEITKAMP, Ms. STABENOW, Mr. CARDIN, Mr. MARKEY, Mr. WARNER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 548. Mrs. SHAHEEN (for herself, Mr. CARPER, Mr. REED, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. COONS, Ms. HEITKAMP, Ms. STABENOW, Mr. CARDIN, Mr. MARKEY, Mr. WARNER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 549. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 550. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 551. Mr. HOEVEN (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 552. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 553. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 554. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 555. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 556. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 557. Mr. GARDNER (for himself, Mr. WARNER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 558. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 559. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 560. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 561. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 562. Mr. UDALL submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 563. Mr. UDALL (for himself, Mr. ROUNDS, Mr. HEINRICH, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 564. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 565. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 566. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 567. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 568. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 569. Mr. MENENDEZ submitted an amendment intended to be proposed by him

to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 570. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 571. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 572. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 573. Mr. DONNELLY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 574. Ms. HEITKAMP (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 575. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 576. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 577. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 578. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 579. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 580. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 581. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 582. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 583. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 584. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 585. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 586. Mr. GRAHAM (for himself, Mr. CASSIDY, and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 587. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 588. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 589. Mr. JOHNSON (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 590. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 591. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 592. Mr. DURBIN (for himself, Mr. BLUNT, Mr. CASEY, Mr. COCHRAN, Ms. BALDWIN, Mr. SHELBY, Mr. BROWN, Ms. MURKOWSKI, Mr. CARDIN, Mr. MORAN, Mr. COONS, Ms. DUCKWORTH, Ms. HASSAN, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MURRAY, Mr. NELSON, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Ms. HIRONO, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 593. Ms. DUCKWORTH (for herself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 594. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. BROWN, Mrs. GILLIBRAND, Ms. WARREN, Mr. WHITEHOUSE, Mr. NELSON, Ms. BALDWIN, Mr. ROUNDS, Mr. FRANKEN, and Mr. COONS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 595. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 596. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 597. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 598. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 599. Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 600. Mr. MORAN (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 601. Mr. MORAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 602. Mr. MCCAIN (for himself, Mr. FLAKE, Ms. MURKOWSKI, and Mr. DAINES) submitted an amendment intended to be pro-

posed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 603. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 604. Mr. KING submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 605. Mr. MARKEY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 606. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 607. Mr. MARKEY (for himself, Mr. GARDNER, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 608. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 609. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 610. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 611. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 612. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 613. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 614. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 615. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 616. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 617. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 618. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 619. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 620. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 621. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 622. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 623. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 624. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 625. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 626. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 627. Mr. CARDIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 628. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 629. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 630. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 631. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 632. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 633. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 634. Mr. BENNETT (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 635. Mr. Kaine submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 636. Mr. PERDUE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 637. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 638. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 639. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 640. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 641. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 642. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 643. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 644. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 645. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 646. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 647. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 648. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 649. Mr. ALEXANDER (for himself, Mr. BARRASSO, Mr. GRASSLEY, and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 651. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 652. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 653. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 654. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 655. Ms. KLOBUCHAR (for herself, Mr. WHITEHOUSE, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 656. Ms. KLOBUCHAR (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 657. Mr. FLAKE submitted an amendment intended to be proposed to amendment

SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 658. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 659. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 660. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 661. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 662. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 663. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 664. Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 665. Mr. BROWN (for himself, Mr. BOOKER, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 666. Mr. BROWN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 667. Mr. MCCONNELL proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

SA 668. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 669. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 670. Mr. TESTER (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 671. Ms. DUCKWORTH (for herself and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 672. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 673. Mr. CARDIN submitted an amendment intended to be proposed by him to the

bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 674. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 675. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 676. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 677. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 678. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 679. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 680. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 681. Mr. JOHNSON (for himself, Mrs. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 682. Mr. PERDUE (for himself, Mr. WYDEN, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 683. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 684. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 685. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 686. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 687. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 688. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 689. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 690. Ms. MURKOWSKI (for herself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 691. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 692. Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. GILLIBRAND, Mr. PETERS, Mr. MARKEY, and Mr. COONS) submitted an amendment intended to be proposed by him

to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 693. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 694. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 695. Mr. BOOKER (for himself, Mrs. CAPITO, Mr. BLUMENTHAL, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 696. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 697. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 698. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 699. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 700. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 701. Ms. HARRIS (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 702. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 703. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 704. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 705. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 706. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 707. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 708. Mr. COCHRAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other

purposes; which was ordered to lie on the table.

SA 709. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 710. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 711. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 712. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 713. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 714. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 715. Mr. MORAN (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 716. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 717. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 718. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 719. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 720. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 721. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 667 proposed by Mr. McCONNELL to the amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 722. Mr. UDALL (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 723. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 724. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 725. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 726. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 727. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 728. Mrs. GILLIBRAND (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 729. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 730. Mr. NELSON (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 731. Mr. NELSON (for himself, Mr. CORNYN, Mr. WARNER, Mr. TILLIS, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 732. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 733. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 392. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2816. TREATMENT AS IN-KIND CONSIDERATION OF FINANCIAL SUPPORT AND SERVICES PROVIDED BY FINANCIAL INSTITUTIONS ON LAND LEASED ON MILITARY INSTALLATIONS.

Section 2667 of title 10, United States Code, is amended—

(1) in subsection (b)(4), by inserting “, except as otherwise provided in subsection (c)(4),” after “amount that”; and

(2) in subsection (c), by adding at the end the following new paragraph:

“(4)(A) In the case of a lease under this section that is entered into during the period described in subparagraph (C) with an insured depository institution chartered by the Federal Government or a State, the Secretary concerned may deem financial support and services provided by the insured depository institution to members of the armed forces, civilian employees of the Department of Defense, and their dependents as sufficient in-kind consideration to cover all lease, services, and utilities costs assessed with regard to the leased property.

“(B) The Secretary concerned may renegotiate the terms of a lease under this section that was entered into prior to the period described in subparagraph (C) with an insured depository institution to apply subparagraph (A) to the lease as if such subparagraph were in effect at the time the Secretary entered into the lease.

“(C) The period described in this subparagraph is the period that begins on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018 and ends on September 30, 2023.”.

SA 393. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle J of title VIII, add the following:

SEC. 899D. USE OF COMMERCIAL ITEMS FOR PHYSICAL ACCESS CONTROL SYSTEMS OR IDENTITY MANAGEMENT SYSTEMS.

(a) IN GENERAL.—The procurement process for any covered Physical Access Control System or Identity Management System shall be carried out in accordance with section 2377 of title 10, United States Code.

(b) CERTIFICATION.—Not later than 30 days after the date of the enactment of this Act, the Service Acquisition Executive responsible for each covered Physical Access Control System or Identity Management System shall certify to the congressional defense committees that the procurement process for any covered Physical Access Control System or Identity Management System procured after the date of the enactment of this Act will be carried out in accordance with section 2377 of title 10, United States Code.

(c) COVERED PHYSICAL ACCESS CONTROL SYSTEM OR IDENTITY MANAGEMENT SYSTEM DEFINED.—In this section, the term “covered Physical Access Control System or Identity Management System” includes the following:

(1) The Defense Biometric Identification System (DBIDS).

(2) The Automated Installation Entry (AIE) system.

(3) The Biometric Automated Access Control System (BAACS).

(4) The Navy Access Control Management System (NACMS).

SA 394. Mr. INHOFE submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE INSTALLATION ACCESS CONTROL INITIATIVES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating Department of Defense installation access control initiatives.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An assessment of Department of Defense requirements for managing access to military installations and the extent to which the Department has taken an enterprise-wide approach to developing those requirements and identifying capability gaps.

(2) A description of capabilities (processes and systems) that are in place at military installations that currently meet these requirements.

(3) A summary of which options, including business process reengineering, the development or acquisition of business systems, and the acquisition of commercial solutions, are being pursued to close those gaps.

(4) A description of how the Department of Defense is assessing which options to pursue in terms of cost, schedule, and potential performance and to what extent the Department's assessments follow directives under the Federal Acquisition Regulation and Defense Supplement to the Federal Acquisition Regulation to consider commercial products and services.

SA 395. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . USE OF ROBOTIC SERVICING OF GEOSYNCHRONOUS SATELLITES PROGRAM OF DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

(a) RETENTION OF OWNERSHIP.—The Secretary of Defense shall ensure that the United States retains all ownership of and rights to systems developed under the robotic servicing of geosynchronous satellites program of the Defense Advanced Research Projects Agency.

(b) PROHIBITION ON OPERATION BY CONTRACTOR.—The Secretary may not transfer ownership or the operation of systems resulting from the robotic servicing of geosynchronous satellites program to a commercial entity.

(c) USE OF PROGRAM.—The Secretary may use the robotic servicing of geosynchronous satellites program only if—

(1) such use services assets of the United States; and

(2) the Secretary determines that such use is more cost effective than any commercial alternative.

SA 396. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. ____ . COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.

(a) REPORT REQUIRED.—Not later than December 1, 2018, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Comptroller General for purposes of the report, on United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People's Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(3) The economic assistance practices of other countries in the Freely Associated States, as determined by the Comptroller General, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(4) Any other matters the Comptroller General considers appropriate.

(c) CONSULTATION.—The Comptroller General shall consult in the preparation of the report with other departments and agencies of the United States Government, including elements of the intelligence community.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 397. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2803. ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project.”.

SA 398. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. ACCESS OF VETERANS SERVICE ORGANIZATIONS TO MILITARY INSTALLATIONS IN THE UNITED STATES FOR SUPPORT OF PROVISION OF PRESEPARATION COUNSELING AND RELATED BENEFITS TO MEMBERS OF THE ARMED FORCES.

(a) ACCESS TO BE AUTHORIZED.—

(1) IN GENERAL.—Under regulations prescribed by the Secretary of Defense for purposes of this section, commanders of military installations in the United States shall permit representatives of veterans service organization reasonable and regular access to such military installations in order to permit such representatives to support and facilitate efforts of the Department of Defense to provide pre-separation counseling and related benefits under chapter 58 of title 10, United States Code, to members of the Armed Forces stationed at such installations.

(2) SCOPE OF ACCESS.—Any access to an installation under this subsection shall occur only in a manner fully consistent with the maintenance of security and safety at such installation.

(b) VETERANS SERVICE ORGANIZATIONS.—For purposes of this section, veterans service organizations are organizations recognized by the Secretary of Veterans Affairs pursuant to section 5902 of title 38, United States Code.

(c) REGULATIONS.—In prescribing regulations for purposes of this section, the Secretary of Defense shall avoid the following:

(1) The recommendation or endorsement of a particular veterans service organization over another veterans service organization in the support or facilitation of efforts described in subsection (a).

(2) The encouragement, support, or other suggestion that a member of the Armed Forces seek membership in a veterans service organization.

(d) COMMENCEMENT OF ACCESS.—Access to installations under this section shall commence upon the date specified by the Secretary of Defense in the regulations prescribed for purposes of this section, which date shall be not later than one year after the date of the enactment of this Act.

SA 399. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2803. REVITALIZATION OF JUNGLE OPERATIONS TRAINING RANGES.

(a) AUTHORITY.—For the revitalization of jungle operations training ranges under the jurisdiction of the Secretary of the Army, the Secretary may obligate and expend—

(1) from appropriations available to the Secretary for operation and maintenance, amounts necessary to carry out an unspecified minor military construction project costing not more than \$6,600,000, notwithstanding section 2805(c) of title 10, United States Code; or

(2) from appropriations available to the Secretary for military construction not otherwise authorized by law, amounts necessary to carry out an unspecified minor military construction project costing not more than \$6,600,000.

(b) NOTIFICATION REQUIREMENT.—When a decision is made to carry out an unspecified minor military construction project to which subsection (a) is applicable, the Secretary shall notify in writing the congressional defense committees of that decision, of the justification for the project, and of the estimated cost of the project in accordance with section 2805(b) of title 10, United States Code.

(c) SUNSET.—The authority to carry out a project under subsection (a) shall expire at the close of September 30, 2019.

SA 400. Mr. MCCAIN (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 35, strike lines 8 through 23 and insert the following:

“(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term ‘applicable annual inflation factor’ means, for a fiscal year—

“(A) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved, plus 1 percentage point; and

“(B) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved, plus 2 percentage points.

SA 401. Mr. MCCAIN submitted an amendment intended to be proposed by

him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 10, strike lines 21 and all that follows through page 11, line 5, and insert the following:

(ii) in subparagraph (B)(ii)—

(I) in subclause (IV), by striking the semicolon and inserting “; and”;

(II) in subclause (V), by striking “‘2018 is 90 percent; and” and inserting “‘2018 and each subsequent year is 90 percent.”; and

(III) by striking subclause (VI).

SA 402. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 107 and insert the following:

SEC. 107. MEDICAID EXPANSION.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2019,” after “‘2014.”; and

(ii) in clause (ii), in subclause (XX), by inserting “and ending December 31, 2017,” after “‘2014.” and by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2020, who are expansion enrollees (as defined in subsection (nn)(1));”; and

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

“(nn) EXPANSION ENROLLEES.—

“(1) IN GENERAL.—In this title, the term ‘expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

“(2) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees.”; and

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1)—

(i) in the matter preceding subparagraph (A), by striking “, with respect to” and all that follows through “shall be equal to” and inserting “and that has elected to cover newly eligible individuals before March 1, 2017, with respect to amounts expended by such State before January 1, 2020, for medical assistance for newly eligible individuals described in subclause (VIII) of section 1902(a)(10)(A)(i), and, with respect to amounts expended by such State after December 31, 2019, and before January 1, 2030, for medical assistance for expansion enrollees (as defined in section 1902(nn)(1)), shall

be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”;

(ii) in subparagraph (D), by striking “and” after the semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

“(E) 90 percent for calendar quarters in 2020;

“(F) 88 percent for calendar quarters in 2021;

“(G) 86 percent for calendar quarters in 2022;

“(H) 84 percent for calendar quarters in 2023;

“(I) 82 percent for calendar quarters in 2024;

“(J) 80 percent for calendar quarters in 2025;

“(K) 78 percent for calendar quarters in 2026;

“(L) 76 percent for calendar quarters in 2027;

“(M) 74 percent for calendar quarters in 2028; and

“(N) 72 percent for calendar quarters in 2029.”; and

(iv) by adding after and below subparagraph (H) (as added by clause (iii)), the following flush sentence:

“The Federal medical assistance percentage determined for a State and year under subsection (b) shall apply to expenditures for medical assistance to newly eligible individuals (as so described) and expansion enrollees (as so defined), in the case of a State that has elected to cover newly eligible individuals before March 1, 2017, for calendar quarters after 2029, and, in the case of any other State, for calendar quarters (or portions of calendar quarters) after February 28, 2017.”; and

(B) in subsection (z)(2)—

(i) in subparagraph (A)—

(I) by inserting “through 2023” after “each year thereafter”; and

(II) by striking “shall be equal to” and inserting “and, for periods after December 31, 2019 and before January 1, 2024, who are expansion enrollees (as defined in section 1902(nn)(1)) shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”;

(ii) in subparagraph (B)(ii)—

(I) in subclause (IV), by striking the semicolon and inserting “; and”;

(II) in subclause (V), by striking “2018 is 90 percent; and” and inserting “2018 and each subsequent year through 2029 is 90 percent.”; and

(III) by striking subclause (VI).

(b) SUNSET OF MEDICAID ESSENTIAL HEALTH BENEFITS REQUIREMENT.—Section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u-7(b)(5)) is amended by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”.

SA 403. Mr. McCain submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 112 and insert the following:

SEC. 112. MEDICAID EXPANSION.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2019,” after “2014.”; and

(ii) in clause (ii), in subclause (XX), by inserting “and ending December 31, 2017,” after “2014.”, and by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2020, who are expansion enrollees (as defined in subsection (nn)(1));”;

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

“(nn) EXPANSION ENROLLEES.—

“(1) IN GENERAL.—In this title, the term ‘expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

“(2) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees.”; and

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1)—

(i) in the matter preceding subparagraph (A), by striking “, with respect to” and all that follows through “shall be equal to” and inserting “and that has elected to cover newly eligible individuals before March 1, 2017, with respect to amounts expended by such State before January 1, 2020, for medical assistance for newly eligible individuals described in subclause (VIII) of section 1902(a)(10)(A)(i), and, with respect to amounts expended by such State after December 31, 2019, and before January 1, 2030, for medical assistance for expansion enrollees (as defined in section 1902(nn)(1)), shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”;

(ii) in subparagraph (D), by striking “and” after the semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

“(E) 90 percent for calendar quarters in 2020;

“(F) 88 percent for calendar quarters in 2021;

“(G) 86 percent for calendar quarters in 2022;

“(H) 84 percent for calendar quarters in 2023;

“(I) 82 percent for calendar quarters in 2024;

“(J) 80 percent for calendar quarters in 2025;

“(K) 78 percent for calendar quarters in 2026;

“(L) 76 percent for calendar quarters in 2027;

“(M) 74 percent for calendar quarters in 2028; and

“(N) 72 percent for calendar quarters in 2029.”; and

(iv) by adding after and below subparagraph (H) (as added by clause (iii)), the following flush sentence:

“The Federal medical assistance percentage determined for a State and year under sub-

section (b) shall apply to expenditures for medical assistance to newly eligible individuals (as so described) and expansion enrollees (as so defined), in the case of a State that has elected to cover newly eligible individuals before March 1, 2017, for calendar quarters after 2029, and, in the case of any other State, for calendar quarters (or portions of calendar quarters) after February 28, 2017.”; and

(B) in subsection (z)(2)—

(i) in subparagraph (A)—

(I) by inserting “through 2023” after “each year thereafter”; and

(II) by striking “shall be equal to” and inserting “and, for periods after December 31, 2019 and before January 1, 2024, who are expansion enrollees (as defined in section 1902(nn)(1)) shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”;

(ii) in subparagraph (B)(ii)—

(I) in subclause (IV), by striking the semicolon and inserting “; and”;

(II) in subclause (V), by striking “2018 is 90 percent; and” and inserting “2018 and each subsequent year through 2029 is 90 percent.”; and

(III) by striking subclause (VI).

(b) SUNSET OF MEDICAID ESSENTIAL HEALTH BENEFITS REQUIREMENT.—Section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u-7(b)(5)) is amended by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”.

SA 404. Ms. Warren (for herself and Mr. Leahy) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1070 and insert the following:

SEC. ____ . REPORTS ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

(a) BIENNIAL REPORTS.—

(1) IN GENERAL.—Not later than April 1, 2018, and every six months thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on civilian casualties caused as a result of United States military operations during the preceding six months.

(2) ELEMENTS.—Each report under paragraph (1) shall set forth the following:

(A) A list of all the United States military operations during the six month covered by such report that were confirmed to have resulted in civilian casualties.

(B) For each military operation listed pursuant to subparagraph (A), the following:

(i) The date.

(ii) The location.

(iii) The type of operation.

(iv) The confirmed number of civilian casualties.

(b) ANNUAL REPORT.—Not later than April 1 each year, the Secretary shall submit to the congressional defense committees a report setting forth the following:

(1) The information required under subsection (a)(2) for the preceding year, including any changes to such information as submitted previously in a report under subsection (a).

(2) Details on trends of civilian casualties caused as a result of United States military operations during the preceding year, as well as changes made or intended to be made to mitigate future civilian casualties as a result of United States military operations.

(c) FORM.—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

(d) SUNSET.—The requirements to submit reports under this section shall expire on the date that is five years after the date of the enactment of this Act.

SA 405. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **INCREASING COMPETITION IN MULTIPLE-AWARD TASK OR DELIVERY ORDER CONTRACTS AND CERTAIN FEDERAL SUPPLY SCHEDULE CONTRACTS.**

Section 3306(c) of title 41, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by inserting “except as provided in paragraph (3),” before “include cost or price”; and

(B) in subparagraph (C), by inserting “except as provided in paragraph (3),” before “disclose to offerors”; and

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

“(3) INCREASING COMPETITION FOR CERTAIN MULTIPLE-AWARD TASKS AND CERTAIN FEDERAL SUPPLY SCHEDULE CONTRACTS FOR SERVICES ACQUIRED ON AN HOURLY RATE.—If the head of an executive agency issues a solicitation for two or more contracts for services to be acquired on an hourly rate basis under the authority of sections 4103 and 4106 of this title (multiple award task or delivery order contracts) or section 152(3) of this title and section 501(b) of title 40 (Federal Supply Schedule contracts), then—

“(A) when the contract or contracts feature individually competed task or delivery orders based on or built up from hourly rates, the contracting officer need not consider cost or price as an evaluation factor for contract award;

“(B) the disclosure requirement of subparagraph (C) of paragraph (1) shall not apply; and

“(C) cost or price to the Federal Government shall be considered in conjunction with the issuance of any task pursuant to section 4106(c) of this title.”.

SA 406. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. ____. **PILOT PROGRAM ON APPOINTMENT OF GRADUATE AND UNDERGRADUATE STUDENTS IN POSITIONS IN THE DEFENSE ACQUISITION WORKFORCES OF THE MILITARY DEPARTMENTS.**

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics and the service acquisition executives of the military departments, carry out a pilot program to assess the feasibility and advisability of appointing graduate and undergraduate students described in subsection (b) to positions in the defense acquisition workforce of the military departments in accordance with the provisions of this section.

(b) GRADUATE AND UNDERGRADUATE STUDENTS.—

(1) IN GENERAL.—The graduate and undergraduate students described in this subsection are individuals who—

(A) are citizens of the United States;

(B) are currently enrolled in a qualifying educational institution on a full-time basis in a course of academic study leading to a graduate degree or baccalaureate degree in a field that is related to acquisition; and

(C) are in good academic standing at the qualifying educational institution concerned.

(2) QUALIFYING EDUCATIONAL INSTITUTIONS.—For purposes of this subsection, a qualifying educational institution is any educational institution awarding graduate or baccalaureate degrees that is accredited by an appropriate accrediting body recognized by the Secretary of Education.

(c) LIMITATION.—The number of positions in the defense acquisition workforce of a military department that are filled under the pilot program in any fiscal year may not exceed the number equal to one percent of the total number of positions in the defense acquisition workforce of the military department that are filled as of the end of the preceding fiscal year.

(d) AGREEMENTS.—

(1) IN GENERAL.—Each graduate or undergraduate student selected for participation in the pilot program shall enter into an agreement with the Under Secretary regarding participation in the pilot program.

(2) ELEMENTS.—A graduate or undergraduate student shall agree in the agreement under this subsection as follows:

(A) To accept a term appointment with the Department of Defense as described in subsection (e).

(B) To obtain and maintain a security clearance at the secret level or higher during participation in the pilot program.

(C) To successfully complete the course of academic study of the student as described in subsection (b)(1)(B).

(3) PARTICIPANTS.—Each graduate or undergraduate student participating in the pilot program may be known as an “Acquisition Collegiate Program Intern” or “ACPI”.

(e) APPOINTMENT.—

(1) IN GENERAL.—Each graduate or undergraduate student participating in the pilot program shall be appointed to a renewable term appointment in a position in the defense acquisition workforce of a military department performing such acquisition or acquisition-related duties, and for such term, as the performance plan of the student under subsection (h) shall specify.

(2) SCOPE OF APPOINTMENT AUTHORITY.—Appointments under the pilot program may be made without regard to the provisions of

subchapter I of chapter 33 of title 5, United States Code.

(f) COMPENSATION.—

(1) IN GENERAL.—The rates of compensation for graduate and undergraduate students in a position under the pilot program pursuant to an initial appointment under the pilot program shall be established in accordance with guidance issued by the Secretary for purposes of the pilot program.

(2) FUNDS.—Funds for the compensation of graduate and undergraduate students appointed to positions under the pilot program may be derived from amounts in the Department of Defense Acquisition Workforce Development Fund.

(g) WORK SCHEDULES.—The work schedule of a graduate or undergraduate student participating in the pilot program shall include a formal schedule of work and study designed to ensure that periods of work do not interfere with the taking of courses.

(h) PERFORMANCE EVALUATION.—Each graduate or undergraduate student participating in the pilot program shall be evaluated for performance in the position to which appointed under the pilot program using a performance plan issued to the student upon appointment under the pilot program.

(i) PROMOTION.—A graduate or undergraduate student participating in the pilot program who performs successfully in a position under the pilot program, and who otherwise successfully meets all other requirements applicable to the student under the pilot program, may be promoted.

(j) TERMINATION.—A graduate or undergraduate student participating in the pilot program may be terminated from the pilot program, and a position under the pilot program, for misconduct, poor performance in position, or lack of suitability for continuation in a position in the defense acquisition workforce of a military department or any other department, agency, organization, or element of the Department of Defense.

(k) CONVERSION TO COMPETITIVE SERVICE.—

(1) IN GENERAL.—The term appointment in a position under the pilot program of a graduate or undergraduate student participating in the pilot program may be converted on a noncompetitive basis to a renewable term appointment in a competitive service position upon the student's successful completion of participation in the pilot program if the student meets such conditions as the Secretary shall establish at the commencement of the term appointment.

(2) SCOPE OF CONVERSION.—A conversion under paragraph (1) may be made to an appropriate position in any department, agency, organization, or other element of the Department.

(3) NO RIGHT OF EMPLOYMENT.—Participation in the pilot program confers no right on a student for further employment by the Department of Defense in the competitive or excepted service.

(4) ACCRUAL OF CAREER TENURE.—The tenure of a student in a position under the pilot program shall count toward the career tenure of the student in Department after a conversation of the student's position under paragraph (1), whether with or without an intervening term appointment in the competitive service.

(1) TERMINATION.—

(1) IN GENERAL.—The authority to appoint graduate or undergraduate students to positions under the pilot program shall expire on the date that is five years after the date of the enactment of this Act.

(2) EFFECT ON EXISTING APPOINTMENTS.—The termination by paragraph (1) of the authority referred to in that paragraph shall

not affect any appointment made under that authority before the termination date specified in that paragraph in accordance with the terms of such appointment.

SA 407. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. ____ . EXPANSION OF AVAILABILITY FROM DEPARTMENT OF VETERANS AFFAIRS OF SEXUAL TRAUMA COUNSELING AND TREATMENT FOR MEMBERS OF THE RESERVE COMPONENTS.

Section 1720D(a)(2)(A) of title 38, United States Code, is amended—

- (1) by striking “on active duty”; and
- (2) by inserting before the period at the end the following: “that was suffered by the member while serving on active duty, active duty for training, or inactive duty training”.

SA 408. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike sections 123 through 139.

SA 409. Mr. FLAKE (for himself, Mr. PAUL, Mr. DONNELLY, and Mr. MURPHY) proposed an amendment to the bill H.R. 3298, to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wounded Officers Recovery Act of 2017”.

SEC. 2. PAYMENTS FROM UNITED STATES CAPITOL POLICE MEMORIAL FUND FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.

(a) **AUTHORIZING PAYMENTS FROM FUND.**—Section 2 of Public Law 105–223 (2 U.S.C. 1952) is amended—

- (1) in the section heading, by inserting “AND CERTAIN OTHER UNITED STATES CAPITOL POLICE EMPLOYEES” before the period at the end;

- (2) by striking “Subject to the regulations” and inserting “(a) IN GENERAL.—Except to the extent used or reserved for use under subsection (b) and subject to the regulations”; and

- (3) by adding at the end the following new subsection:

“(b) **PAYMENTS FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.**—In addition to the amounts paid under subsection (a), and in ac-

cordance with the regulations issued under section 4(b), amounts in the Fund may be paid to—

“(1) families of employees of the United States Capitol Police who were killed in the line of duty; or

“(2) employees of the United States Capitol Police who have sustained serious line-of-duty injuries.”.

(b) **REGULATIONS OF CAPITOL POLICE BOARD.**—Section 4 of Public Law 105–223 (2 U.S.C. 1954) is amended—

- (1) by striking “The Capitol Police Board” and inserting “(a) IN GENERAL.—The Capitol Police Board”; and

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

“(b) **REGULATIONS GOVERNING PAYMENTS FOR EMPLOYEES KILLED IN THE LINE OF DUTY OR SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.**—In carrying out subsection (a), the Capitol Police Board shall issue specific regulations governing the use of the Fund for making payments to families of employees of the United States Capitol Police who were killed in the line of duty and employees of the United States Capitol Police who have sustained serious line-of-duty injuries (as authorized under section 2(b)), including regulations—

“(1) establishing the conditions under which the family of an employee or an employee is eligible to receive such a payment;

“(2) providing for the amount, timing, and manner of such payments; and

“(3) ensuring that any such payment is in addition to, and does not otherwise affect, any other form of compensation payable to the family of an employee or the employee, including benefits for workers’ compensation under chapter 81 of title 5, United States Code.”.

(c) **TREATMENT OF AMOUNTS RECEIVED IN RESPONSE TO INCIDENT OF JUNE 14, 2017.**—The second sentence of section 1 of Public Law 105–223 (2 U.S.C. 1951) is amended by striking “deposit into the Fund” and inserting “deposit into the Fund, including amounts received in response to the shooting incident at the practice for the Congressional Baseball Game for Charity on June 14, 2017.”.

SA 410. Mr. BOOKER (for himself, Mrs. FISCHER, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME ADMINISTRATION
SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Department of Transportation for fiscal year 2018, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

- (1) For expenses necessary for operations of the United States Merchant Marine Academy, \$100,802,000, of which—

(A) \$75,751,000 shall be for Academy operations, including—

(i) the implementation of section 3514(b) of the National Defense Authorization Act for Fiscal Year 2017, as added by section 3508; and

(ii) staffing, training, and other actions necessary to prevent and respond to sexual harassment and sexual assault; and

(B) \$25,051,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$29,550,000, of which—

(A) \$2,400,000 shall remain available until September 30, 2018, for the Student Incentive Program;

(B) \$3,000,000 shall remain available until expended for direct payments to such academies;

(C) \$22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(D) \$1,800,000 shall remain available until expended for training ship fuel assistance; and

(E) \$350,000 shall remain available until expended for expenses to improve the monitoring of the service obligations of graduates.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, \$36,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, \$58,694,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$20,000,000, which shall remain available until expended.

(6) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, \$33,000,000, of which—

(A) \$30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) \$3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(b) **ASSISTANCE FOR SMALL SHIPYARDS AND MARITIME COMMUNITIES.**—Section 54101(i) of title 46, United States Code, is amended—

- (1) in the matter preceding paragraph (1), by striking “2015 through 2017” and inserting “2018 through 2020”; and

- (2) in paragraph (1), by striking “\$5,000,000” and inserting “\$7,500,000”; and

- (3) in paragraph (2), by striking “\$25,000,000” and inserting “\$27,500,000”.

SEC. 3502. REMOVAL ADJUNCT PROFESSOR LIMIT AT UNITED STATES MERCHANT MARINE ACADEMY.

Section 51317 of title 46, United States Code, is amended—

- (1) in subsection (b)—

(A) in paragraph (1), by striking “and” at the end; and

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

- (2) by striking subsections (c) and (d).

SEC. 3503. ACCEPTANCE OF GUARANTEES IN CONJUNCTION WITH PARTIAL DONATIONS FOR MAJOR PROJECTS OF THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) **GUARANTEES.**—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“§ 51320. Acceptance of guarantees with gifts for major projects

“(a) **DEFINITIONS.**—In this section:

“(1) MAJOR PROJECT.—The term ‘major project’ means a project estimated to cost at least \$1,000,000 for—

“(A) the purchase or other procurement of real or personal property; or

“(B) the construction, renovation, or repair of real or personal property.

“(2) MAJOR UNITED STATES COMMERCIAL BANK.—The term ‘major United States commercial bank’ means a commercial bank that—

“(A) is an insured bank (as defined in section 3(h) of the Federal Deposit Insurance Act (12 U.S.C. 1813(h)));

“(B) is headquartered in the United States; and

“(C) has total net assets of an amount considered by the Maritime Administrator to qualify the bank as a major bank.

“(3) MAJOR UNITED STATES INVESTMENT MANAGEMENT FIRM.—The term ‘major United States investment management firm’ means—

“(A) any broker or dealer (as such terms are defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c));

“(B) any investment adviser or provider of investment supervisory services (as such terms are defined in section 202 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2)); or

“(C) a major United States commercial bank that—

“(i) is headquartered in the United States; and

“(ii) holds for the account of others investment assets in a total amount considered by the Maritime Administrator to qualify the bank as a major investment management firm.

“(4) QUALIFIED GUARANTEE.—The term ‘qualified guarantee’, with respect to a major project, means a guarantee that—

“(A) is made by 1 or more persons in connection with a donation for the project of a total amount in cash or securities that the Maritime Administrator determines is sufficient to defray a substantial portion of the total cost of the project;

“(B) is made to facilitate or expedite the completion of the project in reasonable anticipation that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;

“(C) is set forth as a written agreement providing that the donor will furnish in cash or securities, in addition to the donor’s other gift or gifts for the project, any additional amount that may become necessary for paying the cost of completing the project by reason of a failure to obtain from other donors or sources funds or other resources in amounts sufficient to pay the cost of completing the project; and

“(D) is accompanied by—

“(i) an irrevocable and unconditional standby letter of credit for the benefit of the United States Merchant Marine Academy that is in the amount of the guarantee and is issued by a major United States commercial bank; or

“(ii) a qualified account control agreement.

“(5) QUALIFIED ACCOUNT CONTROL AGREEMENT.—The term ‘qualified account control agreement’, with respect to a guarantee of a donor, means an agreement among the donor, the Maritime Administrator, and a major United States investment management firm that—

“(A) ensures the availability of sufficient funds or other financial resources to pay the amount guaranteed during the period of the guarantee;

“(B) provides for the perfection of a security interest in the assets of the account for the United States for the benefit of the United States Merchant Marine Academy with the highest priority available for liens and security interests under applicable law;

“(C) requires the donor to maintain in an account with the investment management firm assets having a total value that is not less than 130 percent of the amount guaranteed; and

“(D) requires the investment management firm, whenever the value of the account is less than the value required to be maintained under subparagraph (C), to liquidate any noncash assets in the account and reinvest the proceeds in Treasury bills issued under section 3104 of title 31.

“(b) ACCEPTANCE AUTHORITY.—Subject to subsection (d), the Maritime Administrator may accept a qualified guarantee from a donor or donors for the completion of a major project for the benefit of the United States Merchant Marine Academy.

“(c) OBLIGATION AUTHORITY.—The amount of a qualified guarantee accepted under this section shall be considered as contract authority to provide obligation authority for purposes of Federal fiscal and contractual requirements. Funds available for a project for which such a guarantee has been accepted may be obligated and expended for the project without regard to whether the total amount of funds and other resources available for the project (not taking into account the amount of the guarantee) is sufficient to pay for completion of the project.

“(d) NOTICE.—The Maritime Administrator may not accept a qualified guarantee under this section for the completion of a major project until 30 days after the date on which a report of the facts concerning the proposed guarantee is submitted to Congress.

“(e) PROHIBITION ON COMMINGLING FUNDS.—The Maritime Administrator may not enter into any contract or other transaction involving the use of a qualified guarantee and appropriated funds in the same contract or transaction.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“51320. Acceptance of guarantees with gifts for major projects.”.

SEC. 3504. AUTHORITY TO PAY CONVEYANCE OR TRANSFER EXPENSES IN CONNECTION WITH ACCEPTANCE OF A GIFT TO THE UNITED STATES MERCHANT MARINE ACADEMY.

Section 51315 of title 46, United States Code, is amended by inserting at the end the following:

“(f) PAYMENT OF EXPENSES.—The Maritime Administrator may pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest accepted under this section.”.

SEC. 3505. AUTHORITY TO PARTICIPATE IN FEDERAL, STATE OR OTHER RESEARCH GRANTS.

(a) RESEARCH GRANTS.—Chapter 513 of title 46, United States Code, as amended by sections 3503 through 3505, is further amended by adding at the end the following:

“§ 51321. Grants for scientific and educational research

“(a) DEFINED TERM.—In this section, the term ‘qualifying research grant’ is a grant that—

“(1) is awarded on a competitive basis by the Federal Government (except for the Department of Transportation), a State, a corporation, a fund, a foundation, an edu-

cational institution, or a similar entity that is organized and operated primarily for scientific or educational purposes; and

“(2) is to be used to carry out a research project with a scientific or educational purpose.

“(b) ACCEPTANCE OF QUALIFYING RESEARCH GRANTS.—Notwithstanding any other provision of law, the United States Merchant Marine Academy may compete for and accept qualifying research grants if the work under the grant is to be carried out by a professor or instructor of the United States Merchant Marine Academy.

“(c) ADMINISTRATION OF GRANT FUNDS.—

“(1) ESTABLISHMENT OF ACCOUNT.—The Maritime Administrator shall establish a separate account for administering funds received from research grants under this section.

“(2) USE OF GRANT FUNDS.—The Superintendent shall use grant funds deposited into the account established pursuant to paragraph (1) in accordance with applicable regulations and the terms and conditions of the respective grants.

“(d) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the United States Merchant Marine Academy may be used to pay expenses incurred by the Academy in applying for, and otherwise pursuing, a qualifying research grant.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, as amended by section 3504(b), is further amended by adding at the end the following:

“51321. Grants for scientific and educational research.”.

SEC. 3506. ASSISTANCE FOR SMALL SHIPYARDS AND MARITIME COMMUNITIES.

Section 54101 of title 46, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

“(b) AWARDS.—

“(1) IN GENERAL.—In providing assistance under the program, the Administrator shall take into account—

“(A) the economic circumstances and conditions of maritime communities;

“(B) projects that would be effective in fostering efficiency, competitive operations, and quality ship construction, repair, and reconfiguration; and

“(C) projects that would be effective in fostering employee skills and enhancing productivity.

“(2) TIMING OF AWARD.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Administrator shall award grants under this section not later than 120 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

“(B) REALLOCATION OF UNUSED FUNDS.—If a grant is awarded under this section and, for any reason, the grant funds, or any portion thereof, are not used by the grantee—

“(i) such funds shall remain available until expended; and

“(ii) the Administrator may use such unused funds to award, in any fiscal year, another grant under this section to an applicant who submitted an application under the initial or any subsequent notice of availability of funds.”; and

(2) in subsection (c), by adding at the end the following:

“(3) BUY AMERICA.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation shall not obligate any funds

authorized to be appropriated to carry out this chapter unless the steel, iron, and manufactured products used in such project are produced in the United States.

“(B) EXCEPTIONS.—The provisions of subparagraph (A) shall not apply if the Secretary finds that—

“(i) their application would be inconsistent with the public interest;

“(ii) such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(iii) inclusion of domestic material will increase the cost of the overall project by more than 25 percent.”.

SEC. 3507. DOMESTIC MARITIME CENTERS OF EXCELLENCE.

(a) DESIGNATION AUTHORITY.—The Secretary of Transportation is authorized to designate community and technical colleges with a maritime training program and maritime training centers operated by or under the supervision of a State, if located in the United States along the Gulf of Mexico, Atlantic Ocean, Pacific Ocean, Arctic Ocean, Bering Sea, Gulf of Alaska, or Great Lakes, as centers of excellence for domestic maritime workforce training and education.

(b) ASSISTANCE.—

(1) TYPES.—The Secretary may provide to an entity designated as a center of excellence under subsection (a)—

(A) technical assistance; and

(B) surplus Federal equipment and assets.

(2) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance under paragraph (1) to assist an entity designated as a center of excellence under subsection (a) to expand the capacity of the entity to train the domestic maritime workforce of the United States, including by—

(A) admitting additional students;

(B) recruiting and training faculty;

(C) expanding facilities;

(D) creating new maritime career pathways; and

(E) awarding students credit for prior experience, including military service.

SEC. 3508. ACCESS TO SATELLITE COMMUNICATION DEVICES DURING SEA YEAR PROGRAM.

Section 3514 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended—

(1) by striking “Not later than” and inserting the following:

“(a) VESSEL OPERATOR REQUIREMENTS.—Not later than”; and

(2) by adding at the end the following:

“(b) SATELLITE PHONE ACCESS.—The Maritime Administrator shall ensure that each student participating in the Sea Year program is provided or has access to a functional satellite communication device. A student may not be denied from using such device whenever the student determines that such use is necessary to prevent or report sexual harassment or assault.”.

SEC. 3509. ACTIONS TO ADDRESS SEXUAL HARASSMENT, DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) REQUIRED POLICY.—Subsection (a) of section 51318 of title 46, United States Code, as added by section 3510 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2782), is amended—

(1) in paragraph (1), by striking “harassment and sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, and stalking”;;

(2) in paragraph (2)—

(A) by striking “harassment and sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, and stalking”;

(B) in subparagraph (A), by inserting “domestic violence, dating violence, stalking,” after “acquaintance rape.”;

(C) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “harassment or sexual assault,” and inserting “harassment, dating violence, domestic violence, sexual assault, or stalking”;

(ii) in clause (i), by striking “harassment or sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, or stalking”;

(iii) in clause (iii), by striking “criminal sexual assault” and inserting “a criminal sexual offense”;

(D) in subparagraph (D), by striking “harassment or sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, or stalking”;

(E) in subparagraph (E)—

(i) in clause (i), by striking “harassment or sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, or stalking”;

(ii) in clause (ii), by striking “sexual assault” and inserting “sexual harassment, dating violence, domestic violence, sexual assault, or stalking”;

(iii) in clause (iii), by striking “harassment and sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, or stalking”;

(F) in subparagraph (F), by striking “harassment or sexual assault” and inserting “harassment, dating violence, domestic violence, sexual assault, or stalking”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

“(3) MINIMUM TRAINING REQUIREMENTS FOR CERTAIN INDIVIDUALS REGARDING SEXUAL HARASSMENT, DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING.—

“(A) REQUIREMENT.—The Maritime Administrator shall direct the Superintendent of the United States Merchant Marine Academy to develop a mandatory training program at the United States Merchant Marine Academy for each individual who is involved in implementing the Academy’s student disciplinary grievance procedures, including each individual who is responsible for—

“(i) resolving complaints of reported sexual harassment, dating violence, domestic violence, sexual assault, and stalking;

“(ii) resolving complaints of reported violations of the sexual misconduct policy of the Academy; or

“(iii) conducting an interview with a victim of sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(B) CONSULTATION.—The Superintendent shall develop the training program described in subparagraph (A) in consultation with national, State, or local sexual assault, dating violence, domestic violence, or stalking victim advocacy, victim services, or prevention organizations.

“(C) ELEMENTS.—The training required by subparagraph (A) shall include the following:

“(i) Information on working with and interviewing persons subjected to sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(ii) Information on particular types of conduct that would constitute sexual harass-

ment, dating violence, domestic violence, sexual assault, or stalking, regardless of gender, including same-sex sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(iii) Information on consent and the effect that drugs or alcohol may have on an individual’s ability to consent.

“(iv) Information on the effects of trauma, including the neurobiology of trauma.

“(v) Training regarding the use of trauma-informed interview techniques, which means asking questions of an individual who has been a victim of sexual harassment, dating violence, domestic violence, sexual assault, or stalking in a manner that is focused on the experience of the victim, does not judge or blame the victim, and is informed by evidence-based research on the neurobiology of trauma.

“(vi) Training on cultural awareness regarding how dating violence, domestic violence, sexual assault, or stalking may impact midshipmen differently depending on their cultural background.

“(vii) Information on sexual assault dynamics, sexual assault perpetrator behavior, and barriers to reporting.

“(D) IMPLEMENTATION.—

“(i) DEVELOPMENT AND APPROVAL SCHEDULE.—The training program required by subparagraph (A) shall be developed not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018.

“(ii) COMPLETION OF TRAINING.—Each individual who is required to complete the training described in subparagraph (A) shall complete such training not later than—

“(I) 270 days after enactment of the National Defense Authorization Act for Fiscal Year 2018; or

“(II) 180 days after starting a position with responsibilities that include the activities described clause (i), (ii), or (iii) of subparagraph (A).”; and

(5) by inserting after paragraph (5), as so redesignated, the following:

“(6) CONSISTENCY WITH THE HIGHER EDUCATION ACT OF 1965.—The Secretary shall ensure that the policy developed under this subsection meets the requirements set out in paragraph (8) of section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(8)).”.

(b) MINIMUM PROCEDURES FOR HANDLING REPORTS OF SEXUAL HARASSMENT, DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING.—Subsection (b) of section 51318 of title 46, United States Code, as added by section 3510 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2782), is amended to read as follows:

“(b) DEVELOPMENT PROGRAM.—

“(1) IN GENERAL.—The Maritime Administrator shall ensure that the development program of the Academy includes a section that—

“(A) describes the relationship between honor, respect, and character development and the prevention of sexual harassment, dating violence, domestic violence, sexual assault, and stalking at the Academy;

“(B) includes a brief history of the problem of sexual harassment, dating violence, domestic violence, sexual assault, and stalking in the merchant marine, in the Armed Forces, and at the Academy; and

“(C) includes information relating to reporting sexual harassment, dating violence, domestic violence, sexual assault, and stalking, victims’ rights, and dismissal for offenders.

“(2) MINIMUM REQUIREMENTS TO COMBAT RETALIATION.—

“(A) REQUIREMENT FOR PLAN.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, the Maritime Administrator shall direct the Superintendent of the United States Merchant Marine Academy to implement and maintain a plan to combat retaliation against midshipmen at the United States Merchant Marine Academy who report sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(B) VIOLATION OF CODE OF CONDUCT.—The Superintendent shall consider an act of retaliation against a midshipman at the Academy who reports sexual harassment, dating violence, domestic violence, sexual assault, or stalking as a Class I violation of the Academy’s Midshipman Regulations or equivalent code of conduct.

“(C) RETALIATION DEFINITION.—The Superintendent shall work with the sexual assault prevention and response staff of the Academy to define ‘retaliation’ for purposes of this subsection.

“(3) MINIMUM RESOURCE REQUIREMENTS.—

“(A) IN GENERAL.—The Maritime Administrator shall ensure the staff at the United States Merchant Marine Academy are provided adequate and appropriate sexual harassment, dating violence, domestic violence, sexual assault, and stalking prevention and response training materials and resources. Such resources shall include staff as follows:

“(i) Sexual assault response coordinator.

“(ii) Prevention educator.

“(iii) Civil rights officer.

“(iv) Staff member to oversee Sea Year.

“(B) COMMUNICATION.—The Director of the Office of Civil Rights of the Maritime Administration shall create and maintain a direct line of communication to the sexual assault response staff of the Academy that is outside of the chain of command of the Academy.

“(4) MINIMUM TRAINING REQUIREMENTS.—The Superintendent shall ensure that all cadets receive training on the sexual harassment, dating violence, domestic violence, sexual assault, and stalking prevention and response sections of the development program of the Academy, as described in paragraph (1), as follows:

“(A) An initial training session, which shall occur not later than 7 days after a cadet’s initial arrival at the Academy.

“(B) Additional training sessions, which shall occur biannually following the cadet’s initial training session until the cadet graduates or leaves the Academy.”.

(c) AGGREGATE REPORTING.—Section 51318 of title 46, United States Code, as added by section 3510 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2782), is amended by adding at the end the following:

“(e) DATA FOR AGGREGATE REPORTING.—

“(1) IN GENERAL.—No requirement related to confidentiality in this section or section 51319 may be construed to prevent a sexual assault response coordinator from providing information for any report required by law regarding sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(2) IDENTITY PROTECTION.—Any information provided for a report referred to in paragraph (1) shall be provided in a manner that protects the identity of the victim or witness.”.

(d) DEFINITIONS.—Section 51318 of title 46, United States Code, as added by section 3510 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130

Stat. 2782), as amended by subsection (c), is further amended by adding at the end the following:

“(f) DEFINITIONS.—In this section and section 51319:

“(1) DATING VIOLENCE; DOMESTIC VIOLENCE; STALKING.—The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meanings given those terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”.

(e) CONFORMING AMENDMENTS.—

(1) HEADING.—Section 51318 of title 46, United States Code, as added by section 3510 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2782), is amended by striking the section heading and inserting the following:

“§ 51318. Policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking”.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, as amended by subtitle A of title XXXV of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2774), is amended by striking the item relating to section 51318 and inserting the following:

“51318. Policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking.”.

SEC. 3510. SEXUAL ASSAULT PREVENTION AND RESPONSE STAFF.

(a) IN GENERAL.—Section 51319 of title 46, United States Code, as added by section 3511 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2785), is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

“(a) SEXUAL ASSAULT RESPONSE COORDINATORS.—

“(1) REQUIREMENT FOR COORDINATORS.—The United States Merchant Marine Academy shall employ or contract with at least 1 full-time sexual assault response coordinator who shall reside at or near the Academy. The Secretary of Transportation may assign additional full-time or part-time sexual assault response coordinators at the Academy as necessary.

“(2) SELECTION CRITERIA.—Each sexual assault response coordinator shall be selected based on—

“(A) experience and a demonstrated ability to effectively provide victim services related to sexual harassment, dating violence, domestic violence, sexual assault, and stalking; and

“(B) protection of the individual under applicable law to provide privileged communication.

“(3) CONFIDENTIALITY.—A sexual assault response coordinator shall, to the extent authorized under applicable law, provide confidential services to a midshipman who reports being a victim of, or witness to, sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(4) TRAINING.—

“(A) VERIFICATION.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, the Maritime Administrator, in consultation with the Director of the Maritime Administration Office of Civil Rights,

shall develop a process to verify that each sexual assault response coordinator has completed proper training.

“(B) TRAINING REQUIREMENTS.—The training referred to in subparagraph (A) shall include training in—

“(i) working with victims of sexual harassment, dating violence, domestic violence, sexual assault, and stalking;

“(ii) the policies, procedures, and resources of the Academy related to responding to sexual harassment, dating violence, domestic violence, sexual assault, and stalking; and

“(iii) national, State, and local victim services and resources available to victims of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

“(C) COMPLETION OF TRAINING.—A sexual assault response coordinator shall complete the training referred to in subparagraphs (A) and (B) not later than—

“(i) 270 days after enactment of the National Defense Authorization Act for Fiscal Year 2018; or

“(ii) 180 days after starting in the role of sexual assault response coordinator.

“(5) DUTIES.—A sexual assault response coordinator shall—

“(A) confidentially receive a report from a victim of sexual harassment, dating violence, domestic violence, sexual assault, or stalking;

“(B) inform the victim of—

“(i) the victim’s rights under applicable law;

“(ii) options for reporting an incident of sexual harassment, dating violence, domestic violence, sexual assault, or stalking to the Academy and law enforcement;

“(iii) how to access available services, including emergency medical care, medical forensic or evidentiary examinations, legal services, services provided by rape crisis centers and other victim service providers, services provided by the volunteer sexual assault victim advocates at the Academy, and crisis intervention counseling and ongoing counseling;

“(iv) such coordinator’s ability to assist in arranging access to such services, with the consent of the victim;

“(v) available accommodations, such as allowing the victim to change living arrangements and obtain accessibility services;

“(vi) such coordinator’s ability to assist in arranging such accommodations, with the consent of the victim;

“(vii) the victim’s rights and the Academy’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by the Academy or a criminal, civil, or tribal court; and

“(viii) privacy limitations under applicable law;

“(C) represent the interests of any midshipmen who reports being a victim of sexual harassment, dating violence, domestic violence, sexual assault, or stalking, even if such interests are in conflict with the interests of the Academy;

“(D) advise the victim of, and provide written materials regarding, the information described in subparagraph (B);

“(E) liaise with appropriate staff at the Academy, with the victim’s consent, to arrange reasonable accommodations through the Academy to allow the victim to change living arrangements, obtain accessibility services, or access other accommodations;

“(F) maintain the privacy and confidentiality of the victim, and shall not notify the

Academy or any other authority of the identity of the victim or the alleged circumstances surrounding the reported incident unless—

“(i) otherwise required by applicable law;
“(ii) requested to do so by the victim who has been fully and accurately informed about what procedures shall occur if the information is shared; or
“(iii) notwithstanding clause (i) or clause (ii), there is risk of imminent harm to other individuals;

“(G) assist the victim in contacting and reporting an incident of sexual harassment, dating violence, domestic violence, sexual assault, or stalking to the Academy or law enforcement, if requested to do so by the victim who has been fully and accurately informed about what procedures shall occur if information is shared; and
“(H) submit to the Director of the Maritime Administration Office of Civil Rights an annual report summarizing how the resources supplied to the coordinator were used during the prior year, including the number of victims assisted by the coordinator.

“(b) OVERSIGHT.—

“(1) IN GENERAL.—

“(A) REPORTING.—Each sexual assault response coordinator shall—

“(i) report directly to the Superintendent; and
“(ii) have concurrent reporting responsibility to the Executive Director of the Maritime Administration on matters related to the Maritime Administration and the Department of Transportation and upon belief that the Academy leadership is acting inappropriately regarding sexual assault prevention and response matters.

“(B) SUPPORT.—The Maritime Administration Office of Civil Rights shall provide support to the sexual assault response coordinator at the Academy on all sexual harassment, dating violence, domestic violence, sexual assault, or stalking prevention matters.

“(2) PROHIBITION ON INVESTIGATION BY THE ACADEMY.—Any request by a victim for an accommodation, as described in subsection (a)(5)(F), made by a sexual assault response coordinator shall not trigger an investigation by the Academy, even if such coordinator deals only with matters relating to sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

“(3) PROHIBITION ON RETALIATION.—A sexual assault response coordinator, victim advocate, or companion may not be disciplined, penalized, or otherwise retaliated against by the Academy for representing the interests of the victim, even if such interests are in conflict with the interests of the Academy.”.

“(b) ACCESS OF ACADEMY MIDSHIPMEN TO DEPARTMENT OF DEFENSE SAFE HELPLINE.—
(1) IN GENERAL.—The Secretary of Transportation, acting through the Superintendent of the United States Merchant Marine Academy, and the Secretary of Defense shall jointly provide for the access to and use of the Department of Defense SAFE Helpline by midshipmen at the Merchant Marine Academy.

(2) TRAINING.—The training provided to personnel of the Department of Defense SAFE Helpline shall include training on the resources available to midshipmen at the Merchant Marine Academy in connection with sexual assault, sexual harassment, domestic violence, dating violence, and stalking.

(c) REPEAL OF DUPLICATE REQUIREMENT.—Subsection (c) of section 51319 of title 46,

United States Code, as redesignated by subsection (a)(1)—

(1) by striking paragraph (5);

(2) redesignating paragraph (6) as paragraph (5); and

(3) in paragraph (5), as so redesignated, by striking “(3), (4), and (5)” and inserting “(3) and (4)”.

SEC. 3511. PROTECTION OF STUDENTS FROM SEXUAL ASSAULT ONBOARD VESSELS.

(a) IN GENERAL.—Chapter 513 of title 46, United States Code, as amended by subtitle A of title XXXV of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), is amended by adding at the end the following new section:

“§ 51320. Protection of students from sexual assault onboard vessels

“(a) PROVISION OF INDIVIDUAL SATELLITE COMMUNICATION DEVICES DURING SEA YEAR.—

“(1) IN GENERAL.—The Maritime Administrator shall ensure that each midshipman at the United States Merchant Marine Academy is provided a functional satellite communication device during the midshipman's Sea Year.

“(2) CHECK-IN.—Not less often than once each week, each such midshipman shall check-in with designated personnel at the Academy via the midshipman's personal satellite communication device. A text message sent via the midshipman's personal satellite device shall meet the requirement for a weekly check-in for purposes of this paragraph.

“(b) RIDING GANGS.—The Maritime Administrator shall—

“(1) require the owner or operator of any commercial vessel carrying a midshipman of the Academy to certify their compliance with the International Convention for Safety of Life at Sea, 1974, with annex, done at London November 1, 1974 (32 UST 47) and section 8106; and
“(2) ensure the Academy informs midshipmen preparing for Sea Year of the obligations that vessel owners and operators have to provide for the security of individuals aboard a vessel under United States law, including chapter 81 and section 70103(c).

“(c) CHECKS OF COMMERCIAL VESSELS.—

“(1) REQUIREMENT.—Not less frequently than biennially, the staff of the United States Merchant Marine Academy or the Maritime Administration shall conduct both random and targeted unannounced checks of not less than 10 percent of the commercial vessels that host a midshipman from the Academy.

“(2) REMOVAL OF STUDENTS.—If such staff determine that such a commercial vessel is in violation of the sexual assault policy developed by the Academy through such a check, such staff are authorized to remove any midshipman of the Academy from the vessel and report any such violation to the company that owns the vessel.

“(d) MAINTENANCE OF SEXUAL ASSAULT TRAINING RECORDS.—The Maritime Administrator shall require each company or seafarer union for a commercial vessel to maintain records of sexual assault training for the crew and passengers of any vessel hosting a midshipman from the Academy.

“(e) SEA YEAR SURVEY.—

“(1) REQUIREMENT.—The Maritime Administrator shall require each midshipman from the Academy upon completion of the midshipman's Sea Year to complete a survey regarding the environment and conditions during the Sea Year.

“(2) AVAILABILITY.—The Maritime Administrator shall make available to the public for each year—

“(A) the questions used in the survey required by paragraph (1); and
“(B) the aggregated data received from such surveys.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, as amended by subtitle A of title XXXV of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), is amended by adding at the end the following:

“51320. Protection of students from sexual assault onboard vessels.”.

SEC. 3512. TRAINING REQUIREMENT FOR SEXUAL ASSAULT INVESTIGATORS.

Each employee of the Office of Inspector General of the Department of Transportation who conducts investigations and who is assigned to the Regional Investigations Office in New York, New York—

(1) to participate in specialized training in conducting sexual assault investigations; and

(2) to attend at least 1 Federal Law Enforcement Training Center (FLETC) sexual assault investigation course, or equivalent sexual assault investigation training course, as determined by the Inspector General, each year.

SA 411. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. _____. PROHIBITION ON THE INDEFINITE DETENTION OF PERSONS BY THE UNITED STATES.

(a) LIMITATION ON DETENTION.—Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No person shall be imprisoned or otherwise detained by the United States except consistent with the Constitution.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a person apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018.

“(3) This section shall not be construed to authorize the imprisonment or detention of any person who is apprehended in the United States.”.

(b) REPEAL OF AUTHORITY OF THE ARMED FORCES OF THE UNITED STATES TO DETAIN COVERED PERSONS PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 801 note) is repealed.

SA 412. Mr. PAUL submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. _____. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AND AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

(a) **FINDING.**—Congress finds that neither the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) or the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) authorize the use of military force against the Islamic State in Iraq and al-Sham (ISIS).

(b) **REPEAL.**—Effective as of the date that is six months after the date of the enactment of this Act, the following are repealed:

(1) The Authorization for Use of Military Force.

(2) The Authorization for Use of Military Force Against Iraq Resolution of 2002.

SA 413. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SMALL BUSINESS HEALTH PLANS.

(a) **TAX TREATMENT OF SMALL BUSINESS HEALTH PLANS.**—A small business health plan (as defined in section 801(a) of the Employee Retirement Income Security Act of 1974) shall be treated—

(1) as a group health plan (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91)) for purposes of applying title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) and title XXII of such Act (42 U.S.C. 300bb-1);

(2) as a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for purposes of applying sections 4980B and 5000 and chapter 100 of the Internal Revenue Code of 1986; and

(3) as a group health plan (as defined in section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1))) for purposes of applying parts 6 and 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1161 et seq.).

(b) **RULES.**—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021 et seq.) is amended by adding at the end the following new part:

“PART 8—RULES GOVERNING SMALL BUSINESS RISK SHARING POOLS

“SEC. 801. SMALL BUSINESS HEALTH PLANS.

“(a) **IN GENERAL.**—For purposes of this part, the term ‘small business health plan’ means a fully insured group health plan, offered by a health insurance issuer in the large group market, whose sponsor is described in subsection (b).

“(b) **SPONSOR.**—The sponsor of a group health plan is described in this subsection if such sponsor—

“(1) is a qualified sponsor and receives certification by the Secretary;

“(2) is organized and maintained in good faith, with a constitution or bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis;

“(3) is established as a permanent entity;

“(4) is established for a purpose other than providing health benefits to its members, such as an organization established as a bona fide trade association, franchise, or section 7705 organization; and

“(5) does not condition membership on the basis of a minimum group size.

“SEC. 802. FILING FEE AND CERTIFICATION OF SMALL BUSINESS HEALTH PLANS.

“(a) **FILING FEE.**—A small business health plan shall pay to the Secretary at the time of filing an application for certification under subsection (b) a filing fee in the amount of \$5,000, which shall be available to the Secretary for the sole purpose of administering the certification procedures applicable with respect to small business health plans.

“(b) **CERTIFICATION.**—

“(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule a procedure under which the Secretary—

“(A) will certify a qualified sponsor of a small business health plan, upon receipt of an application that includes the information described in paragraph (2);

“(B) may provide for continued certification of small business health plans under this part;

“(C) shall provide for the revocation of a certification if the applicable authority finds that the small business health plan involved fails to comply with the requirements of this part;

“(D) shall conduct oversight of certified plan sponsors, including periodic review, and consistent with section 504, applying the requirements of sections 518, 519, and 520; and

“(E) will consult with a State with respect to a small business health plan domiciled in such State regarding the Secretary’s authority under this part and other enforcement authority under sections 502 and 504.

“(2) **INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.**—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

“(A) Identifying information.

“(B) States in which the plan intends to do business.

“(C) Bonding requirements.

“(D) Plan documents.

“(E) Agreements with service providers.

“(3) **REQUIREMENTS FOR CERTIFIED PLAN SPONSORS.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule requirements for certified plan sponsors that include requirements regarding—

“(A) structure and requirements for boards of trustees or plan administrators;

“(B) notification of material changes; and

“(C) notification for voluntary termination.

“(c) **FILING NOTICE OF CERTIFICATION WITH STATES.**—A certification granted under this part to a small business health plan shall not be effective unless written notice of such certification is filed by the plan sponsor with the applicable State authority of each State in which the small business health plan operates.

“(d) **EXPEDITED AND DEEMED CERTIFICATION.**—

“(1) **IN GENERAL.**—If the Secretary fails to act on a complete application for certification under this section within 90 days of receipt of such complete application, the applying small business health plan sponsor shall be deemed certified until such time as the Secretary may deny for cause the application for certification.

“(2) **PENALTY.**—The Secretary may assess a penalty against the board of trustees, plan administrator, and plan sponsor (jointly and severally) of a small business health plan sponsor that is deemed certified under paragraph (1) of up to \$500,000 in the event the Secretary determines that the application for certification of such small business health plan sponsor was willfully or with gross negligence incomplete or inaccurate.

“SEC. 803. PARTICIPATION AND COVERAGE REQUIREMENTS.

“(a) **COVERED EMPLOYERS AND INDIVIDUALS.**—The requirements of this subsection are met with respect to a small business health plan if, under the terms of the plan—

“(1) each participating employer must be—

“(A) a member of the sponsor;

“(B) the sponsor; or

“(C) an affiliated member of the sponsor, except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

“(2) all individuals commencing coverage under the plan after certification under this part must be—

“(A) active or retired owners (including self-employed individuals with or without employees), officers, directors, or employees of, or partners in, participating employers; or

“(B) the dependents of individuals described in subparagraph (A).

“(b) **PARTICIPATING EMPLOYERS.**—In applying requirements relating to coverage renewal, a participating employer shall not be deemed to be a plan sponsor.

“(c) **PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.**—The requirements of this subsection are met with respect to a small business health plan if—

“(1) under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan; and

“(2) information regarding all coverage options available under the plan is made readily available to any employer eligible to participate.

“SEC. 804. DEFINITIONS; RENEWAL.

“For purposes of this part:

“(1) **AFFILIATED MEMBER.**—The term ‘affiliated member’ means, in connection with a sponsor—

“(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor, or

“(B) in the case of a sponsor with members which consist of associations, a person who

is a member or employee of any such association and elects an affiliated status with the sponsor.

“(2) APPLICABLE STATE AUTHORITY.—The term ‘applicable State authority’ means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

“(3) FRANCHISOR; FRANCHISEE.—The terms ‘franchisor’ and ‘franchisee’ have the meanings given such terms for purposes of sections 436.2(a) through 436.2(c) of title 16, Code of Federal Regulations (including any such amendments to such regulation after the date of enactment of this part) and, for purposes of this part, franchisor or franchisee employers participating in such a group health plan shall not be treated as the employer, co-employer, or joint employer of the employees of another participating franchisor or franchisee employer for any purpose.

“(4) HEALTH PLAN TERMS.—The terms ‘group health plan’, ‘health insurance coverage’, and ‘health insurance issuer’ have the meanings given such terms in section 733.

“(5) INDIVIDUAL MARKET.—

“(A) IN GENERAL.—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) TREATMENT OF VERY SMALL GROUPS.—

“(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(6) PARTICIPATING EMPLOYER.—The term ‘participating employer’ means, in connection with a small business health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer with or without employees (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

“(7) SECTION 7705 ORGANIZATION.—The term ‘section 7705 organization’ means an organization providing services for a customer pursuant to a contract meeting the conditions of subparagraphs (A), (B), (C), (D), and (E) (but not (F)) of section 7705(e)(2) of the Internal Revenue Code of 1986, including an entity that is part of a section 7705 organization control group. For purposes of this part, any reference to ‘member’ shall include a customer of a section 7705 organization except with respect to references to a ‘member’ or ‘members’ in paragraph (1).”

(c) PREEMPTION RULES.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended by adding at the end the following:

“(f) The provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude a health in-

surance issuer from offering health insurance coverage in connection with a small business health plan which is certified under part 8.”

(d) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of a small business health plan under part 8.”

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) TREATMENT OF INCOME FROM SMALL BUSINESS HEALTH PLANS.—Section 513 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(k) SMALL BUSINESS HEALTH PLANS.—The term ‘unrelated trade or business’ does not include the sponsoring of a small business health plan (as defined in section 801 of the Employee Retirement Income Security Act of 1974).”

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this section within 6 months after the date of the enactment of this Act.

SA 414. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TREATMENT OF DIRECT PRIMARY CARE SERVICE ARRANGEMENTS.

(a) IN GENERAL.—Section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) TREATMENT OF DIRECT PRIMARY CARE SERVICE ARRANGEMENTS.—An arrangement under which an individual is provided coverage restricted to primary care services in exchange for a fixed periodic fee or payment for such services—

“(A) shall not be treated as a health plan for purposes of paragraph (1)(A)(ii), and

“(B) shall not be treated as insurance for purposes of subsection (d)(2)(B).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 415. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “\$10,800”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “\$4,500” and inserting “\$29,500”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1), by striking “subsections (b)(2) and” both places it appears and inserting “subsection”,

(2) in paragraph (1)(B), by striking “determined by” and all that follows through “‘calendar year 2003’” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”,

(3) by redesignating paragraph (2) as paragraph (3),

(4) by inserting “or (2)” after “paragraph (1)” in paragraph (3), as so redesignated, and

(5) by inserting after paragraph (1) the following new paragraph:

“(2) CONTRIBUTION LIMITS.—In the case of any taxable year beginning after December 31, 2018, each dollar amount in subsection (b)(2) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins, determined by substituting ‘2017’ for ‘1992’ in subparagraph (B) thereof.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SA 416. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INCREASED FMAP FOR STATES THAT ADOPT MEDICAL LIABILITY REFORM LEGISLATION.

Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (b), in the first sentence, by striking “and (aa)” and inserting “(aa), and (ee)”;

(2) in subsection (cc)—

(A) by striking “and (aa)” and inserting “(aa), and (ee)”;

(B) by inserting “(or, in the case of an increase under subsection (ee), for the fiscal quarter occurring immediately prior to the first fiscal quarter during which the State is eligible for such increase)” after “December 31, 2009.”; and

(3) by adding at the end the following:

“(ee) INCREASED FMAP FOR MEDICAL LIABILITY REFORM.—

“(1) IN GENERAL.—For fiscal years beginning on or after October 1, 2017, notwithstanding subsection (b), for a State that is one of the 50 States or the District of Columbia and meets the requirement of paragraph (2) for the entire fiscal year, the Federal medical assistance percentage otherwise determined under such subsection and subsections (y), (z), and (aa) for the State and year shall be increased by 1 percentage point.

“(2) LIMITATIONS ON NONECONOMIC DAMAGES IN MEDICAL LIABILITY CASES.—A State meets the requirement of this paragraph if State law provides that, in any action on a health

care liability claim where judgment is rendered for a claimant, regardless of the number of defendants against whom judgment is rendered or the number of separate causes of action on which the claim is based—

“(A) the maximum collective amount of noneconomic damages recoverable from one or more physicians or health care providers that are not health care institutions (inclusive of all persons and entities associated with the physician or provider for which vicarious liability theories may apply) against whom judgment is rendered shall not exceed \$250,000 for each claimant; and

“(B) the maximum amount of noneconomic damages recoverable from any single health care institution (inclusive of all persons and entities associated with the institution for which vicarious liability theories may apply) against whom judgment is rendered shall not exceed \$250,000 for each claimant; and

“(C) the maximum collective amount of noneconomic damages recoverable from all health care institutions (inclusive of all persons and entities associated with the institution for which vicarious liability theories may apply) against whom judgment is rendered shall not exceed \$500,000 for each claimant.

“(3) **NONECONOMIC DAMAGES.**—In this subsection, the term ‘noneconomic damages’ means damages awarded for the purpose of compensating a claimant for physical pain and suffering, mental or emotional pain or anguish, loss of consortium, disfigurement, physical impairment, loss of companionship and society, inconvenience, loss of enjoyment of life, injury to reputation, and all other nonpecuniary losses of any kind other than exemplary or punitive damages.”.

SA 417. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **RECIPROCAL MARKETING APPROVAL FOR CERTAIN DRUGS, BIOLOGICAL PRODUCTS, AND DEVICES.**

The Federal Food, Drug, and Cosmetic Act is amended by inserting after section 524A of such Act (21 U.S.C. 360n–1) the following:

“SEC. 524B. RECIPROCAL MARKETING APPROVAL.

“(a) **IN GENERAL.**—A covered product with reciprocal marketing approval in effect under this section is deemed to be subject to an application or premarket notification for which an approval or clearance is in effect under section 505(c), 510(k), or 515 of this Act or section 351(a) of the Public Health Service Act, as applicable.

“(b) **ELIGIBILITY.**—The Secretary shall, with respect to a covered product, grant reciprocal marketing approval if—

“(1) the sponsor of the covered product submits a request for reciprocal marketing approval; and

“(2) the request demonstrates to the Secretary’s satisfaction that—

“(A) the covered product is authorized to be lawfully marketed in one or more of the countries included in the list under section 802(b)(1);

“(B) absent reciprocal marketing approval, the covered product is not approved or cleared for marketing, as described in subsection (a);

“(C) the Secretary has not, because of any concern relating to the safety or effectiveness of the covered product, rescinded or withdrawn any such approval or clearance;

“(D) the authorization to market the covered product in one or more of the countries included in the list under section 802(b)(1) has not, because of any concern relating to the safety or effectiveness of the covered product, been rescinded or withdrawn;

“(E) the covered product is not a banned device under section 516; and

“(F) there is a public health or unmet medical need for the covered product in the United States.

“(c) **SAFETY AND EFFECTIVENESS.**—

“(1) **IN GENERAL.**—The Secretary—

“(A) may decline to grant reciprocal marketing approval under this section with respect to a covered product if the Secretary affirmatively determines that the covered product—

“(i) is a drug that is not safe and effective; or

“(ii) is a device for which there is no reasonable assurance of safety and effectiveness; and

“(B) may condition reciprocal marketing approval under this section on the conduct of specified postmarket studies, which may include such studies pursuant to a risk evaluation and mitigation strategy under section 505–1.

“(2) **REPORT TO CONGRESS.**—Upon declining to grant reciprocal marketing approval under this section with respect to a covered product, the Secretary shall—

“(A) include the denial in a list of such denials for each month; and

“(B) not later than the end of the respective month, submit the list to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

“(d) **REQUEST.**—A request for reciprocal marketing approval shall—

“(1) be in such form, be submitted in such manner, and contain such information as the Secretary deems necessary to determine whether the criteria listed in subsection (b)(2) are met; and

“(2) include, with respect to each country included in the list under section 802(b)(1) where the covered product is authorized to be lawfully marketed, as described in subsection (b)(2)(A), an English translation of the dossier issued by such country to authorize such marketing.

“(e) **TIMING.**—The Secretary shall issue an order granting, or declining to grant, reciprocal marketing approval with respect to a covered product not later than 30 days after the Secretary’s receipt of a request under subsection (b)(1) for the product. An order issued under this subsection shall take effect subject to Congressional disapproval under subsection (g).

“(f) **LABELING; DEVICE CLASSIFICATION.**—During the 30-day period described in subsection (e)—

“(1) the Secretary and the sponsor of the covered product shall expeditiously negotiate and finalize the form and content of the labeling for a covered product for which reciprocal marketing approval is to be granted; and

“(2) in the case of a device for which reciprocal marketing approval is to be granted, the Secretary shall—

“(A) classify the device pursuant to section 513; and

“(B) determine whether, absent reciprocal marketing approval, the device would need

to be cleared pursuant to section 510(k) or approved pursuant to section 515 to be lawfully marketed under this Act.

“(g) **CONGRESSIONAL DISAPPROVAL OF FDA ORDERS.**—

“(1) **IN GENERAL.**—A decision of the Secretary to decline to grant reciprocal marketing approval under this section shall not take effect if a joint resolution of disapproval of the decision is enacted.

“(2) **PROCEDURE.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the procedures described in subsections (b) through (g) of section 802 of title 5, United States Code, shall apply to the consideration of a joint resolution under this subsection.

“(B) **TERMS.**—For purposes of this subsection—

“(i) the reference to ‘section 801(a)(1)’ in section 802(b)(2)(A) of title 5, United States Code, shall be considered to refer to subsection (c)(2); and

“(ii) the reference to ‘section 801(a)(1)(A)’ in section 802(e)(2) of title 5, United States Code, shall be considered to refer to subsection (c)(2).

“(3) **EFFECT OF CONGRESSIONAL DISAPPROVAL.**—Reciprocal marketing approval under this section with respect to the applicable covered product shall take effect upon enactment of a joint resolution of disapproval under this subsection.

“(h) **APPLICABILITY OF RELEVANT PROVISIONS.**—The provisions of this Act shall apply with respect to a covered product for which reciprocal marketing approval is in effect to the same extent and in the same manner as such provisions apply with respect to a product for which approval or clearance of an application or premarket notification under section 505(c), 510(k), or 515 of this Act or section 351(a) of the Public Health Service Act, as applicable, is in effect.

“(i) **FEES FOR REQUEST.**—For purposes of imposing fees under chapter VII, a request for reciprocal marketing approval under this section shall be treated as an application or premarket notification for approval or clearance under section 505(c), 510(k), or 515 of this Act or section 351(a) of the Public Health Service Act, as applicable.

“(j) **OUTREACH.**—The Secretary shall conduct an outreach campaign to encourage the sponsors of covered products that are potentially eligible for reciprocal marketing approval to request such approval.

“(k) **COVERED PRODUCT DEFINED.**—In this section, the term ‘covered product’ means a drug, biological product, or device.”.

SA 418. Mr. CRUZ (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **HEALTH INSURANCE COVERAGE OFFERED ACROSS STATE LINES.**

Subpart I of part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–41 et seq.) is amended by adding at the end the following:

“SEC. 2746. HEALTH INSURANCE COVERAGE OFFERED ACROSS STATE LINES.

“(a) **IN GENERAL.**—A health insurance issuer that is licensed in, and qualified to offer health insurance coverage in, a primary

State may offer such health insurance coverage in a secondary State regardless of whether the issuer is licensed to sell insurance in such secondary State. In offering such health insurance coverage in the secondary State, all laws governing health insurance coverage of the primary State shall apply and the laws governing health insurance coverage of the secondary State shall not apply.

“(b) DEFINITIONS.—For purposes of this section:

“(1) PRIMARY STATE.—The term ‘primary State’ means, with respect to health insurance coverage offered by a health insurance issuer, the State designated by the issuer as the State whose covered laws shall govern the health insurance issuer in the sale of such coverage under this title. An issuer, with respect to a particular policy, may designate only one such State as its primary State with respect to all such coverage it offers. Such an issuer may not change the designated primary State with respect to health insurance coverage once the policy is issued, except that such a change may be made upon renewal of the policy. With respect to such designated State, the issuer is deemed to be doing business in that State.

“(2) SECONDARY STATE.—The term ‘secondary State’ means, with respect to health insurance coverage offered by a health insurance issuer, any State that is not the primary State. In the case of a health insurance issuer that is selling a policy in, or to a resident of, a secondary State, the issuer is deemed to be doing business in that secondary State.

“(3) STATE.—The term ‘State’ means the 50 States and includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.”.

SA 419. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

1. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on January 1, 2018, the Patient Protection and Affordable Care Act (Public Law 111-148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on January 1, 2018, the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

SA 420. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . OPTIONAL MEDICAID PRICE TRANSPARENCY.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

“(pp) OPTIONAL MEDICAID PRICE TRANSPARENCY.—

“(1) IN GENERAL.—At the option of a State, the State may require as a condition for a hospital to be a participating provider under the State plan under this title or under a waiver of such plan, for the State to establish a system to collect and make publically available and accessible a database that contains the average, aggregate value of the total cost for such medical procedures as the State may specify that are incurred at the hospital. For purposes of the preceding sentence, the ‘average, aggregate value of the total cost of a procedure’ shall not include a patient’s expected cost-sharing contribution for the procedure.

“(2) HIPAA PROTECTION.—A State establishing a database under this subsection shall establish procedures to protect the privacy of patients in accordance with regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996.”.

(b) INCREASE IN MATCHING RATE FOR IMPLEMENTATION.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) as previously amended, is further amended by adding at the end the following:

“(bb) The Federal matching percentage otherwise applicable under subsection (a) with respect to State administrative expenditures during a calendar quarter for which the State receives payment under such subsection shall, in addition to any other increase to such Federal matching percentage, be increased for such calendar quarter by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to implement subsection (pp) of section 1902.”.

SA 421. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

“(4) CONSUMER FREEDOM.—For plan years beginning on or after January 1, 2018, paragraph (1)(A) shall not apply with respect to any plan offered in the State.”.

(b) RISK POOLS.—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting “and including, with respect to plan years beginning on or after January 1, 2018, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”; and

(2) in paragraph (2), by inserting “and including, with respect to plan years beginning on or after January 1, 2018, enrollees in cata-

strophic plans described in section 1302(e)” after “Exchange”.

(c) ALLOWANCE OF PREMIUM TAX CREDIT FOR CATASTROPHIC PLANS.—

(1) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by striking “, except that such term shall not include a qualified health plan that is a catastrophic plan described in section 1302(e) of such Act”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2017.

SA 422. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 686, line 7, strike “or” and all that follows through page 687, line 2, and insert the following:

(B) in accordance with the Quality Standards for Inspection and Evaluation issued by the Council of the Inspectors General on Integrity and Efficiency (commonly referred to as the “CIGIE Blue Book”); or

(C) if not prepared in accordance with the standards referred to in subparagraphs (A) or (B), in accordance with the Quality Standards for Federal Offices of Inspector General (commonly referred to as the “CIGIE Silver Book”).

(2) SPECIFICATION OF QUALITY STANDARDS FOLLOWED.—Each product published or issued by an Inspector General relating to the oversight of programs and activities funded under the Afghanistan Security Forces Fund shall cite within such product the quality standards followed in conducting and reporting the work concerned.

(3) WAIVER.—An Inspector General may waive the applicability of paragraph (1) to a specific product relating to the oversight by an Inspector General of activities and programs funded under the Afghanistan Security Forces Fund if the Inspector General

SA 423. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 737. STUDY ON SAFE OPIOID PRESCRIBING PRACTICES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the effectiveness of the training provided to health care providers of the Department of Defense regarding opioid prescribing practices, initiatives in opioid safety, the use of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, and other related training.

(b) ELEMENTS.—The study under subsection (a) shall address the effectiveness of training with respect to the following:

(1) Identifying and treating individuals with chronic pain.

(2) Prescribing opioid analgesics, including—

(A) reducing average dosages;

(B) reducing average number of dosages;

(C) reducing initial and average durations of opioid analgesic therapy;

(D) reducing dose escalation when opioid analgesic therapy has resulted in adequate pain reduction; and

(E) reducing the average number of prescription opioid analgesics dispensed by the Department of Defense.

(3) Reducing the number of overdoses due to prescription opioids for patients with acute pain and patients undergoing opioid therapy for chronic pain.

(4) Developing validated opioid dependence screening tools for health care providers of the Department.

(5) Communicating to health care providers of the Department changes in policies of the Department regarding opioid safety and prescribing practices.

(6) Providing education on the risks of opioid medications to individuals for whom such medications are prescribed and to their families, with special consideration given to raising awareness among adolescents on such risks.

(7) Providing counseling and referrals for, and expanding access to, treatment alternatives to opioid analgesics.

(8) Developing and implementing a physician advisory committee of the Department relating to education programs for prescribers of opioid analgesics.

(9) Developing methods to incentivize health care providers of the Department to use physical therapy or alternative methods to treat acute or chronic pain.

(10) Developing curricula on pain management and safe opioid analgesic prescribing that incorporates opioid analgesic prescribing guidelines issued by the Centers for Disease Control and Prevention.

(c) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results of the study conducted under subsection (a).

SA 424. Mr. NELSON (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 710. ELIGIBILITY FOR TRICARE FOR VETERANS ENTITLED TO MEDICARE BENEFITS DUE TO CONDITIONS OR INJURIES INCURRED DURING SERVICE IN THE ARMED FORCES.

(a) **TRICARE PROVISIONS.**—

(1) **IN GENERAL.**—Paragraph (2) of section 1086(d) of title 10, United States Code, is amended—

(A) in subparagraph (A), by striking “is enrolled” and inserting “(i) is enrolled”;

(B) by redesignating subparagraph (B) as clause (ii);

(C) in clause (ii), as redesignated by paragraph (2), by striking the period at the end and inserting “; or”; and

(D) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) is a person described in subparagraph (A)(ii) who—

“(i) is retired for disability under chapter 61 of this title as a result of an injury or condition suffered during service in the armed forces;

“(ii)(I) is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) and is entitled to a benefit described in subparagraph (A) of such section; or

“(II) is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of such section and whose entitlement to a benefit described in subparagraph (A) of such section terminated due to performance of substantial gainful activity; and

“(iii) has declined to enroll in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.).”

(2) **ALLOWANCE OF ONE CHANGE OF ENROLLMENT.**—Such section is further amended by adding at the end the following new paragraph:

“(6)(A) Except as provided in subparagraph (B), after the end of the special enrollment period provided under section 2(a)(3) of the National Defense Authorization Act for Fiscal Year 2018, an individual described in paragraph (2)(B) may switch only once from enrollment under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) to enrollment in a plan contracted for under subsection (a).

“(B) The limitation under subparagraph (A) does not apply to enrollment by an individual in a plan contracted for under subsection (a) by reason of termination of the entitlement of the individual to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 426(b)(2)) due to the performance of substantial gainful activity.”

(3) **SPECIAL ENROLLMENT PERIOD.**—

(A) **IN GENERAL.**—The Secretary of Defense shall provide for a special enrollment period during which an individual described in subsection (d)(2)(B) of section 1086 of title 10, United States Code, may enroll in a health care plan under such section. Such period shall begin as soon as possible after the date of the enactment of this Act and shall end 12 months later.

(B) **COVERAGE PERIOD.**—In the case of an individual who enrolls during the special enrollment period provided under subparagraph (A), the coverage period under section 1086 of title 10, United States Code, shall begin on the first day of the month following the month in which the individual enrolls.

(4) **CONFORMING AMENDMENTS.**—Section 1086(d) of title 10, United States Code, is amended—

(A) in paragraph (4)(A), in the matter preceding clause (i), by striking “paragraph (2)(B)” and inserting “paragraph (2)(A)(ii)”; and

(B) in paragraph (5)—

(i) by striking “subparagraph (B)” and inserting “subparagraph (A)(ii)”; and

(ii) by striking “subparagraph (A)” and inserting “subparagraph (A)(i)”.

(b) **MEDICARE PROVISIONS.**—

(1) **WAIVER OF MEDICARE PART B LATE ENROLLMENT PENALTY.**—

(A) **IN GENERAL.**—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended by adding at the end the following new sentences: “No increase in the premium shall be effected for a month in the case of an individual who demonstrates to the Secretary that the individual, with respect to such month, is an individual described in section 1086(d)(2)(B) of title 10, United States Code. The Secretary of Health and Human Services shall consult with the Secretary of Defense in identifying individuals described in the previous sentence.”

(B) **EFFECTIVE DATE.**—The amendment made by subparagraph (A) shall apply to premiums for months beginning after the date of the enactment of this Act. The Secretary shall establish a method for providing rebates of premium penalties paid for months after the date of the enactment of this Act for which a penalty does not apply under such amendment but for which a penalty was previously collected.

(2) **MEDICARE PART B SPECIAL ENROLLMENT PERIOD.**—

(A) **IN GENERAL.**—In the case of any individual who, as of the date of the enactment of this Act, is eligible to enroll but is not enrolled under part B of title XVIII of the Social Security Act and is an individual described in section 1086(d)(2)(B) of title 10, United States Code, the Secretary of Health and Human Services shall provide for a special enrollment period during which the individual may enroll under such part. Such period shall begin as soon as possible after the date of the enactment of this Act and shall end 12 months later.

(B) **COVERAGE PERIOD.**—In the case of an individual who enrolls during the special enrollment period provided under subparagraph (A), the coverage period under part B of title XVIII of the Social Security Act shall begin on the first day of the month following the month in which the individual enrolls.

(c) **NOTIFICATION AND INFORMATION TO BENEFICIARIES.**—

(1) **NOTIFICATION REGARDING INSURANCE OPTIONS.**—The Secretary of Defense shall coordinate with the Secretary of Health and Human Services to identify individuals described in section 1086(d)(2)(B) of title 10, United States Code, as added by subsection (a), and notify those individuals about their health insurance options under the TRICARE program, as defined in section 1072 of such title, and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(2) **PROVISION OF INFORMATION TO BENEFICIARIES.**—

(A) **IN GENERAL.**—The Secretary of Defense shall provide to individuals described in paragraph (1) educational materials, information, and counseling regarding the effects of not enrolling in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.), including information comparing premiums, copayments, deductibles, provider networks, future enrollment opportunities, and penalties for the various health insurance plans available to assist those individuals in making appropriate health insurance choices.

(B) **TIMING.**—The Secretary shall provide the educational materials, information, and counseling described in subparagraph (A) to an individual described in paragraph (1) before the individual elects to change enrollment between the TRICARE program, as defined in section 1072 of title 10, United States Code, and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

SA 425. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title VI, add the following:

SEC. _____. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFITS PLAN SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking “does not apply—” and all that follows and inserting “does not apply in the case of a deduction made through administrative error.”; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking “, 1450(k)(2).”.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking “Except as provided in paragraph (2)(B), the Secretary concerned” and inserting “The Secretary concerned”; and

(2) in paragraph (2)—

(A) by striking “DEPENDENT CHILDREN.” and all that follows through “In the case of a member described in paragraph (1),” and inserting “DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1);” and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible

surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SA 426. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS AFFILIATED WITH AIR AMERICA.

(a) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking “and” at the end;

(B) in paragraph (17), by striking the period at the end and inserting “; and”; and

(C) by adding after paragraph (17) the following:

“(18) any period of service performed not later than 1977, while a citizen of the United States, in the employ of Air America, Inc., or any associated company (including any entity associated with, predecessor to, or subsidiary to Air America, Inc., including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport), during the period that Air America, Inc., or such other company or entity, was owned and controlled by the United States Government.”; and

(D) by adding at the end the following: “For purposes of this subchapter, service of the type described in paragraph (18) of this subsection shall be considered to have been service as an employee.”.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking “or” at the end;

(B) in paragraph (6), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(7) any service for which credit is allowed under section 8332(b)(18) of this title.”.

(b) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments

made by this section shall apply with respect to an annuity commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) IN GENERAL.—Any individual who is entitled to an annuity for the month in which this section becomes effective may, upon submitting an application to the Office of Personnel Management not later than 2 years after the effective date of this section, have the amount of that annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which that annuity is or may be based.

(B) RECOMPUTATION.—Any recomputation made under subparagraph (A) shall be effective as of the commencement date of the annuity, and any additional amounts becoming payable for periods before the first month for which the recomputation is reflected in the regular monthly annuity payments of an individual shall be payable to the individual in the form of a lump-sum payment.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—Any individual not described in paragraph (2) who becomes eligible for an annuity or for an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect, throughout all periods of service on the basis of which that annuity is or would be based, by submitting an application to the Office of Personnel Management not later than 2 years after—

(i) the effective date of this section; or

(ii) if later, the date on which the individual separates from service.

(B) COMMENCEMENT DATE, ETC.—

(i) IN GENERAL.—Any entitlement to an annuity, or to an increased annuity resulting from an application submitted under subparagraph (A), for an individual shall be effective as of the commencement date of that annuity (subject to clause (ii), if applicable), and any amounts becoming payable for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section shall be payable to the individual in the form of a lump-sum payment.

(ii) RETROACTIVITY.—Any determination of the amount, or of the commencement date, of any annuity, all the requirements for entitlement to which (including separation, but disregarding any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section), shall be made as if an application for that annuity had been submitted as of the earliest date that would have been allowable, after the separation of the individual from service, if the amendments made by this section had been in effect throughout the periods of service described in subparagraph (A).

(4) RIGHT TO FILE ON BEHALF OF A DECEDENT.—

(A) IN GENERAL.—The regulations under subsection (d)(1) shall include provisions, consistent with the order of precedence set forth in section 8342(c) of title 5, United States Code, under which a survivor of an individual who performed service described in section 8332(b)(18) of that title (as added by subsection (a) of this section) shall be allowed to submit an application on behalf of

and to receive any lump-sum payment that would otherwise have been payable to the decedent under paragraph (2) or (3) of this subsection.

(B) **DEADLINE.**—An application described in subparagraph (A) shall not be valid unless the application is filed within 2 years after the effective date of this section or 1 year after the date on which the decedent dies, whichever is later.

(C) **FUNDING.**—

(1) **LUMP-SUM PAYMENTS.**—Any lump-sum payment under subsection (b) shall be payable out of the Civil Service Retirement and Disability Fund.

(2) **UNFUNDED LIABILITY.**—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(d) **REGULATIONS AND SPECIAL RULE.**—

(1) **REGULATIONS.**—

(A) **IN GENERAL.**—Except as provided in paragraph (2), the Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this section.

(B) **CONTENTS.**—The regulations prescribed under subparagraph (A) shall include provisions under which rules similar to those established under section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99-335; 100 Stat. 514) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section), that was subject to title II of the Social Security Act (42 U.S.C. 401 et seq.).

(2) **SPECIAL RULE.**—For the purposes of any application for any benefit that is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section), section 8345(i)(2) of that title shall be applied by deeming the reference to the date of the "other event which gives rise to title to the benefit" to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is the first day of the first fiscal year beginning after the date of enactment of this Act.

(f) **DEFINITIONS.**—In this section—

(1) the term "annuity" includes a survivor annuity; and

(2) the terms "survivor" and "unfunded liability" have the meanings given those terms in section 8331 of title 5, United States Code.

SA 427. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.**

(a) **COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing standards, policies, and procedures for sense and avoid capabilities for unmanned aircraft systems.

(2) **ELEMENTS.**—The collaboration required by paragraph (1) shall include the following:

(A) Sharing information and technology on safely integrating unmanned aircraft systems and manned aircraft in the national airspace system and fielding remote and virtual towers.

(B) Building upon the experience of the Air Force and the Department of Defense to inform the Federal Aviation Administration's development of civil standards, policies, and procedures for integrating unmanned aircraft systems in the national airspace system.

(C) Assisting in the development of best practices for unmanned aircraft airworthiness certification, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) **PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.**—

(1) **IN GENERAL.**—The Administrator may participate and provide assistance for participation in test and evaluation efforts of the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) **PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.**—Participation under paragraph (1) may include provision of assistance through the Center of Excellence for Unmanned Aircraft Systems and unmanned aircraft systems test ranges designated under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note).

(c) **UNMANNED AIRCRAFT SYSTEM DEFINED.**—In this section, the term "unmanned aircraft system" has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note).

SA 428. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. DESIGNATION OF SECRETARY OF THE AIR FORCE AS DEPARTMENT OF DEFENSE EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

(a) **PROHIBITION ON CANCELLATION OF DESIGNATION.**—The Secretary of Defense may not implement the decision, issued on July 1, 2017, to cancel the designation, under Department of Defense Directive 4400.01E, entitled "Defense Production Act Programs" and dated October 12, 2001, of the Secretary of the Air Force as the Department of Defense Executive Agent for the program carried out

under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.).

(b) **DESIGNATION.**—The Secretary of the Air Force shall continue to serve as the Department of Defense Executive Agent for the program described in subsection (a) on and after the date of the enactment of this Act.

SA 429. Mr. LANKFORD (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **MEMBERS OF HEALTH CARE SHARING MINISTRIES ELIGIBLE TO ESTABLISH HEALTH SAVINGS ACCOUNTS.**

(a) **IN GENERAL.**—Section 223 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(i) **APPLICATION TO HEALTH CARE SHARING MINISTRIES.**—For purposes of this section, membership in a health care sharing ministry (as defined in section 5000A(d)(2)(B)(ii)) shall be treated as coverage under an HSA-qualified health plan."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 430. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **FINDINGS; SENSE OF THE SENATE.**

(a) **FINDINGS.**—The Senate finds as follows:

(1) Obamacare's employer mandate has had a devastating impact on the job market in the United States since it took effect in its earliest form in 2015. Small businesses and the jobs they create have been stifled by the punishing consequences of this government mandate.

(2) Under Obamacare, the employer mandate generally imposes a tax penalty on employers if they have 50 or more full-time equivalent employees and do not offer health insurance that meets all of the standards under the law.

(3) In 2015, the Congressional Budget Office (referred to in this section as "CBO") found that these penalties are being passed on to employees in the form of reduced wages. In 2016, these reduced wages equaled \$2,160 per employee according to CBO's estimates. This means that any company that ignored the employer mandate in 2016 is likely to face fines of over \$2,000 per employee in 2017.

(4) CBO expects that, by 2025, the amount of reduced wages per worker will balloon to \$3,500.

(5) In addition, CBO projects that wages are being even further reduced because companies cannot deduct the penalty as an expense, on account of Obamacare. To compensate for paying business taxes on higher accounting profits, companies are being

forced to reduce wages by more than the amount of the penalty payments.

(6) CBO estimates that the penalty represents a 7 percent increase in the tax rate of employees at firms that are subject to the employer mandate penalty.

(7) In addition, Obamacare's employer mandate requires that all businesses with at least 50 full-time equivalents provide their full-time workers with health insurance coverage that satisfies the law's requirements. Employers who fail to offer coverage that satisfies the employer mandate are subject to the penalties.

(8) In 2015, CBO found that defining full-time employment as a 40-hour week rather than a 30-hour week would alleviate \$45,000,000,000 in tax penalties on employers over the following decade.

(9) The employer mandate penalty creates incentives for businesses to reduce their hiring or shift their workforce toward part-time jobs.

(10) These stark realities are playing out all across the country as businesses are now well into year 2 of mandatory compliance with this onerous mandate and its negative effect on jobs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the committee of jurisdiction of the Senate should review—

(1) the economic impact that Obamacare's employer mandate and redefinition of full-time employment as a 30-hour work week has had on businesses, employee wages, and the job market as a whole; and

(2) the effect on the job market, if Congress were to enact policy to restore the 40-hour work week definition, and eliminate the current 30-hour definition that is purely arbitrary and serves as a damaging barrier to more hours and better pay for American workers.

SA 431. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FINDINGS; SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds that—

(1) Since January 1, 2013, medical device manufacturers have struggled under a 2.3 percent tax imposed by Obamacare on the sale of certain medical devices. The misguided purpose of that tax was to operate like an excise tax by raising revenue at the point of sale to offset the cost of Obamacare's insurance and Medicaid expansions by taxing companies who help patients get access to life-saving medical technologies.

(2) The tax was in effect from 2010 through 2015, but the Consolidated Appropriations Act, 2016 (Public Law 114-113) temporarily suspended the tax for 2016 and 2017. The tax is now set to resume in 2018.

(3) Initially expected to produce \$3,200,000,000, supporters of the device tax argue that it would be similar to the windfall profits tax from the 1980s, and recapture the excess gains that medical device manufacturers are expected to receive from the Patient Protection and Affordable Care Act.

(4) Taxable medical devices are defined by law as any device "intended for use in the diagnosis of disease or other conditions, or in

the cure, mitigation, treatment, or prevention of disease in man or other animals . . . or intended to affect the structure or function of the body of man." Based on this definition, the tax would be levied on critical devices such as pacemakers and defibrillators.

(5) Since its enactment, the medical device tax has been a major drag on medical innovation and contributed to the loss or deferred creation of jobs, reduced research and development, and slowed capital expansion. What is even more troubling is that this tax was imposed without any real policy justification, as the tax is not grounded in any health care policy. As it stands under current law, it is not connected to individual insurance coverage under Obamacare — it was designed purely as a means of raising revenue from the industry to offset the budgetary impact of the Patient Protection and Affordable Care Act.

(6) At its most basic level, this tax violates commonly accepted principles of sound tax policy. In a 2015 report, the Congressional Research Service paid close attention to excise taxes in particular, stating that, "Viewed from the perspective of traditional economic and tax theory . . . the tax is challenging to justify. In general, tax policy is considered more efficient when differential excise taxes are not imposed. It is generally more efficient to raise revenue from a broad tax base."

(7) The effects of the tax are felt across the industry, as every dollar of revenue (not income or profit) earned by a company is generally subject to the tax. For larger, established companies, the device tax represents millions in financial capital that could be used to expand research and create jobs. For smaller, start-up firms, the effect is much worse—not only does it deter company growth, since the tax is imposed on the first dollar of revenue earned, but it also restricts the ability of established medical technology companies to invest in or acquire start-up companies by limiting the amount of available capital for growth.

(8) Individual companies are already making important planning decisions for the next fiscal year. Companies are already making significant commitments of time and resources to enable or restart their systems to accurately capture, report, and pay the tax if it goes back into effect at the end of the year. The longer Congress waits to act, the more capital device companies will waste that could go towards major medical breakthroughs to help patients, and more broadly towards advancing the state of our nation's medical technology.

(9) Permanently repealing the device tax will provide medical technology innovators with the long-term certainty necessary to support future job growth and sustainable, research and development that will ultimately lead to the next generation of breakthroughs in patient care and treatment. With any other policy outcome, effective planning for a sustainable future becomes much more difficult.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the committee of jurisdiction in the Senate should conduct a full review and assessment of the economic impact of the medical device tax since its inception under the Patient Protection and Affordable Care Act. Such review and assessment should include consideration of the impact of the tax on job creation, capital formation, research and development, and medical technology innovation.

SA 432. Mr. LANKFORD submitted an amendment intended to be proposed

to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF HEALTH CARE REFORM PROVISIONS LIMITING MEDICARE EXCEPTION TO THE PROHIBITION ON CERTAIN PHYSICIAN REFERRALS FOR HOSPITALS.

Sections 6001 and 10601 of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 684, 1005) and section 1106 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152; 124 Stat. 1049) are repealed and the provisions of law amended by such sections are restored as if such sections had never been enacted.

SA 433. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. _____. REPEAL OF AUTHORITY OF THE PRESIDENT TO DETERMINE AN ALTERNATIVE ANNUAL PAY ADJUSTMENT FOR MEMBERS OF THE UNIFORMED SERVICES BASED ON SERIOUS ECONOMIC CONDITIONS.

Section 1009(e) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking "or serious economic conditions affecting the general welfare";

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SA 434. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IX, add the following:

SEC. 953. REQUIREMENT FOR NATIONAL LANGUAGE SERVICE CORPS.

(a) IN GENERAL.—Subsection (a)(1) of 813 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1913) is amended by striking "may establish and maintain" and inserting "shall establish and maintain".

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking "If the Secretary establishes the Corps, the Secretary" and inserting "The Secretary".

SA 435. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize

appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title XVI, insert the following:

SEC. _____. REPORT ON PROGRESS MADE IN IMPLEMENTING THE CYBER EXCEPTED PERSONNEL SYSTEM.

Section 1599f(h)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(F) An assessment of the progress made in implementing the Cyber Excepted Personnel System.”.

SA 436. Mr. ROUNDS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 338. COMPREHENSIVE PLAN FOR SHARING DEPOT-LEVEL MAINTENANCE BEST PRACTICES.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan for the sharing of best practices for depot-level maintenance among the military services.

(b) **ELEMENTS.**—The comprehensive plan required under subsection (a) shall cover the sharing of best practices with regard to—

- (1) programing and scheduling;
- (2) core capability requirements;
- (3) workload;
- (4) personnel management, development, and sustainment;
- (5) induction, duration, efficiency, and completion metrics;
- (6) parts, supply, tool, and equipment management;
- (7) capital investment and manufacturing and production capability; and
- (8) inspection and quality control.

SA 437. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title XVI, insert the following:

SEC. _____. SENSE OF CONGRESS ON ESTABLISHING AN AWARD PROGRAM FOR THE CYBER COMMUNITY OF THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that the Secretary of Defense should consider—

- (1) establishing an award program for employees of the Department of Defense who

carry out the cyber missions or functions of the Department of Defense;

(2) all award options under law or policy, including compensation, time off, and status awards;

(3) awards based upon operational impact and meritorious service;

(4) providing the largest possible opportunity for such members or employees to earn such rewards without regard to type of position, grade, years of service, experience or past performance;

(5) individual and organization rewards; and

(6) other factors, as the Secretary considers appropriate, that would reward and provide incentive to cyber personnel or organizations.

SA 438. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 583. INCLUSION OF SPECIFIC ELECTRONIC MAIL ADDRESS BLOCK ON CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY.

(a) **MODIFICATION REQUIRED.**—The Secretary of Defense shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which a member of the Armed Forces may provide one or more electronic mail addresses by which the member may be contacted after discharge or release from active duty in the Armed Forces.

(b) **VOLUNTARY PROVISION OF ADDRESSES.**—The provision of one or more electronic mail addresses by a member in a Certificate of Release or Discharge from Active Duty, as modified by subsection (a), shall be voluntary and entirely at the election of the member.

(c) **DEADLINE FOR MODIFICATION.**—The Secretary shall release a revised Certificate of Release or Discharge from Active Duty, modified as required by subsection (a), not later than one year after the date of the enactment of this Act.

SA 439. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. _____. REPORT ON AIR-TO-GROUND MUNITIONS SUPPLIED BY THE UNITED STATES TO SAUDI ARABIA.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to Congress a report setting forth the following:

- (1) An assessment by the Secretary whether the use of air-to-ground munitions sold or

otherwise supplied by the United States to the Government of Saudi Arabia have resulted in civilian casualties.

(2) An analysis of trends in the scope of civilian casualties since the onset of the official involvement of Saudi Arabia in the conflict in Yemen.

(3) Recommendations on actions to be taken to mitigate the incidence of civilian casualties in Yemen.

SA 440. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 8, strike line 11 and insert the following:

(2) **NO ANNUAL OR LIFETIME CAPS.**—Paragraph (3) of section 36B(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) **NO ANNUAL OR LIFETIME CAPS.**—Such term shall not include a qualified health plan which has an annual or lifetime cap on benefits, or any plan which does not cover all necessary treatment for a condition until cured (including rehabilitation or reconstruction procedures).”.

(3) **EFFECTIVE DATE.**—The amendments made

SA 441. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO DISENROLLMENT OF CHILDREN FROM MEDICAID WITHOUT PROOF OF ALTERNATIVE INSURANCE COVERAGE.

Beginning with the date of enactment of this Act, any child who is enrolled in a State Medicaid program shall not be disenrolled from such program without proof that the child has alternative insurance coverage that is equally affordable and that provides at least the same level of coverage.

SA 442. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIRING MEDICAID COVERAGE FOR CERTAIN ADULTS WITH HIGH INSURANCE COSTS.

(a) **IN GENERAL.**—Beginning with the date of enactment of this Act, each State shall provide medical assistance through the State Medicaid program to any individual residing in the State who is between 50 and 64 years of age and who demonstrates that the least expensive private health insurance coverage available to such individual would require the individual to pay premiums that would exceed 9.5 percent of such individual's income.

(b) **ENHANCED FMAP.**—The Federal medical assistance percentage applicable to medical assistance provided by a State under the

State Medicaid program to individuals described in subsection (a) shall be equal to 100 percent.

SA 443. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIRING MEDICAID COVERAGE FOR CERTAIN ADULTS WITH HIGH INSURANCE COSTS.

Beginning with the date of enactment of this Act, each State shall provide medical assistance through the State Medicaid program to any individual residing in the State who is between 50 and 64 years of age and who demonstrates that the least expensive private health insurance coverage available to such individual would require the individual to pay premiums that would exceed 9.5 percent of such individual's income.

SA 444. Ms. HIRONO (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE MEDICARE OR LIMIT FEDERAL FUNDING FOR MEDICAID.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) increase the eligibility age under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(2) privatize the Medicare program or turn the program into a voucher system; or

(3) decrease or cap Federal funding of State Medicaid programs under title XIX of such Act (42 U.S.C. 1396 et seq.), or alter such funding of such programs in such a manner that would decrease the amount of Federal funding available to States to elect to provide medical assistance to low-income, non-elderly individuals under the eligibility option established by the Affordable Care Act in section 1902(a)(10)(A)(i)(VIII) of such Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)).

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 445. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PREVENTING REDUCTIONS IN HEALTH COVERAGE, INCREASED OUT-OF-POCKET COSTS, AND INCREASED TAXES FOR INDIVIDUALS IN THE STATE OF HAWAII.

If, within 30 days of the date of the enactment of this Act, the Governor of Hawaii provides a certification to the Secretary of Health and Human Services and the Secretary of Treasury that provisions of, or amendments made by, this Act will result in reductions in health coverage, increased out-of-pocket costs, or increased taxes for individuals in Hawaii, such provisions and amendments shall, as of the date of such certification, not apply to Hawaii (including residents of Hawaii).

SA 446. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 33, insert the following after line 11:

“(D) **SAFETY NET CARE PROVIDERS.**—Payments made for services provided by rural health clinics described in clause (B) of section 1905(a)(2), Federally-qualified health centers as described in clause (C) of section 1905(a)(2), under the terms specified in section 1902(bb), and certified community behavioral health clinics as described in Section 223 of the Protecting Access to Medicare Act.

SA 447. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike sections 111 through 121.

SA 448. Mr. TESTER (for himself, Mrs. MCCASKILL, Mr. FRANKEN, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—SERVICEMEMBERS AND VETERANS EMPOWERMENT AND SUPPORT

SEC. ____ . SHORT TITLE.

This title may be cited as the “Servicemembers and Veterans Empowerment and Support Act of 2017”.

SEC. ____ . EXPANSION OF COVERAGE BY THE DEPARTMENT OF VETERANS AFFAIRS OF COUNSELING AND TREATMENT FOR SEXUAL TRAUMA.

(a) **COVERAGE OF CYBER HARASSMENT OF A SEXUAL NATURE.**—Paragraph (1) of section 1720D(a) of title 38, United States Code, is amended by inserting “cyber harassment of a sexual nature,” after “battery of a sexual nature,”.

(b) **EXPANSION OF AVAILABILITY FOR MEMBERS OF THE ARMED FORCES.**—Paragraph (2)(A) of such section is amended—

(1) by striking “on active duty”; and

(2) by inserting “that was suffered by the member while serving on active duty, active duty for training, or inactive duty training” before the period at the end.

SEC. ____ . STANDARD OF PROOF FOR SERVICE-CONNECTION OF MENTAL HEALTH CONDITIONS RELATED TO MILITARY SEXUAL TRAUMA.

(a) **STANDARD OF PROOF.**—Section 1154 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) In the case of any veteran who claims that a covered mental health condition was incurred in or aggravated by military sexual trauma during active military, naval, or air service, the Secretary shall accept as sufficient proof of service-connection a diagnosis of such mental health condition by a mental health professional together with satisfactory lay or other evidence of such trauma and an opinion by the mental health professional that such covered mental health condition is related to such military sexual trauma, if consistent with the facts of their service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of the veteran. Service-connection of such covered mental health condition may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service-connection in each case shall be recorded in full.

“(2) In this subsection:

“(A) The term ‘covered mental health condition’ means post-traumatic stress disorder, anxiety, depression, or other mental health diagnosis described in the current version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that the Secretary determines to be related to military sexual trauma.

“(B) The term ‘military sexual trauma’ means, with respect to a veteran, a physical assault of a sexual nature, battery of a sexual nature, cyber harassment of a sexual nature, or sexual harassment which occurred during active military, naval, or air service.”.

(b) **USE OF EVIDENCE IN EVALUATING DISABILITY CLAIMS INVOLVING MILITARY SEXUAL TRAUMA.**—

(1) **IN GENERAL.**—Subchapter VI of chapter 11 of such title is amended by adding at the end the following new section:

“§1164. Evaluation of claims involving military sexual trauma

“(a) **NONMILITARY SOURCES OF EVIDENCE.**—

(1) In carrying out section 1154(c) of this title, the Secretary shall ensure that if a claim for compensation under this chapter is received by the Secretary for post-traumatic stress disorder based on a physical assault of a sexual nature, battery of a sexual nature, cyber harassment of a sexual nature, or sexual harassment experienced by a veteran during active military, naval, or air service, evidence from sources other than official records of the Department of Defense regarding the veteran's service may corroborate the veteran's account of the assault, battery, or harassment.

“(2) Examples of evidence described in paragraph (1) include the following:

“(A) Records from law enforcement authorities, rape crisis centers, mental health counseling centers, hospitals, and physicians.

“(B) Pregnancy tests and tests for sexually transmitted diseases.

“(C) Statements from family members, roommates, other members of the Armed Forces or veterans, and clergy.

“(b) BEHAVIOR CHANGES CORROBORATING EVIDENCE.—(1) In carrying out section 1154(c) of this title, the Secretary shall ensure that evidence of a behavior change following an assault, battery, or harassment described in subsection (a)(1) is one type of relevant evidence that may be found in sources described in such subsection.

“(2) Examples of behavior changes that may be relevant evidence of an assault, battery, or harassment described in subsection (a)(1) include the following:

“(A) A request for a transfer to another military duty assignment.

“(B) Deterioration in work performance.

“(C) Substance abuse.

“(D) Episodes of depression, panic attacks, or anxiety without an identifiable cause.

“(E) Unexplained economic or social behavior changes.

“(c) NOTICE AND OPPORTUNITY TO SUPPLY EVIDENCE.—The Secretary may not deny a claim of a veteran for compensation under this chapter for a post-traumatic stress disorder that is based on an assault, battery, or harassment described in subsection (a)(1) without first—

“(1) advising the veteran that evidence described in subsections (a) and (b) may constitute credible corroborating evidence of the assault, battery, or harassment; and

“(2) allowing the veteran an opportunity to furnish such corroborating evidence or advise the Secretary of potential sources of such evidence.

“(d) REVIEW OF EVIDENCE.—In reviewing a claim for compensation described in subsection (a)(1), for any evidence received with such claim that is described in subsection (a) or (b), the Secretary may submit such evidence to such medical or mental health professional as the Secretary considers appropriate, including clinical and counseling experts employed by the Department, to obtain a credible opinion as to whether the evidence indicates that an assault, battery, or harassment described in subsection (a)(1) occurred.

“(e) POINT OF CONTACT.—The Secretary shall ensure that each document provided to a veteran relating to a claim for compensation described in subsection (a)(1) includes contact information for an appropriate point of contact with the Department.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“1164. Evaluation of claims involving military sexual trauma.”.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Subchapter VI of chapter 11 of title 38, United States Code, as amended by subsection (b), is further amended by adding at the end the following new section:

“§ 1165. Reports on claims for disabilities incurred or aggravated by military sexual trauma

“(a) REPORTS.—Not later than March 1, 2018, and not less frequently than once each year thereafter through 2027, the Secretary shall submit to Congress a report on covered claims submitted during the previous fiscal year to identify and track the consistency of decisions across regional offices.

“(b) ELEMENTS.—Each report under subsection (a) shall include the following:

“(1) The number of covered claims submitted to or considered by the Secretary during the fiscal year covered by the report.

“(2) Of the covered claims listed under paragraph (1), the number and percentage of such claims—

“(A) submitted by each sex;

“(B) that were approved, including the number and percentage of such approved claims submitted by each sex; and

“(C) that were denied, including the number and percentage of such denied claims submitted by each sex.

“(3) Of the covered claims listed under paragraph (1) that were approved, the number and percentage, disaggregated by sex, of claims assigned to each rating percentage.

“(4) Of the covered claims listed under paragraph (1) that were denied—

“(A) the three most common reasons given by the Secretary under section 5104(b)(1) of this title for such denials; and

“(B) the number of denials that were based on the failure of a veteran to report for a medical examination.

“(5) The number of covered claims that, as of the end of the fiscal year covered by the report, are pending and, separately, the number of such claims on appeal.

“(6) For the fiscal year covered by the report, the average number of days that covered claims take to complete, beginning on the date on which the claim is submitted.

“(7) A description of the training that the Secretary provides to employees of the Veterans Benefits Administration specifically with respect to covered claims, including the frequency, length, and content of such training.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘covered claims’ means claims for disability compensation submitted to the Secretary based on a covered mental health condition alleged to have been incurred or aggravated by military sexual trauma.

“(2) The terms ‘covered mental health condition’ and ‘military sexual trauma’ have the meanings given such terms in section 1154(c)(3) of this title.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by subsection (b), is further amended by adding at the end the following new item:

“1165. Reports on claims for disabilities incurred or aggravated by military sexual trauma.”.

(d) EFFECTIVE DATE.—Subsection (c) of section 1154 of title 38, United States Code, as added by subsection (a), shall apply with respect to any claim for disability compensation under laws administered by the Secretary of Veterans Affairs for which no final decision has been made before the date of the enactment of this Act.

SEC. ____ . INFORMATION FOR MEMBERS OF THE ARMED FORCES REGARDING AVAILABILITY OF SERVICES AT VET CENTERS.

(a) IN GENERAL.—The Secretary of Defense shall inform members of the Armed Forces, using mechanisms available to the Secretary, of the eligibility of such members for services at Vet Centers.

(b) INFORMATION FROM SEXUAL ASSAULT RESPONSE COORDINATORS.—The Secretary shall ensure that Sexual Assault Response Coordinators of the Department of Defense advise members of the Armed Forces who report instances of military sexual trauma regarding the eligibility of such members for services at Vet Centers.

(c) DEFINITIONS.—In this section:

(1) MILITARY SEXUAL TRAUMA.—The term “military sexual trauma” means psychological trauma described in section 1720D(a)(1) of title 38, United States Code.

(2) VET CENTER.—The term “Vet Center” has the meaning given that term in section 1712A(h) of such title.

SA 449. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INCREASE IN CIVIL PENALTY UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 206(b)(1) of the International Emergency Economic Powers Act (50 U.S.C. 1705(b)(1)) is amended by striking “\$250,000” and inserting “\$1,000,000”.

SA 450. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 192, strike lines 21 through 24.

SA 451. Mr. BLUMENTHAL (for himself, Mr. WHITEHOUSE, Mr. DURBIN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division ____, add the following:

TITLE XVII—JUSTICE FOR SERVICEMEMBERS AND VETERANS

SECTION 1700. SHORT TITLE.

This title may be cited as the “Justice for Servicemembers and Veterans Act of 2017”.

Subtitle A—Employment and Reemployment Rights

SEC. 1701. ACTION FOR RELIEF IN ENFORCEMENT OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO A STATE OR PRIVATE EMPLOYER.

(a) INITIATION OF ACTIONS.—Paragraph (1) of subsection (a) of section 4323 of title 38, United States Code, is amended by striking the third sentence and inserting the following new sentences: “If the Attorney General is reasonably satisfied that the person on whose behalf the complaint is referred is entitled to the rights or benefits sought, the Attorney General may commence an action for relief under this chapter, including on behalf of the person. The person on whose behalf the complaint is referred may, upon

timely application, intervene in such action and may obtain such appropriate relief as provided in subsections (d) and (e)."

(b) **ATTORNEY GENERAL NOTICE TO SERVICE-MEMBER OF DECISION.**—Paragraph (2) of such subsection is amended to read as follows:

"(2)(A) Not later than 60 days after the date the Attorney General receives a referral under paragraph (1), the Attorney General shall transmit, in writing, to the person on whose behalf the complaint is submitted—

"(i) if the Attorney General has made a decision about whether the United States will commence an action for relief under paragraph (1) relating to the complaint of the person, notice of the decision; and

"(ii) if the Attorney General has not made such a decision, notice of when the Attorney General expects to make such a decision.

"(B) If the Attorney General notifies a person of when the Attorney General expects to make a decision under subparagraph (A)(ii), the Attorney General shall, not later than 30 days after the date on which the Attorney General makes such decision, notify, in writing, the person of such decision."

(c) **PATTERN OR PRACTICE CASES.**—Such subsection is further amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) (as amended by paragraph (2) of this subsection) the following new paragraph (3):

"(3) Whenever the Attorney General has reasonable cause to believe that a State (as an employer) or a private employer is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights or benefits secured by this chapter, the Attorney General may commence an action under this chapter."

(d) **ACTIONS BY PRIVATE PERSONS.**—Subparagraph (C) of paragraph (4) of such subsection, as redesignated by paragraph (3)(A), is amended by striking "refused" and all that follows and inserting "notified by the Attorney General that the Attorney General does not intend to bring a civil action."

(e) **CONFORMING AMENDMENT.**—Subsection (h)(2) of such section is amended by striking "subsection (a)(2)" and inserting "subsection (a)(1) or subsection (a)(4)".

SEC. 1702. WAIVER OF SOVEREIGN IMMUNITY FOR ENFORCEMENT OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES.

(a) **IN GENERAL.**—Paragraph (2) of section 4323(b) of title 38, United States Code, is amended to read as follows:

"(2)(A) In the case of an action against a State (as an employer), any instrumentality of a State, or any officer or employee of a State or instrumentality of a State acting in that officer or employee's official capacity, by any person, the action may be brought in the appropriate district court of the United States or in a State court of competent jurisdiction, and the State, instrumentality of the State, or officer or employee of the State or instrumentality acting in that officer or employee's official capacity shall not be immune under the Eleventh Amendment of the Constitution, or under any other doctrine of sovereign immunity, from such action.

"(B)(i) No State, instrumentality of such State, or officer or employee of such State or instrumentality of such State, acting in that officer or employee's official capacity, that receives or uses Federal financial assistance for a program or activity shall be immune, under the Eleventh Amendment of the Constitution or under any other doctrine of sovereign immunity, from suit in Federal or State court by any person for any violation

under this chapter related to such program or activity.

"(ii) In an action against a State brought pursuant to subsection (a), a court may award the remedies (including remedies both at law and in equity) that are available under subsections (d) and (e)."

(b) **MODIFICATION OF PURPOSES.**—Section 4301(a) of such title is amended, in the matter before paragraph (1), by striking "The" and inserting "Pursuant to the power of Congress to enact this chapter under section 8 of article I of the Constitution of the United States, the".

SEC. 1703. VENUE FOR CASES AGAINST PRIVATE EMPLOYERS FOR VIOLATIONS OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES.

Section 4323(c)(2) of title 38, United States Code, is amended by striking "United States district court for any district in which the private employer of the person maintains a place of business." and inserting "United States district court for—

"(A) any district in which the employer maintains a place of business;

"(B) any district in which a substantial part of the events or omissions giving rise to the claim occurred; or

"(C) if there is no district in which an action may otherwise be brought as provided in subparagraph (A) or (B), any district in which the employer is subject to the court's personal jurisdiction with respect to such action."

SEC. 1704. STANDING IN CASES INVOLVING VIOLATIONS OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES BY STATES AND PRIVATE EMPLOYERS.

Section 4323(f) of title 38, United States Code, is amended—

(1) by inserting "by the United States or" after "may be initiated only"; and

(2) by striking "or by the United States under subsection (a)(1)".

SEC. 1705. CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL IN ENFORCEMENT OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO STATES AND PRIVATE EMPLOYERS.

Section 4323(f) of title 38, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

"(i) **ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL.**—

(1) Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this chapter, the Attorney General may, before commencing a civil action under subsection (a), issue in writing and cause to be served upon such person, a civil investigative demand requiring—

"(A) the production of such documentary material for inspection and copying;

"(B) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

"(C) the production of any combination of such documentary material or answers.

"(2) The provisions governing the authority to issue, use, and enforce civil investigative demands under section 3733 of title 31 (known as the 'False Claims Act') shall govern the authority to issue, use, and enforce civil investigative demands under paragraph

(1), except that for purposes of that paragraph—

"(A) a reference in that section to false claims law investigators or investigations shall be applied as referring to investigators or investigations under this chapter;

"(B) a reference to interrogatories shall be applied as referring to written questions, and answers to such need not be under oath;

"(C) the statutory definitions for purposes of that section relating to 'false claims law' shall not apply; and

"(D) provisions of that section relating to qui tam relators shall not apply."

SEC. 1706. TREATMENT OF DISABILITY DISCOVERED AFTER EMPLOYEE ENTITLED TO REEMPLOYMENT BY REASON OF UNIFORMED SERVICE STATUS RESUMES EMPLOYMENT.

Section 4313(a)(3) of title 38, United States Code, is amended, in the matter before subparagraph (A), by inserting "including a disability that is brought to the employer's attention within 5 years after the person resumes employment," after "during, such service,".

SEC. 1707. BURDEN OF IDENTIFYING PROPER REEMPLOYMENT POSITIONS FOR EMPLOYEES ENTITLED TO REEMPLOYMENT BY REASON OF UNIFORMED SERVICE STATUS.

Section 4313 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(c) For purposes of this section, the employer shall have the burden of identifying the appropriate reemployment positions."

SEC. 1708. CLARIFICATIONS REGARDING SCOPE OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) **CLARIFICATION REGARDING DEFINITION OF RIGHTS AND BENEFITS.**—Section 4303(2) of title 38, United States Code, is amended—

(1) by inserting "(A)" before "The term"; and

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

"(B) Any procedural protections or provisions set forth in this chapter shall also be considered a right or benefit subject to the protection of this chapter."

(b) **CLARIFICATION REGARDING RELATION TO OTHER LAW AND PLANS FOR AGREEMENTS.**—Section 4302 of such title is amended by adding at the end the following:

"(c)(1) Pursuant to this section and the procedural rights afforded by subchapter III of this chapter, any agreement to arbitrate a claim under this chapter is unenforceable, unless all parties consent to arbitration after a complaint on the specific claim has been filed in court or with the Merit Systems Protection Board and all parties knowingly and voluntarily consent to have that particular claim subjected to arbitration.

"(2) For purposes of this subsection, consent shall not be considered voluntary when a person is required to agree to arbitrate an action, complaint, or claim alleging a violation of this chapter as a condition of future or continued employment, advancement in employment, or receipt of any right or benefit of employment."

Subtitle B—Civil Relief

SEC. 1711. IMPROVED PROTECTION OF MEMBERS OF UNIFORMED SERVICES AGAINST DEFAULT JUDGMENTS.

(a) **APPOINTMENT OF ATTORNEY TO REPRESENT DEFENDANT IN MILITARY SERVICE.**—Paragraph (2) of section 201(b) of the Servicemembers Civil Relief Act (50 U.S.C. 3931(b)) is amended to read as follows:

"(2) **APPOINTMENT OF ATTORNEY TO REPRESENT DEFENDANT IN MILITARY SERVICE.**—

“(A) IN GENERAL.—If in an action covered by this section it appears that the defendant is in military service, the court shall not enter a judgment until after the court appoints an attorney to represent the defendant.

“(B) ACTIONS OF ATTORNEY.—

“(i) IN GENERAL.—The court appointed attorney shall act only in the best interests of the defendant.

“(ii) REQUEST FOR STAY OF PROCEEDINGS.—The court appointed attorney, when appropriate to represent the best interests of the defendant, shall request a stay of proceedings under this Act.

“(iii) FAITHFUL PERFORMANCE.—The court shall require the court appointed attorney to perform duties faithfully and, upon failure to do so, shall discharge the attorney and appoint another.

“(C) LOCATION.—

“(i) IN GENERAL.—The court appointed attorney shall use due diligence to locate and contact the defendant.

“(ii) PROVISION OF CONTACT INFORMATION.—The plaintiff must provide to the court appointed attorney all contact information it has for the defendant.

“(iii) REPORT ON EFFORTS TO LOCATE.—A court appointed attorney unable to make contact with the defendant shall report to the court on all of the attorney's efforts to make contact.

“(iv) IMPLICATIONS OF FAILURE TO LOCATE.—If an attorney appointed under this section to represent a defendant in military service cannot locate the defendant, actions by the attorney in the case shall not waive any defense of the servicemember or otherwise bind the servicemember.

“(D) NOTIFICATION AND ASSERTION OF RIGHTS.—

“(i) NOTIFICATION OF RIGHTS.—Upon making contact with the defendant, the court appointed attorney shall advise the defendant of the nature of the lawsuit and the defendant's rights provided by this Act, including rights to obtain a stay and to request the court to adjust an obligation.

“(ii) ASSERTION OF RIGHTS.—Regardless of whether contact is made under clause (i), the court appointed attorney shall assert such rights on behalf of defendant if there is an adequate basis in law and fact, unless the defendant provides informed consent to not assert such rights.”.

(b) EXPANSION OF AUTHORITY FOR COURT TO VACATE OR SET ASIDE JUDGMENT.—Paragraph (1) of section 201(g) of the Servicemembers Civil Relief Act (50 U.S.C. 3931(g)) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs (A) and (B):

“(A)(i) the servicemember was materially affected by reason of that military service in making a defense to the action; and

“(ii) the servicemember has a meritorious or legal defense to the action or some part of it; or

“(B) an attorney appointed to represent the servicemember failed to adequately represent the best interests of the defendant.”.

SEC. 1712. AUTHORITY FOR ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL.

(a) IN GENERAL.—Section 801 of the Servicemembers Civil Relief Act (50 U.S.C. 4041) is amended by adding at the end the following new subsection:

“(d) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—

“(1) IN GENERAL.—Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control

of any documentary material relevant to an investigation under this Act, the Attorney General may, before commencing a civil action under subsection (a), issue in writing and serve upon such person, a civil investigative demand requiring—

“(A) the production of such documentary material for inspection and copying;

“(B) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

“(C) the production of any combination of such documentary material or answers.

“(2) PROCEDURES.—The provisions of section 3733 of title 31, United States Code, governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to the authority to issue, use, and enforce civil investigative demands under this section, except that, for purposes of applying such section 3733—

“(A) references in that section to false claims law investigators or investigations shall be read as references to investigators or investigations;

“(B) references in that section to interrogatories shall be read as references to written questions, and answers to such need not be under oath;

“(C) the statutory definitions relating to ‘false claims law’ shall not apply; and

“(D) provisions relating to qui tam relators shall not apply.”.

(b) RETROACTIVE APPLICABILITY.—Section 801 of such Act (50 U.S.C. 4041), as amended by subsection (a), shall apply as if such section were included in the enactment of the Soldiers' and Sailors' Civil Relief Act of 1940 (54 Stat. 1178, chapter 888) and included in the restatement of such Act in Public Law 108-189.

SEC. 1713. ORAL NOTICE SUFFICIENT TO INVOKE INTEREST RATE CAP.

Paragraphs (1) and (2) of section 207(b) of the Servicemembers Civil Relief Act (50 U.S.C. 3937(b)) are amended to read as follows:

“(1) NOTICE TO CREDITOR.—

“(A) IN GENERAL.—In order for an obligation or liability of a servicemember to be subject to the interest rate limitation in subsection (a), the servicemember shall provide to the creditor oral or written notice of military service and any further extension of military service, not later than 180 days after the date of the servicemember's termination or release from military service.

“(B) RECORDS.—The creditor shall retain a record of the servicemember's oral or written notification.

“(2) LIMITATION EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY.—

“(A) SEARCH OF RECORDS.—Upon receipt of oral or written notice of military service, the creditor shall conduct a search of Department of Defense records available through the Department of Defense Manpower Data Center.

“(B) MILITARY SERVICE CONFIRMED.—If military service is confirmed by a search under subparagraph (A), the creditor shall treat the debt in accordance with subsection (a), effective as of the date on which the servicemember is called to military service.

“(C) MILITARY SERVICE NOT CONFIRMED.—If a search of Department of Defense records under subparagraph (A) does not confirm military service, the creditor shall notify the servicemember and may require the servicemember to provide a copy of the servicemember's military orders before treating the debt in accordance with subsection (a), effective as of the date on which

the servicemember is called to military service.”.

SEC. 1714. HARMONIZATION OF SECTIONS.

(a) IN GENERAL.—Section 303 of the Servicemembers Civil Relief Act (50 U.S.C. 3953) is amended—

(1) in subsection (b), in the matter before paragraph (1), by striking “filed” and inserting “pending”; and

(2) in subsection (c)(1), by striking “with a return made and approved by the court”.

(b) REPEAL OF SUNSET.—Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112-154; 50 U.S.C. 3953 note) is amended—

(1) by striking “EXTENSION OF SUNSET” and all that follows through “Subsection (c)” and inserting “ELIMINATION OF PRIOR SUNSET.—Subsection (c)”;

(2) by striking paragraph (3).

SEC. 1715. EXPANSION OF PROTECTION FOR TERMINATION OF RESIDENTIAL AND MOTOR VEHICLE LEASES.

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. 3955) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking “or” at the end;

(II) in subparagraph (B), by striking the period at the end and inserting “; or”; and

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

“(C) in the case of a lease described in subparagraph (C) of subsection (b)(1), the date the lessee is assigned to or otherwise relocates to quarters or a housing facility as described in such subparagraph.”; and

(ii) in paragraph (2), by striking “dependent of the lessee” and inserting “co-lessee”; and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by striking “or” at the end;

(ii) in subparagraph (B)—

(I) by inserting “(as defined in the Joint Federal Travel Regulations, chapter 5, paragraph U5000B)” after “permanent change of station”; and

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

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

“(C) the lease is executed by or on behalf of a person who thereafter and during the term of the lease is assigned to or otherwise relocates to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.”.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting “in the case of a lease described in subsection (b)(1) and subparagraph (A) or (B) of such subsection,” before “by delivery”; and

(ii) by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) in the case of a lease described in subparagraph (C) of subsection (b)(1), by delivery by the lessee of written notice of such termination, and a letter from the

servicemember's commanding officer indicating that the servicemember has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and".

(b) **WAIVER IMPERMISSIBLE.**—Such section is further amended by adding at the end the following new subsection:

"(i) **WAIVER NOT PERMITTED.**—The provisions of this section may not be waived or modified by the agreement of the parties under any circumstances."

SEC. 1716. PORTABILITY OF PROFESSIONAL LICENSES OF MEMBERS OF THE UNIFORMED SERVICES AND THEIR SPOUSES.

(a) **IN GENERAL.**—Title VII of the Servicemembers Civil Relief Act (50 U.S.C. 4021 et seq.) is amended by inserting after section 705 (50 U.S.C. 4025) the following new section:

"SEC. 705A. PORTABILITY OF PROFESSIONAL LICENSES OF SERVICEMEMBERS AND THEIR SPOUSES.

"In any case in which a servicemember has a professional license in good standing in a jurisdiction or the spouse of a servicemember has a professional license in good standing in a jurisdiction and such servicemember or spouse relocates his or her residency because of military orders to a location that is not in such jurisdiction, the professional license or certification of such servicemember or spouse shall be considered valid and in good standing in the jurisdiction of such new residency for the duration of such military orders if such servicemember or spouse—

"(1) provides a copy of such military orders to the licensing authority in the jurisdiction in which the new residency is located;

"(2) remains in good standing with the licensing authority that issued the license; and

"(3) submits to the authority of the licensing authority in the new jurisdiction for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements."

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 705 the following new item:

"Sec. 705A. Portability of professional licenses of servicemembers and their spouses."

SA 452. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, insert the following:

SEC. ____ . IN-STATE TUITION RATES FOR CERTAIN MEMBERS OF THE ARMED FORCES IN ACTIVE SERVICE, SPOUSES, AND DEPENDENT CHILDREN.

(a) **IN GENERAL.**—Section 135 of the Higher Education Act of 1965 (20 U.S.C. 1015d) is amended to read as follows:

"SEC. 135. IN-STATE TUITION RATES FOR MEMBERS OF THE ARMED FORCES IN ACTIVE SERVICE, SPOUSES, AND DEPENDENT CHILDREN.

"(a) **REQUIREMENT.**—Each State that receives assistance under this Act shall not charge a member of the armed forces (or the spouse or dependent child of such member) tuition for attendance at a public institution of higher education in the State at a rate that is greater than the rate charged for residents of the State, if the member of the armed forces—

"(1) is serving on active service, as defined in section 101 of title 10, United States Code, and has served on active service for a period of not less than 10 years; and

"(2) has been stationed in the State—

"(A) for any of the 3 most recent tours of duty of the member; or

"(B) for any of the 3 longest tours of duty of the member.

"(b) **CONTINUATION.**—If an individual who is a member of the armed forces, or the spouse or dependent child of such member, pays tuition at a public institution of higher education in a State at a rate determined by subsection (a), the provisions of such subsection shall continue to apply to such member, spouse, or dependent, with respect to any State for which the member met the requirements of paragraph (a)(2) and without regard to any subsequent change in the permanent duty station or the retirement of the member, while such member, spouse or dependent—

"(1) is continuously enrolled at such institution; or

"(2)(A) transfers to another public institution of higher education during the same academic year or the immediately following academic year, if the institution is located in a State where the member has been stationed as described in subsection (a)(2); and

"(B) is continuously enrolled at such institution.

"(c) **APPLICABILITY.**—This section shall take effect at each public institution of higher education in a State that receives assistance under this Act for each period of enrollment at such institution that begins after July 1, 2018.

"(d) **DEFINITIONS.**—In this section:

"(1) **ACTIVE SERVICE FOR A PERIOD OF MORE THAN 30 DAYS.**—The term 'active service for a period of more than 30 days' means active service, as defined in section 101 of title 10, United States Code, under a call or order that does not specify a period of 30 days or less.

"(2) **ARMED FORCES.**—The terms 'armed forces' has the meaning given the term in section 101 of title 10, United States Code."

(b) **EFFECTIVE DATE.**—Subsection (a), and the amendment made by subsection (a), shall take effect on July 1, 2018.

SA 453. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. ____ . JOINT SERVICES TRANSCRIPTS FOR MEMBERS OF THE ARMED FORCES PARTICIPATING IN THE TRANSITION ASSISTANCE PROGRAM.

(a) **PROVISION OF TRANSCRIPTS TO MEMBERS REQUIRED.**—Each member of the Armed Forces participating in the Transition Assistance Program (TAP) of the Department of Defense shall be provided a joint services transcript (TSP) in connection with participation in the Program.

(b) **ELEMENTS.**—The joint services transcript provided a member pursuant to subsection (a) shall include the following:

(1) Military student data of the member, including a description of any military courses taken and learning outcomes and recommended college credit in connection with such courses.

(2) Any military occupations or military occupational specialties of the member.

(3) The results of any national college-level examinations taken by the member.

SA 454. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . FINANCING OF EXPORTATION OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

"(I)(aa) the Bank determines that the end use of the defense articles or services includes civilian purposes; or

"(bb) the President determines that the transaction is in the national security interests of the United States; and".

SA 455. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A add the following:

TITLE XVII—DISCHARGE AND DISCHARGE REVIEW MATTERS

SEC. 1701. CONFIDENTIAL REVIEW OF CHARACTERIZATION OF TERMS OF DISCHARGE OF MEMBERS WHO ARE SURVIVORS OF SEXUAL ASSAULT.

(a) **CODIFICATION OF CURRENT CONFIDENTIAL PROCESS.**—

(1) **CODIFICATION.**—Chapter 79 of title 10, United States Code, is amended by inserting after section 1554a a new section 1554b consisting of—

(A) a heading as follows:

“§ 1554b. Confidential review of characterization of terms of discharge of members of the armed forces who are survivors of sexual assault”; and

(B) a text consisting of the text of section 547 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3375; 10 U.S.C. 1553 note).

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 79 of such title is amended by inserting after the item relating to section 1554a the following new item:

“1554b. Confidential review of characterization of terms of discharge of members of the armed forces who are survivors of sexual assault.”.

(3) CONFORMING REPEAL.—Section 547 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is repealed.

(b) TERMINOLOGY.—Section 1554b of title 10, United States Code, as added by subsection (a) of this section, is amended—

(1) in subsection (a), by striking “victim” each place it appears and inserting “survivor”; and

(2) by striking “sex-related” each place it appears and inserting “sexual assault”.

(c) CLARIFICATION OF APPLICABILITY TO INDIVIDUALS WHO ALLEGE THEY WERE A SURVIVOR OF SEXUAL ASSAULT DURING MILITARY SERVICE.—Subsection (a) of such section 1554b, as so added, is further amended by inserting after “sexual assault offense” the following: “, or alleges that the individual was the survivor of a sexual assault offense.”.

(d) ADDITIONAL REQUIREMENTS FOR CONSIDERATION OF EVIDENCE.—Subsection (b) of such section 1554b, as so added, is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

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

“(3) to give liberal consideration to all available evidence that a sexual assault occurred, including evidence from sources other than records of the armed force concerned that may corroborate the individual’s account of the sexual assault (including evidence of changes in the individual’s behavior after the offense and other circumstantial evidence that may corroborate the individual’s account of the sexual assault).”.

(e) MEDICAL ADVISORY OPINIONS IN CONNECTION WITH SURVIVORS OF SEXUAL ASSAULT.—Such section 1554b, as so added, is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) MEDICAL ADVISORY OPINIONS.—Any medical advisory opinion issued to a board established in accordance with this chapter in the case of a review carried out in accordance with the process established under this section shall include the opinion of a psychiatrist or psychologist with training in sexual trauma cases.”.

(f) CONFORMING AMENDMENTS.—Such section 1554b, as so added, is further amended—

(1) by striking “Armed Forces” each place it appears in subsections (a) and (b) and inserting “armed forces”; and

(2) in subsection (a)—

(A) by striking “boards for the correction of military records of the military department concerned” and inserting “boards of the military department concerned established in accordance with this chapter”; and

(B) by striking “such an offense” and inserting “a sexual-assault offense”;

(3) in subsection (b), by striking “boards for the correction of military records” and inserting “boards of the military department concerned established in accordance with this chapter”; and

(4) in subsection (e), as redesignated by subsection (e)(1) of this section—

(A) in the subsection heading, by striking “SEX-RELATED” and inserting “SEXUAL ASSAULT”;

(B) in paragraph (1), by striking “title 10, United States Code” and inserting “this title”; and

(C) in paragraphs (2) and (3), by striking “such title” and inserting “this title”.

SEC. 1702. AUTHORITY FOR DISCHARGE REVIEW BOARDS TO REFER CERTAIN APPLICATIONS FOR RELIEF TO THE PHYSICAL DISABILITY BOARD OF REVIEW.

(a) AUTHORITY FOR DISCHARGE REVIEW BOARDS TO REFER FOR DISABILITY REVIEW.—

(1) AUTHORITY.—Subsection (b) of section 1553 of title 10, United States Code, is amended to read as follows:

“(b)(1) To reflect its findings, a board established under this section may—

“(A) change a discharge or dismissal;

“(B) issue a new discharge; or

“(C) in the case of a former member whose application for relief is based in whole or in part on matters relating to a sexual assault, post-traumatic stress disorder, or traumatic brain injury, refer the application for relief to the Physical Disability Board of Review established under section 1554a of this title for review under such section.

“(2) Any action of the board under this subsection is subject to review by the Secretary concerned.”.

(b) TREATMENT OF REFERRAL.—Section 1554a of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) REFERRALS FROM DISCHARGE REVIEW BOARD.—(1) Except as provided in paragraph (2), a referral for review pursuant to section 1553(b)(1)(C) of this title shall be treated as a request for review by a covered individual for purposes of this section.

“(2) In the case of a referral for review pursuant to section 1553(b)(1)(C) of this title—

“(A) a previous disability determination by a Physical Evaluation Board shall not be required; and

“(B) subsection (c)(4) shall not apply.”.

SEC. 1703. PUBLIC AVAILABILITY OF INFORMATION RELATED TO DISPOSITION OF CLAIMS REGARDING DISCHARGE OR RELEASE OF MEMBERS OF THE ARMED FORCES WHEN THE CLAIMS INVOLVE SEXUAL ASSAULT.

(a) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Section 1552(h) of title 10, United States Code, as added by section 533(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by adding at the end the following new paragraph:

“(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.”.

(b) DISCHARGE REVIEW BOARDS.—Section 1553(f) of title 10, United States Code, as added by section 533(b) of the National Defense Authorization Act for Fiscal Year 2017,

is amended by adding at the end the following new paragraph:

“(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.”.

SEC. 1704. TRAINING REQUIREMENTS.

(a) MEMBERS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Section 534(c)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1552 note) is amended by adding at the end the following new sentence: “This curriculum shall also address the proper handling of claims in which sexual assault is alleged to have contributed to the original characterization of the discharge or release of the claimant, including guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554b(b)(3) of title 10, United States Code.”.

(b) DEPARTMENT OF DEFENSE PERSONNEL WHO INVESTIGATE CLAIMS OF RETALIATION.—Section 546(a) of the National Defense Authorization Act for Fiscal Year 2017 is amended by striking “section.” and inserting “section, including guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554b(b)(3) of title 10, United States Code.”.

SEC. 1705. OTHER IMPROVEMENTS TO AUTHORITIES AND PROCEDURES FOR THE CORRECTION OF MILITARY RECORDS.

(a) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—

(1) USE OF SECRETARIAL AUTHORITY TO CORRECT MILITARY RECORDS.—Section 1552(a)(1) of title 10, United States Code, is amended by striking “may” both places it appears and inserting “shall”.

(2) INDEXING OF PUBLISHED DECISIONS.—Paragraph (5) of section 1552(a) of title 10, United States Code, is amended to read as follows:

“(5) Each final decision of a board under this subsection shall be made available to the public in electronic form on a centralized Internet website. The information provided shall include a summary of each decision, to be indexed by subject matter, except that the Secretary shall protect the privacy of claimants by redacting all personally identifiable information.”.

(b) DISCHARGE REVIEW BOARDS.—

(1) REPEAL OF 15-YEAR STATUTE OF LIMITATIONS ON MOTIONS OR REQUESTS FOR REVIEW.—Section 1553(a) of title 10, United States Code, is amended by striking the second sentence.

(2) TELEPHONIC PRESENTATION OF EVIDENCE.—Section 1553(c) of title 10, United States Code, is amended in the second sentence by striking “or by affidavit” and inserting “, by affidavit, or by telephone or video conference”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2018.

SEC. 1706. BURDENS OF PROOF APPLICABLE TO INVESTIGATIONS AND REVIEWS RELATED TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) IN GENERAL.—Section 1034 of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i)(1) For purposes of this section, there is sufficient basis to conclude that a personnel action prohibited by subsection (b) has occurred if the communication made by the member or former member was a contributing factor in the personnel action that was taken, or is to be taken, against the member or former member unless there is clear and convincing evidence that the same personnel action would have been taken in the absence of the communication.

“(2) A member or former member may demonstrate that the communication was a contributing factor in the personnel action through circumstantial evidence, such as evidence that—

“(A) the official taking the personnel action knew of the communication; and

“(B) the personnel action occurred within a period of time such that a reasonable person could conclude that the communication was a contributing factor in the personnel action.”

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act, and shall apply with respect to allegations pending or submitted under section 1034 of title 10, United States Code, on or after that date.

SEC. 1707. ADMINISTRATIVE SEPARATION PROTECTIONS FOR MEMBERS OF THE ARMED FORCES WHO ARE SURVIVORS OF SEXUAL ASSAULT.

(a) **COVERED MEMBER DEFINED.**—In this section, the term “covered member” means a member of the Armed Forces who is diagnosed with a mental health condition related to a sexual assault that occurred during the member’s service in the Armed Forces.

(b) **LIMITATIONS ON SEPARATION FOR A MENTAL DISORDER NOT CONSTITUTING A PHYSICAL DISABILITY.**—

(1) **REVIEW OF DIAGNOSIS.**—A covered member shall not be separated on the basis of a personality disorder or other mental disorder not constituting a physical disability, unless the diagnosis of such disorder has been—

(A) corroborated by a peer or higher-level mental health professional; and

(B) endorsed by the Surgeon General of the military department concerned.

(2) **CO-MORBID PTSD DIAGNOSIS.**—Unless found fit for duty by the disability evaluation system, a covered member shall not be separated on the basis of a personality disorder or other mental disorder not constituting a physical disability if service-related post-traumatic stress disorder is also diagnosed.

(c) **EFFECTIVE DATE.**—This section shall take effect 180 days after the date of the enactment of this Act.

SEC. 1708. DEPARTMENT OF DEFENSE WORKING GROUP ON ADMINISTRATIVE REVIEW BOARDS.

(a) **ESTABLISHMENT AND PURPOSE.**—The Secretary of Defense shall establish a Department of Defense working group for the purpose of identifying and making recommendations to the Secretary on best practices and procedures to be used by boards for the correction of military records and discharge review boards in carrying out their responsibilities under chapter 79 of title 10, United States Code, and in granting relief to claimants under that chapter.

(b) **CONSULTATION.**—In carrying out the responsibilities of the working group, members of the group shall consult, as appropriate, with civilian practitioners of military law and representatives of organizations that have experience in cases before boards for

the correction of military records and discharge review boards.

(c) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 180 days after the date of the establishment of the working group, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the findings and recommendations of the working group.

(2) **SUBSEQUENT REPORT.**—

(A) **IN GENERAL.**—Not later than two years after the date of the establishment of the working group, the Secretary shall submit to the committees of Congress referred to in subparagraph (B) a report containing an evaluation conducted by the working group of all the recommendations of the working group that have been or are being implemented by boards for the correction of military records and discharge review boards of the military departments, including the results of the implementation of such recommendations.

(B) **COMMITTEES OF CONGRESS.**—The committees of Congress referred to in this subparagraph are—

(i) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(ii) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SA 456. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ELIMINATION OF SEQUESTRATION.

The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 251(a) (2 U.S.C. 901(a))—

(A) in paragraph (1), by striking “Within” and inserting “For each fiscal year beginning before October 1, 2017, within”; and

(B) in paragraph (4), in the matter preceding subparagraph (A), by inserting “beginning before October 1, 2017” after “fiscal year”;

(C) in paragraph (6), by striking “If” and inserting “For each fiscal year beginning before October 1, 2017, if”; and

(D) in paragraph (7)—

(i) in subparagraph (A), by inserting “for a fiscal year beginning before October 1, 2017” after “any discretionary appropriation”; and

(ii) in subparagraph (B), in the first sentence, by inserting “for a fiscal year beginning before October 1, 2017” after “any discretionary appropriation”; and

(2) in section 254 (2 U.S.C. 904)—

(A) in subsection (a), in the matter preceding the table, by inserting “beginning before October 1, 2017” after “any budget year”;

(B) in subsection (c)(2), by striking “2021” and inserting “2017”; and

(C) in subsection (f)(2)(A), by striking “2021” and inserting “2017”; and

(D) in subsection (g), by striking “If” and inserting “For each fiscal year beginning before October 1, 2017, if”.

SA 457. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

SEC. _____. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) **EMPLOYEES OF MILITARY CHILD CARE SYSTEM.**—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) **CRIMINAL BACKGROUND CHECK.**—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).”

(b) **PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.**—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **CRIMINAL BACKGROUND CHECK.**—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.”

SA 458. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 705 and insert the following:

SEC. 705. SPECIFICATION THAT INDIVIDUALS UNDER THE AGE OF 21 ARE ELIGIBLE FOR HOSPICE CARE SERVICES UNDER THE TRICARE PROGRAM.

Section 1079(a)(15) of title 10, United States Code, is amended by inserting before the period at the end the following: “, except that hospice care may be provided to an individual under the age of 21 concurrently with health care services or hospitalization for the same condition.”

SA 459. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. _____. PILOT PROGRAM TO IMPROVE INCENTIVES FOR TECHNOLOGY TRANSFER FROM DEPARTMENT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—The Secretary of Defense shall establish a pilot program to assess the feasibility and advisability of distributing royalties and other payments as described in this section. Under the pilot program, except as provided in subsections (b) and (d), any royalties or other payments received by a Federal agency from the licensing and assignment of inventions under agreements entered into by Department of Defense laboratories, and from the licensing of inventions of Department of Defense laboratories, shall be retained by the laboratory which produced the invention and shall be disposed of as follows:

(1)(A) The laboratory director shall pay each year the first \$2,000, and thereafter at least 20 percent, of the royalties or other payments, other than payments of patent costs as delineated by a license or assignment agreement, to the inventor or coinventors, if the inventor's or coinventor's rights are directly assigned to the United States.

(B) A laboratory director may provide appropriate incentives, from royalties or other payments, to laboratory employees who are not an inventor of such inventions but who substantially increased the technical value of the inventions.

(C) The laboratory shall retain the royalties and other payments received from an invention until the laboratory makes payments to employees of a laboratory under subparagraph (A) or (B).

(2) The balance of the royalties or other payments shall be transferred by the agency to its laboratories, with the majority share of the royalties or other payments from any invention going to the laboratory where the invention occurred. The royalties or other payments so transferred to any laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(A) to reward scientific, engineering, and technical employees of the laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

(B) to further scientific exchange among the laboratories of the agency;

(C) for education and training of employees consistent with the research and development missions and objectives of the agency or laboratory, and for other activities that increase the potential for transfer of the technology of the laboratories of the agency;

(D) for payment of expenses incidental to the administration and licensing of intellectual property by the agency or laboratory with respect to inventions made at that laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services; or

(E) for scientific research and development consistent with the research and development missions and objectives of the laboratory.

(3) All royalties or other payments retained by the laboratory after payments have been made pursuant to paragraphs (1) and (2) that are unobligated and unexpended at the end of the second fiscal year succeeding the fiscal year in which the royalties and other payments were received shall be paid into the Treasury of the United States.

(b) TREATMENT OF PAYMENTS TO EMPLOYEES.—

(1) IN GENERAL.—Any payment made to an employee under the pilot program shall be in addition to the regular pay of the employee and to any other awards made to the employee, and shall not affect the entitlement of the employee to any regular pay, annuity, or award to which the employee is otherwise entitled or for which the employee is otherwise eligible or limit the amount thereof. Any payment made to an inventor as such shall continue after the inventor leaves the laboratory.

(2) CUMULATIVE PAYMENTS.—(A) Cumulative payments made under the pilot program while the inventor is still employed at the laboratory shall not exceed \$500,000 per year to any one person, unless the Secretary concerned (as defined in section 101(a) of title 10, United States Code) approves a larger award.

(B) Cumulative payments made under the pilot program after the inventor leaves the laboratory shall not exceed \$150,000 per year to any one person, unless the head of the agency approves a larger award (with the excess over \$150,000 being treated as an agency award to a former employee under section 4505 of title 5, United States Code).

(c) INVENTION MANAGEMENT SERVICES.—Under the pilot program, a laboratory receiving royalties or other payments as a result of invention management services performed for another Federal agency or laboratory under section 207 of title 35, United States Code, may retain such royalties or payments to the extent required to offset payments to inventors under subparagraph (A) of subsection (a)(1), costs and expenses incurred under subparagraph (D) of subsection (a)(2), and the cost of foreign patenting and maintenance for any invention of the other agency. All royalties and other payments remaining after offsetting the payments to inventors, costs, and expenses described in the preceding sentence shall be transferred to the agency for which the services were performed, for distribution in accordance with subsection (a)(2).

(d) CERTAIN ASSIGNMENTS.—Under the pilot program, if the invention involved was one assigned to the laboratory—

(1) by a contractor, grantee, or participant, or an employee of a contractor, grantee, or participant, in an agreement or other arrangement with the agency; or

(2) by an employee of the agency who was not working in the laboratory at the time the invention was made,

the agency unit that was involved in such assignment shall be considered to be a laboratory for purposes of this section.

(e) SUNSET.—The pilot program under this section shall terminate 5 years after the date of the enactment of this Act.

SA 460. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NORTH KOREA STRATEGY.

(a) REPORT ON STRATEGY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report that sets forth a strategy of the United States with respect to North Korea.

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

(1) A description and assessment of the primary threats to United States national security interests from North Korea.

(2) A description of support from foreign nations for North Korea's nuclear and ballistic missile programs.

(3) A description of the economic, political, and trade relationships between China and North Korea and Russia and North Korea, including trends in those relationships and their impact on the Government of North Korea.

(4) A description of the economic, political, and trade relationships between other countries and North Korea, and an identification of countries that may be undermining United States objectives identified in paragraph (5).

(5) The desired end state in North Korea and current United States objectives relative to security threats emanating from North Korea.

(6) A detailed roadmap to reach the end state and objectives identified in paragraph (5) through unilateral and multilateral diplomatic and economic means, including timelines for each element of the roadmap.

(7) An identification of the resources and authorities necessary to carry out the roadmap described in paragraph (6).

(8) A description of operational plans and associated military requirements for the protection of United States national security interests relative to threats from North Korea.

(9) An identification of any capability gaps and resource gaps that would impact the execution of any associated operational plan, and a mitigation plan to address such gaps.

(10) An assessment of current and desired partner nation contributions to countering threats from North Korea and a plan to enhance diplomatic, economic, and military cooperation with nations that have shared security interests.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) QUARTERLY UPDATES REQUIRED.—The President shall provide Congress with a quarterly written progress report on the implementation of the strategy required pursuant to subsection (a) in unclassified form.

SA 461. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COLLABORATION ON CYBERSECURITY OF INDUSTRIAL CONTROL SYSTEMS FOR CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Energy shall collaborate with respect to matters relating to the cybersecurity of industrial control systems for critical infrastructure, including with respect to—

(1) the work of the Department of Energy on the cybersecurity of energy delivery systems; and

(2) the work of the Department of Defense on platform information technology.

(b) CENTER OF EXCELLENCE.—

(1) IN GENERAL.—There is established a center of excellence on the cybersecurity of industrial control systems for critical infrastructure.

(2) MEMBERSHIP.—The center of excellence established under paragraph (1) shall be composed of representatives of—

(A) the Department of Defense;

(B) the Department of Energy, including national laboratories of the Department of Energy; and

(C) the Department of Homeland Security.

SA 462. Mr. MORAN (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. ____ . ARMY MILITARY VALUE ANALYSIS MODEL.

(a) FINDINGS.—Congress makes the following

(1) The Military Value Analysis model of the Army has been a key determinant for the force structure and strategic basing decisions of the Army in recent years.

(2) The Committees on Armed Services of the Senate and the House of Representatives have determined that a lack of transparency regarding process, metrics, and scoring on the matters covered by the Military Value Analysis model has made proper oversight of the Army by Congress far more difficult.

(b) LIMITATION ON ARMY BASING DECISIONS PENDING REPORT ON MODEL.—The Secretary of the Army may not make any basing decision with respect to the Army during the period beginning on the date of the enactment of this Act and ending on the date that is 60 days after the date on which the Secretary submits the report required by subsection (c).

(c) REPORT ON UPDATED MODEL.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report setting forth an update of the Military Value Analysis model of the Army.

(2) REVIEW.—The Secretary shall update the Military Value Analysis model for purposes of the report required by paragraph (1) following a review undertaken by the Secretary for purposes of the update. The review and update shall address and appropriately incorporate the following:

(A) Qualitative and quantitative criteria and sub-criteria to be used for force struc-

ture and strategic basing decisions, including quantitative and qualitative measures on the average daily use of, and accessibility to, maneuver training acreage.

(B) Deployment criteria using a measure of the time required to deploy a unit of action from its home installation to its deployment site, including the transportation of unit personnel by military aircraft, and transportation of the commonly defined set of unit equipment to its designated out-port for deployment.

(d) SCORING DATA FOR FORCE STRUCTURE AND MAJOR BASING DECISIONS.—After making a force structure or major basing decision for the Army, the Secretary of the Army shall submit to the congressional defense committees a report setting forth the scoring data developed pursuant to the Military Value Analysis model of the Army with respect to each military installation considered for purposes of the decision.

SA 463. Mr. FLAKE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Anti-Border Corruption Reauthorization Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Anti-Border Corruption Reauthorization Act of 2017”.

SEC. 1092. HIRING FLEXIBILITY.

Section 3 of the Anti-Border Corruption Act of 2010 (Public Law 111-376; 6 U.S.C. 221) is amended by striking subsection (b) and inserting the following new subsections:

“(b) WAIVER AUTHORITY.—The Commissioner of U.S. Customs and Border Protection may waive the application of subsection (a)(1) in the following circumstances:

“(1) In the case of a current, full-time law enforcement officer employed by a State or local law enforcement agency, if such officer—

“(A) has served as a law enforcement officer for not fewer than three years with no break in service;

“(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension;

“(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

“(D) has, within the past ten years, successfully completed a polygraph examination as a condition of employment with such officer’s current law enforcement agency.

“(2) In the case of a current, full-time Federal law enforcement officer, if such officer—

“(A) has served as a law enforcement officer for not fewer than three years with no break in service;

“(B) has authority to make arrests, conduct investigations, conduct searches, make

seizures, carry firearms, and serve orders, warrants, and other processes;

“(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

“(D) holds a current Tier 4 background investigation or current Tier 5 background investigation.

“(3) In the case of an individual who is a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

“(A) has served in the Armed Forces for not fewer than three years;

“(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret / Sensitive Compartmented Information clearance;

“(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

“(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

“(E) was not granted any waivers to obtain the clearance referred to subparagraph (B).

“(c) TERMINATION OF WAIVER AUTHORITY.—The authority to issue a waiver under subsection (b) shall terminate on the date that is four years after the date of the enactment of the Anti-Border Corruption Reauthorization Act of 2017.”.

SEC. 1093. SUPPLEMENTAL COMMISSIONER AUTHORITY AND DEFINITIONS.

(a) SUPPLEMENTAL COMMISSIONER AUTHORITY.—Section 4 of the Anti-Border Corruption Act of 2010 (Public Law 111-376) is amended to read as follows:

“SEC. 4. SUPPLEMENTAL COMMISSIONER AUTHORITY.

“(a) NON-EXEMPTION.—An individual who receives a waiver under subsection (b) of section 3 is not exempt from other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

“(b) BACKGROUND INVESTIGATIONS.—Any individual who receives a waiver under subsection (b) of section 3 who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

“(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under subsection (b) of section 3 if information is discovered prior to the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.”.

(b) REPORT.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new section:

“SEC. 5. REPORTING REQUIREMENTS.

“(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of the Anti-Border Corruption Reauthorization Act of 2017, and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and

Border Protection shall submit a report to Congress that includes, with respect to the reporting period—

“(1) the number of waivers requested, granted, and denied under section 3(b);

“(2) the reasons for any denials of such waiver;

“(3) the percentage of applicants who were hired after receiving a waiver;

“(4) the number of instances that a polygraph was administered to an applicant who initially received a waiver and the results of such polygraph;

“(5) an assessment of the current impact of the polygraph waiver program on filling law enforcement positions at U.S. Customs and Border Protection; and

“(6) additional authorities needed by U.S. Customs and Border Protection to better utilize the polygraph waiver program for its intended goals.

“(b) **ADDITIONAL INFORMATION.**—The first report submitted under subsection (a) shall include—

“(1) an analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential employees for suitability; and

“(2) a recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).”

(c) **DEFINITIONS.**—The Anti-Border Corruption Act of 2010, as amended by subsection (b) of this section, is further amended by adding at the end the following new section:

“SEC. 6. DEFINITIONS.

“In this Act:

“(1) **FEDERAL LAW ENFORCEMENT OFFICER.**—The term ‘Federal law enforcement officer’ means a ‘law enforcement officer’, as defined in section 8331(20) or 8401(17) of title 5, United States Code.

“(2) **VETERAN.**—The term ‘veteran’ has the meaning given such term in section 101(2) of title 38, United States Code.

“(3) **SERIOUS MILITARY OR CIVIL OFFENSE.**—The term ‘serious military or civil offense’ means an offense for which—

“(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

“(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial, as pursuant to Army Regulation 635-200 chapter 14-12.

“(4) **TIER 4; TIER 5.**—The terms ‘Tier 4’ and ‘Tier 5’ with respect to background investigations have the meaning given such terms under the 2012 Federal Investigative Standards.”

SA 464. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. ____. **ANNUAL REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the President should seek from each ally or partner country of the United States acceptance of international security responsibilities and agreements to make contributions to the common defense commensurate with the economic resources and security environment of such country.

(b) **REPORTS.**—

(1) **IN GENERAL.**—Not later than March 1, 2018, and annually thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each ally or partner country of the United States, including available data on nominal budget figures and defense spending as a percentage of such country’s gross domestic product for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) **FORM.**—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

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

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

(2) The term “ally” includes the following:

(A) Any signatory of a mutual defense treaty with the United States.

(B) Any country designated as a “major non-NATO ally” under section 2350a of title 10, United States Code, or pursuant to section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k).

(C) Any other ally or partner with a security memorandum of understanding or other security arrangement with the United States.

SA 465. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **MILITARY HUMANITARIAN OPERATIONS.**

(a) **SHORT TITLE.**—This section may be cited as the “Military Humanitarian Operations Act of 2017”.

(b) **MILITARY HUMANITARIAN OPERATION DEFINED.**—In this section, the term “military humanitarian operation”—

(1) means a military operation—

(A) involving the deployment of members or weapons systems of the United States Armed Forces where hostile activities are reasonably anticipated; and

(B) with the aim of—

(i) preventing or responding to a humanitarian catastrophe, including its regional consequences; or

(ii) addressing a threat posed to international peace and security;

(2) includes—

(A) operations undertaken pursuant to the principle of the “responsibility to protect”, as referenced in United Nations Security Council Resolution 1674 (2006);

(B) operations specifically authorized by the United Nations Security Council, or other international organizations; and

(C) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes; and

(3) does not mean a military operation undertaken—

(A) to respond to or repel attacks, or prevent imminent attacks, on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces;

(B) as a direct act of reprisal for attacks on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces;

(C) to invoke the inherent right to individual or collective self-defense in accordance with Article 51 of the Charter of the United Nations;

(D) as a military mission to protect or rescue United States citizens or military or diplomatic personnel abroad;

(E) to carry out treaty commitments to directly aid allies in distress;

(F) as a humanitarian mission, not to exceed 30 days, in response to natural disasters where no civil unrest or combat with hostile forces is reasonably anticipated;

(G) to maintain maritime freedom of navigation, including actions aimed at combating piracy; or

(H) as a training exercise conducted by the United States Armed Forces abroad where no combat with hostile forces is reasonably anticipated.

(c) **CONGRESSIONAL AUTHORIZATION REQUIREMENT.**—The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country for a military humanitarian operation not previously authorized by statute unless—

(1) the President submits to Congress a formal request for authorization to use members of the Armed Forces for the military humanitarian operation; and

(2) Congress specifically authorizes such use of forces.

(d) **SEVERABILITY.**—If any provision of this section is held to be unconstitutional, the remainder of the section shall not be affected.

SA 466. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1083.

SA 467. Mr. LEE (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. WHITEHOUSE, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) IN GENERAL.—Section 4001 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”.

(b) RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, as amended by subsection (a) is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

SA 468. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. ____ . SENSE OF SENATE ON THE DISAPPEARANCE OF DAVID SNEDDON.

(a) FINDINGS.—The Senate makes the following findings:

(1) David Louis Sneddon is a United States citizen who disappeared while touring the Yunnan Province in the People's Republic of China as a university student on August 14, 2004, at the age of 24.

(2) David had last reported to family members prior to his disappearance that he in-

tended to hike the Tiger Leaping Gorge in the Yunnan Province before returning to the United States and had placed a down payment on student housing for the upcoming academic year, planned business meetings, and scheduled law school entrance examinations in the United States for the fall.

(3) People's Republic of China officials have reported to the Department of State and the family of David that he most likely died by falling into the Jinsha River while hiking the Tiger Leaping Gorge, although no physical evidence or eyewitness testimony exists to support this conclusion.

(4) There is evidence indicating that David did not fall into the river when he traveled through the gorge, including eyewitness testimonies from people who saw David alive and spoke to him in person after his hike, as recorded by members of David's family and by embassy officials from the Department of State in the months after his disappearance.

(5) Family members searching for David shortly after he went missing obtained eyewitness accounts that David stayed overnight in several guesthouses during and after his safe hike through the gorge, and these guesthouse locations suggest that David disappeared after passing through the gorge, but the guest registers recording the names and passport numbers of foreign overnight guests could not be accessed.

(6) Chinese officials have reported that evidence does not exist that David was a victim of violent crime, or a resident in a local hospital, prison, or mental institution at the time of his disappearance, and no attempt has been made to use David's passport since the time of his disappearance, nor has any money been withdrawn from his bank account since that time.

(7) David Sneddon is the only United States citizen to disappear without explanation in the People's Republic of China since the normalization of relations between the United States and China during the administration of President Richard Nixon.

(8) Investigative reporters and nongovernmental organizations with expertise in the Asia-Pacific region, and in some cases particular expertise in the Asian Underground Railroad and North Korea's documented program to kidnap citizens of foreign nations for espionage purposes, have repeatedly raised the possibility that the Government of the Democratic People's Republic of Korea (DPRK) was involved in David's disappearance.

(9) Investigative reporters and nongovernmental organizations who have reviewed David's case believe it is possible that the Government of North Korea was involved in David's disappearance because—

(A) the Yunnan Province is regarded by regional experts as an area frequently trafficked by North Korean refugees and their support networks, and the Government of the People's Republic of China allows North Korean agents to operate throughout the region to repatriate refugees, such as prominent North Korean defector Kang Byong-sop and members of his family who were captured near the China-Laos border just weeks prior to David's disappearance;

(B) in 2002, North Korean officials acknowledged that the Government of North Korea has carried out a policy since the 1970s of abducting foreign citizens and holding them captive in North Korea for the purpose of training its intelligence and military personnel in critical language and culture skills to infiltrate foreign nations;

(C) Charles Robert Jenkins, a United States soldier who deserted his unit in South

Korea in 1965 and was held captive in North Korea for nearly 40 years, left North Korea in July 2004 (one month before David disappeared in China) and Jenkins reported that he was forced to teach English to North Korean intelligence and military personnel while in captivity;

(D) David Sneddon is fluent in the Korean language and was learning Mandarin, skills that could have been appealing to the Government of North Korea after Charles Jenkins left the country;

(E) tensions between the United States and North Korea were heightened during the summer of 2004 due to recent approval of the North Korean Human Rights Act of 2004 (Public Law 108-333) that increased United States aid to refugees fleeing North Korea, prompting the Government of North Korea to issue a press release warning the United States to “drop its hostile policy”;

(F) David Sneddon's disappearance fits a known pattern often seen in the abduction of foreigners by the Government of North Korea, including the fact that David disappeared the day before North Korea's Liberation Day patriotic national holiday, and the Government of North Korea has a demonstrated history of provocations near dates it deems historically significant;

(G) a well-reputed Japanese non-profit specializing in North Korean abductions shared with the United States its expert analysis in 2012 about information it stated was received “from a reliable source” that a United States university student largely matching David Sneddon's description was taken from China by North Korean agents in August 2004; and

(H) commentary published in the Wall Street Journal in 2013 cited experts looking at the Sneddon case who concluded that “it is most probable that a U.S. national has been abducted to North Korea,” and “there is a strong possibility that North Korea kidnapped the American”.

(b) SENSE OF SENATE.—The Senate—

(1) expresses its ongoing concern about the disappearance of David Louis Sneddon in Yunnan Province, People's Republic of China, in August, 2004;

(2) directs the Department of State and the intelligence community to jointly continue investigations and to consider all plausible explanations for David's disappearance, including the possibility of abduction by the Government of the Democratic People's Republic of Korea;

(3) urges the Department of State and the intelligence community to coordinate investigations with the Governments of the People's Republic of China, Japan, and South Korea and solicit information from appropriate regional affairs and law enforcement experts on plausible explanations for David's disappearance;

(4) encourages the Department of State and the intelligence community to work with foreign governments known to have diplomatic influence with the Government of the Democratic People's Republic of Korea to better investigate the possibility of the involvement of the Government of the Democratic People's Republic of Korea in David Sneddon's disappearance and to possibly seek his recovery; and

(5) requests that the Department of State and the intelligence community continue to work with and inform Congress and the family of David Sneddon on efforts to possibly recover David and to resolve his disappearance.

SA 469. Mr. LEE submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. GREATER SAGE-GROUSE PROTECTION AND RECOVERY.

(a) **PURPOSES.**—The purposes of this section are—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(b) **DEFINITIONS.**—In this section:

(1) **FEDERAL RESOURCE MANAGEMENT PLAN.**—The term “Federal resource management plan” means—

(A) a land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land and resource management plan prepared by the Forest Service for National Forest System land pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) **GREATER SAGE-GROUSE.**—The term “greater sage-grouse” means a sage-grouse of the species *Centrocercus urophasianus*.

(3) **STATE MANAGEMENT PLAN.**—The term “State management plan” means a State-approved plan for the protection and recovery of the greater sage-grouse.

(c) **PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.**—

(1) **ENDANGERED SPECIES ACT OF 1973 FINDINGS.**—

(A) **DELAY REQUIRED.**—The Secretary of the Interior may not modify or invalidate the finding of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled “Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (*Centrocercus urophasianus*) as an Endangered or Threatened Species” (80 Fed. Reg. 59858 (October 2, 2015)) during the period beginning on the date of enactment of this Act and ending on September 30, 2027.

(B) **EFFECT ON OTHER LAWS.**—The delay required under subparagraph (A) is and shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(C) **EFFECT ON CONSERVATION STATUS.**—The conservation status of the greater sage-grouse shall be considered not to warrant listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) during the period beginning on the date of enactment of this Act and ending on September 30, 2027.

(2) **COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.**—

(A) **PROHIBITION ON WITHDRAWAL AND MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.**—On notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not make, modify, or ex-

tend any withdrawal or amend or otherwise modify any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for, as specified by the Governor in the notification, a period of not fewer than 5 years beginning on the date of the notification.

(B) **RETROACTIVE EFFECT.**—In the case of any State that provides notification under subparagraph (A), if any withdrawal was made, modified, or extended or any amendment or modification of a Federal resource management plan applicable to Federal land in the State was issued after June 1, 2014, and the withdrawal, amendment, or modification altered the management of the greater sage-grouse or the habitat of the greater sage-grouse—

(i) implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan; and

(ii) the Federal resource management plan, as in effect immediately before the withdrawal, amendment, or modification, shall apply instead with respect to the management of the greater sage-grouse and the habitat of the greater sage-grouse, to the extent consistent with the State management plan.

(C) **DETERMINATION OF INCONSISTENCY.**—Any disagreement regarding whether a withdrawal, amendment, or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(3) **RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(4) **REPORTING REQUIREMENT.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter through 2027, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the implementation by the Secretaries of, and the effectiveness of, systems to monitor the status of greater sage-grouse on Federal land under the jurisdiction of the Secretaries.

(5) **JUDICIAL REVIEW.**—Notwithstanding any other provision of law (including regulations), this subsection, including any determination made under paragraph (2)(C), shall not be subject to judicial review.

SA 470. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

SEC. _____. MECHANISMS TO FACILITATE THE OBTAINING BY MILITARY SPOUSES OF OCCUPATIONAL LICENSES OR CREDENTIALS IN OTHER STATES.

Not later than March 1, 2018, the Secretary of Defense shall—

(1) develop and maintain a joint Federal-State clearing house to process the occupational license and credential information of military spouses in order—

(A) to facilitate the matching of such information with State occupational licensure and credentialing requirements; and

(B) to provide military spouses information on the actions required to obtain occupational licenses or credentials in other States;

(2) develop and maintain an Internet website that serves as a one-stop resource on occupational licenses and credentials for military spouses that sets forth license and credential requirements for common occupations in the States and provides assistance and other resources for military spouses seeking to obtain occupational licenses or credentials in other States; and

(3) submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of the establishment of a joint Federal-State task force dedicated to the elimination of unnecessary or duplicative occupational licensure and credentialing requirements among the States, including through the use of alternative, less restrictive and burdensome forms of occupational regulation.

SA 471. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PUBLICATION OF CONGRESSIONAL BUDGET OFFICE MODELS.

(a) **IN GENERAL.**—Section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653) is amended—

(1) by striking “The Director” and inserting the following:

“(a) **IN GENERAL.**—The Director”; and

(2) by adding at the end the following:

“(b) **PUBLICATION OF MODELS AND DATA.**—The Director of the Congressional Budget Office shall make available to Members of Congress and make publicly available on the website of the Congressional Budget Office—

“(1) each fiscal model, policy model, and data preparation routine used by the Congressional Budget Office in estimating the costs and other fiscal, social, or economic effects of legislation, including estimates prepared under subsection (a);

“(2) any update of a model or routine described in paragraph (1);

“(3) subject to paragraph (4), for each estimate of the costs and other fiscal effects of legislation, including estimates prepared under subsection (a), the data, programs, models, assumptions, and other details of the computations used by the Congressional Budget Office in preparing the estimate, in a manner sufficient to permit replication by individuals not employed by the Congressional Budget Office; and

“(4) for any data that is required not to be disclosed by the Congressional Budget Office—

“(A) a complete list of all data variables for such data;

“(B) descriptive statistics for all data variables for such data (including averages, standard deviations, number of observations, and correlations to other variables), to the extent that the descriptive statistics do not violate the rule against disclosure;

“(C) a reference to the statute requiring that the data not be disclosed; and

“(D) information regarding how to contact the individual or entity who has unrestricted access to the data.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply on and after the date that is 6 months after the date of enactment of this Act.

SA 472. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 12, between lines 10 and 11, insert the following:

SEC. 112. MEMBERSHIP IN HEALTH CARE SHARING MINISTRY.

(a) **IN GENERAL.**—Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) **MEMBERSHIP IN HEALTH CARE SHARING MINISTRY.**—For purposes of this section, membership in a health care sharing ministry (as defined in section 5000A(d)(2)(B)(ii)) shall be treated as coverage under a high deductible health plan.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 113. TREATMENT OF DIRECT PRIMARY CARE SERVICES.

(a) **IN GENERAL.**—Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new subparagraph:

“(F) **TREATMENT OF DIRECT PRIMARY CARE SERVICES.**—For purposes of this section—

“(i) **IN GENERAL.**—Coverage under a direct primary care service arrangement shall be treated as coverage under a high deductible health plan.

“(ii) **DIRECT PRIMARY CARE SERVICE ARRANGEMENT.**—The term ‘direct primary care service arrangement’ means an arrangement under which an individual is provided coverage restricted to primary care services in exchange for a fixed periodic fee or payment for primary care services.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 114. SHORT-TERM LIMITED DURATION INSURANCE.

(a) **IN GENERAL.**—Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986, as amended by the preceding sections of this Act, is amended by adding at the end the following new subparagraph:

“(G) **SHORT-TERM LIMITED DURATION INSURANCE.**—For purposes of this section—

“(i) **IN GENERAL.**—Short-term limited duration insurance shall be treated as a high deductible health plan.

“(ii) **SHORT-TERM LIMITED DURATION INSURANCE.**—The term ‘short-term limited duration insurance’ means health insurance coverage provided pursuant to a contract with

an issuer which has an expiration date specified in the contract which (without regard to any extensions which may be elected by the policyholder without the consent of the issuer or any guaranteed renewal of the contract offered by the issuer) is less than 12 months after the original effective date of the contract.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 115. INCREASE IN MAXIMUM CONTRIBUTION LIMITATION.

(a) **IN GENERAL.**—Paragraph (2) of section 223(b) of the Internal Revenue Code of 1986 is amended by striking “ $\frac{1}{2}$ of—” and all that follows and inserting “ $\frac{1}{2}$ of \$10,800 (\$29,500 in the case of a joint return).”.

(b) **CONFORMING AMENDMENTS.**—

(1) Subsection (b) of section 223 of the Internal Revenue Code of 1986 is amended by striking paragraphs (3) and (5) and by redesignating paragraphs (4), (6), (7), and (8) as paragraphs (3), (4), (5), and (6), respectively.

(2) Paragraph (3) of section 223(b) of such Code (as so redesignated) is amended by striking the last sentence.

(3) Section 223(g) of such Code is amended—

(A) in paragraph (1), by striking “subsections (b)(2) and” both places it appears and inserting “subsection”;

(B) in paragraph (1)(B), by striking “determined by” and all that follows through “‘calendar year 2003’.” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”.

(C) by redesignating paragraph (2) as paragraph (3).

(D) by inserting “or (2)” after “paragraph (1)” in paragraph (3), as so redesignated, and

(E) by inserting after paragraph (1) the following new paragraph:

“(2) **CONTRIBUTION LIMITS.**—In the case of any taxable year beginning after December 31, 2018, each dollar amount in subsection (b)(2) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins, determined by substituting ‘2017’ for ‘1992’ in subparagraph (B) thereof.”.

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

SEC. 116. PURCHASE OF INSURANCE FROM HEALTH SAVINGS ACCOUNT.

(a) **IN GENERAL.**—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986, as amended by section 110(a), is amended—

(1) by striking “and any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual” in subparagraph (A) and inserting “any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual, and any child (as defined in section 152(f)(1)) of such individual who has not attained the age of 27 before the end of such individual’s taxable year”;

(2) by striking subparagraph (B) and inserting the following:

“(B) **HEALTH INSURANCE MAY NOT BE PURCHASED FROM ACCOUNT.**—Except as provided in subparagraph (C), subparagraph (A) shall not apply to any payment for insurance.”; and

(3) by striking “or” at the end of subparagraph (C)(iii), by striking the period at the end of subparagraph (C)(iv) and inserting “; or”, and by adding at the end the following:

“(v) a high deductible health plan but only to the extent of the portion of such expense in excess of—

“(I) any amount allowable as a credit under section 36B for the taxable year with respect to such coverage,

“(II) any amount allowable as a deduction under section 162(l) with respect to such coverage, or

“(III) any amount excludable from gross income with respect to such coverage under section 106 (including by reason of section 125) or 402(1).”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to amounts paid for expenses incurred for, and distributions made for, coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 117. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) **IN GENERAL.**—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) **TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.**—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.”.

(b) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 118. EXCLUSION FROM HSAS OF HIGH DEDUCTIBLE HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.

(a) **IN GENERAL.**—Subparagraph (C) of section 223(d)(2) of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following flush sentence:

“A high deductible health plan shall not be treated as described in clause (v) if such plan includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SA 473. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEALS.

(a) **IN GENERAL.**—The following provisions are hereby repealed:

(1) Subsection (d) of section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022); and, except for the purposes of applying section 1302(b) to sections 1252, 1301(a)(2), 1312(d)(3)(D), 1331, 1333, and 1334 of such Act, subsection (b) of such section 1302.

(2) Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)).

(3) Section 2701(a)(1) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)).

(4) Subsections (a), (b)(2), (c), and (d) of section 2702 of the Public Health Service Act (42 U.S.C. 300gg-1).

(5) Section 2704 of the Public Health Service Act (42 U.S.C. 300gg-3), except for subsection (e)(3) of such section.

(6) Subsections (a) through (j) of section 2705 of the Public Health Service Act (42 U.S.C. 300gg-4).

(7) Section 2707 of the Public Health Service Act (42 U.S.C. 300gg-6).

(8) Subsections (a)(1) and (b) of section 2711 of the Public Health Service Act (42 U.S.C. 300gg-11).

(9) Section 2713(a) of the Public Health Service Act (42 U.S.C. 300gg-13(a)).

(10) Subsections (a), (b)(2), (d), and (e) of section 2718 of the Public Health Service Act (42 U.S.C. §§ 300gg-18).

(11) Section 2794(b)(2) of the Public Health Service Act (42 U.S.C. 300gg-94(b)(2)), except for the purposes of applying 2794(b)(2) to subsection 2794(a)(2) and subsection 1312(f)(2)(B) (42 U.S.C. § 18032(f)(2)(B)).

(12) Section 1343 of the Patient Protection and Affordable Care Act (42 U.S.C. 18063).

(b) **GUIDELINES.**—The guidelines promulgated pursuant to section 1302(d)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(d)(3)) that are in effect on the date of enactment of this Act shall have no force or effect.

SA 474. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 1 and all that follows and insert the following:

SECTION 1. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) **PATIENT PROTECTION AND AFFORDABLE CARE ACT.**—Effective on January 1, 2018, the Patient Protection and Affordable Care Act (Public Law 111-148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) **HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.**—Effective on January 1, 2018, the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

SA 475. Mr. LEE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 12, between lines 10 and 11, insert the following:

SEC. 112. MEMBERSHIP IN HEALTH CARE SHARING MINISTRY.

(a) **IN GENERAL.**—Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) **MEMBERSHIP IN HEALTH CARE SHARING MINISTRY.**—For purposes of this section, membership in a health care sharing ministry (as defined in section 5000A(d)(2)(B)(ii)) shall be treated as coverage under a high deductible health plan.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 113. TREATMENT OF DIRECT PRIMARY CARE SERVICES.

(a) **IN GENERAL.**—Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new subparagraph:

“(F) **TREATMENT OF DIRECT PRIMARY CARE SERVICES.**—For purposes of this section—

“(i) **IN GENERAL.**—Coverage under a direct primary care service arrangement shall be treated as coverage under a high deductible health plan.

“(ii) **DIRECT PRIMARY CARE SERVICE ARRANGEMENT.**—The term ‘direct primary care service arrangement’ means an arrangement under which an individual is provided coverage restricted to primary care services in exchange for a fixed periodic fee or payment for primary care services.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 114. INCREASE IN MAXIMUM CONTRIBUTION LIMITATION.

(a) **IN GENERAL.**—Paragraph (2) of section 223(b) of the Internal Revenue Code of 1986 is amended by striking “ $\frac{1}{2}$ of—” and all that follows and inserting “ $\frac{1}{2}$ of \$10,800 (\$29,500 in the case of a joint return).”.

(b) **CONFORMING AMENDMENTS.**—

(1) Subsection (b) of section 223 of the Internal Revenue Code of 1986 is amended by striking paragraphs (3) and (5) and by redesignating paragraphs (4), (6), (7), and (8) as paragraphs (3), (4), (5), and (6), respectively.

(2) Paragraph (3) of section 223(b) of such Code (as so redesignated) is amended by striking the last sentence.

(3) Section 223(g) of such Code is amended—
(A) in paragraph (1), by striking “subsections (b)(2) and” both places it appears and inserting “subsection”;

(B) in paragraph (1)(B), by striking “determined by” and all that follows through “‘calendar year 2003’.” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”.

(C) by redesignating paragraph (2) as paragraph (3).

(D) by inserting “or (2)” after “paragraph (1)” in paragraph (3), as so redesignated, and

(E) by inserting after paragraph (1) the following new paragraph:

“(2) **CONTRIBUTION LIMITS.**—In the case of any taxable year beginning after December 31, 2018, each dollar amount in subsection (b)(2) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins, determined by substituting ‘2017’ for ‘1992’ in subparagraph (B) thereof.”.

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

SEC. 115. PURCHASE OF INSURANCE FROM HEALTH SAVINGS ACCOUNT.

(a) **IN GENERAL.**—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986, as amended by section 110(a), is amended—

(1) by striking “and any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual” in subparagraph (A) and inserting “any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual, and any child (as defined in section 152(f)(1)) of such individual who has not attained the age of 27 before the end of such individual’s taxable year”;

(2) by striking subparagraph (B) and inserting the following:

“(B) **HEALTH INSURANCE MAY NOT BE PURCHASED FROM ACCOUNT.**—Except as provided in subparagraph (C), subparagraph (A) shall not apply to any payment for insurance.”.

(3) by striking “or” at the end of subparagraph (C)(iii), by striking the period at the end of subparagraph (C)(iv) and inserting “, or”, and by adding at the end the following: “(v) a high deductible health plan but only to the extent of the portion of such expense in excess of—

“(I) any amount allowable as a credit under section 36B for the taxable year with respect to such coverage,

“(II) any amount allowable as a deduction under section 162(l) with respect to such coverage, or

“(III) any amount excludable from gross income with respect to such coverage under section 106 (including by reason of section 125) or 402(l).”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to amounts paid for expenses incurred for, and distributions made for, coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 116. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) **IN GENERAL.**—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) **TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.**—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.”.

(b) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 117. EXCLUSION FROM HSAS OF HIGH DEDUCTIBLE HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.

(a) **IN GENERAL.**—Subparagraph (C) of section 223(d)(2) of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following flush sentence:

“A high deductible health plan shall not be treated as described in clause (v) if such plan includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SA 476. Mr. SULLIVAN (for himself, Mr. HOEVEN, Ms. MURKOWSKI, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 18, strike lines 7 through 26 and insert the following:

SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and (except for payments authorized by section 1402 of such Act, as amended by section 209) ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.

(a) **IN GENERAL.**—The Patient Protection and Affordable Care Act is amended by striking section 1402.

(b) **PRESERVATION OF COST-SHARING FOR INDIANS.**—The Patient Protection and Affordable Care Act, as amended by subsection (a), is amended by inserting after section 1401 the following:

“SEC. 1402. REDUCED COST-SHARING FOR CERTAIN INDIVIDUALS.

“(a) **IN GENERAL.**—In the case of an eligible insured enrolled in a qualified health plan in the individual market through an Exchange—

“(1) the Secretary shall notify the issuer of the plan of such eligibility; and

“(2) the issuer shall reduce the cost-sharing under the plan at the level and in the manner specified in subsection (c).

“(b) **ELIGIBLE INSURED.**—For purposes of this section, the term ‘eligible insured’ means an Indian (as defined in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(d))) whose household income is not more than 300 percent of the poverty line for a family of the size involved.

“(c) **REDUCTION OF COST-SHARING.**—

“(1) **IN GENERAL.**—The issuer of the plan described in subsection (a) in which an eligible insured is enrolled shall eliminate any cost-sharing under the plan.

“(2) **ITEMS OR SERVICES FURNISHED THROUGH INDIAN HEALTH PROVIDERS.**—If an Indian (as so defined) enrolled in a qualified health plan is furnished an item or service directly by the Indian Health Service, an Indian Tribe, Tribal Organization, or Urban Indian Organization or through referral under contract health services—

“(A) no cost-sharing under the plan shall be imposed under the plan for such item or service; and

“(B) the issuer of the plan shall not reduce the payment to any such entity for such

item or service by the amount of any cost-sharing that would be due from the Indian but for subparagraph (A).

“(d) **PAYMENT.**—The Secretary shall pay to the issuer of a qualified health plan the amount necessary to reflect the increase in actuarial value of the plan required by reason of this section.

“(e) **DEFINITIONS AND SPECIAL RULES.**—In this section:

“(1) **IN GENERAL.**—Any term used in this section which is also used in section 36B of the Internal Revenue Code of 1986 shall have the meaning given such term by such section.

“(2) **LIMITATIONS ON REDUCTION.**—No cost-sharing reduction shall be allowed under this section with respect to coverage for any month unless the month is a coverage month with respect to which a credit is allowed to the insured (or an applicable taxpayer on behalf of the insured) under section 36B of such Code.

“(3) **DATA USED FOR ELIGIBILITY.**—Any determination under this section shall be made on the basis of the taxable year for which the advance determination is made under section 1412 and not the taxable year for which the credit under section 36B of such Code is allowed.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

SA 477. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AVAILABILITY ACROSS STATE LINES.

The Secretary shall promulgate regulations permitting health insurance coverage to be sold across State lines.

SA 478. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 550. CIVILIAN TRAINING FOR NATIONAL GUARD PILOTS AND SENSOR OPERATOR AIRCREWS OF MQ-9 UNMANNED AERIAL VEHICLES.

(a) **CONTRACTS FOR TRAINING.**—The Chief of the National Guard Bureau may enter into one or more contracts with appropriate civilian entities in order to provide flying or operating training for National Guard pilots and sensor operator aircrew members in the MQ-9 unmanned aerial vehicle if the Chief of the National Guard Bureau determines that—

(1) Air Force training units lack sufficient capacity to train such pilots or sensor operator aircrew members for initial qualification in the MQ-9 unmanned aerial vehicle;

(2) pilots or sensor operator aircrew members of Air National Guard units require continuation training in order to remain current and qualified in the MQ-9 unmanned aerial vehicle;

(3) non-combat continuation training in the MQ-9 unmanned aerial vehicle is necessary for such pilots or sensor operator aircrew members to achieve required levels of flying or operating proficiency; or

(4) such training for such pilots or sensor operator aircrew members is necessary in order to meet requirements for the National Guard to provide pilots and sensor operator aircrew members qualified in the MQ-9 unmanned aerial vehicle for operations on active duty and in State status.

(b) **NATURE OF TRAINING UNDER CONTRACTS.**—Any training provided pursuant to a contract under subsection (a) shall incorporate a level of instruction that is equivalent to the instruction in the MQ-9 unmanned aerial vehicle provided to pilots and sensor operator aircrew members at Air Force training units.

SA 479. Ms. HEITKAMP (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EMPOWERING FEDERAL EMPLOYMENT FOR VETERANS.

(a) **ESTABLISHMENT OF VETERANS EMPLOYMENT PROGRAMS IN FEDERAL AGENCIES.**—

(1) **DEFINITIONS.**—In this subsection—

(A) the term “covered agency” means—

(i) the Department of State;

(ii) the Department of the Treasury;

(iii) the Department of Defense;

(iv) the Department of Justice;

(v) the Department of the Interior;

(vi) the Department of Agriculture;

(vii) the Department of Commerce;

(viii) the Department of Labor;

(ix) the Department of Health and Human Services;

(x) the Department of Housing and Urban Development;

(xi) the Department of Transportation;

(xii) the Department of Energy;

(xiii) the Department of Education;

(xiv) the Department of Veterans Affairs;

(xv) the Department of Homeland Security;

(xvi) the Environmental Protection Agency;

(xvii) the National Aeronautics and Space Administration;

(xviii) the Agency for International Development;

(xix) the General Services Administration;

(xx) the National Science Foundation;

(xxi) the Nuclear Regulatory Commission;

(xxii) the Office of Personnel Management;

(xxiii) the Small Business Administration;

(xxiv) the Social Security Administration; and

(xxv) any other Executive agency (as defined in section 105 of title 5, United States Code) that the President may designate;

(B) the term “transitioning member of the Armed Forces” means a member of the Armed Forces who is expected to be discharged or released from active duty in the Armed Forces within 180 days; and

(C) the term “veterans employment official” means—

(i) the head of a Veterans Employment Program Office established under paragraph (2)(A)(i); and

(ii) an employee designated to carry out a Veterans Employment Program for a covered agency under paragraph (2)(A)(ii).

(2) VETERANS EMPLOYMENT PROGRAMS.—The head of a covered agency shall—

(A)(i) establish or maintain a Veterans Employment Program Office within the covered agency; or

(ii) designate an employee of the covered agency who shall have full-time responsibility for carrying out a Veterans Employment Program for the covered agency; and

(B) ensure the public availability of contact information for veterans employment officials to ensure engagement with prospective applicants.

(3) RESPONSIBILITIES.—A veterans employment official of a covered agency shall—

(A) enhance employment opportunities for veterans within the agency, consistent with law and merit system principles, including by developing and implementing—

(i) the agency’s plan for promoting employment opportunities for veterans;

(ii) veterans recruitment programs; and

(iii) training programs for veterans with disabilities;

(B) coordinate and provide employment counseling and training programs to prospective applicants to help match the skills and career aspirations of veterans to the needs of the agency, targeting high-demand Federal occupations that are projected to have heavy recruitment needs;

(C) participate in skills-based, cross-governmental, and individual agency career development programs to leverage those programs in matching veterans’ career aspirations with high-growth occupations; and

(D) provide mandatory annual training to human resources employees and hiring managers of the agency concerning veterans’ employment, including training on veterans’ preferences and special authorities for the hiring of veterans.

(4) COORDINATION BY OFFICE OF PERSONNEL MANAGEMENT.—

(A) IN GENERAL.—The Director of the Office of Personnel Management shall facilitate coordination among veterans employment officials, including appropriate sharing of resources and information to help match the skills and career aspirations of veterans to the needs of the agencies.

(B) RESPONSIBILITIES.—The Director of the Office of Personnel Management shall—

(i) establish a Veterans Program Office to provide Government-wide leadership in recruitment and employment of veterans in the executive branch of the Federal Government;

(ii) regularly convene veterans employment officials for working-level meetings to share information on best practices, prospective applicants, and strategies for matching veterans with appropriate employment;

(iii) develop mandatory annual training for human resources employees and hiring managers of covered agencies concerning veterans’ employment, including training on veterans’ preferences and special authorities for the hiring of veterans;

(iv) develop a skills-based, cross-governmental career development program for covered agencies to leverage in matching veterans’ career aspirations with high-growth occupations;

(v) promote the Federal Government as an employer of choice to transitioning members of the Armed Forces and veterans;

(vi) market the talent, experience, and dedication of transitioning members of the Armed Forces and veterans to Federal agencies; and

(vii) disseminate Federal employment information to veterans and hiring officials.

(C) ACCOUNTABILITY.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall submit to Congress a report on—

(i) progress made toward the sharing of resources among veterans employment officials;

(ii) progress made toward the sharing of information among veterans employment officials, including steps to promote face-to-face interaction and the use of Federal information gateways;

(iii) the development and implementation of training programs for human resources employees and hiring managers of Federal agencies;

(iv) career development programs for veterans seeking employment; and

(v) efforts to promote the Federal Government as an employer of choice to transitioning members of the Armed Forces and veterans.

(b) INTERAGENCY COUNCIL ON VETERANS EMPLOYMENT.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established an interagency council on matters relating to the employment of veterans.

(B) DESIGNATION.—The council established under subparagraph (A) shall be known as the “Interagency Council on Veterans Employment” (in this subsection referred to as the “Council”).

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall consist of the heads of—

(i) each covered agency (as defined in subsection (a)(1)); and

(ii) any other Executive agency (as defined in section 105 of title 5, United States Code) that the President may designate.

(B) CO-CHAIRS.—The Secretary of Labor and the Secretary of Veterans Affairs shall serve as Co-Chairs of the Council.

(C) VICE-CHAIR.—The Director of the Office of Personnel Management shall serve as the Vice Chair of the Council.

(3) DUTIES.—The duties of the Council shall include each of the following:

(A) To advise and assist the President and the Director of the Office of Personnel Management on matters relating to maintaining a coordinated Government-wide effort to increase the number of veterans employed by the Federal Government in positions that match the skills and career aspirations of veterans, by enhancing recruiting, hiring, retention, training and skills development, and job satisfaction.

(B) To serve as a national forum for promoting employment opportunities for veterans in the executive branch of the Federal Government.

(C) To establish performance measures to assess the effectiveness of efforts to promote recruiting, hiring, retention, training and skills development, and job satisfaction of veterans by the Federal Government.

(D) Not later than 1 year after the date of enactment of this Act and not less frequently than once each year thereafter, to submit to the President and Congress a report on the effectiveness of those efforts.

(4) ADMINISTRATION.—

(A) DUTIES OF CO-CHAIRS.—The Co-Chairs shall convene regular meetings of the Council, determine its agenda, and direct its work.

(B) STEERING COMMITTEE.—At the direction of the Co-Chairs, the Council may establish—

(i) a Steering Committee to provide leadership, accountability, and strategic direction to the Council; and

(ii) subgroups to promote coordination among veterans employment officials (as defined in subsection (a)(1)).

(C) EXECUTIVE DIRECTOR.—The Vice Chair shall designate an Executive Director for the Council to support the Vice Chair in managing the Council’s activities.

(D) OPM.—The Office of Personnel Management shall provide administrative support for the Council to the extent permitted by law and within existing appropriations (as of the date of the provision).

(c) EXPANSION OF SKILLBRIDGE INITIATIVE TO INCLUDE PARTICIPATION BY FEDERAL AGENCIES.—

(1) MODIFICATION OF INITIATIVE BY SECRETARY OF DEFENSE.—The Secretary of Defense, in consultation with the Director of the Office of Personnel Management, shall make such modifications to the SkillBridge initiative of the Department of Defense as the Secretary considers appropriate to enable Federal agencies to participate in the initiative as employers and trainers, including the provision of training by Federal agencies under the initiative to transitioning members of the Armed Forces.

(2) PARTICIPATION BY FEDERAL AGENCIES.—The Director, in consultation with the Secretary, shall take such actions as may be necessary to ensure that each Federal agency participates in the SkillBridge initiative of the Department of Defense as described in paragraph (1).

(3) TRANSITIONING MEMBERS OF THE ARMED FORCES DEFINED.—In this subsection, the term “transitioning member of the Armed Forces” means a member of the Armed Forces who is expected to be discharged or released from active duty in the Armed Forces not more than 180 days after the member commences training under the SkillBridge initiative.

SA 480. Mr. UDALL (for himself, Mr. ROUNDS, Mr. HEINRICH, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. ____. **COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.**

(a) COMPENSATION.—Section 206(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding the end the following new paragraph:

“(4) for each of 12 days in connection with the taking by the member of a period of maternity leave.”

(b) CREDIT FOR RETIRED PAY PURPOSES.—

(1) IN GENERAL.—The period of maternity leave taken by a member of the reserve components of the Armed Forces in connection

with the birth of a child shall count toward the member's entitlement to retired pay, and in connection with the years of service used in computing retired pay, under chapter 1223 of title 10, United States Code, as 12 points.

(2) **SEPARATE CREDIT FOR EACH PERIOD OF LEAVE.**—Separate crediting of points shall accrue to a member pursuant to this subsection for each period of maternity leave taken by the member in connection with a childbirth event.

(3) **WHEN CREDITED.**—Points credited a member for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave concerned commences.

(4) **CONTRIBUTION OF LEAVE TOWARD ENTITLEMENT TO RETIRED PAY.**—Section 12732(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (E) the following new subparagraph:

“(F) Points at the rate of 12 a year for the taking of maternity leave.”.

(5) **COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.**—Section 12733 of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph (5):

“(5) One day for each point credited to the person under subparagraph (F) of section 12732(a)(2) of this title.”.

(c) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to periods of maternity leave that commence on or after that date.

SA 481. Mr. UDALL (for himself, Mr. ROUNDS, Mr. HEINRICH, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. _____. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) **COMPENSATION.**—Section 206(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding the end the following new paragraph:

“(4) for each of 12 days in connection with the taking by the member of a period of maternity leave.”.

(b) **CREDIT FOR RETIRED PAY PURPOSES.**—

(1) **IN GENERAL.**—The period of maternity leave taken by a member of the reserve components of the Armed Forces in connection with the birth of a child shall count toward the member's entitlement to retired pay, and in connection with the years of service used in computing retired pay, under chapter 1223 of title 10, United States Code, as 12 points.

(2) **SEPARATE CREDIT FOR EACH PERIOD OF LEAVE.**—Separate crediting of points shall accrue to a member pursuant to this subsection for each period of maternity leave

taken by the member in connection with a childbirth event.

(3) **WHEN CREDITED.**—Points credited a member for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave concerned commences.

(4) **CONTRIBUTION OF LEAVE TOWARD ENTITLEMENT TO RETIRED PAY.**—Section 12732(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (E) the following new subparagraph:

“(F) Points at the rate of 12 a year for the taking of maternity leave.”.

(5) **COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.**—Section 12733 of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph (5):

“(5) One day for each point credited to the person under subparagraph (F) of section 12732(a)(2) of this title.”.

(c) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to periods of maternity leave that commence on or after that date.

SA 482. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. LIMITATION ON USE OF FUNDS TO CLOSE BIOSAFETY LEVEL 4 LABORATORIES.

None of the funds authorized to be appropriated under this Act or any other Act may be used to support the closure or transfer of any biosafety level 4 laboratory of the Department of Homeland Security or other facility of the Department of Homeland Security that monitors chemical or biological threats.

SA 483. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IX, add the following:

SEC. 953. NEW NAVY SHIP INTEGRATION AND DESIGN CENTER.

The Secretary of the Navy shall establish at a current Naval Surface Warfare Center a new Navy Ship Integration and Design Center to support current and future Navy vessels acquisition programs in order to reduce costs due to inefficiencies and vessel design cycle times.

SA 484. Mr. CARDIN submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In title VIII, strike subtitle E.

SA 485. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 133. MODERNIZATION OF THE RADAR FOR F-16 FIGHTER AIRCRAFT OF THE NATIONAL GUARD.

(a) **MODERNIZATION REQUIRED.**—The Secretary of the Air Force shall take appropriate actions to modernize the radars of F-16 fighter aircraft of the National Guard by replacing legacy mechanically-scanned radars for such aircraft with AESA radars.

(b) **REPORT.**—Not later 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan to modernize the radars of F-16 fighter aircraft of the National Guard as required by subsection (a).

SA 486. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle ____ of title ____, add the following:

SEC. _____. PLAN FOR DEVELOPMENT OF ENERGETIC MATERIALS BY DEPARTMENT OF NAVY.

(a) **PLAN REQUIRED.**—The Secretary of the Navy shall develop a long-term science and technology plan for the development of energetic materials, both explosives and propellants.

(b) **REPORT.**—Not later than March 2, 2018, the Secretary shall submit to Congress a report on the plan required by subsection (a).

SA 487. Mr. CARPER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Government Purchase and Travel Cards

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Saving Federal Dollars Through Better Use of Government Purchase and Travel Cards Act of 2017”.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) **IMPROPER PAYMENT.**—The term “improper payment” has the meaning given the term in section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) **QUESTIONABLE TRANSACTION.**—The term “questionable transaction” means a charge card transaction that from initial card data appears to be high risk and may therefore be improper due to non-compliance with applicable law, regulation or policy.

(3) **STRATEGIC SOURCING.**—The term “strategic sourcing” means analyzing and modifying a Federal agency’s spending patterns to better leverage its purchasing power, reduce costs, and improve overall performance.

SEC. 1093. EXPANDED USE OF DATA ANALYTICS.

(a) **STRATEGY.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator for General Services, shall develop a strategy to expand the use of data analytics in managing government purchase and travel charge card programs. These analytics may employ existing General Services Administration capabilities, and may be in conjunction with agencies’ capabilities, for the purpose of—

(1) identifying examples or patterns of questionable transactions and developing enhanced tools and methods for agency use in—

(A) identifying questionable purchase and travel card transactions; and

(B) recovering improper payments made with purchase and travel cards;

(2) identifying potential opportunities for agencies to further leverage administrative process streamlining and cost reduction from purchase and travel card use, including additional agency opportunities for card-based strategic sourcing;

(3) developing a set of purchase and travel card metrics and benchmarks for high-risk activities, which shall assist agencies in identifying potential emphasis areas for their purchase and travel card management and oversight activities, including those required by the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194); and

(4) developing a plan, which may be based on existing capabilities, to create a library of analytics tools and data sources for use by Federal agencies (including inspectors general of those agencies).

SEC. 1094. GUIDANCE ON IMPROVING INFORMATION SHARING TO CURB IMPROPER PAYMENTS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the inter-agency charge card data management group established under section 1095, shall issue guidance on improving information sharing by government agencies for the purposes of section 1093(a)(1).

(b) **ELEMENTS.**—The guidance issued under subsection (a) shall—

(1) require relevant officials at Federal agencies to identify high-risk activities and communicate that information to the appropriate management levels within the agencies;

(2) require that appropriate officials at Federal agencies review the reports issued by charge card-issuing banks on questionable transaction activity (such as purchase and travel card pre-suspension and suspension reports, delinquency reports, and exception reports), including transactions that occur with high-risk activities, and suspicious timing or amounts of cash withdrawals or advances;

(3) provide for the appropriate sharing of information related to potential questionable transactions, fraud schemes, and high-risk activities with General Services Administration Office of Charge Card Management and the appropriate officials in Federal agencies;

(4) consider the recommendations made by Inspectors General or the best practices Inspectors General have identified; and

(5) include other requirements determined appropriate by the Director for the purposes of carrying out this subtitle.

SEC. 1095. INTERAGENCY CHARGE CARD DATA MANAGEMENT GROUP.

(a) **ESTABLISHMENT.**—The Administrator of General Services and the Director of the Office of Management and Budget shall establish a purchase and travel charge card data management group to develop and share best practices for the purposes described in section 1093(a).

(b) **ELEMENTS.**—The best practices developed under subsection (a) shall—

(1) cover rules, edits, and task order or contract modifications related to charge card-issuing banks;

(2) include the review of accounts payable information and purchase and travel card transaction data of agencies for the purpose of identifying potential strategic sourcing and other additional opportunities (such as recurring payments, utility payments, and grant payments) for which the charge cards or related payment products could be used as a payment method; and

(3) include other best practices as determined by the Administrator and Director.

(c) **MEMBERSHIP.**—The purchase and travel charge card data management group shall meet regularly as determined by the co-chairs, for a duration of three years, and include those agencies as described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194) and others identified by the Administrator and Director.

SEC. 1096. REPORTING REQUIREMENTS.

(a) **GENERAL SERVICES ADMINISTRATION REPORT.**—Not later than one year after the date of the enactment of this Act, the Administrator for General Services shall submit a report to Congress on the implementation of this subtitle, including the metrics used in determining whether the analytic and benchmarking efforts have reduced, or contributed to the reduction of, questionable or improper payments as well as improved utilization of card-based payment products.

(b) **AGENCY REPORTS AND CONSOLIDATED REPORT TO CONGRESS.**—Not later than one year after the date of the enactment of this Act, the head of each Federal agency described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194) shall submit a report to the Director of the Office of Management and Budget on that agency’s activities to implement this subtitle.

(c) **OFFICE OF MANAGEMENT AND BUDGET REPORT TO CONGRESS.**—The Director of the Office of Management and Budget shall submit to Congress a consolidated report of agency activities to implement this subtitle,

which may be included as part of another report submitted to Congress by the Director.

(d) **REPORT ON ADDITIONAL SAVINGS OPPORTUNITIES.**—Not later than one year after the date of the enactment of this Act, the Administrator of General Services shall submit a report to Congress identifying and exploring further potential savings opportunities for government agencies under the Federal charge card programs. This report may be combined with the report required under subsection (a).

SA 488. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. SENSE OF CONGRESS ON USE OF TEST SITES FOR RESEARCH AND DEVELOPMENT ON COUNTERING UNMANNED AERIAL SYSTEMS.

It is the sense of Congress that—

(1) the armed unmanned aerial systems deployed by adversaries for military purposes pose a threat to military installations, critical infrastructure, and members of the Armed Forces in conflict areas like Iraq and Syria;

(2) the unmanned aerial systems test sites designated by the Federal Aviation Administration offer unique capabilities, expertise, and airspace for research and development related to unmanned aerial systems; and

(3) the Armed Forces should, to the extent practicable, seek to leverage the test sites described in paragraph (2) for research and development on capabilities to counter the nefarious use of unmanned aerial systems.

SA 489. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 655, line 4, insert after “the Republic of Korea and Japan” the following: “, and should fully consider actions to reassure the Republic of Korea and Japan of the enduring commitment of the United States to provide its full range of capabilities in their defense”.

SA 490. Mr. WARNER (for himself, Mr. SULLIVAN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1270E. ADVANCEMENTS IN DEFENSE COOPERATION BETWEEN THE UNITED STATES AND INDIA.

(a) STRATEGY TO FURTHER COOPERATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, develop a strategy for advancing defense cooperation between the United States and India.

(2) ELEMENTS.—The strategy shall address the following:

(A) Common security challenges.

(B) The role of United States partners and allies in the United States-India defense relationship.

(C) The role of the Defense Technology and Trade Initiative.

(D) How to advance the Communications Interoperability and Security Memorandum of Agreement and the Basic Exchange and Cooperation Agreement for Geospatial Cooperation.

(E) The role of joint exercises, operations, patrols and mutual defense planning.

(F) Any other matters the Secretary of Defense or the Secretary of State considers appropriate.

(b) INDIA AS MAJOR DEFENSE PARTNER.—

(1) FINDINGS.—Congress makes the following findings:

(A) Subsection (a)(1)(A) of section 1292 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2559; 22 U.S.C. 2751 note) requires the recognition of India as a major defense partner.

(B) The President and the Prime Minister of India, in a joint statement, noted that India is a Major Defense Partner of the United States.

(C) The designation of “Major Defense Partner” is unique to India, and institutionalizes the progress made to facilitate defense trade and technology sharing between the United States and India.

(D) The designation elevates defense trade and technology cooperation between the United States and India to a level commensurate with the closest allies and partners of the United States.

(E) The designation is intended to facilitate technology sharing between the United States and India, including license-free access to a wide range of dual-use technologies.

(F) The designation facilitates joint exercises, coordination on defense strategy and policy, military exchanges, and port calls in support of defense cooperation between the United States and India.

(2) INTERAGENCY DEFINITION.—The Secretary of Defense, the Secretary of State, and the Secretary of Commerce shall jointly produce a common definition of the term “Major Defense Partner” as it relates to India for joint use by the Department of Defense, the Department of State, and the Department of Commerce.

(c) RESPONSIBILITY FOR ENHANCED COOPERATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall make the designation required by subsection (a)(1)(B) of section 1292 of the National Defense Authorization Act for Fiscal Year 2017.

(2) ADDITIONAL DUTIES.—In addition to the duties specified in clauses (i) and (ii) of subsection (a)(1)(B) of such section 1292, the individual designated pursuant to paragraph (1) shall promote United States defense trade

with India for the benefit of job creation and commercial competitiveness in the United States.

(3) BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, appropriate officials of the Office of the Secretary of Defense and appropriate officials of the Department of State shall brief the appropriate committees of Congress on the actions of the Department of Defense and the Department of State, respectively, to promote the competitiveness of United States defense exports to India. The requirement for briefings under this paragraph shall cease on the date of the designation of an individual pursuant to paragraph (1).

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 491. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . OPEN GOVERNMENT DATA.

(a) SHORT TITLE.—This section may be cited as the “Open, Public, Electronic, and Necessary Government Data Act” or the “OPEN Government Data Act”.

(b) DEFINITION.—In this section, the term “agency” has the meaning given the term in section 3561 of title 44, United States Code, as added by subsection (c).

(c) OPEN GOVERNMENT DATA.—

(1) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“Subchapter III—Open Government Data

“§ 3561. Definitions

“As used in this subchapter—

“(1) the term ‘agency’—

“(A) has the meaning given the term in section 3502; and

“(B) includes the Federal Election Commission;

“(2) the term ‘data’ means recorded information, regardless of form or the media on which the data is recorded;

“(3) the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;

“(4) the term ‘Director’ means the Director of the Office of Management and Budget;

“(5) the term ‘Enterprise Data Inventory’ means a data inventory developed and maintained under section 3563;

“(6) the terms ‘information resources management’, ‘information system’, and ‘information technology’ have the meanings given those terms in section 3502;

“(7) the term ‘machine-readable’ means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

“(8) the term ‘metadata’ means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

“(9) the term ‘open Government data asset’ means a data asset maintained by the Federal Government that is—

“(A) machine-readable;

“(B) available in an open format;

“(C) not encumbered by restrictions that would impede use or reuse;

“(D) releasable to the public according to guidance issued by the Director under section 3562(d); and

“(E) based on an underlying open standard that is maintained by a standards organization; and

“(10) the term ‘open license’ means a legal guarantee applied to a data asset that the data asset is made available—

“(A) at no cost to the public; and

“(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting.

“§ 3562. Requirements for Government data

“(a) MACHINE-READABLE DATA REQUIRED.—Open Government data assets made available by an agency shall be published as machine-readable data.

“(b) OPEN BY DEFAULT AND OPEN LICENSE REQUIRED.—To the extent permitted by law and subject to privacy, confidentiality, and any other restrictions, and according to guidance issued by the Director under subsection (d)—

“(1) data assets maintained by the Federal Government shall—

“(A) be available in an open format; and

“(B) be available under open licenses; and

“(2) open Government data assets published by or for an agency shall be made available under an open license.

“(c) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, nonprofit organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the data assets of the agency in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law, regulation, and policy.

“(d) GUIDANCE FOR OPEN BY DEFAULT AND OPEN LICENSE REQUIREMENTS.—The Director shall issue guidance for agencies to use in implementing subsections (a) and (b), including criteria that the head of each agency shall use in determining whether to make a particular data asset publicly available in a manner that takes into account—

“(1) privacy and confidentiality risks and restrictions, including the risk that an individual data asset in isolation does not pose a privacy or confidentiality risk but when combined with other available information may pose such a risk;

“(2) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

“(3) the cost and benefits to the public of converting a data asset into a machine-readable format that is accessible and useful to the public;

“(4) the expectation that a data asset be disclosed, if it would otherwise be made available under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’); and

“(5) any other considerations that the Director determines to be relevant.

“§ 3563. Enterprise Data Inventory

“(a) AGENCY DATA INVENTORY REQUIRED.—

“(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Director, shall develop and maintain an enterprise data inventory that accounts for any data asset created, collected, under the control or direction of, or maintained by the agency after the effective date of this section, with the goal of including all data assets, to the extent practicable.

“(2) CONTENTS.—Each Enterprise Data Inventory shall include the following:

“(A) Data assets used in agency information systems (including program administration, statistics, and financial activity) generated by applications, devices, networks, facilities, and equipment, categorized by source type.

“(B) Data assets shared or maintained across agency programs and bureaus.

“(C) Data assets that are shared among agencies or created by more than 1 agency.

“(D) A clear indication of all data assets that can be made publicly available under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’).

“(E) A description of whether the agency has determined that an individual data asset may be made publicly available and whether the data asset is available to the public.

“(F) Open Government data assets.

“(G) Other elements as required by the guidance issued by the Director under subsection (c).

“(b) PUBLIC AVAILABILITY.—The Chief Information Officer of each agency, in coordination with privacy and security officials of the agency, shall use the guidance issued by the Director under section 3562(d) in determining whether to make data assets included in the Enterprise Data Inventory of the agency publicly available in an open format and under an open license.

“(c) GUIDANCE FOR ENTERPRISE DATA INVENTORY.—The Director shall issue guidance for each Enterprise Data Inventory, including a requirement that an Enterprise Data Inventory includes a compilation of metadata about agency data assets.

“(d) AVAILABILITY OF ENTERPRISE DATA INVENTORY.—The Chief Information Officer of each agency—

“(1) shall make the Enterprise Data Inventory of the agency available to the public on the Federal Data Catalog required under section 3566;

“(2) shall ensure that access to the Enterprise Data Inventory of the agency and the data contained therein is consistent with applicable law, regulation, and policy; and

“(3) may implement paragraph (1) in a manner that maintains a nonpublic portion of the Enterprise Data Inventory of the agency.

“(e) REGULAR UPDATES REQUIRED.—The Chief Information Officer of each agency shall—

“(1) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and

“(2) add additional data assets to the Enterprise Data Inventory for the agency not later than 90 days after the date on which the data asset is created or identified.

“(f) USE OF EXISTING RESOURCES.—When practicable, the Chief Information Officer of each agency shall use existing procedures and systems to compile and publish the Enterprise Data Inventory for the agency.

“§ 3564. Federal agency responsibilities

“(a) INFORMATION RESOURCES MANAGEMENT.—With respect to general information resources management, each agency shall—

“(1) improve the integrity, quality, and utility of information to all users within and outside the agency by—

“(A) using open format for any new open Government data asset created or obtained on or after the date that is 1 year after the date of enactment of this section; and

“(B) to the extent practicable, encouraging the adoption of open format for all open Government data assets created or obtained before the date described in subparagraph (A); and

“(2) in consultation with the Director, develop an open data plan that, at a minimum and to the extent practicable—

“(A) requires the agency to develop processes and procedures that—

“(i) require each new data collection mechanism to use an open format; and

“(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data assets;

“(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability issues, recommendations for improvements, and complaints about adherence to open data requirements;

“(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data assets;

“(D) requires the agency to update the plan at an interval determined by the Director;

“(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, regulation, and policy, that allow for the acquisition of innovative solutions from the public and private sectors; and

“(F) prohibits the disclosure of data assets unless the data asset may be released to the public in accordance with guidance issued by the Director under section 3562(d).

“(b) INFORMATION DISSEMINATION.—With respect to information dissemination, each agency—

“(1) shall provide access to open Government data assets online;

“(2) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required under subsection (a)(2); and

“(3) may engage the public in using open Government data assets and encourage collaboration by—

“(A) publishing information on open Government data assets usage in regular, timely intervals, but not less frequently than annually;

“(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

“(C) assisting civil society groups and members of the public working to expand the use of open Government data assets; and

“(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data assets.

“§ 3565. Additional agency data asset management responsibilities

“The Chief Information Officer of each agency, or other appropriate official designated by the head of an agency, in collaboration with other internal agency stakeholders, is responsible for—

“(1) data asset management, format standardization, sharing of data assets, and publication of data assets for the agency;

“(2) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3563;

“(3) ensuring that agency data conforms with open data best practices;

“(4) engaging agency employees, the public, and contractors in using open Government data assets and encouraging collaborative approaches to improving data use;

“(5) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

“(6) supporting officials responsible for leading agency mission areas and Governmentwide initiatives in maximizing data available for program administration, statistics, evaluation, research, and internal financial management, subject to any privacy, confidentiality, security laws and policies, and other valid restrictions;

“(7) reviewing the information technology infrastructure of the agency and the impact of the infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;

“(8) ensuring that, to the extent practicable, the agency is maximizing data assets used in agency information systems generated by applications, devices, networks, facilities, and equipment, categorized by source type, and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

“(9) identifying points of contact for roles and responsibilities related to open data use and implementation as required by the Director.

“§ 3566. Federal Data Catalog

“(a) FEDERAL DATA CATALOG REQUIRED.—The Administrator of General Services shall maintain a single public interface online, to be known as the ‘Federal Data Catalog’, as a point of entry dedicated to sharing open Government data assets with the public.

“(b) COORDINATION WITH AGENCIES.—The Director shall determine, after consultation with the head of each agency and the Administrator of General Services, the method to access any open Government data assets published through the interface described in subsection (a).”.

(2) SPECIAL PROVISIONS.—

(A) EFFECTIVE DATE.—Notwithstanding subsection (i), section 3562 of title 44, United States Code, as added by paragraph (1), shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(B) USE OF OPEN DATA ASSETS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3562 of title 44, United States Code, as added by paragraph (1).

(C) DEADLINE FOR FEDERAL DATA CATALOG.—Not later than 180 days after the effective date of this section, the Administrator

of General Services shall meet the requirements of section 3566 of title 44, United States Code, as added by paragraph (1)

(3) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“SUBCHAPTER III—OPEN GOVERNMENT DATA

“3561. Definitions.

“3562. Requirements for Government data.

“3563. Enterprise Data Inventory.

“3564. Federal agency responsibilities.

“3565. Additional agency data asset management responsibilities.

“3566. Federal Data Catalog.”

(d) **EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.**—

(1) **AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.**—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in paragraph (2).

(2) **REQUIREMENTS OF AGENCY REVIEW.**—The report required under paragraph (1) shall assess the coverage, quality, methods, effectiveness, and independence of the evaluation, research, and analysis efforts of an agency, including each of the following:

(A) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(B) The extent to which the evaluations, research, and analysis efforts and related activities of the agency support the needs of various divisions within the agency.

(C) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(D) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(E) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(F) The extent to which the agency has the capacity to assist front-line staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

(3) **GAO REVIEW OF AGENCY REPORTS.**—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted under paragraph (1) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

(e) **ONLINE REPOSITORY AND ADDITIONAL REPORTS.**—

(1) **REPOSITORY.**—The Director of the Office of Management and Budget shall collaborate

with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices, which shall—

(A) include definitions, regulation and policy, checklists, and case studies related to open data, this section, and the amendments made by this section; and

(B) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(2) **GAO REPORT.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that identifies—

(A) the value of information made available to the public as a result of this section and the amendments made by this section;

(B) whether it is valuable to expand the publicly available information to any other data assets; and

(C) the completeness of the Enterprise Data Inventory at each agency required under section 3563 of title 44, United States Code, as added by subsection (c).

(3) **BIENNIAL OMB REPORT.**—Not later than 1 year after the effective date of this section, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with this section and the amendments made by this section.

(4) **AGENCY CIO REPORT.**—Not later than 1 year after the effective date of this section and every year thereafter, the Chief Information Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on compliance with the requirements of this section and the amendments made by this section, including information on the requirements that the agency could not meet and what the agency needs to comply with those requirements.

(f) **GUIDANCE.**—The Director of the Office of Management and Budget shall delegate to the Administrator of the Office of Information and Regulatory Affairs and the Administrator of the Office of Electronic Government the authority to jointly issue guidance required under this section.

(g) **NATIONAL SECURITY SYSTEMS.**—This section and the amendments made by this section shall not apply to data assets that are contained in a national security system, as defined in section 11103 of title 40, United States Code.

(h) **RULE OF CONSTRUCTION.**—Nothing in this section, or the amendments made by this section, shall be construed to require the disclosure of information or records that may be withheld from public disclosure under any provision of Federal law, including section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”) and section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”).

(i) **EFFECTIVE DATE.**—This section, and the amendments made by this section, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 492. Mr. SCHATZ (for himself and Mrs. GILLIBRAND) submitted an amend-

ment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. **REVIEW OF DISCHARGE CHARACTERIZATION OF FORMER MEMBERS OF THE ARMED FORCES WHO WERE DISCHARGED BY REASON OF THE SEXUAL ORIENTATION.**

(a) **IN GENERAL.**—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) **CRITERIA.**—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don’t Ask Don’t Tell (in this Act referred to as “DADT”) or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or the member’s representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD-214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or the member’s representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) **REQUEST FOR REVIEW.**—The appropriate discharge board shall ensure the mechanism

by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request described in subsection (c) has been made, the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered member from the member, or when applicable, from the Department of Defense.

(e) CHANGE OF CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the member's representative, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD-214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or the member's representative a revised DD-214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD-214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) STATUS.—

(1) IN GENERAL.—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) REINSTATEMENT.—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) DEFINITIONS.—In this section:

(1) The term “appropriate discharge board” means the boards for correction of military

records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term “covered member” means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term “discharge characterization” means the characterization under which a member of the Armed Forces is discharged or released, including “dishonorable”, “general”, “other than honorable”, and “honorable”.

(4) The term “Don't Ask Don't Tell” means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111-321).

(5) The term “representative” means the surviving spouse, next of kin, or legal representative of a covered member.

(i) REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under this section.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(j) HISTORICAL REVIEW.—The Secretary of each military department shall ensure that oral historians of the department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

SA 493. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

SEC. 563. ELIGIBILITY AND PRIORITY OF CHILDREN FOR MILITARY CHILD CARE SERVICES.

(a) REORGANIZATION OF MILITARY CHILD CARE FUNDING PROVISIONS.—Subchapter II of chapter 88 of title 10, United States Code, is amended—

(1) by transferring section 1793 so as to appear after section 1791; and

(2) by redesignating such section, as so transferred, as section 1791a.

(b) ELIGIBILITY AND PRIORITY.—

(1) IN GENERAL.—Subchapter II of such chapter is further amended by inserting after section 1792 the following new section 1793:

“§ 1793. Child care services: eligibility and priority for services of eligible children; services and youth program services for children and youth otherwise ineligible

“(a) ELIGIBILITY ON FULL-TIME BASIS.—Children are eligible for child care services at military child development centers on a full-time basis as follows:

“(1) Children disproportionately affected by military deployment of their parents (to be known as ‘Priority Group 1 Children’), including children as follows:

“(A) Children of a member of the armed forces who died in line of duty on active duty.

“(B) Children of a member on active duty who previously incurred a wound [or serious injury] in combat in line of duty on active duty.

“(C) Children in a single-parent family in which the parent is a regular member of the armed forces.

“(D) Children in a dual-parent family in which both parents are regular members of the armed forces.

“(2) Children of deployable parents (to be known as ‘Priority Group 2 Children’), including children as follows:

“(A) Children in a dual-parent family in which one of the parents is a regular member of the armed forces.

“(B) Children of a member of the Selected Reserve.

“(C) Children of an employee of the Department of Defense who is on, or is within 90 days of commencing, an assignment overseas.

“(3) Children of parents who support Department of Defense missions (to be known as ‘Priority Group 3 Children’), including children as follows:

“(A) Children of a member of the Individual Ready Reserve.

“(B) Children of an employee of the Department of Defense (other than an employee described in paragraph (2)(C)), including children of an employee of a non-appropriated fund instrumentality (NAFI) or otherwise paid for with non-appropriated funds.

“(4) Children of other parents (to be known as ‘Priority Group 4 Children’), including children as follows:

“(A) Children of a member or former member of the armed forces who is in receipt of, or eligible for receipt of, retired or retainer pay.

“(B) Children of an employee of the Federal Government with a department or agency other than the Department of Defense.

“(C) Children of a contractor employee of the Department who is otherwise eligible for child care services under this subchapter.

“(b) PRIORITY OF ELIGIBILITY.—

“(1) IN GENERAL.—Priority of eligibility under subsection (a) shall be in the order of the paragraphs set forth under that subsection, with actual eligibility for child care services at any particular military child development center dependent on the availability of space and resources at such center.

“(2) CONSTRUCTION OF MULTIPLE PRIORITIES.—If a child has a priority of eligibility under subsection (a) under more than one paragraph, the child's priority of eligibility under that subsection shall be the higher priority of eligibility under that subsection.

“(d) REGULATIONS.—This section shall be administered in accordance with regulations prescribed by the Secretary of Defense for purposes of this section. The regulations shall take into account the objective that the priority of eligibility established by subsection (a) is intended to support the policy and plans for the Department of Defense for

the support of military family readiness developed pursuant to section 1781b of this title.”.

(2) **PRESERVATION OF EXISTING ELIGIBILITY AND PRIORITY.**—Nothing in the amendment made by paragraph (1) may be construed as terminating, altering, or impairing the eligibility or priority for child care services at military child development centers of any military family in receipt of such services at such a center as of the date of the enactment of this Act for so long after such date as such military family remains in receipt of such services at such center without interruption.

(c) **RESTATEMENT IN AUTHORITY ON ELIGIBILITY AND PRIORITY OF AUTHORITY FOR PROVISION OF CHILD CARE AND YOUTH PROGRAM SERVICES TO CHILDREN AND YOUTH OTHERWISE INELIGIBLE.**—

(1) **IN GENERAL.**—Section 1793 of title 10, United States Code, as amended by subsection (b) of this section, is further amended by inserting after subsection (b) the following new subsection (c):

“(c) **CHILD CARE AND YOUTH PROGRAM SERVICES FOR CHILDREN AND YOUTH OTHERWISE INELIGIBLE.**—

“(1) **AUTHORITY.**—The Secretary of Defense may authorize participation in child care or youth programs of the Department of Defense, to the extent of the availability of space and services, by children and youth under the age of 19 who are not dependents of members of the armed forces or of employees of the Department of Defense and are not otherwise eligible for participation in those programs.

“(2) **LIMITATION.**—Authorization of participation in a program under paragraph (1) shall be limited to situations in which that participation promotes the attainment of the objectives set forth in paragraph (3), as determined by the Secretary.

“(3) **OBJECTIVES.**—The objectives for authorizing participation in a program under paragraph (1) are as follows:

“(A) To support the integration of children and youth of military families into civilian communities.

“(B) To make more efficient use of Department of Defense facilities and resources.

“(C) To establish or support a partnership or consortium arrangement with schools and other youth services organizations serving children of members of the armed forces.”.

(2) **REPEAL OF SUPERSEDED AUTHORITY.**—Section 1799 of such title is repealed.

(d) **CLERICAL AMENDMENTS.**—The table of sections at the beginning of subchapter II of chapter 88 of such title is amended—

(1) by inserting after the item relating to section 1791 the following new item:

“1791a. Parent fees.”;

(2) by striking the item relating to section 1793 and inserting the following new item:

“1793. Child care services: eligibility and priority for services of eligible children; services and youth program services for children and youth otherwise ineligible.”; and

(3) by striking the item relating to section 1799.

SA 494. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXVIII, insert the following:

SEC. ____ TECHNICAL CORRECTION TO WITHDRAWAL AND RESERVATION OF PUBLIC LAND AUTHORITY, LIMESTONE HILLS TRAINING AREA, MONTANA.

Section 2931(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1031) is amended by striking “18,644 acres in Broadwater County, Montana, generally depicted as ‘Proposed Land Withdrawal’ on the map entitled ‘Limestone Hills Training Area Land Withdrawal’, dated April 10, 2013” and inserting “18,964 acres in Broadwater County, Montana, generally depicted as ‘Limestone Hills Training Area Land Withdrawal’ on the map entitled ‘Limestone Hills Training Area Land Withdrawal’, dated May 11, 2017”.

SA 495. Mr. THUNE (for himself, Mr. SULLIVAN, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After title XXXV, insert the following:

TITLE XXXVI—COAST GUARD

SEC. 3601. CERTAIN DELAYED EFFECTIVE DATES.

The amendments made by section 3626 shall take effect on January 1, 2018.

Subtitle A—Authorizations

SEC. 3611. AUTHORIZATION OF APPROPRIATIONS.

Section 2702 of title 14, United States Code, is amended to read as follows:

“§ 2702. Authorization of appropriations

“Funds are authorized to be appropriated for each of fiscal years 2018 and 2019 for necessary expenses of the Coast Guard as follows:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for—

“(A) \$7,300,000,000 for fiscal year 2018; and

“(B) \$7,592,000,000 for fiscal year 2019.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

“(A) \$1,985,845,000 for fiscal year 2018, to remain available through September 30, 2022; and

“(B) \$2,027,547,745 for fiscal year 2019, to remain available through September 30, 2023.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services—

“(A) \$142,956,336 for fiscal year 2018; and

“(B) \$145,958,419 for fiscal year 2019.

“(4) For the environmental compliance and restoration of the Coast Guard under chapter 19 of this title—

“(A) \$17,051,721 for fiscal year 2018, to remain available through September 30, 2022; and

“(B) \$17,409,807 for fiscal year 2019, to remain available through September 20, 2023.

“(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

“(A) \$20,307,690 for fiscal year 2018; and

“(B) \$20,734,151 for fiscal year 2019.”.

SEC. 3612. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 2704 of title 14, United States Code, is amended to read as follows:

“§ 2704. Authorized levels of military strength and training

“(a) **ACTIVE DUTY STRENGTH.**—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for each of fiscal years 2018 and 2019.

“(b) **MILITARY TRAINING STUDENT LOADS.**—The Coast Guard is authorized average military training student loads for each of fiscal years 2018 and 2019 as follows:

“(1) For recruit and special training, 2,500 student years.

“(2) For flight training, 165 student years.

“(3) For professional training in military and civilian institutions, 350 student years.

“(4) For officer acquisition, 1,200 student years.”.

Subtitle B—Coast Guard

SEC. 3621. PRIMARY DUTIES.

Section 2(7) of title 14, United States Code, is amended by striking “including the fulfillment of Maritime Defense Zone command responsibilities” and inserting “and at all times assist in the defense of the United States”.

SEC. 3622. TRAINING; EMERGENCY RESPONSE PROVIDERS.

(a) **IN GENERAL.**—Chapter 7 of title 14, United States Code, is amended by inserting after section 141 the following:

“§ 141a. Training; emergency response providers

“(a) **IN GENERAL.**—The Commandant (or the Commandant’s designee) may, on a reimbursable or a nonreimbursable basis, make training available to emergency response providers whenever the Commandant (or the Commandant’s designee) determines that—

“(1) a member of the Coast Guard, who was scheduled to participate in such training, is unable or unavailable to participate in such training;

“(2) no other member of the Coast Guard, who is assigned to the unit to which the member of the Coast Guard described in paragraph (1), is able or available to participate in such training; and

“(3) such training, if made available to emergency response providers, would further the goal of interoperability among Federal agencies, non-Federal governmental agencies, or both.

“(b) **DEFINITION OF EMERGENCY RESPONSE PROVIDER.**—In this section, the term ‘emergency response provider’ has the meaning given the term in section 101 of title 6.

“(c) **TREATMENT OF REIMBURSEMENT.**—Any reimbursement for training that the Coast Guard receives under this section shall be credited to the appropriation used to pay the costs for such training.

“(d) **STATUS; LIMITATION ON LIABILITY.**—

“(1) **STATUS.**—Any individual to whom, as an emergency response provider, training is made available under this section shall not

be considered a Federal employee for any purpose, including the purposes of—

“(A) chapter 81 of title 5 (relating to compensation for injury); or

“(B) sections 2671 through 2680 of title 28 (relating to tort claims).

“(2) **LIMITATION ON LIABILITY.**—The individual described in paragraph (1) or that individual’s employer shall be liable for any claim arising out of such training.”.

(b) **TABLE OF CONTENTS.**—The table of contents of chapter 7 of title 14, United States Code, is amended by inserting after the item relating to section 141 the following:

“141a. Training; emergency response providers.”.

SEC. 3623. COMMISSIONED SERVICE RETIREMENT.

Section 291 of title 14, United States Code, is amended—

(1) by inserting “(a) **IN GENERAL.**—” before “Any regular” and indenting appropriately;

(2) in subsection (a), as designated—

(A) by inserting “of the Coast Guard” after “officer”; and

(B) by striking “President” and inserting “Secretary”; and

(3) by adding at the end the following:

“(b) **ACTIVE COMMISSIONED SERVICE.**—The Secretary may authorize the Commandant, through fiscal year 2019, to reduce the requirement under subsection (a) for at least ten years of active service as a commissioned officer to a period of not less than eight years.”.

SEC. 3624. OFFICER PROMOTION ZONES.

Section 256(a) of title 14, United States Code, is amended by striking “six-tenths” and inserting “one-half”.

SEC. 3625. OFFICER EVALUATION REPORT.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Commandant of the Coast Guard shall reduce lieutenant junior grade evaluation reports to the same length as an ensign or place lieutenant junior grade evaluations on an annual schedule.

(b) **BOARD SURVEY.**—The Commandant of the Coast Guard shall survey outgoing promotion board members and assignment officers to determine, at a minimum—

(1) which sections of the officer evaluation report were most useful;

(2) which sections of the officer evaluation report were least useful;

(3) how to better reflect high performers; and

(4) any recommendations for improving the officer evaluation report.

(c) **SURVEY OF OFFICERS.**—The Commandant of the Coast Guard shall conduct a survey on the officer evaluation report to—

(1) cover at least 10 percent of the officers from each grade of officers from O1 to O6; and

(2) determine how much time each member of the rating chain spends on that member’s portion of the officer evaluation report.

(d) **REVISIONS.**—

(1) **IN GENERAL.**—Not later than 5 years after the date of enactment of this Act, the Commandant of the Coast Guard shall revise the officer evaluation report, and providing corresponding directions, taking into account the requirements under paragraph (2).

(2) **REQUIREMENTS.**—In revising the officer evaluation report under paragraph (1), the Commandant shall—

(A) consider the findings of the surveys under subsections (b) and (c);

(B) improve administrative efficiency;

(C) reduce and streamline performance dimensions and narrative text;

(D) eliminate redundancy with the officer specialty management system and any other

record information systems that are used during the officer assignment or promotion process;

(E) provide for fairness and equity for Coast Guard officers with regard to promotion boards, selection panels, and the assignment process; and

(F) ensure officer evaluation responsibilities can be accomplished within normal working hours—

(i) to minimize any impact to officer duties; and

(ii) to eliminate any need for an officer to take liberty or leave for administrative purposes.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than 545 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report—

(A) on the findings of the survey under subsection (b); and

(B) on the findings of the survey under subsection (c).

(2) **FORMAT.**—The report under paragraph (1) shall be formatted by each rank, type of board, and position, as applicable.

SEC. 3626. REGULAR CAPTAINS; RETIREMENT.

Section 288(a) of title 14, United States Code, is amended—

(1) by striking “zone is” and inserting “zone, or from being placed at the top of the list of selectees promulgated by the Secretary under section 271(a) of this title, is”; and

(2) by striking the period at the end and inserting “or from being placed at the top of the list of selectees, as applicable.”.

SEC. 3627. INCLUSION OF VESSEL FOR INVESTIGATION PURPOSES.

(a) **IN GENERAL.**—Section 678 of title 14, United States Code, is amended by inserting “or vessel” after “aircraft” each place it appears.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Chapter 17 of title 14, United States Code, is amended—

(1) in the table of contents of chapter 17, by inserting “and vessel” after “Aircraft” in the item relating to section 678; and

(2) in the heading for section 678, by inserting “and vessel” after “Aircraft”.

SEC. 3628. LEAVE FOR THE BIRTH OR ADOPTION OF A CHILD.

Section 431 of title 14, United States Code, is amended—

(1) by striking “Not later than 1 year” and inserting the following:

“(a) **IN GENERAL.**—Except as provided in subsection (b), not later than 1 year”; and

(2) by adding at the end the following:

“(b) **LEAVE ASSOCIATED WITH THE BIRTH OR ADOPTION OF A CHILD.**—Notwithstanding section 701 of title 10 or any other provision of law, the Secretary of the department in which the Coast Guard is operating shall ensure that any rule, policy, or memorandum that provides leave associated with the birth or adoption of a child to an officer or enlisted member of the Coast Guard permits, for not later than 1 year after the date of such birth or adoption and at the discretion of the Commanding Officer—

“(1) the officer or member, as applicable, to take such leave in increments; and

“(2) flexible work schedules (as defined in regulation promulgated by the Secretary) for the officer or member, as applicable, until all such leave is expended.”.

SEC. 3629. AVIATION CADETS; APPOINTMENT AS RESERVE OFFICERS; CROSS REFERENCE.

Section 373(a) of title 14, United States Code, is amended by inserting “designated under section 371” after “cadet”.

SEC. 3630. CLOTHING AT TIME OF DISCHARGE FOR GOOD OF SERVICE; REPEAL.

Section 482 of title 14, United States Code, and the item relating to that section in the table of contents of chapter 13 of that title, are repealed.

SEC. 3631. MULTIYEAR CONTRACTS.

The Secretary is authorized to enter into a multiyear contract for the procurement of a tenth, eleventh, and twelfth National Security Cutter and associated government-furnished equipment.

SEC. 3632. COAST GUARD ROTC PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the costs and benefits of creating a Coast Guard Reserve Officers’ Training Corps Program based on the other armed forces programs.

SEC. 3633. NATIONAL COAST GUARD MUSEUM.

Subsection (b) of section 98 of title 14, United States Code, is amended to read as follows:

“(b) **EXPENDITURES.**—The Secretary shall fund the operation and maintenance of the National Coast Guard Museum with non-appropriated and non-Federal funds to the maximum extent practicable. The priority use of Federal operation and maintenance funds should be to preserve and protect historic Coast Guard artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.”.

SEC. 3634. POLAR ICEBREAKERS.

(a) **ROLLING RECAPITALIZATION REPORT FOR THE POLAR STAR.**—

(1) **REQUIREMENT FOR REPORT.**—The Secretary of the department in which the Coast Guard is operating, in consultation with Naval Sea Systems Command, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed report describing a plan to extend the service life of the Coast Guard Cutter POLAR STAR (WAGB-10) under a rolling recapitalization plan for 7 to 10 years.

(2) **CONTENT.**—The report required by paragraph (1) shall include the following:

(A) Based upon a materiel condition assessment of the Coast Guard Cutter POLAR STAR (WAGB-10)—

(i) a description of the service life extension needs of the vessel;

(ii) detailed information regarding planned shipyard work for each fiscal year to meet such needs; and

(iii) an estimate of the specific amount needed to be appropriated to complete the rolling recapitalization of the vessel.

(B) A plan to ensure the vessel will maintain seasonally operational status during the rolling recapitalization.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—The Commandant of the Coast Guard may use funds made available pursuant to section 2702(2) of title 14, United States Code, as amended by section 3611 of this Act, for the rolling recapitalization described in the report required by subsection (a).

SEC. 3635. GREAT LAKES ICEBREAKER ACQUISITION.

(a) ICEBREAKING ON THE GREAT LAKES.—For fiscal years 2018 and 2019, the Commandant of the Coast Guard may use funds made available pursuant to section 2702(2) of title 14, United States Code, as amended by section 3611 of this Act, for the selection of a design for, and the construction of, an icebreaker that is at least as capable as the Coast Guard Cutter Mackinaw to enhance icebreaking capacity on the Great Lakes.

(b) INITIAL SURVEY AND DESIGN WORK.—The Commandant of the Coast Guard shall commence initial survey and design work associated with the acquisition of a new Coast Guard icebreaker that is at least as capable as the Coast Guard Cutter Mackinaw to enhance icebreaking capacity on the Great Lakes.

(c) ACQUISITION PLAN.—Not later than 45 days after the date of enactment of this Act, the Commandant shall submit a plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives for acquiring an icebreaker described in subsections (a) and (b). Such plan shall include—

(1) the details and schedule of the acquisition activities to be completed; and

(2) a description of how the funding for Coast Guard acquisition, construction, and improvements that was appropriated under the Consolidated Appropriations Act of 2017 (Public Law 115-31) will be allocated to support the acquisition activities referred to in paragraph (1).

Subtitle C—Marine Safety**SEC. 3641. COAST GUARD ADVISORY COMMITTEES.**

(a) ESTABLISHMENT.—Subtitle I of title 46, United States Code, is amended by adding at the end the following:

“CHAPTER 7—COAST GUARD ADVISORY COMMITTEES

- “Sec.
- “701. Administration.
- “702. Chemical Transportation Advisory Committee.
- “703. Commercial Fishing Safety Advisory Committee.
- “704. Great Lakes Pilotage Advisory Committee.
- “705. Lower Mississippi River Waterway Safety Advisory Committee.
- “706. Merchant Marine Personnel Advisory Committee.
- “707. Merchant Mariner Medical Advisory Committee.
- “708. National Boating Safety Advisory Council.
- “709. National Maritime Security Advisory Committee.
- “710. National Offshore Safety Advisory Committee.
- “711. Navigation Safety Advisory Council.
- “712. Towing Safety Advisory Committee.

“§ 701. Administration

“(a) EMPLOYEE STATUS.—A member of an advisory committee or advisory council established under this chapter shall not be considered an employee of the Federal Government by reason of service on such committee or council, except for the purposes of the following provisions of law:

“(1) Section 5703 of title 5 (relating to travel expenses).

“(2) Chapter 81 of title 5 (relating to compensation for work injuries).

“(3) Chapter 171 of title 28 and any other Federal statute relating to tort liability.

“(4) If the member is a special Government employee—

“(A) chapter 73 of title 5;

“(B) sections 201, 202, 203, 205, 207, 208, and 209 of title 18;

“(C) the Ethics in Government Act of 1978 (5 U.S.C. App.); and

“(D) any other provision of law relating to employee conduct, political activities, ethics, conflict of interest, and corruption that applies to a special Government employee.

“(b) COMPENSATION.—A member of an advisory committee or advisory council established under this chapter who is not otherwise a Federal employee shall not receive pay by reason of service on such committee or council.

“(c) ACCEPTANCE OF VOLUNTEER SERVICES.—A member of an advisory committee or advisory council established under this chapter may serve on a voluntary basis without pay without regard to section 1342 of title 31 or any other law.

“§ 702. Chemical Transportation Advisory Committee

“(a) ESTABLISHMENT.—There is established a Chemical Transportation Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant’s designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to the safe and secure marine transportation of hazardous materials.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant’s designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of not more than 25 members.

“(B) POINTS OF VIEW.—Each member of the Committee shall represent the point of view of 1 of the following entities or groups associated with marine transportation of hazardous materials:

“(i) Chemical manufacturing.

“(ii) Marine handling or transportation of chemicals.

“(iii) Vessel design and construction.

“(iv) Marine safety or security.

“(v) Marine environmental protection.

“(C) NEEDS OF THE COAST GUARD.—The Commandant (or the Commandant’s designee) shall, based on the needs of the Coast Guard, determine the number of members who represent a specific point of view.

“(D) RULE OF CONSTRUCTION.—Neither this subsection nor any other provision of law or policy shall be construed to require an equal distribution of members representing specific points of view among the membership of the Committee.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18, each member of the Committee is hereby deemed a representative of the member’s respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information

concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant’s designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(B) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant’s designee) shall designate 1 member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant’s designee) and for a term to be fixed by the Commandant (or the Commandant’s designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant’s designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant’s designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant’s designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACILITY.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 703. Commercial Fishing Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a Commercial Fishing Safety Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant’s designee)—

“(1) shall advise, consult with, report to, and make recommendations to the Secretary on matters relating to the safe operation of vessels to which chapter 45 of this title applies, including navigation safety, safety equipment and procedures, marine insurance, vessel design, construction, maintenance and operation, and personnel qualifications and training;

“(2) shall review proposed regulations promulgated pursuant to chapter 45 of this title;

“(3) shall submit recommendations described in paragraph (1) to the Secretary in writing;

“(4) may submit any recommendations described in paragraph (1) at any time and frequency as determined to be appropriate by the Committee;

“(5) shall to review proposed regulations promulgated pursuant to chapter 45 of this title; and

“(6) shall make available to Congress any information, advice, and recommendations that the Committee is authorized to give to the Secretary.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant's designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of 18 members.

“(B) EXPERIENCE.—Each member of the Committee shall have particular expertise, knowledge, and experience regarding the commercial fishing industry.

“(C) POINTS OF VIEW.—Except as provided in subparagraph (D), a member of the Committee shall represent the point of view of an entity or group, as follows:

“(i) 10 members representing the commercial fishing industry who—

“(I) reflect a regional and representational balance; and

“(II) have experience in the operation of vessels to which chapter 45 of this title applies or as a crew member or processing line worker on a fish processing vessel.

“(ii) 1 member representing naval architects or marine engineers.

“(iii) 1 member representing manufacturers of equipment for vessels to which chapter 45 of this title applies.

“(iv) 1 member representing education or training professionals related to fishing vessel, fish processing vessel, or fish tender vessel safety or personnel qualifications.

“(v) 1 member representing underwriters that insure vessels to which chapter 45 of this title applies.

“(vi) 1 member representing owners of vessels to which chapter 45 of this title applies.

“(D) EXCEPTION.—

“(i) IN GENERAL.—Subject to clause (ii), 3 members of the Committee shall represent the general public.

“(ii) EXPERIENCE.—Whenever possible, a member who represents the general public shall be either—

“(I) an independent expert or consultant in maritime safety;

“(II) a marine surveyor who provides services to vessels to which chapter 45 of this title applies; or

“(III) a person familiar with issues affecting fishing communities and families of fishermen.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18—

“(A) a member of the Committee, whom the Secretary appoints to represent a point of view of an entity or group under paragraph (2)(C), is hereby deemed a representative of the member's respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18); and

“(B) a member of the Committee, whom the Secretary may appoint to represent the general public, is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register,

a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(B) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Committee shall elect a Chairperson and Vice Chairperson from among its members.

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant's designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) CONSULTATION.—The Commandant (or the Commandant's designee) shall, whenever practicable—

“(1) consult with the Committee before taking any significant action relating to the safe operation of vessels to which chapter 45 of this title applies;

“(2) consider the information, advice, and recommendations of the Committee in consulting with other agencies and the public or in formulating policy regarding the safe operation of vessels to which chapter 45 of this title applies;

“(3) make all recommendations made by the Committee in paragraph (b) public and available for comment within 30 days of receiving the recommendation from the Committee;

“(4) respond in writing to all public comments made regarding recommendations made by the Committee in paragraph (b);

“(5) respond in writing to any recommendations or resolutions made by the Committee in paragraph (b) and provide reasoning for acceptance or rejection to all recommendations within 60 days of receiving the recommendation; and

“(6) make all responses in paragraph (5) available to the Congress and the public at the time the response is transmitted.

“(e) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 704. Great Lakes Pilotage Advisory Committee

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a Great Lakes Pilotage Advisory Committee (referred to in this section as the ‘Committee’).

“(2) DUTIES.—The Committee—

“(A) may review proposed Great Lakes pilotage regulations and policies and make recommendations to the Secretary that the Committee considers appropriate;

“(B) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to Great Lakes pilotage;

“(C) may make available to the Congress recommendations that the Committee makes to the Secretary; and

“(D) shall meet at the call of—

“(i) the Secretary, who shall call such a meeting at least once during each calendar year; or

“(ii) a majority of the Committee.

“(b) ORGANIZATION.—

“(1) IN GENERAL.—

“(A) MEMBERSHIP.—The Committee shall consist of 7 members appointed by the Secretary in accordance with this subsection, each of whom has at least 5 years practical experience in maritime operations.

“(B) TERM.—The term of each member is for a period of not more than 5 years, specified by the Secretary.

“(C) NOTICE.—Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

“(2) REPRESENTATION.—The membership of the Committee shall include—

“(A) the President of each of the 3 Great Lakes pilotage districts, or the President's representative;

“(B) 1 member representing the interests of vessel operators that contract for Great Lakes pilotage services;

“(C) 1 member representing the interests of Great Lakes ports;

“(D) 1 member representing the interests of shippers whose cargoes are transported through Great Lakes ports; and

“(E) a member with a background in finance or accounting, who—

“(i) must have been recommended to the Secretary by a unanimous vote of the other members of the Committee, and

“(ii) may be appointed without regard to requirement in paragraph (1) that each member have 5 years of practical experience in maritime operations.

“(c)(1) CHAIRPERSON; VICE CHAIRPERSON.—The Committee shall elect 1 of its members as the Chairperson and 1 of its members as the Vice Chairperson. The Vice Chairperson shall act as Chairperson in the absence or incapacity of the Chairperson, or in the event of a vacancy in the office of the Chairperson.

“(2) OBSERVER.—The Secretary shall, and any other interested agency may, designate a representative to participate as an observer with the Committee. The Secretary's designated representative shall act as the executive secretary of the Committee and shall perform the duties set forth in section 10(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) RECOMMENDATIONS.—

“(1) IN GENERAL.—The Secretary shall, whenever practicable, consult with the Committee before taking any significant action relating to Great Lakes pilotage.

“(2) CONSIDERATION.—The Secretary shall consider the information, advice, and recommendations of the Committee in formulating policy regarding matters affecting Great Lakes pilotage.

“(3) APPROVAL.—Any recommendations to the Secretary under subsection (a)(2)(B) must have been approved by at least all but 1 of the members then serving on the Committee.

“(e)(1) COMPENSATION.—Notwithstanding section 701, a member of the Committee, when attending meetings of the Committee or when otherwise engaged in the business of the Committee, is entitled to receive—

“(A) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS-18 of the General Schedule under section 5332 of title 5 including travel time; and

“(B) travel or transportation expenses under section 5703 of title 5.

“(2) EMPLOYEE STATUS.—Notwithstanding section 701, a member of the Committee shall not be considered to be an officer or employee of the United States for any purpose based on their receipt of any payment under this subsection.

“(f) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACAA.—The Federal Advisory Committee Act (5 U.S.C. App.) applies to the Committee, except that the Committee terminates on September 30, 2020.

“(2) RENEWAL.—2 years before the termination date set forth in paragraph (1) of this subsection, the Committee shall submit to the Congress its recommendation regarding whether the Committee should be renewed and continued beyond the termination date.

“§ 705. Lower Mississippi River Waterway Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a Lower Mississippi River Waterway Safety Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant’s designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to communication, surveillance, traffic management, anchorages, development and operation of New Orleans Vessel Traffic Services, and other related topics dealing with and actions relating to navigational safety on the Lower Mississippi River.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant’s designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of 25 members.

“(B) EXPERIENCE.—Each member of the Committee shall have expertise, knowledge, and experience regarding the transportation, equipment, and techniques that are used to ship cargo and to navigate vessels on the Lower Mississippi River and its connecting navigable waterways, including the Gulf of Mexico.

“(C) POINTS OF VIEW.—Except as provided in subparagraph (D), each member of the Committee shall represent the point of view of an entity or group, as follows:

“(i) 5 members representing River Port Authorities between Baton Rouge, Louisiana, and the head of passes of the Lower Mississippi River, of which—

“(I) 1 member shall be from the Port of St. Bernard; and

“(II) 1 member from the Port of Plaquemines.

“(ii) 2 members representing vessel owners or ship owners domiciled in the State of Louisiana.

“(iii) 2 members representing organizations which operate harbor tugs or barge fleets in the geographical area covered by the Committee.

“(iv) 2 members representing companies which transport cargo or passengers on the navigable waterways in the geographical area covered by the Committee.

“(v) 3 members representing State Commissioned Pilot organizations, with 1 member each representing—

“(I) the New Orleans-Baton Rouge Steamship Pilots Association;

“(II) the Crescent River Port Pilots Association; and

“(III) the Association Branch Pilots.

“(vi) 3 members representing consumers, shippers, or importers and exporters that utilize vessels which utilize the navigable waterways covered by the Committee.

“(vii) 2 members representing those licensed merchant mariners, other than pilots, who perform shipboard duties on those vessels which utilize navigable waterways covered by the Committee.

“(viii) 1 member representing an organization that serves in a consulting or advisory capacity to the maritime industry.

“(ix) 1 member representing an environmental organization.

“(D) ADDITIONAL MEMBERS.—

“(i) IN GENERAL.—4 members of the Committee shall represent the general public.

“(ii) WATER TRANSPORTATION FACILITIES.—Whenever possible, 2 of the 4 members who represent the general public shall be individuals who utilize water transportation facilities located in the geographic area that the Committee covers.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18—

“(A) each member of the Committee, whom the Secretary appoints to represent the point of view of an entity or group set out in paragraph (2)(C), is hereby deemed a representative of the member’s respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18); and

“(B) each member of the Committee, whom the Secretary appoints to represent the general public, is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSION.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant’s designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(B) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant’s designee) shall designate 1 member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant’s designee) and for a term to be fixed by the Commandant (or the Commandant’s designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant’s designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant’s designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant’s designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) CONSULTATION.—The Commandant (or the Commandant’s designee) shall, whenever practicable, consult with the Committee before taking any significant action relating to navigation safety in the Lower Mississippi River.

“(e) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACAA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 706. Merchant Marine Personnel Advisory Committee

“(a) ESTABLISHMENT.—There is established a Merchant Marine Personnel Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant’s designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards.

“(c) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant’s designee).

“(d) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 19 members.

“(2) POINTS OF VIEW.—Except as provided in subparagraph (C), each member of the Committee shall represent the point of view of an entity or group, as follows:

“(A) 9 members representing the interests of mariners—

“(i) each of whom—

“(I) shall be a citizen of the United States; and

“(II) shall hold an active license or certificate issued under chapter 71 of this title or a merchant mariner document issued under chapter 73 of this title; and

“(ii) among whom shall be—

“(I) 3 deck officers representing the interests of merchant marine deck officers, of whom—

“(aa) 2 shall be licensed for oceans any gross tons;

“(bb) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

“(cc) 2 shall have a master's license or a master of towing vessels license;

“(dd) 1 shall have significant tanker experience; and

“(ee) to the extent practicable—

“(AA) 1 shall represent the interests of labor; and

“(BB) 1 shall represent the interests of management;

“(II) 3 engineering officers representing the interests of merchant marine engineering officers, of whom—

“(aa) 2 shall be licensed as chief engineer any horsepower;

“(bb) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

“(cc) to the extent practicable—

“(AA) 1 shall represent the interests of labor; and

“(BB) 1 shall represent the interests of management;

“(III) 2 unlicensed seamen, of whom—

“(aa) 1 shall represent the interests of able-bodied seamen; and

“(bb) 1 shall represent the interests of qualified members of the engine department; and

“(IV) 1 pilot representing the interests of merchant marine pilots.

“(B) 6 members representing the interests of marine educators—

“(i) each of whom shall be a marine educator; and

“(ii) among whom shall be—

“(I) 3 marine educators who shall represent the interests of maritime academies, including—

“(aa) 2 who shall represent the interests of State maritime academies; and

“(bb) 1 who shall represent either the viewpoint of the State maritime academies or the United States Merchant Marine Academy; and

“(II) 3 marine educators who shall represent the interests of other maritime training institutions, 1 of whom shall represent the interests of the small vessel industry.

“(C) 2 members representing the interests of shipping companies employed in ship operation management.

“(D) 2 members of the Committee shall represent the general public.

“(3) STATUS OF MEMBERS.—

“(A) IN GENERAL.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18—

“(i) a member of the Committee, whom the Secretary appoints to represent the point of view of an entity or group set out in paragraph (2)(B), is hereby deemed a representative of the member's respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18); and

“(ii) a member of the Committee, whom the Secretary appoints to represent the gen-

eral public, is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the nomination or appointment of a Federal employee to serve as a member of the Committee representing the interests of the United States Merchant Marine Academy.

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENT.—The Secretary may reappoint a member to the Committee more than once.

“(C) SOLICITING NOMINATIONS.—Notwithstanding subparagraphs (A) and (B), the Secretary may—

“(i) with regard to the appointment of a member or members to represent the interests of the State maritime academies, solicit nominations for membership on the Committee from each State maritime academy or a joint nomination from some or all State maritime academies; and

“(ii) with regard to the appointment of a member to represent the interests of the United States Merchant Marine Academy, solicit a nomination for membership on the Committee from the Secretary of Transportation.

“(D) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant's designee) shall designate 1 member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant's designee) and for a term to be fixed by the Commandant (or the Commandant's designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant's designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(e) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 707. Merchant Mariner Medical Advisory Committee

“(a) ESTABLISHMENT.—There is established a Merchant Mariner Medical Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant's designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to—

“(1) medical certification determinations of merchant mariners;

“(2) medical standards and guidelines for the physical qualifications of operators of commercial vessels;

“(3) medical examiner education; and

“(4) medical research.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant's designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of 14 members.

“(B) RESTRICTION.—No member of the Committee shall be a regular Federal employee.

“(C) EXPERIENCE.—Of the members of the Committee—

“(i) 10 members shall be healthcare professionals with particular expertise, knowledge, or experience regarding the medical examinations of merchant mariners or occupational medicine; and

“(ii) 4 members shall be professional mariners with knowledge and experience in mariners' occupational requirements.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18, each member of the Committee is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant’s designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant’s designee) shall designate 1 member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant’s designee) and for a term to be fixed by the Commandant (or the Commandant’s designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant’s designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant’s designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant’s designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 708. National Boating Safety Advisory Council

“(a) ESTABLISHMENT.—There is established a National Boating Safety Advisory Council (referred to in this section as the ‘Council’).

“(b) ORGANIZATION.—

“(1) MEETING.—The Council shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant’s designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Council shall consist of 21 members.

“(B) EXPERIENCE.—Each member of the Council shall have particular expertise, knowledge, and experience in recreational boating safety.

“(C) POINTS OF VIEW.—Except as provided in subparagraph (D), each member of the Council shall represent the point of view of an entity or group, as follows:

“(i) 7 members representing State officials responsible for State boating safety programs.

“(ii) 7 members representing manufacturers, wholesale distributors, or retail distributors of recreational vessels or associated equipment.

“(iii) At least 5 members representing national recreational boating organizations.

“(D) ADDITIONAL MEMBERS.—Not more than 2 members of the Council may represent the general public.

“(E) PANELS.—Additional individuals from an entity or group set out in subparagraph (C) may be appointed to panels of the Council to assist the Council in performing its duties.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18—

“(A) a member of the Council, whom the Secretary appoints to represent the point of view of an entity or group set out in paragraph (2)(C), is hereby deemed a representative of the member’s respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18); and

“(B) in the event that the Secretary appoints a member to represent the general public, such member of the Council is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Council.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Council.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Council.

“(iii) VACANCY.—The Secretary may reappoint a member to the Council more than once.

“(C) SERVICE.—Each member of the Council shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Council shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (1), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant’s designee) may extend the term of a member of the Council to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Council, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant’s designee) shall designate 1 member of the Council as the Chairperson and another member of the Council as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant’s designee) and for a term to be fixed by the Commandant (or the Commandant’s designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant’s designee) may solicit, from the Council, recommendations with regard to the members whom the Commandant (or the Commandant’s designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant’s designee) shall designate a Designated Federal

Officer to the Council in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(c) CONSULTATION.—In addition to the consultation required by section 4302 of this title, the Commandant (or the Commandant’s designee) shall, whenever practicable, consult with the Council on boating safety matters related to chapter 131 of this title.

“(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Council.

“(2) TERMINATION.—The Council shall terminate on September 30, 2027.

“§ 709. National Maritime Security Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Maritime Security Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant’s designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to national maritime security.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant’s designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of not less than 8 members, but not more than 21 members.

“(B) EXPERIENCE.—Each member of the Committee shall have at least 5 years practical experience in maritime security operations.

“(C) POINTS OF VIEW.—Each member of the Committee shall represent the point of view of an entity or group, as follows:

“(i) At least 1 member representing the port authorities.

“(ii) At least 1 member representing the facilities owners or operators.

“(iii) At least 1 member representing the terminal owners or operators.

“(iv) At least 1 member representing the vessel owners or operators.

“(v) At least 1 member representing the maritime labor organizations.

“(vi) At least 1 member representing the academic community.

“(vii) At least 1 member representing State or local governments.

“(viii) At least 1 member representing the maritime industry.

“(ix) Not more than 4 members, each representing an entity or group, the point of view of which or the area of expertise of which the Commandant (or the Commandant’s designee) determines would aid the Committee’s deliberations.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18, each member of the Committee is hereby deemed a representative of the member’s respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of an individual in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(D) BACKGROUND EXAMINATIONS.—The Secretary may require an individual to have passed an appropriate security background examination before appointment to the Committee.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant's designee) shall designate 1 member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant's designee) and for a term to be fixed by the Commandant (or the Commandant's designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant's designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 710. National Offshore Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Offshore Safety Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant's designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to activities directly involved with, or in support of, the exploration of offshore

mineral and energy resources insofar as such activities relate to matters within Coast Guard jurisdiction.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant's designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of 15 members.

“(B) POINTS OF VIEW.—Except as provided in subparagraph (C), each member of the Committee shall represent the point of view of an entity or group, as follows:

“(i) 2 members representing companies, organizations, enterprises, or similar entities engaged in the production of petroleum.

“(ii) 2 members representing companies, organizations, enterprises, or similar entities engaged in offshore drilling.

“(iii) 2 members representing companies, organizations, enterprises or similar entities engaged in the support, by offshore supply vessels or other vessels, of offshore operations.

“(iv) 1 member representing a company, organization, enterprise or similar entity engaged in the construction of offshore facilities.

“(v) 1 member representing a company, organization, enterprise or similar entity providing diving services to the offshore industry.

“(vi) 1 member representing a company, organization, enterprise or similar entity providing safety and training services to the offshore industry.

“(vii) 1 member representing a company, organization, enterprise or similar entity providing subsea engineering, construction or remotely operated vehicle support to the offshore industry.

“(viii) 2 members representing employees of companies, organizations, enterprises or similar entities engaged in offshore operations, 1 of whom should have recent practical experience on vessels or units involved in the offshore industry.

“(ix) 1 member representing a company, organization, enterprise or similar entity providing environmental protection, compliance or response services to the offshore industry.

“(x) 1 member representing a company, organization, enterprise or similar entity engaged in offshore oil exploration or production on the Outer Continental Shelf of Alaska.

“(C) ADDITIONAL MEMBER.—1 member of the Committee shall represent the general public.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18—

“(A) a member of the Committee, whom the Secretary appoints to represent the point of view of an entity or group set out in paragraph (2)(C), is hereby deemed a representative of the member's respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18); and

“(B) a member of the Committee, whom the Secretary appoints to represent the general public, is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant's designee) shall designate one member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant's designee) and for a term to be fixed by the Commandant (or the Commandant's designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant's designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.

“§ 711. Navigation Safety Advisory Council

“(a) ESTABLISHMENT.—There is established a Navigation Safety Advisory Council (referred to in this section as the ‘Council’).

“(b) FUNCTION.—The Council, acting through the Commandant (or the Commandant's designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to maritime collisions, ramming and groundings, Inland Rules of the Road, International Rules of the Road, navigation regulations and equipment, routing measures, marine information, and aids to navigation systems.

“(c) ORGANIZATION.—

“(1) MEETING.—The Council shall, at least once each calendar year, meet at the call of

the Commandant (or the Commandant's designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Council shall consist of not more than 21 members.

“(B) EXPERIENCE.—Each member of the Council shall have expertise in Inland and International vessel navigation Rules of the Road, aids to maritime navigation, maritime law, vessel safety, or port safety.

“(C) POINTS OF VIEW.—Each member of the Council shall represent the point of view of one of the following entities or groups:

“(i) Commercial vessel owners or operators.

“(ii) Professional mariners.

“(iii) Recreational boaters.

“(iv) State agencies responsible for vessel or port safety.

“(v) The Maritime Law Association.

“(vi) Recreational boating industry.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18, each member of the Council is hereby deemed a representative of the member's respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Council.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Council.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Council.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Council more than once.

“(C) SERVICE.—Each member of the Council shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Council shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Council to December 31 of the fifth full year after the effective date of the appointment.

“(iii) REAPPOINTMENTS.—In the case of an appointment to fill a vacancy on the Council, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant's designee) shall designate 1 member of the Council as the Chairperson and another member of the Council as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant's designee) and for a term to be fixed by the Commandant (or the Commandant's designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Council, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant's designee) shall designate a Designated Federal Officer to the Council in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Council.

“(2) TERMINATION.—The Council shall terminate on September 30, 2027.

“§ 712. Towing Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a Towing Safety Advisory Committee (referred to in this section as the ‘Committee’).

“(b) FUNCTION.—The Committee, acting through the Commandant (or the Commandant's designee), is authorized to advise, consult with, report to, and make recommendations to the Secretary on matters relating to shallow-draft inland navigation, coastal waterway navigation, and towing safety.

“(c) ORGANIZATION.—

“(1) MEETING.—The Committee shall, at least once each calendar year, meet at the call of the Commandant (or the Commandant's designee).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of 18 members.

“(B) EXPERIENCE.—Each member of the Committee shall have particular expertise, knowledge, and experience regarding—

“(i) shallow-draft inland navigation or coastal waterway navigation; and

“(ii) towing safety.

“(C) POINTS OF VIEW.—Except as provided in subparagraph (D), each member of the Committee shall represent the point of view of an entity or group, as follows:

“(i) 7 members representing the barge and towing industry, reflecting a regional geographic balance.

“(ii) 1 member representing the offshore mineral and oil supply vessel industry.

“(iii) 1 member representing Masters or Pilots of towing vessels who have experience on the Western Rivers and the Gulf Intracoastal Waterway.

“(iv) 1 member representing Masters of towing vessels who have experience in offshore service.

“(v) 1 member representing Masters of towing vessels who have experience in harbor-assist operations.

“(vi) 1 member representing towing vessel engineers.

“(vii) 2 members representing port districts, authorities, or terminal operators.

“(viii) 1 member representing shippers.

“(ix) 1 member representing shippers who are engaged in the chartering or shipping of oil or hazardous materials by barge.

“(D) ADDITIONAL MEMBERS.—2 members of the Committee shall represent the general public.

“(3) STATUS OF MEMBERS.—For the purposes of Federal law, including the Ethics in Government Act of 1978 and chapter 11 of title 18—

“(A) a member of the Committee, whom the Secretary appoints to represent the point of view of an entity or group set out in paragraph (2)(C), is hereby deemed a representative of the member's respective special interest entity or group, and not a special Government employee (as defined in section 202(a) of title 18); and

“(B) a member of the Committee, whom the Secretary appoints to represent the general public, is hereby deemed a special Government employee (as defined in section 202(a) of title 18).

“(4) NOMINATIONS; APPOINTMENTS; SERVICE.—

“(A) NOMINATIONS.—As necessary, the Secretary shall publish, in the Federal Register, a notice soliciting nominations for membership on the Committee.

“(B) APPOINTMENTS.—

“(i) IN GENERAL.—After timely notice is published, the Secretary shall, as necessary, appoint members to the Committee.

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of an individual in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

“(i) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

“(ii) EXTENSIONS.—Notwithstanding clause (i), paragraph (4), or any other provision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRPERSON; VICE CHAIRPERSON.—

“(A) IN GENERAL.—The Commandant (or the Commandant's designee) shall designate 1 member of the Committee as the Chairperson and another member of the Committee as the Vice Chairperson, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant's designee) and for a term to be fixed by the Commandant (or the Commandant's designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall designate as the Chairperson and the Vice Chairperson.

“(C) VACANCY.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairperson.

“(7) DESIGNATED FEDERAL OFFICER.—The Commandant (or the Commandant's designee) shall designate a Designated Federal Officer to the Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

“(d) CONSULTATION.—The Commandant (or the Commandant's designee) shall, whenever practicable, consult with the Committee before taking any significant action affecting shallow-draft inland navigation, coastal waterway navigation, and towing safety.

“(e) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

“(2) TERMINATION.—The Committee shall terminate on September 30, 2027.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CHAPTERS.—The table of chapters for subtitle I of title 46, United States Code, is amended by adding at the end the following:

“7. Coast Guard advisory committees 701.”

(2) COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—

(A) REPEAL.—Section 4508 of title 46, United States Code, is repealed.

(B) TABLE OF CONTENTS.—The table of contents of chapter 45 of title 46, United States Code, is amended by striking the item relating to section 4508.

(3) GREAT LAKES PILOTAGE ADVISORY COMMITTEE.—

(A) REPEAL.—Section 9307 of title 46, United States Code, is repealed.

(B) TABLE OF CONTENTS.—The table of contents of chapter 93 of title 46, United States Code, is amended by striking the item relating to section 9307.

(4) LOWER MISSISSIPPI RIVER WATERWAY SAFETY ADVISORY COMMITTEE.—Section 19 of the Coast Guard Authorization Act of 1991 (Public Law 102-241; 105 Stat. 2215) is repealed.

(5) MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—

(A) REPEAL.—Section 8108 of title 46, United States Code, is repealed.

(B) TABLE OF CONTENTS.—The table of contents of chapter 81 of title 46, United States Code, is amended by striking the item relating to section 8108.

(6) MERCHANT MARINER MEDICAL ADVISORY COMMITTEE.—

(A) REPEAL.—Section 7115 of title 46, United States Code, is repealed.

(B) TABLE OF CONTENTS.—The table of contents of chapter 71 of title 46, United States Code, is amended by striking the item relating to section 7115.

(7) NATIONAL BOATING SAFETY ADVISORY COUNCIL.—

(A) REPEAL.—Section 13110 of title 46, United States Code, is repealed.

(B) TABLE OF CONTENTS.—The table of contents of chapter 131 of title 46, United States Code, is amended by striking the item relating to section 13110.

(C) TECHNICAL AMENDMENT.—Section 4302(c)(4) of title 46, United States Code, is amended by striking “13110” and inserting “708”.

(8) NATIONAL MARITIME SECURITY ADVISORY COMMITTEE.—Section 109(a)(1) of the Maritime Transportation Security Act of 2002 (46 U.S.C. 70101 note) is amended by striking “section 70112 of title 46, United States Code, as amended by this Act” and inserting “section 709 of title 46, United States Code”.

(9) NAVIGATION SAFETY ADVISORY COUNCIL.—Section 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073) is repealed.

(10) TOWING SAFETY ADVISORY COMMITTEE.—The Act to establish a Towing Safety Advisory Committee in the Department of Transportation, approved October 6, 1980, (33 U.S.C. 1231a) is repealed.

(c) AREA MARITIME SECURITY ADVISORY COMMITTEES.—

(1) IN GENERAL.—Section 70112 of title 46, United States Code, is amended—

(A) in the heading, by striking “**Maritime Security Advisory Committees**” and inserting “**Area Maritime Security Advisory Committees**”;

(B) by amending subsection (a) to read as follows:

“(a) ESTABLISHMENT OF COMMITTEES.—

“(1) The Secretary may—

“(A) establish an Area Maritime Security Advisory Committee for any port area of the United States; and

“(B) request an Area Maritime Security Committee to review the proposed Area Maritime Transportation Security Plan developed under section 70103(b) and make recommendations to the Secretary that the Committee considers appropriate.

“(2) Each Area Maritime Security Advisory Committee—

“(A) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to maritime security in that area;

“(B) may make available to the Congress recommendations that the Committee makes to the Secretary; and

“(C) shall meet at the call of—

“(i) the Secretary, who shall call such a meeting at least once during each calendar year; or

“(ii) a majority of the Committee.”;

(C) in subsection (b)—

(i) in paragraph (1), by striking “of the committees” and inserting “Area Maritime Security Advisory Committee”;

(ii) in paragraph (3)—

(I) by striking “such a committee” and inserting “an Area Maritime Security Advisory Committee”; and

(II) by striking “the committee” and inserting “an Area Maritime Security Advisory Committee”;

(iii) in paragraph (4), by striking “the Committee” and inserting “an Area Maritime Security Advisory Committee”; and

(iv) in paragraph (5)—

(I) by striking subparagraph (A); and

(II) in subparagraph (B), by striking “(B)” and indenting appropriately;

(D) in subsection (c)(1), by striking “committee” and inserting “Area Maritime Security Advisory Committee”;

(E) by striking subsection (d);

(F) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively;

(G) in subsection (d), as redesignated—

(i) by striking “the Committee” and inserting “an Area Maritime Security Advisory Committee”; and

(ii) by striking the period at the end and inserting “for an area.”;

(H) in subsection (e), as redesignated—

(i) in paragraph (1), by striking “a committee” and inserting “an Area Maritime Security Advisory Committee”; and

(ii) in paragraph (2), by striking “such a committee” and inserting “an Area Maritime Security Advisory Committee”; and

(I) by amending subsection (f), as redesignated, to read as follows:

“(f) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION DATE.—

“(1) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to Area Maritime Security Advisory Committees established under this section.

“(2) TERMINATION.—The Area Maritime Security Advisory Committees shall terminate on September 30, 2027.”.

(d) TABLE OF CONTENTS.—The table of contents of chapter 701 of title 46, United States Code, is amended in the item relating to section 70112 by striking “Maritime Security Advisory Committees” and inserting “Area Maritime Security Advisory Committees”.

(e) HOUSTON-GALVESTON NAVIGATION SAFETY ADVISORY COMMITTEE; REPEAL.—Section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102-241; 105 Stat. 2213) is repealed.

(f) TRANSITION OF COAST GUARD ADVISORY COMMITTEES.—

(1) IN GENERAL.—Notwithstanding the amendments made under subsections (b) and (c) of this section, an advisory committee described in paragraph (2) of this subsection shall continue to be subject to the requirements under law to which such advisory committee was subject as in effect on the day before the date of enactment of this Act, including its charter, and the members appointed to such advisory committee shall continue to serve pursuant thereto, until the Secretary of the department in which the Coast Guard is operating makes the applicable appointments under sections 702 through 712 of title 46, United States Code.

(2) COAST GUARD ADVISORY COMMITTEES.—An advisory committee described in this paragraph is as follows:

(A) Chemical Transportation Advisory Committee.

(B) Commercial Fishing Safety Advisory Committee established under section 4508 of title 46, United States Code.

(C) Great Lakes Pilotage Advisory Committee established under section 9307 of title 46, United States Code.

(D) Lower Mississippi River Waterway Safety Advisory Committee established under section 19 of the Coast Guard Authorization Act of 1991 (Public Law 102-241; 105 Stat. 2215).

(E) Merchant Marine Personnel Advisory Committee established under section 8108 of title 46, United States Code.

(F) Merchant Mariner Medical Advisory Committee established under section 7115 of title 46, United States Code.

(G) National Boating Safety Advisory Council established under section 13110 of title 46, United States Code.

(H) National Maritime Security Advisory Committee established under section 70112 of title 46, United States Code.

(I) National Offshore Safety Advisory Committee.

(J) Navigation Safety Advisory Council established under section 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073).

(K) Towing Safety Advisory Committee established under the Act entitled the “Act to establish a Towing Safety Advisory Committee in the Department of Transportation”, approved October 6, 1980 (33 U.S.C. 1231a).

(3) DEADLINE.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall make the appointments, and file any necessary charters, under sections 702 through 712 of title 46, United States Code.

SEC. 3642. CLARIFICATION OF LOGBOOK AND ENTRY REQUIREMENTS.

Section 11304 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “an official logbook, which” and inserting “a logbook, which may be in any form, including electronic, and”; and

(B) by inserting “or a ferry, passenger vessel, or small passenger vessel (as those terms are defined in section 2101)” after “Canada”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “log book” and inserting “logbook”; and

(B) by amending paragraph (3) to read as follows:

“(3) Each illness or injury, the nature of the illness or injury, and any medical treatment administered.”.

SEC. 3643. TECHNICAL AMENDMENTS; LICENSES, CERTIFICATIONS OF REGISTRY, AND MERCHANT MARINER DOCUMENTS.

Part E of subtitle II of title 46, United States Code, is amended—

(1) in section 7106(b), by striking “merchant mariner’s document” and inserting “license”;

(2) in section 7107(b), by striking “merchant mariner’s document” and inserting “certificate of registry”; and

(3) in section 7507(b)—

(A) in paragraph (1), by striking “licenses or certificates of registry” and inserting “merchant mariner documents”; and

(B) in paragraph (2), by striking “a merchant mariner’s document” and inserting “a license or a certificate of registry.”

SEC. 3644. NUMBERING FOR UNDOCUMENTED BARGES.

Chapter 121 of title 46, United States Code, is amended—

(1) in section 12102—

(A) in subsection (c), by adding at the end the following: “The Secretary may require such an undocumented barge more than 100 gross tons operating on the navigable waters of the United States to be numbered.”; and

(B) in subsection (d), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”; and

(2) in section 12301—

(A) by striking subsection (b); and

(B) by striking the subsection designation in subsection (a) and indenting appropriately.

SEC. 3645. EQUIPMENT REQUIREMENTS; EXEMPTION FROM THROWABLE PERSONAL FLotation DEVICES.

Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall revise section 175.17 of title 33, Code of Federal Regulations, to exempt paddleboards and rafts from the requirement for carriage of an additional throwable personal flotation device if each person is required to wear a personal flotation device while under way and at least 1 rescue throw bag, as typically used in whitewater rafting, is on board.

SEC. 3646. ENSURING MARITIME COVERAGE.

In order to meet Coast Guard mission requirements for search and rescue, all-hazard incident response, and maritime environmental response during recapitalization of Coast Guard vessels, the Coast Guard shall ensure continuity of the coverage, to the maximum extent practicable, in the locations that may lose assets.

SEC. 3647. DEADLINE FOR COMPLIANCE WITH ALTERNATE SAFETY COMPLIANCE PROGRAM.

(a) IN GENERAL.—Section 4503(d) of title 46, United States Code, is amended—

(1) in paragraph (1), by striking “After January 1, 2020,” and all that follows through “the Secretary, if” and inserting “Subject to paragraph (3), beginning on the date that is 3 years after the date that the Secretary prescribes an alternate safety compliance program, a fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies shall comply with the alternate safety compliance program if”;

(2) in paragraph (2), by striking “establishes standards for an alternate safety compliance program, shall comply with such an alternative safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary” and inserting “prescribes an

alternate safety compliance program under paragraph (1), shall comply with the alternate safety compliance program”; and

(3) by amending paragraph (3) to read as follows:

“(3) For purposes of paragraph (1), a separate alternate safety compliance program may be developed for a specific region or specific fishery.”

(b) FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing the alternate to classing under section 4503(e) of title 46, United States Code, as amended by subsection (a) of this section.

SEC. 3648. FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.

(a) NONAPPLICATION.—Section 4503(c)(2)(A) of title 46, United States Code, is amended by striking “79” and inserting “180”.

(b) DETERMINING WHEN KEEL IS LAID.—Section 4503 of title 46, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) For purposes of this section, a keel is laid when a structure, adequate of serving as a keel for a vessel greater than 79 feet in length is identified for use in the construction of a specific vessel and is so affirmed by a marine surveyor.”

SEC. 3649. TERMINATION OF UNSAFE OPERATIONS; TECHNICAL AMENDMENT.

Section 4505 of title 46, United States Code, is amended by striking “4503(1)” and inserting “4503(a)”.

SEC. 3650. INSTALLATION AND USE OF ENGINE CUT-OFF SWITCHES ON RECREATIONAL VESSEL.

(a) USE OF ENGINE CUT-OFF SWITCH LINKS.—

(1) REQUIREMENT.—The Secretary of the department in which the Coast Guard is operating shall revise the regulations under part 175 of title 33, Code of Federal Regulations, to prohibit a person from operating a recreational vessel 25 feet or less in length unless—

(A) the person is wearing an engine cut-off switch link while operating on plane or above displacement speed; and

(B) the engine cut-off switch is factory equipped on the primary propulsion machinery.

(2) EXCEPTIONS.—The requirement under paragraph (1) shall not apply to the following:

(A) A vessel 25 feet or less in length whose main helm is installed within an enclosed cabin that would protect an operator from being thrown overboard should the operator be displaced from the helm.

(B) A vessel with propulsion machinery developing static thrust of less than 115 pounds or 3 horsepower.

(C) A vessel that is not equipped with an engine cut-off switch.

(b) INSTALLATION OF ENGINE CUT-OFF SWITCHES.—The Secretary of the department in which the Coast Guard is operating shall revise the regulations under part 183 of title 33, Code of Federal Regulations, to require an equipment manufacturer, distributor, or dealer that installs propulsion machinery and associate starting controls on a recreational vessel 25 feet or less in length and capable of developing at least 115 pounds of static thrust to install an engine cut-off switch on such recreational vessel in accordance with the American Boat and Yacht Standard A-33, as amended.

(c) PENALTY.—A person that violates a regulation promulgated under subsection (a)(1) of this section shall be subject to a civil penalty under section 4311 of title 46, United States Code, not to exceed—

(1) \$100 for the first offense;

(2) \$250 for the second offense; and

(3) \$500 for any subsequent offense.

(d) PREEMPTION.—In accordance with section 4306 of title 46, United States Code, a State may not establish, continue in effect, or enforce any law or regulation addressing engine cut-off switch requirements that is not identical to a regulation prescribed under this section.

(e) DEFINITIONS.—In this section:

(1) ENGINE CUT-OFF SWITCH.—The term “engine cut-off switch” means a mechanical or electronic device that is connected to propulsion machinery that will stop propulsion if—

(A) the switch is not properly connected; or

(B) the switch components are submerged in water or separated from the switch by a predetermined distance.

(2) ENGINE CUT-OFF SWITCH LINK.—The term “engine cut-off switch link” means the equipment attached to the recreational vessel operator and which activates the engine cut-off switch.

(f) EFFECTIVE DATES.—A regulation prescribed under this section shall specify an effective date that is not earlier than 1 year from the date the regulation was published.

SEC. 3651. VISUAL DISTRESS SIGNALS AND ALTERNATIVE USE.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall develop a performance standard for the alternative use and possession of visual distress alerting and locating signals as mandated by carriage requirements for recreational boats in subpart C of part 175 of title 33, Code of Federal Regulations.

(b) REGULATIONS.—Not later than 180 days after the performance standard for alternative use and possession of visual distress alerting and locating signals is finalized, the Secretary shall revise part 175 of title 33, Code of Federal Regulations, to allow for carriage of such alternative signal devices.

SEC. 3652. RENEWAL PERIOD FOR DOCUMENTED RECREATIONAL VESSELS.

Section 12114 of title 46, United States Code, is amended by adding at the end the following:

“(d) ISSUANCE OF CERTIFICATE OF DOCUMENTATION.—The Secretary of the department in which the Coast Guard is operating is authorized to issue certificates of documentation with effective periods of 1 year, 2 years, 3 years, 4 years, or 5 years.

“(1) PHASED IN ISSUANCE OF CERTIFICATES.—

“(A) In fiscal year 2019, vessel owners or operators with vessel documentation numbers ending in 0, 1, 2, 3 shall be qualified to apply for a renewal certificate of documentation with an effective period of 5 years. Alternatively, vessel owners or operators with vessel documentation numbers ending in 0, 1, 2, 3 may elect to apply for a renewal certificate of documentation with an effective period of 1 year, 2 years, 3 years, or 4 years. All other vessel owners and operators shall be qualified to apply for an initial or renewal certificate with an effective period of 1 year.

“(B) In fiscal year 2020, vessel owners or operators with vessel documentation numbers ending in 4, 5, or 6 shall be qualified to apply for a renewal certificate of documentation with an effective period of 5 years. Alternatively, vessel owners or operators with vessel documentation numbers ending in 4, 5,

or 6 may elect to apply for a renewal certificate of documentation with an effective period of 1 year, 2 years, 3 years, or 4 years. All other vessel owners and operators shall be qualified to apply for an initial or renewal certificate with an effective period of 1 year.

“(C) In fiscal year 2021, vessel owners or operators with vessel documentation numbers ending in 7, 8, or 9 shall be qualified to apply for an initial or renewal certificate of documentation with an effective period of 5 years. Alternatively, vessel owners or operators with vessel documentation numbers ending in 7, 8, or 9 may elect to apply for an initial or renewal certificate of documentation with an effective period of 1 year, 2 years, 3 years, or 4 years. All other vessel owners and operators shall be qualified to apply for an initial or renewal certificate with an effective period of 1 year.

“(D) Starting in fiscal year 2022 all vessel owners and operators shall be qualified to apply for a renewal certificate of documentation with effective periods of 1 year, 2 years, 3 years, 4 years, or 5 years.

“(E) Starting in fiscal year 2019 vessel owners and operators applying for an initial certificate of documentation may apply for such documentation with an effective period of 1 year, 2 years, 3 years, 4 years, or 5 years.

“(2) APPLICATION FOR RENEWAL.—Applications for renewal may be submitted no earlier than 90 days prior to the expiration date of a certificate of documentation.

“(3) FEES.—

“(A) For fiscal years 2019 through 2021, the Secretary shall collect the following fees from vessel owners or operators:

“(i) For a certificate of documentation with an effective period of 5 years the fee collected from the vessel owner or operator shall be \$130.

“(ii) For a certificate of documentation with an effective period of 4 years the fee collected from the vessel owner or operator shall be \$104.

“(iii) For a certificate of documentation with an effective period of 3 years the fee collected from the vessel owner or operator shall be \$78.

“(iv) For a certificate of documentation with an effective period of 2 years the fee collected from the vessel owner or operator shall be \$52.

“(v) For a certificate of documentation with an effective period of 1 year the fee collected from the vessel owner or operator shall be \$26.

“(B) For fiscal years 2022 and thereafter, such fees shall be published in the Federal Register as a direct final rule. Such rule-making shall be exempt from the requirements of the Administrative Procedure Act (Public Law 79-404; 60 Stat 237).

“(4) FUNDS AVAILABILITY.—Fees collected for the issuance of certificates of documentation by the Secretary of the department in which the Coast Guard is operating—

“(A) shall be deposited into the account that bore the expense for issuance of such certificate of documentation; and

“(B) shall be available until expended.”.

SEC. 3653. EXCEPTION FROM SURVIVAL CRAFT REQUIREMENTS.

Section 4502(b) of title 46, United States Code, is amended—

(1) in paragraph (2)(B), by striking “a survival craft” and inserting “subject to paragraph (3), a survival craft”; and

(2) by adding at the end the following:

“(3)(A) Except for a nonapplicable vessel, an auxiliary craft shall satisfy the equipment requirement under paragraph (2)(B) if—

“(i) it is necessary for normal fishing operations;

“(ii) is readily accessible during an emergency; and

“(iii) is capable of safely holding all individuals on board the vessel, in accordance with the Coast Guard capacity rating, when applicable.

“(B) In this paragraph, the term ‘non-applicable vessel’ means a vessel that is—

“(i) operating outside of 12 nautical miles; and

“(ii) required by the Secretary to have an inflatable life raft.”.

SEC. 3654. INLAND WATERWAY AND RIVER TENDER, AND BAY CLASS ICEBREAKER ACQUISITION PLAN.

(a) ACQUISITION PLAN.—Not later than 545 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to replace the aging fleet of inland waterway and river tenders, and the bay class icebreakers.

(b) CONTENTS.—The plan described in subsection (a) shall include—

(1) a schedule for the acquisition to begin;

(2) the date the first vessel will be delivered;

(3) the date the acquisition will be complete;

(4) a description of the order and location of replacements;

(5) an estimate of the cost per vessel and for total acquisition program of record; and

(6) an analysis of whether existing vessels can be used.

SEC. 3655. ARCTIC PLANNING CRITERIA.

(a) ALTERNATIVE PLANNING CRITERIA.—

(1) IN GENERAL.—The Commandant of the Coast Guard may approve a vessel response plan for the area covered by the Captain of the Port Zone that includes the Arctic, for purposes of complying with the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), if the Commandant—

(A) verifies that equipment included in the plan has been tested and proven capable of operating in the environmental conditions expected in the area in which it is intended to be operated; and

(B) verifies that training has been conducted by the equipment operators on the equipment listed in the plan within the geographic boundaries of the Captain of the Port Zone that includes the Arctic.

(2) POST-APPROVAL REQUIREMENTS.—For each plan approved under paragraph (1)—

(A) the oil spill removal organization listed in the vessel response plan shall conduct regular exercises and drills of the plan in the area covered by the Captain of the Port Zone that includes the Arctic; or

(B) the oil spill removal organization listed in the vessel response plan may take credit for responses to actual spills or releases in the area covered by the Captain of the Port Zone that includes the Arctic instead of conducting regular exercises and drills of the plan, if the oil spill removal organization—

(i) documents which exercise requirements were met during the response; and

(ii) submits a request for credit to and receives approval from the Commandant.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the oil spill prevention and

response capabilities for the area covered by the Captain of the Port Zone that includes the Arctic.

(2) CONTENTS.—The report shall include the following:

(A) A description of equipment and assets available for oil spill response under the vessel response plans approved for vessels operating in the Captain of the Port Zone, including details on the provider of such equipment and assets.

(B) A description of the location of equipment and assets that are to be deployed, including an estimate of the time to deploy the equipment and assets.

(C) A determination on the degree of how effectively the oil spill equipment and assets are distributed throughout the Captain of the Port Zone.

(D) A statement on whether the ability to maintain and deploy equipment and assets is taken into account when measuring the level of equipment available throughout the Captain of the Port Zone.

(E) Validation of port assessment visit process and response resource inventory for oil spill response under the vessel response plans approved for vessels operating in the Captain of the Port Zone.

(F) A determination of the compliance rate with Federal vessel response plan regulations in the Captain of the Port Zone in the previous 3 years.

(G) A description of the resources need throughout the Coast Guard to conduct port assessments, exercises, response plan review, and spill responses.

(c) DEFINITION OF ARCTIC.—In this section, the term “Arctic” has the meaning given the term under section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

SEC. 3656. FISHING SAFETY GRANT PROGRAMS.

(a) FISHING SAFETY TRAINING GRANT PROGRAM.—Section 4502(i)(4) of title 46, United States Code, is amended by striking “2015 through 2017” and inserting “2015 through 2019”.

(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Section 4502(j)(4) of title 46, United States Code, is amended by striking “2015 through 2017” and inserting “2015 through 2019”.

SEC. 3657. SAFETY STANDARDS.

Section 4502(f) of title 46, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2), and inserting the following:

“(2) shall examine at dockside a vessel described in subsection (b) at least once every 5 years, but may require an exam at dockside every 2 years for certain vessels described in subsection (b) requested by the owner or operator;

“(3) shall issue a certificate of compliance to a vessel meeting the requirements of this chapter and satisfying the requirements in paragraph (2); and”.

SEC. 3658. COMMERCIAL FISHING VESSEL SAFETY OUTREACH STRATEGY.

(a) REQUIREMENT FOR STRATEGY.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a national communications plan for the purposes of—

(1) disseminating information to the commercial fishing vessel industry;

(2) conducting outreach with the commercial fishing vessel industry;

(3) facilitating interaction with the commercial fishing vessel industry; and

(4) releasing information collected under section 703 of title 46, United States Code, as amended by this Act, to the commercial fishing vessel industry.

(b) **CONTENT.**—The plan required by subsection (a), and each annual update, shall—

(1) employ all available staff, resources, and systems available to the Secretary to ensure the widest dissemination of information to the commercial fishing vessel industry;

(2) be individually adapted as necessary by Captain of the Port Zone to ensure the most effective strategy and means to communicate with commercial fishing vessel industry;

(3) include a means to document all communication and outreach conducted with the commercial fishing vessel industry; and

(4) include a mechanism to measure effectiveness of such plan.

(c) **UPDATES.**—The Secretary of the department in which the Coast Guard is operating shall—

(1) update and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan required by subsection (a) not less frequently than once each year; and

(2) include input from individual Captains of the Port and any feedback received from the commercial fishing vessel industry under subsection (b)(3).

SEC. 3659. CONSISTENCY IN MARINE INSPECTIONS.

(a) **DEFINITION OF OFFICER IN CHARGE, MARINE INSPECTION.**—In this section, the term “Officer in Charge, Marine Inspection” has the meaning given the term in section 50.10-10 of title 46, Code of Federal Regulations.

(b) **IN GENERAL.**—The Commandant of the Coast Guard shall make it a priority to interpret regulations and standards, with respect to inspections, enforcement, and administration under subtitle II of title 46, United States Code, and title 33, United States Code, consistently between all Officers in Charge, Marine Inspections to avoid disruption and undue expense to industry.

(c) **DISCREPANCIES.**—

(1) **IN GENERAL.**—Efforts to resolve any disagreements regarding the existing condition of a vessel should be made between the local Officer in Charge, Marine Inspection conducting an inspection and the Officer in Charge, Marine Inspection that issued the most recent Certificate of Inspection or the Marine Safety Center, unless there is a justifiable safety concern.

(2) **GOOD FAITH EFFORTS.**—The Officer in Charge, Marine Inspection shall make a good faith effort to resolve the discrepancy, if possible, or submit a justification for the discrepancy to the Commandant of the Coast Guard, via the cognizant District Commander, before a decision on the appeal is made.

(d) **APPEALS FROM DECISIONS OR ACTIONS.**—The Coast Guard shall provide the necessary information regarding the right of appeal to any person affected by an Office in Charge, Marine Inspection or Marine Safety Center for any unresolved discrepancy and facilitate the process for appealing that decision or action under parts 1 through 4 of title 46, Code of Federal Regulations.

(e) **REPORT ON MARINE INSPECTOR TRAINING.**—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Com-

mittee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the training, experience, and qualifications required for assignment as a marine inspector under section 57 of title 14, United States Code, including—

(1) a description of any continuing education requirement, including a specific list of the courses;

(2) a description of the training, including a specific list of the courses, offered to a journeyman or an advanced journeyman marine inspector to advance inspection expertise;

(3) a description of any training that was offered in the 15-year period before the date of enactment of this Act, but is no longer required or offered, including a specific list of the courses, including the senior marine inspector course and any plan review courses;

(4) a justification for why a course described in paragraph (3) is no longer required or offered; and

(5) a list of the course content the Commandant considers necessary to promote consistency among marine inspectors in an environment of increasingly complex vessels and vessel systems.

Subtitle D—Maritime Security

SEC. 3661. MARITIME BORDER SECURITY CO-OPERATION.

The Secretary of the department in which the Coast Guard is operating shall, in accordance with law—

(1) partner with other Federal, State, and local government agencies to leverage existing technology, including camera systems and other sensors, to provide continuous monitoring of high-risk maritime borders, as determined by the Secretary; and

(2) enter into such agreements as the Secretary considers necessary to ensure 24-hour monitoring of such technology.

SEC. 3662. CURRENCY DETECTION CANINE TEAM PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **CANINE CURRENCY DETECTION TEAM.**—The term “canine currency detection team” means a canine and a canine handler that are trained to detect currency.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(b) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a program to allow the use of canine currency detection teams for purposes of Coast Guard maritime law enforcement and maritime security operations, including underway vessel boardings.

(c) **OPERATION.**—The Secretary may cooperate with, or enter into an agreement with, the head of another Federal agency to meet the requirements under subsection (b).

SEC. 3663. CONFIDENTIAL INVESTIGATIVE EXPENSES.

Section 658 of title 14, United States Code, is amended by striking “\$45,000” and inserting “\$250,000”.

SEC. 3664. MONITORING OF ILLEGAL, UNREPORTED, AND UNREGULATED FISHING.

(a) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating shall conduct a 1-year pilot program to determine the impact of persistent use of different types of surveillance systems on illegal maritime activities in the Western Pacific regions.

(b) **REQUIREMENTS.**—The pilot program shall—

(1) consider using light aircraft-based detection systems which can identify potential

illegal activity from higher altitudes and produce enforcement-quality evidence at lower altitudes; and

(2) be directed at detecting and deterring illegal, unreported, and unregulated fishing and enhancing maritime domain awareness.

SEC. 3665. STRATEGIC ASSETS IN THE ARCTIC.

(a) **DEFINITION OF ARCTIC.**—In this section, the term “Arctic” has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Arctic continues to grow in significance to both the national security interests and the economic prosperity of the United States; and

(2) the Coast Guard must ensure it is positioned to respond to any accident, incident, or threat with appropriate assets.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Secretary of Defense and taking into consideration the Department of Defense 2016 Arctic Strategy, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress toward implementing the strategic objectives described in the United States Coast Guard Arctic Strategy dated May 2013.

(d) **CONTENTS.**—The report under subsection (c) shall include—

(1) a description of the Coast Guard’s progress toward each strategic objective;

(2) plans to provide communications throughout the entire Coastal Western Alaska Captain of the Port zone to improve waterway safety and mitigate close calls, collisions, and other dangerous interactions between the shipping industry and subsistence hunters;

(3) plans to prevent marine casualties, when possible, by ensuring vessels avoid environmentally sensitive areas and permanent security zones;

(4) an explanation of—

(A) whether it is feasible to establish a vessel traffic service, using existing resources or otherwise; and

(B) whether an Arctic Response Center of Expertise is necessary to address the gaps in experience, skills, equipment, resources, training, and doctrine to prepare, respond to, and recover spilled oil in the Arctic;

(5) an assessment of whether sufficient agreements are in place to ensure the Coast Guard is receiving the information it needs to carry out its responsibilities;

(6) an assessment of the assets and infrastructure necessary to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy dated May 2013 based on factors such as—

(A) response time;

(B) coverage area;

(C) endurance on scene;

(D) presence; and

(E) deterrence; and

(7) an analysis of National Security Cutters, Offshore Patrol Cutters, and Fast Response Cutters capabilities based on the factors described in subparagraphs (A) through (E) of paragraph (6), both stationed from various Alaska ports and in other locations.

SEC. 3666. FLEET REQUIREMENTS ASSESSMENT AND STRATEGY.

(a) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast

Guard is operating, in consultation with interested Federal and non-Federal stakeholders, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report including—

(1) an assessment of Coast Guard at-sea operational fleet requirements to support its statutory missions established in the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.); and

(2) a strategic plan for meeting the requirements identified under paragraph (1).

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) an assessment of—

(A) the extent to which the Coast Guard at-sea operational fleet requirements are currently being met;

(B) the Coast Guard's current fleet, its operational lifespan, and how the aging of the fleet will impact at-sea operational needs;

(C) fleet operations and recommended improvements to minimize costs and extend operational vessel life spans; and

(D) actual cutter requirements for the Fast Response Cutter, the Offshore Patrol Cutter, and the National Security Cutter to meet at-sea operational needs as compared to planned acquisitions under the current programs of record;

(2) an analysis of—

(A) how the Coast Guard at-sea operational fleet requirements are currently met, including the use of the Coast Guard's current cutter fleet, agreements with partners, chartered vessels, and unmanned vehicle technology; and

(B) how existing and planned cutter programs of record meet the at-sea operational requirements, including the Fast Response Cutter, the Offshore Patrol Cutter, and the National Security Cutter; and

(3) a description of—

(A) planned manned and unmanned vessel acquisition; and

(B) how such acquisitions will change the extent to which the Coast Guard at-sea operational requirements are met.

(c) **CONSULTATION AND TRANSPARENCY.**—

(1) **CONSULTATION.**—In consulting with the Federal and non-Federal stakeholders under subsection (a), the Secretary of the department in which the Coast Guard is operating shall—

(A) provide the stakeholders with opportunities for input—

(i) prior to initially drafting the report, including the assessment and strategic plan; and

(ii) not later than 3 months prior to finalizing the report, including the assessment and strategic plan, for submission; and

(B) document the input and its disposition in the report.

(2) **TRANSPARENCY.**—All input provided under paragraph (1) shall be made available to the public.

SEC. 3667. COMPTROLLER GENERAL REPORT ON CERTAIN TASK FORCES.

(a) **FINDINGS.**—Congress finds that the Joint Interagency Task Force South (referred to in this section as the “JIATF-South”) is an exemplary program that executes its counter-narcotics mission with distinction and in a cost-effective manner.

(b) **STUDY.**—The Comptroller General of the United States shall study each of the following task forces and compare the execution of the task force's counter-narcotics and illegal migrant operation to that of the JIATF-South:

(1) The Joint Interagency Task Force West (referred to in this section as the “JIATF-West”).

(2) The Department of Homeland Security's Joint Task Forces (referred to in this section as the “DHS-JTF”).

(c) **CONTENTS.**—In conducting the study under subsection (b), the Comptroller General shall, at a minimum—

(1) review the JIATF-West Counter-narcotics Operations Center and its performance of its mission to support counter-narcotics missions by United States law enforcement agencies;

(2) compare the JIATF-West, DHS-JTFs, and JIATF-South organizational and manning structure;

(3) assess the JIATF-West's current organizational and manning structure as it relates to JIATF-West's ability to conduct counter-narcotics missions;

(4) review the JIATF-West's December 2015–May 2017 reorganization initiative and its impact, if any, on improving mission performance;

(5) review the JIATF-West's leadership, including an assessment of—

(A) the role of a Coast Guard flag officer as the director as compared to the Coast Guard's role in JIATF-South; and

(B) the process used by the JIATF-West for developing and implementing its December 2015–May 2017 reorganization initiative, including how it assessed progress and solicited feedback on the initiative;

(C) its general management and personnel practices, and their impact, if any, on mission performance;

(6) include recommendations for improving the JIATF-West's performance; and

(7) review whether there is any redundancy between DHS-JTF and JIATF-South or JIATF-West.

(d) **REPORT.**—The Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study under subsection (b), including any recommendations for improving the counter-narcotics and illegal migrant operations of the JIATF-West or DHS-JTF.

SEC. 3668. SAFETY OF VESSELS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Section 91 of title 14, United States Code, is amended—

(1) in the heading, by striking “**naval vessels**” and inserting “**vessels of the armed forces**”;

(2) in subsection (a), by striking “United States naval vessel” and inserting “vessel of the armed forces”;

(3) in subsection (b)—

(A) by striking “senior naval officer present in command” and inserting “senior officer present in command”; and

(B) by striking “United States naval vessel” and inserting “vessel of the armed forces”.

(b) **TABLE OF CONTENTS.**—The table of contents of chapter 5 of title 14, United States Code, is amended by amending the item relating to section 91 to read as follows:

“91. Safety of vessels of the armed forces.”.

SEC. 3669. PROTECTING AGAINST UNMANNED AIRCRAFT.

(a) **PROTECTING AGAINST UNMANNED AIRCRAFT.**—Chapter 5 of title 14, United States Code, is amended by inserting after section 91, the following:

“§91A. Protecting against unmanned aircraft

“(a) **AUTHORITY.**—Notwithstanding title 18 (including section 32 (commonly known as

the Aircraft Sabotage Act), section 1030 (commonly known as the Computer Fraud and Abuse Act), sections 2510–2522 (commonly known as the Wiretap Act), and sections 3121–3127 (commonly known as the Pen/Trap Statute), and section 46502 of title 49, the Secretary, or the Secretary's designee, may take such action as necessary to mitigate, prevent, or respond to the operation of an unmanned aircraft that could interfere with the security or safe navigation of—

“(1) any vessel or aircraft of the Coast Guard; or

“(2) any vessel the Coast Guard is assisting or escorting.

“(b) **REMEDY.**—

“(1) **IN GENERAL.**—The exclusive remedy for any cause of action by the owner or operator of an unmanned aircraft arising from such action as necessary taken under this section shall be limited to the monetary value of the unmanned aircraft at the time such action as necessary is taken.

“(2) **INDEMNIFICATION.**—The senior member present and all persons acting under that officer's direction shall be indemnified from any penalties or actions for damages arising from such action as necessary taken under this section.

“(c) **POLICY DEVELOPMENT.**—The Secretary, in coordination with the Secretary of Transportation, shall develop policy for the actions authorized in subsection (a).

“(d) **NOTICE.**—

“(1) **IN GENERAL.**—Any notice, regulation, or amendment to an existing regulation promulgated pursuant to this section shall be deemed a military function of the United States, and the Secretary shall promulgate such notice, regulation, or amendment without regard to chapters 5 and 6 of title 5, and Executive Orders 12866 and 13563.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to require the Secretary of Homeland Security to publish information concerning any aspect of any assistance or escort that the Coast Guard may conduct.

“(e) **PENALTIES.**—Any person who operates an unmanned aircraft which interferes with the security or safe navigation of a vessel or aircraft described in subsection (a) shall be subject to a civil penalty or criminal penalty.

“(1) **CIVIL PENALTY.**—

“(A) Any person whom the Secretary finds, after notice and an opportunity for a hearing, to have violated this section or a regulation issued hereunder shall be liable to the United States for a civil penalty, not to exceed \$25,000 for each violation. The amount of such civil penalty shall be assessed by the Secretary, or the Secretary's designee, by written notice. In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

“(B) The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty which is subject to imposition or which has been imposed under this section.

“(C) If any person fails to pay an assessment of a civil penalty after it has become final, the Secretary may refer the matter to the Attorney General of the United States, for collection in any appropriate district court of the United States.

“(2) **CRIMINAL PENALTY.**—

“(A) Any person who willfully and knowingly violates this section or any regulation issued hereunder commits a class D felony.

“(B) Any person who, in the willful and knowing violation of this section or of any regulation issued hereunder engages in conduct that causes bodily injury to any person or damage to any vessel or aircraft described in subsection (a) commits a class C felony.

“(f) DEFINITIONS.—In this section:

“(1) INTERFERE.—The term ‘interfere’, with respect to security or safe navigation, means—

“(A) inflict or otherwise cause physical harm to a person;

“(B) inflict or otherwise cause damage to a vessel or aircraft described in subsection (a);

“(C) impede the operation of a vessel or aircraft described in subsection (a), including the diversion of a crewmember from a duty related to such vessel or aircraft;

“(D) conduct unauthorized surveillance or reconnaissance; or

“(E) result in unauthorized access to, or disclosure of, classified, or otherwise lawfully protected information.

“(2) SUCH ACTION AS NECESSARY.—The term ‘such action as necessary’ means any action to disable, disrupt or exercise control of, seize, or destroy an unmanned aircraft.

“(3) UNMANNED AIRCRAFT.—The term ‘unmanned aircraft’ has the meaning given the term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note).”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 14, United States Code, is amended—

(1) in the heading for section 91, by striking “**naval vessels**” and inserting “**VESSELS OF THE ARMED FORCES**”; and

(2) in the analysis for chapter 5—

(A) in the item relating to section 91, by striking “**naval vessels**” and inserting “**vessels of the armed forces**”; and

(B) by inserting, after the item relating to section 91, the following:

“91A. Protecting against unmanned aircraft.”

SEC. 3670. JURISDICTION AND VENUE.

Section 70504(b) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “the district court of the United States for—” and inserting “in any district court of the United States.”; and

(2) by striking paragraphs (1) and (2).

Subtitle E—Miscellaneous

SEC. 3681. SHIP SHOAL LIGHTHOUSE TRANSFER; REPEAL.

Section 27 of the Coast Guard Authorization Act of 1991 (Public Law 102-241; 105 Stat. 2218) is repealed.

SEC. 3682. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

(a) EXPEDITED HIRING AUTHORITY.—

(1) IN GENERAL.—Chapter 15 of title 14, United States Code, is amended by inserting after section 563 the following:

“§ 563a. Acquisition workforce expedited hiring authority

“For purposes of section 3304 of title 5, the Commandant of the Coast Guard may—

“(1) designate any category of acquisition positions within the Coast Guard as shortage category positions; and

“(2) use the authorities in such section to recruit and appoint highly qualified persons directly to positions so designated.”

(2) TABLE OF CONTENTS.—The table of contents of chapter 15 of title 14, United States Code, is amended by inserting after the item relating to section 563 the following:

“563a. Acquisition workforce expedited hiring authority.”

(3) REPEAL.—Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111-281; 124 Stat. 2950) is repealed.

(b) ACQUISITION WORKFORCE REEMPLOYMENT AUTHORITY.—

(1) IN GENERAL.—Chapter 15 of title 14, as amended by subsection (a) of this section, is further amended by inserting after section 563a the following:

“§ 563b. Acquisition workforce reemployment authority

“(a) IN GENERAL.—Except as provided in subsection (b), if an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes employed in any category of acquisition positions designated by the Commandant of the Coast Guard under section 563a of this title, the annuity of an annuitant so employed shall continue. An annuitant so reemployed shall not be considered an employee for purposes of subchapter III of chapter 83 or chapter 84 of title 5.

“(b)(1) ELECTION.—An annuitant retired under section 8336(d)(1) or 8414(b)(1)(A) of title 5, receiving an annuity from the Civil Service Retirement and Disability Fund, who becomes employed in a position within the Coast Guard after the date of enactment of the National Defense Authorization Act for Fiscal Year 2018, may elect to be subject to section 8344 or 8468 of such title (as the case may be).

“(A) DEADLINE.—An election for coverage under this subsection shall be filed not later than 90 days after the Commandant takes reasonable actions to notify employees who may file an election.

“(B) COVERAGE.—If an employee files an election under this subsection, coverage shall be effective beginning on the first day of the first applicable pay period beginning on or after the date of the filing of the election.

“(2) APPLICATION.—Paragraph (1) shall apply to an individual who is eligible to file an election under paragraph (1) and does not file a timely election under this subsection.”

(2) TABLE OF CONTENTS.—The table of contents of chapter 15 of title 14, United States Code, as amended in subsection (a) of this section, is further amended by inserting after the item relating to section 563a the following:

“563b. Acquisition workforce reemployment authority.”

SEC. 3683. DRAWBRIDGES.

(a) PURPOSES.—The purposes of this section are—

(1) to ensure the public is made aware of any temporary change to a drawbridge operating schedule; and

(2) to ensure the operators are maintaining logbook records of drawbridge movement.

(b) TEMPORARY CHANGES TO DRAWBRIDGE OPERATING SCHEDULES.—Section 5 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499), is amended by adding at the end the following—

“(d) TEMPORARY CHANGES TO DRAWBRIDGE OPERATING SCHEDULES.—Notwithstanding section 553 of title 5, United States Code, whenever a temporary change to the operating schedule of a drawbridge, lasting 180 days or less—

“(1) is approved—

“(A) the Secretary of the department in which the Coast Guard is operating shall—

“(i) issue a deviation approval letter to the bridge owner; and

“(ii) announce the temporary change in—

“(I) the Local Notice to Mariners;

“(II) broadcast notices to mariners through radio stations; or

“(III) such other local media as the Secretary considers appropriate; and

“(B) the bridge owner, except a railroad bridge owner, shall notify—

“(i) the public by publishing notice of the temporary change in a newspaper of general circulation published in the place where the bridge is located;

“(ii) the department, agency, or office of transportation with jurisdiction over the roadway that abuts the approaches to the bridge; and

“(iii) the law enforcement organization with jurisdiction over the roadway that abuts the approaches to the bridge; or

“(2) is denied, the Secretary of the department in which the Coast Guard is operating shall—

“(A) not later than 10 days after the date of receipt of the request, provide the bridge owner in writing the reasons for the denial, including any supporting data and evidence used to make the determination; and

“(B) provide the bridge owner a reasonable opportunity to address each reason for the denial and resubmit the request.

“(e) DRAWBRIDGE MOVEMENTS.—The Secretary of the department in which the Coast Guard is operating—

“(1) shall require a drawbridge operator to record each movement of the drawbridge in a logbook;

“(2) may inspect the log to ensure drawbridge movement is in accordance with the posted operating schedule;

“(3) shall review whether deviations from the posted operating schedule are impairing vehicular and pedestrian traffic; and

“(4) may determine if the operating schedule should be adjusted for efficiency of maritime or vehicular and pedestrian traffic.

“(f) REQUIREMENTS.—

“(1) RECORDS.—An operator of a drawbridge built across a navigable river or other water of the United States—

“(A) that opens the draw of such bridge for the passage of a vessel, shall maintain for not less than 5 years a logbook record of—

“(i) the bridge identification and date of each opening;

“(ii) the bridge tender or operator for each opening;

“(iii) each time it is opened for navigation;

“(iv) each time it is closed for navigation;

“(v) the number and direction of vessels passing through during each opening;

“(vi) the types of vessels passing through during each opening;

“(vii) an estimated or known size (height, length, and beam) of the largest vessel passing through during each opening;

“(viii) for each vessel, the vessel name and registration number if easily observable; and

“(ix) all maintenance openings, malfunctions, or other comments; and

“(B) that remains open to navigation but closes to allow for trains to cross, shall maintain for not less than 5 years a record of—

“(i) the bridge identification and date of each opening;

“(ii) the bridge tender or operator;

“(iii) each time it is opened to navigation;

“(iv) each time it is closed to navigation;

and

“(v) all maintenance openings, malfunctions, or other comments.

“(2) SUBMISSION OF RECORDS.—At the request of the Secretary of the department in

which the Coast Guard is operating, a drawbridge operator shall submit to the Secretary such logbook records under paragraph (1) as the Secretary considers necessary to carry out this section.

“(3) EXEMPTION.—The requirements under paragraph (1) of this section shall be exempt from sections 3501 through 3521 of title 44, United States Code.”

SEC. 3684. INCENTIVE CONTRACT; COAST GUARD YARD AND INDUSTRIAL ESTABLISHMENTS.

(a) IN GENERAL.—Whenever the parties to a project order for industrial work to be performed by the Coast Guard Yard or a designated Coast Guard industrial establishment agree that delivery or technical performance of the wage-grade industrial employees may, during the term of such project order, improve, the parties to such project order may, notwithstanding any other provision of law, including any provision of law that provides for the time or purpose of appropriated funds, enter into an incentive project order or a cost-plus-incentive-fee project order by which an agreed upon amount of the adjustment to be made pursuant to section 648(a) of title 14, United States Code, may, notwithstanding that provision of law or any other provision of law, be distributed as an incentive to the wage-grade industrial employees who completed the project order.

(b) CONDITION.—Before entering into an incentive project order or a cost-plus-incentive-fee project order, the commanding officer of the Coast Guard Yard or the commanding officer of the Coast Guard industrial establishment, as the case may be, shall complete a determination and finding for such incentive project order or cost-plus-incentive-fee project order that justifies the use of such project order as in the best interest of the Federal Government.

(c) TREATMENT OF INCENTIVE AWARD.—Notwithstanding any other provision of law, in the event that the industrial workforce of the Coast Guard Yard or a Coast Guard industrial establishment satisfies the performance target set out in an incentive project order or a cost-plus-incentive-fee project order—

(1) the adjustment to be made pursuant to section 648(a) of title 14, United States Code, shall, notwithstanding that provision of law, be reduced by the agreed amount and distributed as an incentive to such wage-grade industrial employees; and

(2) the remainder of the adjustment shall be credited to the appropriation current at that time.

SEC. 3685. COAST GUARD HEALTH-CARE PROFESSIONALS; LICENSURE PORTABILITY.

(a) IN GENERAL.—Section 1094(d)(1) of title 10, United States Code, shall apply in the same manner and to the same degree as such section applies to a health-care professional described in subsection (d)(2) of that section to a health-care professional described in subsection (b) of this section.

(b) HEALTH-CARE PROFESSIONAL.—A health-care professional described in this subsection is a member of the Coast Guard, civilian employee of the Coast Guard, member of the Public Health Service assigned to the Coast Guard, personal services contractor under section 1091 of title 10, United States Code, or other health-care professional credentialed and privileged at a Federal health care institution or location specially designated by the Secretary of the department in which the Coast Guard is operating for this purpose who—

(1) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and

(2) is performing authorized duties for the Coast Guard.

SEC. 3686. LAND EXCHANGE; AYAKULIK ISLAND, ALASKA.

(a) LAND EXCHANGE; AYAKULIK ISLAND, ALASKA.—If the owner of Ayakulik Island, Alaska, offers to exchange the Island for the Tract—

(1) within 10 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(2) within 60 days after receiving the notice under paragraph (1), the Commandant shall develop and transmit to the Secretary proposed operational restrictions on commercial activity conducted on the Tract, including the right of the Commandant to—

(A) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or from the Tract that violates or threatens to violate 1 or more of such restrictions; or

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction enjoining the activity that violates or threatens to violate such restrictions;

(3) within 30 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island; and

(4) within 30 days after transmitting the proposed operational restrictions to the owner of Ayakulik Island, and if the owner agrees to such restrictions, the Secretary shall convey all right, title, and interest of the United States in and to the Tract to the owner, subject to an easement granted to the Commandant to enforce such restrictions, in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(b) BOUNDARY REVISIONS.—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.

(c) PUBLIC LAND ORDER.—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) FAILURE TO TIMELY RESPOND TO NOTICE.—If the Commandant does not transmit proposed operational restrictions to the Secretary within 60 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 75 days after transmitting such notice, convey all right, title, and interest of the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(e) CERCLA.—

(1) IN GENERAL.—This section and an exchange under this section shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(2) EXEMPTION.—Notwithstanding paragraph (1), the Coast Guard shall be exempt from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(f) DEFINITIONS.—In this section:

(1) COMMANDANT.—The term “Commandant” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) TRACT.—The term “Tract” means the land (including submerged land) depicted as

“PROPOSED PROPERTY EXCHANGE AREA” on the survey titled “PROPOSED PROPERTY EXCHANGE PARCEL” and dated March 22, 2017.

SEC. 3687. ABANDONED SEAFARERS FUND AMENDMENTS.

Section 11113 of title 46, United States Code, is amended—

(1) in subsection (a)(2), by striking “may be appropriated to the Secretary” in the matter before subparagraph (A) and inserting “shall be available to the Secretary without further appropriation, and shall remain available until expended,”; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting “plus a surcharge of 25 percent of such total amount,” after “seafarer,” in the matter preceding subparagraph (A); and

(B) by striking paragraph (4).

SEC. 3688. SMALL SHIPYARD CONTRACTS.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by inserting after section 667 the following:

“§ 667a. Construction of Coast Guard vessels and assignment of vessel projects

“The assignment of Coast Guard vessel conversion, alteration, and repair projects shall be based on economic and military considerations and may not be restricted by a requirement that certain parts of Coast Guard shipwork be assigned to a particular type of shipyard or geographical area or by a similar requirement.”

(b) TABLE OF CONTENTS.—The table of contents of chapter 17 of title 14, United States Code, is amended by inserting after the item relating to section 667 the following:

“667a. Construction of Coast Guard vessels and assignment of vessel projects.”

SEC. 3689. WESTERN CHALLENGER; CERTIFICATE OF DOCUMENTATION.

Section 604(b) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3062) is amended by inserting “and a fisheries endorsement” after “endorsement”.

SEC. 3690. RADAR REFRESHER TRAINING.

Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall prescribe a final rule eliminating the requirement that a mariner actively using the mariner’s credential complete an approved refresher or recertification course to maintain a radar observer endorsement. This rulemaking shall be exempt from chapters 5 and 6 of title 5, United States Code, and Executive Orders 12866 and 13563.

SEC. 3691. VESSEL RESPONSE PLAN AUDIT.

(a) REQUIREMENT FOR AUDIT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an audit of the verification and approval process of the Coast Guard for vessel response plans required under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(b) REVIEW AND RECOMMENDATIONS.—The audit required by subsection (a) shall—

(1) review and make recommendations regarding the verification and approval process of the Coast Guard for vessel response plans required under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) for—

(A) the current Coast Guard staffing model and organization used for such process;

(B) the amount of time expended by the Coast Guard verifying and approving such vessel response plans; and

(C) the amount of time expended by the Coast Guard for verification and approval of a single such vessel response plan; and

(2) include a detailed analysis of—

(A) such process beginning with initial submission from the vessel through final approval;

(B) how such process ensures compliance with applicable statutes and regulations;

(C) the role of local and regional Coast Guard units in such process;

(D) any public comment or other forms of engagement with regional stakeholders, including State governments and Indian tribes;

(E) any engagement or utilization of Federal or State agency resources and consultation, including weather data systems, oil spill trajectory modeling, or risk management information for the purposes of reviewing vessel response plans;

(F) how the Coast Guard verifies availability and contractual obligation of resources required in a such a vessel response plan;

(G) the resources available and used by the Coast Guard to verify operational capability and capacity of equipment listed in a vessel response plan for the applicable operating environment;

(H) how the Coast Guard verifies alternate measures when a vessel cannot meet the National Planning Criteria;

(I) the weather data, modeling software, and information systems available and used by the Coast Guard when determining compliance for response resource mobilization times stipulated in regulation;

(J) how the Coast Guard factors in regional specific adverse weather, as defined in section 155.1020 of title 33, Code of Federal Regulations, in determining compliance for response resource mobilization times stipulated in regulation;

(K) how the Coast Guard reviews and verifies previously approved vessel response plans for compliance when there is a change in statute or regulation which effects response planning criteria or resource mobilization times;

(L) the Coast Guard process for calculating compliance for response resource mobilization times stipulated in statute and regulation;

(M) how the Coast Guard verifies availability and compliance with response resource mobilization requirements for different geographic regions;

(N) how the Coast Guard ensures vessel response plans are adapted and updated to account for new regional response needs, such as regional trends of transportation of heavy oils and volume of traffic;

(O) the Coast Guard processes and actions taken if an approved vessel response plan is discovered to be noncompliant;

(P) how such process could be improved; and

(Q) the resources needed to improve such process.

SEC. 3692. CENTER OF EXPERTISE FOR GREAT LAKES OIL SPILL RESEARCH AND RESPONSE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall establish a Center of Expertise for Great Lakes Oil Spill Preparedness and Response (referred to in this section as the “Center of Expertise”) in accordance with section 58 of title 14, United States Code.

(b) LOCATION.—The Center of Expertise shall be located in close proximity to—

(1) critical crude oil transportation infrastructure on and connecting the Great Lakes, such as submerged pipelines and high-traffic navigation locks; and

(2) an institution of higher education with adequate aquatic research laboratory facilities and capabilities and expertise in Great Lakes aquatic ecology, environmental chemistry, fish and wildlife, and water resources.

(c) FUNCTIONS.—The Center of Expertise shall—

(1) monitor and assess, on an ongoing basis, the current state of knowledge regarding freshwater oil spill response technologies and the behavior and effects of oil spills in the Great Lakes;

(2) identify any significant gaps in Great Lakes oil spill research, including an assessment of major scientific or technological deficiencies in responses to past spills in the Great Lakes and other freshwater bodies, and seek to fill those gaps;

(3) conduct research, development, testing, and evaluation for freshwater oil spill response equipment, technologies, and techniques to mitigate and respond to oil spills in the Great Lakes;

(4) educate and train Federal, State, and local first responders located in United States Coast Guard District 9 in—

(A) the incident command system structure;

(B) Great Lakes oil spill response techniques and strategies; and

(C) public affairs; and

(5) work with academic and private sector response training centers to develop and standardize maritime oil spill response training and techniques for use on the Great Lakes.

(d) DEFINITION.—In this section, the term “Great Lakes” means Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario.

Subtitle F—Department of Commerce Vessels

SEC. 3701. WAIVERS FOR CERTAIN CONTRACTS.

Section 3134 of title 40, United States Code, is amended—

(1) by inserting “Secretary of Homeland Security,” after “Air Force,” each place it appears; and

(2) by adding at the end the following:

“(c) COMMERCE.—The Secretary of Commerce may waive this subchapter with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Act entitled ‘An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes’, approved August 6, 1947 (33 U.S.C. 883a et seq.).”

Subtitle G—Federal Maritime Commission Authorization Act of 2017

SEC. 3711. SHORT TITLE.

This subtitle may be cited as the “Federal Maritime Commission Authorization Act of 2017”.

SEC. 3712. AUTHORIZATION OF APPROPRIATIONS.

Section 308 of title 46, United States Code, is amended by striking “\$24,700,000 for each of fiscal years 2016 and 2017” and inserting “\$28,490,000 for each of fiscal years 2018 and 2019”.

SEC. 3713. RECORD OF MEETINGS AND VOTES.

(a) IN GENERAL.—Section 303 of title 46, United States Code, is amended to read as follows:

“§ 303. Meetings

“(a) IN GENERAL.—The Federal Maritime Commission shall be deemed to be an agency for purposes of section 552b of title 5.

“(b) RECORD.—The Commission, through its secretary, shall keep a record of its meetings and the votes taken on any action, order, contract, or financial transaction of the Commission.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the Commissioners may hold a meeting that is not open to public observation to discuss official agency business if—

“(A) no formal or informal vote or other official agency action is taken at the meeting;

“(B) each individual present at the meeting is a Commissioner or an employee of the Commission; and

“(C) the General Counsel of the Commission is present at the meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under paragraph (3), not later than 2 business days after the conclusion of a meeting under paragraph (1), the Commission shall make available to the public, in a place easily accessible to the public—

“(A) a list of the individuals present at the meeting; and

“(B) a summary of the matters discussed at the meeting, except for any matters the Commission properly determines may be withheld from the public under section 552b(c) of title 5.

“(3) EXCEPTION.—If the Commission properly determines matters may be withheld from the public under section 555b(c) of title 5, the Commission shall provide a summary with as much general information as possible on those matters withheld from the public.

“(4) ONGOING PROCEEDINGS.—If a meeting under paragraph (1) directly relates to an ongoing proceeding before the Commission, the Commission shall make the disclosure under paragraph (2) on the date of the final Commission decision.

“(5) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the Commissioners other than that described in this subsection.

“(6) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed—

“(A) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under paragraph (2)(B) of this subsection; or

“(B) to authorize the Commission to withhold from any individual any record that is accessible to that individual under section 552a of title 5.”

(b) TABLE OF CONTENTS.—The table of contents of chapter 3 of title 46, United States Code, is amended by amending the item relating to section 303 to read as follows:

“303. Meetings.”

SEC. 3714. PUBLIC PARTICIPATION.

(a) NOTICE OF FILING.—Section 40304(a) of title 46, United States Code, is amended to read as follows:

“(a) NOTICE OF FILING.—Not later than 7 days after the date an agreement is filed, the Federal Maritime Commission shall—

“(1) transmit a notice of the filing to the Federal Register for publication; and

“(2) request interested persons to submit relevant information and documents.”

(b) REQUEST FOR INFORMATION AND DOCUMENTS.—Section 40304(d) of title 46, United States Code, is amended by striking “section” and inserting “part”.

(c) **SAVING CLAUSE.**—Nothing in this section, or the amendments made by this section, may be construed—

(1) to prevent the Federal Maritime Commission from requesting from a person, at any time, any additional information or documents the Commission considers necessary to carry out chapter 403 of title 46, United States Code;

(2) to prescribe a specific deadline for the submission of relevant information and documents in response to a request under section 40304(a)(2) of title 46, United States Code; or

(3) to limit the authority of the Commission to request information under section 40304(d) of title 46, United States Code.

SEC. 3715. REPORTS FILED WITH THE COMMISSION.

Section 40104(a) of title 46, United States Code, is amended to read as follows:

“(a) **REPORTS.**—

“(1) **IN GENERAL.**—The Federal Maritime Commission may require a common carrier or marine terminal operator, or an officer, receiver, trustee, lessee, agent, or employee of the common carrier or marine terminal operator to file with the Commission a periodical or special report, an account, record, rate, or charge, or a memorandum of facts and transactions related to the business of the common carrier or marine terminal operator, as applicable.

“(2) **REQUIREMENTS.**—The report, account, record, rate, charge, or memorandum shall—

“(A) be made under oath if the Commission requires; and

“(B) be filed in the form and within the time prescribed by the Commission.”.

SEC. 3716. TRANSPARENCY.

(a) **IN GENERAL.**—Beginning not later than 60 days after the date of enactment of this Act, the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives biannual reports that describe the Commission's progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

(b) **FORMAT OF REPORTS.**—Each report under subsection (a) shall, among other things, clearly identify for each unfinished regulatory proceeding—

- (1) the popular title;
- (2) the current stage of the proceeding;
- (3) an abstract of the proceeding;
- (4) what prompted the action in question;
- (5) any applicable statutory, regulatory, or judicial deadline;
- (6) the associated docket number;
- (7) the date the rulemaking was initiated;
- (8) a date for the next action; and
- (9) if a date for next action identified in the previous report is not met, the reason for the delay.

SEC. 3717. NEGOTIATIONS.

(a) **EXCEPTIONS.**—Section 40307(b)(1) of title 46, United States Code, is amended by inserting “tug operators,” after “motor carriers.”.

(b) **CONCERTED ACTION.**—Section 41105 of title 46, United States Code, is amended—

(1) in paragraph (4)—

(A) by striking “non-ocean carrier” and inserting “tug operator, non-ocean carrier,”; and

(B) by inserting “tug operators or” after “States by those”;

(2) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively;

(3) by inserting after paragraph (4) the following:

“(5) negotiate with a marine terminal operator on any rate or service matter associated with certain covered services provided to ocean common carriers within the United States by those marine terminal operators, unless the negotiations and any resulting agreements are not in violation of the anti-trust laws and are consistent with the purposes of this part, except that this paragraph does not prohibit the setting and publishing of a joint through rate by a conference, joint venture, or association of ocean common carriers.”;

(4) in the matter preceding paragraph (1), by inserting “(a) **IN GENERAL.**—” before “A conference” and indenting appropriately; and

(5) by adding at the end the following:

“(b) **DEFINITION OF CERTAIN COVERED SERVICES.**—In this section, the term ‘certain covered services’ means berthing, the loading or unloading of cargo to or from a vessel to or from a point of rest on a wharf, the bunkering of such a vessel, towage and tug assistance of such a vessel, or the positioning, removal, or replacement of navigation buoys.”.

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **CONTENT REQUIREMENTS.**—Section 40303(b)(5) of title 46, United States Code, is amended by striking “section 41105(1) or (3) of this title” and inserting “paragraph (1) or paragraph (3) of section 41105(a) of this title”; and

(2) **AWARD OF REPARATIONS.**—Section 41305(c) of title 46, United States Code, is amended by striking “section 41105(1) or (3) of this title” and inserting “paragraph (1) or paragraph (3) of section 41105(a) of this title”.

(d) **SAVINGS CLAUSE.**—Nothing in this section or the amendments made by this section shall be construed to limit the authority of the Department of Justice regarding anti-trust matters.

SEC. 3718. PROHIBITIONS AND PENALTIES.

Section 41104(11) of title 46, United States Code, is amended to read as follows:

“(11) knowingly and willfully accept cargo from or transport cargo for the account of a non-vessel-operating common carrier that does not have a tariff as required by section 40501 of this title, or an ocean transportation intermediary that does not have a bond, insurance, or other surety as required by section 40902 of this title; or”.

Subtitle H—Vessel Incidental Discharge Act

SEC. 3721. SHORT TITLE.

This subtitle may be cited as the “Vessel Incidental Discharge Act”.

SEC. 3722. DEFINITIONS.

In this subtitle:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **AQUATIC NUISANCE SPECIES.**—The term “aquatic nuisance species” means a non-indigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters of the United States, or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) **BALLAST WATER.**—The term “ballast water” means any water and suspended matter taken on board a commercial vessel to control or maintain trim, draught, stability, or stresses of the commercial vessel, regardless of how it is carried.

(4) **BALLAST WATER DISCHARGE STANDARD.**—The term “ballast water discharge standard” means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations, or section 151.1511 of such title, or a revised numerical ballast water discharge standard established under section 805, as applicable.

(5) **BALLAST WATER MANAGEMENT SYSTEM.**—The term “ballast water management system” means any system (including all ballast water treatment equipment and all associated control and monitoring equipment) that processes ballast water to kill, render harmless, or remove organisms.

(6) **COMMERCIAL VESSEL.**—

(A) **IN GENERAL.**—The term “commercial vessel” means a vessel (as defined in section 3 of title 1, United States Code) that is engaged in commercial service (as defined in section 2101 of title 46, United States Code).

(B) **EXCLUSION.**—The term “commercial vessel” does not include a recreational vessel.

(7) **DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A COMMERCIAL VESSEL.**—

(A) **IN GENERAL.**—The term “discharge incidental to the normal operation of a commercial vessel” means—

(i) a discharge into navigable waters of the United States from a commercial vessel of—

(I)(aa) graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater piping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a commercial vessel;

(II) deck runoff, deck washdown, above the waterline hull cleaning effluent, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, weldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters of the United States in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the commercial vessel is waterborne.

(B) **EXCLUSIONS.**—The term “discharge incidental to the normal operation of a commercial vessel” does not include—

(i) a discharge into navigable waters of the United States from a commercial vessel of—

(I) ballast water;

(II) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(III) oil or a hazardous substance (as such terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321)); or

(IV) sewage (as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6))); or

(ii) any emission of an air pollutant resulting from the operation onboard a commercial vessel of a commercial vessel propulsion system, motor driven equipment, or incinerator; or

(iii) any discharge into navigable waters of the United States from a commercial vessel when the commercial vessel is operating in a capacity other than as a means of transportation on water.

(8) **GENERAL PERMIT.**—The term “General Permit” means the Final National Pollutant Discharge Elimination System Vessel General Permit for Discharges Incidental to the Normal Operation of a Vessel noticed in the Federal Register on April 12, 2013 (78 Fed. Reg. 21938).

(9) **GEOGRAPHICALLY LIMITED AREA.**—The term “geographically limited area” means an area—

(A) with a physical limitation that prevents a commercial vessel from operating outside the area, such as the Great Lakes and Saint Lawrence River, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary in consultation with the heads of other Federal departments or agencies the Secretary considers appropriate.

(10) **MAJOR CONVERSION.**—The term “major conversion” has the meaning given such term in section 2101(14a) of title 46, United States Code.

(11) **NAVIGABLE WATERS OF THE UNITED STATES.**—The term “navigable waters of the United States” has the meaning given such term in section 2101(17a) of title 46, United States Code.

(12) **OWNER OR OPERATOR.**—The term “owner or operator” means a person owning, operating, or chartering by demise a commercial vessel.

(13) **POLLUTANT.**—The term “pollutant” has the meaning given such term in section 502(6) of the Federal Water Pollution Control Act (33 U.S.C. 1362(6)).

(14) **RECREATIONAL VESSEL.**—The term “recreational vessel” has the meaning given such term in section 2101(25) of title 46, United States Code.

(15) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

SEC. 3723. EXISTING BALLAST WATER REGULATIONS.

(a) **EFFECT ON EXISTING REGULATIONS.**—Any regulation issued pursuant to the Non-Indigenous Aquatic Nuisance Prevention and Control Act of 1990 that is in effect on the date immediately preceding the effective date of this subtitle, and that relates to a matter subject to regulation under this subtitle, shall remain in full force and effect unless or until superseded by a new regulation issued under this subtitle relating to such matter.

(b) **APPLICATION OF OTHER REGULATIONS.**—The regulations issued pursuant to the Non-Indigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) relating to sanctions for violating a regulation under that Act shall apply to violations of a regulation issued under this subtitle.

SEC. 3724. BALLAST WATER DISCHARGE REQUIREMENTS.

(a) **IN GENERAL.**—

(1) **REQUIREMENTS.**—Except as provided in paragraph (3), and subject to sections 151.2035 and 151.2036 of title 33, Code of Federal Regulations (as in effect on the date of the enactment of this Act), an owner or operator may discharge ballast water into navigable waters of the United States from a commercial vessel covered under subsection (b) only if—

(A) by applying the best available technology economically achievable, the discharge meets the ballast water discharge standard; and

(B) the owner or operator discharges the ballast water in accordance with other requirements established by the Secretary.

(2) **COMMERCIAL VESSELS ENTERING THE GREAT LAKES SYSTEM AND HUDSON RIVER.**—If a commercial vessel enters the Great Lakes through the Saint Lawrence River or the Hudson River north of the George Washington Bridge after operating outside the exclusive economic zone of the United States or Canada, the owner or operator shall—

(A) comply with the requirements of—

(i) paragraph (1);

(ii) subpart C of part 151 of title 33, Code of Federal Regulations; and

(iii) section 401.30 of such title; and

(B) conduct a complete ballast water exchange in an area that is 200 nautical miles or more from any shore before the owner or operator may discharge ballast water while operating in the Saint Lawrence River or the Great Lakes, subject to any requirements the Secretary determines necessary with regard to such exchange, or any ballast water management system that is to be used in conjunction with such exchange, to ensure that any discharge of ballast water complies with the requirements under paragraph (1).

(3) **SAFETY EXEMPTION.**—Notwithstanding paragraphs (1) and (2), an owner or operator may discharge any ballast water into navigable waters of the United States from a commercial vessel if—

(A) the ballast water is discharged solely to ensure the safety of life at sea;

(B) the ballast water is discharged accidentally as the result of damage to the commercial vessel or its equipment and—

(i) all reasonable precautions to prevent or minimize the discharge have been taken; and

(ii) the owner or operator did not willfully or recklessly cause such damage; or

(C) the ballast water is discharged solely for the purpose of avoiding or minimizing a discharge from the commercial vessel of a pollutant that would violate an applicable Federal or State law.

(4) **LIMITATION ON REQUIREMENTS.**—In establishing requirements under this subsection, the Secretary may not require the installation of a ballast water management system on a commercial vessel that—

(A) carries all of its ballast water in sealed tanks that are not subject to discharge; or

(B) discharges ballast water solely into a reception facility described in section 3727.

(b) **APPLICABILITY.**—

(1) **COVERED VESSELS.**—Except as provided in paragraph (2), subsection (a) shall apply to any commercial vessel that is designed, constructed, or adapted to carry ballast water while such commercial vessel is operating in navigable waters of the United States.

(2) **EXEMPTED VESSELS.**—Subsection (a) shall not apply to a commercial vessel—

(A) that continuously takes on and discharges ballast water in a flow-through system, if such system does not introduce aquatic nuisance species into navigable waters of the United States, as determined by the Secretary;

(B) that operates exclusively within a geographically limited area;

(C) that operates pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the commercial vessel;

(D) in the National Defense Reserve Fleet that is scheduled to be disposed of through scrapping or sinking;

(E) that discharges ballast water consisting solely of water taken aboard from a public or commercial source that, at the time the water is taken aboard, meets the applicable regulations or permit requirements for such source under the Safe Drinking Water Act (42 U.S.C. 300f et seq.); or

(F) in an alternative compliance program established pursuant to section 3726.

(c) **TYPE APPROVAL OF BALLAST WATER MANAGEMENT SYSTEMS THAT RENDER BALLAST WATER ORGANISMS INCAPABLE OF REPRODUCTION.**—

(1) **IN GENERAL.**—Notwithstanding chapter 5 of title 5, United States Code, part 151 of title 33, Code of Federal Regulations, and part 162 of title 46, Code of Federal Regulations, a ballast water management system that renders organisms in ballast water incapable of reproduction at the concentrations prescribed in the ballast water discharge standard shall be type approved by the Secretary, if—

(A) such system—

(i) undergoes type approval testing at an independent laboratory designated by the Secretary under such regulations; and

(ii) meets the requirements of subpart 162.060 of title 46, Code of Federal Regulations, other than the requirements related to staining methods or measuring the concentration of living organisms; and

(B) such laboratory uses a type approval testing method described in a final policy letter published under paragraph (2).

(2) **TYPE APPROVAL TESTING METHODS.**—

(A) **DRAFT POLICY.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish a draft policy letter describing type approval testing methods capable of measuring the concentration of organisms in ballast water that are capable of reproduction.

(B) **PUBLIC COMMENT.**—The Secretary shall provide for a period of not more than 60 days for the public to comment on the draft policy letter published under paragraph (1).

(C) **FINAL POLICY.**—Not later than 150 days after the date of the enactment of this Act, the Secretary shall publish a final policy letter describing type approval testing methods capable of measuring the concentration of organisms in ballast water that are capable of reproduction.

(D) **REVISIONS.**—The Secretary shall revise such policy letter as additional testing methods are determined by the Secretary to be capable of measuring the concentration of organisms in ballast water that are capable of reproduction.

(E) **CONSIDERATIONS.**—In developing a policy letter under this paragraph, the Secretary—

(i) shall consider a type approval testing method that uses organism grow out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction; and

(ii) shall not consider a type approval testing method that relies on a staining method that measures the concentration of organisms greater than or equal to 10 micrometers and organisms less than or equal to 50 micrometers.

SEC. 3725. REVIEW OF BALLAST WATER DISCHARGE STANDARD.

(a) **EFFECTIVENESS REVIEW.**—

(1) **IN GENERAL.**—The Secretary shall conduct reviews in accordance with this section to determine whether revising the ballast

water discharge standard based on the application of the best available technology economically achievable would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) **REQUIRED REVIEWS.**—Not later than January 1, 2022, and every 10 years thereafter, the Secretary, in consultation with the Administrator, shall complete a review under paragraph (1).

(3) **STATE PETITIONS FOR REVIEW.**—

(A) **IN GENERAL.**—The Governor of a State may submit a petition requesting the Secretary to conduct a review under paragraph (1) if there is significant new information that could reasonably indicate the ballast water discharge standard could be revised to result in a reduction in the risk of the introduction or establishment of aquatic nuisance species.

(B) **TIMING.**—A Governor may not submit a petition under subparagraph (A) during the 1-year period following the date of completion of a review under paragraph (1).

(C) **REQUIRED INFORMATION.**—A petition submitted to the Secretary under subparagraph (A) shall include—

(i) a proposed ballast water discharge standard that would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species;

(ii) information regarding any ballast water management systems that may achieve the proposed ballast water discharge standard;

(iii) the scientific and technical information on which the petition is based, including a description of the risk reduction that would result from the proposed ballast water discharge standard included under clause (i); and

(iv) any additional information the Secretary considers appropriate.

(D) **PUBLIC AVAILABILITY.**—Upon receiving a petition under subparagraph (A), the Secretary shall make publicly available a copy of the petition, including the information included under subparagraph (C).

(E) **TREATMENT OF MORE THAN ONE PETITION AS A SINGLE PETITION.**—The Secretary may treat more than one petition submitted under subparagraph (A) as a single such petition.

(F) **AUTHORITY TO REVIEW.**—After receiving a petition that meets the requirements of this paragraph, the Secretary, in consultation with the Administrator, may conduct a review under paragraph (1).

(b) **PRACTICABILITY REVIEW.**—

(1) **IN GENERAL.**—If the Secretary determines under subsection (a) that revision of the ballast water discharge standard would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species, the Secretary, in consultation with the Administrator, shall conduct a practicability review to determine whether—

(A) a ballast water management system that is capable of achieving the ballast water discharge standard as proposed to be revised is economically achievable and operationally practicable; and

(B) testing protocols that can assure accurate measurement of compliance with the ballast water discharge standard as proposed to be revised can be practicably implemented.

(2) **CRITERIA FOR PRACTICABILITY REVIEW.**—In conducting a practicability review under paragraph (1), the Secretary shall consider—

(A) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(B) improvements in ballast water management systems, including—

(i) the capability of such systems to achieve the ballast water discharge standard as proposed to be revised;

(ii) the effectiveness and reliability of such systems in the shipboard environment;

(iii) the compatibility of such systems with the design and operation of a commercial vessel by class, type, and size;

(iv) the commercial availability of such systems; and

(v) the safety of such systems;

(C) improvements in the capabilities to detect, quantify, and assess whether aquatic nuisance species are capable of reproduction under the ballast water discharge standard as proposed to be revised;

(D) the impact of ballast water management systems on water quality;

(E) the costs, cost-effectiveness, and effects of—

(i) a revised ballast water discharge standard; and

(ii) maintaining the existing ballast water discharge standard; and

(F) other criteria that the Secretary considers appropriate.

(3) **INFORMATION FROM STATES.**—In conducting a practicability review under paragraph (1), the Secretary shall solicit information from the States concerning matters the Secretary is required to consider under paragraph (2).

(c) **REVISED BALLAST WATER DISCHARGE STANDARD.**—The Secretary shall issue a rule to revise the ballast water discharge standard if the Secretary, in consultation with the Administrator, determines on the basis of the practicability review under subsection (b) that—

(1) a ballast water management system that is capable of achieving the ballast water discharge standard as proposed to be revised is economically achievable and operationally practicable; and

(2) testing protocols that can assure accurate measurement of compliance with the ballast water discharge standard as proposed to be revised can be practicably implemented.

(d) **REVISED BALLAST WATER DISCHARGE STANDARD EFFECTIVE DATE AND COMPLIANCE DEADLINE.**—

(1) **IN GENERAL.**—If the Secretary issues a rule to revise the ballast water discharge standard under subsection (c), the Secretary shall include in such rule—

(A) an effective date for the revised ballast discharge standard that is 3 years after the date on which such rule is published in the Federal Register; and

(B) for the owner or operator of a commercial vessel that is constructed or completes a major conversion on or after the date that is 3 years after the date on which the rule is published in the Federal Register, a deadline to comply with the revised ballast water discharge standard that is the first day on which such commercial vessel operates in navigable waters of the United States.

(2) **EXTENSIONS.**—The Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline under paragraph (1)(B).

(3) **FACTORS.**—In reviewing a petition under this subsection, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline—

(A) whether the ballast water management system to be installed, if applicable, is available in sufficient quantities to meet the compliance deadline;

(B) whether there is sufficient shipyard or other installation facility capacity;

(C) whether there is sufficient availability of engineering and design resources;

(D) commercial vessel characteristics, such as engine room size, layout, or a lack of installed piping;

(E) electric power generating capacity aboard the commercial vessel;

(F) the safety of the commercial vessel and crew; and

(G) any other factor that the Secretary determines appropriate.

(4) **CONSIDERATION OF PETITIONS.**—

(A) **DETERMINATIONS.**—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this subsection.

(B) **DEADLINE.**—If the Secretary does not approve or deny a petition referred to in subparagraph (A) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(5) **PERIOD OF USE OF INSTALLED BALLAST WATER MANAGEMENT SYSTEM.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), an owner or operator shall be considered to be in compliance with the ballast water discharge standard if—

(i) the ballast water management system installed on the commercial vessel complies with the ballast water discharge standard in effect at the time of installation, notwithstanding any revisions to the ballast water discharge standard occurring after the installation;

(ii) the owner or operator maintains the ballast water management system in proper working condition, as determined by the Secretary; and

(iii) the ballast water management system continues to meet the ballast water discharge standard applicable to the commercial vessel at the time of installation, as determined by the Secretary.

(B) **LIMITATION.**—Subparagraph (A) shall cease to apply with respect to a commercial vessel after—

(i) the expiration of the service life of the ballast water management system of the commercial vessel, as determined by the Secretary;

(ii) the expiration of the service life of the commercial vessel, as determined by the Secretary; or

(iii) the completion of a major conversion of the commercial vessel.

SEC. 3726. ALTERNATIVE COMPLIANCE PROGRAM.

The Secretary, in consultation with the Administrator, may issue a rule establishing 1 or more compliance programs that may be used by an owner or operator as an alternative to compliance with the requirements of section 3724(a) for a commercial vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters; or

(2) is less than 3 years from the end of the service life of the commercial vessel, as determined by the Secretary.

SEC. 3727. RECEPTION FACILITIES.

(a) **IN GENERAL.**—Notwithstanding the requirements under section 3724(a), an owner or operator may discharge ballast water into an onshore or offshore facility for the reception of ballast water that meets the standards established by the Administrator, in consultation with the Secretary, under subsection (b).

(b) **ISSUANCE OF STANDARDS.**—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation

with the Secretary, shall publish a rule in the Federal Register that establishes reasonable and practicable standards for reception facilities to mitigate adverse effects of aquatic nuisance species on navigable waters of the United States.

SEC. 3728. REQUIREMENTS FOR DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A COMMERCIAL VESSEL.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall publish a rule in the Federal Register that establishes best management practices for discharges incidental to the normal operation of a commercial vessel for commercial vessels that are—

(1) greater than or equal to 79 feet in length; and

(2) not fishing vessels, including fish processing vessels and fish tender vessels (as such terms are defined in section 2101 of title 46, United States Code).

(b) **TRANSITION.**—

(1) **IN GENERAL.**—Notwithstanding the expiration date for the General Permit, any practice, limitation, or concentration applicable to any discharge incidental to the normal operation of a commercial vessel that is required by the General Permit on the date of enactment of this Act, and any reporting requirement required by the General Permit on such date of enactment, shall remain in effect until the effective date of a rule issued by the Secretary under subsection (a).

(2) **PART 6 CONDITIONS.**—Notwithstanding paragraph (1) and any other provision of law, the terms and conditions of Part 6 of the General Permit (relating to specific requirements for individual States or Indian country lands) shall expire on the date of enactment of this Act.

(c) **APPLICATION TO CERTAIN VESSELS.**—

(1) **APPLICATION OF FEDERAL WATER POLLUTION CONTROL ACT.**—No permit shall be required under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) or prohibition enforced under any other provision of law for, nor shall any best management practice regarding a discharge incidental to the normal operation of a commercial vessel under this subtitle apply to, a discharge incidental to the normal operation of a commercial vessel if the commercial vessel is—

(A) less than 79 feet in length; or

(B) a fishing vessel, including a fish processing vessel and a fish tender vessel (as such terms are defined in section 2101 of title 46, United States Code).

(2) **APPLICATION OF GENERAL PERMIT.**—The terms and conditions of the General Permit shall cease to apply to vessels described in subparagraphs (A) and (B) of paragraph (1) on the date of enactment of this Act.

(d) **STATE PETITION FOR REVISION OF BEST MANAGEMENT PRACTICES.**—

(1) **IN GENERAL.**—The Governor of a State may submit a petition to the Secretary requesting that the Secretary revise a best management practice established under subsection (a) if there is significant new information that could reasonably indicate that—

(A) revising the best management practice would substantially reduce the adverse effects on navigable waters of the United States of discharges incidental to the normal operation of a commercial vessel; and

(B) the revised best management practice would be economically achievable and operationally practicable.

(2) **REQUIRED INFORMATION.**—A petition submitted to the Secretary under paragraph (1) shall include—

(A) the scientific and technical information on which the petition is based; and

(B) any additional information the Secretary considers appropriate.

(3) **PUBLIC AVAILABILITY.**—Upon receiving a petition under paragraph (1), the Secretary shall make publicly available a copy of the petition, including the information included under paragraph (2).

(4) **TREATMENT OF MORE THAN ONE PETITION AS A SINGLE PETITION.**—The Secretary may treat more than one petition submitted under paragraph (1) as a single petition.

(5) **REVISION OF BEST MANAGEMENT PRACTICES.**—If, after reviewing a petition submitted by a Governor under paragraph (1), the Secretary, in consultation with the Administrator, determines that revising a best management practice would substantially reduce the adverse effects on navigable waters of the United States of discharges incidental to the normal operation of a commercial vessel, and the revised best management practice would be economically achievable and operationally practicable, the Secretary, in consultation with the Administrator, may issue a rule to revise the best management practice established under subsection (a).

SEC. 3729. JUDICIAL REVIEW.

(a) **IN GENERAL.**—A person may file a petition for review of a final rule issued under this subtitle in the United States Court of Appeals for the District of Columbia Circuit.

(b) **DEADLINE.**—

(1) **IN GENERAL.**—A petition shall be filed under this section not later than 120 days after the date on which the rule to be reviewed is published in the Federal Register.

(2) **EXCEPTION.**—Notwithstanding paragraph (1), a petition that is based solely on grounds that arise after the deadline to file a petition under paragraph (1) has passed may be filed not later than 120 days after the date on which such grounds first arise.

SEC. 3730. STATE ENFORCEMENT.

The Secretary may enter into an agreement with the Governor of a State to authorize the State to enforce the provisions of this subtitle, as the Secretary considers appropriate.

SEC. 3731. EFFECT ON STATE AUTHORITY.

(a) **IN GENERAL.**—Except as provided in subsection (b) and as necessary to implement an agreement entered into under section 3730, no State or political subdivision thereof may adopt or enforce any statute, regulation, or other requirement of the State or political subdivision with respect to—

(1) a discharge into navigable waters of the United States from a commercial vessel of ballast water; or

(2) a discharge incidental to the normal operation of a commercial vessel.

(b) **PRESERVATION OF AUTHORITY.**—Nothing in this subtitle may be construed as affecting the authority of a State or political subdivision thereof to adopt or enforce any statute, regulation, or other requirement with respect to any water or other substance discharged or emitted from a vessel in preparation for transport of the vessel by land from one body of water to another body of water.

SEC. 3732. EFFECT ON OTHER LAWS.

(a) **APPLICATION OF FEDERAL WATER POLLUTION CONTROL ACT.**—

(1) **IN GENERAL.**—Except as provided in section 3728(b), on or after the date of enactment of this Act, the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) shall not apply to a discharge into navigable waters of the United States of ballast water from a commercial vessel or a discharge incidental to the normal operation of a commercial vessel.

(2) **OIL AND HAZARDOUS SUBSTANCE LIABILITY; MARINE SANITATION DEVICES.**—Nothing in this subtitle may be construed as affecting the application to a commercial vessel of section 311 or 312 of the Federal Water Pollution Control Act (33 U.S.C. 1321 and 1322).

(b) **ESTABLISHED REGIMES.**—Notwithstanding any other provision of this subtitle, nothing in this subtitle may be construed as affecting the authority of the Federal Government under—

(1) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) with respect to the regulation by the Federal Government of any discharge or emission that, on or after the date of enactment of this Act, is covered under the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978; and

(2) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.) with respect to the regulation by the Federal Government of any anti-fouling system that, on or after the date of enactment of this Act, is covered under the International Convention on the Control of Harmful Anti-fouling Systems on Ships, done at London October 5, 2001.

(c) **INTERNATIONAL LAW.**—

(1) **IN GENERAL.**—Any action taken under this subtitle shall be taken in accordance with international law.

(2) **STANDARDS.**—Nothing in this subtitle may be construed to impose any design, equipment, or operation standard on a commercial vessel not documented under the laws of the United States and engaged in innocent passage unless the standard implements a generally accepted international rule, as determined by the Secretary.

(d) **OTHER AUTHORITIES.**—Nothing in this subtitle may be construed as affecting the authority of the Secretary of Commerce or the Secretary of the Interior, as the case may be, to administer lands or waters under such Secretary's administrative control.

(e) **CONFORMING AMENDMENTS.**—The Non-indigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) is amended—

(1) in section 1101(c)(2) (16 U.S.C. 4711(c)(2))—

(A) in subparagraph (K), by striking “; and” and inserting a period; and

(B) by striking subparagraph (L); and

(2) in section 1205 (16 U.S.C. 4725), by adding at the end the following: “Ballast water and discharges incidental to the normal operation of a commercial vessel (as such terms are defined in the Vessel Incidental Discharge Act) shall be regulated pursuant to such Act.”.

Subtitle I—National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments and Hydrographic Services Improvement Act Reauthorization and Amendments Act of 2017

SEC. 3801. SHORT TITLE.

This subtitle may be cited as the “National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments and Hydrographic Services Improvement Act Reauthorization and Amendments Act of 2017”.

SEC. 3802. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of

the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

PART I—GENERAL PROVISIONS

SEC. 3811. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

“SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

“(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

- “(1) Vice admiral.
- “(2) Rear admiral.
- “(3) Rear admiral (lower half).
- “(4) Captain.
- “(5) Commander.
- “(6) Lieutenant commander.
- “(7) Lieutenant.
- “(8) Lieutenant (junior grade).
- “(9) Ensign.

“(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

“(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

“(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

“(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

“(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is $\frac{1}{2}$, the next higher whole number shall be taken.

“(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

“(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

“(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.”.

SEC. 3812. RECALLED OFFICERS.

Section 215 (33 U.S.C. 3005) is amended—

(1) in the matter before paragraph (1), by striking “Effective” and inserting the following:

“(a) IN GENERAL.—Effective”; and

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

“(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status or detailed to an agency other than the Administration—

“(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

“(2) may not count against such number.”.

SEC. 3813. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

“SEC. 216. OBLIGATED SERVICE REQUIREMENT.

“(a) IN GENERAL.—

“(1) RULEMAKING.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirement of officers not otherwise covered by law.

“(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers’ obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, and retirements as the Secretary considers appropriate.

“(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

“(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) shall be considered for all purposes as a debt owed to the United States.

“(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

“(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

“(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

“(2) is—

“(A) not physically qualified for appointment; and

“(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer’s own misconduct or grossly negligent conduct.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

“Sec. 216. Obligated service requirement.”.

SEC. 3814. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 3813(a), is further amended by adding at the end the following:

“SEC. 217. TRAINING AND PHYSICAL FITNESS.

“(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

“(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination

and maritime vocational training for officer candidates as well as refresher training, mid-career training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

“(2) Providing officers and officer candidates with books and school supplies.

“(3) Acquiring such equipment as may be necessary for training and instructional purposes.

“(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372), as amended by section 3813(b), is further amended by inserting after the item relating to section 216 the following:

“Sec. 217. Training and physical fitness.”.

SEC. 3815. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 3814(a), is further amended by adding at the end the following:

“SEC. 218. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

“The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372), as amended by section 3814(b), is further amended by inserting after the item relating to section 217 the following:

“Sec. 218. Use of recruiting materials for public relations.”.

SEC. 3816. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting “in the commissioned officer corps” before “of the National”.

PART II—PARITY AND RECRUITMENT

SEC. 3821. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

“SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

“(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

“(1) was used by the person to finance education; and

“(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

“(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

“(1) satisfy 1 of the requirements specified in subsection (c);

“(2) be fully qualified for, or hold, an appointment as a commissioned officer in the

commissioned officer corps of the Administration; and

“(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

“(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

“(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

“(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

“(d) LOAN REPAYMENTS.—

“(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

“(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

“(e) ACTIVE DUTY SERVICE OBLIGATION.—

“(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

“(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

“(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than 1 year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

“(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

“(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

“(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

“(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

“(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

“(1) standards for qualified loans and authorized payees; and

“(2) other terms and conditions for the making of loan repayments.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other pur-

poses” (Public Law 107-372) is amended by inserting after the item relating to section 266 the following:

“Sec. 267. Education loan repayment program.”.

SEC. 3822. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 3821(a), is further amended by adding at the end the following:

“SEC. 268. INTEREST PAYMENT PROGRAM.

“(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on 1 or more student loans of an eligible officer, in accordance with this section.

“(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

“(1) is serving on active duty;

“(2) has not completed more than 3 years of service on active duty;

“(3) is the debtor on 1 or more unpaid loans described in subsection (c); and

“(4) is not in default on any such loan.

“(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

“(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

“(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

“(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

“(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

“(e) FUNDS FOR PAYMENTS.—The Secretary may use amounts appropriated for the pay and allowances of personnel of the commissioned officer corps of the Administration for payments under this section.

“(f) COORDINATION WITH SECRETARY OF EDUCATION.—

“(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

“(2) TRANSFER OF FUNDS.—The Secretary shall transfer to the Secretary of Education the funds necessary—

“(A) to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

“(B) to reimburse the Secretary of Education for any reasonable administrative costs incurred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

“(g) SPECIAL ALLOWANCE DEFINED.—In this section, the term ‘special allowance’ means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087-1).”.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting “ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS”; and

(B) in paragraph (1)—

(i) by inserting “or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002” after “Code,”; and

(ii) by inserting “or an officer in the commissioned officer corps of the National Oce-

anic and Atmospheric Administration, respectively,” after “Armed Forces”.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting “ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS”; and

(B) in paragraph (1)—

(i) by inserting “or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002” after “Code,”; and

(ii) by inserting “or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively” after “Armed Forces”.

(c) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 3821(b), is further amended by inserting after the item relating to section 267 the following:

“Sec. 268. Interest payment program.”.

SEC. 3823. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 3822(a), is further amended by adding at the end the following:

“SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

“(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

“(1) a baccalaureate degree in not more than 5 academic years; or

“(2) a postbaccalaureate degree.

“(b) ELIGIBLE PERSONS.—

“(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

“(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

“(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

“(C) enters into a written agreement with the Secretary described in paragraph (2).

“(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person—

“(A) agrees to accept an appointment as an officer, if tendered; and

“(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

“(i) up to 3 years if the person received less than 3 years of assistance; and

“(ii) up to 5 years if the person received at least 3 years of assistance.

“(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

“(1) Tuition and fees charged by the educational institution involved.

“(2) The cost of books.

“(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

“(4) Such other expenses as the Secretary considers appropriate.

“(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

“(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than 5 consecutive academic years.

“(f) SUBSISTENCE ALLOWANCE.—

“(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

“(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

“(g) INITIAL CLOTHING ALLOWANCE.—

“(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

“(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

“(h) TERMINATION OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

“(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

“(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

“(C) the person fails to fulfill any term or condition of the agreement.

“(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

“(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

“(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

“(B) is—

“(i) not physically qualified for appointment; and

“(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or

medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

“(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

“(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than 5 years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

“(i) REGULATIONS.—The Secretary may promulgate such regulations and orders as the Secretary considers appropriate to carry out this section.”

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 3822(c), is further amended by inserting after the item relating to section 268 the following:

“Sec. 269. Student pre-commissioning education assistance program.”

SEC. 3824. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with the fiscal year in which this Act is enacted, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 3821(a)), section 268 of such Act (as added by section 3822(a)), and section 269 of such Act (as added by section 3823(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 3846(d)), if such section entitled officer candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O-1 with less than 2 years of service; exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term “officer candidate” has the meaning given the term in section 212 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 3846(c).

SEC. 3825. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (22) through (25), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (14) through (19), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

(4) by inserting after paragraph (3) the following:

“(4) Section 771, relating to unauthorized wearing of uniforms.

“(5) Section 774, relating to wearing religious apparel while in uniform.

“(6) Section 982, relating to service on State and local juries.

“(7) Section 1031, relating to administration of oaths.”;

(5) by inserting after paragraph (10), as redesignated, the following:

“(11) Section 1074n, relating to annual mental health assessments.

“(12) Section 1090a, relating to referrals for mental health evaluations.

“(13) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.”; and

(6) by inserting after paragraph (19), as redesignated, the following:

“(20) Subchapter I of chapter 88, relating to Military Family Programs.

“(21) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.”.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking “armed forces” and inserting “uniformed services”; and

(B) in subsection (b)(4), by striking “armed forces” both places it appears and inserting “uniformed services”.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), in the matter before subparagraph (A), by striking “armed forces” and inserting “uniformed services”; and

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

“(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA CORPS AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term ‘Secretary concerned’ in subsection (a) shall include the Secretary of Commerce with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration.”.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting “or the commissioned officer corps of the National Oceanic and Atmospheric Administration” after “in the case of the Navy”; and

(ii) by striking “other armed forces” and inserting “other uniformed services”; and

(B) in subsection (b)(1), in the matter before subparagraph (A), by inserting “or the Secretary of Commerce, as applicable,” after “the Secretary of Defense”.

SEC. 3826. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

“SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

“(a) PROVISIONS MADE APPLICABLE TO COMMISSIONED OFFICER CORPS.—The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

“(1) Section 324, relating to accession bonuses for new officers in critical skills.

“(2) Section 403(f)(3), relating to prescribing regulations defining the terms ‘field duty’ and ‘sea duty’.

“(3) Section 403(1), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

“(4) Section 488, relating to allowances for recruiting expenses.

“(5) Section 495, relating to allowances for funeral honors duty.

“(b) REFERENCES.—The authority vested by title 37, United States Code, in the ‘military departments’, ‘the Secretary concerned’, or ‘the Secretary of Defense’ with respect to the provisions of law referred to in subsection (a) shall be exercised, with respect to the commissioned officer corps of the Administration, by the Secretary of Commerce or the Secretary’s designee.”.

(b) PERSONAL MONEY ALLOWANCE.—Section 414 of title 37, United States Code, is amended by inserting “or the director of the commissioned officer corps of the National Oceanic and Atmospheric Administration” after “Health Service”.

(c) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

“Sec. 261A. Applicability of certain provisions of title 37, United States Code.”.

SEC. 3827. LEGION OF MERIT AWARD.

Section 1121 of title 10, United States Code, is amended by striking “armed forces” and inserting “uniformed services”.

SEC. 3828. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 3825(a), is further amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: “For purposes of paragraph (8) of subsection (a), the term ‘Inspector General’ in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.”.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

“(C) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may promulgate regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by promulgating such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.”.

SEC. 3829. PENALTIES FOR WEARING UNIFORM WITHOUT AUTHORITY.

Section 702 of title 18, United States Code, is amended by striking “Service or any” and inserting “Service, the commissioned officer corps of the National Oceanic and Atmospheric Administration, or any”.

SEC. 3830. APPLICATION OF CERTAIN PROVISIONS OF COMPETITIVE SERVICE LAW.

Section 3304(f) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting “and members of the commissioned officer corps of the National Oceanic and Atmospheric Ad-

ministration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service” after “separated from the armed forces”;

(2) in paragraph (2), by striking “or veteran” and inserting “, veteran, or member”; and

(3) in paragraph (4), by inserting “and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service” after “separated from the armed forces”.

SEC. 3831. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting “the commissioned officer corps of the National Oceanic and Atmospheric Administration,” after “Public Health Service.”.

SEC. 3832. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this subtitle, is further amended by adding at the end the following:

“SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

“(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least 3 years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

“(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

“(c) COMPETITIVE SERVICE DEFINED.—In this section, the term ‘competitive service’ has the meaning given the term in section 2102 of title 5, United States Code.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by section 3823, the following new item:

“Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.”.

SEC. 3833. DIRECT HIRE AUTHORITY.

(a) IN GENERAL.—The head of a Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly to a position in the agency for which the candidate meets qualification standards of the Office of Personnel Management.

(b) CANDIDATES DESCRIBED.—A candidate described in this subsection is a current or

former member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who—

(1) fulfilled his or her obligated service requirement under section 216 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, as added by section 3813;

(2) if no longer a member of the commissioned officer corps of the Administration, was not discharged or released therefrom as part of a disciplinary action; and

(3) has been separated or released from service in the commissioned officer corps of the Administration for a period of not more than 5 years.

(c) EFFECTIVE DATE.—This section shall apply with respect to appointments made in fiscal year 2017 and in each fiscal year thereafter.

PART III—APPOINTMENTS AND PROMOTION OF OFFICERS

SEC. 3841. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—Section 221 (33 U.S.C. 3021) is amended to read as follows: “SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

“(a) ORIGINAL APPOINTMENTS.—

“(1) GRADES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

“(i) the qualification, experience, and length of service of the appointee; and

“(ii) the commissioned officer corps of the Administration.

“(B) APPOINTMENT OF OFFICER CANDIDATES.—

“(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

“(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

“(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

“(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

“(B) Graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

“(C) Graduates of the maritime academies of the States who—

“(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

“(ii) completed at least 3 years of regimented training while at a maritime academy of a State; and

“(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

“(D) Licensed officers of the United States merchant marine who have served 2 or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

“(3) DEFINITIONS.—In this subsection:

“(A) MARITIME ACADEMIES OF THE STATES.—The term ‘maritime academies of the States’ means the following:

“(i) California Maritime Academy, Vallejo, California.

“(ii) Great Lakes Maritime Academy, Traverse City, Michigan.

“(iii) Maine Maritime Academy, Castine, Maine.

“(iv) Massachusetts Maritime Academy, Buzzards Bay, Massachusetts.

“(v) State University of New York Maritime College, Fort Schuyler, New York.

“(vi) Texas A&M Maritime Academy, Galveston, Texas.

“(B) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term ‘military service academies of the United States’ means the following:

“(i) The United States Military Academy, West Point, New York.

“(ii) The United States Naval Academy, Annapolis, Maryland.

“(iii) The United States Air Force Academy, Colorado Springs, Colorado.

“(iv) The United States Coast Guard Academy, New London, Connecticut.

“(v) The United States Merchant Marine Academy, Kings Point, New York.

“(b) REAPPOINTMENT.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

“(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

“(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual’s mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

“(d) PRECEDENCE OF APPOINTEES.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary shall determine.

“(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in the Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

“(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

“(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

“(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by striking the item relating to section 221 and inserting the following:

“Sec. 221. Original appointments and reappointments.”.

SEC. 3842. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

“SEC. 222. PERSONNEL BOARDS.

“(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—A board convened under subsection (a) shall consist of 5 or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

“(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

“(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of 2 successive personnel boards convened to consider officers of the same grade for promotion or separation.

“(c) DUTIES.—Each personnel board shall—

“(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

“(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

“(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.”.

SEC. 3843. DELEGATION OF AUTHORITY.

Section 226 (33 U.S.C. 3026) is amended—

(1) by striking “Appointments” and inserting the following:

“(a) IN GENERAL.—Appointments”; and

(2) by adding at the end the following:

“(b) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.”.

SEC. 3844. ASSISTANT ADMINISTRATOR OF THE OFFICE OF MARINE AND AVIATION OPERATIONS.

Section 228(c) (33 U.S.C. 3028(c)) is amended—

(1) in the fourth sentence, by striking “Director” and inserting “Assistant Administrator”; and

(2) in the heading, by inserting “ASSISTANT ADMINISTRATOR OF THE” before “OFFICE”.

SEC. 3845. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

“SEC. 229. TEMPORARY APPOINTMENTS.

“(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

“(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

“(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

“(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any

such temporary promotion terminates upon the transfer of the officer to a new assignment.

“(e) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by striking the item relating to section 229 and inserting the following:

“Sec. 229. Temporary appointments.”.

SEC. 3846. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

“SEC. 234. OFFICER CANDIDATES.

“(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

“(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the program, and all other matters affecting such appointment.

“(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate’s term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

“(d) AGREEMENT.—

“(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate’s term of service in the commissioned officer corps of the Administration.

“(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

“(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

“(B) That upon graduation from the such program, the officer candidate—

“(i) will accept an appointment, if tendered, as an officer; and

“(ii) will serve on active duty for at least 4 years immediately after such appointment.

“(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

“(1) standards for determining what constitutes a breach of an agreement signed under such subsection (d)(1); and

“(2) procedures for determining whether such a breach has occurred.

“(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under section (d) shall be subject to the repayment provisions of section 216(b).”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

“Sec. 234. Officer candidates.”.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following:

“(4) OFFICER CANDIDATE.—The term ‘officer candidate’ means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).”.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

“(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rate equal to the basic pay of an enlisted member in the pay grade E-5 with less than 2 years service.

“(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.”.

SEC. 3847. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 3846(a), is further amended by adding at the end the following:

“SEC. 235. PROCUREMENT OF PERSONNEL.

“The Secretary may make such expenditures as the Secretary considers necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372), as amended by section 3846(b), is further amended by inserting after the item relating to section 234 the following:

“235. Procurement of personnel.”.

PART IV—SEPARATION AND RETIREMENT OF OFFICERS

SEC. 3851. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

“(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

“(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer’s well being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

“(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the

officer shall be retired or separated as scheduled.

“(3) LIMITATION.—A deferral of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.”.

SEC. 3852. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

“(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

“(1) expresses a desire not to be selected for promotion; or

“(2) requests removal from the list of selectees.”.

PART V—HYDROGRAPHIC SERVICES AND OTHER MATTERS

SEC. 3861. REAUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) REAUTHORIZATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) in the matter before paragraph (1), by striking “There are” and inserting the following:

“(a) IN GENERAL.—There are”;

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking “surveys—” and all that follows through the end of the paragraph and inserting “surveys, \$70,814,000 for each of fiscal years 2017 through 2021.”;

(B) in paragraph (2), by striking “vessels—” and all that follows through the end of the paragraph and inserting “vessels, \$25,000,000 for each of fiscal years 2017 through 2021.”;

(C) in paragraph (3), by striking “Administration—” and all that follows through the end of the paragraph and inserting “Administration, \$29,932,000 for each of fiscal years 2017 through 2021.”;

(D) in paragraph (4), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$26,800,000 for each of fiscal years 2017 through 2021.”; and

(E) in paragraph (5), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$30,564,000 for each of fiscal years 2017 through 2021.”; and

(3) by adding at the end the following:

“(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for each fiscal year—

“(1) \$10,000,000 is authorized for use—

“(A) to acquire hydrographic data;

“(B) to provide hydrographic services;

“(C) to conduct coastal change analyses necessary to ensure safe navigation;

“(D) to improve the management of coastal change in the Arctic; and

“(E) to reduce risks of harm to Alaska Native subsistence and coastal communities associated with increased international maritime traffic; and

“(2) \$2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.”.

(b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:

“(c) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Of amounts authorized by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.”.

SEC. 3862. SYSTEM FOR TRACKING AND REPORTING ALL-INCLUSIVE COST OF HYDROGRAPHIC SURVEYS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall—

(1) develop and implement a system to track and report the full cost to the Department of Commerce of hydrographic data collection, including costs relating to vessel acquisition, vessel repair, and administration of contracts to procure data;

(2) evaluate additional measures for comparing cost per unit effort beyond square nautical miles; and

(3) submit to Congress a report on which additional measures for comparing cost per unit effort the Secretary intends to use and the rationale for such use.

(b) DEVELOPMENT OF STRATEGY FOR INCREASED CONTRACTING WITH NONGOVERNMENTAL ENTITIES FOR HYDROGRAPHIC DATA COLLECTION.—Not later than 180 days after the date on which the Secretary completes the activities required by subsection (a), the Secretary shall develop a strategy for how the National Oceanic and Atmospheric Administration will increase contracting with nongovernmental entities for hydrographic data collection in a manner that is consistent with the requirements of the Ocean and Coastal Mapping Integration Act (Public Law 111–11; 33 U.S.C. 3501 et seq.).

SEC. 3863. HOMEPORT OF CERTAIN RESEARCH VESSELS.

(a) ACCEPTANCE OF FUNDS AUTHORIZED.—The Secretary of Commerce may accept non-Federal funds for the purpose of obtaining such cost estimates, designs, permits, and construction as may be necessary for construction of a new port facility—

(1) to facilitate the homeporting of the R/V FAIRWEATHER in accordance with title II of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (Public Law 107–77; 115 Stat. 775); and

(2) that is under the administrative jurisdiction of the Under Secretary for Oceans and Atmosphere.

(b) STRATEGIC PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a strategic plan for the construction described in subsection (a).

(c) ACCEPTANCE OF FUNDS AUTHORIZED.—The Secretary of Commerce may accept non-Federal funds for the purpose of obtaining such cost estimates, designs, permits, and construction as may be necessary for construction of a new port facility—

(1) to facilitate the homeporting of a new, existing, or reactivated research vessel in the city of St. Petersburg, Florida; and

(2) that is under the administrative jurisdiction of the Under Secretary for Oceans and Atmosphere.

(d) STRATEGIC PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a strategic plan for construction or acquisition of the facilities needed to allow for an oceanographic research vessel to be homeported in St. Petersburg, Florida. The strategic plan shall include an estimate of funding needed to construct such facilities.

SA 496. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, insert the following:

SEC. 710. REGULAR UPDATE OF PRESCRIPTION DRUG PRICING STANDARD UNDER TRICARE RETAIL PHARMACY PROGRAM.

Section 1074g(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) With respect to the TRICARE retail pharmacy program described in subsection (a)(2)(E)(ii), the Secretary shall ensure that a contract entered into with a TRICARE pharmacy program contractor includes requirements described in section 1860D-12(b)(6) of the Social Security Act (42 U.S.C. 1395w-12(b)(6)) to ensure the provision of information regarding the pricing standard for prescription drugs.”.

SA 497. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. ____ . ELIGIBILITY FOR CERTAIN HEALTH CARE BENEFITS OF MEMBERS OF THE SELECTED RESERVE ORDERED TO ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

(a) **PRE-MOBILIZATION HEALTH CARE.**—Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

(b) **TRANSITIONAL HEALTH CARE.**—Section 1145(a)(2)(B) of such title is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

SA 498. Mr. McCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 786, between lines 3 and 4, insert the following:

Subtitle A—Authorization of Appropriations

On page 787, strike lines 1 through 6 and insert the following:

Subtitle B—Defense Force and Infrastructure Review and Recommendations

SEC. 2711. SHORT TITLE; PURPOSE.

(a) **SHORT TITLE.**—This subtitle may be cited as the “Defense Force and Infrastructure Review Act of 2017”.

(b) **PURPOSE.**—The purpose of this subtitle is to provide a fair and transparent process

that will result in the credible analysis of infrastructure requirements and recommendations for military infrastructure.

SEC. 2712. PROCEDURE FOR MAKING RECOMMENDATIONS FOR INFRASTRUCTURE CLOSURES AND REALIGNMENTS.

(a) **FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.**—(1) As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2019, the Secretary shall submit to Congress the following:

(A)(i) Subject to clause (ii), a force-structure plan for the Armed Forces based on the most recent National Military Strategy, an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with that fiscal year, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet those threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(ii) The force structure described in the force-structure plan under clause (i) shall contain, at a minimum, a Navy of 355 ships, an Air Force of 1500 combat coded aircraft, an Army of 60 brigade combat teams, and a Marine Corps of three Marine expeditionary forces, together with all enabling and supporting elements.

(B) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) Using the most recent National Military Strategy and the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity within the United States and the target of the Secretary for the reduction of such excess capacity.

(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) The Secretary may revise the force-structure plan and infrastructure inventory prepared under paragraph (1). If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress not later than September 15, 2018. For purposes of selecting military installations for closure or realignment under this subtitle, no revision of the force-structure plan or infrastructure inventory is authorized after September 15, 2018.

(b) **CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.**—(1) On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic analysis prepared under such subsection, the Secretary shall include as part of the submission of the plan and inventory—

(A) a certification regarding whether the need exists for the closure or realignment of additional military installations; and

(B) if such need exists, a certification that the additional round of closures and realignments would result in substantial annual net savings for the Department of Defense following the completion of such closures and realignments.

(2) If the Secretary does not include the certifications referred to in paragraph (1) as part of the submission of the force-structure plan and infrastructure inventory prepared under subsection (a), the President may not commence a round for the selection of military installations for closure and realignment under this subtitle in the year following submission of the force-structure plan and infrastructure inventory.

(c) **COMPTROLLER GENERAL EVALUATION.**—(1) If the certification is provided under subsection (b), the Comptroller General of the United States shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria specified in subsection (d), including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) The Comptroller General shall submit to Congress the evaluation prepared under paragraph (1) not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) **FINAL SELECTION CRITERIA.**—(1) The final criteria to be used by the Secretary in making recommendations for the closure or realignment of military installations in the United States under this subtitle shall be the military value criteria specified in paragraph (2) and other criteria specified in paragraph (3).

(2) The military value criteria specified in this paragraph are as follows:

(A) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.

(B) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.

(C) The ability to accommodate contingency, mobilization, surge, and future total force requirements at both existing and potential receiving locations to support operations and training.

(D) The cost of operations and the manpower implications.

(E) The strategic impact of the location of an installation on operational plans, contingency plans, and missions of the combatant commands.

(3)(A) The other criteria that the Secretary shall use in making recommendations for the

closure or realignment of military installations in the United States under this subtitle are as follows:

(i) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(ii) The economic impact on existing communities in the vicinity of military installations.

(iii) The extent with which a closure or realignment contributes to the reduction of excess infrastructure and infrastructure capacity to meet the targeted reduction established by the Secretary as required by subsection (a)(2)(B).

(iv) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.

(v) The cost of mitigating the impact of any increases of such forces, missions, and personnel at receiving locations to maintain the level of service that exists prior to the closure or realignment.

(vi) The environmental impact, including the impact of costs related to potential environmental restoration, vulnerability adaptation, mitigation, waste management, and environmental compliance activities.

(B) When determining the costs associated with a closure or realignment under subparagraph (A)(i), the Secretary shall consider costs associated with military construction, information technology, environmental remediation, relocation of personnel, termination of public-private contracts, guarantees, and other factors contributing to the cost of a closure or realignment as determined by the Secretary.

(e) **PRIORITY GIVEN TO MILITARY VALUE.**—The Secretary shall give priority consideration to the military value criteria specified in subsection (d)(2) in the making of recommendations for the closure or realignment of military installations.

(f) **EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.**—Selection criteria relating to cost savings or return on investment from the proposed closure or realignment of military installations under this subtitle shall take into account the effect of the proposed closure or realignment on the costs of any other activity of the Department of Defense or any other Federal agency that may be required to assume responsibility for activities at the military installations.

(g) **RELATION TO OTHER MATERIALS.**—The final selection criteria specified in subsection (d) shall be the only criteria to be used, along with the force-structure plan and infrastructure inventory referred to in subsection (a), in making recommendations for the closure or realignment of military installations in the United States under this subtitle.

(h) **DEPARTMENT OF DEFENSE RECOMMENDATIONS.**—(1)(A) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by not later than May 15, 2019, publish in the Federal Register—

(i) with respect to each military installation in the United States, unclassified assessment data of the current condition of facilities and infrastructure and an environmental baseline of known contamination and remediation activities at each such installation that will be used by the Secretary to develop closure and realignment recommendations; and

(ii) standard rules to be used by the Secretary to calculate annual recurring savings for manpower, base operating costs, utility

costs, base closure guarantees, service-sharing agreements, and other installation support activities that the Secretary will use in the determination of the savings derived from closure and realignment of military installations.

(B) The Secretary shall provide a public comment period of 60 days to allow for a review of the data published under subparagraph (A) and an opportunity for the Secretary to correct the assessments to ensure accurate and reliable information is used for final closure and realignment recommendations.

(C) If the Secretary does not publish the data or standard rules under subparagraph (A) by May 15, 2019, the President shall not commence a round for the selection of military installations for closure and realignment under this subtitle.

(2)(A) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by not later than October 15, 2019, publish in the Federal Register and transmit to the congressional defense committees a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under subsection (a) and the final selection criteria specified in subsection (d).

(B) The closures and realignments included in the list published by the Secretary under subparagraph (A) may not have an estimated cost to implement that exceeds \$5,000,000,000 as certified by the Director of Cost Analysis and Program Evaluation of the Department of Defense.

(C) At the same time as the transmittal of the list under subparagraph (A), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that—

(i) the recommendations included in such list will yield net savings to the Department of Defense within seven years of completing the closures and realignments included in such recommendations; and

(ii) no individual recommendation for closure or realignment is included in such list unless the closure or realignment demonstrates net savings to the Department within 10 years.

(D) Not later than seven days after the transmittal of the list of recommendations for closure and realignment under subparagraph (A), the Secretary shall submit to the congressional defense committees—

(i) a summary of the selection process that resulted in the recommendation for each installation, including a justification for each recommendation based on the final selection criteria under subsection (d); and

(ii) for each such recommendation, a master plan that contains a list of each facility action (including construction, development, conversion, or extension, and any acquisition of land necessary to produce a complete and usable facility or a complete and usable improvement to an existing facility) required to carry out the closure or realignment, including the scope of work, cost, and timing of each construction activity as documented in military construction project data justifications.

(E) With respect to each recommendation for closure or realignment of a military installation under subparagraph (A), the construction scope and cost data contained in the master plan under subparagraph (D)(ii) for such installation shall be deemed to be the authorization by law to carry out the construction activity as required under chapter 169 of title 10, United States Code.

(3)(A) In considering military installations for closure or realignment, the Secretary shall consider all military installations in the United States equally without regard to whether the installation has been previously considered or proposed for closure or realignment by the Department.

(B) In considering military installations for closure or realignment, the Secretary may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case of a community anticipating the economic effects of a closure or realignment of a military installation, advance conversion planning—

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(D) In making recommendations for closure or realignment of a military installation under subparagraph (A), the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(F) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (D) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(G) For each closure recommendation, and based on an assessment of the extent of economic impact to local communities supporting the military installation to be closed, the Secretary shall determine and propose an amount to be provided to the local redevelopment agency within a year of the final decision to close the installation to be used to accelerate local redevelopment activities.

(4)(A) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Comptroller General of the United States.

(B) The Comptroller General shall analyze the information made available to the Comptroller General under subparagraph (A) for each recommendation (including information provided by local communities) and submit any recommendations of the Comptroller General to Congress for consideration.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense concerning the closure or realignment of a military installation, shall certify that such information is

accurate and complete to the best of that person's knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and submission of information and recommendations concerning the closure or realignment of military installations, as designated in regulations that the Secretary of Defense shall prescribe, regulations that the Secretary of each military department shall prescribe for personnel within that military department, or regulations that the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Secretary of Defense by a person described in paragraph (5)(B), regardless of the method of transmission, shall be made available for the public record and submitted in written form to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 48 hours after the submission of the information to the Secretary.

(7) No military installation may be recommended for inactive status under this subsection unless the Secretary certifies that its use for future mobilization is essential to meet operational plans.

(8) The Secretary shall analyze and, to the extent the Secretary considers appropriate, recommend the realignment and closure of military installations outside the United States.

(9) Not later than October 31, 2019, the Secretary shall submit to the President a report containing a list of the military installations that the Secretary recommends for closure or realignment under this subsection, including recommendations regarding military installations outside the United States under paragraph (8).

(i) **REVIEW BY THE PRESIDENT.**—(1) The President shall, by not later than November 15, 2019, transmit to Congress a report containing the President's approval or disapproval of the recommendations of the Secretary under subsection (h).

(2) If the President approves all of the recommendations of the Secretary, the President shall transmit a copy of such recommendations to Congress, together with a certification of such approval.

(3) If the President disapproves of the recommendations of the Secretary, in whole or in part, the President shall transmit to Congress the reasons for that disapproval. The Secretary shall then transmit to the President, by not later than December 1, 2019, a revised list of recommendations for the closure and realignment of military installations.

(4) If the President approves all of the revised recommendations of the Secretary transmitted to the President under paragraph (3), the President shall transmit a copy of such revised recommendations to Congress, together with a certification of such approval.

(5) If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) by December 2, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

SEC. 2713. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.

(a) **IN GENERAL.**—The Secretary shall—

(1) close all military installations recommended for closure in the report transmitted to Congress by the President pursuant to section 2712(i) and approved under subsection (b);

(2) realign all military installations recommended for realignment in such report and approved under such subsection;

(3) carry out the privatization in place of a military installation recommended for closure or realignment in such report and approved under such subsection only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations in such report and is determined by the Secretary to be the most cost-effective method of implementation of the recommendation;

(4) carry out the construction activities contained in the master plan for the military installation as required under section 2712(h)(2)(D)(ii);

(5) initiate all such closures and realignments not later than two years after the date on which the President transmits the report to Congress pursuant to section 2712(i) containing the recommendations for such closures or realignments; and

(6) complete all such closures and realignments not later than the end of the five-year period beginning on the date on which the President transmits the report pursuant to section 2712(i) containing the recommendations for such closures or realignments.

(b) **CONGRESSIONAL APPROVAL.**—The Secretary may not carry out a closure or realignment recommended in the report transmitted by the President pursuant to section 2712(i) unless a joint resolution is enacted approving that closure or realignment.

SEC. 2714. IMPLEMENTATION AND ANALYSIS.

(a) **USE IN MAKING ASSESSMENTS AND RECOMMENDATIONS.**—In making assessments and recommendations under section 2712, the Secretary shall analyze the requirements and authorities under this section and consider all of the actions to be taken under this section with respect to closing or realigning a military installation under this subtitle.

(b) **IMPLEMENTATION.**—(1) In closing or realigning any military installation under this subtitle, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from a military installation being closed or realigned to another military installation, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

(B)(i) provide—

(I) economic adjustment assistance to any community located near a military installation being closed or realigned, and

(II) community planning assistance to any community located near a military installation to which functions will be transferred as a result of the closure or realignment of a military installation,

if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, and may use for such purposes funds in the Account or funds appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

(C) carry out activities for the purposes of environmental restoration and mitigation at

any such installation, and shall use for such purposes funds in the Account;

(D) provide outplacement assistance to civilian employees employed by the Department of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this subtitle, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(c) **MANAGEMENT AND DISPOSAL OF PROPERTY.**—(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property, facilities, and personal property located at a military installation closed or realigned under this subtitle—

(A) the authority of the Administrator to utilize excess property under subchapter II of chapter 5 of title 40, United States Code;

(B) the authority of the Administrator to dispose of surplus property under subchapter III of chapter 5 of title 40, United States Code;

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b et seq.).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with all regulations governing the utilization of excess property and the disposal of surplus property under subtitle I of title 40, United States Code.

(B) The Secretary may, with the concurrence of the Administrator of General Services—

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this subtitle, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this subtitle, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(E) If a military installation to be closed, realigned, or placed in an inactive status under this subtitle includes a road used for public access through, into, or around the installation, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering the continued availability of the road for public use after the installation is closed, realigned, or placed in an inactive status.

(3)(A) Not later than 180 days after the date of approval of the closure or realignment of a military installation under this subtitle, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall—

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to an installation, the Secretary shall consult with—

(i) the local government in whose jurisdiction the installation is wholly located; or

(ii) a local government agency or State government agency designated for the purpose of such consultation by the chief executive officer of the State in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out any of the activities specified in clause (ii) with respect to an installation referred to in that clause until the earlier of—

(I) one week after the date on which the redevelopment plan for the installation is submitted to the Secretary;

(II) the date on which the redevelopment authority notifies the Secretary that it will not submit such a plan;

(III) two years after the date of approval of the closure or realignment of the installation; or

(IV) 90 days before the date of the closure or realignment of the installation.

(ii) The activities specified in this clause are activities relating to the closure or realignment of an installation to be closed or realigned under this subtitle as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this subtitle to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of personal property located at the installation, if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.

(E) This paragraph shall not apply to any personal property located at an installation

to be closed or realigned under this subtitle if the property—

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal agency for which expenditures for similar property would be necessary; and

(II) is the subject of a written request by the head of the agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out of such activity is in the national security interest of the United States.

(4)(A) The Secretary may transfer real property and personal property located at a military installation to be closed or realigned under this subtitle to the redevelopment authority with respect to the installation for purposes of job generation on the installation.

(B) The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelop the property. The Secretary may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-party buyers or lessees from sales and long-term leases of the conveyed property, a portion of the profits obtained over time from the development of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate. The transfer of property located at a military installation under subparagraph (A) may be made for consideration below the estimated fair market value or without consideration only if the redevelopment authority with respect to the installation—

(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

(i) Road construction.

(ii) Transportation management facilities.

(iii) Storm and sanitary sewer construction.

(iv) Police and fire protection facilities and other public facilities.

(v) Utility construction.

(vi) Building rehabilitation.

(vii) Historic property preservation.

(viii) Pollution prevention equipment or facilities.

(ix) Demolition.

(x) Disposal of hazardous materials generated by demolition.

(xi) Landscaping, grading, and other site or public improvements.

(xii) Planning for or the marketing of the development and reuse of the installation.

(xiii) Adaptation for and mitigation of natural disasters.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this subtitle (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another Federal agency. Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term not to exceed 50 years, but may provide for options for renewal or extension of the term by the agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal agency using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion of the installation, the agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of subchapters II and III of chapter 5 of title 40, United States Code, if the

Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as the Secretary considers appropriate to protect the interests of the United States.

(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another Federal agency has identified a use for any portion of a military installation to be closed or realigned under this subtitle, or will accept transfer of any portion of such installation, are made not later than 180 days after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this subtitle as the location for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(6)(A) The disposal of buildings and property located at installations approved for closure or realignment under this subtitle shall be carried out in accordance with this paragraph.

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of any portion of an installation covered by this paragraph, the Secretary shall—

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another Federal agency has identified a use, or of which another Federal agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at the completion of such final determinations) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—

(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct outreach efforts under clause (iii)(II) with respect to an installation as soon as practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be—

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 90 days and not later than 180 days after the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized

as of such date, not earlier than 90 days and not later than 180 days after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall—

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other homeless assistance programs in the communities in the vicinity of the installation.

(IV) A list of the buildings and property to be used for the program at the installation and a justification for why such buildings and property are necessary to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(iii) If a redevelopment authority does not receive a notice of interest in accordance with clause (i), the requirements set forth in subparagraph (H) are not applicable.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).

(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 270 days after the date specified by the redevelopment authority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan under subparagraph (F), a redevelopment authority shall submit an application containing the plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall include in an application under clause (i) the following:

(I) A copy of the redevelopment plan, including a summary of any public comments on the plan received by the redevelopment authority under subparagraph (F)(iii).

(II) A copy of each notice of interest of use of buildings and property to assist the homeless that was submitted to the redevelopment authority under subparagraph (C), together with a description of the manner, if any, in which the plan addresses the interest expressed in each such notice and, if the plan does not address such an interest, an explanation why the plan does not address the interest.

(III) A summary of the outreach undertaken by the redevelopment authority under subparagraph (C)(iii)(II) in preparing the plan.

(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Except as provided in subparagraph (E)(iii), not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless—

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the

homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.

(iii) The Secretary of Housing and Urban Development may engage in negotiations and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv)(I) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(II) If the Secretary of Defense and the redevelopment authority concerned do not receive the notice required by subclause (I) with respect to a military installation within the period required by clause (i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(v) If the Secretary of Housing and Urban Development determines as a result of a review under clause (iv) that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include—

(I) an explanation of that determination; and

(II) a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to—

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii)(I) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(II) If the Secretary of Defense and the redevelopment authority concerned do not receive the notice required by subclause (I) with respect to a military installation with-

in the period required by clause (i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall—

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(II) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;

(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.

(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 30 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan submitted by the redevelopment authority for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation. The Secretary of Defense shall incorporate the notification of the Secretary of Housing and Urban Development under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if any, that the Secretary of Defense considers such incorporation to be appropriate and consistent with the best and highest use of the installation as a whole, taking into consideration the redevelopment plan submitted by the redevelopment authority.

(III) The Secretary of Defense shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan submitted by the redevelopment authority for the installation.

(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the appli-

cant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(VI) It is the sense of Congress that the Secretary of Defense and the redevelopment authority should work with State and local agencies to the maximum extent practicable to collaborate on environmental assessments to reduce redundancy of effort and to accelerate redevelopment actions.

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term "communities in the vicinity of the installation", in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term "other interested parties", in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this subtitle, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this subtitle, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days be-

fore the date on which the installation is to be closed.

(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(d) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President and, except as provided in paragraph (2), the Department of Defense in carrying out this subtitle.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this subtitle—

(i) during the process of property disposal; and

(ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—

(i) the need for closing or realigning the military installation that has been recommended for closure or realignment;

(ii) the need for transferring functions to any military installation that has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(e) WAIVER.—The Secretary of Defense may close or realign military installations under this subtitle without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.

(f) TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.—(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this subtitle that are

available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (c)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this subtitle that are available for purposes other than to assist the homeless.

(C) The Secretary may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be made under paragraph (1) only if the Secretary certifies to Congress that—

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the Secretary with respect to the property or facilities are equal to or greater than the fair market value of the property or facilities to be transferred, as determined by the Secretary; or

(B) if such costs are lower than the fair market value of the property or facilities, the recipient of the property or facilities agrees to pay the difference between the fair market value and such costs.

(3) In the case of property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property or facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or

(B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, management, and activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified.

(4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person to whom the property or facilities will be transferred any information of the Secretary regarding the environmental restoration, waste management, and environmental compliance activities described in paragraph (1) that relate to the property or facilities. The Secretary shall provide such information before entering into the agreement.

(5) Nothing in this subsection shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to persons or entities described in subsection (a)(2) of such section 330, except in the case of releases or threatened releases not disclosed pursuant to paragraph (4) of this subsection.

SEC. 2715. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2017.

(a) IN GENERAL.—(1) If a joint resolution is enacted under section 2713(b), there shall be

established on the books of the Treasury an account to be known as the “Department of Defense Base Closure Account 2017” (in this section referred to as the “Account”). The Account shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this subtitle.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds that remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the report transmitted under subsection (c)(2).

(b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the purposes described in section 2714 with respect to military installations approved for closure or realignment under this subtitle.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2714(a) at a military installation in support of a master plan for the military installation as required under section 2712(h)(2)(D)(ii), such construction project shall be conducted in accordance with the sections of chapter 169 of title 10, United States Code, applicable to such construction project.

(3)(A) In the case of construction projects carried out using funds in the Account that exceed the applicable minor construction threshold under section 2805 of title 10, United States Code, the Secretary may carry out such a project that has not been authorized by law if the Secretary determines that—

(i) the project is necessary for the Department to execute a closure or realignment action under this subtitle; and

(ii) the requirement for the project is so urgent that deferral of the project for authorization by law would pose a significant delay in proceeding with a realignment or closure action under this subtitle or is inconsistent with national security or the protection of health, safety, or environmental quality.

(B)(i) When a decision is made to carry out a construction project under subparagraph (A), the Secretary shall submit to the congressional defense committees in writing a report on that decision. Each such report shall include—

(I) a justification for the project and a current estimate of the cost of the project; and

(II) a justification for carrying out the project under this subtitle.

(ii) The Secretary may carry out a construction project under subparagraph (A) only after the end of the seven-day period beginning on the earlier of—

(I) the date on which the report under clause (i) relating to such project is received by the congressional defense committees; or

(II) the date on which a copy of such report is provided to such committees in an electronic medium pursuant to section 480 of title 10, United States Code.

(4) The maximum amount that the Secretary may obligate in any fiscal year under this section is \$100,000,000.

(5) A project carried out using funds under this section shall be carried out within the total amount of funds appropriated for the Account that have not been obligated.

(c) REPORTS.—(1)(A) Not later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this subtitle using funds in the Account, the Secretary shall transmit a report to the congressional defense committees of—

(i) the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year;

(ii) the amount and nature of other expenditures made pursuant to section 2714(a) during such fiscal year;

(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2714(a) during the first fiscal year commencing after the submission of the report.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from any proposals for projects and funding levels for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations approved for closure or realignment under this subtitle.

(2) Not later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all of the funds deposited into and expended from the Account or otherwise expended under this subtitle with respect to such installations; and

(B) any amount remaining in the Account.

(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NON-APPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this subtitle, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established

under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for non-appropriated fund instrumentalities.

(4) In this subsection:

(A) The term “commissary store funds” means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term “nonappropriated funds” means funds received from a non-appropriated fund instrumentality.

(C) The term “nonappropriated fund instrumentality” means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.—Except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2714(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

(f) AUTHORIZED COST AND SCOPE OF WORK VARIATIONS.—(1) Subject to paragraphs (2) and (3), the cost authorized for a military construction project or military family housing project to be carried out using funds in the Account may not be increased or reduced by more than 20 percent or \$2,000,000, whichever is less, of the amount specified for the project in the conference report to accompany the Act of Congress authorizing the project. The scope of work for such a project may not be reduced by more than 25 percent from the scope specified in the most recent budget documents for the projects listed in such conference report.

(2) Paragraph (1) shall not apply to a military construction project or military family housing project to be carried out using funds in the Account with an estimated cost of less than \$5,000,000, unless the project has not been previously identified in any budget submission for the Account and exceeds the applicable minor construction threshold under section 2805 of title 10, United States Code.

(3) The limitation on cost or scope variation specified in paragraph (1) shall not apply if the Secretary of Defense makes a determination that an increase or reduction in cost or a reduction in the scope of work for a military construction project or military family housing project to be carried out using funds in the Account is required for the sole purpose of meeting unusual variations in cost or scope. If the Secretary makes such a determination, the Secretary shall notify the congressional defense committees of the variation in cost or scope not

later than 21 days before the date on which the variation is made in connection with the project or, if the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code, not later than 14 days before the date on which the variation is made. The Secretary shall include the reasons for the variation in the notification.

SEC. 2716. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY.

(a) IN GENERAL.—Except as provided in subsection (c), during the period beginning on the date of the enactment of this Act, and ending on April 15, 2020, this subtitle shall be the exclusive authority for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States.

(b) RESTRICTION.—Except as provided in subsection (c), none of the funds available to the Department of Defense may be used, other than under this subtitle, during the period specified in subsection (a)—

(1) to identify, through any transmittal to Congress or through any other public announcement or notification, any military installation inside the United States as an installation to be closed or realigned or as an installation under consideration for closure or realignment; or

(2) to carry out any closure or realignment of a military installation inside the United States.

(c) EXCEPTION.—Nothing in this subtitle affects the authority of the Secretary to carry out closures and realignments to which section 2687 of title 10, United States Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency described in subsection (d) of such section.

SEC. 2717. DEFINITIONS.

In this subtitle:

(1) The term “Account” means the Department of Defense Base Closure Account established by section 2715(a)(1).

(2) The term “congressional defense committees” means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term “military installation” means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.

(4) The term “realignment” includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(5) The term “Secretary” means the Secretary of Defense.

(6) The term “United States” means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(7) The term “date of approval”, with respect to a closure or realignment of an installation, means the date on which Congress approves under section 2713(b) a recommendation of closure or realignment, as the case may be, of such installation.

(8) The term “redevelopment authority”, in the case of an installation to be closed or realigned under this subtitle, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.

(9) The term “redevelopment plan” in the case of an installation to be closed or realigned under this subtitle, means a plan that—

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(10) The term “representative of the homeless” has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2718. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER PROVISIONS OF LAW.

(a) DEFINITION OF “BASE CLOSURE LAW” IN TITLE 10.—Section 101(a)(17) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) The Defense Force and Infrastructure Review Act of 2017.”.

(b) DEFINITION OF “BASE CLOSURE LAW” IN OTHER LAWS.—

(1) Section 131(b) of Public Law 107-249 (10 U.S.C. 221 note) is amended by striking “means” and all that follows and inserting “has the meaning given the term ‘base closure law’ in section 101(a)(17) of title 10, United States Code.”.

(2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2701 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Force and Infrastructure Review Act of 2017.”.

(3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Force and Infrastructure Review Act of 2017.”.

SEC. 2719. CONFORMING AMENDMENTS.

(a) DEPOSIT AND USE OF LEASE PROCEEDS.—Section 2667(e) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking “on or after January 1, 2005,” and inserting “from January 1, 2005 through December 31, 2005,”; and

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

“(6) Money rentals received by the United States from a lease under subsection (g) at a military installation approved for closure or realignment under a base closure law on or after January 1, 2006, shall be deposited into the account established under section 2715 of the Defense Force and Infrastructure Review Act of 2017.”.

(b) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended by striking “the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note)” and inserting “a base closure law, as that term is defined in section 101(a)(17) of title 10,”.

SA 499. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EMPLOYEE BENEFITS PROTECTION.

(a) NOTIFICATION OF EXTENT TO WHICH HEALTH BENEFITS CAN BE MODIFIED OR TERMINATED.—

(1) INCLUSION IN SUMMARY PLAN DESCRIPTION.—Section 102(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1022) is amended by inserting “; in the case of a group health plan (as so defined), whether the provisions of the plan permit the plan sponsor or any employer participating in the plan to unilaterally modify or terminate the benefits under the plan with respect to employees, retired employees, and beneficiaries, and when and to what extent benefits under the plan are fully vested with respect to employees, retired employees, and beneficiaries” after “the name and address of such issuer”.

(2) PRESUMPTION THAT RETIRED EMPLOYEE HEALTH BENEFITS CANNOT BE MODIFIED OR TERMINATED.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended by adding at the end the following new subsection:

“(n) In the case of a suit brought under this title by a participant or beneficiary relating to benefits of a retired employee or the dependents of a retired employee under a group health plan (as defined in section 733(a)(1)), the presumption for purposes of such suit shall be that as of the date an employee retires or completes 20 years of service with the employer, benefits available under the plan during retirement of the employee are fully vested and cannot be modified or terminated for the life of the employee or, if longer, the life of the employee’s spouse. This presumption can be overcome only upon a showing, by clear and convincing evidence, that the terms of the group health plan allow for a modification or termination of benefits available under the plan and that the employee, prior to becoming a participant in the plan, was made aware, in clear and unambiguous terms, that the plan allowed for such modification or termination of benefits.”.

(b) PROTECTION OF RETIREES UNDER CERTAIN COLLECTIVELY BARGAINED AGREEMENTS.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following:

“(h) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby the organization and employer agree to modify the terms of any previous agreement in a manner that would result in a reduction or termination of retiree health insurance benefits provided to an employee or a dependent of an employee under the previous agreement, if such modification of the terms of the previous agreement occurs after the date on which the employee retires.”.

SA 500. Mr. CARDIN (for himself, Mr. BOOKER, Ms. HIRONO, Mr. NELSON, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BROWN, Mr. CARPER, Mr. BLUMENTHAL, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the

bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STRIKING PROVISIONS THAT INCREASE HEALTH DISPARITIES.

Any provision of this Act that would increase health disparities among certain populations, including disparities on the basis of race and ethnicity, socioeconomic status, gender, religion, disability status, geographic location, and sexual identity and orientation shall be null and void and of no effect.

SA 501. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the “Keeping Health Insurance Affordable Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MARKETPLACE STABILITY AND SECURITY

Sec. 101. Individual Market Reinsurance Fund.

Sec. 102. Public health insurance option.

TITLE II—HEALTH CARE FINANCIAL ASSISTANCE

Sec. 201. Increase in eligibility for premium assistance tax credits.

Sec. 202. Enhancements for reduced cost sharing.

TITLE III—DRUG PRICING

Sec. 301. Requiring drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals.

Sec. 302. Negotiation of prices for Medicare prescription drugs.

Sec. 303. Guaranteed prescription drug benefits.

Sec. 304. Full reimbursement for qualified retiree prescription drug plans.

TITLE IV—MEDICAID COLLABORATIVE CARE MODELS

Sec. 401. Enhanced FMAP for medical assistance provided through a collaborative care model.

TITLE I—MARKETPLACE STABILITY AND SECURITY

SEC. 101. INDIVIDUAL MARKET REINSURANCE FUND.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established the “Individual Market Reinsurance Fund” to be administered by the Secretary to provide funding for an individual market stabilization reinsurance program in each State that complies with the requirements of this section.

(2) FUNDING.—There is appropriated to the Fund, out of any moneys in the Treasury not otherwise appropriated, such sums as are necessary to carry out this section (other than subsection (c)) for each calendar year

beginning with 2018. Amounts appropriated to the Fund shall remain available without fiscal or calendar year limitation to carry out this section.

(b) INDIVIDUAL MARKET REINSURANCE PROGRAM.—

(1) USE OF FUNDS.—The Secretary shall use amounts in the Fund to establish a reinsurance program under which the Secretary shall make reinsurance payments to health insurance issuers with respect to high-cost individuals enrolled in qualified health plans offered by such issuers that are not grandfathered health plans or transitional health plans for any plan year beginning with the 2018 plan year. This subsection constitutes budget authority in advance of appropriations Acts and represents the obligation of the Secretary to provide payments from the Fund in accordance with this subsection.

(2) AMOUNT OF PAYMENT.—The payment made to a health insurance issuer under subsection (a) with respect to each high-cost individual enrolled in a qualified health plan issued by the issuer that is not a grandfathered health plan or a transitional health plan shall equal 80 percent of the lesser of—

(A) the amount (if any) by which the individual’s claims incurred during the plan year exceeds—

(i) in the case of the 2018, 2019, or 2020 plan year, \$50,000; and

(ii) in the case of any other plan year, \$100,000; or

(B) for plan years described in—

(i) subparagraph (A)(i), \$450,000; and

(ii) subparagraph (A)(ii), \$400,000.

(3) INDEXING.—In the case of plan years beginning after 2018, the dollar amounts that appear in subparagraphs (A) and (B) of paragraph (2) shall each be increased by an amount equal to—

(A) such amount; multiplied by

(B) the premium adjustment percentage specified under section 1302(c)(4) of the Affordable Care Act, but determined by substituting “2018” for “2013”.

(4) PAYMENT METHODS.—

(A) IN GENERAL.—Payments under this subsection shall be based on such a method as the Secretary determines. The Secretary may establish a payment method by which interim payments of amounts under this subsection are made during a plan year based on the Secretary’s best estimate of amounts that will be payable after obtaining all of the information.

(B) REQUIREMENT FOR PROVISION OF INFORMATION.—

(i) REQUIREMENT.—Payments under this subsection to a health insurance issuer are conditioned upon the furnishing to the Secretary, in a form and manner specified by the Secretary, of such information as may be required to carry out this subsection.

(ii) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to clause (i) is subject to the HIPAA privacy and security law, as defined in section 3009(a) of the Public Health Service Act (42 U.S.C. 300jj–19(a)).

(5) SECRETARY FLEXIBILITY FOR BUDGET NEUTRAL REVISIONS TO REINSURANCE PAYMENT SPECIFICATIONS.—If the Secretary determines appropriate, the Secretary may substitute higher dollar amounts for the dollar amounts specified under subparagraphs (A) and (B) of paragraph (2) (and adjusted under paragraph (3), if applicable) if the Secretary certifies that such substitutions, considered together, neither increase nor decrease the total projected payments under this subsection.

(c) OUTREACH AND ENROLLMENT.—

(1) **IN GENERAL.**—During the period that begins on January 1, 2018, and ends on December 31, 2020, the Secretary shall award grants to eligible entities for the following purposes:

(A) **OUTREACH AND ENROLLMENT.**—To carry out outreach, public education activities, and enrollment activities to raise awareness of the availability of, and encourage enrollment in, qualified health plans.

(B) **ASSISTING INDIVIDUALS TRANSITION TO QUALIFIED HEALTH PLANS.**—To provide assistance to individuals who are enrolled in health insurance coverage that is not a qualified health plan enroll in a qualified health plan.

(C) **ASSISTING ENROLLMENT IN PUBLIC HEALTH PROGRAMS.**—To facilitate the enrollment of eligible individuals in the Medicare program or in a State Medicaid program, as appropriate.

(D) **RAISING AWARENESS OF PREMIUM ASSISTANCE AND COST-SHARING REDUCTIONS.**—To distribute fair and impartial information concerning enrollment in qualified health plans and the availability of premium assistance tax credits under section 36B of the Internal Revenue Code of 1986 and cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act, and to assist eligible individuals in applying for such tax credits and cost-sharing reductions.

(2) **ELIGIBLE ENTITIES DEFINED.**—

(A) **IN GENERAL.**—In this subsection, the term “eligible entity” means—

(i) a State; or
(ii) a nonprofit community-based organization.

(B) **ENROLLMENT AGENTS.**—Such term includes a licensed independent insurance agent or broker that has an arrangement with a State or nonprofit community-based organization to enroll eligible individuals in qualified health plans.

(C) **EXCLUSIONS.**—Such term does not include an entity that—

(i) is a health insurance issuer; or
(ii) receives any consideration, either directly or indirectly, from any health insurance issuer in connection with the enrollment of any qualified individuals or employees of a qualified employer in a qualified health plan.

(3) **PRIORITY.**—In awarding grants under this subsection, the Secretary shall give priority to awarding grants to States or eligible entities in States that have geographic rating areas at risk of having no qualified health plans in the individual market.

(4) **FUNDING.**—Out of any moneys in the Treasury not otherwise appropriated, \$500,000,000 is appropriated to the Secretary for each of calendar years 2018 through 2020, to carry out this subsection.

(5) **REPORTS TO CONGRESS.**—

(A) **ANNUAL REPORT.**—The Secretary shall submit a report to Congress, not later than January 21, 2019, and each year thereafter, that contains the following information for the most recently ended year:

(i) The number and types of plans in each State's individual market, specifying the number that are qualified health plans, grandfathered health plans, or health insurance coverage that is not a qualified health plan.

(ii) The impact of the reinsurance payments provided under this section on the availability of coverage, cost of coverage, and coverage options in each State.

(iii) The amount of premiums paid by individuals in each State by age, family size, geographic area in the State's individual market, and category of health plan (as described in subparagraph (A)).

(iv) The process used to award funds for outreach and enrollment activities awarded to eligible entities under subsection (c), the amount of such funds awarded, and the activities carried out with such funds.

(v) Such other information as the Secretary deems relevant.

(6) **EVALUATION REPORT.**—Not later than January 31, 2022, the Secretary shall submit to Congress a report that—

(i) analyzes the impact of the funds provided under this section on premiums and enrollment in the individual market in all States; and

(ii) contains a State-by-State comparison of the design of the programs carried out by States with funds provided under this section.

(7) **DEFINITIONS.**—In this section:

(A) **SECRETARY.**—The term “Secretary” means the Secretary of the Department of Health and Human Services.

(B) **FUND.**—The term “Fund” means the Individual Market Reinsurance Fund established under subsection (a).

(C) **GRANDFATHERED HEALTH PLAN.**—The term “grandfathered health plan” has the meaning given that term in section 1251(e) of the Patient Protection and Affordable Care Act.

(D) **HIGH-COST INDIVIDUAL.**—The term “high-cost individual” means an individual enrolled in a qualified health plan (other than a grandfathered health plan or a transitional health plan) who incurs claims in excess of \$50,000 during a plan year.

(E) **STATE.**—The term “State” means each of the 50 States and the District of Columbia.

(F) **TRANSITIONAL HEALTH PLAN.**—The term “transitional health plan” means a plan continued under the letter issued by the Centers for Medicare & Medicaid Services on November 14, 2013, to the State Insurance Commissioners outlining a transitional policy for coverage in the individual and small group markets to which section 1251 of the Patient Protection and Affordable Care Act does not apply, and under the extension of the transitional policy for such coverage set forth in the Insurance Standards Bulletin Series guidance issued by the Centers for Medicare & Medicaid Services on March 5, 2014, February 29, 2016, and February 13, 2017.

SEC. 102. PUBLIC HEALTH INSURANCE OPTION.

(a) **IN GENERAL.**—Part 3 of subtitle D of title I of the Patient Protection and Affordable Care Act (Public Law 111-148) is amended by adding at the end the following new section:

“SEC. 1325. PUBLIC HEALTH INSURANCE OPTION.

“(a) **ESTABLISHMENT AND ADMINISTRATION OF A PUBLIC HEALTH INSURANCE OPTION.**—

“(1) **ESTABLISHMENT.**—For years beginning with 2018, the Secretary of Health and Human Services (in this subtitle referred to as the ‘Secretary’) shall provide for the offering through Exchanges established under this title of a health benefits plan (in this Act referred to as the ‘public health insurance option’) that ensures choice, competition, and stability of affordable, high-quality coverage throughout the United States in accordance with this section. In designing the option, the Secretary's primary responsibility is to create a low-cost plan without compromising quality or access to care.

“(2) **OFFERING THROUGH EXCHANGES.**—

“(A) **EXCLUSIVE TO EXCHANGES.**—The public health insurance option shall only be made available through Exchanges established under this title.

“(B) **ENSURING A LEVEL PLAYING FIELD.**—Consistent with this section, the public health insurance option shall comply with

requirements that are applicable under this title to health benefits plans offered through such Exchanges, including requirements related to benefits, benefit levels, provider networks, notices, consumer protections, and cost sharing.

“(C) **PROVISION OF BENEFIT LEVELS.**—The public health insurance option—

“(i) shall offer bronze, silver, and gold plans; and

“(ii) may offer platinum plans.

“(3) **ADMINISTRATIVE CONTRACTING.**—The Secretary may enter into contracts for the purpose of performing administrative functions (including functions described in subsection (a)(4) of section 1874A of the Social Security Act) with respect to the public health insurance option in the same manner as the Secretary may enter into contracts under subsection (a)(1) of such section. The Secretary has the same authority with respect to the public health insurance option as the Secretary has under subsections (a)(1) and (b) of section 1874A of the Social Security Act with respect to title XVIII of such Act. Contracts under this subsection shall not involve the transfer of insurance risk to such entity.

“(4) **OMBUDSMAN.**—The Secretary shall establish an office of the ombudsman for the public health insurance option which shall have duties with respect to the public health insurance option similar to the duties of the Medicare Beneficiary Ombudsman under section 1808(c)(2) of the Social Security Act. In addition, such office shall work with States to ensure that information and notice is provided that the public health insurance option is one of the health plans available through an Exchange.

“(5) **DATA COLLECTION.**—The Secretary shall collect such data as may be required to establish premiums and payment rates for the public health insurance option and for other purposes under this section, including to improve quality and to reduce racial, ethnic, and other disparities in health and health care.

“(6) **ACCESS TO FEDERAL COURTS.**—The provisions of Medicare (and related provisions of title II of the Social Security Act) relating to access of Medicare beneficiaries to Federal courts for the enforcement of rights under Medicare, including with respect to amounts in controversy, shall apply to the public health insurance option and individuals enrolled under such option under this title in the same manner as such provisions apply to Medicare and Medicare beneficiaries.

“(b) **PREMIUMS AND FINANCING.**—

“(1) **ESTABLISHMENT OF PREMIUMS.**—

“(A) **IN GENERAL.**—The Secretary shall establish geographically adjusted premium rates for the public health insurance option—

“(i) in a manner that complies with the premium rules under paragraph (3); and

“(ii) at a level sufficient to fully finance the costs of—

“(I) health benefits provided by the public health insurance option; and

“(II) administrative costs related to operating the public health insurance option.

“(B) **CONTINGENCY MARGIN.**—In establishing premium rates under subparagraph (A), the Secretary shall include an appropriate amount for a contingency margin.

“(2) **ACCOUNT.**—

“(A) **ESTABLISHMENT.**—There is established in the Treasury of the United States an account for the receipts and disbursements attributable to the operation of the public health insurance option, including the start-

up funding under subparagraph (B). Section 1854(g) of the Social Security Act shall apply to receipts described in the previous sentence in the same manner as such section applies to payments or premiums described in such section.

“(B) START-UP FUNDING.—

“(i) IN GENERAL.—In order to provide for the establishment of the public health insurance option there is hereby appropriated to the Secretary, out of any funds in the Treasury not otherwise appropriated, \$2,000,000,000. In order to provide for initial claims reserves before the collection of premiums, there is hereby appropriated to the Secretary, out of any funds in the Treasury not otherwise appropriated, such sums as necessary to cover 90 days worth of claims reserves based on projected enrollment.

“(ii) AMORTIZATION OF START-UP FUNDING.—The Secretary shall provide for the repayment of the startup funding provided under clause (i) to the Treasury in an amortized manner over the 10-year period beginning with 2018.

“(iii) LIMITATION ON FUNDING.—Nothing in this subsection shall be construed as authorizing any additional appropriations to the account, other than such amounts as are otherwise provided with respect to other health benefits plans participating under the Exchange involved.

“(3) INSURANCE RATING RULES.—The premium rate charged for the public health insurance option may not vary except as provided under section 2701 of the Public Health Service Act.

“(c) PAYMENT RATES FOR ITEMS AND SERVICES.—

“(1) RATES ESTABLISHED BY SECRETARY.—

“(A) IN GENERAL.—The Secretary shall establish payment rates for the public health insurance option for services and health care providers consistent with this subsection and may change such payment rates in accordance with subsection (d).

“(B) INITIAL PAYMENT RULES.—

“(i) IN GENERAL.—During 2018, 2019, and 2020, the Secretary shall set the payment rates under this subsection for services and providers described in subparagraph (A) equal to the payment rates for equivalent services and providers under parts A and B of Medicare, subject to clause (ii), paragraph (4), and subsection (d).

“(ii) EXCEPTIONS.—The Secretary may determine the extent to which Medicare adjustments applicable to base payment rates under parts A and B of Medicare for graduate medical education and disproportionate share hospitals shall apply under this section.

“(C) FOR NEW SERVICES.—The Secretary shall modify payment rates described in subparagraph (B) in order to accommodate payments for services, such as well-child visits, that are not otherwise covered under Medicare.

“(D) PRESCRIPTION DRUGS.—Payment rates under this subsection for prescription drugs that are not paid for under part A or part B of Medicare shall be at rates negotiated by the Secretary.

“(2) SUBSEQUENT PERIODS; PROVIDER NETWORK.—

“(A) SUBSEQUENT PERIODS.—Beginning with 2021 and for subsequent years, the Secretary shall continue to use an administrative process to set such rates in order to promote payment accuracy, to ensure adequate beneficiary access to providers, and to promote affordability and the efficient delivery of medical care consistent with subsection (a)(1). Such rates shall not be set at levels

expected to increase average medical costs per enrollee covered under the public health insurance option beyond what would be expected if the process under paragraph (1)(B) were continued, as certified by the Office of the Actuary of the Centers for Medicare & Medicaid Services.

“(B) ESTABLISHMENT OF A PROVIDER NETWORK.—Health care providers participating under Medicare are participating providers in the public health insurance option unless they opt out in a process established by the Secretary.

“(3) ADMINISTRATIVE PROCESS FOR SETTING RATES.—Chapter 5 of title 5, United States Code shall apply to the process for the initial establishment of payment rates under this subsection but not to the specific methodology for establishing such rates or the calculation of such rates.

“(4) CONSTRUCTION.—Nothing in this section shall be construed as limiting the Secretary's authority to correct for payments that are excessive or deficient, taking into account the provisions of subsection (a)(1) and any appropriate adjustments based on the demographic characteristics of enrollees covered under the public health insurance option, but in no case shall the correction of payments under this paragraph result in a level of expenditures per enrollee that exceeds the level of expenditures that would have occurred under paragraph (1)(B), as certified by the Office of the Actuary of the Centers for Medicare & Medicaid Services.

“(5) CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of the Secretary to establish payment rates, including payments to provide for the more efficient delivery of services, such as the initiatives provided for under subsection (d).

“(6) LIMITATIONS ON REVIEW.—There shall be no administrative or judicial review of a payment rate or methodology established under this subsection or under subsection (d).

“(d) MODERNIZED PAYMENT INITIATIVES AND DELIVERY SYSTEM REFORM.—

“(1) IN GENERAL.—For plan years beginning with 2018, the Secretary may utilize innovative payment mechanisms and policies to determine payments for items and services under the public health insurance option. The payment mechanisms and policies under this subsection may include patient-centered medical home and other care management payments, accountable care organizations, value-based purchasing, bundling of services, differential payment rates, performance or utilization based payments, partial capitation, and direct contracting with providers. Payment rates under such payment mechanisms and policies shall not be set at levels expected to increase average medical costs per enrollee covered under the public health insurance option beyond what would be expected if the process under subsection (c)(1)(B) were continued, as certified by the Office of the Actuary of the Centers for Medicare & Medicaid Services.

“(2) REQUIREMENTS FOR INNOVATIVE PAYMENTS.—The Secretary shall design and implement the payment mechanisms and policies under this subsection in a manner that—

“(A) seeks to—

“(i) improve health outcomes;

“(ii) reduce health disparities (including racial, ethnic, and other disparities);

“(iii) provide efficient and affordable care;

“(iv) address geographic variation in the provision of health services; or

“(v) prevent or manage chronic illness; and

“(B) promotes care that is integrated, patient-centered, high-quality, and efficient.

“(3) ENCOURAGING THE USE OF HIGH VALUE SERVICES.—To the extent allowed by the benefit standards applied to all health benefits plans participating under the Exchange involved, the public health insurance option may modify cost sharing and payment rates to encourage the use of services that promote health and value.

“(4) NON-UNIFORMITY PERMITTED.—Nothing in this subtitle shall prevent the Secretary from varying payments based on different payment structure models (such as accountable care organizations and medical homes) under the public health insurance option for different geographic areas.

“(e) PROVIDER PARTICIPATION.—

“(1) IN GENERAL.—The Secretary shall establish conditions of participation for health care providers under the public health insurance option.

“(2) LICENSURE OR CERTIFICATION.—The Secretary shall not allow a health care provider to participate in the public health insurance option unless such provider is appropriately licensed or certified under State law.

“(3) PAYMENT TERMS FOR PROVIDERS.—

“(A) PHYSICIANS.—The Secretary shall provide for the annual participation of physicians under the public health insurance option, for which payment may be made for services furnished during the year, in one of 2 classes:

“(i) PREFERRED PHYSICIANS.—Those physicians who agree to accept the payment rate established under this section (without regard to cost-sharing) as the payment in full.

“(ii) PARTICIPATING, NON-PREFERRED PHYSICIANS.—Those physicians who agree not to impose charges (in relation to the payment rate described in subsection (c) for such physicians) that exceed the ratio permitted under section 1848(g)(2)(C) of the Social Security Act.

“(B) OTHER PROVIDERS.—The Secretary shall provide for the participation (on an annual or other basis specified by the Secretary) of health care providers (other than physicians) under the public health insurance option under which payment shall only be available if the provider agrees to accept the payment rate established under subsection (c) (without regard to cost-sharing) as the payment in full.

“(4) EXCLUSION OF CERTAIN PROVIDERS.—The Secretary shall exclude from participation under the public health insurance option a health care provider that is excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act).

“(f) APPLICATION OF FRAUD AND ABUSE PROVISIONS.—Provisions of law (other than criminal law provisions) identified by the Secretary by regulation, in consultation with the Inspector General of the Department of Health and Human Services, that impose sanctions with respect to waste, fraud, and abuse under Medicare, such as the False Claims Act (31 U.S.C. 3729 et seq.), shall also apply to the public health insurance option.

“(g) MEDICARE DEFINED.—For purposes of this section, the term ‘Medicare’ means the health insurance programs under title XVIII of the Social Security Act.”

(b) CONFORMING AMENDMENTS.—

(1) TREATMENT AS QUALIFIED HEALTH PLAN.—Section 1301(a)(2) of the Patient Protection and Affordable Care Act is amended—

(A) in the heading, by inserting “, THE PUBLIC HEALTH INSURANCE OPTION,” before “AND”; and

(B) by inserting “the public health insurance option under section 1325,” before “and a multi-State plan”.

(2) **LEVEL PLAYING FIELD.**—Section 1324(a) of such Act is amended by inserting “the public health insurance option under section 1325,” before “or a multi-State qualified health plan”.

TITLE II—HEALTH CARE FINANCIAL ASSISTANCE

SEC. 201. INCREASE IN ELIGIBILITY FOR PREMIUM ASSISTANCE TAX CREDITS.

(a) **IN GENERAL.**—Subparagraph (A) of section 36B(c)(1) of the Internal Revenue Code of 1986 is amended by striking “400 percent” and inserting “600 percent”.

(b) **CONFORMING AMENDMENT.**—The table contained in clause (i) of section 36B(b)(3)(A)(i) of the Internal Revenue Code of 1986 is amended by striking “400%” and inserting “600%”.

(c) **RECONCILIATION OF CREDIT AND ADVANCE CREDIT.**—Clause (i) of section 36B(f)(2)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking “In the case of” and all that follows through “the amount of” and inserting “The amount of”, and

(2) by striking “but less than 400%” in the table.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 202. ENHANCEMENTS FOR REDUCED COST SHARING.

(a) **MODIFICATION OF AMOUNT.**—

(1) **IN GENERAL.**—Section 1402(c)(2) of the Patient Protection and Affordable Care Act is amended to read as follows:

“(2) **ADDITIONAL REDUCTION.**—The Secretary shall establish procedures under which the issuer of a qualified health plan to which this section applies shall further reduce cost-sharing under the plan in a manner sufficient to—

“(A) in the case of an eligible insured whose household income is not less than 100 percent but not more than 200 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 95 percent of such costs;

“(B) in the case of an eligible insured whose household income is more than 200 percent but not more than 300 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 90 percent of such costs; and

“(C) in the case of an eligible insured whose household income is more than 300 percent but not more than 400 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 85 percent of such costs.”.

(2) **CONFORMING AMENDMENT.**—Clause (i) of section 1402(c)(1)(B) of such Act is amended to read as follows:

“(i) **IN GENERAL.**—The Secretary shall ensure the reduction under this paragraph shall not result in an increase in the plan’s share of the total allowed costs of benefits provided under the plan above—

“(I) 95 percent in the case of an eligible insured described in paragraph (2)(A);

“(II) 90 percent in the case of an eligible insured described in paragraph (2)(B); and

“(III) 85 percent in the case of an eligible insured described in paragraph (2)(C).”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to plan years beginning after December 31, 2017.

(b) **FUNDING.**—Section 1402 of the Patient Protection and Affordable Care Act is

amended by adding at the end the following new subsection:

“(g) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary for payments under this section.”.

TITLE III—DRUG PRICING

SEC. 301. REQUIREING DRUG MANUFACTURERS TO PROVIDE DRUG REBATES FOR DRUGS DISPENSED TO LOW-INCOME INDIVIDUALS.

(a) **IN GENERAL.**—Section 1860D–2 of the Social Security Act (42 U.S.C. 1395w–102) is amended—

(1) in subsection (e)(1), in the matter preceding subparagraph (A), by inserting “and subsection (f)” after “this subsection”; and

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

“(f) **PRESCRIPTION DRUG REBATE AGREEMENT FOR REBATE ELIGIBLE INDIVIDUALS.**—

“(1) **REQUIREMENT.**—

“(A) **IN GENERAL.**—For plan years beginning on or after January 1, 2019, in this part, the term ‘covered part D drug’ does not include any drug or biological product that is manufactured by a manufacturer that has not entered into and have in effect a rebate agreement described in paragraph (2).

“(B) **2018 PLAN YEAR REQUIREMENT.**—Any drug or biological product manufactured by a manufacturer that declines to enter into a rebate agreement described in paragraph (2) for the period beginning on January 1, 2018, and ending on December 31, 2018, shall not be included as a ‘covered part D drug’ for the subsequent plan year.

“(2) **REBATE AGREEMENT.**—A rebate agreement under this subsection shall require the manufacturer to provide to the Secretary a rebate for each rebate period (as defined in paragraph (6)(B)) ending after December 31, 2017, in the amount specified in paragraph (3) for any covered part D drug of the manufacturer dispensed after December 31, 2017, to any rebate eligible individual (as defined in paragraph (6)(A)) for which payment was made by a PDP sponsor or MA organization under this part for such period, including payments passed through the low-income and reinsurance subsidies under sections 1860D–14 and 1860D–15(b), respectively. Such rebate shall be paid by the manufacturer to the Secretary not later than 30 days after the date of receipt of the information described in section 1860D–12(b)(7), including as such section is applied under section 1857(f)(3), or 30 days after the receipt of information under subparagraph (D) of paragraph (3), as determined by the Secretary. Insofar as not inconsistent with this subsection, the Secretary shall establish terms and conditions of such agreement relating to compliance, penalties, and program evaluations, investigations, and audits that are similar to the terms and conditions for rebate agreements under paragraphs (3) and (4) of section 1927(b).

“(3) **REBATE FOR REBATE ELIGIBLE MEDICARE DRUG PLAN ENROLLEES.**—

“(A) **IN GENERAL.**—The amount of the rebate specified under this paragraph for a manufacturer for a rebate period, with respect to each dosage form and strength of any covered part D drug provided by such manufacturer and dispensed to a rebate eligible individual, shall be equal to the product of—

“(i) the total number of units of such dosage form and strength of the drug so provided and dispensed for which payment was made by a PDP sponsor or an MA organization under this part for the rebate period, in-

cluding payments passed through the low-income and reinsurance subsidies under sections 1860D–14 and 1860D–15(b), respectively; and

“(ii) the amount (if any) by which—

“(I) the Medicaid rebate amount (as defined in subparagraph (B)) for such form, strength, and period, exceeds

“(II) the average Medicare drug program rebate eligible rebate amount (as defined in subparagraph (C)) for such form, strength, and period.

“(B) **MEDICAID REBATE AMOUNT.**—For purposes of this paragraph, the term ‘Medicaid rebate amount’ means, with respect to each dosage form and strength of a covered part D drug provided by the manufacturer for a rebate period—

“(i) in the case of a single source drug or an innovator multiple source drug, the amount specified in paragraph (1)(A)(ii)(II) or (2)(C) of section 1927(c) plus the amount, if any, specified in subparagraph (A)(ii) of paragraph (2) of such section, for such form, strength, and period; or

“(ii) in the case of any other covered outpatient drug, the amount specified in paragraph (3)(A)(i) of such section for such form, strength, and period.

“(C) **AVERAGE MEDICARE DRUG PROGRAM REBATE ELIGIBLE REBATE AMOUNT.**—For purposes of this subsection, the term ‘average Medicare drug program rebate eligible rebate amount’ means, with respect to each dosage form and strength of a covered part D drug provided by a manufacturer for a rebate period, the sum, for all PDP sponsors under part D and MA organizations administering an MA–PD plan under part C, of—

“(i) the product, for each such sponsor or organization, of—

“(I) the sum of all rebates, discounts, or other price concessions (not taking into account any rebate provided under paragraph (2) or any discounts under the program under section 1860D–14A) for such dosage form and strength of the drug dispensed, calculated on a per-unit basis, but only to the extent that any such rebate, discount, or other price concession applies equally to drugs dispensed to rebate eligible Medicare drug plan enrollees and drugs dispensed to PDP and MA–PD enrollees who are not rebate eligible individuals; and

“(II) the number of the units of such dosage and strength of the drug dispensed during the rebate period to rebate eligible individuals enrolled in the prescription drug plans administered by the PDP sponsor or the MA–PD plans administered by the MA organization; divided by

“(ii) the total number of units of such dosage and strength of the drug dispensed during the rebate period to rebate eligible individuals enrolled in all prescription drug plans administered by PDP sponsors and all MA–PD plans administered by MA organizations.

“(D) **USE OF ESTIMATES.**—The Secretary may establish a methodology for estimating the average Medicare drug program rebate eligible rebate amounts for each rebate period based on bid and utilization information under this part and may use these estimates as the basis for determining the rebates under this section. If the Secretary elects to estimate the average Medicare drug program rebate eligible rebate amounts, the Secretary shall establish a reconciliation process for adjusting manufacturer rebate payments not later than 3 months after the date that manufacturers receive the information collected under section 1860D–12(b)(7)(B).

“(4) **LENGTH OF AGREEMENT.**—The provisions of paragraph (4) of section 1927(b)

(other than clauses (iv) and (v) of subparagraph (B)) shall apply to rebate agreements under this subsection in the same manner as such paragraph applies to a rebate agreement under such section.

“(5) OTHER TERMS AND CONDITIONS.—The Secretary shall establish other terms and conditions of the rebate agreement under this subsection, including terms and conditions related to compliance, that are consistent with this subsection.

“(6) DEFINITIONS.—In this subsection and section 1860D–12(b)(7):

“(A) REBATE ELIGIBLE INDIVIDUAL.—The term ‘rebate eligible individual’ means—

“(i) a subsidy eligible individual (as defined in section 1860D–14(a)(3)(A));

“(ii) a Medicaid beneficiary treated as a subsidy eligible individual under clause (v) of section 1860D–14(a)(3)(B); and

“(iii) any part D eligible individual not described in clause (i) or (ii) who is determined for purposes of the State plan under title XIX to be eligible for medical assistance under clause (i), (iii), or (iv) of section 1902(a)(10)(E).

“(B) REBATE PERIOD.—The term ‘rebate period’ has the meaning given such term in section 1927(k)(8).”

(b) REPORTING REQUIREMENT FOR THE DETERMINATION AND PAYMENT OF REBATES BY MANUFACTURERS RELATED TO REBATE FOR REBATE ELIGIBLE MEDICARE DRUG PLAN ENROLLEES.—

(1) REQUIREMENTS FOR PDP SPONSORS.—Section 1860D–12(b) of the Social Security Act (42 U.S.C. 1395w–112(b)) is amended by adding at the end the following new paragraph:

“(7) REPORTING REQUIREMENT FOR THE DETERMINATION AND PAYMENT OF REBATES BY MANUFACTURERS RELATED TO REBATE FOR REBATE ELIGIBLE MEDICARE DRUG PLAN ENROLLEES.—

“(A) IN GENERAL.—For purposes of the rebate under section 1860D–2(f) for contract years beginning on or after January 1, 2019, each contract entered into with a PDP sponsor under this part with respect to a prescription drug plan shall require that the sponsor comply with subparagraphs (B) and (C).

“(B) REPORT FORM AND CONTENTS.—Not later than a date specified by the Secretary, a PDP sponsor of a prescription drug plan under this part shall report to each manufacturer—

“(i) information (by National Drug Code number) on the total number of units of each dosage, form, and strength of each drug of such manufacturer dispensed to rebate eligible Medicare drug plan enrollees under any prescription drug plan operated by the PDP sponsor during the rebate period;

“(ii) information on the price discounts, price concessions, and rebates for such drugs for such form, strength, and period;

“(iii) information on the extent to which such price discounts, price concessions, and rebates apply equally to rebate eligible Medicare drug plan enrollees and PDP enrollees who are not rebate eligible Medicare drug plan enrollees; and

“(iv) any additional information that the Secretary determines is necessary to enable the Secretary to calculate the average Medicare drug program rebate eligible rebate amount (as defined in paragraph (3)(C) of such section), and to determine the amount of the rebate required under this section, for such form, strength, and period.

Such report shall be in a form consistent with a standard reporting format established by the Secretary.

“(C) SUBMISSION TO SECRETARY.—Each PDP sponsor shall promptly transmit a copy of

the information reported under subparagraph (B) to the Secretary for the purpose of audit oversight and evaluation.

“(D) CONFIDENTIALITY OF INFORMATION.—The provisions of subparagraph (D) of section 1927(b)(3), relating to confidentiality of information, shall apply to information reported by PDP sponsors under this paragraph in the same manner that such provisions apply to information disclosed by manufacturers or wholesalers under such section, except—

“(i) that any reference to ‘this section’ in clause (i) of such subparagraph shall be treated as being a reference to this section;

“(ii) the reference to the Director of the Congressional Budget Office in clause (iii) of such subparagraph shall be treated as including a reference to the Medicare Payment Advisory Commission; and

“(iii) clause (iv) of such subparagraph shall not apply.

“(E) OVERSIGHT.—Information reported under this paragraph may be used by the Inspector General of the Department of Health and Human Services for the statutorily authorized purposes of audit, investigation, and evaluations.

“(F) PENALTIES FOR FAILURE TO PROVIDE TIMELY INFORMATION AND PROVISION OF FALSE INFORMATION.—In the case of a PDP sponsor—

“(i) that fails to provide information required under subparagraph (B) on a timely basis, the sponsor is subject to a civil money penalty in the amount of \$10,000 for each day in which such information has not been provided; or

“(ii) that knowingly (as defined in section 1128A(i)) provides false information under such subparagraph, the sponsor is subject to a civil money penalty in an amount not to exceed \$100,000 for each item of false information.

Such civil money penalties are in addition to other penalties as may be prescribed by law. The provisions of section 1128A (other than subsections (a) and (b)) shall apply to a civil money penalty under this subparagraph in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a).”

(2) APPLICATION TO MA ORGANIZATIONS.—Section 1857(f)(3) of the Social Security Act (42 U.S.C. 1395w–27(f)(3)) is amended by adding at the end the following:

“(D) REPORTING REQUIREMENT RELATED TO REBATE FOR REBATE ELIGIBLE MEDICARE DRUG PLAN ENROLLEES.—Section 1860D–12(b)(7).”

(c) DEPOSIT OF REBATES INTO MEDICARE PRESCRIPTION DRUG ACCOUNT.—Section 1860D–16(c) of the Social Security Act (42 U.S.C. 1395w–116(c)) is amended by adding at the end the following new paragraph:

“(6) REBATE FOR REBATE ELIGIBLE MEDICARE DRUG PLAN ENROLLEES.—Amounts paid under a rebate agreement under section 1860D–2(f) shall be deposited into the Account.”

(d) EXCLUSION FROM DETERMINATION OF BEST PRICE AND AVERAGE MANUFACTURER PRICE UNDER MEDICAID.—

(1) EXCLUSION FROM BEST PRICE DETERMINATION.—Section 1927(c)(1)(C)(ii)(I) of the Social Security Act (42 U.S.C. 1396r–8(c)(1)(C)(ii)(I)) is amended by inserting “and amounts paid under a rebate agreement under section 1860D–2(f)” after “this section”.

(2) EXCLUSION FROM AVERAGE MANUFACTURER PRICE DETERMINATION.—Section 1927(k)(1)(B)(i) of the Social Security Act (42 U.S.C. 1396r–8(k)(1)(B)(i)) is amended—

(A) in subclause (IV), by striking “and” after the semicolon;

(B) in subclause (V), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(VI) amounts paid under a rebate agreement under section 1860D–2(f).”

SEC. 302. NEGOTIATION OF PRICES FOR MEDICARE PRESCRIPTION DRUGS.

Section 1860D–11 of the Social Security Act (42 U.S.C. 1395w–111) is amended by striking subsection (i) (relating to noninterference) and inserting the following:

“(i) NEGOTIATION; NO NATIONAL FORMULARY OR PRICE STRUCTURE.—

“(1) NEGOTIATION OF PRICES WITH MANUFACTURERS.—In order to ensure that beneficiaries enrolled under prescription drug plans and MA–PD plans pay the lowest possible price, the Secretary shall have and exercise authority similar to that of other Federal entities that purchase prescription drugs in bulk to negotiate contracts with manufacturers of covered part D drugs, consistent with the requirements and in furtherance of the goals of providing quality care and containing costs under this part.

“(2) NO NATIONAL FORMULARY OR PRICE STRUCTURE.—In order to promote competition under this part and in carrying out this part, the Secretary may not require a particular formulary or institute a price structure for the reimbursement of covered part D drugs.”

SEC. 303. GUARANTEED PRESCRIPTION DRUG BENEFITS.

(a) IN GENERAL.—Section 1860D–3 of the Social Security Act (42 U.S.C. 1395w–103) is amended to read as follows:

“ACCESS TO A CHOICE OF QUALIFIED PRESCRIPTION DRUG COVERAGE

“SEC. 1860D–3. (a) ASSURING ACCESS TO A CHOICE OF COVERAGE.—

“(1) CHOICE OF AT LEAST THREE PLANS IN EACH AREA.—Beginning on January 1, 2019, the Secretary shall ensure that each part D eligible individual has available, consistent with paragraph (2), a choice of enrollment in—

“(A) a nationwide prescription drug plan offered by the Secretary in accordance with subsection (b); and

“(B) at least 2 qualifying plans (as defined in paragraph (3)) in the area in which the individual resides, at least one of which is a prescription drug plan.

“(2) REQUIREMENT FOR DIFFERENT PLAN SPONSORS.—The requirement in paragraph (1)(B) is not satisfied with respect to an area if only one entity offers all the qualifying plans in the area.

“(3) QUALIFYING PLAN DEFINED.—For purposes of this section, the term ‘qualifying plan’ means—

“(A) a prescription drug plan;

“(B) an MA–PD plan described in section 1851(a)(2)(A)(i) that provides—

“(i) basic prescription drug coverage; or

“(ii) qualified prescription drug coverage that provides supplemental prescription drug coverage so long as there is no MA monthly supplemental beneficiary premium applied under the plan, due to the application of a credit against such premium of a rebate under section 1854(b)(1)(C); or

“(C) a nationwide prescription drug plan offered by the Secretary in accordance with subsection (b).

“(b) HHS AS PDP SPONSOR FOR A NATIONWIDE PRESCRIPTION DRUG PLAN.—

“(1) IN GENERAL.—The Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall take such steps as may be necessary to qualify and serve as a PDP sponsor and to offer a prescription drug plan that offers basic prescription drug coverage throughout the

United States. Such a plan shall be in addition to, and not in lieu of, other prescription drug plans offered under this part.

“(2) PREMIUM; SOLVENCY; AUTHORITIES.—In carrying out paragraph (1), the Secretary—

“(A) shall establish a premium in the amount of \$37 for months in 2019 and, for months in subsequent years, in the amount specified in this paragraph for months in the previous year increased by the annual percentage increase described in section 1860D-2(b)(6) (relating to growth in medicare prescription drug costs per beneficiary) for the year involved;

“(B) is deemed to have met any applicable solvency and capital adequacy standards; and

“(C) shall exercise such authorities (including the use of regional or other pharmaceutical benefit managers) as the Secretary determines necessary to offer the prescription drug plan in the same or a comparable manner as is the case for prescription drug plans offered by private PDP sponsors.

“(C) FLEXIBILITY IN RISK ASSUMED.—In order to ensure access pursuant to subsection (a) in an area the Secretary may approve limited risk plans under section 1860D-11(f) for the area.”.

(b) CONFORMING AMENDMENT.—Section 1860D-11(g) of the Social Security Act (42 U.S.C. 1395w-111(g)) is amended by adding at the end the following new paragraph:

“(8) APPLICATION.—This subsection shall not apply on or after January 1, 2019.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning on or after January 1, 2019.

SEC. 304. FULL REIMBURSEMENT FOR QUALIFIED RETIREE PRESCRIPTION DRUG PLANS.

(a) ELIMINATION OF TRUE OUT-OF-POCKET LIMITATION.—Section 1860D-2(b)(4)(C)(iii) of the Social Security Act (42 U.S.C. 1395w-102(b)(4)(C)(iii)) is amended—

(1) in subclause (III), by striking “or” at the end;

(2) in subclause (IV), by striking the period at the end and inserting “; or”; and

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

“(V) under a qualified retiree prescription drug plan (as defined in section 1860D-22(a)(2)).”.

(b) EQUALIZATION OF SUBSIDIES.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall provide for such increase in the special subsidy payment amounts under section 1860D-22(a)(3) of the Social Security Act (42 U.S.C. 1395w-132(a)(3)) as may be appropriate to provide for payments in the aggregate equivalent to the payments that would have been made under section 1860D-15 of such Act (42 U.S.C. 1395w-115) if the individuals were not enrolled in a qualified retiree prescription drug plan. In making such computation, the Secretary shall not take into account the application of the amendments made by section 1202 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 117 Stat. 2480).

(c) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on January 1, 2019.

TITLE IV—MEDICAID COLLABORATIVE CARE MODELS

SEC. 401. ENHANCED FMAP FOR MEDICAL ASSISTANCE PROVIDED THROUGH A COLLABORATIVE CARE MODEL.

Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in the first sentence of subsection (b)—

(A) by striking “, and (5)” and inserting “, (5)”; and

(B) by inserting “, and (6) beginning January 1, 2018, the Federal medical assistance percentage shall be 100 percent with respect to medical assistance provided by a State for items and services delivered through a collaborative care model (as defined in subsection (ee)) or an evidence-based model (which may be a collaborative care model) that integrates behavioral health services into primary care treatment” before the period;

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

“(ee) COLLABORATIVE CARE MODELS.—

“(1) IN GENERAL.—The term ‘collaborative care model’ means a model for providing health care to individuals which adheres to the core services described in paragraph (2) and under which each individual receiving care through the model receives care from a collaborative team of providers described in paragraph (3).

“(2) CORE SERVICES.—The services described in this paragraph are:

“(A) Comprehensive care management.

“(B) Care coordination and health promotion.

“(C) Comprehensive transitional care from inpatient settings to other settings, including appropriate follow up.

“(D) Individual and family support, which shall include authorized representatives.

“(E) Referral to community and social support services, as appropriate.

“(F) The use of health information technology to link services, as feasible and appropriate.

“(3) COLLABORATIVE HEALTH TEAM.—A team described in this paragraph includes the following providers:

“(A) A primary care provider such as a primary care physician, an internist, a nurse practitioner, or a physician’s assistant.

“(B) Care management staff which shall include a member who is a registered professional nurse, a clinical social worker, or a psychologist, and who specializes in primary care management and is trained to provide evidence based care coordination, brief behavioral interventions, and to support treatments (including medications) initiated by a primary care physician.

“(C) A psychiatric consultant who shall advise the primary care provider as necessary (either in person or remotely).”.

SA 502. Mr. ENZI (for Mr. HELLER (for himself and Mrs. FISCHER)) proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike subsection (c) of section 109.

SA 503. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 105 and insert the following:

SEC. 105. EMPLOYER MANDATE.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980H (and the item relating to such section in the table of sections for such chapter).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SA 504. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 104 and insert the following:

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 48 (and the item related to such chapter in the table of chapters).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SA 505. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 114 and insert the following:

SEC. 105. REPEAL OF MEDICAL DEVICE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales after the date of the enactment of this Act.

SA 506. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . OPEN GOVERNMENT DATA.

(a) SHORT TITLE.—This section may be cited as the “Open, Public, Electronic, and Necessary Government Data Act” or the “OPEN Government Data Act”.

(b) DEFINITION.—In this section, the term “agency” has the meaning given the term in section 3561 of title 44, United States Code, as added by subsection (c).

(c) OPEN GOVERNMENT DATA.—

(1) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“Subchapter III—Open Government Data

“§ 3561. Definitions

“As used in this subchapter—

“(1) the term ‘agency’—

“(A) has the meaning given the term in section 3502; and

“(B) includes the Federal Election Commission;

“(2) the term ‘data’ means recorded information, regardless of form or the media on which the data is recorded;

“(3) the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;

“(4) the term ‘Director’ means the Director of the Office of Management and Budget;

“(5) the term ‘Enterprise Data Inventory’ means a data inventory developed and maintained under section 3563;

“(6) the terms ‘information resources management’, ‘information system’, and ‘information technology’ have the meanings given those terms in section 3502;

“(7) the term ‘machine-readable’ means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

“(8) the term ‘metadata’ means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

“(9) the term ‘open Government data asset’ means a data asset maintained by the Federal Government that is—

“(A) machine-readable;

“(B) available in an open format;

“(C) not encumbered by restrictions that would impede use or reuse;

“(D) releasable to the public according to guidance issued by the Director under section 3562(d); and

“(E) based on an underlying open standard that is maintained by a standards organization; and

“(10) the term ‘open license’ means a legal guarantee applied to a data asset that the data asset is made available—

“(A) at no cost to the public; and

“(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting.

“§ 3562. Requirements for Government data

“(a) MACHINE-READABLE DATA REQUIRED.—Open Government data assets made available by an agency shall be published as machine-readable data.

“(b) OPEN BY DEFAULT AND OPEN LICENSE REQUIRED.—To the extent permitted by law and subject to privacy, confidentiality, security, and any other restrictions, and according to guidance issued by the Director under subsection (d)—

“(1) data assets maintained by the Federal Government shall—

“(A) be available in an open format; and

“(B) be available under open licenses; and

“(2) open Government data assets published by or for an agency shall be made available under an open license.

“(c) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, nonprofit organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the data assets of the agency in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law, regulation, and policy.

“(d) GUIDANCE FOR OPEN BY DEFAULT AND OPEN LICENSE REQUIREMENTS.—The Director shall issue guidance for agencies to use in implementing subsections (a) and (b), including criteria that the head of each agency shall use in determining whether to make a particular data asset publicly available in a manner that takes into account—

“(1) privacy and confidentiality risks and restrictions, including the risk that an individual data asset in isolation does not pose a privacy or confidentiality risk but when

combined with other available information may pose such a risk;

“(2) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

“(3) the cost and benefits to the public of converting a data asset into a machine-readable format that is accessible and useful to the public;

“(4) the expectation that a data asset be disclosed, if it would otherwise be made available under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’); and

“(5) any other considerations that the Director determines to be relevant.

“§ 3563. Enterprise Data Inventory

“(a) AGENCY DATA INVENTORY REQUIRED.—

“(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Director, shall develop and maintain an enterprise data inventory that accounts for any data asset created, collected, under the control or direction of, or maintained by the agency after the effective date of this section, with the goal of including all data assets, to the extent practicable.

“(2) CONTENTS.—Each Enterprise Data Inventory shall include the following:

“(A) Data assets used in agency information systems (including program administration, statistics, and financial activity) generated by applications, devices, networks, facilities, and equipment, categorized by source type.

“(B) Data assets shared or maintained across agency programs and bureaus.

“(C) Data assets that are shared among agencies or created by more than 1 agency.

“(D) A clear indication of all data assets that can be made publicly available under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’).

“(E) A description of whether the agency has determined that an individual data asset may be made publicly available and whether the data asset is available to the public.

“(F) Open Government data assets.

“(G) Other elements as required by the guidance issued by the Director under subsection (c).

“(b) PUBLIC AVAILABILITY.—The Chief Information Officer of each agency, in coordination with privacy and security officials of the agency, shall use the guidance issued by the Director under section 3562(d) in determining whether to make data assets included in the Enterprise Data Inventory of the agency publicly available in an open format and under an open license.

“(c) GUIDANCE FOR ENTERPRISE DATA INVENTORY.—The Director shall issue guidance for each Enterprise Data Inventory, including a requirement that an Enterprise Data Inventory includes a compilation of metadata about agency data assets.

“(d) AVAILABILITY OF ENTERPRISE DATA INVENTORY.—The Chief Information Officer of each agency—

“(1) shall make the Enterprise Data Inventory of the agency available to the public on the Federal Data Catalog required under section 3566;

“(2) shall ensure that access to the Enterprise Data Inventory of the agency and the data contained therein is consistent with applicable law, regulation, and policy; and

“(3) may implement paragraph (1) in a manner that maintains a nonpublic portion of the Enterprise Data Inventory of the agency.

“(e) REGULAR UPDATES REQUIRED.—The Chief Information Officer of each agency shall—

“(1) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and

“(2) add additional data assets to the Enterprise Data Inventory for the agency not later than 90 days after the date on which the data asset is created or identified.

“(f) USE OF EXISTING RESOURCES.—When practicable, the Chief Information Officer of each agency shall use existing procedures and systems to compile and publish the Enterprise Data Inventory for the agency.

“§ 3564. Federal agency responsibilities

“(a) INFORMATION RESOURCES MANAGEMENT.—With respect to general information resources management, each agency shall—

“(1) improve the integrity, quality, and utility of information to all users within and outside the agency by—

“(A) using open format for any new open Government data asset created or obtained on or after the date that is 1 year after the date of enactment of this section; and

“(B) to the extent practicable, encouraging the adoption of open format for all open Government data assets created or obtained before the date described in subparagraph (A); and

“(2) in consultation with the Director, develop an open data plan that, at a minimum and to the extent practicable—

“(A) requires the agency to develop processes and procedures that—

“(i) require each new data collection mechanism to use an open format; and

“(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data assets;

“(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability issues, recommendations for improvements, and complaints about adherence to open data requirements;

“(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data assets;

“(D) requires the agency to update the plan at an interval determined by the Director;

“(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, regulation, and policy, that allow for the acquisition of innovative solutions from the public and private sectors; and

“(F) prohibits the disclosure of data assets unless the data asset may be released to the public in accordance with guidance issued by the Director under section 3562(d).

“(b) INFORMATION DISSEMINATION.—With respect to information dissemination, each agency—

“(1) shall provide access to open Government data assets online;

“(2) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required under subsection (a)(2); and

“(3) may engage the public in using open Government data assets and encourage collaboration by—

“(A) publishing information on open Government data assets usage in regular, timely intervals, but not less frequently than annually;

“(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

“(C) assisting civil society groups and members of the public working to expand the use of open Government data assets; and

“(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data assets.

“§ 3565. Additional agency data asset management responsibilities

“The Chief Information Officer of each agency, or other appropriate official designated by the head of an agency, in collaboration with other internal agency stakeholders, is responsible for—

“(1) data asset management, format standardization, sharing of data assets, and publication of data assets for the agency;

“(2) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3563;

“(3) ensuring that agency data conforms with open data best practices;

“(4) engaging agency employees, the public, and contractors in using open Government data assets and encouraging collaborative approaches to improving data use;

“(5) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

“(6) supporting officials responsible for leading agency mission areas and Governmentwide initiatives in maximizing data available for program administration, statistics, evaluation, research, and internal financial management, subject to any privacy, confidentiality, security laws and policies, and other valid restrictions;

“(7) reviewing the information technology infrastructure of the agency and the impact of the infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;

“(8) ensuring that, to the extent practicable, the agency is maximizing data assets used in agency information systems generated by applications, devices, networks, facilities, and equipment, categorized by source type, and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

“(9) identifying points of contact for roles and responsibilities related to open data use and implementation as required by the Director.

“§ 3566. Federal Data Catalog

“(a) **FEDERAL DATA CATALOG REQUIRED.**—The Administrator of General Services shall maintain a single public interface online, to be known as the ‘Federal Data Catalog’, as a point of entry dedicated to sharing open Government data assets with the public.

“(b) **COORDINATION WITH AGENCIES.**—The Director shall determine, after consultation with the head of each agency and the Administrator of General Services, the method to access any open Government data assets published through the interface described in subsection (a).”.

(2) SPECIAL PROVISIONS.—

(A) **EFFECTIVE DATE.**—Notwithstanding subsection (i), section 3562 of title 44, United

States Code, as added by paragraph (1), shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(B) **USE OF OPEN DATA ASSETS.**—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3562 of title 44, United States Code, as added by paragraph (1).

(C) **DEADLINE FOR FEDERAL DATA CATALOG.**—Not later than 180 days after the effective date of this section, the Administrator of General Services shall meet the requirements of section 3566 of title 44, United States Code, as added by paragraph (1).

(3) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“SUBCHAPTER III—OPEN GOVERNMENT DATA

“3561. Definitions.

“3562. Requirements for Government data.

“3563. Enterprise Data Inventory.

“3564. Federal agency responsibilities.

“3565. Additional agency data asset management responsibilities.

“3566. Federal Data Catalog.”

(d) EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.—

(1) **AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.**—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in paragraph (2).

(2) **REQUIREMENTS OF AGENCY REVIEW.**—The report required under paragraph (1) shall assess the coverage, quality, methods, effectiveness, and independence of the evaluation, research, and analysis efforts of an agency, including each of the following:

(A) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(B) The extent to which the evaluations, research, and analysis efforts and related activities of the agency support the needs of various divisions within the agency.

(C) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(D) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(E) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(F) The extent to which the agency has the capacity to assist front-line staff and pro-

gram offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

(3) **GAO REVIEW OF AGENCY REPORTS.**—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted under paragraph (1) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

(e) ONLINE REPOSITORY AND ADDITIONAL REPORTS.—

(1) **REPOSITORY.**—The Director of the Office of Management and Budget shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices, which shall—

(A) include definitions, regulation and policy, checklists, and case studies related to open data, this section, and the amendments made by this section; and

(B) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(2) **GAO REPORT.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that identifies—

(A) the value of information made available to the public as a result of this section and the amendments made by this section;

(B) whether it is valuable to expand the publicly available information to any other data assets; and

(C) the completeness of the Enterprise Data Inventory at each agency required under section 3563 of title 44, United States Code, as added by subsection (c).

(3) **BIENNIAL OMB REPORT.**—Not later than 1 year after the effective date of this section, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with this section and the amendments made by this section.

(4) **AGENCY CIO REPORT.**—Not later than 1 year after the effective date of this section and every year thereafter, the Chief Information Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on compliance with the requirements of this section and the amendments made by this section, including information on the requirements that the agency could not meet and what the agency needs to comply with those requirements.

(f) **GUIDANCE.**—The Director of the Office of Management and Budget shall delegate to the Administrator of the Office of Information and Regulatory Affairs and the Administrator of the Office of Electronic Government the authority to jointly issue guidance required under this section.

(g) **NATIONAL SECURITY SYSTEMS.**—This section and the amendments made by this section shall not apply to data assets that are contained in a national security system, as defined in section 11103 of title 40, United States Code.

(h) **RULE OF CONSTRUCTION.**—Nothing in this section, or the amendments made by this section, shall be construed to require the disclosure of information or records that may be withheld from public disclosure under any provision of Federal law, including section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”) and section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”).

(i) **EFFECTIVE DATE.**—This section, and the amendments made by this section, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 507. Mr. CARDIN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

**Subtitle —Syrian War Crimes
Accountability Act of 2017**

SEC. 12 1. SHORT TITLE.

This subtitle may be cited as the “Syrian War Crimes Accountability Act of 2017”.

SEC. 12 2. FINDINGS.

Congress makes the following findings:

(1) March 2017 marks the sixth year of the ongoing conflict in Syria.

(2) As of February 2017—

(A) more than 600,000 people are living under siege in Syria;

(B) approximately 6,300,000 people are displaced from their homes inside Syria; and

(C) approximately 4,900,000 Syrians have fled to neighboring countries as refugees.

(3) Since the conflict in Syria began, the United States has provided more than \$5,900,000,000 to meet humanitarian needs in Syria, making the United States the world’s single largest donor by far to the Syrian humanitarian response.

(4) In response to growing concerns over systemic human rights violations in Syria, the Independent International Commission of Inquiry on the Syrian Arab Republic (referred to in this section as “COI”) was established on August 22, 2011. The purpose of COI is to “investigate all alleged violations of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view to ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable”.

(5) On December 21, 2016, the United Nations General Assembly adopted a resolution to establish the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

(6) The 2016 United States Commission on International Religious Freedom Annual Report states that in Syria “[r]eports have emerged from all groups, including Muslims, Christians, Ismailis, and others, of gross human rights violations, including behead-

ing, rape, murder, torture of civilians and religious figures, and the destruction of mosques and churches.”.

(7) On February 7, 2017, Amnesty International reported that between 5,000 and 13,000 people were extrajudicially executed in the Saydnaya Military Prison between September 2011 and December 2015.

(8) In February 2017, COI released a report—

(A) stating that a joint United Nations-Syrian Arab Red Crescent convoy in Orum al-Kubra, Syria, was attacked by air on September 19, 2016;

(B) explaining that the attack killed at least 14 civilian aid workers, injured at least 15 others, and destroyed trucks, food, medicine, clothes, and other supplies; and

(C) concluding that “the attack was meticulously planned and ruthlessly carried out by the Syrian air force to purposefully hinder the delivery of humanitarian aid and target aid workers, constituting the war crimes of deliberately attacking humanitarian relief personnel, denial of humanitarian aid and targeting civilians.”.

(9) On October 21, 2016, the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism transmitted its fourth report, which concluded that the Syrian Arab Armed Forces and the Islamic State in Iraq and Syria (ISIS) have both used chemical weapons against villages in Syria.

(10) On August 11, 2016, COI released a report stating that certain offenses, including deliberately attacking hospitals, executions without due process, and the massive and systematized nature of deaths in state-controlled detention facilities in Syria, constitute war crimes and crimes against humanity.

(11) Physicians for Human Rights reported that, between March 2011 and the end of December 2016, Syrian government and allied forces—

(A) had committed 412 attacks on medical facilities (including through the use of indiscriminate barrel bombs on at least 80 occasions); and

(B) had killed 735 medical personnel.

(12) The Department of State’s 2016 Country Reports on Human Rights Practices—

(A) details President Bashar al-Assad’s use of “indiscriminate and deadly force against civilians, conducting air and ground-based military assaults on cities, residential areas, and civilian infrastructure”; and

(B) explains that “these attacks included bombardment with improvised explosive devices, commonly referred to as ‘barrel bombs’ . . .”; and

(C) reports that “[t]he government [of Syria] continued the use of torture and rape, including of children”.

(13) On March 17, 2016, Secretary of State John Kerry stated: “In my judgment, Daesh is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims. . . . The United States will strongly support efforts to collect, document, preserve, and analyze the evidence of atrocities, and we will do all we can to see that the perpetrators are held accountable.”.

(14) In February 2016, COI reported that—

(A) “crimes against humanity continue to be committed by [Syrian] Government forces and by ISIS”; and

(B) the Syrian government has “committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforce disappearance and other inhuman acts”; and

(C) “[a]ccountability for these and other crimes must form part of any political solution”.

(15) Credible civil society organizations collecting evidence of war crimes, crimes against humanity, and genocide in Syria report that at least 12 countries in western Europe and North America have requested assistance on investigating such crimes.

SEC. 12 3. SENSE OF CONGRESS.

Congress—

(1) strongly condemns—

(A) the ongoing violence, use of chemical weapons, targeting of civilian populations with barrel, incendiary, and cluster bombs and SCUD missiles, and systematic gross human rights violations carried out by the Government of Syria and pro-government forces under the direction of President Bashar al-Assad; and

(B) all abuses committed by violent extremist groups and other combatants involved in the civil war in Syria;

(2) expresses its support for the people of Syria seeking democratic change;

(3) urges all parties to the conflict—

(A) to immediately halt indiscriminate attacks on civilians;

(B) to allow for the delivery of humanitarian and medical assistance; and

(C) to end sieges of civilian populations;

(4) calls on the President to support efforts in Syria, and on the part of the international community, to ensure accountability for war crimes, crimes against humanity, and genocide committed during the conflict; and

(5) supports the request in United Nations Security Council Resolutions 2139 (2014), 2165 (2014), and 2191 (2014) for the Secretary-General to regularly report to the Security Council on implementation on the resolutions, including of paragraph 2 of Resolution 2139, which “demands that all parties immediately put an end to all forms of violence [and] cease and desist from all violations of international humanitarian law and violations and abuses of human rights”.

SEC. 12 4. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Armed Services of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) **GENOCIDE.**—The term “genocide” means any offense described in section 1091(a) of title 18, United States Code.

(3) **HYBRID TRIBUNAL.**—The term “hybrid tribunal” means a temporary criminal tribunal that involves a combination of domestic and international lawyers, judges, and other professionals to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide.

(4) **TRANSITIONAL JUSTICE.**—The term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

(A) to redress legacies of atrocities; and

(B) to promote long-term, sustainable peace.

(5) **WAR CRIME.**—The term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

SEC. 12 5. REPORT ON ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN SYRIA.

(a) **IN GENERAL.**—The Secretary of State shall submit a report on war crimes, crimes against humanity, and genocide in Syria to the appropriate congressional committees not later than 90 days after the date of the enactment of this Act and another such report not later than 180 days after the Secretary of State determines that the violence in Syria has ceased.

(b) **ELEMENTS.**—The reports required under subsection (a) shall include—

(1) a description of alleged war crimes, crimes against humanity, and genocide perpetrated during the civil war in Syria, including—

(A) incidents that may constitute war crimes, crimes against humanity, or genocide committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(B) incidents that may constitute war crimes, crimes against humanity, or genocide committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(C) any incidents that may violate the principle of medical neutrality and, if possible, the identification of the individual or individuals who engaged in or organized such incidents; and

(D) if possible, a description of the conventional and unconventional weapons used for such crimes and the origins of such weapons; and

(2) a description and assessment by the Department of State Office of Global Criminal Justice, the United States Agency for International Development, the Department of Justice, and other appropriate agencies of programs that the United States Government has undertaken to ensure accountability for war crimes, crimes against humanity, and genocide perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including programs—

(A) to train investigators within and outside of Syria on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of war crimes, crimes against humanity, or genocide, including—

(i) the number of United States Government or contract personnel currently designated to work full-time on these issues; and

(ii) the identification of the authorities and appropriations being used to support such training efforts;

(B) to promote and prepare for a transitional justice process or processes for the perpetrators of war crimes, crimes against humanity, and genocide in Syria beginning in March 2011;

(C) to document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Syria, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic; and

(D) to assess the influence of accountability measures on efforts to reach a negotiated settlement to the Syrian conflict during the reporting period.

(c) **FORM.**—The report required under subsection (a) may be submitted in unclassified or classified form, but shall include a publicly available annex.

(d) **PROTECTION OF WITNESSES AND EVIDENCE.**—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict.

SEC. 12 6. TRANSITIONAL JUSTICE STUDY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice, the United States Agency for International Development, and other appropriate Federal agencies, shall—

(1) complete a study of the feasibility and desirability of potential transitional justice mechanisms for Syria, including a hybrid tribunal, to address war crimes, crimes against humanity, and genocide perpetrated in Syria beginning in March 2011; and

(2) submit a detailed report of the results of the study conducted under paragraph (1), including recommendations on which transitional justice mechanisms the United States Government should support, why such mechanisms should be supported, and what type of support should be offered, to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

SEC. 12 7. TECHNICAL ASSISTANCE AUTHORIZED.

(a) **IN GENERAL.**—The Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice and other appropriate Federal agencies, is authorized to provide appropriate assistance to support entities that, with respect to war crimes, crimes against humanity, and genocide perpetrated by the regime of President Bashar al-Assad, all forces fighting on its behalf, and all non-state armed groups fighting in the country, including violent extremist groups in Syria beginning in March 2011—

(1) identify suspected perpetrators of war crimes, crimes against humanity, and genocide;

(2) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;

(3) conduct criminal investigations;

(4) build Syria's investigative and judicial capacities and support prosecutions in the domestic courts of Syria, provided that President Bashar al-Assad is no longer in power;

(5) support investigations by third-party states, as appropriate; or

(6) protect witnesses that may be helpful to prosecutions or other transitional justice mechanisms.

(b) **ADDITIONAL ASSISTANCE.**—The Secretary of State, after consultation with ap-

propriate Federal agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 12 6, is authorized to provide assistance to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Syria beginning in March 2011.

(c) **BRIEFING.**—The Secretary of State shall provide detailed, biannual briefings to the appropriate congressional committees describing the assistance provided to entities described in subsection (a).

SEC. 12 8. STATE DEPARTMENT REWARDS FOR JUSTICE PROGRAM.

Section 36(b)(10) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)(10)) is amended by inserting “(including war crimes, crimes against humanity, or genocide committed in Syria beginning in March 2011)” after “genocide”.

SEC. 12 9. INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC.

The Secretary of State, acting through the United States Permanent Representative to the United Nations, should use the voice, vote, and influence of the United States at the United Nations to advocate that the United Nations Human Rights Council, while the United States remains a member, annually extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic until the Commission has completed its investigation of all alleged violations of international human rights laws beginning in March 2011 in the Syrian Arab Republic.

SA 508. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ REVIEW OF UNITED STATES NUCLEAR AND RADIOLOGICAL TERRORISM PREVENTION STRATEGY.

(a) **IN GENERAL.**—The Secretary of Energy, acting through the Administrator for Nuclear Security, shall enter into an arrangement with the National Academy of Sciences to assess and recommend improvements to the strategies of the United States for preventing, countering, and responding to nuclear and radiological terrorism, specifically terrorism involving the use of nuclear weapons, improvised nuclear devices, or radiological dispersal or exposure devices, or the sabotage of nuclear facilities.

(b) **REVIEW.**—The assessment conducted under subsection (a) shall address the adequacy of the strategies of the United States described in that subsection and identify technical, policy, and resource gaps with respect to—

(1) identifying national and international nuclear and radiological terrorism risks and critical emerging threats;

(2) preventing state and non-state actors from acquiring the technologies, materials, and critical expertise needed to mount nuclear or radiological attacks;

(3) countering efforts by state and non-state actors to mount such attacks;

(4) responding to nuclear and radiological terrorism incidents to attribute their origin and help manage their consequences; and

(5) other important matters identified by the National Academy of Sciences that are directly relevant to those strategies.

(c) **RECOMMENDATIONS.**—The assessment conducted under subsection (a) shall include recommendations to the Secretary of Energy, Congress, and such other Federal entities as the National Academy of Sciences considers appropriate, for preventing, countering, and responding to nuclear and radiological terrorism, including recommendations for—

(1) closing technical, policy, or resource gaps;

(2) improving cooperation and appropriate integration among Federal entities and Federal, State, and tribal governments;

(3) improving cooperation between the United States and other countries and international organizations; and

(4) other important matters identified by the National Academy of Sciences that are directly relevant to the strategies of the United States described in subsection (a).

(d) **LIAISONS.**—The Secretary of Energy, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, and the Director of National Intelligence shall appoint appropriate liaisons to the National Academy of Sciences with respect to supporting the timely conduct of the assessment required by subsection (a).

(e) **ACCESS TO MATERIALS.**—The Secretary of Energy, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, and the Director of National Intelligence shall provide access to the National Academy of Sciences to materials relevant to the assessment required by subsection (a).

(f) **CLEARANCES.**—The Secretary of Energy and the Director of National Intelligence shall ensure that appropriate members and staff of the National Academy of Sciences have the necessary clearances, obtained in an expedited manner, to conduct the assessment required by subsection (a).

SA 509. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 338. FACILITIES DEMOLITION PLAN OF THE ARMY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a facilities demolition plan of the Army that does the following:

(1) Takes into account the impact of a contaminated facility on mission readiness, and national security generally, in establishing priorities for the demolition of facilities.

(2) Sets forth a multi-year plan for the demolition of Army facilities, including contaminated facilities given afforded a priority for demolition pursuant to paragraph (1).

SA 510. Mr. CARDIN submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MODIFICATION TO THE HUBZONE PROGRAM.

Section 3(p)(4)(C) of the Small Business Act (15 U.S.C. 632(p)(4)(C)) is amended by striking “until the later of” and all that follows and inserting “for the 7-year period following the date on which the census tract or nonmetropolitan county ceased to be so qualified.”.

SA 511. Mr. SULLIVAN (for himself, Mr. PETERS, Mr. CORNYN, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1218. COOPERATION BETWEEN INDIA AND AFGHANISTAN.

(a) **SENSE OF CONGRESS ON BILATERAL COOPERATION.**—It is the sense of Congress that, in order to promote stability and security in Afghanistan, the Secretary of Defense should, in coordination with the Secretary of State, identify and promote means by which the Government of India may do the following:

(1) Increase security assistance to the Afghan National Security Forces (ANSF), including through the provision of logistics support, threat analysis, intelligence, materiel, and maintenance support by India.

(2) Support targeted infrastructure development and economic investment in Afghanistan, including through a priority for such investment that is aligned with the mutual interests of the India Government and the United States Government.

(3) Improve the provision by India of humanitarian and disaster relief assistance to Afghanistan, including through the provision of logistics support by India, joint training between Afghanistan and India, and combined military planning by Afghanistan and India for humanitarian assistance and disaster relief missions in Afghanistan.

(b) **ENHANCED TRILATERAL COOPERATION.**—In order to enhance trilateral cooperation between Afghanistan, India, and the United States, and to promote mutual priorities for security assistance in Afghanistan, the Secretary of Defense shall, in coordination with the Secretary of State—

(1) work with representatives of the Afghanistan Government, the India Government, and the United States Government on an ongoing basis to—

(A) establish priorities for investments to promote security and stability in Afghanistan that align with the mutual interests of Afghanistan, India, and the United States;

(B) identify gaps in the capabilities of Afghanistan security forces, and determine means of addressing such gaps;

(C) identify economic and infrastructure development opportunities in Afghanistan related to improving security and stability in Afghanistan; and

(D) identify means of improving the coordination and delivery of humanitarian assistance and disaster relief capabilities to Afghanistan by the Afghanistan, India, and United States militaries in order to improve joint military response to current and anticipated humanitarian needs in Afghanistan; and

(2) advocate for necessary capabilities, especially to meet critical, short-term needs identified by the commander of United States forces participating in Operation Resolute Support in Afghanistan.

SA 512. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PARENTAL LEAVE FOR MEMBERS OF THE ARMED FORCES.

Section 701 of title 10, United States Code, is amended—

(1) by striking subsections (i) and (j);

(2) by redesignating subsection (k) as subsection (j); and

(3) by inserting after subsection (h) the following new subsection (i):

“(i)(1) A member of the armed forces, regardless of gender or marital status, shall be authorized to take at least 84 days of parental leave to be used in connection with—

“(A) the birth of a child of the member;

“(B) a qualifying adoption of a child by the member; or

“(C) the placement of a child in foster care with the member.

“(2) In the case of a dual military family, both members of the armed forces shall be authorized to take parental leave under this subsection. The Secretary concerned shall permit the transfer of such leave between the two members to accommodate individual family circumstances.

“(3) For the purpose of parental leave under this subsection, an adoption of a child by a member of the armed forces is a qualifying child adoption if the member is eligible for reimbursement of qualified adoption expenses for such adoption under section 1052 of this title.

“(4) Parental leave under paragraph (1) is in addition to other leave provided under other provisions of this section or under other legal authority. Nothing in this subsection prevents the Secretary concerned from authorizing convalescent leave for a female member of the armed forces as necessary prior or subsequent to the delivery of her child. Convalescent or other leave taken before childbirth by a pregnant member shall not reduce the number of days of parental leave available to the member under this subsection.

“(5) The Secretary of Defense, and the Secretary of Homeland Security in the case of the Coast Guard when it is not operating as

a service in the Navy, shall prescribe regulations to implement this subsection, which shall be uniform for the armed forces.”.

SA 513. Mr. MCCAIN (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. ____ . REPORT ON DEFENSE OF COMBAT LOGISTICS AND STRATEGIC MOBILITY FORCES.

(a) **REPORT REQUIRED.**—Not later than January 1, 2018, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the defense of combat logistics and strategic mobility forces.

(b) **COVERED PERIODS.**—The report required by subsection (a) shall cover two periods:

- (1) The period from 2018 through 2025.
- (2) The period from 2026 through 2035.

(c) **ELEMENTS.**—The report required by subsection (a) shall include, for each of the periods covered by the report, the following:

(1) A description of potential warfighting planning scenarios in which combat logistics and strategic mobility forces will be threatened, including the most stressing such scenario.

(2) A description of the combat logistics and strategic mobility forces capacity, including additional combat logistics and strategic mobility forces, that may be required due to losses from attacks under each scenario described pursuant to paragraph (1).

(3) A description of the projected capability and capacity of subsurface (e.g., torpedoes), surface (e.g., anti-ship missiles), and air (e.g., anti-ship missiles) threats to combat logistics and strategic mobility forces for each scenario described pursuant to paragraph (1).

(4) A description of planned operating concepts for defending combat logistics and strategic mobility forces from subsurface, surface, and air threats for each scenario described pursuant to paragraph (1).

(5) An assessment of the ability and availability of United States naval forces to defend combat logistics and strategic mobility forces from the threats described pursuant to paragraph (1), while also accomplishing other assigned missions, for each scenario described pursuant to that paragraph.

(6) A description of specific capability gaps or risk areas in the ability or availability of United States naval forces to defend combat logistics and strategic mobility forces from the threats described pursuant to paragraph (1).

(7) A description and assessment of potential solutions to address the capability gaps and risk areas identified pursuant to paragraph (6), including new capabilities, increased capacity, or new operating concepts that could be employed by United States naval forces.

(d) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) **COMBAT LOGISTICS AND STRATEGIC MOBILITY FORCES DEFINED.**—In this section, the term “combat logistics and strategic mobil-

ity forces” means the combat logistics force, the Ready Reserve Force, and the Military Sealift Command surge fleet.

SA 514. Mr. REED (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. ____ . REPORT ON THE CIRCUMSTANCES SURROUNDING THE 2016 ATTACKS ON THE U.S.S. MASON.

Not later than March 1, 2018, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the circumstances surrounding the attacks in 2016 on the U.S.S. Mason (DDG-87).

SA 515. Mr. MARKEY (for himself, Mr. CARDIN, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NULLIFICATION OF CERTAIN PROVISIONS.

If the Congressional Budget Office determines that the provisions of, or the amendments made by, this Act would reduce Federal Medicaid spending and reduce taxes for the top 1 percent of Americans, such provisions or amendments shall be null and void and this Act shall be applied and administered as if such provisions and amendments had not been enacted.

SA 516. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENTS RELATING TO MULTI-USE SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

In order to facilitate access for small business concerns and nontraditional contractors to affordable secure spaces, the Secretary of Defense shall develop the processes and procedures necessary to build, certify, and maintain certifications for multi-use sensitive compartmented information facilities not tied to a single contract and where multiple companies can work on multiple projects at different security levels securely.

SA 517. Mr. BENNET (for himself and Mr. GARDNER) submitted an amend-

ment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF CONGRESS ON NATIONAL SPACE DEFENSE CENTER.

(a) **FINDINGS.**—Congress makes the following findings:

- (1) Space is a warfighting domain.
- (2) Deterrence of adversaries of the United States, preserving the space domain, and defending against threats to space systems requires coordination across the Department of Defense, including the military departments, and the intelligence community.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the National Space Defense Center is critical to defending and securing the space domain in order to protect all United States assets in space;

(2) integration between the intelligence community and the Department of Defense within the National Space Defense Center is essential to detecting, assessing, and reacting to evolving space threats; and

(3) the Department of Defense, including the military departments, and the elements of the intelligence community should seek ways to bolster integration with respect to space threats through work at the National Space Defense Center.

(c) **INTELLIGENCE COMMUNITY DEFINED.**—In this section, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SA 518. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT FOR FOREIGN MILITARY FINANCING PROVIDED AS GRANTS.

(a) **IN GENERAL.**—Financing provided to a country or international organization pursuant to the authority of section 23 of the Arms Export Control Act (22 U.S.C. 2763) for the procurement of defense articles, defense services, and design and construction services shall be made available on a grant basis.

(b) **WAIVER.**—The President may waive the restriction in subsection (a) in any fiscal year for any country or international organization if the President first certifies to the appropriate congressional committees that—

(1) the provision of such financing on any other basis to a specific country or international organization will not result in the refusal by such country or international organization to procure United States defense articles, defense services, or design and construction services through such financing;

(2) if such financing is provided on a loan basis, the country or international organization has sufficient funds to repay such loan in a reasonable time, without causing an impact on the services or activities of such country or international organization provides to its citizens or members, as the case may be; or

(3) there will be no impact on United States defense sector jobs.

(c) **LIMITATION.**—The amounts of such financing to be provided to each country shall be generally comparable to the amount made available to such country for fiscal year 2017, subject to appropriations, with the exception of Israel, Egypt, Jordan, and Pakistan, unless the President certifies to the appropriate congressional committees that the different amount to be made available better serves the national security and foreign policy interests of the United States with respect to the United States relationship with that country, including the rationale for such certification.

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

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 519. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COMPREHENSIVE STRATEGY TO ASSIST GOVERNMENT OF NIGERIA EFFORTS TO COUNTER BOKO HARAM.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for the next three years, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support Nigeria's efforts to counter Boko Haram through engagement with the Nigerian security sector.

(b) **ELEMENTS.**—The report required under subsection (a) shall include—

(1) an assessment conducted by the Office of the Director of National Intelligence of the major obstacles to Nigeria's military effectiveness in northeastern Nigeria, including recommendations for United States Government diplomatic actions and security cooperation programs and activities to address such obstacles and a description of funding needs and actions that must be taken by the Government of Nigeria to address such obstacles;

(2) an assessment of the efforts taken by the Nigerian military to hold soldiers accountable for human rights violations, including the Zaria massacre;

(3) a plan for the United States Government to work to help the Government of Nigeria increase its capacity to investigate and prosecute human rights abuses and to effectively try cases through transparent mechanisms;

(4) a description of all security cooperation currently being provided to the Nigerian se-

curity sector, as well as a description of current deployment of uniformed personnel currently assisting with counter-Boko Haram efforts in the Lake Chad Basin and a description of their location and their responsibilities; and

(5) any other matters the President deems appropriate.

(c) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form with a classified annex.

(d) **PROHIBITION OF TRANSFERS.**—No precision-guided munitions or other types of air-delivered bombs may be transferred to the Government of Nigeria until the President certifies that the Government of Nigeria has made progress on military accountability for human rights abuses, including for the Zaria massacre in December 2015 that killed 300 people, and has publicly issued the findings of the inquiry into the January 2016 bombing in Rann.

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

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 520. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 24, insert “and constructed in a Flight IIA configuration” before “using”.

SA 521. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CALCULATION OF THE COST OF DROP-IN FUELS.

Section 2922h of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) **INCLUSION OF FINANCIAL CONTRIBUTIONS FROM OTHER FEDERAL DEPARTMENTS AND AGENCIES.**—For purposes of calculating the fully burdened cost of a drop-in fuel under subsection (a), for a proposed purchase to be made on or after the beginning of fiscal year 2022, the Secretary of Defense shall include in such calculation any financial contributions made by other Federal departments and agencies.”.

SA 522. Mr. CORNYN (for himself, Mr. BLUMENTHAL, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, and annually thereafter through 2020, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) **FORM OF REPORT.**—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **PUBLICATION OF LIST.**—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

SA 523. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) **IN GENERAL.**—For purposes of the following provisions of the Internal Revenue Code of 1986, a qualified hazardous duty area shall be treated in the same manner as if it were a combat zone (as determined under section 112 of such Code):

(1) Section 2(a)(3) (relating to special rule where deceased spouse was in missing status).

(2) Section 112 (relating to the exclusion of certain combat pay of members of the Armed Forces).

(3) Section 692 (relating to income taxes of members of Armed Forces on death).

(4) Section 2201 (relating to members of the Armed Forces dying in combat zone or by reason of combat-zone-incurred wounds, etc.).

(5) Section 3401(a)(1) (defining wages relating to combat pay for members of the Armed Forces).

(6) Section 4253(d) (relating to the taxation of phone service originating from a combat zone from members of the Armed Forces).

(7) Section 6013(f)(1) (relating to joint return where individual is in missing status).

(8) Section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone).

(b) **QUALIFIED HAZARDOUS DUTY AREA.**—For purposes of this section, the term “qualified hazardous duty area” means the Sinai Peninsula of Egypt, if as of the date of the enactment of this section any member of the Armed Forces of the United States is entitled to special pay under section 310 of title 37, United States Code (relating to special pay; duty subject to hostile fire or imminent danger) for services performed in such location. Such term includes such location only during the period such entitlement is in effect.

(c) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the provisions of this section shall take effect on June 9, 2015.

(2) **WITHHOLDING.**—Subsection (a)(5) shall apply to remuneration paid after the date of the enactment of this Act.

SA 524. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. ____ . UPGRADE OF M113 VEHICLES.

No amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended to upgrade Army M113 vehicles until the Secretary of the Army submits to the Committees on Appropriations of the Senate and the House of Representatives a report setting forth the strategy of the Army for the upgrade of such vehicles. The report shall include the following:

(1) A detailed strategy for upgrading and fielding M113 vehicles.

(2) An analysis of the manner in which the Army plans to address M113 vehicle survivability and maneuverability concerns.

(3) An analysis of the historical costs associated with upgrading M113 vehicles, and a validation of current cost estimates for upgrading such vehicles.

(4) A comparison of total procurement and life cycle costs of adding an echelon above brigade (EAB) requirement to the Army Multi-Purpose Vehicle (AMPV) with total procurement and life cycle costs of upgrading legacy M113 vehicles.

(5) An analysis of the possibility of further accelerating Army Multi-Purpose Vehicle

production or modifying the current fielding strategy for the Army Multi-Purpose Vehicle to meet near-term echelon above brigade requirements.

SA 525. Mr. WHITEHOUSE (for himself, Mr. DAINES, Mr. PETERS, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . UNITED STATES-ISRAEL CYBERSECURITY COOPERATION.

(a) **GRANT PROGRAM.**—

(1) **ESTABLISHMENT.**—The Secretary, in accordance with the agreement entitled the “Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters”, done at Jerusalem May 29, 2008 (or successor agreement), and the requirements specified in paragraph (2), shall establish a grant program at the Department to support—

(A) cybersecurity research and development; and

(B) demonstration and commercialization of cybersecurity technology.

(2) **REQUIREMENTS.**—

(A) **APPLICABILITY.**—Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, the Secretary shall require cost sharing in accordance with this paragraph.

(B) **RESEARCH AND DEVELOPMENT.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the Secretary shall require not less than 50 percent of the cost of a research, development, demonstration, or commercial application program or activity described in subparagraph (A) to be provided by a non-Federal source.

(ii) **REDUCTION.**—The Secretary may reduce or eliminate, on a case-by-case basis, the percentage requirement specified in clause (i) if the Secretary determines that such reduction or elimination is necessary and appropriate.

(C) **MERIT REVIEW.**—In carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, awards shall be made only after an impartial review of the scientific and technical merit of the proposals for such awards has been carried out by or for the Department.

(D) **REVIEW PROCESSES.**—In carrying out a review under subparagraph (C), the Secretary may use merit review processes developed under section 302(14) of the Homeland Security Act of 2002 (6 U.S.C. 182(14)).

(3) **ELIGIBLE APPLICANTS.**—An applicant shall be eligible to receive a grant under this subsection if the project of such applicant—

(A) addresses a requirement in the area of cybersecurity research or cybersecurity technology, as determined by the Secretary; and

(B) is a joint venture between—

(i)(I) a for-profit business entity, academic institution, National Laboratory (as defined

in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), or nonprofit entity in the United States; and

(II) a for-profit business entity, academic institution, or nonprofit entity in Israel; or

(ii)(I) the Federal Government; and

(II) the Government of Israel.

(4) **APPLICATIONS.**—To be eligible to receive a grant under this subsection, an applicant shall submit to the Secretary an application for such grant in accordance with procedures established by the Secretary, in consultation with the advisory board established under paragraph (5).

(5) **ADVISORY BOARD.**—

(A) **ESTABLISHMENT.**—The Secretary shall establish an advisory board to—

(i) monitor the method by which grants are awarded under this subsection; and

(ii) provide to the Secretary periodic performance reviews of actions taken to carry out this subsection.

(B) **COMPOSITION.**—The advisory board established under subparagraph (A) shall be composed of three members, to be appointed by the Secretary, of whom—

(i) one shall be a representative of the Federal Government;

(ii) one shall be selected from a list of nominees provided by the United States-Israel Binational Science Foundation; and

(iii) one shall be selected from a list of nominees provided by the Israel-United States Binational Industrial Research and Development Foundation.

(6) **CONTRIBUTED FUNDS.**—Notwithstanding any other provision of law, the Secretary may accept or retain funds contributed by any person, government entity, or organization for purposes of carrying out this subsection. Such funds shall be available, subject to appropriation, without fiscal year limitation.

(7) **REPORT.**—Not later than 180 days after the date of completion of a project for which a grant is provided under this subsection, the grant recipient shall submit to the Secretary a report that contains—

(A) a description of how the grant funds were used by the recipient; and

(B) an evaluation of the level of success of each project funded by the grant.

(8) **CLASSIFICATION.**—Grants shall be awarded under this subsection only for projects that are considered to be unclassified by both the United States and Israel.

(b) **TERMINATION.**—The grant program and the advisory board established under this section shall terminate on the date that is 7 years after the date of the enactment of this Act.

(c) **NO ADDITIONAL FUNDS AUTHORIZED.**—No additional funds are authorized to be appropriated to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise appropriated.

(d) **DEFINITIONS.**—In this section—

(1) the term “cybersecurity research” means research, including social science research, into ways to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(2) the term “cybersecurity technology” means technology intended to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(3) the term “cybersecurity threat” has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501);

(4) the term “Department” means the Department of Homeland Security; and

(5) the term “Secretary” means the Secretary of Homeland Security.

SA 526. Mr. WHITEHOUSE (for himself, Mr. PETERS, Mr. TESTER, Ms. WARREN, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MAKING PERMANENT EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112-154; 50 U.S.C. 3953 note) is amended by striking paragraphs (1) and (3).

SA 527. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. ____ . PLAN ON IMPROVEMENT OF ABILITY OF FOREIGN GOVERNMENTS PARTICIPATING IN UNITED STATES INSTITUTIONAL CAPACITY BUILDING PROGRAMS TO PROTECT CIVILIANS.

(a) **REPORT ON PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report setting forth a plan, to be implemented as part of each institutional capacity building program required by section 333(c)(4) of title 10, United States Code, to improve the ability of foreign governments to protect civilians.

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

(1) Efforts to develop and integrate civilian harm mitigation principles and techniques in all relevant partner force standard operating procedures.

(2) Efforts to build partner capacity to collect, track, and analyze civilian casualty data and apply lessons learned to future operations, and to provide amends to civilians harmed by partner force operations.

(3) Efforts to support enhanced investigatory and accountability standards in partner forces to ensure compliance with the laws of armed conflict and appropriate human rights and civilian protection standards.

(4) Support for increased partner transparency, including support for the establishment of civil affairs units within partner militaries to improve communication with the public.

(5) An estimate of the resources required to implement the efforts and support described in paragraphs (1) through (4).

(6) A description of the appropriate roles of the Department of Defense and the Department of State in such efforts and support.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 528. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 603, after line 25, add the following:

(e) **COMPTROLLER GENERAL OF THE UNITED STATES REPORT.**—

(1) **IN GENERAL.**—Not later than May 1, 2018, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that sets forth the following:

(A) A description of the mechanisms and authorities used by the Department of Defense and the Department of State to conduct training of foreign security forces on human rights and international humanitarian law.

(B) A description of the funding used to support the training described in paragraph (1).

(C) A description and assessment of the methodology used by each of the Department of Defense and the Department of State to assess the effectiveness of such training.

(D) Such recommendations for improvements to such training as the Comptroller General considers appropriate.

(E) Such other matters relating to such training as the Comptroller General considers appropriate.

(2) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

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

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

SA 529. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. ____ . HUMAN RIGHTS VETTING OF AFGHAN NATIONAL DEFENSE AND SECURITY FORCES.

The Secretary of Defense may establish within the Department of Defense one or

more permanent positions to oversee and support, in coordination with the Department of State, the implementation of section 362 of title 10, United States Code, with respect to the Afghan National Defense and Security Forces.

SA 530. Mrs. McCASKILL (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 447, between lines 18 and 19, insert the following:

(k) **CONTINGENT EFFECTIVENESS.**—

(1) **IN GENERAL.**—This section shall not go into effect unless the Secretary of Defense certifies to the Committees on Armed Services of the Senate and the House of Representatives each of the following:

(A) That a cost-benefit analysis, included with the certifications, demonstrates the transfer of functions of background investigations to Department of Defense will not increase costs to the Department or other agencies.

(B) That the backlog of background investigations at the National Background Investigations Bureau have been eliminated.

(C) That the background investigation program of the Department of Defense adheres to investigative standards established by the Security Executive Agent, the Suitability Executive Agent, and the Credentialing Executive Agent.

(D) That common components of technology systems between the Defense Security Service and National Background Investigations Bureau have been tested and are operational.

(E) That the background investigation program of the Department will adhere to reciprocity, timeliness, and quality standards and metrics established by law and by the Security Executive Agent, the Suitability Executive Agent, and the Credentialing Executive Agent.

(2) **WORKFORCE ANALYSIS.**—The Secretary shall include with the certifications described in paragraph (1) a workforce analysis of the appropriate mix of contractor and Federal employees to conduct the background investigation work for the Department.

SA 531. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LETHALITY AND RESILIENCY OF THE FUTURE GUIDED MISSILE FRIGATE (FFG(X)).

It is the sense of Congress that—

(1) the Navy should evaluate all United States and Allied naval gun, missile, and

warfare system solutions capable of being integrated on the Future Guided Missile Frigate (FFG(X)); and

(2) should not limit or designate the integration of a specific naval gun or warfare system on the FFG(X) at any time during the development and acquisition process of the FFG(X) program, beginning with the market assessment period, in order to ensure a transparent, open, and comprehensive evaluation of future required combat lethality and self-defense resiliency capabilities.

SA 532. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 37, insert the following after line 13:

“(5) ADJUSTMENTS TO STATE EXPENDITURES TARGETS TO PROMOTE PROGRAM EQUITY ACROSS STATES.—

“(A) IN GENERAL.—Beginning with fiscal year 2020, the target per capita medical assistance expenditures for a 1903A enrollee category, State, and fiscal year, as determined under paragraph (2), shall be adjusted (subject to subparagraph (C)(i)) in accordance with this paragraph.

“(B) ADJUSTMENT BASED ON LEVEL OF PER CAPITA SPENDING FOR 1903A ENROLLEE CATEGORIES.—Subject to subparagraph (C), with respect to a State, fiscal year, and 1903A enrollee category, if the State’s per capita categorical medical assistance expenditures (as defined in subparagraph (D)) for the State and category in the preceding fiscal year—

“(i) exceed the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 3 percent; or

“(ii) are less than the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 3 percent.

“(C) RULES OF APPLICATION.—

“(i) BUDGET NEUTRALITY REQUIREMENT.—In determining the appropriate percentages by which to adjust States’ target per capita medical assistance expenditures for a category and fiscal year under this paragraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such fiscal year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such fiscal year.

“(ii) ASSUMPTION REGARDING STATE EXPENDITURES.—For purposes of clause (i), in the case of a State that has its target per capita medical assistance expenditures for a 1903A enrollee category and fiscal year increased under this paragraph, the Secretary shall assume that the categorical medical assistance expenditures (as defined in subparagraph (D)(ii)) for such State, category, and fiscal year will equal such increased target medical assistance expenditures.

“(iii) NONAPPLICATION TO LOW-DENSITY STATES.—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

“(iv) DISREGARD OF ADJUSTMENT.—Any adjustment under this paragraph to target medical assistance expenditures for a State, 1903A enrollee category, and fiscal year shall be disregarded when determining the target medical assistance expenditures for such State and category for a succeeding year under paragraph (2).

“(v) APPLICATION FOR FISCAL YEARS 2020 AND 2021.—In fiscal years 2020 and 2021, the Secretary shall apply this paragraph by deeming all categories of 1903A enrollees to be a single category.

“(D) PER CAPITA CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—

“(i) IN GENERAL.—In this paragraph, the term ‘per capita categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to—

“(I) the categorical medical expenditures (as defined in clause (ii)) for the State, category, and year; divided by

“(II) the number of 1903A enrollees for the State, category, and year.

“(ii) CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—The term ‘categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to the total medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that are attributable to 1903A enrollees in the category, excluding any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year that are attributable to 1903A enrollees in the category.

SA 533. Mrs. CAPITO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 710. ELIGIBILITY FOR CERTAIN HEALTH CARE BENEFITS OF MEMBERS OF THE SELECTED RESERVE ORDERED TO ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

(a) PRE-MOBILIZATION HEALTH CARE.—Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

(b) TRANSITIONAL HEALTH CARE.—Section 1145(a)(2)(B) of such title is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

SA 534. Mrs. CAPITO (for herself, Mr. CORNYN, and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title VI, add the following:

SEC. 639. REDUCED AGE FOR ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE FOR SERVICE ON ACTIVE DUTY OF MEMBERS OF THE SELECTED RESERVE ORDERED TO ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(B) or under section 12301(d)” and inserting “under section 12301(d) or 12304b of this title or a provision of law referred to in section 101(a)(13)(B)”.

SA 535. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 498, beginning on line 1, strike “12.6 percent” and insert “10 percent”.

SA 536. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS TO DISESTABLISH SENIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAMS.

No amounts authorized to be appropriated by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers’ Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers’ Training Corps program in accordance with the information paper of the Department of the Army titled “Army Senior Reserve Officers Training Corps (SROTC) Program Review and Criteria” and dated January 27, 2014, or any successor information paper or policy of the Department of the Army.

SA 537. Mr. CRUZ (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON ILLICIT ACTIVITIES OF CERTAIN IRANIAN PERSONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 60 days thereafter, the Secretary of Defense, in consultation with the Director of National Intelligence, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of State, shall submit to the appropriate committees of Congress a report that includes the following:

(1) A list of each person listed, or required to be listed, in Attachment 3 to Annex II of the Joint Comprehensive Plan of Action that has, on or after the date of the implementation of the Joint Comprehensive Plan of Action and before the date of the report, knowingly facilitated, participated or assisted in, engaged in, directed, or provided material support for activities described in subsection (b).

(2) A description of the activity described in subsection (b) engaged in by each person on the list required by paragraph (1).

(3) An assessment of the extent to which the activity described in subsection (b) engaged in by each person on the list required by paragraph (1) involves the provision or delivery of financial, material, or technological support to—

(A) the Government of Iran;

(B) Iran's Islamic Revolutionary Guard Corps;

(C) any person with respect to which sanctions have been imposed under any provision of law imposing sanctions with respect to Iran; or

(D) any person that directly, or indirectly through one or more intermediaries, is controlled by, or is under common control with, an entity described in subparagraph (A), (B), or (C).

(b) ACTIVITIES DESCRIBED.—An activity described in this subsection is any of the following:

(1) An act of international terrorism.

(2) The proliferation of nuclear or ballistic missile technology or spare parts.

(3) Illicit arms sales.

(4) Significant activities undermining cybersecurity.

(5) Violations of export controls.

(6) Financial crimes.

(7) Transnational organized crime, including drug and human trafficking.

(c) DETERMINATION AND PUBLIC AVAILABILITY.—To the maximum extent practicable, the list required by subsection (a)(1) shall be made available to the public and posted on a publicly available Internet website of the Department of Defense, the Department of State, the Department of the Treasury, or the Department of Commerce.

(d) DEFINITIONS.—In this section:

(1) ACT OF INTERNATIONAL TERRORISM.—The term “act of international terrorism” includes—

(A) an act of torture, extrajudicial killing, aircraft sabotage, or hostage taking, as those terms are defined in section 1605A(h) of title 28, United States Code; and

(B) providing material support or resources, as defined in section 2339A of title 18, United States Code, for an act described in subparagraph (A).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban

Affairs, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, and the Select Committee on Intelligence of the House of Representatives.

(3) KNOWINGLY.—The term “knowingly” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(4) JOINT COMPREHENSIVE PLAN OF ACTION.—The term “Joint Comprehensive Plan of Action” means the Joint Comprehensive Plan of Action, agreed to at Vienna on July 14, 2015, by Iran and by the People's Republic of China, France, Germany, the Russian Federation, the United Kingdom, and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action.

(5) PERSON.—The term “person” means an individual or entity.

(6) SIGNIFICANT ACTIVITIES UNDERMINING CYBERSECURITY.—The term “significant activities undermining cybersecurity” includes—

(A) significant efforts to—

(i) deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) exfiltrate information from such a system or network without authorization;

(B) significant destructive malware attacks;

(C) significant denial or service activities; and

(D) such other significant activities undermining cybersecurity as may be specified in regulations prescribed to implement this section.

SA 538. Mr. CRUZ (for himself, Mr. GARDNER, Mr. SULLIVAN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1270E. REPORT ON DESIGNATION OF GOVERNMENT OF NORTH KOREA AS A STATE SPONSOR OF TERRORISM.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Government designated the Government of North Korea a state sponsor of terrorism on January 20, 1988.

(2) On October 11, 2008, North Korea's designation as a state sponsor of terrorism was rescinded, following commitments by the Government of North Korea to dismantle its nuclear weapons program. However, North Korea has failed to live up to these commitments.

(3) On October 22, 2015, the U.S. Special Representative for North Korea Policy with the Department of State testified before the House Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade that North Korea's “conduct poses a growing threat to the United States, our friends in the region, and the global nonproliferation

regime” and the Deputy Coordinator for Homeland Security, Screening, and Designations with the Department of State noted that “weapons transfers that violate non-proliferation or missile control regimes could be a relevant factor for consideration, depending on the circumstances, consistent with the statutory criteria for designation as a state sponsor of terrorism”.

(4) The Government of North Korea has harbored members of the Japanese Red Army since a 1970 hijacking and continues to harbor the surviving hijackers to this day.

(5) On July 16, 2010, in the case of *Calderon-Cardona v. Democratic People's Republic of Korea* (case number 08-01367), the United States District Court for the District of Puerto Rico found that the Government of North Korea provided material support to the Japanese Red Army, designated as a foreign terrorist organization between 1997 and 2001, in furtherance of a 1972 terrorist attack at Lod Airport, Israel that killed 26 people, including 17 Americans.

(6) In the case of *Chaim Kaplan v. Hezbollah* (case number 09-646), a United States district court found in 2014 that North Korea materially supported terrorist attacks by Hezbollah, a designated foreign terrorist organization, against Israel in 2006.

(7) In June 2010, Major Kim Myong-ho and Major Dong Myong-gwan of North Korea's Reconnaissance General Bureau pled guilty in a South Korean court to attempting to assassinate Hwang Jang-yop, a North Korean dissident in exile, on the orders of Lieutenant General Kim Yong-chol, the head of North Korea's Reconnaissance General Bureau. The court sentenced each defendant to 10 years in prison.

(8) In March 2015, the South Korean government concluded that North Korea was responsible for a December 2014 cyber attack against multiple nuclear power plants in South Korea. The South Korean government stated that the attacks were intended to cause a malfunction at the plants' reactors, and described the attacks as acts of “cyber-terror targeting our country”.

(9) On December 19, 2015, the Federal Bureau of Investigation (FBI) concluded that North Korea was responsible for a cyber attack on Sony Pictures Entertainment and a subsequent threat of violence against theaters that showed the film “The Interview”. The FBI concluded that the “Guardians of Peace,” which sent the threat to Sony Pictures, was a unit of North Korea's Reconnaissance General Bureau, its foreign intelligence service.

(10) South Korean and Malaysian authorities have alleged that officials from North Korea's secret police and Foreign Ministry were involved in the poisoning and killing of the estranged half-brother of the country's leader, Kim Jong-nam, using the chemical weapon VX nerve agent, a substance banned for use as a weapon by the United Nations Chemical Weapons Convention, on February 13, 2017, in Kuala Lumpur.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Government of North Korea should be designated as a state sponsor of terrorism.

(c) DETERMINATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a determination as to whether North Korea meets the criteria for designation as a state sponsor of terrorism.

(d) FORM.—The report required by subsection (c) shall be submitted in unclassified form, but may include a classified annex, if appropriate.

(e) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated by the Secretary of State as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(3) NORTH KOREA.—The term “North Korea” means the Democratic People’s Republic of Korea.

(4) STATE SPONSOR OF TERRORISM.—The term “state sponsor of terrorism” means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

SA 539. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. ____ . LIMITATION ON OBSERVATION FLIGHTS OF THE RUSSIAN FEDERATION OVER THE UNITED STATES UNDER THE OPEN SKIES TREATY.

(a) IN GENERAL.—No amounts authorized to be appropriated by this Act may be used to aid, support, or permit in any manner observation flights of the Russian Federation over the United States under the Open Skies Treaty until the Secretary of Defense certifies to Congress each of the following:

(1) That the Russian Federation has removed all restrictions regarding access to observation flights of the United States and other covered state parties over the entirety of Russia in a manner that permits full implementation of the observation rights provided to the United States and covered state parties under the Open Skies Treaty.

(2) That the Russian Federation provides the same Air Traffic Control prioritization to observation aircraft from the United States and covered state parties that it receives from other participants under the Open Skies Treaty.

(3) That no upgraded sensors will be employed in observation flights of the Russian Federation or Belarus over the United States under the Open Skies Treaty unless the Russian Federation has agreed to the employment of advanced sensors, consistent with the Open Skies Treaty, on United States observation aircraft, and the United States has deployed such sensors, for observation flights over Russia under the Open Skies Treaty.

(b) DEFINITIONS.—In this section:

(1) COVERED STATE PARTY.—The term “covered state party” means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(2) OBSERVATION AIRCRAFT, OBSERVATION FLIGHT, AND SENSOR.—The terms “observation aircraft”, “observation flight”, and “sensor” have the meanings given such terms in Article II of the Open Skies Treaty.

(3) OPEN SKIES TREATY.—The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SA 540. Mr. CRUZ (for himself, Mr. LEAHY, Mr. TILLIS, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PERMANENT RESIDENT STATUS FOR LIU XIA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Liu Xia shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Liu Xia enters the United States before the filing deadline specified in subsection (c), Liu Xia shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than the later of—

(1) 2 years after the date of the enactment of this Act; or

(2) 2 years after the date on which Liu Xia is released from incarceration or travel restriction imposed by the People’s Republic of China.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Liu Xia, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Liu Xia under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Liu Xia under section 202(e) of such Act (8 U.S.C. 1152(e)).

SA 541. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INCLUSION OF FEDERAL SUBSIDIES IN CALCULATION OF FULLY BURDENED COST OF DROP-IN FUELS.

Section 2922h(c)(4) of title 10, United States Code, is amended by inserting “, including any financial contributions from a Federal agency other than the Department of Defense, including the Commodity Credit Corporation under the Department of Agriculture, for the purpose of reducing the total price of the fuel,” after “commodity price of the fuel”.

SA 542. Mr. TILLIS (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LIMITATION ON AVAILABILITY OF FUNDS FOR THE ENHANCED MULTI MISSION PARACHUTE SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 for the Enhanced Multi Mission Parachute System may be used to enter into or prepare to enter into a contract for the procurement of the Enhanced Multi Mission Parachute System unless the Secretary of the Navy submits to the congressional defense committees the certification described in subsection (b) and the report described in subsection (c).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification by the Secretary of the Navy that—

(1) neither the Marine Corps’ currently field enhanced multi mission parachute system nor the Army’s RA-1 parachute system meet the Marine Corps requirements;

(2) that the Marine Corps’ PARIS, Special Application Parachute does not meet the Marine Corps requirement;

(3) the testing plan for the enhanced multi mission parachute system meets all regulatory requirements; and

(4) the Department of the Navy has performed the analysis and determined that a high glide canopy is not more prone to malfunctions than the currently fielded free fall parachute systems.

(c) REPORT.—The report referred to in subsection (a) is a report that includes—

(1) an explanation of the rationale for using the Parachute Industry Association specification normally used for sports parachutes that are employed from relatively slow flying civilian aircraft at altitudes below 10,000 feet for a military parachute;

(2) an inventory and cost estimate for any new equipment and training that the Marine Corps will have to be acquire in order to employ a high glide parachute;

(3) an explanation of why the Department of the Navy is conducting a paper down select and not conducting any testing until first article testing; and

(4) a discussion of the risk assessment for high glide canopies, and specifically how the Department of the Navy is mitigating the risk for malfunctions experienced in other high glide canopy programs.

SA 543. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 27, strike lines 17 through 18 and insert the following:

“(ii) participates in education directly related to employment; or

“(E) an individual eligible to receive health services from the Indian Health Service or from an Indian Tribe, a Tribal Organization, or an Urban Indian Organization.

SA 544. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF REQUIREMENT FOR NOTIFICATION ON THE PROVISION OF DEFENSE SENSITIVE SUPPORT.

Section 1055 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 113 note) is hereby repealed.

SA 545. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2814.

SA 546. Mrs. SHAHEEN (for herself, Mr. CARPER, Mr. REED, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. COONS, Ms. HEITKAMP, Ms. STABENOW, Mr. CARDIN, Mr. MARKEY, Mr. WARNER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act.

SA 547. Mrs. SHAHEEN (for herself, Mr. CARPER, Mr. REED, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. COONS, Ms. HEITKAMP, Ms. STABENOW, Mr. CARDIN, Mr. MARKEY, Mr. WARNER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act.

SA 548. Mrs. SHAHEEN (for herself, Mr. CARPER, Mr. REED, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. COONS, Ms. HEITKAMP, Ms. STABENOW, Mr. CARDIN, Mr. MARKEY, Mr. WARNER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike sections 204 and 205 and insert the following:

SEC. 204. ENHANCEMENTS FOR REDUCED COST SHARING.

(a) MODIFICATION OF AMOUNT.—

(1) IN GENERAL.—Section 1402(c)(2) of the Patient Protection and Affordable Care Act is amended to read as follows:

“(2) ADDITIONAL REDUCTION.—The Secretary shall establish procedures under which the issuer of a qualified health plan to which this section applies shall further reduce cost-sharing under the plan in a manner sufficient to—

“(A) in the case of an eligible insured whose household income is not less than 100 percent but not more than 200 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 95 percent of such costs;

“(B) in the case of an eligible insured whose household income is more than 200 percent but not more than 300 percent of the poverty line for a family of the size involved,

increase the plan’s share of the total allowed costs of benefits provided under the plan to 90 percent of such costs; and

“(C) in the case of an eligible insured whose household income is more than 300 percent but not more than 400 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 85 percent of such costs.”.

(2) CONFORMING AMENDMENT.—Clause (i) of section 1402(c)(1)(B) of such Act is amended to read as follows:

“(i) IN GENERAL.—The Secretary shall ensure the reduction under this paragraph shall not result in an increase in the plan’s share of the total allowed costs of benefits provided under the plan above—

“(I) 95 percent in the case of an eligible insured described in paragraph (2)(A);

“(II) 90 percent in the case of an eligible insured described in paragraph (2)(B); and

“(III) 85 percent in the case of an eligible insured described in paragraph (2)(C).”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to plan years beginning after December 31, 2017.

(b) FUNDING.—Section 1402 of the Patient Protection and Affordable Care Act is amended by adding at the end the following new subsection:

“(g) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary for payments under this section.”.

(c) REINSTATEMENT OF PREMIUM TAX CREDIT.—The amendments made by section 102 shall be null and void.

SA 549. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INCREASE IN CHIP ELIGIBILITY AGE.

(a) IN GENERAL.—Section 2110(c)(1) of the Social Security Act (42 U.S.C. 1397j(c)(1)) is amended by striking “19” and inserting “26”.

(b) CONFORMING AMENDMENT.—Section 2112(b)(1)(B) of such Act (42 U.S.C. 1397l(b)(1)(B)) is amended by striking “19 years of age under this title (or title XIX)” and inserting “26 years of age under this title (or, in the case of title XIX, under 19 years of age or such higher age as the State has elected for purposes of the eligibility of a child under the State plan under that title or under a waiver of that plan)”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to eligibility determinations made after the date that is 180 days after the date of the enactment of this section.

(2) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by amendments made by this section, the respective plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins

after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

SA 550. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ SENSE OF THE SENATE THAT HEALTH CARE IS A RIGHT.

It is the sense of the Senate that—

(1) the United States should join every other major country on Earth and guarantee health care to all as a right, not a privilege; and

(2) it is time to end the absurdity that the United States spends far more per capita on health care and pays the highest prices in the world for prescription drugs.

SA 551. Mr. HOEVEN (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 202 and insert the following:

SEC. 202. SUPPORT FOR STATE AND INDIAN HEALTH PROGRAM RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the “Secretary”) to award grants to States and Indian health programs to address the substance abuse public health crisis or to respond to urgent mental health needs within the State or community served by the Indian health program. In awarding grants under this section, the Secretary may give preference to States, and Indian health programs that serve Indian tribes, with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States and Indian health programs that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State or Indian health program under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State or Indian health program determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State or community served by the Indian health program.

(c) DEFINITIONS.—In this section, the terms “Indian health program” and “Indian tribe” have the meanings given the terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

SA 552. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF DEPARTMENT OF DEFENSE FUNDS.

(a) IN GENERAL.—Chapter 165 of title 10, United States Code, is amended by inserting after section 2777 the following new section:

“§2778. Disclosure requirements for recipients of Department of Defense funds

“An individual or entity (including a State or local government and a recipient of a Department of Defense research grant) carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Department of Defense shall clearly state in any statement, press release, requests for proposal, bid solicitation, or other document describing the program, project, or activity—

“(1) the percentage of the total costs of the program, project, or activity which will be financed with funds provided by the Department;

“(2) the dollar amount of the funds provided by the Department that were made available for the program, project, or activity; and

“(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by non-governmental sources.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 165 of such title is amended by inserting after the item relating to section 2777 the following new item:

“2778. Disclosure requirements for recipients of Department of Defense funds.”.

SA 553. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ 8. INVESTMENT OF ASSETS OF JAMES MADISON MEMORIAL FELLOWSHIP TRUST FUND.

Subsection (b) of section 811 of the James Madison Memorial Fellowship Act (20 U.S.C. 4510) is amended to read as follows:

“(b)(1) It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the fund.

“(2) Subject to paragraph (3), investments of amounts appropriated to the fund shall be made in public debt securities of the United States with maturities suitable to the fund. For such purpose, such obligations may be acquired (A) on original issue at the issue price, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of title 31, United States Code, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt, except that where such average rate is not a multiple of $\frac{1}{8}$ of 1 percent, the rate of interest of such special obligations shall be the multiple of $\frac{1}{8}$ of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchases of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue or at the market price, is not in the public interest.

“(3)(A) Notwithstanding paragraph (2), upon receiving a determination of the Board described in subparagraph (B), the Secretary shall invest up to 40 percent of the fund’s assets in securities other than public debt securities of the United States, provided that the securities are traded in established United States markets.

“(B) A determination described in this subparagraph is a determination by the Board that investments as described in subparagraph (A) are necessary to enable the Foundation to carry out the purposes of this title without any diminution of the number of fellowships provided under section 804.

“(C) Nothing in this paragraph shall be construed to limit the authority of the Board to increase the number of fellowships provided under section 804, or to increase the amount of the fellowship authorized by section 809, as the Board considers appropriate and is otherwise consistent with the requirements of this title.”.

SA 554. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 513. REPORT ON COORDINATION BETWEEN DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS ON TIMING OF CESSATION OF VETERANS BENEFITS FOR MEMBERS OF THE RESERVE COMPONENTS WHOSE ACTIVE DUTY INTERRUPTS RECEIPT OF BENEFITS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report setting forth a description of a mechanism through which the Department of Defense may provide timely notice to the Department of Veterans Affairs of the commencement and period of active duty of members of the reserve components of the Armed Forces described in subsection (b) in order to ensure the following:

(1) That such members, while on active duty in the Armed Forces, do not receive veterans' benefits which they are not eligible to receive while on active duty.

(2) That such members recommence receipt of such benefits as soon as practicable after cessation of active duty.

(b) **COVERED MEMBERS.**—The members of the reserve components of the Armed Forces described in this subsection are members who, while on active duty in the Armed Forces, are not eligible to receive veterans' benefits to which such members are otherwise entitled during other periods.

(c) **VETERANS' BENEFITS DEFINED.**—In this section, the term "veterans' benefits" means benefits for veterans under the laws administered by the Secretary of Veterans Affairs.

SA 555. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. INVESTMENT OF ASSETS OF BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FUND.

Subsection (b) of section 1408 of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4707) is amended to read as follows:

"(b) **INVESTMENT OF FUND ASSETS.**—(1) It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the fund.

"(2) Subject to paragraph (3), investments of amounts appropriated to the fund shall be made in public debt securities of the United States with maturities suitable to the fund. For such purpose, such obligations may be acquired (A) on original issue at the issue price, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of title 31, United States Code, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt, except that where such average rate is not a multiple of $\frac{1}{4}$ of 1

percent, the rate of interest of such special obligations shall be the multiple of $\frac{1}{4}$ of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchases of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue or at the market price, is not in the public interest.

"(3)(A) Notwithstanding paragraph (2), upon receiving a determination of the Board described in subparagraph (B), the Secretary may invest up to 40 percent of the fund's assets in securities other than public debt securities of the United States, provided that the securities are traded in established United States markets.

"(B) A determination described in this subparagraph is a determination by the Board that investments as described in subparagraph (A) are necessary to enable the Foundation to carry out the purposes of this title without any diminution of the number of scholarships provided under section 1405, or of the stipend authorized by section 1406.

"(C) Nothing in this paragraph shall be construed to limit the authority of the Board to increase the number of scholarships provided under section 1405, or to increase the amount of the stipend authorized by section 1406, as the Board considers appropriate and is otherwise consistent with the requirements of this title."

SA 556. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . INVESTIGATION OF MEDICAL CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may contract with a nonprofit organization that accredits health care organizations and programs in the United States to investigate a medical center of the Department of Veterans Affairs to assess and report deficiencies of the facilities at such medical center.

(b) **AUTHORITY OF DIRECTORS.**—

(1) **IN GENERAL.**—Subject to coordination under paragraph (2), the Secretary shall delegate the authority under subsection (a) to contract for an investigation at a medical center of the Department to the Director of the Veterans Integrated Service Network in which the medical center is located or the director of such medical center.

(2) **COORDINATION.**—Before entering into a contract under paragraph (1), the Director of a Veterans Integrated Service Network or the director of a medical center, as the case may be, shall notify the Secretary of Veterans Affairs, the Inspector General of the Department of Veterans Affairs, and the Comptroller General of the United States for purposes of coordinating any investigation conducted pursuant to such contract with any other investigations that may be ongoing.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed—

(1) to prevent the Office of the Inspector General of the Department of Veterans Affairs from conducting any review, audit, evaluation, or inspection regarding a topic for which an investigation is conducted under this section; or

(2) to modify the requirement that employees of the Department assist with any review, audit, evaluation, or inspection conducted by the Office of the Inspector General of the Department.

SA 557. Mr. GARDNER (for himself, Mr. WARNER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . MANDATORY SANCTIONS WITH RESPECT TO IRAN RELATING TO SIGNIFICANT ACTIVITIES UNDERMINING UNITED STATES CYBERSECURITY.

(a) **INVESTIGATION.**—The President shall initiate an investigation into the possible designation of an Iranian person under subsection (b) upon receipt by the President of credible information indicating that the person has engaged in conduct described in subsection (b).

(b) **DESIGNATION.**—The President shall designate under this subsection any Iranian person that the President determines has knowingly—

(1) engaged in significant activities undermining United States cybersecurity conducted by the Government of Iran; or

(2) acted for or on behalf of the Government of Iran in connection with such activities.

(c) **SANCTIONS.**—The President shall block and prohibit all transactions in all property and interests in property of any Iranian person designated under subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) **SUSPENSION OF SANCTIONS.**—

(1) **IN GENERAL.**—The President may suspend the application of sanctions under subsection (c) with respect to an Iranian person only if the President submits to the appropriate congressional committees in writing a certification described in paragraph (2) and a detailed justification for the certification.

(2) **CERTIFICATION DESCRIBED.**—

(A) **IN GENERAL.**—A certification described in this paragraph with respect to an Iranian person is a certification by the President that—

(i) the person has not, during the 12-month period immediately preceding the date of the certification, knowingly engaged in activities that would qualify the person for designation under subsection (b); and

(ii) the person is not expected to resume any such activities.

(B) **FORM OF CERTIFICATION.**—The certification described in subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(e) **REIMPOSITION OF SANCTIONS.**—If sanctions are suspended with respect to an Iranian person under subsection (d), such sanctions shall be reinstated if the President determines that the person has resumed the activity that resulted in the initial imposition of sanctions or has engaged in any other activity subject to sanctions relating to the involvement of the person in significant activities undermining United States cybersecurity on behalf of the Government of Iran.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), or any other provision of law.

(g) **REPORT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that describes significant activities undermining United States cybersecurity conducted by the Government of Iran, a person owned or controlled, directly or indirectly, by that Government, or any person acting for or on behalf of that Government.

(2) **ELEMENTS.**—Each report required by paragraph (1) shall include the following:

(A) An assessment of the extent to which a foreign government has provided material support to the Government of Iran, to any person owned or controlled, directly or indirectly, by that Government, or to any person acting for or on behalf of that Government, in connection with the conduct of significant activities undermining United States cybersecurity.

(B) A strategy to counter efforts by Iran to conduct significant activities undermining United States cybersecurity that includes a description of efforts to engage foreign governments in preventing the Government of Iran, persons owned or controlled, directly or indirectly, by that Government, and persons acting for or on behalf of that Government from conducting significant activities undermining United States cybersecurity.

(3) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in an unclassified form but may include a classified annex.

(h) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(2) **CYBERSECURITY.**—The term “cybersecurity” means the activity or process, ability or capability, or state whereby information and communications systems and the information contained therein are protected from or defended against damage, unauthorized use or modification, or exploitation.

(3) **IRANIAN PERSON.**—The term “Iranian person” means—

(A) an individual who is a citizen or national of Iran; or

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) **KNOWINGLY.**—The term “knowingly” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(5) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SA 558. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. ____ . REPORT ON THE CAPABILITIES AND ACTIVITIES OF THE ISLAMIC STATE OF IRAQ AND SYRIA AND OTHER VIOLENT EXTREMIST GROUPS IN SOUTHEAST ASIA.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth an assessment of the current and future capabilities and activities of the Islamic State of Iraq and Syria (ISIS) and other violent extremist groups in Southeast Asia.

(b) **ELEMENTS.**—The report shall include the following:

(1) The current number of Islamic State of Iraq and Syria fighters in Southeast Asia.

(2) The estimated number of Islamic State of Iraq and Syria fighters expected to return to Southeast Asia from fighting in the Middle East.

(3) The current resources available to combat the threat of the Islamic State of Iraq and Syria in Southeast Asia, and the additional resources required to combat that threat.

(4) A detailed assessment of the capabilities of the Islamic State of Iraq and Syria to operate effectively in countries such as the Philippines, Indonesia, and Malaysia.

(5) A description of the capabilities and resources of governments of countries in Southeast Asia to counter violent extremist groups.

(6) A list of additional United States resources and capabilities that the Department of Defense recommends providing governments in Southeast Asia to combat violent extremist groups.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 559. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____ . COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE CRITICAL TELECOMMUNICATIONS EQUIPMENT OR SERVICES OBTAINED FROM SUPPLIERS CLOSELY LINKED TO A LEADING CYBER-THREAT ACTOR.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on any critical telecommunications equipment, technologies, or services obtained or used by the Department of Defense or its contractors or subcontractors that is—

(1) manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor; or

(2) from an entity that incorporates or utilizes information technology manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor.

(b) **FORM.**—The report shall be submitted in unclassified form, but may include a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) The term “leading cyber-threat actor” means a country identified as a leading threat actor in cyberspace in the report entitled “Worldwide Threat Assessment of the US Intelligence Community”, dated May 11, 2017, and includes the People’s Republic of China, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, and the Russian Federation.

(2) The term “closely linked”, with respect to a foreign supplier, contractor, or subcontractor and a leading cyber-threat actor, means the foreign supplier, contractor, or subcontractor—

(A) has ties to the military forces of such actor;

(B) has ties to the intelligence services of such actor;

(C) is the beneficiary of significant low interest or no-interest loans, loan forgiveness, or other support of such actor; or

(D) is incorporated or headquartered in the territory of such actor.

SA 560. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON PLANS RELATED TO DIVESTMENT OR TRANSFER OF C-21 AIRCRAFT.

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the elements described in subsection (b).

(b) **ELEMENTS.**—The report under subsection (a) shall include the following elements, reported by total cost and cost by fiscal year, with a detailed description and a justification:

(1) Whether the Air Force plans to modernize and recapitalize the operational support airlift fleet, including the C-21 fleet.

(2) Whether the Air Force has a C-21 consolidation plan, and if so, what cost savings the Air Force hopes to achieve, if any.

(3) Whether the Air Force has a C-21 divestment plan, and if so, what cost savings the Air Force hopes to achieve, if any.

(4) How the Air Force plans to continue to meet operational support airlift requirements, including support of United States Central Command and United States Transportation Command Joint Operational Airlift Center requirements.

(5) How the Air Force plans to fully utilize the reserve components to meet operational support and executive airlift requirements, especially given the pilot shortage.

(6) How the Air Force incorporates pilot training costs into its budget analysis for the transfer or divestment of reserve component aircraft and pilots.

(7) Whether any analysis has been conducted to identify geographical areas that have an underutilized reserve component pilot population.

(8) How the Air Force plans to maintain quality of life and predictability for reserve component pilots, including if consideration has been given to the location of commercial airline domiciles in relation to reserve component basing decisions.

SA 561. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ROBOTIC SERVICING OF GEOSYNCHRONOUS SATELLITES DEVELOPMENT PROGRAM ACCOUNTABILITY MATRICES.

(a) **SUBMISSION OF MATRICES.**—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Director of the Defense Advanced Research Projects Agency shall submit to the congressional defense committees and the Comptroller General of the United States the matrices described in subsection (b) relating to the Robotic Servicing of Geosynchronous Satellites program.

(b) **MATRICES DESCRIBED.**—The matrices described in this subsection are the following:

(1) **DEVELOPMENT GOALS.**—A matrix that identifies, in six-month increments, key milestones, development events, and specific performance goals for the Robotic Servicing of Geosynchronous Satellites program, which shall be subdivided, at a minimum, according to the following:

(A) Technology readiness levels of major components and key demonstration events.

(B) Design maturity.

(C) Software maturity.

(D) Manufacturing readiness levels for critical manufacturing operations and key demonstration events.

(E) Manufacturing operations.

(F) System verification and key flight test events.

(G) Reliability.

(2) **TOTAL COST.**—A matrix expressing, in six-month increments, the total cost to the

Department of Defense and all relevant United States Government agencies cost position for the payload, operations software, payload integration, and launch for the Robotic Servicing of Geosynchronous Satellites program.

(3) **SPACECRAFT COTS.**—A matrix expressing, in six-month increments, the total cost for Robotic Servicing of Geosynchronous Satellites program spacecraft and relevant subsystem completion, which shall be phased over the entire development period and subdivided according to the costs of the following:

(A) Spacecraft.

(B) Payload.

(C) Mission systems.

(D) Vehicle software.

(E) Systems engineering.

(F) Program management.

(G) System test and evaluation.

(H) Support and training systems.

(I) Contract fee.

(J) Engineering changes.

(K) Direct mission support.

(L) Launch.

(M) Government testing.

(c) **SEMIANNUAL UPDATE OF MATRICES.**—

(1) **IN GENERAL.**—The Director shall submit to the congressional defense committees and the Comptroller General of the United States updates to the matrices described in subsection (b)—

(A) not later than 180 days after the date on which the Director submits the matrices required by subsection (a);

(B) concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2020 and each fiscal year thereafter; and

(C) not later than 180 days after each such submission.

(2) **ELEMENTS.**—Each update submitted under paragraph (1) shall detail progress made toward the goals identified in the matrix described in subsection (b)(1) and provide updated cost estimates.

(3) **TREATMENT OF INITIAL MATRICES AS BASELINE.**—The matrices submitted pursuant to subsection (a) shall be treated as the baseline for the full research, development, test, and evaluation of the Robotic Servicing of Geosynchronous Satellites program and through its launch and demonstration for purposes of the updates submitted pursuant to paragraph (1).

(d) **ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.**—Not later than the date that is 45 days after the date on which the Comptroller General of the United States receives an update to a matrix under subsection (c)(1), the Comptroller General shall review the sufficiency of the matrix and submit to the congressional defense committees an assessment of the matrix and an identification of cost, schedule, or performance trends in the matrix.

(e) **SECRETARY OF DEFENSE APPROVAL.**—Following the demonstration of the Robotic Servicing of Geosynchronous Satellites spacecraft and its transition to a commercial partner of the Defense Advanced Research Projects Agency, the Secretary of Defense shall approve each commercial operation of the spacecraft after—

(1) taking into account—

(A) available fuel for possible national security mission requirements;

(B) orbitology relative to possible national security mission requirements; and

(C) compliance with the Presidential Decision Directive on National Space Policy; and

(2) certifying to the congressional defense committees that—

(A) any commercial use does not conflict with possible national security requirements; and

(B) the requirements of this subsection have been met.

(f) **SECRETARY OF DEFENSE STUDY.**—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Secretary of Defense shall submit to the congressional defense committees a report on the technology transfer of the robotic payload, operations software, and corresponding systems of the Robotic Servicing of Geosynchronous Satellites program to qualified satellite manufacturers and satellite operators to increase the on-orbit highly advanced space robotics capabilities of entities organized under the laws of the United States and available to the Department of Defense.

SA 562. Mr. UDALL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3201, add the following:

(b) **ANNUAL REPORT ON UNFUNDED PRIORITIES.**—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the Chairman of the Defense Nuclear Facilities Safety Board shall submit to the congressional defense committees a report on the unfunded priorities of the Board.

(c) **PROHIBITION ON TERMINATION.**—No action may be taken to terminate the Board.

SA 563. Mr. UDALL (for himself, Mr. ROUNDS, Mr. HEINRICH, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. ____ . COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) **COMPENSATION.**—Section 206(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding the end the following new paragraph:

“(4) for each of 6 days in connection with the taking by the member of a period of maternity leave.”.

(b) **CREDIT FOR RETIRED PAY PURPOSES.**—

(1) **IN GENERAL.**—The period of maternity leave taken by a member of the reserve components of the Armed Forces in connection

with the birth of a child shall count toward the member's entitlement to retired pay, and in connection with the years of service used in computing retired pay, under chapter 1223 of title 10, United States Code, as 12 points.

(2) **SEPARATE CREDIT FOR EACH PERIOD OF LEAVE.**—Separate crediting of points shall accrue to a member pursuant to this subsection for each period of maternity leave taken by the member in connection with a childbirth event.

(3) **WHEN CREDITED.**—Points credited a member for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave concerned commences.

(4) **CONTRIBUTION OF LEAVE TOWARD ENTITLEMENT TO RETIRED PAY.**—Section 12732(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (E) the following new subparagraph:

“(F) Points at the rate of 12 a year for the taking of maternity leave.”.

(5) **COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.**—Section 12733 of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph (5):

“(5) One day for each point credited to the person under subparagraph (F) of section 12732(a)(2) of this title.”.

(c) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to periods of maternity leave that commence on or after that date.

SA 564. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 447, strike lines 16 through 18 and insert the following:

(4) **EXPEDITING SECURITY CLEARANCES FOR CERTAIN SMALL BUSINESS EMPLOYEES.**—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense and the Administrator of the Small Business Administration shall submit to Congress a plan for a process to expedite the approval of security clearances for employees of small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) participating in the SBIR or STTR program (as defined in section 9(e) of such Act (15 U.S.C. 638(e)).

(5) **TERMINATION.**—No briefing or report is required pursuant to paragraph (2) or (3) after December 31, 2020.

SA 565. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXCLUSION OF INDEPENDENT RESEARCH AND DEVELOPMENT EXPENSES FROM ANNUAL RECEIPTS.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

“(10) **EXCLUSION OF INDEPENDENT RESEARCH AND DEVELOPMENT EXPENSES FROM RECEIPTS.**—In determining the average annual gross receipts of a small business concern, the Administrator, at the request of the concern, may exclude from consideration any expenses or expenditures for independent research and development.”.

SA 566. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DISPOSAL OF REAL PROPERTY FOR VETERANS SUPPORT SERVICES.

Section 550 of title 40, United States Code, is amended—

(1) in subsection (b)(2)—

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

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

(C) by adding at the end the following:

“(F) the Secretary of Veterans Affairs, for property transferred under subsection (i) for veterans support services.”; and

(2) by adding at the end the following:

“(i) **PROPERTY FOR VETERANS SUPPORT SERVICES.**—

“(1) **ASSIGNMENT.**—The Administrator, in the discretion of the Administrator and under regulations that the Administrator may prescribe, may assign to the Secretary of Veterans Affairs for disposal surplus real property, including buildings, fixtures, and equipment situated on the property, that the Secretary recommends as needed for veterans support services.

“(2) **SALE OR LEASE.**—Subject to disapproval by the Administrator by not later than 30 days after notice to the Administrator by the Secretary of Veterans Affairs of a proposed transfer, the Secretary may sell or lease property assigned to the Secretary under paragraph (1) for use for veterans support services.

“(3) **FIXING VALUE.**—In fixing the sale or lease value of the property disposed of under paragraph (2), the Secretary of Veterans Affairs shall take into consideration any benefit that has accrued or may accrue to the Federal Government from the use of the property by the entity receiving the property.”.

SA 567. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SIZE STANDARDS FOR SMALL BUSINESS CONCERNS.

(a) **CALCULATION ON THE BASIS OF ANNUAL AVERAGE GROSS RECEIPTS.**—Section 3(a)(2)(C)(ii)(II) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(ii)(II)) is amended by striking “over a period of not less than 3 years” and inserting “, which shall be calculated by using the 3 lowest annual average gross receipts of the business concern during the preceding 5-year period”.

(b) **REGULATIONS.**—Not later than 18 months after the date of enactment of this Act, the Administrator of the Small Business Administration shall promulgate regulations as necessary to implement the amendment made by subsection (a).

SA 568. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. ____ . AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS AND MILITARY WORKING DOGS.

(a) **PROGRAM OF AWARD REQUIRED.**—Each Secretary of a military department shall carry out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs, and to military working dogs, under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) **MEDAL AND COMMENDATIONS.**—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify.

(c) **REGULATIONS.**—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

SA 569. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. ____ . REPORT ON USE OF SECOND-DESTINATION TRANSPORTATION TO TRANSPORT FRESH FRUIT AND VEGETABLES TO COMMISSARIES IN THE ASIA-PACIFIC REGION.

(a) **REPORT REQUIRED.**—In accordance with the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) and recommendations in the report of the Inspector

General of the Department of Defense dated February 28, 2017, regarding Pacific Fresh Fruits and Vegetables (FFV), the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) A description of the costs of using second-destination transportation (SDT) to transport fresh fruit and vegetables to commissaries in Asia and the Pacific in each of fiscal years 2015 through 2017.

(2) Recommendations for innovative, locally-sourced alternatives to use of second-destination transportation in order to supply fresh fruit and vegetables to commissaries in Asia and the Pacific.

(b) **SUBMITTAL DATE.**—The report required by subsection (a) shall be submitted not later than 120 days after the date of the enactment of this Act.

SA 570. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605 (15 U.S.C. 1681c), by adding at the end the following:

“(1) **NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.**—

“(1) **IN GENERAL.**—With respect to an item of adverse information about a consumer that arises from the failure of the consumer to make any required payment on a debt or other obligation, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer—

“(A) the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an active duty military consumer at the time such action or inaction occurred; and

“(B) any consumer report provided by the consumer reporting agency that includes the item shall clearly and conspicuously disclose that the consumer was an active duty military consumer when the action or inaction that gave rise to the item occurred.

“(2) **MODEL FORM.**—The Bureau shall prepare a model form, which shall be made publicly available, including in an electronic format, by which a consumer may—

“(A) notify, and provide appropriate proof to, a consumer reporting agency in a simple and easy manner, including electronically, that the consumer is or was an active duty military consumer; and

“(B) provide contact information of the consumer for the purpose of communicating with the consumer while the consumer is an active duty military consumer.

“(3) **NO ADVERSE CONSEQUENCES.**—Notice, whether provided by the model form described in paragraph (2) or otherwise, that a consumer is or was an active duty military consumer may not provide the sole basis for—

“(A) with respect to a credit transaction between the consumer and a creditor, a creditor—

“(i) denying an application of credit submitted by the consumer;

“(ii) revoking an offer of credit made to the consumer by the creditor;

“(iii) changing the terms of an existing credit arrangement with the consumer; or

“(iv) refusing to grant credit to the consumer in a substantially similar amount or on substantially similar terms requested by the consumer;

“(B) furnishing negative information relating to the creditworthiness of the consumer by or to a consumer reporting agency; or

“(C) except as otherwise provided in this title, a creditor or consumer reporting agency noting in the file of the consumer that the consumer is or was an active duty military consumer.”;

(2) in section 605A (15 U.S.C. 1681c–1)—

(A) in subsection (c)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking “Upon” and inserting the following:

“(1) **IN GENERAL.**—Upon”; and

(iii) by adding at the end the following:

“(2) **NEGATIVE INFORMATION NOTIFICATION.**—

If a consumer reporting agency receives an item of adverse information about a consumer who has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall promptly notify the consumer, with a frequency, in a manner, and according to a timeline determined by the Bureau or specified by the consumer—

“(A) that the consumer reporting agency has received the item of adverse information, along with a description of the item; and

“(B) the method by which the consumer may dispute the validity of the item.

“(3) **CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.**—

“(A) **IN GENERAL.**—If a consumer who has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer provides the consumer reporting agency with contact information for the purpose of communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use that contact information for all communications with the consumer while the consumer is an active duty military consumer.

“(B) **DIRECT REQUEST.**—Unless the consumer directs otherwise, the provision of contact information by the consumer under subparagraph (A) shall be deemed to be a request for the consumer to receive an active duty alert under paragraph (1).

“(4) **SENSE OF CONGRESS.**—It is the sense of Congress that any person making use of a consumer report that contains an item of adverse information with respect to a consumer should, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, take that fact into account when evaluating the creditworthiness of the consumer.”; and

(B) in subsection (e), by striking paragraph (3) and inserting the following:

“(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).”; and

(3) in section 611(a)(1) (15 U.S.C. 1681i(a)(1)), by adding at the end the following:

“(D) **NOTICE OF DISPUTE RELATED TO ACTIVE DUTY MILITARY CONSUMERS.**—With respect to an item of information described under subparagraph (A) that is under dispute, if the consumer to whom the item relates has notified the consumer reporting agency conducting the investigation described in that subparagraph, and has provided appropriate proof, that the consumer was an active duty military consumer at the time the action or inaction that gave rise to the disputed item occurred, the consumer reporting agency shall—

“(i) include that fact in the file of the consumer; and

“(ii) indicate that fact in each consumer report that includes the disputed item.”.

SA 571. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. _____. CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE FOR PURPOSES OF LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note), the Secretary of Defense is deemed to have determined that qualified service of an individual constituted active military service.

(b) **DETERMINATION OF DISCHARGE STATUS.**—

(1) **IN GENERAL.**—The Secretary of Defense shall issue an honorable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an honorable discharge.

(2) **TIMING.**—A discharge under paragraph (1) shall be issued before the end of the one-year period beginning on the date of the enactment of this Act.

(c) **PROHIBITION OF RETROACTIVE BENEFITS.**—No benefits may be paid to any individual as a result of the enactment of this section for any period before the date of the enactment of this Act.

(d) **QUALIFIED SERVICE DEFINED.**—In this section, the term “qualified service” means service of an individual as a member of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 15, 1945.

SA 572. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES FOR CERTAIN RESIDENTS OF THE ISLAND OF VIEQUES, PUERTO RICO AND THE MUNICIPALITY OF VIEQUES.

(a) **IN GENERAL.**—An individual shall be awarded monetary compensation for a claim made under this section if such individual—

(1) can demonstrate that he or she was a resident on the island of Vieques, Puerto Rico, during or after the use by the United States Government of the island for military readiness;

(2) files a claim not later than 30 days after the date of the enactment of this Act against the United States Government for personal injury, including illness or death arising from use by the United States Government of the island of Vieques for military readiness; and

(3) submits to the court written medical documentation that the individual contracted a chronic, life threatening, or heavy metal disease or illness, including cancer, hypertension, cirrhosis, and diabetes while the United States Government used the island of Vieques, Puerto Rico for military readiness.

(b) **APPOINTMENT OF SPECIAL MASTER.**—

(1) **IN GENERAL.**—The Secretary of the Treasury shall appoint a Special Master to consider claims described in paragraph (2).

(2) **AMOUNTS OF AWARD.**—The amounts described in this paragraph are as follows:

(A) \$50,000 for 1 disease described in paragraph (1)(B);

(B) \$80,000 for 2 diseases described in paragraph (1)(B); and

(C) \$110,000 for 3 or more diseases described in paragraph (1)(B).

(c) **AWARD AMOUNTS RELATED TO CLAIMS BY THE MUNICIPALITY OF VIEQUES.**—

(1) **AWARD.**—The Special Master shall provide to the Municipality of Vieques the following for a claim described in subsection (b)(2):

(A) An academic partner, with appropriate experience and an established relationship with the Municipality of Vieques, which shall—

(i) lead a research and outreach endeavor on behalf of the Municipality of Vieques;

(ii) select the appropriate scientific expertise and administer defined studies, conducting testing and evaluation of the soils, seas, plant and animal food sources and human health situation;

(iii) determine the most efficient and effective way to reduce the environmental toxins to a level sufficient to return the soils, seas, food sources and health circumstances to a level that reduces the diseases on Vieques to the average in the United States.

(B) The past research from universities, colleges, scientists, and doctors who have tested and evaluated the prevalence of toxic substances in the soil, food sources, and human populations.

(C) A medical coordinator and staff to upgrade the medical facility and its equipment to a level to treat life threatening, chronic, and heavy metal diseases, including cancer, hypertension, cirrhosis, diabetes.

(D) Compensation to create and fund a medical home to provide medical care for pediatric and adult patients, allowing the patients to be referred for tertiary and quaternary health care facilities when necessary, and providing the transportation and medical costs when traveling off the island of Vieques, until such time as the disease levels are reduced to the average in the United States.

(E) Amounts necessary for the academic partner and medical coordinator to carry out

the duties described in subparagraphs (A) through (D).

(F) Amounts necessary to compensate the Municipality of Vieques for—

(i) contractual procurement obligations and additional expenses incurred by the Municipality as a result of the enactment of this section; and

(ii) any other damages and costs to be incurred by the Municipality, if the Special Master determines that it is necessary to carry out the purpose of this section.

(2) **SOURCE.**—Amounts awarded under this subsection shall be made from amounts appropriated under section 1304 of title 31, United States Code.

(3) **DETERMINATION AND PAYMENT OF CLAIMS.**—

(A) **ESTABLISHMENT OF FILING PROCEDURES.**—The Secretary of the Treasury shall establish procedures whereby individuals may submit claims for payments under this section to the Special Master.

(B) **DETERMINATION OF CLAIMS.**—The Special Master shall, in accordance with this subsection, determine whether each claim meets the requirements of this section. Claims already disposed of by a court under chapter 171 of title 28, United States Code, shall be treated as if they are currently filed.

(d) **ACTION ON CLAIMS.**—The Special Master shall complete a determination on any claim filed under the procedures established under this section not later than 150 days after the date on which the claim is filed.

(e) **PAYMENT IN FULL SETTLEMENT OF CLAIMS BY INDIVIDUALS AND THE MUNICIPALITY OF VIEQUES AGAINST THE UNITED STATES.**—The acceptance by an individual or the Municipality of Vieques a payment of an award under this section shall—

(1) be final and conclusive;

(2) be deemed to be in full satisfaction of the claim described in subsection (a)(2); and

(3) constitute a complete release by the individual of such claim against the United States and against any employee of the United States acting in the scope of employment who is involved in the matter giving rise to the claim.

(f) **ADMINISTRATIVE COSTS.**—No costs incurred by the Secretary of the Treasury, or a designee of the Secretary, not including attorney's fees, in carrying out this section shall be paid from amounts appropriated under section 1304 of title 31, United States Code, or set off against, or otherwise deducted from, any payment under this section to any individual.

(g) **CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.**—Amounts paid to an individual under this section—

(1) shall be treated for purposes of the laws of the United States as damages for human suffering; and

(2) shall not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

(h) **NONASSIGNABILITY OF CLAIMS.**—No claim cognizable under this section shall be assignable or transferable.

(i) **LIMITATION.**—A claim to which this section applies shall be barred unless the claim is filed within 20 years after the date of the enactment of this Act.

(j) **REGULATIONS.**—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury may promulgate regulations to carry out this section.

(k) **USE OF EXISTING RESOURCES.**—The Secretary of the Treasury should use funds or resources available to the Secretary to carry out the functions under this section.

SA 573. Mr. DONNELLY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. INTERAGENCY REPORT ON MENTAL HEALTH PRACTICES AND SERVICES.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to Congress, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, a report on mental health practices and services of the Department of Defense and the Department of Veterans Affairs that could be adopted by Federal, State, local, and tribal law enforcement agencies.

(b) **PUBLIC AVAILABILITY.**—The Attorney General shall make the report submitted under subsection (a) available to the public.

SA 574. Ms. HEITKAMP (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXPANSION OF SKILLBRIDGE INITIATIVE TO INCLUDE PARTICIPATION BY FEDERAL AGENCIES.

(a) **MODIFICATION OF INITIATIVE BY SECRETARY OF DEFENSE.**—The Secretary of Defense, in consultation with the Director of the Office of Personnel Management, shall make such modifications to the SkillBridge initiative of the Department of Defense as the Secretary considers appropriate to enable Federal agencies to participate in the initiative as employers and trainers, including the provision of training by Federal agencies under the initiative to transitioning members of the Armed Forces.

(b) **PARTICIPATION BY FEDERAL AGENCIES.**—The Director, in consultation with the Secretary, shall take such actions as may be necessary to ensure that each Federal agency participates in the SkillBridge initiative of the Department of Defense as described in subsection (a).

(c) **TRANSITIONING MEMBERS OF THE ARMED FORCES DEFINED.**—In this section, the term “transitioning member of the Armed Forces” means a member of the Armed Forces who is expected to be discharged or released from active duty in the Armed Forces not more than 180 days after the member commences training under the SkillBridge initiative.

SA 575. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle ____ of title ____, add the following:

SEC. ____ . PROTECTING CRITICAL INFRASTRUCTURE AGAINST CYBER ATTACKS FROM FOREIGN GOVERNMENTS.

(a) FINDINGS.—Congress finds the following:

(1) Authoritative evidence and testimony to Congress indicate that the United States Government cannot prevent cyber attacks by determined and capable adversaries from reaching critical infrastructure in the United States and that, absent major efforts to identify and eliminate vulnerabilities in the most critical nodes of the most critical infrastructure, such attacks would succeed in causing unacceptable damage to the United States.

(2) To secure the United States against cyber attacks, it is necessary to develop deterrence capabilities through a combination of offensive cyber attack means and greater survivability, resilience, and recovery capabilities in the critical infrastructure of the United States.

(3) Defense of the United States against cyber attacks from foreign adversaries, including foreign governments, is a responsibility of the Federal Government.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) The Federal Government should provide funding in a collaborative effort with the owners of the most critical infrastructure to identify vulnerabilities to cyber attacks in the most critical nodes and develop solutions either through alternative equipment and practices, or by assured redundancy and recovery capabilities; and

(2) Government funding should also help cover the cost of any inefficiencies caused by changes in equipment, practices, or recovery capabilities to protect critical infrastructure against cyber attacks from foreign governments.

(c) ANALYSIS AND SOLUTION DESIGNS.—The President shall—

(1) conduct an analysis of cyber vulnerabilities in the most critical nodes of the most critical infrastructure; and

(2) design solutions to eliminate such vulnerabilities.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the President shall submit to Congress a report on the vulnerabilities identified under paragraph (1) of subsection (c) and the solutions designed under paragraph (2) of such subsection.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the vulnerabilities identified under paragraph (1) of subsection (c).

(B) A description of the solutions designed under paragraph (2) of such subsection.

(C) A strategy for working with owners of relevant critical infrastructure to eliminate vulnerabilities identified under subsection (c)(1).

(D) An estimate of the cost of carrying out the strategy included under subparagraph (C) and a schedule to implement such strategy.

(e) CONSIDERATION OF INVESTMENTS REQUIRED.—The President shall consider the investments required to correct the

vulnerabilities identified under subsection (c)(1) whenever developing plans and proposals for national infrastructure investment that the President submits to Congress.

SA 576. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . OFFICE OF THE COORDINATOR FOR CYBER ISSUES.

(a) OFFICE OF THE COORDINATOR FOR CYBER ISSUES.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

“(h) OFFICE OF THE COORDINATOR FOR CYBER ISSUES.—

“(1) ESTABLISHMENT.—There is established within the Department of State the Office of the Coordinator for Cyber Issues.

“(2) COORDINATOR FOR CYBER ISSUES.—The head of the Office shall be the Coordinator for Cyber Issues, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary of State.

“(3) DUTIES.—The Coordinator shall perform the following duties:

“(A) Coordinating the Department of State’s global diplomatic engagement on cyber issues.

“(B) Serving as the Department’s liaison to the President and Federal departments and agencies on these issues.

“(C) Advising the Secretary of State and Deputy Secretaries of State on cyber issues and engagements.

“(D) Acting as liaison to public and private sector entities on cyber issues.

“(E) Coordinating the work of regional and functional bureaus within the Department engaged in these areas.

“(4) RANK AND STATUS OF AMBASSADOR.—The Coordinator shall have the rank and status of Ambassador at Large.”.

(b) REPORT ON DEVELOPMENT OF FRAMEWORK ON VOLUNTARY NORMS AND CONFIDENCE BUILDING MEASURES RELATED TO CYBER ISSUES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts to establish a coalition of states in support of a framework on voluntary norms and confidence building measures related to cyber issues, including a description of any alternative frameworks by other countries or international organizations.

SA 577. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title VI, add the following:

SEC. ____ . CREDIT TOWARD COMPUTATION OF YEARS OF SERVICE FOR NONREGULAR SERVICE RETIRED PAY UPON COMPLETION OF REMOTELY DELIVERED MILITARY EDUCATION OR TRAINING.

(a) IN GENERAL.—Section 12732(a)(2) of title 10, United States Code, is amended—

(1) by inserting after subparagraph (E) the following new subparagraph:

“(F) Such points as the Secretary concerned determines to be appropriate for successful completion of a course of instruction using electronically delivered methodologies to accomplish military education or training, unless the education or training is performed while in a status for which credit is provided under another subparagraph of this paragraph.”; and

(2) by striking “and (E)” in the last sentence and inserting “(E), and (F)”.

(b) MAXIMUM NUMBER OF POINTS PER SERVICE YEAR.—Section 12733(3) of such title is amended by striking “or (D)” and inserting “(D), or (F)”.

SA 578. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. ____ . PLAN TO ENHANCE THE EXTENDED DETERRENCE AND ASSURANCE CAPABILITIES OF THE UNITED STATES IN THE ASIA-PACIFIC REGION.

(a) FINDING.—Congress recognizes that North Korea’s first successful test of an intercontinental ballistic missile (ICBM) constitutes a grave and imminent threat to United States security and to the security of United States allies and partners in the Asia-Pacific region.

(b) PLAN.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a plan to enhance the extended deterrence and assurance capabilities of the United States in the Asia-Pacific region.

(c) MATTERS TO BE INCLUDED.—Such plan shall include consideration of actions that will enhance United States security by strengthening deterrence of North Korean aggression and providing increased assurance to United States allies in the Asia-Pacific region, including the following:

(1) Increased visible presence of key United States military assets, such as missile defenses, long-range strike assets, and intermediate-range strike assets to the region.

(2) Increased military cooperation, exercises, and integration of defenses with allies in the region.

(3) Development and deployment of ground-based intermediate-range missiles, whether by allies or by the United States, if the United States were no longer bound by the limitations of the INF Treaty.

(4) Increased foreign military sales to allies in the region.

(5) Planning for, exercising, or deploying dual-capable aircraft to the region.

(6) Any necessary modifications to the United States nuclear force posture, including re-deployment of submarine-launched nuclear cruise missiles to the region.

(7) Such other actions the Secretary considers appropriate to strengthen extended deterrence and assurance in the region.

(d) FORM.—Such plan shall be submitted in unclassified form, but may contain a classified annex.

(e) INF TREATY DEFINED.—In this section, the term “INF Treaty” means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

SA 579. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. ____ . ANNUAL REPORT ON NAVY ACTIVITIES TO IMPLEMENT THE REGIONAL BIOSECURITY PLAN FOR MICRONESIA AND HAWAII.

(a) ANNUAL REPORT REQUIRED.—The Secretary of the Navy shall submit to the Committees on Appropriations of the Senate and the House of Representatives each year, at the time the budget of the President for the fiscal year beginning in such year is submitted to Congress under section 1105(a) of title 31, United States Code, a report on the activities of the Department of the Navy to implement the Regional Biosecurity Plan for Micronesia and Hawaii (RBP).

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) A description of Department of the Navy activities to implement the Regional Biosecurity Plan for Micronesia and Hawaii during the previous fiscal year.

(2) A description of the activities planned to be undertaken by the Department during the fiscal year beginning in the year of such report to implement the Regional Biosecurity Plan for Micronesia and Hawaii, including the funding required during such fiscal year for such activities.

(c) REGIONAL BIOSECURITY PLAN FOR MICRONESIA AND HAWAII DEFINED.—In this section, the term “Regional Biosecurity Plan for Micronesia and Hawaii” means the strategic plan developed jointly by the Department of Navy and other Federal and non-Federal entities to prevent the introduction of invasive species to the United States Pacific region and to control such species in that region.

SA 580. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON APPLICATION OF HIRING FREEZES AT DEPARTMENT OF DEFENSE INDUSTRIAL BASE FACILITIES.

(a) DEFINITION.—In this section, the term “depot-level maintenance and repair” has the meaning given the term in section 2460 of title 10, United States Code.

(b) PROHIBITION.—No memorandum, Executive order, or other action by the President to prevent a Federal department or agency from appointing an individual to a vacant Federal civilian employee position, or creating a new Federal civilian employee position, shall have any force or effect with respect to any civilian employee position in the Department of Defense at, or in support of, any facility—

(1) at which depot-level maintenance and repair is carried out; or

(2) that is designated under section 2474 of title 10, United States Code, as a Center of Industrial and Technical Excellence.

SA 581. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

SEC. ____ . ISSUANCE OF CONSOLIDATED PREGNANCY AND PARENTHOOD INSTRUCTION FOR MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall ensure that each military department issues a single, consolidated instruction that addresses the decisions, actions, and requirements for members of the Armed Forces relating to pregnancy, the postpartum period, and parenthood.

SA 582. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____ . REPORT ON IMPLEMENTATION OF GAO RECOMMENDATIONS RELATING TO CONSIDERATION OF POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY IN MISCONDUCT SEPARATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation by the Department of Defense of the recommendations from the Government Accountability Office report entitled “Actions Needed to Ensure Post-Traumatic Stress

Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations” and published on May 16, 2017.

SA 583. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . SENSE OF CONGRESS REGARDING PACIFIC WAR MEMORIAL.

(a) FINDING.—Congress recognizes that, as of the date of the enactment of this Act, there is no memorial that specifically honors the members of the Armed Forces of the United States who served in the Pacific Theater of World War II, also known as the Pacific War.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a Pacific War memorial should be established at a suitable location at or near the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawaii.

SA 584. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. ____ . ENHANCEMENT OF CYBER CAPABILITIES OF UNITED STATES ALLIES AND PARTNERS IN THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The North Atlantic Treaty Organization (commonly known as “NATO”) remains a critical alliance for the United States and a cost-effective, flexible means of providing security to the most important allies of the United States.

(2) The regime of Russian President Vladimir Putin is actively working to erode democratic systems of NATO member states, including the United States.

(3) According to the report of the Office of the Director of National Intelligence dated January 6, 2017, on the Russian Federation’s hack of the United States presidential election: “Russian efforts to influence the 2016 presidential election represent the most recent expression of Moscow’s longstanding desire to undermine the US-led liberal democratic order.”

(4) As recently as May 4, 2017, the press reported a massive cyber hack of French President Emmanuel Macron’s campaign, likely attributable to Russian actors.

(5) It is in the core interests of the United States to enhance the offensive and defensive cyber capabilities of NATO member states to deter and defend against Russian cyber and influence operations.

(6) Enhanced offensive cyber capabilities would enable the United States to demonstrate strength and deter the Russian Federation from threatening NATO, while reassuring allies, without a provocative buildup of conventional military forces.

(b) SENSE OF CONGRESS ON CYBER STRATEGY OF THE DEPARTMENT OF DEFENSE.—It is the sense of Congress that—

(1) the Secretary of Defense should update the cyber strategy of the Department of Defense (as that strategy is described in the Department of Defense document titled “The Department of Defense Cyber Strategy” dated April 15, 2015); and

(2) in updating the cyber strategy of the Department, the Secretary should—

(A) specifically develop an offensive cyber strategy that includes plans for the offensive use of cyber capabilities, including computer network exploitation and computer network attacks, to thwart air, land, or sea attacks by the regime of Russia President Vladimir Putin and other adversaries;

(B) provide guidance on integrating offensive tools into the cyber arsenal of the Department; and

(C) assist North Atlantic Treaty Organization partners, through the North Atlantic Treaty Organization Cooperative Cyber Center of Excellence and other entities, in developing offensive cyber capabilities.

(c) STRATEGY FOR OFFENSIVE USE OF CYBER CAPABILITIES.—

(1) STRATEGY REQUIRED.—The President shall develop a written strategy for the offensive use of cyber capabilities by departments and agencies of the United States Government.

(2) ELEMENTS.—The strategy developed under paragraph (1) shall include, at minimum—

(A) a description of enhancements that are needed to improve the offensive cyber capabilities of the United States and partner nations, including North Atlantic Treaty Organization member states; and

(B) a statement of principles concerning the appropriate deployment of offensive cyber capabilities.

(3) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees the strategy developed under paragraph (1).

(4) FORM OF SUBMITTAL.—The strategy submitted under paragraph (1) may be submitted in classified form.

(d) INTERNATIONAL COOPERATION.—

(1) AUTHORITY TO PROVIDE TECHNICAL ASSISTANCE.—The President, acting through the Secretary of Defense and with the concurrence of the Secretary of State, is authorized to provide technical assistance to North Atlantic Treaty Organization member states to assist such states in developing and enhancing offensive cyber capabilities.

(2) TECHNICAL EXPERTS.—In providing technical assistance under paragraph (1), the President, acting through the North Atlantic Treaty Organization Cooperative Cyber Center of Excellence, may detail technical experts in the field of cyber operations to North Atlantic Treaty Organization member states.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude or limit the authorities of the President or the Secretary of Defense to provide cyber-related assistance to foreign countries, including the authority of the Secretary to provide such assistance under section 333 of title 10, United States Code.

SA 585. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. ____ . LIMITATION ON SALE OR LICENSE FOR EXPORT OF DEFENSE ARTICLES TO SAUDI ARABIA.

(a) IN GENERAL.—The United States Government may not enter into an agreement to sell or lease any defense article to the Government of Saudi Arabia, and may not issue any license for the export of a defense article to the Government of Saudi Arabia pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.), during fiscal year 2018 until 14 days after the date on which the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, submits to the appropriate committees of Congress and the Comptroller General of the United States a certification described in subsection (b), together with a detailed justification for the certification.

(b) CERTIFICATION DESCRIBED.—A certification described in this subsection is a certification as follows:

(1) That the Government of Saudi Arabia is complying fully with its obligations in Yemen under each of the following:

(A) Customary international law rule 55.

(B) Articles 14 and 18 of the Additional Protocol (II) to the Geneva Conventions of August 12, 1949.

(2) That the Government of Saudi Arabia is facilitating the delivery and installation of cranes to the port of Hodeidah that will expedite the delivery of humanitarian assistance.

(c) COMPTROLLER GENERAL REPORT.—Not later than 60 days after the submittal of the certification described in subsection (b), the Comptroller General shall submit to the appropriate committees of Congress a report assessing whether the conclusions in the certification are fully supported, and the justification for the certification pursuant to subsection (a) is sufficiently detailed, and identifying whether any shortcomings, limitations, or other reportable matters exist that affect the quality of the certification.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

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

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

(2) The term “defense article” has the meaning given that term in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SA 586. Mr. GRAHAM (for himself, Mr. CASSIDY, and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017;

which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

TITLE I

SEC. 101. ELIMINATION OF LIMITATION ON RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017.”.

SEC. 102. PREMIUM TAX CREDIT.

(a) PREMIUM TAX CREDIT.—

(1) MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.—

(A) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)”.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(2) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

SEC. 103. MODIFICATIONS TO SMALL BUSINESS TAX CREDIT.

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking “Any term” and inserting the following:

“(1) IN GENERAL.—Any term”, and

(B) by adding at the end the following new paragraph:

“(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.
SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 105. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 106. SHORT TERM ASSISTANCE FOR STATES AND MARKET-BASED HEALTH CARE GRANT PROGRAM.

(a) IN GENERAL.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee) is amended by adding at the end the following new subsections:

“(h) SHORT-TERM ASSISTANCE TO ADDRESS COVERAGE AND ACCESS DISRUPTION AND PROVIDE SUPPORT FOR STATES.—

“(1) APPROPRIATION.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$20,000,000,000 for each of calendar years 2018 and 2019, and \$15,000,000,000 for calendar year 2020, to the Administrator of the Centers for Medicare & Medicaid Services (in this subsection and subsection (i) referred to as the ‘Administrator’) to fund arrangements with health insurance issuers to assist in the purchase of health benefits coverage by addressing coverage and access disruption and responding to urgent health care needs within States. Funds appropriated under this paragraph shall remain available until expended.

“(2) PARTICIPATION REQUIREMENTS.—

“(A) GUIDANCE.—Not later than 30 days after the date of enactment of this subsection, the Administrator shall issue guidance to health insurance issuers regarding how to submit a notice of intent to participate in the program established under this subsection.

“(B) NOTICE OF INTENT TO PARTICIPATE.—To be eligible for funding under this subsection, a health insurance issuer shall submit to the Administrator a notice of intent to participate at such time (but, in the case of funding for calendar year 2018, not later than 35 days after the date of enactment of this subsection and, in the case of funding for calendar year 2019, 2020, or 2021, not later than

March 31 of the previous year) and in such form and manner as specified by the Administrator and containing—

“(i) a certification that the health insurance issuer will use the funds in accordance with the requirements of paragraph (5); and

“(ii) such information as the Administrator may require to carry out this subsection.

“(3) PROCEDURE FOR DISTRIBUTION OF FUNDS.—The Administrator shall determine an appropriate procedure for providing and distributing funds under this subsection.

“(4) USE OF FUNDS.—Funds provided to a health insurance issuer under paragraph (1) shall be subject to the requirements of paragraphs (1)(D) and (7) of subsection (i) in the same manner as such requirements apply to States receiving payments under subsection (i) and shall be used only for the activities specified in paragraph (1)(A)(ii) of subsection (i).

“(1) MARKET-BASED HEALTH CARE GRANT PROGRAM.—

“(1) APPLICATION AND CERTIFICATION REQUIREMENTS.—To be eligible for an allotment of funds under this subsection, a State shall submit to the Administrator an application, not later than March 31, 2019, in the case of allotments for calendar year 2020, and not later than March 31 of the previous year, in the case of allotments for any subsequent calendar year) and in such form and manner as specified by the Administrator, that contains the following:

“(A) A description of how the funds will be used to do 1 or more of the following:

“(i) To establish or maintain a program or mechanism to help high-risk individuals in the purchase of health benefits coverage, including by reducing premium costs for such individuals, who have or are projected to have a high rate of utilization of health services, as measured by cost, and who do not have access to health insurance coverage offered through an employer, enroll in health insurance coverage under a plan offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(ii) To establish or maintain a program to enter into arrangements with health insurance issuers to assist in the purchase of health benefits coverage by stabilizing premiums and promoting State health insurance market participation and choice in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(iii) To provide payments for health care providers for the provision of health care services, as specified by the Administrator.

“(iv) To provide health insurance coverage by funding assistance to reduce out-of-pocket costs, such as copayments, coinsurance, and deductibles, of individuals enrolled in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(v) To establish or maintain a program or mechanism to help individuals purchase health benefits coverage, including by reducing premium costs for plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986) for individuals who do not have access to health insurance coverage offered through an employer.

“(vi) Subject to paragraph (4)(B)(iii), to provide health insurance coverage for individuals who are eligible for medical assistance under a State plan under title XIX (but are not described in section 1902(a)(10)(A)(ii)(XXIII)) by establishing or

maintaining relationships with health insurance issuers to provide such coverage.

“(B) A certification that the State shall make, from non-Federal funds, expenditures for 1 or more of the activities specified in subparagraph (A) in an amount that is not less than the State percentage required for the year under paragraph (5)(B)(ii).

“(C) A certification that the funds provided under this subsection shall only be used for the activities specified in subparagraph (A).

“(D) A certification that none of the funds provided under this subsection shall be used by the State for an expenditure that is attributable to an intergovernmental transfer, certified public expenditure, or any other expenditure to finance the non-Federal share of expenditures required under any provision of law, including under the State plans established under this title and title XIX or under a waiver of such plans.

“(E) Such other information as necessary for the Administrator to carry out this subsection.

“(2) ELIGIBILITY.—Only the 50 States and the District of Columbia shall be eligible for an allotment and payments under this subsection and all references in this subsection to a State shall be treated as only referring to the 50 States and the District of Columbia.

“(3) ONE-TIME APPLICATION.—If an application of a State submitted under this subsection is approved by the Administrator for a year, the application shall be deemed to be approved by the Administrator for that year and each subsequent year through December 31, 2026.

“(4) MARKET-BASED HEALTH CARE GRANT ALLOTMENTS.—

“(A) APPROPRIATION.—For the purpose of providing allotments to States under this subsection, there is appropriated, out of any money in the Treasury not otherwise appropriated—

“(i) for calendar year 2020,

【\$140,000,000,000】;

“(ii) for calendar year 2021,

【\$143,000,000,000】;

“(iii) for calendar year 2022,

【\$146,000,000,000】;

“(iv) for calendar year 2023,

【\$149,000,000,000】;

“(v) for calendar year 2024,

【\$152,000,000,000】;

“(vi) for calendar year 2025,

【\$155,000,000,000】; and

“(vii) for calendar year 2026,

【\$158,000,000,000】.

“(B) ALLOTMENTS; AVAILABILITY OF ALLOTMENTS.—

“(i) IN GENERAL.—In the case of a State with an application approved under this subsection with respect to a year, the Administrator shall allot to the State for the year, from amounts appropriated for such year under subparagraph (A), the amount determined for the State and year under paragraph (5).

“(ii) AVAILABILITY OF ALLOTMENTS; UNUSED AMOUNTS.—

“(I) IN GENERAL.—Amounts allotted to a State for a calendar year under this subparagraph shall remain available for obligation by the State through December 31 of the second calendar year following the year for which the allotment is made.

“(II) UNUSED AMOUNTS TO BE USED FOR DEFICIT REDUCTION.—Amounts allotted to a State for a calendar year that remain unobligated on April 1 of the following year shall be deposited into the general fund of the Treasury and shall be used for deficit reduction.

“(iii) LIMITATION.—In no case may a State use more than 10 percent of the amount allotted to the State for a year under this subparagraph for the purpose described in clause (vi) of paragraph (1)(A).

“(5) DETERMINATION OF ALLOTMENT AMOUNTS.—

“(A) CALENDAR YEAR 2020.—Subject to subparagraph (B), the amount determined under this paragraph for a State for calendar year 2020 shall be equal to the sum of each of the following component amounts which is applicable to the State:

“(i) With respect to each State, an amount equal to 10 percent of the amount appropriated for calendar year 2020 under paragraph (4)(A) multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(ii) With respect to each State, an amount equal to 20 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State who are not less than 45 and not more than 64 years old; over

“(II) the number of individuals in all States who are not less than 45 and not more than 64 years old.

“(iii) With respect to each State that, for calendar year 2016, had a State average per capita income that did not exceed \$52,500, an amount equal to 25 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States that, for calendar year 2016, had a State average per capita income that did not exceed \$52,500, whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(iv) With respect to each State that, for calendar year 2016, had an average population density of fewer than 15 individuals per square mile, an amount equal to 1 percent of the amount so appropriated divided by the number of such States.

“(v) With respect to each State that, for calendar year 2016, had an average population density that was greater than 14 individuals per square mile but fewer than 80 individuals per square mile, an amount equal to 3.5 percent of the amount so appropriated, divided by the number of such States.

“(vi) With respect to each State that, for calendar year 2016, had an average population density that was greater than 79 individuals per square mile but fewer than 115 individuals per square mile, an amount equal to 5.5 percent of the amount so appropriated, divided by the number of such States.

“(vii) With respect to each State that was an expansion State for calendar year 2017, an amount equal to 35 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2016 was not less than 100 percent, and not greater than

138 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States that were expansion States for calendar year 2017 whose income for calendar year 2016 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(B) CALENDAR YEAR 2020 ALLOTMENT PARAMETERS.—The Secretary shall adjust the amounts of allotments determined under this paragraph for States for calendar year 2020 under subparagraph (A) as necessary to ensure that a State's allotment for calendar year 2026 (prior to any redistribution of unallotted funds under subparagraph (G)) shall in no case be—

“(i) greater than 3 times the sum of—

“(I) the amount of Federal payments made to the State for calendar year 2016 for medical assistance provided to individuals under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) (including medical assistance provided to individuals who are not newly eligible (as defined in section 1905(y)(2)) individuals described in subclause (VIII) of section 1902(a)(10)(A)(i));

“(II) the amount of Federal payments made to the State for calendar year 2016 for operating a Basic Health Program under section 1331 of the Patient Protection and Affordable Care Act for such year;

“(III) the amount of advance payments of premium assistance credits allowable under section 36B of the Internal Revenue Code of 1986 made under section 1412(a) of the Patient Protection and Affordable Care Act in calendar year 2016 on behalf of individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; and

“(IV) the amount of Federal payments for cost-sharing reductions provided for calendar year 2016 under section 1402 of such Act to individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; or

“(ii) less than 75 percent of the sum of the amounts described in subclauses (I) through (IV) of clause (i).

“(C) CALENDAR YEARS AFTER 2020 AND BEFORE 2026.—Subject to subparagraph (F), for calendar years after 2020 and before 2026, the amount determined under this paragraph for a State and year shall be equal to—

“(i) for calendar years before 2025—

“(I) the amount determined for the State under subparagraph (A) (after adjustment under subparagraph (B), if applicable) or this subparagraph for the previous year; increased by

“(II) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from October 1 of the previous calendar year to October 1 of the calendar year involved;

“(ii) for calendar year 2025—

“(I) the amount determined for the State under this subparagraph for the previous year; increased by

“(II) the percentage increase in the consumer price index for all urban consumers (U.S. city average) from October 1 of the previous calendar year to October 1 of the calendar year involved.

“(D) CALENDAR YEAR 2026.—Subject to subparagraph (E), the amount determined under this paragraph for a State for calendar year 2026 shall be equal to the sum of each of the following component amounts which is applicable to the State:

“(i) With respect to each State, an amount equal to 15.5 percent of the amount appropriated for calendar year 2026 under paragraph (4)(A) multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2025 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States whose income for calendar year 2025 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(ii) With respect to each State, an amount equal to 30 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State who are not less than 45 and not more than 64 years old; over

“(II) the number of individuals in all States who are not less than 45 and not more than 64 years old.

“(iii) With respect to each State that, for calendar year 2025, had a State average per capita income that did not exceed \$52,500, an amount equal to 39 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2025 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States that, for calendar year 2025, had a State average per capita income that did not exceed \$52,500, whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(iv) With respect to each State that, for calendar year 2025, had an average population density of fewer than 15 individuals per square mile, an amount equal to 1.5 percent of the amount so appropriated divided by the number of such States.

“(v) With respect to each State that, for calendar year 2025, had an average population density that was greater than 14 individuals per square mile but fewer than 80 individuals per square mile, an amount equal to 5.5 percent of the amount so appropriated, divided by the number of such States.

“(vi) With respect to each State that, for calendar year 2025, had an average population density that was greater than 79 individuals per square mile but fewer than 115 individuals per square mile, an amount equal to 8.5 percent of the amount so appropriated, divided by the number of such States.

“(E) CALENDAR YEAR 2026 ALLOTMENT PARAMETERS.—The Secretary shall adjust the amounts of allotments determined under this paragraph for States for calendar year 2026 as necessary to ensure that a State's allotment for calendar year 2026 (prior to any adjustment which may be applicable under subparagraph (F) or distribution under subparagraph (G)) shall in no case be—

“(i) greater than 3.5 times the sum of—

“(I) the amount of Federal payments made to the State for calendar year 2016 for medical assistance provided to individuals under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) (including medical assistance provided to individuals who are not newly eligible (as defined in section 1905(y)(2)) individuals described in subclause (VIII) of section 1902(a)(10)(A)(i));

“(II) the amount of Federal payments made to the State for calendar year 2016 for

operating a Basic Health Program under section 1331 of the Patient Protection and Affordable Care Act for such year;

“(III) the amount of advance payments of premium assistance credits allowable under section 36B of the Internal Revenue Code of 1986 made under section 1412(a) of the Patient Protection and Affordable Care Act in calendar year 2016 on behalf of individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; and

“(IV) the amount of Federal payments for cost-sharing reductions provided for calendar year 2016 under section 1402 of such Act to individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; or

“(ii) less than 75 percent of the sum of the amounts described in subclauses (I) through (IV) of clause (i).

“(F) LOW INCOME POPULATION ADJUSTMENT.—

“(i) FOR CALENDAR YEARS 2021 THROUGH 2025.—For each of calendar years 2021, 2022, 2023, 2024, and 2025 if a State's low income per capita allotment amount for the year (as defined in clause (iii))—

“(I) exceeds the mean low income per capita allotment amount for all States for the year by not less than 15 percent, the State's allotment for the year (as determined under subparagraph (C)) shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 5 percent; or

“(II) is not less than 15 percent below the mean low income per capita allotment amount for all States for the year, the State's allotment for the year (as so determined) shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 5 percent.

“(ii) FOR CALENDAR YEAR 2026.—For calendar year 2026, Secretary shall adjust the allotment for the year for each State with a low income per capita allotment amount (as defined in clause (iii)) that exceeds the mean low income per capita allotment amount for all States for the year by more than 10 percent or is below such mean amount by not less than 10 percent in such a manner that the low income per capita allotment for each such State (after the adjustment under this clause) is within 10 percent of such mean amount.

“(iii) LOW INCOME PER CAPITA ALLOTMENT AMOUNT.—

“(I) IN GENERAL.—The term ‘low income per capita allotment amount’ means, with respect to a State and year and subject to adjustment under subclause (II), an amount equal to—

“(aa) the State's allotment for the year, as determined under subparagraph (C); divided by

“(bb) the number of individuals in the State—

“(AA) whose income for the previous calendar year did not exceed 138 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; and

“(BB) who, during the previous calendar year, were not enrolled under the State plan under title XIX (except that, in the case of an individual who is enrolled under the State plan under clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A) or is described in any such clause and is enrolled under a waiver of such plan, shall not be considered to be enrolled under such State plan for purposes of this clause).

“(II) ADJUSTMENT FOR ADDITIONAL SIGNIFICANT FACTORS.—The Secretary may adjust the amount determined for a State and year under subclause (I) if the Secretary determines an adjustment to be appropriate based on statistically and actuarially significant factors, which may include—

“(aa) the population of older individuals in the State, relative to other States;

“(bb) disease burdens for the State, relative to other States; and

“(cc) variations in regional costs of care.

“(iv) RULES OF APPLICATION.—

“(I) BUDGET NEUTRALITY REQUIREMENT.—In determining the appropriate percentages by which to adjust States' allotments for a calendar year under this subparagraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such year.

“(II) NONAPPLICATION TO LOW-DENSITY STATES.—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

“(G) REDUCTION FOR EXPENDITURES ON EXPANSION POPULATION.—In the case of an expansion State, the amount of the allotment determined for the State for a calendar year under this paragraph shall be reduced by the amount of Federal payments received by the State for medical assistance provided to individuals under section 1902(a)(10)(A)(ii)(XXIII) for the year.

“(H) DISTRIBUTION OF UNALLOTTED FUNDS.—To the extent that any funds appropriated for a calendar year under paragraph (4)(A) remain unallotted after the determinations, adjustments, and reductions made under the preceding subparagraphs of this paragraph, the Secretary shall increase the allotments so determined and adjusted for States that have a low income per capita allotment amount that is below the mean low income per capita allotment amount for all States in a manner to be determined by the Secretary.

“(I) EXPANSION STATE DEFINED.—In this paragraph, the term ‘expansion State’ means, with respect to a State and year, a State that provided for eligibility for medical assistance under the State plan established under title XIX on the basis of clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) (or provided eligibility for individuals described in either such clause under a waiver approved under section 1115) during calendar year 2017.

“(6) PAYMENTS.—

“(A) ANNUAL PAYMENT OF ALLOTMENTS.—Subject to subparagraph (B), the Administrator shall pay to each State that has an application approved under this subsection for a year, from the amount allotted to the State under paragraph (4)(B) for the year, an amount equal to the Federal percentage of the State's expenditures for the year.

“(B) STATE EXPENDITURES REQUIRED BEGINNING 2022.—For purposes of subparagraph (A), the Federal percentage is equal to 100 percent reduced by the State percentage for that year, and the State percentage is equal to—

“(i) in the case of calendar year 2020, 3 percent;

“(ii) in the case of calendar year 2021, 3 percent;

“(iii) in the case of calendar year 2022, 4 percent;

“(iv) in the case of calendar year 2023, 4 percent;

“(v) in the case of calendar year 2024, 5 percent;

“(vi) in the case of calendar year 2025, 5 percent; and

“(vii) in the case of calendar year 2026, 5 percent.

“(C) ADVANCE PAYMENT; RETROSPECTIVE ADJUSTMENT.—

“(i) IN GENERAL.—If the Administrator deems it appropriate, the Administrator shall make payments under this subsection for each year on the basis of advance estimates of expenditures submitted by the State and such other investigation as the Administrator shall find necessary, and shall reduce or increase the payments as necessary to adjust for any overpayment or underpayment for prior years.

“(ii) MISUSE OF FUNDS.—If the Administrator determines that a State is not using funds paid to the State under this subsection in a manner consistent with the description provided by the State in its application approved under paragraph (1), the Administrator may withhold payments, reduce payments, or recover previous payments to the State under this subsection as the Administrator deems appropriate.

“(D) FLEXIBILITY IN SUBMITTAL OF CLAIMS.—Nothing in this subsection shall be construed as preventing a State from claiming as expenditures in the year expenditures that were incurred in a previous year.

“(7) EXEMPTIONS.—Paragraphs (2), (3), (5), (6), (8), (10), and (11) of subsection (c) do not apply to payments under this subsection.”.

(b) OTHER TITLE XXI AMENDMENTS.—

(1) Section 2101 of such Act (42 U.S.C. 1397aa) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “The purpose” and inserting “Except with respect to short-term assistance activities under section 2105(h) and the Market-Based Health Care Grant Program established in section 2105(i), the purpose”; and

(B) in subsection (b), in the matter preceding paragraph (1), by inserting “subsection (a) or (g) of” before “section 2105”.

(2) Section 2105(c)(1) of such Act (42 U.S.C. 1397ee(c)(1)) is amended by striking “and may not include” and inserting “or to carry out short-term assistance activities under subsection (h) or the Market-Based Health Care Grant Program established in subsection (i) and, except in the case of funds made available under subsection (h) or (i), may not include”.

(3) Section 2106(a)(1) of such Act (42 U.S.C. 1397ff(a)(1)) is amended by inserting “subsection (a) or (g) of” before “section 2105”.

SEC. 107. BETTER CARE RECONCILIATION IMPLEMENTATION FUND.

(a) IN GENERAL.—There is hereby established a Better Care Reconciliation Implementation Fund (referred to in this section as the “Fund”) within the Department of Health and Human Services to provide for Federal administrative expenses in carrying out this Act.

(b) FUNDING.—There is appropriated to the Fund, out of any funds in the Treasury not otherwise appropriated, \$2,000,000,000.

SEC. 108. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not

apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 109. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAs.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAs.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

SEC. 110. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAs.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) ARCHER MSAs.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

SEC. 111. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.”.

SEC. 112. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 113. PURCHASE OF INSURANCE FROM HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking “and any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual” in subparagraph (A) and inserting “any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual, and any child (as defined in section 152(f)(1)) of such individual who has not attained the age of 27 before the end of such individual’s taxable year”;

(2) by striking subparagraph (B) and inserting the following:

“(B) HEALTH INSURANCE MAY NOT BE PURCHASED FROM ACCOUNT.—Except as provided in subparagraph (C), subparagraph (A) shall not apply to any payment for insurance.”, and

(3) by striking “or” at the end of subparagraph (C)(iii), by striking the period at the end of subparagraph (C)(iv) and inserting “, or”, and by adding at the end the following:

“(v) a high deductible health plan but only to the extent of the portion of such expense in excess of—

“(I) any amount allowable as a credit under section 36B for the taxable year with respect to such coverage,

“(II) any amount allowable as a deduction under section 162(l) with respect to such coverage, or

“(III) any amount excludable from gross income with respect to such coverage under section 106 (including by reason of section 125) or 402(1).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to amounts paid for expenses incurred for, and distributions made for, coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 114. PRIMARY CARE ENHANCEMENT.

(a) TREATMENT OF DIRECT PRIMARY CARE SERVICE ARRANGEMENTS.—Section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) TREATMENT OF DIRECT PRIMARY CARE SERVICE ARRANGEMENTS.—An arrangement under which an individual is provided coverage restricted to primary care services in exchange for a fixed periodic fee or payment for such services—

“(A) shall not be treated as a health plan for purposes of paragraph (1)(A)(ii), and

“(B) shall not be treated as insurance for purposes of subsection (d)(2)(B).”.

(b) CERTAIN PROVIDER FEES TO BE TREATED AS MEDICAL CARE.—Section 213(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(12) PERIODIC PROVIDER FEES.—The term ‘medical care’ shall include periodic fees paid for a defined set of primary care medical services provided on an as-needed basis.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 115. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(I)”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking “\$4,500” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(II)”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking “subsections (b)(2) and” both places it appears and inserting “subsection”;

(2) in subparagraph (B), by striking “determined by” and all that follows through “‘calendar year 2003’” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 116. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CONTRIBUTIONS TO THE SAME HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(b)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

“(5) SPECIAL RULE FOR MARRIED INDIVIDUALS WITH FAMILY COVERAGE.—

“(A) IN GENERAL.—In the case of individuals who are married to each other, if both spouses are eligible individuals and either spouse has family coverage under a high deductible health plan as of the first day of any month—

“(i) the limitation under paragraph (1) shall be applied by not taking into account any other high deductible health plan coverage of either spouse (and if such spouses both have family coverage under separate high deductible health plans, only one such coverage shall be taken into account),

“(ii) such limitation (after application of clause (i)) shall be reduced by the aggregate amount paid to Archer MSAs of such spouses for the taxable year, and

“(iii) such limitation (after application of clauses (i) and (ii)) shall be divided equally between such spouses unless they agree on a different division.

“(B) TREATMENT OF ADDITIONAL CONTRIBUTION AMOUNTS.—If both spouses referred to in subparagraph (A) have attained age 55 before the close of the taxable year, the limitation referred to in subparagraph (A)(iii) which is subject to division between the spouses shall include the additional contribution amounts determined under paragraph (3) for both spouses. In any other case, any additional contribution amount determined under paragraph (3) shall not be taken into account under subparagraph (A)(iii) and shall not be subject to division between the spouses.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 117. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.”.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 118. EXCLUSION FROM HSAs OF HIGH DEDUCTIBLE HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.

(a) IN GENERAL.—Subparagraph (C) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following flush sentence:

“A high deductible health plan shall not be treated as described in clause (v) if such plan includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect

to coverage under a high deductible health plan beginning after December 31, 2017.

SEC. 119. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$1,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 120. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting “and ending December 31, 2019,” after “January 1, 2014,”; and

(B) in subsection (a)(47)(B), by inserting “and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting “(50 percent on or after January 1, 2020)” after “55 percent”;

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through “thereafter”;

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting “through 2019” after “each year thereafter”; and

(ii) in subparagraph (B)(ii)(VI), by striking “and each subsequent year”;

(3) in section 1915(k)(2), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”;

(4) in section 1920(e), by adding at the end the following: “This subsection shall not apply after December 31, 2019.”;

(5) in section 1937(b)(5), by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”; and

(6) in section 1943(a), by inserting “and before January 1, 2020,” after “January 1, 2014.”.

SEC. 121. REPEAL OF MEDICAID EXPANSION.

Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2019,” after “2014.”;

(ii) in clause (ii)(XX), by inserting “and ending December 31, 2017,” after “2014.”; and

(iii) in clause (ii), by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2020, who are expansion enrollees (as defined in subsection (nn)(1));”;

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

“(nn) EXPANSION ENROLLEES.—In this title:

“(1) IN GENERAL.—The term ‘expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

“(2) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees.”;

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1), by striking “; and” at the end of subparagraph (D) and all that follows through “thereafter”;

(B) in subsection (z)(2)—

(i) in subparagraph (A), by striking “each year thereafter” and inserting “through 2019”; and

(ii) in subparagraph (B)(ii), by striking “is 80 percent” in subclause (IV) and all that follows through “100 percent” and inserting “and subsequent years is 80 percent”.

SEC. 122. REDUCING STATE MEDICAID COSTS.

(a) IN GENERAL.—

(1) STATE PLAN REQUIREMENTS.—Section 1902(a)(34) of the Social Security Act (42 U.S.C. 1396a(a)(34)) is amended by striking “in or after the third month” and all that follows through “individual” and inserting “in or after the month in which the individual (or, in the case of a deceased individual, another individual acting on the individual’s behalf) made application (or, in the case of an individual who is 65 years of age or older or who is eligible for medical assist-

ance under the plan on the basis of being blind or disabled, in or after the third month before such month)”.

(2) DEFINITION OF MEDICAL ASSISTANCE.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended by striking “in or after the third month before the month in which the recipient makes application for assistance” and inserting “in or after the month in which the recipient makes application for assistance, or, in the case of a recipient who is 65 years of age or older or who is eligible for medical assistance on the basis of being blind or disabled at the time application is made, in or after the third month before the month in which the recipient makes application for assistance.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to medical assistance with respect to individuals whose eligibility for such assistance is based on an application for such assistance made (or deemed to be made) on or after October 1, 2017.

SEC. 123. ELIGIBILITY REDETERMINATIONS.

(a) IN GENERAL.—Section 1902(e)(14) of the Social Security Act (42 U.S.C. 1396a(e)(14)) (relating to modified adjusted gross income) is amended by adding at the end the following:

“(J) FREQUENCY OF ELIGIBILITY REDETERMINATIONS.—Beginning on October 1, 2017, and notwithstanding subparagraph (H), in the case of an individual whose eligibility for medical assistance under the State plan under this title (or a waiver of such plan) is determined based on the application of modified adjusted gross income under subparagraph (A) and who is so eligible on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of subsection (a)(10)(A), at the option of the State, the State plan may provide that the individual’s eligibility shall be redetermined every 6 months (or such shorter number of months as the State may elect).”.

(b) INCREASED ADMINISTRATIVE MATCHING PERCENTAGE.—For each calendar quarter during the period beginning on October 1, 2017, and ending on December 31, 2019, the Federal matching percentage otherwise applicable under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) with respect to State expenditures during such quarter that are attributable to meeting the requirement of section 1902(e)(14) (relating to determinations of eligibility using modified adjusted gross income) of such Act shall be increased by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to exercise the option described in subparagraph (J) of such section (relating to eligibility redeterminations made on a 6-month or shorter basis) (as added by subsection (a)) to increase the frequency of eligibility redeterminations.

SEC. 124. OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

“(oo) OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.—

“(1) IN GENERAL.—Beginning October 1, 2017, subject to paragraph (3), a State may elect to condition medical assistance to a nondisabled, nonelderly, nonpregnant individual under this title upon such an individual’s satisfaction of a work requirement (as defined in paragraph (2)).

“(2) WORK REQUIREMENT DEFINED.—In this section, the term ‘work requirement’ means,

with respect to an individual, the individual's participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.

“(3) REQUIRED EXCEPTIONS.—States administering a work requirement under this subsection may not apply such requirement to—

“(A) a woman during pregnancy through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

“(B) an individual who is under 19 years of age;

“(C) an individual who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age or who is the only parent or caretaker of a child with disabilities; or

“(D) an individual who is married or a head of household and has not attained 20 years of age and who—

“(i) maintains satisfactory attendance at secondary school or the equivalent; or

“(ii) participates in education directly related to employment.”

(b) INCREASE IN MATCHING RATE FOR IMPLEMENTATION.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following:

“(aa) The Federal matching percentage otherwise applicable under subsection (a) with respect to State administrative expenditures during a calendar quarter for which the State receives payment under such subsection shall, in addition to any other increase to such Federal matching percentage, be increased for such calendar quarter by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to implement subsection (oo) of section 1902.”

SEC. 125. PROVIDER TAXES.

Section 1903(w)(4)(C) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)) is amended by adding at the end the following new clause:

“(iii) For purposes of clause (i), a determination of the existence of an indirect guarantee shall be made under paragraph (3)(i) of section 433.68(f) of title 42, Code of Federal Regulations, as in effect on June 1, 2017, except that—

“(I) for fiscal year 2021, ‘5.8 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(II) for fiscal year 2022, ‘5.6 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(III) for fiscal year 2023, ‘5.4 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(IV) for fiscal year 2024, ‘5.2 percent’ shall be substituted for ‘6 percent’ each place it appears; and

“(V) for fiscal year 2025 and each subsequent fiscal year, ‘5 percent’ shall be substituted for ‘6 percent’ each place it appears.”

SEC. 126. PER CAPITA ALLOTMENT FOR MEDICAL ASSISTANCE.

(a) IN GENERAL.—Title XIX of the Social Security Act is amended—

(1) in section 1903 (42 U.S.C. 1396b)—

(A) in subsection (a), in the matter before paragraph (1), by inserting “and section 1903A(a)” after “except as otherwise provided in this section”; and

(B) in subsection (d)(1), by striking “to which” and inserting “to which, subject to section 1903A(a),”; and

(2) by inserting after such section 1903 the following new section:

“SEC. 1903A. PER CAPITA-BASED CAP ON PAYMENTS FOR MEDICAL ASSISTANCE.

“(a) APPLICATION OF PER CAPITA CAP ON PAYMENTS FOR MEDICAL ASSISTANCE EXPENDITURES.—

“(1) IN GENERAL.—If a State which is one of the 50 States or the District of Columbia has excess aggregate medical assistance expenditures (as defined in paragraph (2)) for a fiscal year (beginning with fiscal year 2020), the amount of payment to the State under section 1903(a)(1) for each quarter in the following fiscal year shall be reduced by $\frac{1}{4}$ of the excess aggregate medical assistance payments (as defined in paragraph (3)) for that previous fiscal year. In this section, the term ‘State’ means only the 50 States and the District of Columbia.

“(2) EXCESS AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘excess aggregate medical assistance expenditures’ means, for a State for a fiscal year, the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State and fiscal year; exceeds

“(B) the amount of the target total medical assistance expenditures (as defined in subsection (c)) for the State and fiscal year.

“(3) EXCESS AGGREGATE MEDICAL ASSISTANCE PAYMENTS.—In this subsection, the term ‘excess aggregate medical assistance payments’ means, for a State for a fiscal year, the product of—

“(A) the excess aggregate medical assistance expenditures (as defined in paragraph (2)) for the State for the fiscal year; and

“(B) the Federal average medical assistance matching percentage (as defined in paragraph (4)) for the State for the fiscal year.

“(4) FEDERAL AVERAGE MEDICAL ASSISTANCE MATCHING PERCENTAGE.—In this subsection, the term ‘Federal average medical assistance matching percentage’ means, for a State for a fiscal year, the ratio (expressed as a percentage) of—

“(A) the amount of the Federal payments that would be made to the State under section 1903(a)(1) for medical assistance expenditures for calendar quarters in the fiscal year if paragraph (1) did not apply; to

“(B) the amount of the medical assistance expenditures for the State and fiscal year.

“(5) PER CAPITA BASE PERIOD.—

“(A) IN GENERAL.—In this section, the term ‘per capita base period’ means, with respect to a State, a period of 8 (or, in the case of a State selecting a period under subparagraph (D), not less than 4) consecutive fiscal quarters selected by the State.

“(B) TIMELINE.—Each State shall submit its selection of a per capita base period to the Secretary not later than January 1, 2018.

“(C) PARAMETERS.—In selecting a per capita base period under this paragraph, a State shall—

“(i) only select a period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters for which all the data necessary to make determinations required under this section is available, as determined by the Secretary; and

“(ii) shall not select any period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters that begins with a fiscal quarter earlier than the first quarter of fiscal year 2014 or ends with a fiscal quarter later than the third fiscal quarter of 2017.

“(D) BASE PERIOD FOR LATE-EXPANDING STATES.—

“(i) IN GENERAL.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of the first day of the fourth fiscal quarter of fiscal year 2015 but which provided for such assistance for such category in a subsequent fiscal quarter that is not later than the fourth quarter of fiscal year 2016, the State may select a per capita base period that is less than 8 consecutive fiscal quarters, but in no case shall the period selected be less than 4 consecutive fiscal quarters.

“(ii) APPLICATION OF OTHER REQUIREMENTS.—Except for the requirement that a per capita base period be a period of 8 consecutive fiscal quarters, all other requirements of this paragraph shall apply to a per capita base period selected under this subparagraph.

“(iii) APPLICATION OF BASE PERIOD ADJUSTMENTS.—The adjustments to amounts for per capita base periods required under subsections (b)(5) and (d)(4)(E) shall be applied to amounts for per capita base periods selected under this subparagraph by substituting ‘divided by the ratio that the number of quarters in the base period bears to 4’ for ‘divided by 2’.

“(E) ADJUSTMENT BY THE SECRETARY.—If the Secretary determines that a State took actions after the date of enactment of this section (including making retroactive adjustments to supplemental payment data in a manner that affects a fiscal quarter in the per capita base period) to diminish the quality of the data from the per capita base period used to make determinations under this section, the Secretary may adjust the data as the Secretary deems appropriate.

“(b) ADJUSTED TOTAL MEDICAL ASSISTANCE EXPENDITURES.—Subject to subsection (g), the following shall apply:

“(1) IN GENERAL.—In this section, the term ‘adjusted total medical assistance expenditures’ means, for a State—

“(A) for the State’s per capita base period (as defined in subsection (a)(5)), the product of—

“(i) the amount of the medical assistance expenditures (as defined in paragraph (2) and adjusted under paragraph (5)) for the State and period, reduced by the amount of any excluded expenditures (as defined in paragraph (3) and adjusted under paragraph (5)) for the State and period otherwise included in such medical assistance expenditures; and

“(ii) the 1903A base period population percentage (as defined in paragraph (4)) for the State; or

“(B) for fiscal year 2019 or a subsequent fiscal year, the amount of the medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that is attributable to 1903A enrollees, reduced by the amount of any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year otherwise included in such medical assistance expenditures and includes non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) but shall not be construed as including any expenditures attributable to the program under section 1928 (relating to State pediatric vaccine distribution programs). In applying subparagraph (B), non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) shall be treated as fully attributable to 1903A enrollees.

“(2) MEDICAL ASSISTANCE EXPENDITURES.—In this section, the term ‘medical assistance expenditures’ means, for a State and fiscal

year or per capita base period, the medical assistance payments as reported by medical service category on the Form CMS-64 quarterly expense report (or successor to such a report form, and including enrollment data and subsequent adjustments to any such report, in this section referred to collectively as a 'CMS-64 report') for quarters in the year or base period for which payment is (or may otherwise be) made pursuant to section 1903(a)(1), adjusted, in the case of a per capita base period, under paragraph (5).

“(3) EXCLUDED EXPENDITURES.—In this section, the term ‘excluded expenditures’ means, for a State and fiscal year or per capita base period, expenditures under the State plan (or under a waiver of such plan) that are attributable to any of the following:

“(A) DSH.—Payment adjustments made for disproportionate share hospitals under section 1923.

“(B) MEDICARE COST-SHARING.—Payments made for medicare cost-sharing (as defined in section 1905(p)(3)).

“(C) SAFETY NET PROVIDER PAYMENT ADJUSTMENTS IN NON-EXPANSION STATES.—Payment adjustments under subsection (a) of section 1923A for which payment is permitted under subsection (c) of such section.

“(D) EXPENDITURES FOR PUBLIC HEALTH EMERGENCIES.—Any expenditures that are subject to a public health emergency exclusion under paragraph (6).

“(4) 1903A BASE PERIOD POPULATION PERCENTAGE.—In this subsection, the term ‘1903A base period population percentage’ means, for a State, the Secretary’s calculation of the percentage of the actual medical assistance expenditures, as reported by the State on the CMS-64 reports for calendar quarters in the State’s per capita base period, that are attributable to 1903A enrollees (as defined in subsection (e)(1)).

“(5) ADJUSTMENTS FOR PER CAPITA BASE PERIOD.—In calculating medical assistance expenditures under paragraph (2) and excluded expenditures under paragraph (3) for a State for the State’s per capita base period, the total amount of each type of expenditure for the State and base period shall be divided by 2.

“(6) AUTHORITY TO EXCLUDE STATE EXPENDITURES FROM CAPS DURING PUBLIC HEALTH EMERGENCY.—

“(A) IN GENERAL.—During the period that begins on January 1, 2020, and ends on December 31, 2024, the Secretary may exclude, from a State’s medical assistance expenditures for a fiscal year or portion of a fiscal year that occurs during such period, an amount that shall not exceed the amount determined under subparagraph (B) for the State and year or portion of a year if—

“(i) a public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act existed within the State during such year or portion of a year; and

“(ii) the Secretary determines that such an exemption would be appropriate.

“(B) MAXIMUM AMOUNT OF ADJUSTMENT.—The amount excluded for a State and fiscal year or portion of a fiscal year under this paragraph shall not exceed the amount by which—

“(i) the amount of State expenditures for medical assistance for 1903A enrollees in areas of the State which are subject to a declaration described in subparagraph (A)(i) for the fiscal year or portion of a fiscal year; exceeds

“(ii) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year or portion of a fiscal year

of equal length to the portion of a fiscal year involved during which no such declaration was in effect.

“(C) AGGREGATE LIMITATION ON EXCLUSIONS AND ADDITIONAL BLOCK GRANT PAYMENTS.—The aggregate amount of expenditures excluded under this paragraph and additional payments made under section 1903B(c)(3)(E) for the period described in subparagraph (A) shall not exceed \$5,000,000,000.

“(D) REVIEW.—If the Secretary exercises the authority under this paragraph with respect to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in subparagraph (A)(i) ceases to be in effect, conduct an audit of the State’s medical assistance expenditures for 1903A enrollees during the year or portion of a year to ensure that all of the expenditures so excluded were made for the purpose of ensuring that the health care needs of 1903A enrollees in areas affected by a public health emergency are met.

“(e) TARGET TOTAL MEDICAL ASSISTANCE EXPENDITURES.—

“(1) CALCULATION.—In this section, the term ‘target total medical assistance expenditures’ means, for a State for a fiscal year, the sum of the products, for each of the 1903A enrollee categories (as defined in subsection (e)(2)), of—

“(A) the target per capita medical assistance expenditures (as defined in paragraph (2)) for the enrollee category, State, and fiscal year; and

“(B) the number of 1903A enrollees for such enrollee category, State, and fiscal year, as determined under subsection (e)(4).

“(2) TARGET PER CAPITA MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘target per capita medical assistance expenditures’ means, for a 1903A enrollee category and State—

“(A) for fiscal year 2020, an amount equal to—

“(i) the provisional FY19 target per capita amount for such enrollee category (as calculated under subsection (d)(5)) for the State; increased by

“(ii) the applicable annual inflation factor (as defined in paragraph (3)) for fiscal year 2020; and

“(B) for each succeeding fiscal year, an amount equal to—

“(i) the target per capita medical assistance expenditures (under subparagraph (A) or this subparagraph) for the 1903A enrollee category and State for the preceding fiscal year; increased by

“(ii) the applicable annual inflation factor for that succeeding fiscal year.

“(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term ‘applicable annual inflation factor’ means—

“(A) for fiscal years before 2025—

“(i) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved; and

“(ii) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage increase described in clause (i) plus 1 percentage point; and

“(B) for fiscal years after 2024, for all 1903A enrollee categories, the percentage increase in the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved.

“(4) ADJUSTMENTS TO STATE EXPENDITURES TARGETS TO PROMOTE PROGRAM EQUITY ACROSS STATES.—

“(A) IN GENERAL.—Beginning with fiscal year 2020, the target per capita medical assistance expenditures for a 1903A enrollee category, State, and fiscal year, as determined under paragraph (2), shall be adjusted (subject to subparagraph (C)(i)) in accordance with this paragraph.

“(B) ADJUSTMENT BASED ON LEVEL OF PER CAPITA SPENDING FOR 1903A ENROLLEE CATEGORIES.—Subject to subparagraph (C), with respect to a State, fiscal year, and 1903A enrollee category, if the State’s per capita categorical medical assistance expenditures (as defined in subparagraph (D)) for the State and category in the preceding fiscal year—

“(i) exceed the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 2 percent; or

“(ii) are less than the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 2 percent.

“(C) RULES OF APPLICATION.—

“(i) BUDGET NEUTRALITY REQUIREMENT.—In determining the appropriate percentages by which to adjust States’ target per capita medical assistance expenditures for a category and fiscal year under this paragraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such fiscal year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such fiscal year.

“(ii) ASSUMPTION REGARDING STATE EXPENDITURES.—For purposes of clause (i), in the case of a State that has its target per capita medical assistance expenditures for a 1903A enrollee category and fiscal year increased under this paragraph, the Secretary shall assume that the categorical medical assistance expenditures (as defined in subparagraph (D)(ii)) for such State, category, and fiscal year will equal such increased target medical assistance expenditures.

“(iii) NONAPPLICATION TO LOW-DENSITY STATES.—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

“(iv) DISREGARD OF ADJUSTMENT.—Any adjustment under this paragraph to target medical assistance expenditures for a State, 1903A enrollee category, and fiscal year shall be disregarded when determining the target medical assistance expenditures for such State and category for a succeeding year under paragraph (2).

“(v) APPLICATION FOR FISCAL YEARS 2020 AND 2021.—In fiscal years 2020 and 2021, the Secretary shall apply this paragraph by deeming all categories of 1903A enrollees to be a single category.

“(D) PER CAPITA CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—

“(i) IN GENERAL.—In this paragraph, the term ‘per capita categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to—

“(I) the categorical medical expenditures (as defined in clause (ii)) for the State, category, and year; divided by

“(II) the number of 1903A enrollees for the State, category, and year.

“(ii) CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—The term ‘categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to the total medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that are attributable to 1903A enrollees in the category, excluding any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year that are attributable to 1903A enrollees in the category.

“(d) CALCULATION OF FY19 PROVISIONAL TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (g), the following shall apply:

“(1) CALCULATION OF BASE AMOUNTS FOR PER CAPITA BASE PERIOD.—For each State the Secretary shall calculate (and provide notice to the State not later than April 1, 2018, of) the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for the State’s per capita base period.

“(B) The number of 1903A enrollees for the State in the State’s per capita base period (as determined under subsection (e)(4)).

“(C) The average per capita medical assistance expenditures for the State for the State’s per capita base period equal to—

“(i) the amount calculated under subparagraph (A); divided by

“(ii) the number calculated under subparagraph (B).

“(2) FISCAL YEAR 2019 AVERAGE PER CAPITA AMOUNT BASED ON INFLATING THE PER CAPITA BASE PERIOD AMOUNT TO FISCAL YEAR 2019 BY CPI-MEDICAL.—The Secretary shall calculate a fiscal year 2019 average per capita amount for each State equal to—

“(A) the average per capita medical assistance expenditures for the State for the State’s per capita base period (calculated under paragraph (1)(C)); increased by

“(B) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from the last month of the State’s per capita base period to September of fiscal year 2019.

“(3) AGGREGATE AND AVERAGE EXPENDITURES PER CAPITA FOR FISCAL YEAR 2019.—The Secretary shall calculate for each State the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019.

“(B) The number of 1903A enrollees for the State in fiscal year 2019 (as determined under subsection (e)(4)).

“(4) PER CAPITA EXPENDITURES FOR FISCAL YEAR 2019 FOR EACH 1903A ENROLLEE CATEGORY.—The Secretary shall calculate (and provide notice to each State not later than January 1, 2020, of) the following:

“(A)(i) For each 1903A enrollee category, the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019 for individuals in the enrollee category, calculated by excluding from medical assistance expenditures those expenditures attrib-

utable to expenditures described in clause (iii) or non-DSH supplemental expenditures (as defined in clause (ii)).

“(ii) In this paragraph, the term ‘non-DSH supplemental expenditure’ means a payment to a provider under the State plan (or under a waiver of the plan) that—

“(I) is not made under section 1923;

“(II) is not made with respect to a specific item or service for an individual;

“(III) is in addition to any payments made to the provider under the plan (or waiver) for any such item or service; and

“(IV) complies with the limits for additional payments to providers under the plan (or waiver) imposed pursuant to section 1902(a)(30)(A), including the regulations specifying upper payment limits under the State plan in part 447 of title 42, Code of Federal Regulations (or any successor regulations).

“(iii) An expenditure described in this clause is an expenditure that meets the criteria specified in subclauses (I), (II), and (III) of clause (ii) and is authorized under section 1115 for the purposes of funding a delivery system reform pool, uncompensated care pool, a designated State health program, or any other similar expenditure (as defined by the Secretary).

“(B) For each 1903A enrollee category, the number of 1903A enrollees for the State in fiscal year 2019 in the enrollee category (as determined under subsection (e)(4)).

“(C) For the State’s per capita base period, the State’s non-DSH supplemental and pool payment percentage is equal to the ratio (expressed as a percentage) of—

“(i) the total amount of non-DSH supplemental expenditures (as defined in subparagraph (A)(ii) and adjusted under subparagraph (E)) and payments described in subparagraph (A)(iii) (and adjusted under subparagraph (E)) for the State for the period; to

“(ii) the amount described in subsection (b)(1)(A) for the State for the State’s per capita base period.

“(D) For each 1903A enrollee category an average medical assistance expenditures per capita for the State for fiscal year 2019 for the enrollee category equal to—

“(i) the amount calculated under subparagraph (A) for the State, increased by the non-DSH supplemental and pool payment percentage for the State (as calculated under subparagraph (C)); divided by

“(ii) the number calculated under subparagraph (B) for the State for the enrollee category.

“(E) For purposes of subparagraph (C)(i), in calculating the total amount of non-DSH supplemental expenditures and payments described in subparagraph (A)(iii) for a State for the per capita base period, the total amount of such expenditures and the total amount of such payments for the State and base period shall each be divided by 2.

“(5) PROVISIONAL FY19 PER CAPITA TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (f)(2), the Secretary shall calculate for each State a provisional FY19 per capita target amount for each 1903A enrollee category equal to the average medical assistance expenditures per capita for the State for fiscal year 2019 (as calculated under paragraph (4)(D)) for such enrollee category multiplied by the ratio of—

“(A) the product of—

“(i) the fiscal year 2019 average per capita amount for the State, as calculated under paragraph (2); and

“(ii) the number of 1903A enrollees for the State in fiscal year 2019, as calculated under paragraph (3)(B); to

“(B) the amount of the adjusted total medical assistance expenditures for the State for fiscal year 2019, as calculated under paragraph (3)(A).

“(e) 1903A ENROLLEE; 1903A ENROLLEE CATEGORY.—Subject to subsection (g), for purposes of this section, the following shall apply:

“(1) 1903A ENROLLEE.—The term ‘1903A enrollee’ means, with respect to a State and a month and subject to subsection (i)(1)(B), any Medicaid enrollee (as defined in paragraph (3)) for the month, other than such an enrollee who for such month is in any of the following categories of excluded individuals:

“(A) CHIP.—An individual who is provided, under this title in the manner described in section 2101(a)(2), child health assistance under title XXI.

“(B) IHS.—An individual who receives any medical assistance under this title for services for which payment is made under the third sentence of section 1905(b).

“(C) BREAST AND CERVICAL CANCER SERVICES ELIGIBLE INDIVIDUAL.—An individual who is eligible for medical assistance under this title only on the basis of section 1902(a)(10)(A)(ii)(XVIII).

“(D) PARTIAL-BENEFIT ENROLLEES.—An individual who—

“(i) is an alien who is eligible for medical assistance under this title only on the basis of section 1903(v)(2);

“(ii) is eligible for medical assistance under this title only on the basis of subclause (XII) or (XXI) of section 1902(a)(10)(A)(ii) (or on the basis of a waiver that provides only comparable benefits);

“(iii) is a dual eligible individual (as defined in section 1915(h)(2)(B)) and is eligible for medical assistance under this title (or under a waiver) only for some or all of medicare cost-sharing (as defined in section 1905(p)(3)); or

“(iv) is eligible for medical assistance under this title and for whom the State is providing a payment or subsidy to an employer for coverage of the individual under a group health plan pursuant to section 1906 or section 1906A (or pursuant to a waiver that provides only comparable benefits).

“(E) BLIND AND DISABLED CHILDREN.—An individual who—

“(i) is a child under 19 years of age; and

“(ii) is eligible for medical assistance under this title on the basis of being blind or disabled.

“(2) 1903A ENROLLEE CATEGORY.—The term ‘1903A enrollee category’ means each of the following:

“(A) ELDERLY.—A category of 1903A enrollees who are 65 years of age or older.

“(B) BLIND AND DISABLED.—A category of 1903A enrollees (not described in the previous subparagraph) who—

“(i) are 19 years of age or older; and

“(ii) are eligible for medical assistance under this title on the basis of being blind or disabled.

“(C) CHILDREN.—A category of 1903A enrollees (not described in a previous subparagraph) who are children under 19 years of age.

“(D) EXPANSION ENROLLEES.—A category of 1903A enrollees (not described in a previous subparagraph) who are eligible for medical assistance under this title only on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A).

“(E) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—A category of 1903A enrollees who are not described in any previous subparagraph.

“(3) MEDICAID ENROLLEE.—The term ‘Medicaid enrollee’ means, with respect to a State

for a month, an individual who is eligible for medical assistance for items or services under this title and enrolled under the State plan (or a waiver of such plan) under this title for the month.

“(4) DETERMINATION OF NUMBER OF 1903A ENROLLEES.—The number of 1903A enrollees for a State and fiscal year or the State’s per capita base period, and, if applicable, for a 1903A enrollee category, is the average monthly number of Medicaid enrollees for such State and fiscal year or base period (and, if applicable, in such category) that are reported through the CMS-64 report under (and subject to audit under) subsection (h).

“(f) SPECIAL PAYMENT RULES.—

“(1) APPLICATION IN CASE OF RESEARCH AND DEMONSTRATION PROJECTS AND OTHER WAIVERS.—In the case of a State with a waiver of the State plan approved under section 1115, section 1915, or another provision of this title, this section shall apply to medical assistance expenditures and medical assistance payments under the waiver, in the same manner as if such expenditures and payments had been made under a State plan under this title and the limitations on expenditures under this section shall supersede any other payment limitations or provisions (including limitations based on a per capita limitation) otherwise applicable under such a waiver.

“(2) TREATMENT OF STATES EXPANDING COVERAGE AFTER JULY 1, 2016.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of July 1, 2016, but which subsequently provides for such assistance for such category, the provisional FY19 per capita target amount for such enrollee category under subsection (d)(5) shall be equal to the provisional FY19 per capita target amount for the 1903A enrollee category described in subsection (e)(2)(E).

“(3) IN CASE OF STATE FAILURE TO REPORT NECESSARY DATA.—If a State for any quarter in a fiscal year (beginning with fiscal year 2019) fails to satisfactorily submit data on expenditures and enrollees in accordance with subsection (h)(1), for such fiscal year and any succeeding fiscal year for which such data are not satisfactorily submitted—

“(A) the Secretary shall calculate and apply subsections (a) through (e) with respect to the State as if all 1903A enrollee categories for which such expenditure and enrollee data were not satisfactorily submitted were a single 1903A enrollee category; and

“(B) the growth factor otherwise applied under subsection (c)(2)(B) shall be decreased by 1 percentage point.

“(g) RECALCULATION OF CERTAIN AMOUNTS FOR DATA ERRORS.—The amounts and percentage calculated under paragraphs (1) and (4)(C) of subsection (d) for a State for the State’s per capita base period, and the amounts of the adjusted total medical assistance expenditures calculated under subsection (b) and the number of Medicaid enrollees and 1903A enrollees determined under subsection (e)(4) for a State for the State’s per capita base period, fiscal year 2019, and any subsequent fiscal year, may be adjusted by the Secretary based upon an appeal (filed by the State in such a form, manner, and time, and containing such information relating to data errors that support such appeal, as the Secretary specifies) that the Secretary determines to be valid, except that any adjustment by the Secretary under this subsection for a State may not result in an increase of the target total medical assistance expenditures exceeding 2 percent.

“(h) REQUIRED REPORTING AND AUDITING; TRANSITIONAL INCREASE IN FEDERAL MATCHING PERCENTAGE FOR CERTAIN ADMINISTRATIVE EXPENSES.—

“(1) AUDITING OF CMS-64 DATA.—The Secretary shall conduct for each State an audit of the number of individuals and expenditures reported through the CMS-64 report for the State’s per capita base period, fiscal year 2019, and each subsequent fiscal year, which audit may be conducted on a representative sample (as determined by the Secretary).

“(2) AUDITING OF STATE SPENDING.—The Inspector General of the Department of Health and Human Services shall conduct an audit (which shall be conducted using random sampling, as determined by the Inspector General) of each State’s spending under this section not less than once every 3 years.

“(3) TEMPORARY INCREASE IN FEDERAL MATCHING PERCENTAGE TO SUPPORT IMPROVED DATA REPORTING SYSTEMS FOR FISCAL YEARS 2018 AND 2019.—In the case of any State that selects as its per capita base period the most recent 8 consecutive quarter period for which the data necessary to make the determinations required under this section is available, for amounts expended during calendar quarters beginning on or after October 1, 2017, and before October 1, 2019—

“(A) the Federal matching percentage applied under section 1903(a)(3)(A)(i) shall be increased by 10 percentage points to 100 percent; and

“(B) the Federal matching percentage applied under section 1903(a)(3)(B) shall be increased by 25 percentage points to 100 percent.

“(4) HHS REPORT ON ADOPTION OF T-MSIS DATA.—Not later than January 1, 2025, the Secretary shall submit to Congress a report making recommendations as to whether data from the Transformed Medicaid Statistical Information System would be preferable to CMS-64 report data for purposes of making the determinations necessary under this section.”.

(b) ENSURING ACCESS TO HOME AND COMMUNITY BASED SERVICES.—Section 1915 of the Social Security Act (42 U.S.C. 1396n) is amended by adding at the end the following new subsection:

“(1) INCENTIVE PAYMENTS FOR HOME AND COMMUNITY-BASED SERVICES.—

“(1) IN GENERAL.—The Secretary shall establish a demonstration project (referred to in this subsection as the ‘demonstration project’) under which eligible States may make HCBS payment adjustments for the purpose of continuing to provide and improving the quality of home and community-based services provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i).

“(2) SELECTION OF ELIGIBLE STATES.—

“(A) APPLICATION.—A State seeking to participate in the demonstration project shall submit to the Secretary, at such time and in such manner as the Secretary shall require, an application that includes—

“(i) an assurance that any HCBS payment adjustment made by the State under this subsection will comply with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A); and

“(ii) such other information and assurances as the Secretary shall require.

“(B) SELECTION.—The Secretary shall select States to participate in the demonstration project on a competitive basis except that, in making selections under this paragraph, the Secretary shall give priority to any State that is one of the 15 States in the

United States with the lowest population density, as determined by the Secretary based on data from the Bureau of the Census.

“(3) TERM OF DEMONSTRATION PROJECT.—The demonstration project shall be conducted for the 4-year period beginning on January 1, 2020, and ending on December 31, 2023.

“(4) STATE ALLOTMENTS AND INCREASED FMAP FOR PAYMENT ADJUSTMENTS.—

“(A) IN GENERAL.—

“(i) ANNUAL ALLOTMENT.—Subject to clause (ii), for each year of the demonstration project, the Secretary shall allot an amount to each State that is an eligible State for the year.

“(ii) LIMITATION ON FEDERAL SPENDING.—The aggregate amount that may be allotted to eligible States under clause (i) for all years of the demonstration project shall not exceed \$8,000,000,000.

“(B) FMAP APPLICABLE TO HCBS PAYMENT ADJUSTMENTS.—For each year of the demonstration project, notwithstanding section 1905(b) but subject to the limitations described in subparagraph (C), the Federal medical assistance percentage applicable with respect to expenditures by an eligible State that are attributable to HCBS payment adjustments shall be equal to (and shall in no case exceed) 100 percent.

“(C) INDIVIDUAL PROVIDER AND ALLOTMENT LIMITATIONS.—Payment under section 1903(a) shall not be made to an eligible State for expenditures for a year that are attributable to an HCBS payment adjustment—

“(i) that is paid to a single provider and exceeds a percentage which shall be established by the Secretary of the payment otherwise made to the provider; or

“(ii) to the extent that the aggregate amount of HCBS payment adjustments made by the State in the year exceeds the amount allotted to the State for the year under clause (i).

“(5) REPORTING AND EVALUATION.—

“(A) IN GENERAL.—As a condition of receiving the increased Federal medical assistance percentage described in paragraph (4)(B), each eligible State shall collect and report information, as determined necessary by the Secretary, for the purposes of providing Federal oversight and evaluating the State’s compliance with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A).

“(B) FORMS.—Expenditures by eligible States on HCBS payment adjustments shall be separately reported on the CMS-64 Form and in T-MSIS.

“(6) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE STATE.—The term ‘eligible State’ means a State that—

“(i) is one of the 50 States or the District of Columbia;

“(ii) has in effect—

“(I) a waiver under subsection (c) or (d); or

“(II) a State plan amendment under subsection (i);

“(iii) submits an application under paragraph (2)(A); and

“(iv) is selected by the Secretary to participate in the demonstration project.

“(B) HCBS PAYMENT ADJUSTMENT.—The term ‘HCBS payment adjustment’ means a payment adjustment made by an eligible State to the amount of payment otherwise provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i) for a home and community-based service which is provided to a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the enrollee category described in subparagraph (A) or (B) of section 1903A(e)(2).”.

SEC. 127. FLEXIBLE BLOCK GRANT OPTION FOR STATES.

Title XIX of the Social Security Act, as previously amended, is further amended by inserting after section 1903A the following new section:

“SEC. 1903B. MEDICAID FLEXIBILITY PROGRAM.

“(a) IN GENERAL.—Beginning with fiscal year 2020, any State (as defined in subsection (e)) that has an application approved by the Secretary under subsection (b) may conduct a Medicaid Flexibility Program to provide targeted health assistance to program enrollees.

“(b) STATE APPLICATION.—

“(1) IN GENERAL.—To be eligible to conduct a Medicaid Flexibility Program, a State shall submit an application to the Secretary that meets the requirements of this subsection.

“(2) CONTENTS OF APPLICATION.—An application under this subsection shall include the following:

“(A) A description of the proposed Medicaid Flexibility Program and how the State will satisfy the requirements described in subsection (d).

“(B) The proposed conditions for eligibility of program enrollees.

“(C) The applicable program enrollee category (as defined in subsection (e)(1)).

“(D) A description of the types, amount, duration, and scope of services which will be offered as targeted health assistance under the program, including a description of the proposed package of services which will be provided to program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

“(E) A description of how the State will notify individuals currently enrolled in the State plan for medical assistance under this title of the transition to such program.

“(F) Statements certifying that the State agrees to—

“(i) submit regular enrollment data with respect to the program to the Centers for Medicare & Medicaid Services at such time and in such manner as the Secretary may require;

“(ii) submit timely and accurate data to the Transformed Medicaid Statistical Information System (T-MSIS);

“(iii) report annually to the Secretary on adult health quality measures implemented under the program and information on the quality of health care furnished to program enrollees under the program as part of the annual report required under section 1139B(d)(1);

“(iv) submit such additional data and information not described in any of the preceding clauses of this subparagraph but which the Secretary determines is necessary for monitoring, evaluation, or program integrity purposes, including—

“(I) survey data, such as the data from Consumer Assessment of Healthcare Providers and Systems (CAHPS) surveys;

“(II) birth certificate data; and

“(III) clinical patient data for quality measurements which may not be present in a claim, such as laboratory data, body mass index, and blood pressure; and

“(v) on an annual basis, conduct a report evaluating the program and make such report available to the public.

“(G) An information technology systems plan demonstrating that the State has the capability to support the technological administration of the program and comply with reporting requirements under this section.

“(H) A statement of the goals of the proposed program, which shall include—

“(i) goals related to quality, access, rate of growth targets, consumer satisfaction, and outcomes;

“(ii) a plan for monitoring and evaluating the program to determine whether such goals are being met; and

“(iii) a proposed process for the State, in consultation with the Centers for Medicare & Medicaid Services, to take remedial action to make progress on unmet goals.

“(I) Such other information as the Secretary may require.

“(3) STATE NOTICE AND COMMENT PERIOD.—

“(A) IN GENERAL.—Before submitting an application under this subsection, a State shall make the application publicly available for a 30 day notice and comment period.

“(B) NOTICE AND COMMENT PROCESS.—During the notice and comment period described in subparagraph (A), the State shall provide opportunities for a meaningful level of public input, which shall include public hearings on the proposed Medicaid Flexibility Program.

“(4) FEDERAL NOTICE AND COMMENT PERIOD.—The Secretary shall not approve of any application to conduct a Medicaid Flexibility Program without making such application publicly available for a 30 day notice and comment period.

“(5) TIMELINE FOR SUBMISSION.—

“(A) IN GENERAL.—A State may submit an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year at any time, subject to subparagraph (B).

“(B) DEADLINES.—Each year beginning with 2019, the Secretary shall specify a deadline for submitting an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year, but such deadline shall not be earlier than 60 days after the date that the Secretary publishes the amounts of State block grants as required under subsection (c)(4).

“(c) FINANCING.—

“(1) IN GENERAL.—For each fiscal year during which a State is conducting a Medicaid Flexibility Program, the State shall receive, instead of amounts otherwise payable to the State under this title for medical assistance for program enrollees, the amount specified in paragraph (3)(A).

“(2) AMOUNT OF BLOCK GRANT FUNDS.—

“(A) IN GENERAL.—The block grant amount under this paragraph for a State and year shall be equal to the sum of the amounts determined under subparagraph (B) for each 1903A enrollee category within the applicable program enrollee category for the State and year.

“(B) ENROLLEE CATEGORY AMOUNTS.—

“(1) FOR INITIAL YEAR.—Subject to subparagraph (C), for the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the amount determined under this subparagraph for the State, year, and category shall be equal to the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year multiplied by the product of—

“(I) the target per capita medical assistance expenditures (as defined in section 1903A(c)(2)) for the State, year, and category; and

“(II) the number of 1903A enrollees in such category for the State for the second fiscal year preceding such first fiscal year, increased by the percentage increase in State population from such second preceding fiscal

year to such first fiscal year, based on the best available estimates of the Bureau of the Census.

“(ii) FOR ANY SUBSEQUENT YEAR.—For any fiscal year that is not the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the block grant amount under this paragraph for the State, year, and category shall be equal to the amount determined for the State and category for the most recent previous fiscal year in which the State conducted a Medicaid Flexibility Program that included such category, except that such amount shall be increased by the percentage increase in the consumer price index for all urban consumers (U.S. city average) from April of the second fiscal year preceding the fiscal year involved to April of the fiscal year preceding the fiscal year involved.

“(C) CAP ON TOTAL POPULATION OF 1903A ENROLLEES FOR PURPOSES OF BLOCK GRANT CALCULATION.—

“(i) IN GENERAL.—In calculating the amount of a block grant for the first year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State under subparagraph (B)(i), the total number of 1903A enrollees in such 1903A enrollee category for the State and year shall not exceed the adjusted number of base period enrollees for the State (as defined in clause (ii)).

“(ii) ADJUSTED NUMBER OF BASE PERIOD ENROLLEES.—The term ‘adjusted number of base period enrollees’ means, with respect to a State and 1903A enrollee category, the number of 1903A enrollees in the enrollee category for the State for the State’s per capita base period (as determined under section 1903A(e)(4)), increased by the percentage increase, if any, in the total State population from the last April in the State’s per capita base period to April of the fiscal year preceding the fiscal year involved (determined using the best available data from the Bureau of the Census) plus 3 percentage points.

“(3) FEDERAL PAYMENT AND STATE MAINTENANCE OF EFFORT.—

“(A) FEDERAL PAYMENT.—Subject to subparagraphs (D) and (E), the Secretary shall pay to each State conducting a Medicaid Flexibility Program under this section for a fiscal year, from its block grant amount under paragraph (2) for such year, an amount for each quarter of such year equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) of the total amount expended under the program during such quarter as targeted health assistance, and the State is responsible for the balance of the funds to carry out such program.

“(B) STATE MAINTENANCE OF EFFORT EXPENDITURES.—For each year during which a State is conducting a Medicaid Flexibility Program, the State shall make expenditures for targeted health assistance under the program in an amount equal to the product of—

“(i) the block grant amount determined for the State and year under paragraph (2); and

“(ii) the enhanced FMAP described in the first sentence of section 2105(b) for the State and year.

“(C) REDUCTION IN BLOCK GRANT AMOUNT FOR STATES FAILING TO MEET MOE REQUIREMENT.—

“(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that makes expenditures for targeted health

assistance under the program for a fiscal year in an amount that is less than the required amount for the fiscal year under subparagraph (B), the amount of the block grant determined for the State under paragraph (2) for the succeeding fiscal year shall be reduced by the amount by which such expenditures are less than such required amount.

“(ii) DISREGARD OF REDUCTION.—For purposes of determining the amount of a State block grant under paragraph (2), any reduction made under this subparagraph to a State's block grant amount in a previous fiscal year shall be disregarded.

“(iii) APPLICATION TO STATES THAT TERMINATE PROGRAM.—In the case of a State described in clause (i) that terminates the State Medicaid Flexibility Program under subsection (d)(2)(B) and such termination is effective with the end of the fiscal year in which the State fails to make the required amount of expenditures under subparagraph (B), the reduction amount determined for the State and succeeding fiscal year under clause (i) shall be treated as an overpayment under this title.

“(D) REDUCTION FOR NONCOMPLIANCE.—If the Secretary determines that a State conducting a Medicaid Flexibility Program is not complying with the requirements of this section, the Secretary may withhold payments, reduce payments, or recover previous payments to the State under this section as the Secretary deems appropriate.

“(E) ADDITIONAL FEDERAL PAYMENTS DURING PUBLIC HEALTH EMERGENCY.—

“(i) IN GENERAL.—In the case of a State and fiscal year or portion of a fiscal year for which the Secretary has excluded expenditures under section 1903A(b)(6), if the State has uncompensated targeted health assistance expenditures for the year or portion of a year, the Secretary may make an additional payment to such State equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for the year or portion of a year of the amount of such uncompensated targeted health assistance expenditures, except that the amount of such payment shall not exceed the amount determined for the State and year or portion of a year under clause (ii).

“(ii) MAXIMUM AMOUNT OF ADDITIONAL PAYMENT.—The amount determined for a State and fiscal year or portion of a fiscal year under this subparagraph shall not exceed the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for such year or portion of a year of the amount by which—

“(I) the amount of State expenditures for targeted health assistance for program enrollees in areas of the State which are subject to a declaration described in section 1903A(b)(6)(A)(i) for the year or portion of a year; exceeds

“(II) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year involved (or portion of a fiscal year of equal length to the portion of a fiscal year involved) during which no such declaration was in effect.

“(iii) UNCOMPENSATED TARGETED HEALTH ASSISTANCE.—In this subparagraph, the term ‘uncompensated targeted health assistance expenditures’ means, with respect to a State and fiscal year or portion of a fiscal year, an amount equal to the amount (if any) by which—

“(I) the total amount expended by the State under the program for targeted health assistance for the year or portion of a year; exceeds

“(II) the amount equal to the amount of the block grant (reduced, in the case of a

portion of a year, to the same proportion of the full block grant amount that the portion of the year bears to the whole year) divided by the Federal average medical assistance percentage for the year or portion of a year.

“(iv) REVIEW.—If the Secretary makes a payment to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in section 1903A(b)(6)(A)(i) ceases to be in effect, conduct an audit of the State's targeted health assistance expenditures for program enrollees during the year or portion of a year to ensure that all of the expenditures for which the additional payment was made were made for the purpose of ensuring that the health care needs of program enrollees in areas affected by a public health emergency are met.

“(4) DETERMINATION AND PUBLICATION OF BLOCK GRANT AMOUNT.—Beginning in 2019 and each year thereafter, the Secretary shall determine for each State, regardless of whether the State is conducting a Medicaid Flexibility Program or has submitted an application to conduct such a program, the amount of the block grant for the State under paragraph (2) which would apply for the upcoming fiscal year if the State were to conduct such a program in such fiscal year, and shall publish such determinations not later than June 1 of each year.

“(d) PROGRAM REQUIREMENTS.—

“(1) IN GENERAL.—No payment shall be made under this section to a State conducting a Medicaid Flexibility Program unless such program meets the requirements of this subsection.

“(2) TERM OF PROGRAM.—

“(A) IN GENERAL.—A State Medicaid Flexibility Program approved under subsection (b)—

“(i) shall be conducted for not less than 1 program period;

“(ii) at the option of the State, may be continued for succeeding program periods without resubmitting an application under subsection (b), provided that—

“(I) the State provides notice to the Secretary of its decision to continue the program; and

“(II) no significant changes are made to the program; and

“(iii) shall be subject to termination only by the State, which may terminate the program by making an election under subparagraph (B).

“(B) ELECTION TO TERMINATE PROGRAM.—

“(i) IN GENERAL.—Subject to clause (ii), a State conducting a Medicaid Flexibility Program may elect to terminate the program effective with the first day after the end of the program period in which the State makes the election.

“(ii) TRANSITION PLAN REQUIREMENT.—A State may not elect to terminate a Medicaid Flexibility Program unless the State has in place an appropriate transition plan approved by the Secretary.

“(iii) EFFECT OF TERMINATION.—If a State elects to terminate a Medicaid Flexibility Program, the per capita cap limitations under section 1903A shall apply effective with the day described in clause (i), and such limitations shall be applied as if the State had never conducted a Medicaid Flexibility Program.

“(3) PROVISION OF TARGETED HEALTH ASSISTANCE.—

“(A) IN GENERAL.—A State Medicaid Flexibility Program shall provide targeted health assistance to program enrollees and such assistance shall be instead of medical assistance which would otherwise be provided to the enrollees under this title.

“(B) CONDITIONS FOR ELIGIBILITY.—

“(i) IN GENERAL.—A State conducting a Medicaid Flexibility Program shall establish conditions for eligibility of program enrollees, which shall be instead of other conditions for eligibility under this title, except that the program must provide for eligibility for program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

“(ii) MAGI.—Any determination of income necessary to establish the eligibility of a program enrollee for purposes of a State Medicaid Flexibility Program shall be made using modified adjusted gross income in accordance with section 1902(e)(14).

“(4) BENEFITS AND SERVICES.—

“(A) REQUIRED SERVICES.—In the case of program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i), a State conducting a Medicaid Flexibility Program shall provide as targeted health assistance the following types of services:

“(i) Inpatient and outpatient hospital services.

“(ii) Laboratory and X-ray services.

“(iii) Nursing facility services for individuals aged 21 and older.

“(iv) Physician services.

“(v) Home health care services (including home nursing services, medical supplies, equipment, and appliances).

“(vi) Rural health clinic services (as defined in section 1905(1)(1)).

“(vii) Federally-qualified health center services (as defined in section 1905(1)(2)).

“(viii) Family planning services and supplies.

“(ix) Nurse midwife services.

“(x) Certified pediatric and family nurse practitioner services.

“(xi) Freestanding birth center services (as defined in section 1905(1)(3)).

“(xii) Emergency medical transportation.

“(xiii) Non-cosmetic dental services.

“(xiv) Pregnancy-related services, including postpartum services for the 12-week period beginning on the last day of a pregnancy.

“(B) OPTIONAL BENEFITS.—A State may, at its option, provide services in addition to the services described in subparagraph (A) as targeted health assistance under a Medicaid Flexibility Program.

“(C) BENEFIT PACKAGES.—

“(i) IN GENERAL.—The targeted health assistance provided by a State to any group of program enrollees under a Medicaid Flexibility Program shall have an aggregate actuarial value that is equal to at least 95 percent of the aggregate actuarial value of the benchmark coverage described in subsection (b)(1) of section 1937 or benchmark-equivalent coverage described in subsection (b)(2) of such section, as such subsections were in effect prior to the enactment of the Patient Protection and Affordable Care Act.

“(ii) AMOUNT, DURATION, AND SCOPE OF BENEFITS.—Subject to clause (i), the State shall determine the amount, duration, and scope with respect to services provided as targeted health assistance under a Medicaid Flexibility Program, including with respect to services that are required to be provided to certain program enrollees under subparagraph (A) except as otherwise provided under such subparagraph.

“(iii) MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE AND PARITY.—The targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program shall include mental health

services and substance use disorder services and the financial requirements and treatment limitations applicable to such services under the program shall comply with the requirements of section 2726 of the Public Health Service Act in the same manner as such requirements apply to a group health plan.

“(iv) **PRESCRIPTION DRUGS.**—If the targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program includes assistance for covered outpatient drugs, such drugs shall be subject to a rebate agreement that complies with the requirements of section 1927, and any requirements applicable to medical assistance for covered outpatient drugs under a State plan (including the requirement that the State provide information to a manufacturer) shall apply in the same manner to targeted health assistance for covered outpatient drugs under a Medicaid Flexibility Program.

“(D) **COST SHARING.**—A State conducting a Medicaid Flexibility Program may impose premiums, deductibles, cost-sharing, or other similar charges, except that the total annual aggregate amount of all such charges imposed with respect to all program enrollees in a family shall not exceed 5 percent of the family’s income for the year involved.

“(5) **ADMINISTRATION OF PROGRAM.**—Each State conducting a Medicaid Flexibility Program shall do the following:

“(A) **SINGLE AGENCY.**—Designate a single State agency responsible for administering the program.

“(B) **ENROLLMENT SIMPLIFICATION AND COORDINATION WITH STATE HEALTH INSURANCE EXCHANGES.**—Provide for simplified enrollment processes (such as online enrollment and reenrollment and electronic verification) and coordination with State health insurance exchanges.

“(C) **BENEFICIARY PROTECTIONS.**—Establish a fair process (which the State shall describe in the application required under subsection (b)) for individuals to appeal adverse eligibility determinations with respect to the program.

“(6) **APPLICATION OF REST OF TITLE XIX.**—

“(A) **IN GENERAL.**—To the extent that a provision of this section is inconsistent with another provision of this title, the provision of this section shall apply.

“(B) **APPLICATION OF SECTION 1903A.**—With respect to a State that is conducting a Medicaid Flexibility Program, section 1903A shall be applied as if program enrollees were not 1903A enrollees for each program period during which the State conducts the program.

“(C) **WAIVERS AND STATE PLAN AMENDMENTS.**—

“(i) **IN GENERAL.**—In the case of a State conducting a Medicaid Flexibility Program that has in effect a waiver or State plan amendment, such waiver or amendment shall not apply with respect to the program, targeted health assistance provided under the program, or program enrollees.

“(ii) **REPLICATION OF WAIVER OR AMENDMENT.**—In designing a Medicaid Flexibility Program, a State may mirror provisions of a waiver or State plan amendment described in clause (i) in the program to the extent that such provisions are otherwise consistent with the requirements of this section.

“(iii) **EFFECT OF TERMINATION.**—In the case of a State described in clause (i) that terminates its program under subsection (d)(2)(B), any waiver or amendment which was limited pursuant to subparagraph (A) shall cease to be so limited effective with the effective date of such termination.

“(D) **NONAPPLICATION OF PROVISIONS.**—With respect to the design and implementation of Medicaid Flexibility Programs conducted under this section, paragraphs (1), (10)(B), (17), and (23) of section 1902(a), as well as any other provision of this title (except for this section) that the Secretary deems appropriate, shall not apply.

“(e) **DEFINITIONS.**—For purposes of this section:

“(1) **APPLICABLE PROGRAM ENROLLEE CATEGORY.**—The term ‘applicable program enrollee category’ means, with respect to a State Medicaid Flexibility Program for a program period, any of the following as specified by the State for the period in its application under subsection (b):

“(A) **2 ENROLLEE CATEGORIES.**—Both of the 1903A enrollee categories described in subparagraphs (D) and (E) of section 1903A(e)(2).

“(B) **EXPANSION ENROLLEES.**—The 1903A enrollee category described in subparagraph (D) of section 1903A(e)(2).

“(C) **NONELDERLY, NONDISABLED, NONEXPANSION ADULTS.**—The 1903A enrollee category described in subparagraph (E) of section 1903A(e)(2).

“(2) **MEDICAID FLEXIBILITY PROGRAM.**—The term ‘Medicaid Flexibility Program’ means a State program for providing targeted health assistance to program enrollees funded by a block grant under this section.

“(3) **PROGRAM ENROLLEE.**—

“(A) **IN GENERAL.**—The term ‘program enrollee’ means, with respect to a State that is conducting a Medicaid Flexibility Program for a program period, an individual who is a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the applicable program enrollee category specified by the State for the period.

“(B) **RULE OF CONSTRUCTION.**—For purposes of section 1903A(e)(3), eligibility and enrollment of an individual under a Medicaid Flexibility Program shall be deemed to be eligibility and enrollment under a State plan (or waiver of such plan) under this title.

“(4) **PROGRAM PERIOD.**—The term ‘program period’ means, with respect to a State Medicaid Flexibility Program, a period of 5 consecutive fiscal years that begins with either—

“(A) the first fiscal year in which the State conducts the program; or

“(B) the next fiscal year in which the State conducts such a program that begins after the end of a previous program period.

“(5) **STATE.**—The term ‘State’ means one of the 50 States or the District of Columbia.

“(6) **TARGETED HEALTH ASSISTANCE.**—The term ‘targeted health assistance’ means assistance for health-care-related items and medical services for program enrollees.”

SEC. 128. MEDICAID AND CHIP QUALITY PERFORMANCE BONUS PAYMENTS.

Section 1903 of the Social Security Act (42 U.S.C. 1396b), as previously amended, is further amended by adding at the end the following new subsection:

“(bb) **QUALITY PERFORMANCE BONUS PAYMENTS.**—

“(1) **INCREASED FEDERAL SHARE.**—With respect to each of fiscal years 2023 through 2026, in the case of one of the 50 States or the District of Columbia (each referred to in this subsection as a ‘State’) that—

“(A) equals or exceeds the qualifying amount (as established by the Secretary) of lower than expected aggregate medical assistance expenditures (as defined in paragraph (4)) for that fiscal year; and

“(B) submits to the Secretary, in accordance with such manner and format as speci-

fied by the Secretary and for the performance period (as defined by the Secretary) for such fiscal year—

“(i) information on the applicable quality measures identified under paragraph (3) with respect to each category of Medicaid eligible individuals under the State plan or a waiver of such plan; and

“(ii) a plan for spending a portion of additional funds resulting from application of this subsection on quality improvement within the State plan under this title or under a waiver of such plan,

the Federal matching percentage otherwise applied under subsection (a)(7) for such fiscal year shall be increased by such percentage (as determined by the Secretary) so that the aggregate amount of the resulting increase pursuant to this subsection for the State and fiscal year does not exceed the State allotment established under paragraph (2) for the State and fiscal year.

“(2) **ALLOTMENT DETERMINATION.**—The Secretary shall establish a formula for computing State allotments under this paragraph for each fiscal year described in paragraph (1) such that—

“(A) such an allotment to a State is determined based on the performance, including improvement, of such State under this title and title XXI with respect to the quality measures submitted under paragraph (3) by such State for the performance period (as defined by the Secretary) for such fiscal year; and

“(B) the total of the allotments under this paragraph for all States for the period of the fiscal years described in paragraph (1) is equal to \$8,000,000,000.

“(3) **QUALITY MEASURES REQUIRED FOR BONUS PAYMENTS.**—For purposes of this subsection, the Secretary shall, pursuant to rulemaking and after consultation with State agencies administering State plans under this title, identify and publish (and update as necessary) peer-reviewed quality measures (which shall include health care and long-term care outcome measures and may include the quality measures that are overseen or developed by the National Committee for Quality Assurance or the Agency for Healthcare Research and Quality or that are identified under section 1139A or 1139B) that are quantifiable, objective measures that take into account the clinically appropriate measures of quality for different types of patient populations receiving benefits or services under this title or title XXI.

“(4) **LOWER THAN EXPECTED AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.**—In this subsection, the term ‘lower than expected aggregate medical assistance expenditures’ means, with respect to a State the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures for the State and fiscal year determined in section 1903A(b)(1) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E); is less than

“(B) the amount of the target total medical assistance expenditures for the State and fiscal year determined in section 1903A(c) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E).”

SEC. 129. OPTIONAL ASSISTANCE FOR CERTAIN INPATIENT PSYCHIATRIC SERVICES.

(a) **STATE OPTION.**—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)—

(A) in paragraph (16)—

(i) by striking “and, (B)” and inserting “(B)”; and

(ii) by inserting before the semicolon at the end the following: “, and (C) subject to subsection (h)(4), qualified inpatient psychiatric hospital services (as defined in subsection (h)(3)) for individuals who are over 21 years of age and under 65 years of age”; and

(B) in the subdivision (B) that follows paragraph (29), by inserting “(other than services described in subparagraph (C) of paragraph (16) for individuals described in such subparagraph)” after “patient in an institution for mental diseases”; and

(2) in subsection (h), by adding at the end the following new paragraphs:

“(3) For purposes of subsection (a)(16)(C), the term ‘qualified inpatient psychiatric hospital services’ means, with respect to individuals described in such subsection, services described in subparagraph (B) of paragraph (1) that are not otherwise covered under subsection (a)(16)(A) and are furnished—

“(A) in an institution (or distinct part thereof) which is a psychiatric hospital (as defined in section 1861(f)); and

“(B) with respect to such an individual, for a period not to exceed 30 consecutive days in any month and not to exceed 90 days in any calendar year.

“(4) As a condition for a State including qualified inpatient psychiatric hospital services as medical assistance under subsection (a)(16)(C), the State must (during the period in which it furnishes medical assistance under this title for services and individuals described in such subsection)—

“(A) maintain at least the number of licensed beds at psychiatric hospitals owned, operated, or contracted for by the State that were being maintained as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection; and

“(B) maintain on an annual basis a level of funding expended by the State (and political subdivisions thereof) other than under this title from non-Federal funds for inpatient services in an institution described in paragraph (3)(A), and for active psychiatric care and treatment provided on an outpatient basis, that is not less than the level of such funding for such services and care as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection.”.

(b) SPECIAL MATCHING RATE.—Section 1905(b) of the Social Security Act (42 U.S.C. 1395d(b)) is amended by adding at the end the following: “Notwithstanding the previous provisions of this subsection, the Federal medical assistance percentage shall be 50 percent with respect to medical assistance for services and individuals described in subsection (a)(16)(C).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified inpatient psychiatric hospital services furnished on or after October 1, 2018.

SEC. 130. ENHANCED FMAP FOR MEDICAL ASSISTANCE TO ELIGIBLE INDIANS.

Section 1905(b) of the Social Security Act (42 U.S.C. 1395d(b)) is amended, in the third sentence, by inserting “and with respect to amounts expended by a State as medical assistance for services provided by any other provider under the State plan to an individual who is a member of an Indian tribe who is eligible for assistance under the State plan” before the period.

SEC. 131. SMALL BUSINESS HEALTH PLANS.

(a) TAX TREATMENT OF SMALL BUSINESS HEALTH PLANS.—A small business health

plan (as defined in section 801(a) of the Employee Retirement Income Security Act of 1974) shall be treated—

(1) as a group health plan (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91)) for purposes of applying title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) and title XXII of such Act (42 U.S.C. 300bb–1);

(2) as a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for purposes of applying sections 4980B and 5000 and chapter 100 of the Internal Revenue Code of 1986; and

(3) as a group health plan (as defined in section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1))) for purposes of applying parts 6 and 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1161 et seq.).

(b) RULES.—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021 et seq.) is amended by adding at the end the following new part:

“PART 8—RULES GOVERNING SMALL BUSINESS RISK SHARING POOLS

“SEC. 801. SMALL BUSINESS HEALTH PLANS.

“(a) IN GENERAL.—For purposes of this part, the term ‘small business health plan’ means a fully insured group health plan, offered by a health insurance issuer in the large group market, whose sponsor is described in subsection (b).

“(b) SPONSOR.—The sponsor of a group health plan is described in this subsection if such sponsor—

“(1) is a qualified sponsor and receives certification by the Secretary;

“(2) is organized and maintained in good faith, with a constitution or bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis;

“(3) is established as a permanent entity;

“(4) is established for a purpose other than providing health benefits to its members, such as an organization established as a bona fide trade association, franchise, or section 7705 organization; and

“(5) does not condition membership on the basis of a minimum group size.

“SEC. 802. FILING FEE AND CERTIFICATION OF SMALL BUSINESS HEALTH PLANS.

“(a) FILING FEE.—A small business health plan shall pay to the Secretary at the time of filing an application for certification under subsection (b) a filing fee in the amount of \$5,000, which shall be available to the Secretary for the sole purpose of administering the certification procedures applicable with respect to small business health plans.

“(b) CERTIFICATION.—

“(1) IN GENERAL.—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule a procedure under which the Secretary—

“(A) will certify a qualified sponsor of a small business health plan, upon receipt of an application that includes the information described in paragraph (2);

“(B) may provide for continued certification of small business health plans under this part;

“(C) shall provide for the revocation of a certification if the applicable authority finds that the small business health plan involved fails to comply with the requirements of this part;

“(D) shall conduct oversight of certified plan sponsors, including periodic review, and consistent with section 504, applying the requirements of sections 518, 519, and 520; and

“(E) will consult with a State with respect to a small business health plan domiciled in such State regarding the Secretary’s authority under this part and other enforcement authority under sections 502 and 504.

“(2) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

“(A) Identifying information.

“(B) States in which the plan intends to do business.

“(C) Bonding requirements.

“(D) Plan documents.

“(E) Agreements with service providers.

“(3) REQUIREMENTS FOR CERTIFIED PLAN SPONSORS.—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule requirements for certified plan sponsors that include requirements regarding—

“(A) structure and requirements for boards of trustees or plan administrators;

“(B) notification of material changes; and

“(C) notification for voluntary termination.

“(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to a small business health plan shall not be effective unless written notice of such certification is filed by the plan sponsor with the applicable State authority of each State in which the small business health plan operates.

“(d) EXPEDITED AND DEEMED CERTIFICATION.—

“(1) IN GENERAL.—If the Secretary fails to act on a complete application for certification under this section within 90 days of receipt of such complete application, the applying small business health plan sponsor shall be deemed certified until such time as the Secretary may deny for cause the application for certification.

“(2) PENALTY.—The Secretary may assess a penalty against the board of trustees, plan administrator, and plan sponsor (jointly and severally) of a small business health plan sponsor that is deemed certified under paragraph (1) of up to \$500,000 in the event the Secretary determines that the application for certification of such small business health plan sponsor was willfully or with gross negligence incomplete or inaccurate.

“SEC. 803. PARTICIPATION AND COVERAGE REQUIREMENTS.

“(a) COVERED EMPLOYERS AND INDIVIDUALS.—The requirements of this subsection are met with respect to a small business health plan if, under the terms of the plan—

“(1) each participating employer must be—

“(A) a member of the sponsor;

“(B) the sponsor; or

“(C) an affiliated member of the sponsor, except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

“(2) all individuals commencing coverage under the plan after certification under this part must be—

“(A) active or retired owners (including self-employed individuals with or without employees), officers, directors, or employees

of, or partners in, participating employers; or

“(B) the dependents of individuals described in subparagraph (A).

“(b) PARTICIPATING EMPLOYERS.—In applying requirements relating to coverage renewal, a participating employer shall not be deemed to be a plan sponsor.

“(c) PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.—The requirements of this subsection are met with respect to a small business health plan if—

“(1) under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan; and

“(2) information regarding all coverage options available under the plan is made readily available to any employer eligible to participate.

“SEC. 804. DEFINITIONS; RENEWAL.

“For purposes of this part:

“(1) AFFILIATED MEMBER.—The term ‘affiliated member’ means, in connection with a sponsor—

“(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor, or

“(B) in the case of a sponsor with members which consist of associations, a person who is a member or employee of any such association and elects an affiliated status with the sponsor.

“(2) APPLICABLE STATE AUTHORITY.—The term ‘applicable State authority’ means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

“(3) FRANCHISOR; FRANCHISEE.—The terms ‘franchisor’ and ‘franchisee’ have the meanings given such terms for purposes of sections 436.2(a) through 436.2(c) of title 16, Code of Federal Regulations (including any such amendments to such regulation after the date of enactment of this part) and, for purposes of this part, franchisor or franchisee employers participating in such a group health plan shall not be treated as the employer, co-employer, or joint employer of the employees of another participating franchisor or franchisee employer for any purpose.

“(4) HEALTH PLAN TERMS.—The terms ‘group health plan’, ‘health insurance coverage’, and ‘health insurance issuer’ have the meanings given such terms in section 733.

“(5) INDIVIDUAL MARKET.—

“(A) IN GENERAL.—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) TREATMENT OF VERY SMALL GROUPS.—

“(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as

coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(6) PARTICIPATING EMPLOYER.—The term ‘participating employer’ means, in connection with a small business health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer with or without employees (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

“(7) SECTION 7705 ORGANIZATION.—The term ‘section 7705 organization’ means an organization providing services for a customer pursuant to a contract meeting the conditions of subparagraphs (A), (B), (C), (D), and (E) (but not (F)) of section 7705(e)(2) of the Internal Revenue Code of 1986, including an entity that is part of a section 7705 organization control group. For purposes of this part, any reference to ‘member’ shall include a customer of a section 7705 organization except with respect to references to a ‘member’ or ‘members’ in paragraph (1).”.

(c) PREEMPTION RULES.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended by adding at the end the following:

“(f) The provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude a health insurance issuer from offering health insurance coverage in connection with a small business health plan which is certified under part 8.”.

(d) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of a small business health plan under part 8.”.

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this section within 6 months after the date of the enactment of this Act.

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

SEC. 202. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

SEC. 203. CHANGE IN PERMISSIBLE AGE VARIATION IN HEALTH INSURANCE PREMIUM RATES.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)) is amended by inserting after “(consistent with section 2707(c))” the

following: “or, for plan years beginning on or after January 1, 2019, 5 to 1 for adults (consistent with section 2707(c)) or such other ratio for adults (consistent with section 2707(c)) as the State may determine”.

SEC. 204. WAIVERS FOR STATE INNOVATION.

(a) IN GENERAL.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

“(i) a description of how the State plan meeting the requirements of a waiver under this section would, with respect to health insurance coverage within the State—

“(I) take the place of the requirements described in paragraph (2) that are waived; and

“(II) provide for alternative means of, and requirements for, increasing access to comprehensive coverage, reducing average premiums, providing consumers the freedom to purchase the health insurance of their choice, and increasing enrollment in private health insurance; and”; and

(II) in clause (ii), by striking “that is budget neutral for the Federal Government” and inserting “, demonstrating that the State plan does not increase the Federal deficit”; and

(ii) in subparagraph (C), by striking “the law” and inserting “a law or has in effect a certification”;

(B) in paragraph (3)—

(i) in the first sentence, by inserting “or would qualify for a reduction in” after “would not qualify for”; and

(ii) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.”;

(iii) in the paragraph heading, by striking “PASS THROUGH OF FUNDING” and inserting “FUNDING”;

(iv) by striking “With respect” and inserting the following:

“(A) PASS THROUGH OF FUNDING.—With respect”; and

(v) by adding at the end the following:

“(B) ADDITIONAL FUNDING.—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, \$2,000,000,000 for fiscal year 2017, to remain available until the end of fiscal year 2019, to provide grants to States for purposes of submitting an application for a waiver granted under this section and implementing the State plan under such waiver.

“(C) AUTHORITY TO USE MARKET-BASED HEALTH CARE GRANT ALLOTMENT.—If the State has an application for an allotment under section 2105(i) of the Social Security Act for the plan year, the State may use the funds available under the State’s allotment for the plan year to carry out the State plan under this section, so long as such use is consistent with the requirements of paragraphs (1) and (7) of section 2105(i) of such Act (other than paragraph (1)(B) of such section). Any funds used to carry out a State plan under this subparagraph shall not be considered in determining whether the State plan increases the Federal deficit.”; and

(C) in paragraph (4), by adding at the end the following:

“(D) EXPEDITED PROCESS.—The Secretary shall establish an expedited application and approval process that may be used if the Secretary determines that such expedited process is necessary to respond to an urgent or

emergency situation with respect to health insurance coverage within a State.”;

(2) in subsection (b)—
(A) in paragraph (1)—
(i) in the matter preceding subparagraph (A)—

(I) by striking “may” and inserting “shall”; and

(II) by striking “only if” and inserting “unless”; and

(ii) by striking “plan—” and all that follows through the period at the end of subparagraph (D) and inserting “application is missing a required element under subsection (a)(1) or that the State plan will increase the Federal deficit, not taking into account any amounts received through a grant under subsection (a)(3)(B).”;

(B) in paragraph (2)—
(i) in the paragraph heading, by inserting “OR CERTIFY” after “LAW”;

(ii) in subparagraph (A), by inserting before the period “, and a certification described in this paragraph is a document, signed by the Governor, and the State insurance commissioner, of the State, that provides authority for State actions under a waiver under this section, including the implementation of the State plan under subsection (a)(1)(B).”; and

(iii) in subparagraph (B)—
(I) in the subparagraph heading, by striking “OF OPT OUT”; and

(II) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A); or

“(ii) terminating a certification described in subparagraph (A), through a certification for such termination signed by the Governor, and the State insurance commissioner, of the State.”;

(3) in subsection (d)(2)(B), by striking “and the reasons therefore” and inserting “and the reasons therefore, and provide the data on which such determination was made”; and

(4) in subsection (e), by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 8 years unless the State requests a shorter duration; “(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

“(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).”.

(b) **APPLICABILITY.**—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall apply as follows:

(1) In the case of a State for which a waiver under such section was granted prior to the date of enactment of this Act, such section 1332, as in effect on the day before the date of enactment of this Act shall apply to the waiver and State plan.

(2) In the case of a State that submitted an application for a waiver under such section prior to the date of enactment of this Act, and which application the Secretary of Health and Human Services has not approved prior to such date, the State may elect to have such section 1332, as in effect on the day before the date of enactment of this Act, or such section 1332, as amended by subsection (a), apply to such application and State plan.

(3) In the case of a State that submits an application for a waiver under such section

on or after the date of enactment of this Act, such section 1332, as amended by subsection (a), shall apply to such application and State plan.

SEC. 205. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.

(a) **IN GENERAL.**—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

“(4) **CONSUMER FREEDOM.**—For plan years beginning on or after January 1, 2019, paragraph (1)(A) shall not apply with respect to any plan offered in the State.”.

(b) **RISK POOLS.**—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”; and

(2) in paragraph (2), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

SEC. 206. APPLICATION OF ENFORCEMENT PENALTIES.

(a) **IN GENERAL.**—Section 2723 of the Public Health Service Act (42 U.S.C. 300gg-22) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “and of section 1303 of the Patient Protection and Affordable Care Act” after “this part”; and

(B) in paragraph (2), by inserting “or in such section 1303” after “this part”; and

(2) in subsection (b)—

(A) in paragraphs (1) and (2)(A), by inserting “or section 1303 of the Patient Protection and Affordable Care Act” after “this part” each place such term appears;

(B) in paragraph (2)(C)(ii), by inserting “and section 1303 of the Patient Protection and Affordable Care Act” after “this part”.

(b) **EFFECT OF WAIVER.**—A State waiver pursuant to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall not affect the authority of the Secretary to impose penalties under section 2723 of the Public Health Service Act (42 U.S.C. 300gg-22).

SEC. 207. FUNDING FOR COST-SHARING PAYMENTS.

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

SEC. 208. REPEAL OF COST-SHARING SUBSIDY PROGRAM.

(a) **IN GENERAL.**—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(b) **EFFECTIVE DATE.**—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

SA 587. Mr. HATCH submitted an amendment intended to be proposed by

him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE ON REPEALING THE 1993 TAX HIKE ON SOCIAL SECURITY BENEFITS SECTION.

(a) **FINDINGS.**—

(1) The 1993 tax on Social Security benefits was imposed as part of the President Clinton’s agenda to raise taxes;

(2) The original 1993 tax hike on Social Security benefits was to raise income taxes on Social Security retirees with as little as \$25,000 of income;

(3) Repeated efforts to repeal the 1993 tax hike on Social Security benefits have failed; and

(4) Seniors rely on Social Security benefits as well as dividend income to fund their retirement and they should have taxes reduced on both sources of income.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that the Committee on Finance should report out legislation to repeal the tax on seniors for taxable years beginning in 2018 and 2019 in a manner consistent with the preservation of the Medicare Trust Fund.

SA 588. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 345. NATURAL GAS PRODUCTION, TREATMENT, MANAGEMENT, AND USE, FORT KNOX, KENTUCKY.

(a) **IN GENERAL.**—Chapter 449 of title 10, United States Code, is amended by adding at the end of the following new section:

“§ 4782. Natural gas production, treatment, management, and use, Fort Knox, Kentucky

“(a) **AUTHORITY.**—The Secretary of the Army (referred to in this section as the ‘Secretary’) may provide, by contract or otherwise, for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

“(b) **LIMITATION ON USES.**—Any natural gas produced pursuant to subsection (a)—

“(1) may only be used to support activities and operations at Fort Knox; and

“(2) may not be sold for use elsewhere.

“(c) **OWNERSHIP OF FACILITIES.**—The Secretary may take ownership of any gas production and treatment equipment and facilities and associated infrastructure from a contractor in accordance with the terms of a contract or other agreement entered into pursuant to subsection (a).

“(d) **NO APPLICATION ELSEWHERE.**—

“(1) **IN GENERAL.**—The authority provided by this section applies only with respect to Fort Knox, Kentucky.

“(2) **EFFECT OF SECTION.**—Nothing in this section authorizes the production, treatment, management, or use of natural gas resources underlying any Department of Defense installation other than Fort Knox.

“(e) APPLICABILITY.—The authority of the Secretary under this section is effective beginning on August 2, 2007.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 449 of such title is amended by adding at the end the following new item:

“4782. Natural gas production, treatment, management, and use, Fort Knox, Kentucky.”.

SA 589. Mr. JOHNSON (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. OFFICE OF SPECIAL COUNSEL REAUTHORIZATION.

(a) SHORT TITLE.—This section may be cited as the “Office of Special Counsel Reauthorization Act of 2017”.

(b) ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.—Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5)(A) Except as provided in subparagraph (B), the Special Counsel, in carrying out this subchapter, is authorized to—

“(i) have timely access to all records, data, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency that relate to an investigation, review, or inquiry conducted under—

“(I) section 1213, 1214, 1215, or 1216 of this title; or

“(II) section 4324(a) of title 38;

“(ii) request from any agency the information or assistance that may be necessary for the Special Counsel to carry out the duties and responsibilities of the Special Counsel under this subchapter; and

“(iii) require, during an investigation, review, or inquiry of an agency, the agency to provide to the Special Counsel any record or other information that relates to an investigation, review, or inquiry conducted under—

“(I) section 1213, 1214, 1215, or 1216 of this title; or

“(II) section 4324(a) of title 38.

“(B)(i) The authorization of the Special Counsel under subparagraph (A) shall not apply with respect to any entity that is an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), unless the Special Counsel is investigating, or otherwise carrying out activities relating to the enforcement of, an action under subchapter III of chapter 73.

“(ii) An Inspector General may withhold from the Special Counsel material described in subparagraph (A) if the Inspector General determines that the material contains information derived from, or pertaining to, intelligence activities.

“(iii) The Attorney General or an Inspector General may withhold from the Special Counsel material described in subparagraph (A) if—

“(I)(aa) disclosing the material could reasonably be expected to interfere with a

criminal investigation or prosecution that is ongoing as of the date on which the Special Counsel submits a request for the material; or

“(bb) the material—

“(AA) may not be disclosed pursuant to a court order; or

“(BB) has been filed under seal under section 3730 of title 31; and

“(II) the Attorney General or the Inspector General, as applicable, submits to the Special Counsel a written report that describes—

“(aa) the material being withheld; and

“(bb) the reason that the material is being withheld.

“(C)(i) A claim of common law privilege by an agency, or an officer or employee of an agency, shall not prevent the Special Counsel from obtaining any material described in subparagraph (A)(i) with respect to the agency.

“(ii) The submission of material described in subparagraph (A)(i) by an agency to the Special Counsel may not be deemed to waive any assertion of privilege by the agency against a non-Federal entity or against an individual in any other proceeding.

“(iii) With respect to any record or other information made available to the Special Counsel by an agency under subparagraph (A), the Special Counsel may only disclose the record or information for a purpose that is in furtherance of any authority provided to the Special Counsel under this subchapter.

“(6) The Special Counsel shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and each committee of Congress with jurisdiction over the applicable agency a report regarding any case of contumacy or failure to comply with a request submitted by the Special Counsel under paragraph (5)(A).”.

(c) INFORMATION ON WHISTLEBLOWER PROTECTIONS.—

(1) AGENCY RESPONSIBILITIES.—Section 2302 of title 5, United States Code, is amended by striking subsection (c) and inserting the following:

“(c)(1) In this subsection—

“(A) the term ‘new employee’ means an individual—

“(i) appointed to a position as an employee on or after the date of enactment of the Office of Special Counsel Reauthorization Act of 2017; and

“(ii) who has not previously served as an employee; and

“(B) the term ‘whistleblower protections’ means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of subsection (b).

“(2) The head of each agency shall be responsible for—

“(A) preventing prohibited personnel practices;

“(B) complying with and enforcing applicable civil service laws, rules, and regulations and other aspects of personnel management; and

“(C) ensuring, in consultation with the Special Counsel and the Inspector General of the agency, that employees of the agency are informed of the rights and remedies available to the employees under this chapter and chapter 12, including—

“(i) information with respect to whistleblower protections available to new employees during a probationary period;

“(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board

with respect to whistleblower protections; and

“(iii) the means by which, with respect to information that is otherwise required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, an employee may make a lawful disclosure of the information to—

“(I) the Special Counsel;

“(II) the Inspector General of an agency;

“(III) Congress; or

“(IV) another employee of the agency who is designated to receive such a disclosure.

“(3) The head of each agency shall ensure that the information described in paragraph (2) is provided to each new employee of the agency not later than 180 days after the date on which the new employee is appointed.

“(4) The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency and on any online portal that is made available only to employees of the agency, if such portal exists.

“(5) Any employee to whom the head of an agency delegates authority for any aspect of personnel management shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (2).”.

(2) TRAINING FOR SUPERVISORS.—

(A) DEFINITIONS.—In this paragraph—

(i) the term “agency” means any entity the employees of which are covered under paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, without regard to whether any other provision of that title is applicable to the entity; and

(ii) the term “whistleblower protections” has the meaning given the term in section 2302(c)(1)(B) of title 5, United States Code, as amended by paragraph (1).

(B) TRAINING REQUIRED.—The head of each agency, in consultation with the Special Counsel and the Inspector General of that agency (or, in the case of an agency that does not have an Inspector General, the senior ethics official of that agency), shall provide the training described in subparagraph (C).

(C) TRAINING DESCRIBED.—The training described in this subparagraph shall—

(i) cover the manner in which the agency shall respond to a complaint alleging a violation of whistleblower protections that are available to employees of the agency; and

(ii) be provided—

(I) to each employee of the agency who—

(aa) is appointed to a supervisory position in the agency; and

(bb) before the appointment described in item (aa), had not served in a supervisory position in the agency; and

(II) on an annual basis to all employees of the agency who serve in supervisory positions in the agency.

(3) INFORMATION ON APPEAL RIGHTS.—

(A) IN GENERAL.—Any notice provided to an employee under section 7503(b)(1), section 7513(b)(1), or section 7543(b)(1) of title 5, United States Code, shall include detailed information with respect to—

(i) the right of the employee to appeal an action brought under the applicable section;

(ii) the forums in which the employee may file an appeal described in clause (i); and

(iii) any limitations on the rights of the employee that would apply because of the forum in which the employee decides to file an appeal.

(B) DEVELOPMENT OF INFORMATION.—The information described in subparagraph (A)

shall be developed by the Director of the Office of Personnel Management, in consultation with the Special Counsel, the Merit Systems Protection Board, and the Equal Employment Opportunity Commission.

(d) ADDITIONAL WHISTLEBLOWER PROVISIONS.—

(1) PROHIBITED PERSONNEL PRACTICES.—Section 2302 of title 5, United States Code, is amended—

(A) in subsection (b)—

(i) in paragraph (9)(C), by inserting “(or any other component responsible for internal investigation or review)” after “Inspector General”; and

(ii) in paragraph (12), by striking “or” at the end;

(iii) in paragraph (13), by striking the period at the end and inserting “; or”; and

(iv) by inserting after paragraph (13) the following:

“(14) access the medical record of another employee or an applicant for employment as a part of, or otherwise in furtherance of, any conduct described in paragraphs (1) through (13).”; and

(B) in subsection (f)—

(i) in paragraph (1)—

(I) in subparagraph (E), by striking “or” at the end;

(II) by redesignating subparagraph (F) as subparagraph (G); and

(III) by inserting after subparagraph (E) the following:

“(F) the disclosure was made before the date on which the individual was appointed or applied for appointment to a position; or”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) If a disclosure is made during the normal course of duties of an employee, the principal job function of whom is to regularly investigate and disclose wrongdoing (referred to in this paragraph as the ‘disclosing employee’), the disclosure shall not be excluded from subsection (b)(8) if the disclosing employee demonstrates that an employee who has the authority to take, direct other individuals to take, recommend, or approve any personnel action with respect to the disclosing employee took, failed to take, or threatened to take or fail to take a personnel action with respect to the disclosing employee in reprisal for the disclosure made by the disclosing employee.”.

(2) EXPLANATIONS FOR FAILURE TO TAKE ACTION.—Section 1213 of title 5, United States Code, is amended—

(A) in subsection (b), by striking “15 days” and inserting “45 days”; and

(B) in subsection (e)—

(i) in paragraph (1), by striking “Any such report” and inserting “Any report required under subsection (c) or paragraph (5) of this subsection”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) Upon receipt of any report that the head of an agency is required to submit under subsection (c), the Special Counsel shall review the report and determine whether—

“(A) the findings of the head of the agency appear reasonable; and

“(B) if the Special Counsel requires the head of the agency to submit a supplemental report under paragraph (5), the reports submitted by the head of the agency collectively contain the information required under subsection (d).”; and

(iii) in paragraph (3), by striking “agency report received pursuant to subsection (c) of this section” and inserting “report sub-

mitted to the Special Counsel by the head of an agency under subsection (c) or paragraph (5) of this subsection”; and

(iv) by adding at the end the following:

“(5) If, after conducting a review of a report under paragraph (2), the Special Counsel concludes that the Special Counsel requires additional information or documentation to determine whether the report submitted by the head of an agency is reasonable and sufficient, the Special Counsel may request that the head of the agency submit a supplemental report—

“(A) containing the additional information or documentation identified by the Special Counsel; and

“(B) that the head of the agency shall submit to the Special Counsel within a period of time specified by the Special Counsel.”.

(3) TRANSFER REQUESTS DURING STAYS.—

(A) PRIORITY GRANTED.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Board grants a stay under subparagraph (A), the head of the agency employing the employee who is the subject of the action shall give priority to a request for a transfer submitted by the employee.”.

(B) PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(K) If the Board grants a stay under subsection (c) and the employee who is the subject of the action is in probationary status, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(4) RETALIATORY INVESTIGATIONS.—Section 1214 of title 5, United States Code, is amended by adding at the end the following:

“(I) The Special Counsel may petition the Board to order corrective action, including fees, costs, or damages reasonably incurred by an employee due to an investigation of the employee by an agency, if the investigation by an agency was commenced, expanded, or extended in retaliation for a disclosure or protected activity described in section 2302(b)(8) or subparagraph (A)(i), (B), (C), or (D) of section 2302(b)(9), without regard to whether a personnel action, as defined in section 2302(a)(2)(A), is taken.”.

(e) SUICIDE BY EMPLOYEES.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” means any entity the employees of which are covered under paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, without regard to whether any other provision of that title is applicable to the entity; and

(B) the term “personnel action” has the meaning given the term in section 2302(a)(2)(A) of title 5, United States Code.

(2) REFERRAL.—

(A) IN GENERAL.—The head of an agency shall refer to the Special Counsel, along with any information known to the agency regarding the circumstances described in subparagraph (B), any instance in which the head of the agency has information indicating that an employee of the agency committed suicide.

(B) INFORMATION.—The circumstances described in this subparagraph are as follows:

(i) Before the death of an employee described in subparagraph (A), the employee made a disclosure of information that reasonably evidences—

(I) a violation of a law, rule, or regulation;

(II) gross mismanagement;

(III) a gross waste of funds;

(IV) an abuse of authority; or

(V) a substantial and specific danger to public health or safety.

(ii) After a disclosure described in clause (i), a personnel action was taken with respect to the employee who made the disclosure.

(3) OFFICE OF SPECIAL COUNSEL REVIEW.—Upon receiving a referral under paragraph (2)(A), the Special Counsel shall—

(A) examine whether a personnel action was taken with respect to an employee because of a disclosure described in paragraph (2)(B)(i); and

(B) take any action that the Special Counsel determines is appropriate under subchapter II of chapter 12 of title 5, United States Code.

(f) PROTECTION OF WHISTLEBLOWERS AS CRITERIA IN PERFORMANCE APPRAISALS.—

(1) ESTABLISHMENT OF SYSTEMS.—Section 4302 of title 5, United States Code, is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following:

“(b)(1) The head of each agency, in consultation with the Director of the Office of Personnel Management and the Special Counsel, shall develop criteria that—

“(A) the head of the agency shall use as a critical element for establishing the job requirements of a supervisory employee; and

“(B) promote the protection of whistleblowers.

“(2) The criteria required under paragraph (1) shall include—

“(A) principles for the protection of whistleblowers, such as the degree to which supervisory employees—

“(i) respond constructively when employees of the agency make disclosures described in subparagraph (A) or (B) of section 2302(b)(8);

“(ii) take responsible actions to resolve the disclosures described in clause (i); and

“(iii) foster an environment in which employees of the agency feel comfortable making disclosures described in clause (i) to supervisory employees or other appropriate authorities; and

“(B) for each supervisory employee—

“(i) whether the agency entered into an agreement with an individual who alleged that the supervisory employee committed a prohibited personnel practice; and

“(ii) if the agency entered into an agreement described in clause (i), the number of instances in which the agency entered into such an agreement with respect to the supervisory employee.

“(3) In this subsection—

“(A) the term ‘agency’ means any entity the employees of which are covered under paragraphs (8) and (9) of section 2302(b), without regard to whether any other provision of this section is applicable to the entity;

“(B) the term ‘prohibited personnel practice’ has the meaning given the term in section 2302(a)(1);

“(C) the term ‘supervisory employee’ means an employee who would be a supervisor, as defined in section 7103(a), if the agency employing the employee was an agency for purposes of chapter 71; and

“(D) the term ‘whistleblower’ means an employee who makes a disclosure described in section 2302(b)(8).”.

(2) CRITERIA FOR PERFORMANCE APPRAISALS.—Section 4313 of title 5, United States Code, is amended—

(A) in paragraph (4), by striking “and” at the end;

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

(C) by adding at the end the following:

“(6) protecting whistleblowers, as described in section 4302(b)(2).”.

(3) ANNUAL REPORT TO CONGRESS ON UNACCEPTABLE PERFORMANCE IN WHISTLEBLOWER PROTECTION.—

(A) DEFINITIONS.—In this paragraph, the terms “agency” and “whistleblower” have the meanings given the terms in section 4302(b)(3) of title 5, United States Code, as amended by paragraph (1).

(B) REPORT.—Each agency shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and each committee of Congress with jurisdiction over the agency a report that details—

(i) the number of performance appraisals, for the year covered by the report, that determined that an employee of the agency failed to meet the standards for protecting whistleblowers that were established under section 4302(b) of title 5, United States Code, as amended by paragraph (1);

(ii) the reasons for the determinations described in clause (i); and

(iii) each performance-based or corrective action taken by the agency in response to a determination under clause (i).

(4) TECHNICAL AND CONFORMING AMENDMENT.—Section 4301 of title 5, United States Code, is amended, in the matter preceding paragraph (1), by striking “For the purpose of” and inserting “Except as otherwise expressly provided, for the purpose of”.

(g) DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.—

(1) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’—

“(A) has the meaning given the term in section 2302(a)(2)(C), without regard to whether any other provision of this chapter is applicable to the entity; and

“(B) does not include any entity that is an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means an employee who would be a supervisor, as defined in section 7103(a), if the entity employing the employee was an agency.

“(b) PROPOSED DISCIPLINARY ACTIONS.—

“(1) IN GENERAL.—If the head of the agency in which a supervisor is employed, an administrative law judge, the Merit Systems Protection Board, the Special Counsel, a judge of the United States, or the Inspector General of the agency in which a supervisor is employed has determined that the supervisor committed a prohibited personnel action, the head of the agency in which the supervisor is employed, consistent with the procedures required under paragraph (2)—

“(A) for the first prohibited personnel action committed by the supervisor—

“(i) shall propose suspending the supervisor for a period that is not less than 3 days; and

“(ii) may propose an additional action determined appropriate by the head of the agency, including a reduction in grade or pay; and

“(B) for the second prohibited personnel action committed by the supervisor, shall propose removing the supervisor.

“(2) PROCEDURES.—

“(A) NOTICE.—A supervisor against whom an action is proposed to be taken under paragraph (1) is entitled to written notice that—

“(i) states the specific reasons for the proposed action; and

“(ii) informs the supervisor about the right of the supervisor to review the material that constitutes the factual support on which the proposed action is based.

“(B) ANSWER AND EVIDENCE.—

“(i) IN GENERAL.—A supervisor who receives notice under subparagraph (A) may, not later than 14 days after the date on which the supervisor receives the notice, submit an answer and furnish evidence in support of that answer.

“(ii) NO EVIDENCE FURNISHED; INSUFFICIENT EVIDENCE FURNISHED.—If, after the end of the 14-day period described in clause (i), a supervisor does not furnish any evidence as described in that clause, or if the head of the agency in which the supervisor is employed determines that the evidence furnished by the supervisor is insufficient, the head of the agency shall carry out the action proposed under subparagraph (A) or (B) of paragraph (1), as applicable.

“(C) SCOPE OF PROCEDURES.—An action carried out under this section—

“(i) except as provided in clause (ii), shall be subject to the same requirements and procedures, including those with respect to an appeal, as an action under section 7503, 7513, or 7543; and

“(ii) shall not be subject to—

“(I) paragraphs (1) and (2) of section 7503(b);

“(II) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513; and

“(III) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543.

“(3) NON-DELEGATION.—If the head of an agency is responsible for determining whether a supervisor has committed a prohibited personnel action for purposes of paragraph (1), the head of the agency may not delegate that responsibility.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by inserting after the item relating to section 7514 the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

(h) TERMINATION OF CERTAIN INVESTIGATIONS BY THE OFFICE OF SPECIAL COUNSEL.—Section 1214(a) of title 5, United States Code, is amended by adding at the end the following:

“(6)(A) Notwithstanding any other provision of this section, not later than 30 days after the date on which the Special Counsel receives an allegation of a prohibited personnel practice under paragraph (1), the Special Counsel may terminate an investigation of the allegation without further inquiry if the Special Counsel determines that—

“(i) the same allegation, based on the same set of facts and circumstances, had previously been—

“(I)(aa) made by the individual; and

“(bb) investigated by the Special Counsel; or

“(II) filed by the individual with the Merit Systems Protection Board;

“(ii) the Special Counsel does not have jurisdiction to investigate the allegation; or

“(iii) the individual knew or should have known of the alleged prohibited personnel

practice on or before the date that is 3 years before the date on which the Special Counsel received the allegation.

“(B) Not later than 30 days after the date on which the Special Counsel terminates an investigation under subparagraph (A), the Special Counsel shall provide a written notification to the individual who submitted the allegation of a prohibited personnel practice that states the basis of the Special Counsel for terminating the investigation.”.

(i) ALLEGATIONS OF WRONGDOING WITHIN THE OFFICE OF SPECIAL COUNSEL.—Section 1212 of title 5, United States Code, is amended by adding at the end the following:

“(i) The Special Counsel shall enter into at least 1 agreement with the Inspector General of an agency under which—

“(1) the Inspector General shall—

“(A) receive, review, and investigate allegations of prohibited personnel practices or wrongdoing filed by employees of the Office of Special Counsel; and

“(B) develop a method for an employee of the Office of Special Counsel to communicate directly with the Inspector General; and

“(2) the Special Counsel—

“(A) may not require an employee of the Office of Special Counsel to seek authorization or approval before directly contacting the Inspector General in accordance with the agreement; and

“(B) may reimburse the Inspector General for services provided under the agreement.”.

(j) REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT.—Section 1218 of title 5, United States Code, is amended to read as follows:

“§ 1218. Annual report

“The Special Counsel shall submit to Congress, on an annual basis, a report regarding the activities of the Special Counsel, which shall include, for the year preceding the submission of the report—

“(1) the number, types, and disposition of allegations of prohibited personnel practices filed with the Special Counsel and the costs of resolving such allegations;

“(2) the number of investigations conducted by the Special Counsel;

“(3) the number of stays and disciplinary actions negotiated with agencies by the Special Counsel;

“(4) the number of subpoenas issued by the Special Counsel;

“(5) the number of instances in which the Special Counsel reopened an investigation after the Special Counsel had made an initial determination with respect to the investigation;

“(6) the actions that resulted from reopening investigations, as described in paragraph (5);

“(7) the number of instances in which the Special Counsel did not make a determination before the end of the 240-day period described in section 1214(b)(2)(A)(i) regarding whether there were reasonable grounds to believe that a prohibited personnel practice had occurred, existed, or was to be taken;

“(8) a description of the recommendations and reports made by the Special Counsel to other agencies under this subchapter and the actions taken by the agencies as a result of the recommendations or reports;

“(9) the number of—

“(A) actions initiated before the Merit Systems Protection Board, including the number of corrective action petitions and disciplinary action complaints initiated; and

“(B) stays and extensions of stays obtained from the Merit Systems Protection Board;

“(10) the number of prohibited personnel practice complaints that resulted in a favorable action for the complainant, other than a stay or an extension of a stay, organized by actions in—

“(A) complaints dealing with reprisals against whistleblowers; and

“(B) all other complaints; and

“(11) the number of prohibited personnel practice complaints that were resolved by an agreement between an agency and an individual, organized by agency and agency components in—

“(A) complaints dealing with reprisals against whistleblowers; and

“(B) all other complaints;

“(12) the number of corrective actions that the Special Counsel required an agency to take after a finding by the Special Counsel of a prohibited personnel practice, as defined in section 2302(a)(1); and

“(13) the results for the Office of Special Counsel of any employee viewpoint survey conducted by the Office of Personnel Management or any other agency.”

(2) PUBLIC INFORMATION.—Section 1219(a)(1) of title 5, United States Code, is amended to read as follows:

“(1) a list of any noncriminal matters referred to the head of an agency under section 1213(c), together with—

“(A) a copy of the information transmitted to the head of the agency under section 1213(c)(1);

“(B) any report from the agency under section 1213(c)(1)(B) relating to the matter;

“(C) if appropriate, not otherwise prohibited by law, and consented to by the complainant, any comments from the complainant under section 1213(e)(1) relating to the matter; and

“(D) the comments or recommendations of the Special Counsel under paragraph (3) or (4) of section 1213(e);”

(3) NOTICE OF COMPLAINT SETTLEMENTS.—Section 1217 of title 5, United States Code, is amended—

(A) by striking “The Special Counsel” and inserting the following:

“(a) IN GENERAL.—The Special Counsel”; and

(B) by adding at the end the following:

“(b) ADDITIONAL REPORT REQUIRED.—

“(1) IN GENERAL.—If an allegation submitted to the Special Counsel is resolved by an agreement between an agency and an individual, the Special Counsel shall submit to Congress and each congressional committee with jurisdiction over the agency a report regarding the agreement.

“(2) CONTENTS.—Any report required under paragraph (1) shall identify, with respect to an agreement described in that paragraph—

“(A) the agency that entered into the agreement;

“(B) the position and employment location of the employee who submitted the allegation that formed the basis of the agreement;

“(C) the position and employment location of any employee alleged by an employee described in subparagraph (B) to have committed a prohibited personnel practice, as defined in section 2302(a)(1);

“(D) a description of the allegation described in subparagraph (B); and

“(E) whether the agency that entered into the agreement has agreed to pursue any disciplinary action as a result of the allegation described in subparagraph (B).”

(k) ESTABLISHMENT OF SURVEY PILOT PROGRAM.—

(1) IN GENERAL.—The Office of Special Counsel shall design and establish a pilot program under which the Office shall con-

duct, during the first full fiscal year after the date of enactment of this Act, a survey of individuals who have filed a complaint or disclosure with the Office.

(2) PURPOSE.—The survey under paragraph (1) shall be designed for the purpose of collecting information and improving service at various stages of a review or investigation by the Office of Special Counsel.

(3) RESULTS.—The results of the survey under paragraph (1) shall be published in the annual report of the Office of Special Counsel.

(4) SUSPENSION OF OTHER SURVEYS.—During the period beginning on October 1, 2017, and ending on September 30, 2018, section 13 of the Act entitled “An Act to reauthorize the Office of Special Counsel, and for other purposes”, approved October 29, 1994 (5 U.S.C. 1212 note), shall have no force or effect.

(l) STAYS OF THE MERIT SYSTEMS PROTECTION BOARD.—Section 1214(b)(1)(B)(ii) of title 5, United States Code, is amended by striking “who was appointed, by and with the advice and consent of the Senate.”

(m) REGULATIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Special Counsel shall prescribe such regulations as may be necessary to perform—

(A) the functions of the Special Counsel under subchapter II of chapter 12 of title 5, United States Code, including regulations that are necessary to carry out sections 1213, 1214, and 1215 of that title; and

(B) any functions of the Special Counsel that are required because of the amendments made by this section.

(2) PUBLICATION.—Any regulations prescribed under paragraph (1) shall be published in the Federal Register.

(n) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended by striking “2003, 2004, 2005, 2006, and 2007” and inserting “2017 through 2022”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as though enacted on September 30, 2015.

SA 590. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 6, strike line 9 and insert the following:

(b) DEFINITION OF FULL-TIME EMPLOYEE.—Section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(E), by striking “by 120” and inserting “by 174”; and

(2) in paragraph (4)(A) by striking “30 hours” and inserting “40 hours”.

(c) EFFECTIVE DATE.—The amendments made by

SA 591. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 1269(2), strike the end period and insert the following: “, and should fully consider actions to reassure the Republic of Korea and Japan of the enduring commitment of the United States to provide its full range of defensive capabilities.”

SA 592. Mr. DURBIN (for himself, Mr. BLUNT, Mr. CASEY, Mr. COCHRAN, Ms. BALDWIN, Mr. SHELBY, Mr. BROWN, Ms. MURKOWSKI, Mr. CARDIN, Mr. MORAN, Mr. COONS, Ms. DUCKWORTH, Ms. HASSAN, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MURRAY, Mr. NELSON, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Ms. HIRONO, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 737. TREATMENT OF CERTAIN PROVISIONS RELATING TO MEDICAL RESEARCH CONDUCTED BY THE DEPARTMENT OF DEFENSE.

(a) MEDICAL RESEARCH AND DEVELOPMENT PROJECTS.—Section 733, relating to a prohibition on funding and conduct of certain medical research and development projects by the Department of Defense, shall have no force or effect.

(b) CONGRESSIONAL SPECIAL INTEREST MEDICAL RESEARCH PROGRAMS.—Sections 891, 892, and 893, relating to limitations on the authority of the Secretary of Defense to enter into contracts, grants, or cooperative agreements for congressional special interest medical research programs under the congressionally directed medical research program of the Department of Defense, shall have no force or effect.

SA 593. Ms. DUCKWORTH (for herself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. —. INTEREST RATE LIMITATION ON DEBT ENTERED INTO DURING MILITARY SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE MILITARY SERVICE.

(a) IN GENERAL.—Subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) in paragraph (1), by inserting “ON DEBT INCURRED BEFORE SERVICE” after “LIMITATION TO 6 PERCENT”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED DURING SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.”;

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting “or (2)” after “paragraph (1)”;

(5) in paragraph (4), as so redesignated, by striking “paragraph (2)” and inserting “paragraph (3)”.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “the interest rate limitation in subsection (a)” and inserting “an interest rate limitation in paragraph (1) or (2) of subsection (a)”;

(2) in paragraph (2)—

(A) in the paragraph heading, by striking “EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY” and inserting “EFFECTIVE DATE”;

(B) by inserting before the period at the end the following: “in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability concerned under subsection (a)(2)”.

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) STUDENT LOAN.—The term ‘student loan’ means the following:

“(A) A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

“(B) A private student loan as that term is defined section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).”.

SA 594. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. BROWN, Mrs. GILLIBRAND, Ms. WARREN, Mr. WHITEHOUSE, Mr. NELSON, Ms. BALDWIN, Mr. ROUNDS, Mr. FRANKEN, and Mr. COONS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 7330C. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

“(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(4) have expertise in allergy, immunology, and pulmonary diseases.

“(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term ef-

fects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

“(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center of excellence shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

“(g) FUNDING.—(1) There is authorized to be appropriated to carry out this section \$4,100,000 for each of the first five fiscal years beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018.

“(2) The Secretary may award additional amounts on a competitive basis to the center of excellence from the medical and prosthetics research account of the Department for the purpose of conducting research under this section relating to clinical and scientific investigation.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330B the following new item:

“7330C. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”.

SA 595. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. LONGITUDINAL MEDICAL STUDY ON BLAST PRESSURE EXPOSURE OF MEMBERS OF THE ARMED FORCES.

(a) **IN GENERAL.**—The Secretary of Defense shall conduct a longitudinal medical study on blast pressure exposure of members of the Armed Forces during combat and training, including members who train with high over-pressure weapons, such as anti-tank recoilless rifles and heavy-caliber sniper rifles.

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

(1) monitor, record, and analyze data on blast pressure exposure for any member of the Armed Forces who is likely to be exposed to a blast in training or combat;

(2) assess the feasibility and advisability of including blast exposure history as part of the service record of a member, as a blast exposure log, in order to ensure that, if medical issues arise later, the member receives care for any service-connected injuries; and

(3) review the safety precautions surrounding heavy weapons training to account for emerging research on blast exposure and the effects on of such exposure on cognitive performance of members of the Armed Forces.

(c) **REPORT.**—The Secretary shall submit to Congress a report on the results of the study conducted under subsection (a).

SA 596. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle J of title VIII, add the following:

SEC. 899D. REPORT ON DEFENSE CONTRACTING FRAUD.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on defense contracting fraud.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) A summary of fraud-related criminal convictions and civil judgements or settlements over the previous five fiscal years.

(2) A listing of contractors that within the previous five fiscal years performed contracts for the Department of Defense and were debarred or suspended from Federal contracting based on a criminal conviction for fraud.

(3) An assessment of the total value of Department of Defense contracts entered into during the previous five fiscal years with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government.

(4) Recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government, including an update on implementation by the Department of any previous such recommendations.

SA 597. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Outsourcing Prevention

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Defending American Jobs Act”.

SEC. 1092. WORKFORCE DISCLOSURE REQUIREMENTS FOR DEFENSE CONTRACTS.

(a) **INFORMATION REQUIRED.**—The Secretary of Defense shall require each contractor that enters into a contract with the Department of Defense for the procurement of property or services to provide to the Department, on an annual basis for the duration of the contract, the following information:

(1) The number of individuals employed by the contractor in the United States.

(2) The number of individuals employed by the contractor outside the United States.

(3) A description of the wages and employee benefits being provided to the employees of the contractor in the United States.

(4) A description of the wages and employee benefits being provided to the employees of the contractor outside the United States.

(b) **CERTIFICATION REGARDING LAYOFFS.**—Beginning on the date that is one year after a contractor enters into a contract described under subsection (a), and annually thereafter for the duration of the contract, the contractor shall provide, in addition to the information required under subsection (a), a written certification that contains the following information:

(1) The percentage of the workforce of the contractor employed in the United States that has been laid off or induced to resign from the contractor during the 12-month period preceding the submission of the certification.

(2) The percentage of the total workforce of the contractor that has been laid off or induced to resign from the contractor during the 12-month period preceding the submission of the certification.

(c) **PROHIBITION ON AWARDED CONTRACTS TO DEFENSE CONTRACTORS THAT LAY OFF A GREATER PERCENTAGE OF WORKERS IN THE UNITED STATES THAN IN OTHER COUNTRIES.**—Notwithstanding any other provision of law, if, in the written certification provided to the Department of Defense by a contractor under subsection (b), the percentage described in paragraph (1) of such subsection is greater than the percentage described in paragraph (2) of such subsection, the contractor shall be ineligible for further contracts with the Department of Defense until the contractor provides to the Department a written certification that the number of employees of the contractor in the United States is in the same proportion as, or has increased in proportion to, the number of the employees of the contractor worldwide as of the later of—

(1) the date the contractor last made a certification under subsection (b) concerning the contract that did not cause the contractor to become ineligible under this subsection for a Department of Defense contract; or

(2) the date on which the contractor entered into the contract for which the certification is being made.

SA 598. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MAXIMUM CONTAMINANT LEVELS FOR PERFLUORINATED COMPOUNDS.

Section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g-1(b)(2)) is amended by adding at the end the following:

“(D) **PERFLUORINATED COMPOUNDS.**—Not later than 2 years after the date of enactment of this subparagraph, with respect to the perfluorinated compounds perfluorooctanoic acid and perfluorooctanesulfonic acid, the Administrator shall—

“(i) publish a maximum contaminant level goal; and

“(ii) promulgate a national primary drinking water regulation.”.

SA 599. Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 338. PROHIBITION ON TRANSFER OF THE TOOLS AND EQUIPMENT OF THE ADVANCED TURBINE ENGINE ARMY MAINTENANCE OF THE ARMY NATIONAL GUARD.

No action may be taken to reduce the capability of, or to eliminate or transfer the tools and equipment of, the Advanced Turbine Engine Army Maintenance (ATEAM) of the Army National Guard until the Secretary of Defense certifies each of the following:

(1) That Advanced Turbine Engine Army Maintenance capabilities do not result in any cost avoidance or savings to the Department of Defense.

(2) That there is no existing or anticipated requirement for Advanced Turbine Engine Army Maintenance technical expertise and capabilities among any Armed Force or the militaries of United States allies (through the Foreign Military Sales program).

(3) That there is no existing or anticipated requirement to support and maintain readiness of any unit of the Armed Forces, including Army National Guard units in the Idaho, Kansas, Minnesota, Mississippi, Montana, Nevada, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, and Tennessee, that may require the capabilities of the Advanced Turbine Engine Army Maintenance for on-site repair or field support during training events or otherwise.

SA 600. Mr. MORAN (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. ____ . ARMY MILITARY VALUE ANALYSIS MODEL.

(a) **FINDINGS.**—Congress makes the following

(1) The Military Value Analysis model of the Army has been a key determinant for the force structure and strategic basing decisions of the Army in recent years.

(2) The Committees on Armed Services of the Senate and the House of Representatives have determined that a lack of transparency regarding process, metrics, and scoring on the matters covered by the Military Value Analysis model has made proper oversight of the Army by Congress far more difficult.

(c) **REPORT ON UPDATED MODEL.**—

(1) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report setting forth an update of the Military Value Analysis model of the Army.

(2) **REVIEW.**—The Secretary shall update the Military Value Analysis model for purposes of the report required by paragraph (1) following a review undertaken by the Secretary for purposes of the update. The review and update shall address and appropriately incorporate the following:

(A) Qualitative and quantitative criteria and sub-criteria to be used for force structure and strategic basing decisions, including quantitative and qualitative measures on the average daily use of, and accessibility to, maneuver training acreage.

(B) Deployment criteria using a measure of the time required to deploy a unit of action from its home installation to its deployment site, including the transportation of unit personnel by military aircraft, and transportation of the commonly defined set of unit equipment to its designated out-port for deployment.

(d) **SCORING DATA FOR FORCE STRUCTURE AND MAJOR BASING DECISIONS.**—After making a force structure or major basing decision for the Army, the Secretary of the Army shall submit to the congressional defense committees a report setting forth the scoring data developed pursuant to the Military Value Analysis model of the Army with respect to each military installation considered for purposes of the decision.

SA 601. Mr. MORAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. DECLASSIFICATION BY DEPARTMENT OF DEFENSE OF CERTAIN INCIDENTS OF EXPOSURE OF MEMBERS OF THE ARMED FORCES TO TOXIC SUBSTANCES.

(a) **IN GENERAL.**—The Secretary of Defense shall declassify documents related to any known incident in which not fewer than 100 members of the Armed Forces were exposed to a toxic substance that resulted in at least one case of a disability that a member of the medical profession has determined to be associated with that toxic substance.

(b) **LIMITATION.**—The declassification required by subsection (a) shall be limited to information necessary for an individual who was potentially exposed to a toxic substance to determine the following:

(1) Whether that individual was exposed to that toxic substance.

(2) The potential severity of the exposure of that individual to that toxic substance.

(3) Any potential health conditions that may have resulted from exposure to that toxic substance.

(c) **EXCEPTION.**—The Secretary of Defense is not required to declassify documents under subsection (a) if the Secretary determines that declassification of those documents would materially and immediately threaten the security of the United States.

(d) **DEFINITIONS.**—In this section:

(1) **ARMED FORCES.**—The term “Armed Forces” has the meaning given that term in section 101 of title 10, United States Code.

(2) **EXPOSED.**—The term “exposed” means, with respect to a toxic substance, that an individual came into contact with that toxic substance in a manner that could be hazardous to the health of that individual, that may include if that toxic substance was inhaled, ingested, or touched the skin or eyes.

(3) **EXPOSURE.**—The term “exposure” means, with respect to a toxic substance, an event during which an individual was exposed to that toxic substance.

(4) **TOXIC SUBSTANCE.**—The term “toxic substance” means any substance determined by the Administrator of the Environmental Protection Agency to be harmful to the environment or hazardous to the health of an individual if inhaled or ingested by or absorbed through the skin of that individual.

SA 602. Mr. MCCAIN (for himself, Mr. FLAKE, Ms. MURKOWSKI, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TRANSFER OF NON-COMBAT MILITARY VEHICLES AND EQUIPMENT TO STATE AND LOCAL FIRE DEPARTMENTS UNDER FIREFIGHTER PROPERTY (FFP) PROGRAM.

The Secretary of Defense shall take steps to facilitate the transfer of non-combat military vehicles and equipment to State and local fire departments under the Firefighter Property (FFP) program carried out pursuant to section 2576b of title 10, United States Code, including by preventing the Defense Logistics Agency from implementing guidance categorizing such equipment as high se-

curity items subject to Trade Security Controls and other enhanced security requirements.

SA 603. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 122, strike subsection (b).

SA 604. Mr. KING submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STUDY ON SCALING WATER PURIFIERS THAT USE MIXED-OXIDANT ELECTROLYTIC DISINFECTANT GENERATOR (MEDG) TECHNOLOGY FOR SMALL AND MEDIUM SHIPS.

The Secretary of the Navy shall conduct a study on the feasibility of scaling water purifiers that use Mixed-Oxidant Electrolytic Disinfectant Generator (MEDG) technology for small and medium ships.

SA 605. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. ____ . PROHIBITION ON CONDUCT OF FIRST-USE NUCLEAR STRIKES.

(a) **PROHIBITION.**—Notwithstanding any other provision of law, the President may not use the Armed Forces of the United States to conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such strike.

(b) **FIRST-USE NUCLEAR STRIKE DEFINED.**—In this section, the term “first-use nuclear strike” means an attack using nuclear weapons against an enemy that is conducted without the President determining that the enemy has first launched a nuclear strike against the United States or an ally of the United States.

SA 606. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS FOR LONG-RANGE STANDOFF WEAPON OR W80 WARHEAD LIFE EXTENSION PROGRAM.

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2018 for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of the long-range standoff weapon or for the W80 warhead life extension program.

SA 607. Mr. MARKEY (for himself, Mr. GARDNER, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1262.

SA 608. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle ____ of title ____, add the following:

SEC. ____ . ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

SA 609. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. ____ . SENSE OF CONGRESS ON THE UNITED STATES STRATEGY FOR AFGHANISTAN AND SOUTH ASIA.

It is the sense of Congress that—

(1) it is in the national security interest of the United States that Afghanistan never again serve as a sanctuary for international terrorists to conduct attacks against the United States, its allies, or its core interests;

(2) to secure the national security interest of the United States in Afghanistan, the United States should pursue an integrated civil-military strategy with strategic objectives to—

(A) deny, disrupt, degrade, and destroy the ability of terrorist groups to conduct attacks against the United States, its allies, and its core interests;

(B) prevent the Taliban from using military force to overthrow the Government of the Islamic Republic of Afghanistan and reduce the Taliban's control of the Afghan population;

(C) improve the capability and capacity of the Government of the Islamic Republic of Afghanistan, to the extent feasible and practicable, to defeat terrorist and insurgent groups as well as to sustainably and independently provide security throughout Afghanistan;

(D) establish security conditions in Afghanistan necessary to encourage and facilitate a negotiated peace process that supports political reconciliation in Afghanistan and an eventual diplomatic resolution to the conflict in Afghanistan; and

(E) forge a regional diplomatic consensus in support of the long-term stabilization of Afghanistan through integration into regional patterns of political, security, and economic cooperation;

(3) the United States should pursue an integrated civil-military strategy that would achieve United States strategic objectives by—

(A) bolstering the United States counterterrorism effort in Afghanistan by—

(i) increasing the number of United States counterterrorism forces in Afghanistan;

(ii) providing the United States military with status-based targeting authorities against the Taliban, the Haqqani Network, al-Qaeda, the Islamic State of Iraq and Syria, and other terrorist groups that threaten the United States, its allies, and its core interests; and

(iii) pursuing a joint agreement to secure a long-term, open-ended counterterrorism partnership between the United States and the Government of the Islamic Republic of Afghanistan, which would include an enduring United States counterterrorism presence in Afghanistan;

(B) improving the military capability and capacity of the Afghan National Security and Defense Forces (ANSDF) against the Taliban and other terrorists groups by—

(i) in the short term, establishing United States military training and advisory teams at the *kandak*-level of each Afghan corps, and significantly increasing the availability of United States airpower and other critical combat enablers to support Afghan National Security and Defense Forces operations; and

(ii) in the long term, providing sustained support to the Afghan National Security and Defense Forces as it develops and expands its own key enabling capabilities, including intelligence, logistics, special forces, air lift, and close air support;

(C) strictly conditioning further United States military, economic, and governance assistance programs for the Government of the Islamic Republic of Afghanistan upon measurable progress in achieving joint United States-Afghanistan benchmarks for implementing necessary institutional reforms, especially those related to anti-corruption, financial transparency, and the rule of law;

(D) imposing graduated diplomatic, military, and economic costs on Pakistan as long as it continues to provide support and sanctuary to terrorist and insurgent groups, including the Taliban and the Haqqani Network, while simultaneously outlining the potential benefits of a long-term United States-Pakistan strategic partnership that could result from the cessation by Pakistan of support for all terrorist and insurgent groups and constructive role in bringing about a peaceful resolution of the conflict in Afghanistan; and

(E) intensifying United States regional diplomatic efforts working through flexible frameworks for regional dialogue together with Afghanistan, Pakistan, China, India, Tajikistan, Uzbekistan, Turkmenistan, and other nations to promote political reconciliation in Afghanistan as well as to advance regional cooperation on issues such as border security, intelligence sharing, counter-narcotics, transportation, and trade to reduce mistrust and build confidence among regional states; and

(4) the President should ensure that the Secretary of Defense, the Secretary of State, and United States military commanders have all the necessary means, based on political and security conditions on the ground in Afghanistan and unconstrained by arbitrary timelines, to carry out an integrated civil-military strategy as described in paragraphs (2) and (3), including financial resources, civilian personnel, military forces and capabilities, and authorities.

SA 610. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AUTHORITY TO USE ENERGY SAVINGS INVESTMENT FUND FOR ENERGY MANAGEMENT INITIATIVES.

Section 2919(b)(2) of title 10, United States Code, is amended by striking “, to the extent provided for in an appropriations Act,”.

SA 611. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON USE OF AREAWIDE CONTRACTS FOR ENERGY RESILIENCE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the General Services Administration and the Secretary of Energy, shall submit to the congressional defense committees a report identifying projects to increase energy resiliency on military installations that could be executed under an existing areawide contract (as defined in section 41.101 of the Federal Acquisition Regulation). The report shall also identify recommendations to support installation commanders and contracting officers in contracting with utility service suppliers under areawide contracts.

SA 612. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. ____ . LIEUTENANT HENRY OSSIAN FLIPPER LEADER SHIP SCHOLARSHIP PROGRAM.

(a) **AUTHORITY.**—The Secretary of the Army shall carry out a program to be known as the ‘Lieutenant Henry Ossian Flipper Leadership Scholarship Program’ under which the Secretary may provide financial assistance, in accordance with this section, to a person—

(1) who is pursuing a recognized postsecondary credential at a minority-serving institution; and

(2) who enters into an agreement with the Secretary as described in subsection (b).

(b) **SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.**—

(1) **IN GENERAL.**—To receive financial assistance under this section—

(A) a member of the Army shall enter into an agreement to serve on active duty in the Army for the period of obligated service determined under paragraph (2); and

(B) a person who is not a member of the Army shall enter into an agreement to enlist or accept a commission in the Army and to serve on active duty in Army for the period of obligated service determined under paragraph (2).

(2) **PERIOD OF OBLIGATED SERVICE.**—The period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Army as being appropriate to obtain adequate service in exchange for the financial assistance. The period of service required of a recipient shall be not less than the period equal to three-fourths of the total period of pursuit of a credential for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty.

(3) **TERMS OF AGREEMENT.**—An agreement entered into under this section by a person

pursuing a recognized postsecondary credential shall include the following terms:

(A) **SERVICE START DATE.**—The period of obligated service will begin on a date after the award of the credential, as determined by the Secretary of the Army.

(B) **ACADEMIC PROGRESS.**—The person will maintain satisfactory academic progress, as determined by the Secretary, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

(C) **OTHER TERMS.**—Any other terms and conditions that the Secretary determines to be appropriate for carrying out this section.

(c) **AMOUNT OF ASSISTANCE.**—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of the Army as being necessary to pay the person’s cost of attendance at the minority-serving institution.

(d) **USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.**—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the credential for which assistance is provided the person under this section.

(e) **REPAYMENT FOR PERIOD OF UNSERVED OBLIGATED SERVICE.**—A member of the Army who does not complete the period of active duty specified in the service agreement under subsection (b) shall be subject to the repayment provisions of section 303a(e) of title 37, United States Code.

(f) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report that includes—

(1) an assessment of the progress of the Secretary in carrying out the scholarship program under this section;

(2) the number of scholarships that the Secretary intends to award in the academic year beginning after the date of the submission of the report; and

(3) a description of the Secretary’s efforts to promote the scholarship program at minority-serving institutions.

(g) **DEFINITIONS.**—In this section:

(1) **COST OF ATTENDANCE.**—The term ‘cost of attendance’ has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 19 U.S.C. 108711).

(2) **MINORITY-SERVING INSTITUTION.**—The term ‘minority-serving institution’ means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 24 U.S.C. 1067q(a)).

(3) **RECOGNIZED POSTSECONDARY CREDENTIAL.**—The term ‘recognized postsecondary credential’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 5 U.S.C. 3102).

SA 613. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title XVI, insert the following:

SEC. ____ . DEPARTMENT OF DEFENSE CYBER WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary of Defense may carry out a pilot program to be known as the ‘Cyber Workforce Development Pilot Program’ (in this section referred to as the ‘Pilot Program’) under which the Secretary shall provide funds, in addition to other funds that may be available, for the recruitment, training, professionalization, and retention of personnel in the cyber workforce of the Department of Defense.

(b) **PURPOSE.**—The purpose of the Pilot Program shall be to assess the effectiveness of carrying out a full-scale talent management program to ensure that the cyber workforce of the Department of Defense has the capacity, in both personnel and skills, needed to effectively perform its cyber missions and the kinetic missions impacted by cyber activities.

(c) **MANAGEMENT.**—The Pilot Program shall be managed by the Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense.

(d) **GUIDANCE.**—The Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense, shall issue guidance for the administration of the Pilot Program. Such guidance shall include provisions that—

(1) identify areas of need in the cyber workforce that funds under the Pilot Program may be used to address, including—

(A) changes to the types of skills needed in the cyber workforce;

(B) capabilities to develop the cyber workforce and assist members of the cyber workforce in achieving qualifications and professionalization through activities such as training, education, and exchange programs;

(C) incentives to retain qualified, experienced cyber workforce personnel; and

(D) incentives for attracting new, high-quality personnel to the cyber workforce;

(2) describe the process under which entities may submit an application to receive funds under the Pilot Program;

(3) describe the evaluation criteria to be used for approving or prioritizing applications for funds under the Pilot Program in any fiscal year; and

(4) describe measurable objectives of performance for determining whether funds under the Pilot Program are being used in compliance with this section.

(e) **CONSIDERATIONS.**—When selecting entities to provide training and education services under the Pilot Program, consideration shall be given to whether the entity providing such services is a Center of Academic Excellence in Information Assurance Education (as that term is defined in section 2200e of title 10, United States Code).

(f) **ANNUAL REPORT.**—Not later than 120 days after the end of each of fiscal year for which funds are appropriated for the Pilot Program, the Secretary of Defense shall submit to the congressional defense committees a report on the operation of the Pilot Program during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) A description of the expenditures made under the Pilot Program (including expenditures following a transfer of funds under the Pilot Program to a military department or Defense Agency) in such fiscal year, including the purpose of such expenditures.

(2) A description and assessment of improvements in the Department of Defense

cyber workforce resulting from such expenditures.

(3) Recommendations for additional authorities to fulfill the purpose of the Pilot Program.

(4) A statement of the funds that remain available under the Pilot Program at the end of such fiscal year.

(g) **TERMINATION.**—The Pilot Program and the annual reporting requirement under subsection (f) shall each terminate on the date that is five years after the date on which funds are first appropriated for the Pilot Program and any funds not obligated or expended under the Pilot Program on that date shall be deposited in the general fund of the Treasury of the United States.

(h) **CYBER WORKFORCE DEFINED.**—In this section, the term “cyber workforce” means the following:

(1) Personnel in positions that require the performance of cybersecurity or other cyber-related functions as so identified pursuant to the Federal Cybersecurity Workforce Assessment Act of 2015 (Public Law 114-113; 5 U.S.C. 301 note).

(2) Military personnel or civilian employees of the Department of Defense who are not described in paragraph (1) but who—

(A) are assigned functions that contribute significantly to cyber operations; and

(B) are designated as temporary members of the cyber workforce by the Chief Information Officer of the Department of Defense, or by the head of a military department or Defense Agency, for the limited purpose of receiving training for the performance of cyber-related functions.

SA 614. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title XVI, insert the following:

SEC. _____. REPORT ON PROGRESS IN CARRYING OUT ASSESSMENT OF MILITARY AND INTELLIGENCE NECESSITY AND BENEFIT OF DUAL-HAT ARRANGEMENT FOR COMMANDER OF THE UNITED STATES CYBER COMMAND.

The Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Secretary and the Chairman of the Joint Chiefs of Staff in carrying out the assessment required by section 1642(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

SA 615. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON PLAN TO STABILIZE THE AREAS IN IRAQ AND SYRIA LIBERATED FROM THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act the Secretary of State and Secretary of Defense shall jointly submit to the appropriate committees of Congress a report that sets forth the plan of the United States to stabilize areas in Iraq and Syria that are liberated from the Islamic State of Iraq and the Levant (ISIL).

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

(1) For areas in Iraq described in subsection (a), the following:

(A) An assessment of security in such areas, and an identification of the forces that will provide post-conflict stabilization and security in the areas described in subsection (a).

(B) An assessment of the extent to which security forces trained and equipped using United States assistance are prepared—

(i) to provide post-conflict stabilization and security in such areas;

(ii) to support inclusive governance structures in such areas;

(iii) to support the return of displaced persons to such areas; and

(iv) to defer to legitimate local authorities for governance decisions in such areas.

(C) An assessment of the capacity of such security forces to operate effectively in post-conflict environments, including in the performance of counterterrorism operations and stabilization operations independent of United States forces.

(D) An assessment of the interest and support from such security forces and legitimate local authorities for the participation of the United States Government in post-conflict stabilization efforts, as well as the ability of the United States Government to influence stabilization outcomes in such areas.

(E) A description of—

(i) the responsibilities and plans of the Department of State in working with the Government of Iraq and legitimate local authorities to re-establish essential services, promote inclusive governance structures, and support reconstitution of local economies in such areas;

(ii) plans for improving any gaps identified in the assessments described in subparagraphs (A) through (D); and

(iii) the resources required to execute the plans described in clause (ii), and the metrics to be used in evaluating the execution of such plans.

(F) A description of the roles, responsibilities, and anticipated contributions of resources of partner nations in securing and stabilizing such areas.

(2) For areas in Syria described in subsection (a), the following:

(A) An assessment of security in such areas, and an identification of the forces that will provide post-conflict stabilization and security in the areas described in subsection (a).

(B) An assessment of the extent to which security forces trained and equipped using United States assistance are prepared—

(i) to provide post-conflict stabilization and security in such areas;

(ii) to support inclusive governance structures in such areas;

(iii) to support the return of displaced persons to such areas; and

(iv) to defer to legitimate local authorities for governance decisions in such areas.

(C) An assessment of the capacity of such security forces to operate effectively in post-conflict environments, including in the performance of counterterrorism operations and stabilization operations independent of United States forces.

(D) An assessment of the interest and support from such security forces and legitimate local authorities for the participation of the United States Government in post-conflict stabilization efforts, as well as the ability of the United States Government to influence stabilization outcomes in such areas.

(E) A description of—

(i) the responsibilities and plans of the Department of State in working with legitimate local authorities to re-establish essential services, promote inclusive governance structures, and support reconstitution of local economies in such areas;

(ii) plans for improving any gaps identified in the assessments described in subparagraphs (A) through (D); and

(iii) the resources required to execute the plans described in clause (ii), and the metrics to be used in evaluating the execution of such plans.

(F) A description of the roles, responsibilities, and anticipated contributions of resources of partner nations in securing and stabilizing such areas.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 616. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REASONABLE PRICE AGREEMENT.

(a) **IN GENERAL.**—If any Federal agency or any non-profit entity undertakes Federally funded health care research and development and is to convey or provide a patent for a drug, biologic, or other health care technology developed through such research, such agency or entity shall not make such conveyance or provide such patent until the entity (including a non-profit entity) that will receive such patent first agrees to a reasonable pricing agreement with the Secretary of Health and Human Services (referred to in this section as the “Secretary”) or the Secretary makes a determination that the public interest is served by a waiver of the reasonable pricing agreement provided in accordance with subsection (c).

(b) **PROHIBITION OF DISCRIMINATION.**—

(1) **IN GENERAL.**—For purposes of subsection (a), any reasonable pricing formula that is utilized shall not result in discriminatory pricing for the drug, biologic, or other health care technology involved regardless of the number of bidders involved. In carrying out this subparagraph, the Secretary shall ensure that the Federal Government, with respect to the drug, biologic, or other health care technology involved, is charged an amount that is not more than the lowest

amount charged to countries in the Organization for Economic Co-Operation and Development for the same drug, biologic, or technology, that have the largest gross domestic product with a per capita income that is not less than half the per capita income of the United States.

(2) **DISCRIMINATORY PRICING.**—For the purposes of paragraph (1), a cost based reasonable pricing formula that is utilized shall be considered to result in discriminatory pricing if the contract for sale of the drug, biologic, or other health care technology places a limit on supply, or employs any other measure, that has the effect of—

(A) providing access to such drug, biologic, or technology on terms or conditions that are less favorable than the terms or conditions provided to a foreign purchaser (other than a charitable or humanitarian organization) of the drug, biologic, or technology; or

(B) restricting access to the drug, biologic, or technology under this section.

(c) **WAIVER.**—No waiver shall take effect under subsection (a) before the public is given notice of the proposed waiver and provided a reasonable opportunity to comment on the proposed waiver. A decision to grant a waiver shall set out the Secretary's finding that such a waiver is in the public interest.

SA 617. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—COMMUNITY HEALTH CENTERS

SEC. _01. SHORT TITLE.

This title may be cited as the "Community Health Center and Primary Care Workforce Expansion Act of 2017".

SEC. _02. COMMUNITY HEALTH CENTER PROGRAM.

(a) **IN GENERAL.**—Section 10503(b)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(1)) is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) in subparagraph (E), by striking the period; and

(3) by adding at the end the following:

"(F) \$5,110,000,000 for fiscal year 2018;
 "(G) \$5,410,000,000 for fiscal year 2019;
 "(H) \$5,790,000,000 for fiscal year 2020;
 "(I) \$6,620,000,000 for fiscal year 2021;
 "(J) \$7,510,000,000 for fiscal year 2022;
 "(K) \$8,460,000,000 for fiscal year 2023;
 "(L) \$9,490,000,000 for fiscal year 2024;
 "(M) \$10,590,000,000 for fiscal year 2025;
 "(N) \$11,780,000,000 for fiscal year 2026;
 "(O) \$12,500,000,000 for fiscal year 2027; and
 "(P) for fiscal year 2028, and each subsequent fiscal year, the amount appropriated for the preceding fiscal year adjusted by the product of—

"(i) one plus the average percentage increase in costs incurred per patient served; and
 "(ii) one plus the average percentage increase in the total number of patients served."

(b) **CAPITAL PROJECTS.**—In addition to amounts otherwise appropriated under section 10503(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(1)), there is authorized to be appropriated, and there is appropriated, for the community health centers program under section 330 of

the Public Health Service Act (42 U.S.C. 254b) for capital projects, \$18,600,000,000 for fiscal year 2017.

(c) **LIMITATION.**—Amounts otherwise appropriated for community health centers may not be reduced as a result of the appropriations made under this section.

(d) **AVAILABILITY OF FUNDS.**—Amounts appropriated under this section shall remain available until expended.

SEC. _03. NATIONAL HEALTH SERVICE CORPS.

(a) **IN GENERAL.**—Section 10503(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(2)) is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) in subparagraph (E), by striking the period; and

(3) by adding at the end the following:

"(F) \$850,000,000 for fiscal year 2018;
 "(G) \$893,000,000 for fiscal year 2019;
 "(H) \$938,000,000 for fiscal year 2020;
 "(I) \$985,000,000 for fiscal year 2021;
 "(J) \$1,030,000,000 for fiscal year 2022;
 "(K) \$1,090,000,000 for fiscal year 2023;
 "(L) \$1,100,000,000 for fiscal year 2024;
 "(M) \$1,200,000,000 for fiscal year 2025;
 "(N) \$1,300,000,000 for fiscal year 2026;
 "(O) \$1,500,000,000 for fiscal year 2027; and
 "(P) for fiscal year 2028, and each subsequent fiscal year, the amount appropriated for the preceding fiscal year adjusted by the product of—

"(i) one plus the average percentage increase in the costs of health professions education during the prior fiscal year; and
 "(ii) one plus the average percentage change in the number of individuals residing in health professions shortage areas designated under section 333 of the Public Health Service Act during the prior fiscal year, relative to the number of individuals residing in such areas during the previous fiscal year."

(b) **LIMITATION.**—Amounts otherwise appropriated for National Health Service Corps may not be reduced as a result of the appropriations made under this section.

(c) **AVAILABILITY OF FUNDS.**—Amounts appropriated under this section shall remain available until expended.

SEC. _04. TEACHING HEALTH CENTERS.

(a) **IN GENERAL.**—Section 340H(g) of the Public Health Service Act (42 U.S.C. 256h(g)) is amended—

(1) by striking "2015 and" and inserting "2015"; and

(2) by striking the period and inserting " \$176,000,000 for fiscal years 2018 and 2019, \$184,000,000 for fiscal year 2020, \$194,000,000 for fiscal year 2021, \$203,000,000 for fiscal year 2022, \$214,000,000 for fiscal year 2023, \$224,000,000 for fiscal year 2024, \$235,000,000 for fiscal year 2025, \$247,000,000 for fiscal year 2026, \$260,000,000 for fiscal year 2027, and for fiscal year 2028, and each subsequent fiscal year, the amount appropriated for the preceding fiscal year adjusted by the greater of the annual percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) as rounded up in an appropriate manner, or the percentage increase for the fiscal year involved under section 2(a)(11)."

(b) **LIMITATION.**—Amounts otherwise appropriated for Teaching Health Centers may not be reduced as a result of the appropriations made under this section.

(c) **AVAILABILITY OF FUNDS.**—Amounts appropriated under this section shall remain available until expended.

SEC. _05. NURSE PRACTITIONER RESIDENCY TRAINING PROGRAMS.

(a) **IN GENERAL.**—Section 5316 of the Patient Protection and Affordable Care Act is

amended by striking subsection (i) and inserting the following:

"(i) **APPROPRIATIONS.**—In addition to amounts otherwise appropriated, there is authorized to be appropriated, and there is appropriated to carry out this section—

"(1) \$35,000,000 for fiscal year 2018;
 "(2) \$40,000,000 for fiscal year 2019;
 "(3) \$45,000,000 for fiscal year 2020;
 "(4) \$50,000,000 for fiscal year 2021;
 "(5) \$55,000,000 for fiscal year 2022;
 "(6) \$60,000,000 for fiscal year 2023;
 "(7) \$65,000,000 for fiscal year 2024;
 "(8) \$70,000,000 for fiscal year 2025;
 "(9) \$75,000,000 for fiscal year 2026;
 "(10) \$80,000,000 for fiscal year 2027; and
 "(11) for fiscal year 2028, and each subsequent fiscal year, the amount appropriated for the preceding fiscal year adjusted by the greater of the annual percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) as rounded up in an appropriate manner, or the percentage increase for the fiscal year involved under section 10503(b)(1)(P) of the Patient Protection and Affordable Care Act."

(b) **LIMITATION.**—Amounts otherwise appropriated for Nurse Practitioner Residency Training Programs may not be reduced as a result of the appropriations made under this section.

(c) **AVAILABILITY OF FUNDS.**—Amounts appropriated under this section shall remain available until expended.

SA 618. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ CONDITIONS ON AWARD OF DRUG EXCLUSIVITY.

Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by adding at the end the following:

"SEC. 569D. CONDITIONS ON AWARD OF DRUG EXCLUSIVITY.

"(a) **TERMINATION OF EXCLUSIVITY.**—Notwithstanding any other provision of this Act, any period of exclusivity described in subsection (b) granted to a person or assigned to a person on or after the date of enactment of this section with respect to a drug shall be terminated if the person to which such exclusivity was granted or any person to which such exclusivity is assigned commits a violation described in subsection (c)(1) with respect to such drug.

"(b) **EXCLUSIVITIES AFFECTED.**—The periods of exclusivity described in this subsection are those periods of exclusivity granted under any of the following sections:

"(1) Clause (ii), (iii), or (iv) of section 505(c)(3)(E).

"(2) Clause (iv) of section 505(j)(5)(B).

"(3) Clause (ii), (iii), or (iv) of section 505(j)(5)(F).

"(4) Section 505A.

"(5) Section 505E.

"(6) Section 527.

"(7) Section 351(k)(7) of the Public Health Service Act.

"(8) Any other provision of this Act that provides for market exclusivity (or extension of market exclusivity) with respect to a drug.

"(c) **VIOLATIONS.**—

“(1) IN GENERAL.—A violation described in this subsection is a violation of a law described in paragraph (2) that results in—

“(A) a criminal conviction of a person described in subsection (a);

“(B) a civil judgment against a person described in subsection (a); or

“(C) a settlement agreement in which a person described in subsection (a) admits to fault.

“(2) LAWS DESCRIBED.—The laws described in this paragraph are the following:

“(A) The provisions of this Act that prohibit—

“(i) the adulteration or misbranding of a drug;

“(ii) the making of false statements to the Secretary or committing fraud; or

“(iii) the illegal marketing of a drug.

“(B) The provisions of subchapter III of chapter 37 of title 31, United States Code (commonly known as the ‘False Claims Act’).

“(C) Section 287 of title 18, United States Code.

“(D) The Medicare and Medicaid Patient Protection and Program Act of 1987 (commonly known as the ‘Antikickback Statute’).

“(E) Section 1927 of the Social Security Act.

“(F) A State law against fraud comparable to a law described in subparagraphs (A) through (E).

“(d) DATE OF EXCLUSIVITY TERMINATION.—The date on which the exclusivity shall be terminated as described in subsection (a) is the date on which, as applicable—

“(1) a final judgment is entered relating to a violation described in subparagraph (A) or (B) of subsection (c)(1); or

“(2)(A) a settlement agreement described in subsection (c)(1)(C) is approved by a court order that is or becomes final and nonappealable; or

“(B) if there is no court order approving a settlement agreement described in subsection (c)(1)(C), a court order dismissing the applicable case, issued after the settlement agreement, is or becomes final and nonappealable.

“(e) REPORTING OF INFORMATION.—A person described in subsection (a) that commits a violation described in subsection (c)(1) shall report such violation to the Secretary no later than 30 days after the date that—

“(1) a final judgment is entered relating to a violation described in subparagraph (A) or (B) of subsection (c)(1); or

“(2)(A) a settlement agreement described in subsection (c)(1)(C) is approved by a court order that is or becomes final and nonappealable; or

“(B) if there is no court order approving a settlement agreement described in subsection (c)(1)(C), a court order dismissing the applicable case, issued after the settlement agreement, is or becomes final and nonappealable.”.

SA 619. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DENTAL CLINICS IN SCHOOLS.

Part Q of title III of the Public Health Service Act (42 U.S.C. 280h et seq.) is amended by adding at the end the following:

“SEC. 399Z-3. DENTAL CLINICS IN SCHOOLS.

“(A) IN GENERAL.—The Secretary shall award grants to qualified entities for the purpose of funding the building, operation, or expansion of dental clinics in schools.

“(b) QUALIFIED ENTITIES.—To receive a grant under this section, a qualified entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(c) REQUIREMENTS.—An entity receiving a grant under this section shall—

“(1) provide comprehensive oral health services at a dental clinic based at a school, including oral health education, oral screening, fluoride application, prophylaxis, sealants, and basic restorative services;

“(2) develop a coordinated system of care by referring patients to an available qualified oral health provider in the community for any required oral health services not provided in the dental clinic in the school, including restorative services, to ensure that all the oral health needs of students are met; and

“(3) maintain clinic hours that extend beyond school hours.

“(d) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there is authorized to be appropriated such sums as may be necessary for fiscal years 2018 through 2021.”.

SA 620. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 112 and insert the following:

SEC. 112. REPEAL OF MEDICAID EXPANSION.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2017,” after “2014.”;

(ii) in clause (ii)(XX), by inserting “and ending December 31, 2017,” after “2014.”; and

(iii) in clause (ii), by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2018, who are grandfathered expansion enrollees (as defined in subsection (nn)(1));”;

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

“(nn) GRANDFATHERED EXPANSION ENROLLEES.—

“(1) IN GENERAL.—In this title, the term ‘grandfathered expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i);

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; and

“(F) was enrolled under the State plan under this title (or a waiver of such plan) as of December 31, 2017.

“(2) STATE OPTION TO LIMIT ELIGIBILITY.—A State may deem an individual who is a

grandfathered expansion enrollee to no longer be a grandfathered expansion enrollee if, after December 31, 2017, such individual has a break in eligibility for medical assistance under the State plan under this title for such a period of time as the State may specify (but which shall in no case be less than 6 months).

“(3) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to grandfathered expansion enrollees.”; and

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1)—

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

(I) by inserting “and that has elected to cover newly eligible individuals before March 1, 2017” after “that is one of the 50 States or the District of Columbia”; and

(II) by striking “shall be equal to” and inserting “who, for periods after December 31, 2019, are grandfathered expansion enrollees (as defined in section 1902(nn)(1)), shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”; and

(ii) in subparagraph (D), by striking “and” after the semicolon; and

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

“(E) 90 percent for calendar quarters in 2020;

“(F) 85 percent for calendar quarters in 2021;

“(G) 80 percent for calendar quarters in 2022; and

“(H) 75 percent for calendar quarters in 2023.”; and

(B) in subsection (z)(2)—

(i) in subparagraph (A)—

(I) by inserting “through 2023” after “each year thereafter”; and

(II) by striking “shall be equal to” and inserting “and for periods after December 31, 2019 and before January 1, 2024, who are grandfathered expansion enrollees (as defined in section 1902(nn)(1)) shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”; and

(ii) in subparagraph (B)(ii)—

(I) in subclause (III), by adding “and” at the end; and

(II) by striking subclauses (IV), (V), and (VI) and inserting the following new subclause:

“(IV) 2017 and each subsequent year through 2023 is 80 percent.”.

(b) TEMPORARY INCREASE TO PER CAPITA CAPS.—Section 1903A(c) of the Social Security Act, as added by this Act, is amended by adding at the end the following new paragraph:

“(6) INCREASE TO STATE EXPENDITURES TARGETS.—

“(A) IN GENERAL.—For each of fiscal years 2020 through 2026, in determining the target total medical assistance expenditures for a State and fiscal year under paragraph (1), the Secretary shall increase, by the amount determined for the State and year under subparagraph (B), the sum of the products, for each of the 1903A enrollee categories (as defined in subsection (e)(2)) except for the category described in subsection (e)(2)(D), of the target per capita medical assistance expenditures (as defined in paragraph (2)) for the enrollee category, State, and fiscal year, and

the number of 1903A enrollees for such enrollee category, State, and fiscal year, as determined under subsection (e)(4).

“(B) ADJUSTMENT.—The amount determined under this subparagraph for a State and year shall be equal to the annual increase amount for the year (as defined in subparagraph (C)) multiplied by the ratio of—

“(i) the average monthly number of individuals enrolled in the State plan under this title (including, if applicable, individuals enrolled in a Medicaid Flexibility Program conducted by the State under section 1903B but excluding any individual enrolled under section 1902(a)(10)(A)(ii)(XXIII)) for the previous fiscal year; to

“(ii) the sum of the average monthly numbers of individuals enrolled in a State plan under this title (including, if applicable, individuals enrolled in a Medicaid Flexibility Program conducted by a State under section 1903B but excluding any individual enrolled under section 1902(a)(10)(A)(ii)(XXIII)) for the previous fiscal year for all States.

“(C) ANNUAL INCREASE AMOUNT.—In this paragraph, the term ‘annual increase amount’ means, with respect to a fiscal year during the period described in subparagraph (A), an amount equal to the total amount of additional Federal payments which would have been made for medical assistance provided to individuals under subclause (XXIII) of section 1902(a)(10)(A)(ii) for such fiscal year if the requirement described in section 1902(nn)(1)(F) (relating to enrollment as of December 31, 2017) did not apply (as determined by the Director of the Office of Management and Budget).

“(D) DISREGARD OF INCREASE.—Any adjustment under this paragraph to target total medical assistance expenditures for a State and fiscal year shall be disregarded when determining the target total medical assistance expenditures for such State for a succeeding year under paragraph (1).”

(C) EXPANSION REPEAL SAVINGS PAYMENTS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary of Health and Human Services shall make a payment to each State in the amount determined for the State under paragraph (3).

(2) USE OF FUNDS.—

(A) IN GENERAL.—A State shall use any payment received under this section to finance the non-Federal share of expenditures under the State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) which are not attributable to medical assistance provided to individuals under subclause (XXIII) of section 1902(a)(10)(A)(ii) of such Act for the year in which such payment is received.

(B) NONAPPLICATION OF RESTRICTIONS.—Any provision of law restricting the use of Federal funds for the purpose described in subparagraph (A) shall not apply to payments made to States under this subsection.

(3) PAYMENT AMOUNTS.—The amount of a payment determined under this paragraph for a State shall be equal to the product of—

(A) the amount appropriated under paragraph (4); and

(B) the ratio of—

(i) the average monthly number of individuals enrolled in the State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) for calendar year 2016, excluding any individuals enrolled under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) of such Act; to

(ii) the sum of the average monthly numbers of individuals enrolled in State plans

under such title XIX for calendar year 2016 for all States, excluding any individuals enrolled under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) of such Act.

(4) APPROPRIATION.—For the purpose of carrying out this subsection, there is appropriated to the Secretary of Health and Human Services for fiscal year 2018 to remain available until expended, an amount equal to the total amount of additional Federal payments which would have been made for medical assistance provided to individuals under subclause (XXIII) of section 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) for the period beginning on January 1, 2018 and ending on September 30, 2019, if the requirement described in section 1902(nn)(1)(F) of such Act (relating to enrollment as of December 31, 2017) did not apply (as determined by the Director of the Office of Management and Budget).

(d) SUNSET OF ESSENTIAL HEALTH BENEFITS REQUIREMENT.—Section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u–7(b)(5)) is amended by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”

SA 621. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. ____ . AUTHORIZATION OF PHYSICAL THERAPIST ASSISTANTS AND OCCUPATIONAL THERAPY ASSISTANTS TO PROVIDE SERVICES UNDER THE TRICARE PROGRAM.

(a) ADDITION TO LIST OF AUTHORIZED PROFESSIONAL PROVIDERS OF CARE.—The Secretary of Defense shall revise section 199.6(c) of title 32, Code of Federal Regulations, as in effect on the date of the enactment of this Act, to add to the list of individual professional providers of care who are authorized to provide services to beneficiaries under the TRICARE program, as defined in section 1072 of title 10, United States Code, the following types of health care practitioners:

(1) Licensed or certified physical therapist assistants who meet the qualifications for physical therapist assistants specified in section 484.4 of title 42, Code of Federal Regulations, or any successor regulation, to furnish services under the supervision of a physical therapist.

(2) Licensed or certified occupational therapy assistants who meet the qualifications for occupational therapy assistants specified in such section 484.4, or any successor regulation, to furnish services under the supervision of an occupational therapist.

(b) SUPERVISION.—The Secretary of Defense shall establish in regulations requirements for the supervision of physical therapist assistants and occupational therapy assistants, respectively, by physical therapists and occupational therapists, respectively.

(c) MANUALS AND OTHER GUIDANCE.—The Secretary of Defense shall update the CHAMPVA Policy Manual and other relevant manuals and subregulatory guidance of the Department of Defense to carry out the revisions and requirements of this section.

SA 622. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XIV, add the following:

SEC. 1433. AUTHORITY OF CHIEF OPERATING OFFICER OF THE ARMED FORCES RETIREMENT HOME TO ACQUIRE AND LEASE PROPERTY.

(a) ACQUISITION OF PROPERTY.—Subsection (e) of section 1511 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411) is amended—

(1) in paragraph (2)—

(A) by striking “Secretary of Defense may acquire,” and inserting “Chief Operating Officer may acquire,”; and

(B) by striking “Secretary may acquire” and inserting “Chief Operating Officer may acquire”; and

(2) in paragraph (3)—

(A) by striking “Secretary of Defense determines” and inserting “Chief Operating Officer determines”; and

(B) by striking “Secretary shall dispose” and inserting “Chief Operating Officer shall dispose”.

(b) LEASING OF NONEXCESS PROPERTY.—Subsection (i) of such section is amended—

(1) in paragraph (1)—

(A) by striking “Secretary of Defense (acting on behalf of the Chief Operating Officer)” and inserting “Chief Operating Officer”; and

(B) by striking “as the Secretary considers” and inserting “(subject to paragraph (7)) as the Chief Operating Officer considers”;

(2) in paragraph (5), by striking “the Secretary of Defense may not enter into the lease on behalf of the Chief Operating Officer” and inserting “the Chief Operating Officer may not enter into the lease”;

(3) in paragraph (6)(A), by striking “Secretary of Defense” and inserting “Chief Operating Officer”;

(4) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(5) by inserting after paragraph (6) the following new paragraph (7):

“(7) A lease under this subsection may not be entered into until the terms of the lease are approved by the Secretary of Defense.”.

SA 623. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle ____ of title ____, add the following new section:

SEC. ____ . DEPARTMENT OF DEFENSE CYBER WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense may carry out a pilot program to be known as the “Cyber Workforce Development Pilot Program” (in this section referred to as the “Pilot Program”) under

which the Secretary shall provide funds, in addition to other funds that may be available, for the recruitment, training, professionalization, and retention of personnel in the cyber workforce of the Department of Defense.

(b) **PURPOSE.**—The purpose of the Pilot Program shall be to assess the effectiveness of carrying out a full-scale talent management program to ensure that the cyber workforce of the Department of Defense has the capacity, in both personnel and skills, needed to effectively perform its cyber missions and the kinetic missions affected by cyber activities.

(c) **MANAGEMENT.**—The Pilot Program shall be managed by the Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense.

(d) **GUIDANCE.**—The Chief Information Officer, in consultation with the Principal Cyber Advisor to the Secretary of Defense, shall issue guidance for the administration of the Pilot Program. Such guidance shall include provisions that—

(1) identify areas of need in the cyber workforce that funds under the Pilot Program may be used to address, including—

(A) changes to the types of skills needed in the cyber workforce;

(B) capabilities to develop the cyber workforce and assist members of the cyber workforce in achieving qualifications and professionalization through activities such as training, education, and exchange programs;

(C) incentives to retain qualified, experienced cyber workforce personnel; and

(D) incentives for attracting new, high-quality personnel to the cyber workforce;

(2) describe the process under which entities may submit an application to receive funds under the Pilot Program;

(3) describe the evaluation criteria to be used for approving or prioritizing applications for funds under the Pilot Program in any fiscal year; and

(4) describe measurable objectives of performance for determining whether funds under the Pilot Program are being used in compliance with this section.

(e) **CONSIDERATIONS.**—When selecting entities to provide training and education services under the Pilot Program, consideration shall be given to whether the entity providing such services is a Center of Academic Excellence in Information Assurance Education (as that term is defined in section 2200e of title 10, United States Code).

(f) **ANNUAL REPORT.**—Not later than 120 days after the end of each fiscal year for which funds are appropriated for the Pilot Program, the Secretary shall submit to the congressional defense committees a report on the operation of the Pilot Program during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) A description of the expenditures made under the Pilot Program (including expenditures following a transfer of funds under the Pilot Program to a military department or Defense Agency) in such fiscal year, including the purpose of such expenditures.

(2) A description and assessment of improvements in the Department of Defense cyber workforce resulting from such expenditures.

(3) Recommendations for additional authorities to fulfill the purpose of the Pilot Program.

(4) A statement of the funds that remain available under the Pilot Program at the end of such fiscal year.

(g) **TERMINATION.**—The Pilot Program and the annual reporting requirement under subsection (f) shall each terminate on the date that is five years after the date on which funds are first appropriated for the Pilot Program and any funds not obligated or expended under the Pilot Program on that date shall be deposited in the general fund of the Treasury of the United States.

(h) **CYBER WORKFORCE DEFINED.**—In this section, the term “cyber workforce” means the following:

(1) Personnel in positions that require the performance of cybersecurity or other cyber-related functions as so identified pursuant to the Federal Cybersecurity Workforce Assessment Act of 2015 (Public Law 114–113; 5 U.S.C. 301 note).

(2) Military personnel or civilian employees of the Department of Defense who are not described in paragraph (1) but who—

(A) are assigned functions that contribute significantly to cyber operations; and

(B) are designated as temporary members of the cyber workforce by the Chief Information Officer of the Department of Defense, or by the head of a military department or Defense Agency, for the limited purpose of receiving training for the performance of cyber-related functions.

SA 624. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page ___, between lines ___ and ___, insert the following:

(3) affect the integrity or outcome of United States elections at any level, including at the Federal, State, and local levels;

SA 625. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Outsourcing Prevention

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Defending American Jobs Act”.

SEC. 1092. WORKFORCE DISCLOSURE REQUIREMENTS FOR DEFENSE CONTRACTS.

(a) **INFORMATION REQUIRED.**—The Secretary of Defense shall require each contractor that enters into a contract with the Department of Defense for the procurement of property or services to provide to the Department, on an annual basis for the duration of the contract, the following information:

(1) The number of individuals employed by the contractor in the United States.

(2) The number of individuals employed by the contractor outside the United States.

(3) A description of the wages and employee benefits being provided to the employees of the contractor in the United States.

(4) A description of the wages and employee benefits being provided to the employees of the contractor outside the United States.

(b) **CERTIFICATION REGARDING LAYOFFS.**—Beginning on the date that is one year after a contractor enters into a contract described under subsection (a), and annually thereafter for the duration of the contract, the contractor shall provide, in addition to the information required under subsection (a), a written certification that contains the following information:

(1) The percentage of the workforce of the contractor employed in the United States that has been laid off or induced to resign from the contractor during the 12-month period preceding the submission of the certification.

(2) The percentage of the total workforce of the contractor that has been laid off or induced to resign from the contractor during the 12-month period preceding the submission of the certification.

(c) **PROHIBITION ON AWARDED CONTRACTS TO DEFENSE CONTRACTORS THAT LAY OFF A GREATER PERCENTAGE OF WORKERS IN THE UNITED STATES THAN IN OTHER COUNTRIES.**—Notwithstanding any other provision of law, if, in the written certification provided to the Department of Defense by a contractor under subsection (b), the percentage described in paragraph (1) of such subsection is greater than the percentage described in paragraph (2) of such subsection, the contractor shall be ineligible for further contracts with the Department of Defense until the contractor provides to the Department a written certification that the number of employees of the contractor in the United States is in the same proportion as, or has increased in proportion to, the number of the employees of the contractor worldwide as of the later of—

(1) the date the contractor last made a certification under subsection (b) concerning the contract that did not cause the contractor to become ineligible under this subsection for a Department of Defense contract; or

(2) the date on which the contractor entered into the contract for which the certification is being made.

SA 626. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON DEFENSE CONTRACTING FRAUD.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on defense contracting fraud.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) A summary of fraud-related criminal convictions and civil judgements or settlements over the previous five fiscal years.

(2) A listing of contractors that within the previous five fiscal years performed contracts for the Department of Defense and

were debarred or suspended from Federal contracting based on a criminal conviction for fraud.

(3) An assessment of the total value of Department of Defense contracts entered into during the previous five fiscal years with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government.

(4) Recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government, including an update on implementation by the Department of any previous such recommendations.

SA 627. Mr. CARDIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **STRIKING PROVISIONS THAT NEGATIVELY IMPACT THE ACCESSIBILITY AND AFFORDABILITY OF PEDIATRIC DENTAL SERVICES.**

Any provision of this Act shall be null and void and of no effect if such provision would—

(1) eliminate, limit access to, or reduce the affordability of pediatric dental services by repealing all or parts of the Affordable Care Act, block granting or imposing per capita caps on the Medicaid program; or

(2) otherwise negatively impact children's access to coverage for such services.

SA 628. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **TO STRIKE PROVISIONS THAT WOULD ELIMINATE OR REDUCE CONSUMER PROTECTIONS PROVIDED BY THE PATIENT'S BILL OF RIGHTS UNDER PPACA.**

Any provision of this Act shall be null and void and of no effect if such provision would eliminate or reduce the consumer protections provided by the Patient's Bill of Rights under the Patient Protection and Affordable Care Act, including—

(1) the ban on health plans discriminating against adults and children with pre-existing conditions, dropping coverage, limiting coverage under a health plan, limiting choice of doctors, or restricting emergency room care;

(2) the guarantee of a health plan enrollee's right to appeal;

(3) coverage of young adults under their parent's health plans; and

(4) coverage under a health plan of preventive care with no cost-sharing.

SA 629. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for

reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **POINT OF ORDER AGAINST LEGISLATION THAT WOULD DESTABILIZE THE INDIVIDUAL HEALTH INSURANCE MARKET IN 2018.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would destabilize the individual health insurance market in 2018.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 630. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **POINT OF ORDER AGAINST LEGISLATION THAT WOULD INCREASE MEDICAL BANKRUPTCIES.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase the number of medical bankruptcies in the United States.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 631. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **POINT OF ORDER AGAINST LEGISLATION THAT WOULD DECREASE ACCESS TO MEDICATION ASSISTED TREATMENT.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would decrease access to medication assisted treatment.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 632. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 820, line 14, insert “, cost of backup power,” after “energy security”.

SA 633. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. **LIMITATION ON MODIFICATION OF STATUS OF TRANSGENDER MEMBERS OF THE ARMED FORCES.**

(a) **LIMITATION.**—No action described in subsection (b) may be taken with respect to transgender members of the Armed Forces until 60 days after the date of the submittal to Congress of a report on the six-month review being conducted by the Secretary of Defense in order to evaluate the impact of accessions of transgender individuals into the Armed Forces on readiness and lethality that will include all relevant considerations.

(b) **ACTIONS.**—An action described in this subsection with respect to transgender members of the Armed Forces is any of the following in connection with the nature of such members as transgender individuals:

(1) A modification of service status in the Armed Forces (other than through the normal expiration of service commitment or pursuant to a sentence of court-martial or administrative board action).

(2) A modification of current entitlement or eligibility for health care benefits as a member of the Armed Forces, or of the scope or nature of benefits to which entitled or eligible.

(3) Any change of responsibility or position (other than through promotion or routine reassignment or deployment).

SA 634. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.**

(a) **FINDINGS.**—Congress finds the following:

(1) World War II was one of the most consequential events in the history of the

United States, and it represents a time of moral clarity and common purpose that continues to inspire people in the United States.

(2) The courage, bravery, and heroism of United States aviators played a critical role in the success of the United States during World War II.

(3) The National Museum of World War II Aviation in Colorado Springs, Colorado, is the only museum in the United States that exists exclusively to preserve and advance education on the role of aviation in winning World War II.

(4) The National Museum of World War II Aviation celebrates the spirit of the United States, recognizing the teamwork, collaboration, patriotism, and courage of the men and women who fought in the war abroad, as well as those who mobilized and supported the national aviation effort on the homefront.

(b) **RECOGNITION.**—The National Museum of World War II Aviation in Colorado Springs, Colorado, is recognized as America's National World War II Aviation Museum.

(c) **EFFECT OF RECOGNITION.**—The National Museum recognized by this section is not a unit of the National Park System, and the recognition of the National Museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the National Museum.

SA 635. Mr. KAINE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1606 and insert the following:

SEC. 1606. LAUNCH SUPPORT AND INFRASTRUCTURE MODERNIZATION.

(a) **IN GENERAL.**—In support of the policy outlined in section 2273 of title 10, United States Code, the Secretary of Defense shall carry out a program to modernize infrastructure and improve support activities for processing and launch of United States national security space missions from Federal ranges.

(b) **ELEMENTS.**—The program required by this section shall include—

(1) investments in infrastructure to improve operations at ranges in the United States that launch national security space missions that may benefit all users, to enhance the overall capabilities of those ranges, to improve safety, and to reduce the long-term cost of operations and maintenance;

(2) measures to normalize processes, systems, and products across the ranges described in paragraph (1) to minimize the burden on launch providers; and

(3) improvements in transparency, flexibility, and responsiveness for launch scheduling.

(c) **CONSULTATION.**—In carrying out the program required by this section, the Secretary should consult with current and anticipated users of ranges in the United States that launch national security space missions.

(d) **COOPERATION.**—In carrying out this section, the Secretary should consider partnerships authorized under section 2276 of title 10, United States Code.

(e) **REPORT.**—

(1) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this

Act, the Secretary shall submit to the congressional defense committees a report on the plan for the implementation of the launch support and infrastructure modernization program at ranges in the United States that launch national security space missions.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include—

(A) a description of plans and the resources needed to improve launch support infrastructure, utilities, support equipment, and range operations;

(B) a description of plans to streamline and normalize processes, systems, and products at ranges described in paragraph (1) to ensure consistency for range users; and

(C) recommendations for improving transparency, flexibility, and responsiveness in launch scheduling.

SA 636. Mr. PERDUE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1003 and insert the following:

SEC. _____. CERTIFICATIONS ON RELIABILITY OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE AND THE MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND OTHER ORGANIZATIONS AND ELEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) **DEPARTMENT OF DEFENSE.**—Not later than September 30, 2017, and each year thereafter, the Secretary of Defense shall certify to the congressional defense committees whether or not the full financial statements of the Department of Defense are reliable as of the date of such certification.

(b) **MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND OTHER ORGANIZATIONS AND ELEMENTS.**—

(1) **IN GENERAL.**—Not later than September 30, 2017, and each year thereafter, each Secretary of a military department, each head of a Defense Agency, and each head of any other organization or element of the Department of Defense designated by the Secretary of Defense for purposes of this subsection shall certify to the congressional defense committees whether or not the full financial statements of the military department, the Defense Agency, or the organization or element concerned became reliable during the fiscal year in which such certification is to be submitted.

(2) **TRANSMITTAL THROUGH SECRETARY OF DEFENSE.**—The individual certifications required by this subsection shall be transmitted to the congressional defense committees collectively by the Secretary under procedures established by the Secretary for purposes of this subsection.

(c) **TERMINATION ON RECEIPT OF UNMODIFIED AUDIT OPINION ON FULL FINANCIAL STATEMENTS.**—A certification is no longer required under subsection (a) or (b) with respect to the Department of Defense, or a military department, Defense Agency, or organization or element of the Department, as applicable, after the Department of Defense or such military department, Defense Agency, or organization or element receives an unmodi-

fied audit opinion on its full financial statements.

SEC. _____. STREAMLINING OF REQUIREMENTS IN CONNECTION WITH AUDITS AND THE RELIABILITY OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) **REPEAL OF LIMITATION ON INSPECTOR GENERAL CONDUCT OF AUDIT OF UNRELIABLE FINANCIAL STATEMENTS.**—Section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 113 note) is amended by striking subsection (d).

(b) **CESSATION OF APPLICABILITY OF FINANCIAL IMPROVEMENT AND AUDIT READINESS PLAN REQUIREMENTS.**—Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2222 note) is amended by adding at the end the following new subsection:

“(d) **CESSATION OF APPLICABILITY.**—This section and the requirements of this section shall cease to be effective on the date on which the Secretary of Defense submits to the congressional defense committees a report setting forth a certification that the financial statements of each department, agency, activity, and other component of the Department of Defense are under audit.”.

SEC. _____. RANKINGS OF AUDITABILITY OF FINANCIAL STATEMENTS OF THE ORGANIZATIONS AND ELEMENTS OF THE DEPARTMENT OF DEFENSE.

Not later than 30 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall, in coordination with the Under Secretary of Defense (Comptroller), submit to the congressional defense committees a report setting forth a ranking of the auditability of the financial statements of the departments, agencies, organizations, and elements of the Department of Defense according to the progress made toward achieving auditability as required by law. The Under Secretary shall determine the criteria to be used for purposes of the rankings.

SA 637. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PERMANENT DISABILITY RATED AS TOTAL.

(a) **AVAILABILITY OF TRANSPORTATION.**—Section 2641b of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) **SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.**—(1) The Secretary of Defense shall provide transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any veteran with a service-connected, permanent disability rated as total.

“(2) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the travel program, the Secretary shall provide transportation under paragraph (1) on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

“(3) The requirement to provide transportation on Department of Defense aircraft on a space-available basis on the priority basis described in paragraph (2) to veterans covered by this subsection applies whether or not the travel program is established under this section.

“(4) In this subsection, the terms ‘veteran’ and ‘service-connected’ have the meanings given those terms in section 101 of title 38.”.

(b) **EFFECTIVE DATE.**—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a)(2) of this section, shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SA 638. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. _____. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) **IN GENERAL.**—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and such military historians as the Secretary of Defense considers appropriate, shall establish a process to determine whether a covered individual served as described in subsection (a) or (b) of section 107 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) **COVERED INDIVIDUALS.**—For purposes of this section, a covered individual is any individual who—

(1) claims service described in subsection (a) or (b) of section 107 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Guerilla Roster of 1948, known as the “Missouri List”.

SA 639. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title VI, add the following:

SEC. _____. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) **EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CON-**

NECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(b) **CLERICAL AMENDMENTS.**—

(1) The heading of section 1414 of such title is amended to read as follows:

“§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation”.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

“1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on January 1, 2018, and shall apply to payments for months beginning on or after that date.

SEC. _____. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) **AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.**—

(1) **QUALIFIED RETIREES.**—Subsection (a) of section 1414 of title 10, United States Code, as amended by section ____ (a), is amended—

(A) by striking “a member or” and all that follows through “retiree”)” and inserting “a qualified retiree”; and

(B) by adding at the end the following new paragraph:

“(2) **QUALIFIED RETIREES.**—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

“(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

“(B) is also entitled for that month to veterans' disability compensation.”.

(2) **DISABILITY RETIREES.**—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

“(2) **SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.**—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

“(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

“(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on January 1, 2018, and shall apply to payments for months beginning on or after that date.

SA 640. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 583. STRATEGY ON TRANSITION OF MEMBERS OF THE ARMED FORCES WITH EXPERIENCE AND SKILLS IN UNMANNED AIRCRAFT SYSTEMS TO FEDERAL AGENCIES WITH POSITIONS REQUIRING SUCH SKILLS AND EXPERIENCE.

The Secretary of Defense shall, in consultation with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration, submit to Congress a report setting forth a strategy for means to facilitate and encourage members of the Armed Forces with experience and skills in unmanned aircraft systems to obtain positions with Federal agencies requiring such skills and experience after their separation from military service.

SA 641. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 654. PROHIBITION ON THE PRIVATIZATION OF THE DEFENSE COMMISSARY SYSTEM.

The Secretary of Defense may not privatize the defense commissary system under chapter 147 of title 10, United States Code.

SA 642. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVIEW OF TAP FOR WOMEN.

The Secretary of Defense shall conduct a comprehensive review of the Transition Assistance Program to ensure that it addresses the unique challenges and needs of women as they transfer from the Armed Forces to civilian life.

SA 643. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PROGRAM TO ENCOURAGE MILITARY MEDICAL PROFESSIONALS TRANSITIONING OUT OF THE ARMED FORCES TO SEEK EMPLOYMENT WITH THE VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—The Secretary of Defense shall establish a program to encourage individuals who are transitioning out of the Armed Forces and who served in the Armed Forces with a military occupational specialty relating to the provision of health care to seek employment with the Veterans Health Administration of the Department of Veterans Affairs.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to create any additional authority not otherwise provided in law to convert a former member of the Armed Services to an employee of the Veterans Health Administration; or

(2) to circumvent any existing requirement relating to a detail, reassignment, or other transfer of such a former member to the Veterans Health Administration.

SA 644. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. _____. REPORT ON THE IMPACT OF THE YUCCA MOUNTAIN NUCLEAR WASTE REPOSITORY ON NELLIS AIR FORCE BASE AND CREECH AIR FORCE BASE, NEVADA.

Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report setting forth a study, conducted by the Secretary for purposes of the report, of proposed operations at the Yucca Mountain Nuclear Waste Repository, including transportation routes, on operations at each of the following:

- (1) Nellis Air Force Base, Nevada.
- (2) Creech Air Force Base, Nevada.

SA 645. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. GAO ANALYSIS OF CO-OP PLANS.

Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct an analysis, and submit to Congress a report concerning the results of such analysis, of the health insurance issuers that participated in the Consumer Operated and Oriented Plan program under section 1322 of the Patient Protection and Affordable Care Act (42 U.S.C. 18042) and are no longer offering such a Plan under such program.

SA 646. Mr. SASSE submitted an amendment intended to be proposed to

amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO 150 PERCENT OF THE AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “150 percent of the amount in effect under subsection (c)(2)(A)(i)(I)”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking “\$4,500” and inserting “150 percent of the amount in effect under subsection (c)(2)(A)(i)(II)”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking “subsections (b)(2) and” both places it appears and inserting “subsection”, and

(2) in subparagraph (B), by striking “determined by” and all that follows through “‘calendar year 2003’.” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SA 647. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF ESSENTIAL HEALTH BENEFITS REQUIREMENT.

On January 1, 2018, section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022) shall have no force or effect.

SA 648. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF AGE RATING RESTRICTIONS.

Section 2701(a)(1)(A)(ii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(ii)) is amended by striking “, except that” and all that follows through “‘2707(c)’”.

SA 649. Mr. ALEXANDER (for himself, Mr. BARRASSO, Mr. GRASSLEY, and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concur-

rent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WAIVERS FOR STATE INNOVATION.

(a) IN GENERAL.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

“(i) a description of how the State plan meeting the requirements of a waiver under this section would, with respect to health insurance coverage within the State—

“(I) take the place of the requirements described in paragraph (2) that are waived; and

“(II) provide for alternative means of, and requirements for, increasing access to comprehensive coverage, reducing average premiums, providing consumers the freedom to purchase the health insurance of their choice, and increasing enrollment in private health insurance; and”; and

(II) in clause (ii), by striking “that is budget neutral for the Federal Government” and inserting “, demonstrating that the State plan does not increase the Federal deficit”; and

(ii) in subparagraph (C), by striking “the law” and inserting “a law or has in effect a certification”; and

(B) in paragraph (3)—

(i) in the first sentence, by inserting “or would qualify for a reduction in” after “would not qualify for”; and

(ii) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.”;

(iii) in the paragraph heading, by striking “PASS THROUGH OF FUNDING” and inserting “FUNDING”; and

(iv) by striking “With respect” and inserting the following:

“(A) PASS THROUGH OF FUNDING.—With respect”; and

(v) by adding at the end the following:

“(B) ADDITIONAL FUNDING.—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, \$2,000,000,000 for fiscal year 2017, to remain available until the end of fiscal year 2019, to provide grants to States for purposes of submitting an application for a waiver granted under this section and implementing the State plan under such waiver.

“(C) AUTHORITY TO USE LONG-TERM STATE INNOVATION AND STABILITY ALLOTMENT.—If the State has an application for an allotment under section 2105(i) of the Social Security Act for the plan year, the State may use the funds available under the State’s allotment for the plan year to carry out the State plan under this section, so long as such use is consistent with the requirements of paragraphs (1) and (7) of section 2105(i) of such Act (other than paragraph (1)(B) of such section). Any funds used to carry out a State plan under this subparagraph shall not be considered in determining whether the State plan increases the Federal deficit.”;

(2) in subsection (b)—

(A) in paragraph (1)—

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

(I) by striking “may” and inserting “shall”; and

(II) by striking “only if” and inserting “unless”; and

(ii) by striking “plan—” and all that follows through the period at the end of subparagraph (D) and inserting “application is missing a required element under subsection (a)(1) or that the State plan will increase the Federal deficit, not taking into account any amounts received through a grant under subsection (a)(3)(B).”;

(B) in paragraph (2)—

(I) in the paragraph heading, by inserting “OR CERTIFY” after “LAW”;

(ii) in subparagraph (A), by inserting before the period “, and a certification described in this paragraph is a document, signed by the Governor, and the State insurance commissioner, of the State, that provides authority for State actions under a waiver under this section, including the implementation of the State plan under subsection (a)(1)(B).”; and

(iii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “OF OPT OUT”; and

(II) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A); or

“(ii) terminating a certification described in subparagraph (A), through a certification for such termination signed by the Governor, and the State insurance commissioner, of the State.”;

(3) in subsection (d)—

(A) in paragraph (2)(B), by striking “and the reasons therefore” and inserting “and the reasons therefore, and provide the data on which such determination was made”; and

(B) by adding at the end the following:

“(3) **EXPEDITED DETERMINATION.**—The Secretary shall establish an expedited determination process in which a State may request that a determination on an application under subsection (a)(1) be made not later than 45 days after the receipt of such application. A State may request an expedited determination by the Secretary under such process if the State determines the time for determination under paragraph (1) would prevent a State from responding in a timely manner to an urgent situation with respect to ensuring access to private health insurance coverage within such State or a portion of such State for the current or following plan year.”; and

(4) in subsection (e), by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 8 years unless the State requests a shorter duration; “(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

“(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).”.

(b) **APPLICABILITY.**—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall apply as follows:

(1) In the case of a State for which a waiver under such section was granted prior to the date of enactment of this Act, such section 1332, as in effect on the day before the date of enactment of this Act shall apply to the waiver and State plan.

(2) In the case of a State that submitted an application for a waiver under such section

prior to the date of enactment of this Act, and which application the Secretary of Health and Human Services has not approved prior to such date, the State may elect to have such section 1332, as in effect on the day before the date of enactment of this Act, or such section 1332, as amended by subsection (a), apply to such application and State plan.

(3) In the case of a State that submits an application for a waiver under such section on or after the date of enactment of this Act, such section 1332, as amended by subsection (a), shall apply to such application and State plan.

SA 650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. ____ . REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) **IN GENERAL.**—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1017. Use of human-based methods for certain medical training

“(a) **COMBAT TRAUMA INJURIES.**—(1) Not later than October 1, 2020, the Secretary of Defense shall develop, test, and validate human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries with the goal of replacing live animal-based training methods.

“(2) Not later than October 1, 2022, the Secretary—

“(A) shall only use human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

“(B) may not use animals for such purpose.

“(b) **EXCEPTION FOR PARTICULAR COMMANDS AND TRAINING METHODS.**—(1) The Secretary may exempt a particular command, particular training method, or both, from the requirement for human-based training methods under subsection (a)(2) if the Secretary determines that human-based training methods will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

“(2) Any exemption under this subsection shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption. Any exemption may be renewed (subject to the preceding sentence).

“(c) **ANNUAL REPORTS.**—(1) Not later than October 1, 2018, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

“(2) Each report under this subsection on or after October 1, 2022, shall include a description of any exemption under subsection (b) that is in force at the time of such report, and a current justification for such exemption.

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘combat trauma injuries’ means severe injuries likely to occur during combat, including—

“(A) hemorrhage;

“(B) tension pneumothorax;

“(C) amputation resulting from blast injury;

“(D) compromises to the airway; and

“(E) other injuries.

“(2) The term ‘human-based training methods’ means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

“(A) simulators;

“(B) partial task trainers;

“(C) moulage;

“(D) simulated combat environments;

“(E) human cadavers; and

“(F) rotations in civilian and military trauma centers.

“(3) The term ‘partial task trainers’ means training aids that allow individuals to learn or practice specific medical procedures.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following new item:

“2017. Use of human-based methods for certain medical training.”.

SA 651. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MANAGEMENT OF CERTAIN LITIGATION ON BEHALF OF INDEMNIFIED PRIVATE CONTRACTORS.

(a) **IN GENERAL.**—In cases where litigation between an indemnified Department of Defense contractor and a member of the Armed Forces relating to the member's work for the contractor exceeds a period of two years without final judgement or settlement, the Department shall exercise its contractual right to manage the litigation on behalf of the contractor. In doing so, the Department shall ensure that the fiscal burden on taxpayers is minimized by avoiding unnecessarily long and expensive litigation, while simultaneously resolving the claim in a way that meets the Department's obligations to members of the Armed Forces and their families fairly and in a timely manner.

(b) **INDEMNIFIED DEPARTMENT OF DEFENSE CONTRACTOR DEFINED.**—In this section, the term “indemnified Department of Defense contractor” means a contractor that has been indemnified by the Department of Defense against civil judgments or liability for injuries, sickness, or death of members of the Armed Forces related to their work with the contractor.

SA 652. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT TO ESTABLISH REPOSITORY FOR OPERATIONAL ENERGY-RELATED RESEARCH AND DEVELOPMENT EFFORTS OF DEPARTMENT OF DEFENSE.

(a) **REPOSITORY REQUIRED.**—Not later than December 31, 2018, the Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Secretaries of the military departments, shall establish a centralized repository for all operational energy-related research and development efforts of the Department of Defense, including with respect to the inception, operational, and complete phases of such efforts.

(b) **INTERNET ACCESS.**—The Secretary of Defense shall ensure that the repository required by subsection (a) is accessible through an Internet website of the Department of Defense and by all employees of the Department and members of the Armed Forces whom the Secretary determines appropriate, including all program managers involved in such research and development efforts, to enable improved collaboration between military departments on research and development efforts described in subsection (a), enable sharing of best practices and lessons learned relating to such efforts, and reduce redundancy in such efforts.

SA 653. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 344, strike lines 1 through 7 and insert the following:

SEC. 864. MODIFICATION OF LIMITATIONS ON PROCUREMENT OF PHOTOVOLTAIC DEVICES BY THE DEPARTMENT OF DEFENSE.

(a) **REQUIREMENT TO PROVIDE PHOTOVOLTAIC DEVICES FROM UNITED STATES SOURCES.**—Section 858 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 2534 note; Public Law 113-291) is amended—

(1) in subsection (a)—

(A) by inserting “, excluding installation costs” before “, unless”; and

(B) by inserting “substantial and” before “unreasonable costs”; and

(2) in subsection (b)(1)(B)—

(A) by striking “exclusive” and inserting “principal”; and

(B) by striking “full”.

(b) **PROCUREMENT OF PHOTOVOLTAIC DEVICES.**—Section 846(b)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2534 note; Public Law 111-383) is amended—

(1) by striking “exclusive” and inserting “principal”; and

(2) by striking “full”.

SA 654. Mr. WYDEN submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 344, strike lines 1 through 7.

SA 655. Ms. KLOBUCHAR (for herself, Mr. WHITEHOUSE, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title XVI, insert the following:

SEC. ____ . PROHIBITION ON USE OF FEDERAL FUNDS FOR JOINT CYBERSECURITY INITIATIVE WITH RUSSIA.

(a) **PROHIBITION.**—No Federal funds may be used to establish, support, or otherwise promote, directly or indirectly, the formation of or any United States participation in a joint cybersecurity initiative involving the Government of the Russian Federation or any entity operation under the direction of such government.

(b) **WAIVER.**—Prohibition imposed under subsection (a) shall terminate on the date on which the President submits to the congressional defense committees a written certification that the Government of the Russian Federation has—

(1) ceased ordering, controlling, or otherwise directing, supporting, or financing, acts intended to undermine democracies around the world; and

(2) submitted a written statement acknowledging interference in the 2016 United States presidential election.

SA 656. Ms. KLOBUCHAR (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ASSISTING STATES IN ADOPTING BEST PRACTICES FOR PROTECTING THE INTEGRITY OF FEDERAL ELECTIONS.

(a) **DEVELOPMENT OF BEST PRACTICES.**—

(1) **IN GENERAL.**—The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by inserting after section 247 the following new section:

“SEC. 248. STUDY AND REPORT ON BEST PRACTICES FOR PROTECTING THE INTEGRITY OF FEDERAL ELECTIONS AND FOR STORING AND SECURING VOTER REGISTRATION DATA.

“(a) **IN GENERAL.**—The Commission, in consultation with the National Institute of

Standards and Technology, the Secretary of the Department of Homeland Security, the Election Assistance Commission Standards Board, the Election Assistance Commission Board of Advisors, the Election Assistance Commission Technical Guidelines Development Committee, the National Association of Secretaries of State, the National Association of State Election Directors, the National Association of Election Officials, the International Association of Government Officials, the National Association of State Chief Information Officers, the Multi-State Information Sharing and Analysis Center, and other stakeholders the Commission determines necessary, shall conduct a study on each of the following:

“(1) Best practices for cybersecurity of Federal elections, including best practices for storing and securing voter registration data.

“(2) Best practices for election audits.

“(b) **PUBLIC HEARINGS.**—In conducting each of the studies under this section, the Commission shall hold public hearings.

“(c) **ISSUES CONSIDERED.**—

“(1) **CYBERSECURITY OF FEDERAL ELECTIONS, INCLUDING BEST PRACTICES FOR STORING AND SECURING VOTER REGISTRATION DATA.**—In conducting the study under subsection (a)(1), the Commission shall consider the following:

“(A) The interference by foreign actors in the 2016 Federal election.

“(B) The opinion of intelligence officials that foreign states are likely to attempt to interfere in future Federal elections.

“(C) Election administration profiles based on the cybersecurity framework of the National Institute of Standards and Technology.

“(D) Best practices for storing and securing voter registration data.

“(E) All components of election infrastructure, as designated by the Secretary of Homeland Security, on January 6, 2017, as a subsector of a critical infrastructure sector (as defined in section 2001 of the Homeland Security Act of 2002 (6 U.S.C. 601)).

“(F) The implications of the aging of voting equipment on cybersecurity.

“(G) Any existing Federal funding sources that may be used to assist State and local governments to improve election cybersecurity.

“(H) Any related issues the Commission identifies as necessary to complete a comprehensive study of best practices for cybersecurity of Federal elections.

“(2) **ELECTION AUDITS.**—In conducting the study under subsection (a)(2), the Commission shall consider the following:

“(A) Public confidence in the administration of Federal elections.

“(B) Verifying the integrity of the election process.

“(C) Confirming the accuracy of results reported by the voting system.

“(D) Ensuring that the voting system is accurately tabulating ballots.

“(E) Ensuring that the winners of each election for Federal office are called correctly.

“(F) Current State requirements related to election audits.

“(G) Durational requirements needed to facilitate an election audit prior to election certification, including variations in the acceptance of postal ballots and election certification deadlines.

“(H) Administrative requirements and challenges for various types of election audits.

“(I) The potential to identify areas of improvement in election administration using varying types of election audits.

“(J) The use of voting systems producing voter-verified paper ballots.

“(K) Any related issues the Commission identifies as necessary to complete a comprehensive study of best practices for election audits.

“(d) REPORT AND RECOMMENDATIONS.—Not later than the date that is 6 months after the date of the enactment of this section, the Commission shall submit a report to the Committee on Rules and Administration of the Senate and the Committee on Administration of the House of Representatives on each of the studies conducted under this section, together with recommendations with the matters described in paragraphs (1) and (2) of subsection (a).”

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 247 the following new item:

“Sec. 248. Study and report on best practices for protecting the integrity of Federal elections.”.

(b) ELECTION TECHNOLOGY IMPROVEMENT GRANTS.—

(1) IN GENERAL.—The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by adding at the end the following new title:

“TITLE X—ELECTION TECHNOLOGY IMPROVEMENT GRANTS

“SEC. 1001. ELECTION TECHNOLOGY IMPROVEMENT GRANTS.

“(a) IN GENERAL.—The Commission shall make a payment in an amount determined under section 1002 to each State which meets the conditions described in section 1003.

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a State receiving payment under this title shall use the payment—

“(A) in the case of a State that has undergone a Security Risk and Vulnerability Assessment from the Department of Homeland Security with respect to the State’s election system, to address any recommendations or vulnerabilities resulting from such assessment, and

“(B) to implement the recommendations of the Commission under section 248(d) in accordance with the plan developed under section 1003.

In the case of a State described in subparagraph (A), no amount of the payment received under this title may be used for any purpose described in subparagraph (B) before the date the State submits a State plan that meets the requirements of section 1003(b)(1)(A).

“(2) OTHER ACTIVITIES.—A State may use a payment under this title to carry out other activities to improve the administration of elections for Federal office if the State certifies to the Commission that—

“(A) the State has implemented the recommendations of the Commission under section 248(d);

“(B) the State will use any remaining funds to improve, upgrade, or acquire new technological equipment related to election administration, which may include—

“(i) voting machines;

“(ii) election management systems;

“(iii) electronic poll books;

“(iv) online voter registration systems;

“(v) participation in the Electronic Registration Information Center;

“(vi) accessible voting equipment; and

“(vii) other technological upgrades identified by the Commission in the studies conducted under section 248(a); and

“(C) the State has appropriated funds for carrying out such activities in an amount

equal to 10 percent of the total amount to be spent for such activities (taking into account the payment under this section and the amount spent by the State).

No amount of the payment received under this title may be used for any purpose described in this paragraph before the date the State submits the certification described in section 1003(b)(1)(C).

“(3) PROHIBITION ON USE FOR VOTING MACHINES NOT PRODUCING VOTER-VERIFIED PAPER BALLOTS.—

“(A) IN GENERAL.—None of the payments provided under this title may be used for any voting system that does not produce a voter-verified paper ballot.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to any payment used for the purposes described in paragraph (1)(A).

“SEC. 1002. ALLOCATION OF FUNDS.

“(a) IN GENERAL.—Subject to subsection (c), the amount of a payment made to a State under this title shall be equal to the product of—

“(1) the total amount appropriated for payments pursuant to the authorization under section 1007; and

“(2) the State allocation percentage for the State (as determined under subsection (b)).

“(b) STATE ALLOCATION PERCENTAGE DEFINED.—The ‘State allocation percentage’ for a State is the amount (expressed as a percentage) equal to the quotient of—

“(1) the voting age population of the State (as reported in the most recent decennial census); and

“(2) the total voting age population of all States (as reported in the most recent decennial census).

“(c) MINIMUM AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section may not be less than—

“(1) in the case of any of the several States or the District of Columbia, one-half of 1 percent of the total amount appropriated for payments under this title under section 1007; or

“(2) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, or the United States Virgin Islands, one-tenth of 1 percent of such total amount.

“(d) PRO RATA REDUCTIONS.—The Commission shall make such pro rata reductions to the allocations determined under subsection (a) as are necessary to comply with the requirements of subsection (c).

“(e) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment to a State under this title shall be available to the State without fiscal year limitation.

“SEC. 1003. CONDITION FOR RECEIPT OF FUNDS.

“(a) IN GENERAL.—A State is eligible to receive a payment under this title if the chief executive officer of the State, or designee, in consultation and coordination with the chief State election official, has filed with the Commission a statement certifying that the State is in compliance with the requirements referred to in subsection (b). A State may meet the requirement of the previous sentence by filing with the Commission a statement which reads as follows:

‘_____ hereby certifies that it is in compliance with the requirements referred to in section 1003(b) of the Help America Vote Act of 2002.’ (with the blank to be filled in with the name of the State involved).

“(b) STATE PLAN REQUIREMENT; CERTIFICATION OF COMPLIANCE WITH APPLICABLE LAWS AND REQUIREMENTS.—

“(1) IN GENERAL.—The requirements referred to in this subsection are as follows:

“(A) The State has filed with the Commission a State plan which the State certifies—

“(i) contains each of the elements described in section 1004;

“(ii) is developed in accordance with section 1005; and

“(iii) meets the public notice and comment requirements of section 1006.

“(B) The State is in compliance with each of the laws described in section 906, as such laws apply with respect to this Act.

“(C) To the extent that any portion of the payment is used for activities other than implementing the recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A) or the recommendations of the Commission under section 248(d)—

“(i) the State’s proposed uses of the payment are not inconsistent with such recommendations; and

“(ii) the use of the funds under this subparagraph is consistent with the requirements of section 1001(b)(2)(B).

“(2) SPECIAL RULE FOR REQUIREMENTS WITH RESPECT TO RISK AND VULNERABILITY ASSESSMENTS.—In the case of a State that has undergone a Security Risk and Vulnerability Assessment from the Department of Homeland Security with respect to the State’s election system, paragraph (1) shall not apply and the State shall be treated as having met the requirements of this subsection if the State has met the requirement of paragraph (1)(B) and has filed with the Commission a State plan which contains the elements described in section 1004 with respect to the recommendations of the Department of Homeland Security with respect to such assessment.

“(c) METHODS OF COMPLIANCE LEFT TO DISCRETION OF STATE.—The specific choices on the methods of complying with the elements of a State plan shall be left to the discretion of the State.

“(d) TIMING FOR FILING OF CERTIFICATION.—

“(1) IN GENERAL.—A State may not file a statement of certification under subsection (a) until the expiration of the 45-day period which begins on the date the State plan under this section has been published on both the website of the chief State election official and the website of the Election Assistance Commission pursuant to section 1005(b).

“(2) EXCEPTION FOR RISK AND VULNERABILITY ASSESSMENT MATTERS.—Paragraph (1) shall not apply to any part of plan which is developed in connection with addressing recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A).

“(e) CHIEF STATE ELECTION OFFICIAL DEFINED.—In this title, the ‘chief State election official’ of a State is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–8) to be responsible for coordination of the State’s responsibilities under such Act.

“SEC. 1004. STATE PLAN.

“(a) IN GENERAL.—The State plan shall contain a description of each of the following:

“(1) How the State will use the payment under this title—

“(A) to implement—

“(i) any recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A), if applicable; and

“(ii) the recommendations of the Commission under section 248(d); and

“(B) if applicable under section 1001(b)(2), to carry out other activities to improve the administration of elections.

“(2) How the State will distribute and monitor the distribution of the payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

“(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

“(B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (3).

“(3) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

“(4) How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change—

“(A) is developed and published on the website of the chief State election official and the website of the Election Assistance Commission in accordance with section 1005 in the same manner as the State plan; and

“(B) is subject to public notice and comment in accordance with section 1006 in the same manner as the State plan; and

“(C) takes effect only after the expiration of the 30-day period which begins on the date the change has been published on both the website of the chief State election official and the website of the Election Assistance Commission.

“(5) A description of the committee which participated in the development of the State plan in accordance with section 1005 and the procedures followed by the committee under such section and section 1006.

Paragraphs (5) and (6) shall not apply to any part of a plan which pertains to addressing recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A).

“(b) PROTECTION AGAINST ACTIONS BASED ON INFORMATION IN PLAN.—

“(1) IN GENERAL.—No action may be brought under this Act against a State or other jurisdiction on the basis of any information contained in the State plan filed under this title.

“(2) EXCEPTION FOR CRIMINAL ACTS.—Paragraph (1) may not be construed to limit the liability of a State or other jurisdiction for criminal acts or omissions.

“SEC. 1005. PROCESS FOR DEVELOPMENT AND FILING OF PLAN; PUBLICATION BY COMMISSION.

“(a) DEVELOPMENT OF PLAN.—The chief State election official shall develop the State plan under this title through a committee of appropriate individuals, including the chief election officials of the two most populous jurisdictions within the State, other local election officials, stake holders, and other citizens, appointed for such purpose by the chief State election official.

“(b) PUBLICATION OF PLAN BY COMMISSION.—After receiving the State plan of a

State under this title, the Commission shall cause to have the plan published on both the website of the chief State election official and the website of the Election Assistance Commission.

“SEC. 1006. REQUIREMENT FOR PUBLIC NOTICE AND COMMENT.

“For purposes of section 1003(b)(1)(C), a State plan meets the public notice and comment requirements of this section if—

“(1) not later than 30 days prior to the submission of the plan, the State made a preliminary version of the plan available for public inspection and comment;

“(2) the State publishes notice that the preliminary version of the plan is so available; and

“(3) the State took the public comments made regarding the preliminary version of the plan into account in preparing the plan which was filed with the Commission.

“SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary for payments under this title for fiscal years 2018 and 2019.

“(b) AVAILABILITY.—Any amounts appropriated pursuant to the authority of subsection (a) shall remain available without fiscal year limitation until expended.

“SEC. 1008. REPORTS.

“Not later than 6 months after the end of the fiscal year for which a State received a payment under this title, the State shall submit a report to the Commission on the activities conducted with the funds provided, and shall include in the report—

“(1) a list of expenditures made with respect to each category of activities described in section 1001(b); and

“(2) an analysis and description of the activities funded under this title to meet the requirements of this title and an analysis and description of how such activities conform to the State plan under section 1004.”.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end the following:

“TITLE X—ELECTION TECHNOLOGY IMPROVEMENT GRANTS

“Sec. 1001. Election technology improvement grants.

“Sec. 1002. Allocation of funds.

“Sec. 1003. Condition for receipt of funds.

“Sec. 1004. State plan.

“Sec. 1005. Process for development and filing of plan; publication by commission.

“Sec. 1006. Requirement for public notice and comment.

“Sec. 1007. Authorization of appropriations.

“Sec. 1008. Reports.”.

(c) CONTRACTING ASSISTANCE.—The Administrator of the General Services Administration, in consultation with the Director of the National Institute of Standards and Technology, shall take such actions as may be necessary through competitive processes—

(1) to qualify a set of private sector organizations which are capable of providing cybersecurity services to States to secure their election systems and infrastructure from cyber attacks;

(2) to establish contract vehicles to enable States to access the services of one or more of such private sector organizations as soon as payment are made under title X of the Help America Vote Act of 2002;

(3) to ensure that the such contract vehicles permit individual States to augment Federal funds with funding otherwise available to the States; and

(4) to provide a list of qualified organizations to the Election Assistance Commission in order to ensure it is readily available to State election officials.

(d) INFORMATION SHARING WITH STATE ELECTION OFFICIALS.—

(1) SECURITY CLEARANCE.—Not later than 30 days after the date of enactment of this section, the Secretary of Homeland Security shall establish an expedited process for providing the appropriate security clearance for the Secretary of State or highest election administration official of each State and 1 designee selected by such Secretary of State or election administration official to ensure that information relating to cybersecurity incidents and threats is communicated to chief State election officials in a timely manner.

(2) INFORMATION SHARING.—Not later than 30 days after the date of enactment of this section, the Secretary of Homeland Security and the Director of National Intelligence shall establish a cybersecurity incident notification process and cybersecurity incident response protocols for the sharing of information among State and Federal officials relating to election cybersecurity threats, vulnerabilities, and breaches.

(3) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 30 days after the day of enactment of this section, and each year thereafter, the Secretary of Homeland Security and the Director of National Intelligence shall submit a joint report to appropriate congressional committees in both classified and unclassified form, on foreign threats to elections in the United States. The report shall address the current and probable threats to our election system and strategies to prevent foreign interference.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of subparagraph (A), the term “appropriate congressional committees” means—

(i) the Committee on Rules and Administration, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on House Administration, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 657. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 104 and insert the following:

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 48 (and the item related to such chapter in the table of chapters).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SA 658. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. _____. PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR EXPENSES INCURRED AT PROPERTY OWNED OR OPERATED BY THE PRESIDENT OR THE IMMEDIATE FAMILY OF THE PRESIDENT.

No amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to pay for expenses incurred at a property owned or operated by the individual serving as President or an immediate family member of the individual serving as President if the payments would result in a net financial benefit for the individual serving as President or an immediate family member of the individual serving as President.

SA 659. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VI, insert the following:

SEC. _____. ONE-YEAR PERIOD FOR ENROLLMENT IN THE SURVIVOR BENEFIT PLAN FOR ELIGIBLE PARTICIPANTS WHO HAVE A SAME-SEX SPOUSE UNDER AN EARLIER OR CURRENT MARRIAGE.

(a) IN GENERAL.—Notwithstanding any other provision of law, any individual eligible for participation, but not participating, in the Survivor Benefit Plan as of the date of the enactment of this Act who seeks to participate in the Plan for the benefit of the same-sex spouse of the individual under a marriage entered into or recognized as valid before that date may elect to participate in the plan at any time during the one-year period beginning on that date in accordance with section 1448(a)(5) of title 10, United States Code.

(b) OUTREACH ON ELECTION TO PARTICIPATE FOR SPOUSES UNDER MARRIAGE AFTER ELIGIBILITY.—The Secretary of Defense shall undertake an active campaign of outreach designed to inform individuals who are or may become eligible for participation in the Survivor Benefit Plan of the availability of the election to participate in the Plan under section 1448(a)(5) of title 10, United States Code, for individuals who marry, including individuals with same-sex spouses, after becoming eligible to participate in the Plan.

(c) SURVIVOR BENEFIT PLAN DEFINED.—In this section, the term “Survivor Benefit Plan” means the benefit plan established by subchapter II of chapter 73 of title 10, United States Code.

SA 660. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. CONSIDERATION OF SERVICE BY RECIPIENTS OF BOREN SCHOLARSHIPS AND FELLOWSHIPS IN EXCEPTED SERVICE POSITIONS AS SERVICE BY SUCH RECIPIENTS UNDER CAREER APPOINTMENTS FOR PURPOSES OF CAREER TENURE.

Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) in paragraph (2), in the matter before subparagraph (A), by striking “(3)(C)” and inserting “(4)(C)”;

(3) by inserting after paragraph (2) the following:

“(3) CAREER TENURE.—In the case of an individual whose appointment to a position in the excepted service is converted to a career or career-conditional appointment under paragraph (1)(B), the period of service described in such paragraph shall be treated, for purposes of the service requirements for career tenure under title 5, United States Code, as if it were service in a position under a career or career-conditional appointment.”

SA 661. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 12 _____. PROHIBITION ON TRANSFER OF CLUSTER MUNITIONS TO SAUDI ARABIA.

No amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be used to transfer or authorize the transfer of cluster munitions to Saudi Arabia.

SA 662. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate, insert the following:

SEC. _____. NATIONAL GUARD AND RESERVE ENTREPRENEURSHIP SUPPORTS.

(a) EXTENSION OF LOAN ASSISTANCE AND DEFERRAL ELIGIBILITY TO RESERVISTS BEYOND PERIODS OF MILITARY CONFLICT.—

(1) SMALL BUSINESS ACT AMENDMENTS.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(A) in subsection (b)(3)—
(i) in subparagraph (A)—
(I) by striking clause (ii);
(II) by redesignating clause (i) as clause (ii);

(iii) by inserting before clause (ii), as so redesignated, the following:

“(i) the term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code;”;

(IV) in clause (ii), as so redesignated, by adding “and” at the end;

(ii) in subparagraph (B), by striking “being ordered to active military duty during a period of military conflict” and inserting “being ordered to perform active service for a period of more than 30 consecutive days”;

(iii) in subparagraph (C), by striking “active duty” each place it appears and inserting “active service”; and

(iv) in subparagraph (G)(ii)(II), by striking “active duty” and inserting “active service”; and

(B) in subsection (n)—

(i) in the subsection heading, by striking “ACTIVE DUTY” and inserting “ACTIVE SERVICE”;

(ii) in paragraph (1)—

(I) by striking subparagraph (C);

(II) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(III) by inserting before subparagraph (B), as so redesignated, the following:

“(A) ACTIVE SERVICE.—The term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code.”;

(IV) in subparagraph (B), as so redesignated, by striking “ordered to active duty during a period of military conflict” and inserting “ordered to perform active service for a period of more than 30 consecutive days”; and

(V) in subparagraph (D), by striking “active duty” each place it appears and inserting “active service”; and

(iii) in paragraph (2)(B), by striking “active duty” each place it appears and inserting “active service”.

(2) APPLICABILITY.—The amendments made by paragraph (1)(A) shall apply to an economic injury suffered or likely to be suffered as the result of an essential employee being ordered to perform active service (as defined in section 101(d)(3) of title 10, United States Code) for a period of more than 30 consecutive days who is discharged or released from such active service on or after the date of enactment of this Act.

(3) SEMIANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act, and semiannually thereafter, the President shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a report on the number of loans made under the Military Reservist Economic Injury Disaster Loan program and the dollar volume of those loans. The report shall contain the subsidy rate of the disaster loan program as authorized under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) with the loans made under the Military Reservist Economic Injury Disaster Loan program and without those loans included.

(4) TECHNICAL AND CONFORMING AMENDMENT.—Section 8(l) of the Small Business Act (15 U.S.C. 637(l)) is amended—

(A) by striking “The Administration” and inserting the following:

“(1) IN GENERAL.—The Administration”;
(B) by striking “(as defined in section 7(n)(1))”; and

(C) by adding at the end the following:

“(2) DEFINITION OF PERIOD OF MILITARY CONFLICT.—In this subsection, the term ‘period of military conflict’ means—

“(A) a period of war declared by the Congress;

“(B) a period of national emergency declared by the Congress or by the President; or

“(C) a period of a contingency operation, as defined in section 101(a) of title 10, United States Code.”.

(b) NATIONAL GUARD AND RESERVE DEPLOYMENT SUPPORT AND BUSINESS TRAINING PROGRAM.—

(1) EXPANSION OF SMALL BUSINESS ADMINISTRATION OUTREACH PROGRAMS.—Section 8(b)(17) of the Small Business Act (15 U.S.C. 637(b)(17)) is amended by striking “and members of a reserve component of the Armed Forces” and inserting “members of a reserve component of the Armed Forces, and the spouses of veterans and members of a reserve component of the Armed Forces”.

(2) ESTABLISHMENT OF PROGRAM.—Section 32 of the Small Business Act (15 U.S.C. 657) is amended by adding at the end the following:

“(g) NATIONAL GUARD AND RESERVE DEPLOYMENT SUPPORT AND BUSINESS TRAINING.—

“(1) IN GENERAL.—In making grants carried out under section 8(b)(17), the Associate Administrator shall establish a program, to be known as the ‘National Guard and Reserve Deployment Support and Business Training Program’, to provide training, counseling and other assistance to support members of a reserve component of the Armed Forces and their spouses.

“(2) AUTHORITIES.—In carrying out this subsection, the Associate Administrator may—

“(A) modify programs and resources made available through section 8(b)(17) to provide pre-deployment and other information specific to members of a reserve component of the Armed Forces and their spouses;

“(B) collaborate with the Chief of the National Guard Bureau or the Chief’s designee, State Adjunct Generals or their designees, and other public and private partners; and

“(C) provide training, information and other resources to the Chief of the National Guard Bureau or the Chief’s designee and State Adjunct Generals or their designees for the purpose of supporting members of a reserve component of the Armed Forces and the spouses of veterans and members of a reserve component of the Armed Forces.”.

SA 663. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Amend section 1630B to read as follows:

SEC. 1630B. PROHIBITION ON USE OF SOFTWARE PLATFORMS DEVELOPED BY KASPERSKY LAB.

(a) PROHIBITION.—No department, agency, organization, or other element of the United States Government may use, whether directly or through work with or on behalf of another organization or element of the

United States Government, any hardware, software, or services developed or provided, in whole or in part, by Kaspersky Lab or any entity of which Kaspersky Lab has a majority ownership.

(b) EFFECTIVE DATE.—This section shall take effect on October 1, 2018.

SA 664. Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____ . SYRIA STUDY GROUP.

(a) ESTABLISHMENT.—There is hereby established a working group to be known as the “Syria Study Group” (in this section referred to as the “Group”).

(b) PURPOSE.—The purpose of the Group is to examine and make recommendations with respect to the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Group shall be composed of 8 members appointed as follows:

(A) Two members appointed by the chair of the Committee on Armed Services of the Senate.

(B) Two members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) Two members appointed by the chair of the Committee on Armed Services of the House of Representatives.

(D) Two members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(2) CO-CHAIRS.—

(A) The chair of the Committee on Armed Services of the Senate and the chair of the Committee on Armed Services of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(B) The ranking minority member of the Committee on Armed Services of the Senate and the ranking minority member of the Committee on Armed Services of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Group. Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall review the current situation with respect to the United States military and diplomatic strategy in Syria, including a review of current United States objectives in Syria and the desired end state in Syria.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, its impact on neighboring countries, resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on a military and diplomatic strategy for the United States with respect to the conflict in Syria.

(e) COOPERATION FROM UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group.

(2) LIAISON.—The Secretary of Defense and the Director of National Intelligence shall each designate at least one officer or employee of their respective organizations to serve as a liaison officer to the Group.

(f) REPORT.—

(1) FINAL REPORT.—Not later than September 30, 2018, the Group shall submit to the President, the Secretary of Defense, and the Committees on Armed Services of the Senate and the House of Representatives a report on the findings, conclusions, and recommendations of the Group under this section. The report shall do each of the following:

(A) Assess the current security, political, humanitarian, and economic situation in Syria.

(B) Assess the current participation and objectives of various external actors in Syria.

(C) Assess the consequences of continued conflict in Syria.

(D) Provide recommendations for a diplomatic resolution of the conflict in Syria, including options for a gradual political transition to a post-Assad Syria and actions necessary for reconciliation.

(E) Provide a roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(F) Address any other matters with respect to the conflict in Syria that the Group considers appropriate.

(2) INTERIM BRIEFING.—Not later than June 30, 2018, the Group shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of its review and assessment under subsection (d), together with a discussion of any interim recommendations developed by the Group as of the date of the briefing.

(3) FORM OF REPORT.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) FACILITATION.—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of its duties under this section.

(h) TERMINATION.—The Group shall terminate six months after the date on which it submits the report required by subsection (f)(1).

(i) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2018 for the Department of Defense by this Act, \$1,500,000 is available to fund the activities of the Group.

SA 665. Mr. BROWN (for himself, Mr. BOOKER, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 583. EXTENSION OF REPORTS ON DIVERSITY IN MILITARY LEADERSHIP UNDER ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.

Section 115a(g) of title 10, United States Code, is amended by striking “2017” and inserting “2022”.

SA 666. Mr. BROWN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. _____. SENSE OF CONGRESS ON CYBERSECURITY COOPERATION WITH UKRAINE.

(a) FINDINGS.—Congress makes the following findings:

(1) There is a strong history of cyber attacks in Ukraine, including a significant attack on its power grid in December 2015 by Russia.

(2) The United States supports Ukraine and the Ukrainian Security Assistance Initiative.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States reaffirms support for the sovereignty and territorial integrity of Ukraine, especially as a result of Russia's invasion of Ukraine and in the face of increased Russian aggression in the region; and

(2) the United States should assist Ukraine in improving its cybersecurity capabilities.

SA 667. Mr. McCONNELL proposed an amendment to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after the first word and insert the following:

SHORT TITLE.

This Act may be cited as the “Health Care Freedom Act of 2017”.

TITLE I

SEC. 101. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”; and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”; and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 102. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by

inserting “(\$0 in the case of months beginning after December 31, 2015, and before January 1, 2025)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015, and before January 1, 2025)” after “\$3,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 103. EXTENSION OF MORATORIUM ON MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Section 4191(c) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2017” and inserting “December 31, 2020”.

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

SEC. 104. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) IN GENERAL.—Subsection (b) of section 223 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(9) INCREASED LIMITATION.—In the case of any month beginning after December 31, 2017, and before January 1, 2021—

“(A) paragraph (2)(A) shall be applied by substituting ‘the amount in effect under subsection (c)(2)(A)(i)(I)’ for ‘\$2,250’; and

“(B) paragraph (2)(B) shall be applied by substituting ‘the amount in effect under subsection (c)(2)(A)(i)(II)’ for ‘\$4,500’.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 105. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a phy-

sician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$1,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

TITLE II

SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

SEC. 202. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

SEC. 203. WAIVERS FOR STATE INNOVATION.

Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)(3)—

(A) in the first sentence, by inserting “or would qualify for a reduction in” after “would not qualify for”; and

(B) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.”;

(C) in the paragraph heading, by striking “PASS THROUGH OF FUNDING” and inserting “FUNDING”;

(D) by striking “With respect” and inserting the following:

“(A) PASS THROUGH OF FUNDING.—With respect”; and

(E) by adding at the end the following:

“(B) ADDITIONAL FUNDING.—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, \$2,000,000,000, to remain available until the end of fiscal year 2019. Such amounts shall be used to provide grants to States that request financial assistance for the purpose of—

“(i) submitting an application for a waiver granted under this section; or

“(ii) implementing the State plan under such waiver.”;

(2) in subsection (b)(1), in the matter preceding subparagraph (A)—

(A) by striking “may” and inserting “shall”; and

(B) by striking “only”; and

(3) in subsection (d)(1), by striking “180” and inserting “45”; and

(4) in subsection (e), by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 8 years unless the State requests a shorter duration; “(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

“(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).”.

SA 668. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SA 669. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. IMPLEMENTATION OF GAO RECOMMENDATIONS TO IMPROVE MEDICAL FACILITIES OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall develop and submit to Congress a comprehensive and detailed strategic implementation plan to fully implement all 14 open recommendations, as of such date of enactment, produced by the Government Accountability Office in relation to its report entitled “VA and DOD Need to Address Ongoing Difficulties and Better Prepare for Future Integrations” that was published on February 29, 2016.

(b) PUBLIC AVAILABILITY.—The Secretary of Defense and the Secretary of Veterans Affairs shall each publish the strategic implementation plan developed under subsection (a) on the public Internet website of the Department of Defense and the Department of Veterans Affairs, respectively.

(c) UPDATE.—Not later than 180 days after publication of the strategic implementation plan under subsection (b), the Secretary of Defense and the Secretary of Veterans Affairs shall develop and submit to Congress a comprehensive and detailed status update report on the progress made in fully implementing all open recommendations described in subsection (a).

SA 670. Mr. TESTER (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. _____. EXPANSION OF AVAILABILITY FROM THE DEPARTMENT OF VETERANS AFFAIRS OF COUNSELING AND TREATMENT FOR SEXUAL TRAUMA FOR MEMBERS OF THE ARMED FORCES.

Section 1720D(a)(2)(A) of title 38, United States Code is amended—

(1) by striking “on active duty”; and

(2) by inserting “that was suffered by the member while serving on active duty, active duty for training, or inactive duty training” before the period at the end.

SA 671. Ms. DUCKWORTH (for herself and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. _____. TRAINING REQUIREMENT FOR HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF DEFENSE PRESCRIBING OPIOIDS FOR TREATMENT OF PAIN.

(a) TRAINING.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that health care professionals of the Department of Defense, other than pharmacists, who are authorized to prescribe or otherwise dispense opioids for the treatment of pain—

(A) complete the training described in paragraph (2) not less frequently than once every three years; or

(B) are licensed in a State that requires training that is equivalent to or greater than the training described in paragraph (2) with respect to the prescribing or dispensing of opioids for the treatment of pain.

(2) TRAINING DESCRIBED.—

(A) IN GENERAL.—The training described in this paragraph is not fewer than 12 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by organizations specified in subparagraph (B) with respect to—

(i) pain management treatment guidelines and best practices;

(ii) early detection of opioid addiction; and

(iii) the treatment and management of opioid-dependent patients.

(B) ORGANIZATIONS SPECIFIED.—The organizations specified in this subparagraph are the following:

(i) The American Society of Addiction Medicine.

(ii) The American Academy of Addiction Psychiatry.

(iii) The American Medical Association.

(iv) The American Osteopathic Association.

(v) The American Psychiatric Association.

(vi) The American Academy of Pain Management.

(vii) The American Pain Society.

(viii) The American Academy of Pain Medicine.

(ix) The American Board of Pain Medicine.

(x) The American Society of Interventional Pain Physicians.

(xi) Such other organizations as the Secretary of Defense determines appropriate for purposes of this subsection.

(b) ESTABLISHMENT OF TRAINING MODULES.—

(1) IN GENERAL.—The Secretary of Defense shall establish or support the establishment of one or more training modules to be used to provide the training required under subsection (a).

(2) SUPPORT FOR ORGANIZATIONS.—The Secretary may support the establishment of a training module under paragraph (1) by—

(A) an organization specified in paragraph (2)(B) of subsection (a); or

(B) any other organization that the Secretary determines is appropriate to provide the training required under such subsection.

SA 672. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

PART II—DISPOSITION OF CHARGES AND CONVENING OF COURTS-MARTIAL FOR CERTAIN OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE

SEC. _____. SHORT TITLE.

This part may be cited as the “Military Justice Improvement Act of 2017”.

SEC. _____. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the referral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determination under section 834 such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military

Justice), that allege an offense specified in subsection (b) and not excluded under subsection(c) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30(a) of the Uniform Code of Military Justice) on the preferral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determination under section 834 such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(b) COVERED OFFENSES.—An offense specified in this subsection is an offense as follows:

(1) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(2) The offense of obstructing justice under section 931b of title 10, United States Code (article 131b of the Uniform Code of Military Justice), regardless of the maximum punishment authorized under that chapter for such offense.

(3) The offense of retaliation for reporting a crime under section 932 of title 10, United States Code (article 132 of the Uniform Code of Military Justice), regardless of the maximum punishment authorized under that chapter for such offense.

(4) A conspiracy to commit an offense specified in paragraphs (1) through (3) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(5) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(6) An attempt to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) EXCLUDED OFFENSES.—Subsection (a) does not apply to an offense as follows:

(1) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(2) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(3) A conspiracy to commit an offense specified in paragraph (1) or (2) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(4) A solicitation to commit an offense specified in paragraph (1) or (2) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(5) An attempt to commit an offense specified in paragraph (1) or (2) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(d) REQUIREMENTS AND LIMITATIONS.—The disposition of charges covered by subsection (a) shall be subject to the following:

(1) The determination whether to prefer such charges or refer such charges to a court-martial for trial, as applicable, shall

be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(A) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(B) have significant experience in trials by general or special court-martial; and

(C) are outside the chain of command of the member subject to such charges.

(2) Upon a determination under paragraph (1) to refer charges to a court-martial for trial, the officer making that determination shall determine whether to refer such charges for trial by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(3) A determination under paragraph (1) to prefer charges or refer charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(4) The determination to prefer charges or refer charges to a court-martial for trial, as applicable, under paragraph (1), and the type of court-martial to which to refer under subparagraph (B), shall be binding on any applicable convening authority for the referral of such charges.

(5) The actions of an officer described in paragraph (1) in determining under that subparagraph whether or not to prefer charges or refer charges to a court-martial for trial, as applicable, shall be free of unlawful or unauthorized influence or coercion.

(6) The determination under paragraph (1) not to refer charges to a general or special court-martial for trial shall not operate to terminate or otherwise alter the authority of commanding officers to refer charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(e) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this section shall be construed to alter or affect the preferral, disposition, or referral authority of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(f) POLICIES AND PROCEDURES.—

(1) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this section.

(2) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this subsection in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not

render unconstitutional any policy or procedure, as so revised.

(g) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this section.

SEC. _____. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

“(8) with respect to offenses to which section ____ (a) of the National Defense Authorization Act for Fiscal Year 2018 applies, the officers in the offices established pursuant to section ____ (c) of that Act or officers in the grade of O-6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard;”.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

“(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.”.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section ____ (a) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence as of the effective date for this part specified in section ____.

SEC. _____. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a

service in the Navy) shall carry out sections _____ and _____ using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections _____ and _____ shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. _____. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(c) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

(1) in paragraph (1)—

(A) by striking “on the investigation” and inserting “on the following:

“(A) The investigation”; and

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

“(B) The implementation and efficacy of sections _____ through _____ of the National Defense Authorization Act for Fiscal Year 2018 and the amendments made by such sections.”; and

(2) in paragraph (2), by striking “paragraph (1)” and inserting “paragraph (1)(A)”.

SEC. _____. EFFECTIVE DATE AND APPLICABILITY.

(a) EFFECTIVE DATE AND APPLICABILITY.—This part and the amendments made by this part shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to any allegation of charges of an offense specified in subsection (a) of section _____, and not excluded under subsection (c) of section _____, which offense occurs on or after such effective date.

(b) REVISIONS OF POLICIES AND PROCEDURES.—Any revision of policies and procedures required of the military departments or the Department of Homeland Security as a result of this part and the amendments made by this part shall be completed so as to come into effect together with the coming into effect of this part and the amendments made by this part in accordance with subsection (a).

SA 673. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF DEFENSE DIVERSITY AND INCLUSION WORKFORCE.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) APPLICANT FLOW DATA.—The term “applicant flow data” means data that tracks the rate of applications for job positions among demographic categories.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(3) ARMED FORCE.—The term “armed force” has the meaning given that term in section 2101 of title 5, United States Code.

(4) CIVIL SERVICE.—The term “civil service” has the meaning given that term in section 2101 of title 5, United States Code.

(5) DEPARTMENT.—The term “Department” means the Department of Defense and the Coast Guard.

(6) DIVERSITY.—The term “diversity” means all the different characteristics and attributes of the workforce of the Department, which are consistent with the core values of the Department, integral to overall readiness and mission accomplishment, and reflective of the people of the United States.

(7) SECRETARY.—The term “Secretary” means the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard when it is not operating as a service in the Department of the Navy).

(8) UNIFORMED SERVICE.—The term “uniformed service” has the meaning given that term in section 2101 of title 5, United States Code.

(9) WORKFORCE.—The term “workforce” means an individual serving in a position—

(A) in the civil service; or

(B) as a member of an armed force, including a member of a reserve component of an armed force described in section 10101 of title 10, United States Code.

(b) DIVERSITY AND INCLUSION STRATEGIC PLAN.—It is the sense of Congress that the Department—

(1) should employ an aligned strategic outreach effort to identify, attract, and recruit from a broad talent pool reflective of the best of the Nation;

(2) should be an employer of choice that is competitive in attracting and recruiting top talent;

(3) should develop, mentor, and retain top talents across the workforce;

(4) should establish the position of the Department as an employer of choice by creating a merit-based workforce life-cycle continuum that focuses on personal and professional development through training, education, and developing employment flexibility to retain a highly-skilled workforce;

(5) should ensure leadership commitment to an accountable and sustained diversity effort; and

(6) should develop structures and strategies to equip leadership with the ability to manage diversity, be accountable, and engender an inclusive work environment that cultivates innovation and optimization within the Department.

(c) INITIAL REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and every year after until the end of fiscal year 2023, the Secretary shall make available to the public and the appropriate congressional committees a report which includes aggregate demographic data and other information regarding the diversity and inclusion efforts of the workforce of the Department.

(2) DATA.—Each report made available under paragraph (1)—

(A) shall include a barrier analysis related to diversity and inclusion efforts;

(B) shall include aggregate demographic data—

(i) by segment of the workforce of the Department and grade or rank;

(ii) by uniformed service and civil service job code;

(iii) relating to attrition and promotion rates;

(iv) that addresses the compliance of the Department with validated inclusion metrics;

(v) that provides demographic comparisons to the relevant non-Governmental labor force and the relevant civilian labor force;

(vi) on the diversity of selection boards;

(vii) on the employment of minority and service-disabled veterans during the most recent 10-year period, including—

(I) the number hired through direct hires, internships, and fellowship programs; and

(II) attrition rates by grade, in the civil service and uniformed service, and in the senior positions; and

(viii) on mentorship and retention programs;

(C) shall include an analysis of applicant flow data, including the percentage, actual numbers and level of positions (including internship positions) for which data are collected and a discussion of any resulting policy changes or recommendations;

(D) shall include demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs;

(E) shall include any voluntarily collected demographic data relating to the membership of any external advisory committee or board to which individuals in senior positions in the Department appoint members;

(F) shall be organized in terms of real numbers and percentages at all levels; and

(G) shall be made available in a searchable database format.

(3) RECOMMENDATIONS.—The Secretary may submit to the Office of Management and Budget and to the appropriate congressional committees a recommendation regarding whether the Department should voluntarily collect more detailed data on demographic categories in addition to the race and ethnicity categories specified in the statistical policy directive issued by the Office of Management and Budget entitled “Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity”. In making a recommendation under this paragraph, the Secretary shall engage in close consultation with internal stakeholders, such as employee resource or affinity groups.

(4) OTHER CONTENTS.—Each report made available under paragraph (1) shall describe the efforts of the Department to—

(A) propagate fairness, impartiality, and inclusion in the work environment domestically and abroad;

(B) ensure that harassment, intolerance, and discrimination are not tolerated;

(C) refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(D) prevent illegal retaliation against employees for participating in a protected equal employment opportunity activity;

(E) provide reasonable accommodation for qualified employees and applicants with disabilities;

(F) resolve workplace conflicts, confrontations, and complaints in a prompt, impartial, constructive, and timely manner; and

(G) recruit a diverse workforce by—

(i) recruiting women, minorities, veterans, and undergraduate and graduate students;

(ii) recruiting at historically Black colleges and universities, Hispanic serving institutions, women’s colleges, and colleges that typically serve majority minority populations;

(iii) sponsoring and recruiting at job fairs in urban communities;

(iv) placing job advertisements in newspapers, magazines, and job sites oriented toward women and people of color; and

(v) recruiting mid-level and senior-level professionals through programs designed to

increase minority representation in national security.

(5) **INTELLIGENCE COMMUNITY.**—The elements of the intelligence community in the Department may make available a single report with respect to the diversity and inclusion efforts of the workforce of the elements of the intelligence community under this subsection.

(d) **UPDATES.**—The second report, and each subsequent report, under subsection (c) (which may be provided as part of an annual report required under another provision of law) shall include—

(1) demographic data and information on the status of diversity and inclusion efforts of the Department;

(2) an analysis of applicant flow data;

(3) demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs; and

(4) the specified data in a searchable database format.

(e) **CONDUCT STAY AND EXIT INTERVIEWS OR SURVEYS.**—

(1) **RETAINED MEMBERS.**—The Director of the Office of Diversity Management and Equal Opportunity shall conduct periodic interviews or surveys of a representative and diverse cross-section of the members of the workforce of the Department to—

(A) understand the reasons of the members for remaining in a position in the Department; and

(B) receive feedback on workplace policies, professional development opportunities, and other issues affecting the decision of the members to remain.

(2) **DEPARTING MEMBERS.**—The Director of the Office of Diversity Management and Equal Opportunity shall provide an opportunity for an exit interview or survey to each member of the workforce of the Department who separates from service with the Department, to understand better the reasons of the member for leaving.

(3) **USE OF ANALYSIS FROM INTERVIEWS AND SURVEYS.**—The Director of the Office of Diversity Management and Equal Opportunity shall analyze and use information obtained through interviews and surveys under paragraphs (1) and (2), including to evaluate—

[(A) if and how the results of the interviews differ by gender, race, national origin, sexual orientation, gender identity, disability status, and other demographic categories; and]

(B) whether to implement any policy changes or recommend the Secretary include recommendations as part of a report required under subsection (c).

(4) **TRACKING DATA.**—The Department shall—

(A) track demographic data relating to participants in professional development programs and the rate of placement into senior positions for participants in such programs; and

(B) evaluate such data on an annual basis to look for ways to improve outreach and recruitment for such programs consistent with merit system principles.

[(C) understand how participation in such programs differs by gender, race, national origin, sexual orientation, gender identity, disability status, and other demographic categories; and]

(D) actively encourage participation from a range of demographic categories, especially from categories with consistently low participation.

(f) **EXPAND PROVISION OF PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT OPPORTUNITIES.**—

(1) **IN GENERAL.**—The Department is authorized to expand professional development opportunities that support the mission needs of the Department, such as—

(A) academic programs;

(B) private-public exchanges; and

(C) detail assignments to relevant positions in—

(i) private or international organizations;

(ii) State, local, and tribal governments;

(iii) other branches of the Federal Government; or

(iv) professional schools of international affairs.

(2) **TRAINING FOR SENIOR POSITIONS.**—

(A) **IN GENERAL.**—The Department may offer, or sponsor members of the workforce of the Department to participate in, a Senior Executive Service candidate development program or other program that trains members of the workforce of the Department on the skills required for appointment to senior positions in the Department.

(B) **REQUIREMENTS.**—In determining which members of the workforce of the Department are granted professional development or career advancement opportunities, the Department shall—

(i) ensure any program offered or sponsored by the Department under subparagraph (A) comports with the requirements of subpart C of part 412 of title 5, Code of Federal Regulations, or any successor thereto, including merit staffing and assessment requirements;

(ii) consider the number of expected vacancies in senior positions as a factor in determining the number of candidates to select for such programs;

[(iii) understand how participation in any program offered or sponsored by the Department under subparagraph (A) differs by gender, race, national origin, sexual orientation, gender identity, disability status, and other demographic categories; and]

(iv) actively encourage participation from a range of demographic categories, especially from categories with consistently low participation.

(3) **TRACKING DATA.**—The Department shall—

(A) track demographic data relating to participants in professional development programs and the rate of placement into senior positions for participants in such programs; and

(B) evaluate such data on an annual basis to look for ways to improve outreach and recruitment for such programs consistent with merit system principles.

(g) **INITIATIVES.**—

(1) **IN GENERAL.**—The Department should—

(A) continue to seek a diverse and talented pool of applicants;

(B) have diversity recruitment as a goal of the human resources department or equivalent entity, with outreach at appropriate colleges, universities, and diversity organizations and professional associations; and

(C) intensify, identify, and build relationships with qualified potential minority candidates.

(2) **SCOPE.**—The diversity recruitment initiatives described in paragraph (1) should include—

(A) recruiting at historically black colleges and universities, Hispanic-serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(B) sponsoring and recruiting at job fairs in urban communities;

(C) placing job advertisements in newspapers, magazines, and job sites oriented toward diverse groups;

(D) providing opportunities through highly respected, international leadership programs, that focus on diversity recruitment and retention; and

(E) cultivating partnerships with organizations dedicated to the advancement of the profession of international affairs and national security to advance shared diversity goals.

SA 674. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 590, line 24, strike “relevant Chief of Mission” and insert “Secretary of State”.

On page 594, line 9, insert “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives” before “a report”.

SA 675. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ DEPARTMENT OF DEFENSE FAMILY AND MEDICAL LEAVE BANKS.

(a) **IN GENERAL.**—Subchapter V of chapter 63 of title 5, United States Code, is amended—

(1) by redesignating section 6387 as section 6388; and

(2) by inserting after section 6386 the following:

“§ 6387. Department of Defense family and medical leave banks

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘covered DOD employee’ means an individual described in section 6381(1)(A) who is employed by the Department, without regard to whether the individual meets the requirements of section 6381(1)(B);

“(2) the term ‘Department’ means the Department of Defense

“(3) the term ‘designated unit’ means any agency, component, or other administrative unit of the Department designated by the Secretary under subsection (b)(1);

“(4) the term ‘family and medical leave bank’ means a family and medical leave bank established under subsection (b)(2);

“(5) the term ‘leave recipient’ means a covered DOD employee whose application under subsection (e)(1) to receive leave from a family and medical leave bank is approved; and

“(6) the term ‘Secretary’ means the Secretary of Defense.

“(b) **ESTABLISHMENT OF FAMILY AND MEDICAL LEAVE BANKS.**—The Secretary, in consultation with the Director of the Office of Personnel Management, shall—

“(1) designate the agencies, components, or other administrative units of the Department for which it is appropriate to have a separate family and medical leave bank; and

“(2) establish a family and medical leave bank for each designated unit.

“(c) ESTABLISHMENT OF FAMILY AND MEDICAL LEAVE BANK BOARDS.—

“(1) IN GENERAL.—For each family and medical leave bank established by the Secretary, the Secretary shall establish a Family and Medical Leave Bank Board consisting of 3 members, at least 1 of whom shall represent a labor organization or employee group, to administer the family and medical leave bank, in consultation with the Office of Personnel Management.

“(2) DUTIES.—Each Family and Medical Leave Bank Board shall—

“(A) review and determine whether to approve applications to the family and medical leave bank under subsection (e)(1);

“(B) monitor each case of a leave recipient;

“(C) monitor the amount of leave in the family and medical leave bank and the number of applications for use of leave from the family and medical leave bank; and

“(D) maintain an adequate amount of leave in the family and medical leave bank to the greatest extent practicable.

“(3) QUALIFYING FAMILY AND MEDICAL EVENTS.—To the greatest extent practicable, each Family and Medical Leave Bank Board shall use the certification forms and standards established for purposes of section 6382 in determining whether, for purposes of this section, a circumstance described in section 6382(a)(1) exists.

“(d) CREDITING OF LEAVE.—

“(1) FORFEITED LEAVE.—Any annual leave lost by a covered DOD employee by operation of section 6304 shall be credited to the family and medical leave bank of the designated unit employing the covered DOD employee.

“(2) CONTRIBUTIONS OF USE OR LOSE LEAVE.—

“(A) IN GENERAL.—A covered DOD employee who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year under section 6304 may submit an application in writing requesting that a specified number of hours (not to exceed the number of hours projected to be subject to forfeiture) be transferred from the annual leave account of the covered DOD employee to the family and medical leave bank for the designated unit employing the covered DOD employee.

“(B) APPROVAL.—If a Family and Medical Leave Bank Board approves an application by a covered DOD employee under subparagraph (A), the Secretary shall transfer to the family and medical leave bank of the designated unit employing the covered DOD employee the amount of leave requested to be transferred.

“(e) APPLICATION FOR LEAVE.—

“(1) IN GENERAL.—A covered DOD employee who is or anticipates being absent from regularly scheduled duty because of a circumstance described in section 6382(a)(1) (without regard to whether the covered DOD employee is entitled to leave under section 6382(a)(1)) may submit an application to receive leave from the family and medical leave bank of the designated unit employing the covered DOD employee, which shall contain such information as the Secretary, in consultation with the Director of the Office of Personnel Management, shall by regulation prescribe.

“(2) DETERMINATION.—A Family and Medical Leave Bank Board may—

“(A) approve an application submitted under paragraph (1); and

“(B) specify the amount of leave that shall be transferred to a covered DOD employee whose application is approved.

“(3) MAXIMUM AMOUNT OF LEAVE.—

“(A) IN GENERAL.—A Family and Medical Leave Bank Board may not specify an amount of leave to be transferred to a covered DOD employee that is more than the amount of leave described in subparagraph (B).

“(B) AMOUNT.—The amount described in this subparagraph is—

“(i) with respect to a full-time covered DOD employee, 12 weeks; and

“(ii) with respect to a part-time covered DOD employee, the amount equal to the product obtained by multiplying—

“(I) 12 weeks; by

“(II) the quotient obtained by dividing—

“(aa) the number of hours in the regularly scheduled workweek of the part-time covered DOD employee; by

“(bb) the number of hours in the regularly scheduled workweek of a covered DOD employee serving in a comparable position on a full-time basis.

“(4) TRANSFER.—The Secretary shall transfer to a covered DOD employee whose application is approved under paragraph (2)(A) the number of hours of leave specified under paragraph (2)(B) from the family and medical leave bank for the designated unit employing the covered DOD employee.

“(f) USE OF LEAVE.—

“(1) COORDINATION WITH EXISTING FML.—A leave recipient who is entitled to leave under section 6382(a)(1) shall use any leave transferred to the leave recipient from a family and medical leave bank in accordance with section 6382(d)(2).

“(2) FAILURE TO USE LEAVE.—

“(A) IN GENERAL.—Any leave transferred to a leave recipient from a family and medical leave bank that is not used before the end of the 12-month period beginning on the date described in subparagraph (B)—

“(i) shall be forfeited by the leave recipient; and

“(ii) shall be credited to the family and medical leave bank from which the leave was transferred.

“(B) START OF PERIOD FOR USE.—The date described in this subparagraph is the later of—

“(i) the date on which the circumstance described in section 6382(a)(1) arises; or

“(ii) the date on which leave is transferred to the covered DOD employee under subsection (e)(4).”

(b) USE OF FAMILY AND MEDICAL LEAVE.—Section 6382(d) of title 5, United States Code, is amended—

(1) by inserting “(1)” before “An employee may elect” the first place it appears; and

(2) by adding at the end the following:

“(2)(A) In this paragraph, the term ‘covered DOD employee’ has the meaning given that term in section 6387.

“(B) A covered DOD employee entitled to leave under subsection (a)(1) to whom leave is transferred from a family and medical leave bank under section 6387—

“(i) shall substitute for any leave without pay under subsection (a)(1) the amount of leave transferred to the employee from the family and medical leave bank; and

“(ii) may substitute for any leave without pay under subsection (a)(1) any annual or sick leave accrued or accumulated by such employee under subchapter I.

“(C) A covered DOD employee to whom leave is transferred from a family and med-

ical leave bank shall first use all of the transferred leave before using leave described in subparagraph (B)(ii).

“(D) The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this paragraph.”

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 5, United States Code, is amended by striking the item relating to section 6387 and inserting the following:

“6387. Department of Defense family and medical leave banks.

“6388. Regulations.”

SA 676. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

SEC. ____. **AUTHORITY FOR REIMBURSEMENT OF SPOUSES FOR COSTS OF PROFESSIONAL RE-LICENSURE AND RE-CERTIFICATION IN A NEW STATE IN CONNECTION WITH PERMANENT CHANGES OF STATION OF MEMBERS OF THE ARMED FORCES.**

Section 1784a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) If established under this subsection, the program under this subsection shall provide for the reimbursement of a spouse of a member of the armed forces described in subsection (b) (and without regard to the exception in subsection (c)) for costs incurred by the spouse in obtaining professional re-licensure or re-certification in a new State in association with the member’s permanent change of station to a location in such State.

“(B) Reimbursement under this paragraph shall be available for any of the following:

“(i) Application fees to a State board, bar association, or other certifying or licensing body.

“(ii) Exam fees and registration fees paid to a licensing body.

“(iii) Costs of additional coursework required for eligibility for licensing or certification specific to State concerned (other than costs in connection with continuing education courses).

“(C)(i) The total amount of reimbursement of a spouse under this paragraph in connection with a particular change of station may not exceed \$500.

“(ii) Eligibility for reimbursement may not be limited by the grade of the member concerned.

“(D) The total amount reimbursement under this paragraph in any fiscal year may not exceed \$2,000,000.

“(E) Reimbursements under this paragraph shall be distributed on a quarterly basis.

“(F) This paragraph shall expire on the enactment of a credit against the tax imposed by subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 for the taxable year an amount equal to the qualified re-licensing costs of an individual who is married to a member of the armed forces and who moves to another State with such member under a permanent change of station order.”

SA 677. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. _____. STUDY ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.

(a) **STUDY REQUIRED.**—The Secretary of Defense shall enter into an agreement with an appropriate independent entity to conduct a study and assessment of United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) **ELEMENTS.**—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People's Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(3) The economic assistance practices of other countries in the Freely Associated States, as determined by the Comptroller General, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(4) Any other matters the Secretary considers appropriate for purposes of the study.

(c) **DEPARTMENT OF DEFENSE SUPPORT.**—The Secretary shall provide the entity conducting the study pursuant to subsection (a) with timely access to appropriate information, data, resources, and analysis so that the entity may conduct a thorough and independent assessment of the matters covered by the study, including the matters specified in subsection (b).

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than December 1, 2018, the Secretary shall submit to the congressional defense committees a report setting forth the results of the study conducted pursuant to subsection (a).

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SA 678. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONGRESSIONAL BUDGET OFFICE ESTIMATE OF MISSILE DEFENSE COSTS.

Not later than one year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report setting forth the following:

(1) An estimate of the costs over the 10-year period beginning on the date of the report associated with fielding and maintaining the current ballistic and cruise missile defenses of the United States.

(2) An estimate of the costs to acquire a national missile defense system sufficient to protect the United States against a ballistic or cruise missile attack from the Russian Federation or the People's Republic of China.

(3) An estimate of the costs to design, launch, maintain, operate, and replenish space-based interceptors and sensors of different constellation sizes ranging from limited to comprehensive.

SA 679. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REALLOCATION OF FUNDS AVAILABLE FOR GROUND-LAUNCHED INTERMEDIATE RANGE MISSILE TO MILITARY CAPABILITIES TO COUNTER RUSSIAN INF TREATY VIOLATIONS.

(a) **AVAILABILITY OF AMOUNTS TO COUNTER RUSSIAN INF TREATY VIOLATIONS.**—The amount authorized to be appropriated for fiscal year 2018 for the Department of Defense by this Act is hereby increased by \$65,000,000, with the amount of the increase to be available for military capabilities to counter violations of the INF Treaty by the Russian Federation.

(b) **REDUCTION OF AMOUNTS FOR GROUND-LAUNCHED INTERMEDIATE RANGE MISSILE.**—The amount authorized to be appropriated for fiscal year 2018 by section 201 is hereby reduced by \$65,000,000, with the amount of the reduction to be applied against amounts available for research, development, test, and evaluation of the ground-launched intermediate range missile.

(c) **INF TREATY DEFINED.**—In this section, the term “INF Treaty” means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

SA 680. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON THE NEED FOR A JOINT CHEMICAL-BIOLOGICAL DEFENSE LOGISTICS CENTER.

Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a report that includes the following:

(1) A description of the operational need and requirement for a consolidated Joint Chemical-Biological Defense Logistics Center.

(2) Identification of the specific operational requirements for rapid deployment of chemical and biological defense assets and the sustainment requirements for maintenance, storage, inspection, and distribution of specialized chemical, biological, radiological, and nuclear equipment at the Joint Chemical-Biological Defense Logistics Center.

(3) A definition of program objectives and milestones to achieve initial operating capability and full operating capability.

(4) Estimated facility and personnel resource requirements for use in planning, programming, and budgeting.

(5) An environmental assessment of proposed effects in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 681. Mr. JOHNSON (for himself, Mrs. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. _____. REPORT ON THE AUDIT OF THE FULL FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth the following:

(1) A description of the work under taken and planned to be undertaken by the Department of Defense, and the military departments, Defense Agencies, and other organizations and elements of the Department, to test and verify transaction data from feeder systems.

(2) A projected timeline of the Department in connection with the audit of the full financial statements of the Department, including the following:

(A) The date on which the Department projects the beginning of an audit of the full financial statements of the Department, and the military departments, Defense Agencies, and other organizations and elements of the Department, for a fiscal year.

(B) The date on which the Department projects the completions of audits of the full financial statements of the Department, and the military departments, Defense Agencies, and other organizations and elements of the Department, for a fiscal year.

(C) The dates on which the Department expects to obtain an unqualified audit opinion on the full financial statements of the Department, the military departments, the Defense Agencies, and other organizations and elements of the Department for a fiscal year.

(D) The anticipated total cost of future audits as described in subparagraphs (A) through (C).

(3) The anticipated annual costs of maintaining an unqualified audit opinion on the full financial statements of the Department, the military departments, the Defense Agencies, and other organizations and elements of the Department for a fiscal year after an unqualified audit opinion on such full financial statements for a fiscal year is first obtained.

SA 682. Mr. PERDUE (for himself, Mr. WYDEN, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1008. FINANCIAL AUDIT FUND.

(a) **IN GENERAL.**—If the Department of Defense does not obtain a qualified audit opinion on its full financial statements for fiscal year 2020 by March 31, 2021, the Secretary of Defense shall establish a fund to be known as the “Financial Audit Fund” (in this section referred to as the “Fund”) for the purpose of activities for the resolution of Notices of Findings and Recommendations received.

(b) **ELEMENTS.**—Amounts in the Fund shall include the following:

(1) Amounts appropriated to the Fund.

(2) Amounts transferred to the Fund under subsection (d).

(3) Any other amounts authorized for transfer or deposit into the Fund by law.

(c) **AVAILABILITY.**—

(1) **IN GENERAL.**—Amounts in the Fund shall be available for activities for the resolution of Notices of Findings and Recommendations received.

(2) **TRANSFERS FROM FUND.**—Amounts in the Fund may be transferred to any other account of the Department in order to fund activities described in paragraph (1). Any amounts transferred from the Fund to an account shall be merged with amounts in the account to which transferred and shall be available subject to the same terms and conditions as amounts in such account, except that amounts so transferred shall remain available until expended. The authority to transfer amounts under this paragraph is in addition to any other authority of the Secretary to transfer amounts by law.

(3) **LIMITATIONS.**—Amounts in the Fund may be transferred under this subsection in a fiscal year only to agencies and organizations of the Department that have an unmodified audit opinion on their financial statements for at least one of the two preceding fiscal years. Amounts so transferred shall be available only to permit the agency or organization to which transferred to carry out activities described in paragraph (1).

(d) **TRANSFERS TO FUND IN CONNECTION WITH CERTAIN ORGANIZATIONS.**—

(1) **REDUCTION IN AMOUNT AVAILABLE.**—Subject to paragraph (2), if during any fiscal year after fiscal year 2021 the Secretary determines that an agency or organization of the Department has not achieved a qualified opinion on its full financial statements, is

being identified as not audit ready, is receiving a disclaimer of opinion on its financial statements, or is receiving an adverse opinion on its financial statements for the calendar year ending during such fiscal year—

(A) the amount available to such agency or organization for the fiscal year in which such determination is made shall be equal to—

(i) the amount otherwise authorized to be appropriated for such agency or organization for the fiscal year; minus

(ii) the lesser of—

(I) an amount equal to 0.5 percent of the amount described in clause (i); or

(II) \$100,000,000; and

(B) the Secretary shall deposit in the Fund pursuant to subsection (b)(2) all amounts unavailable to agencies and organizations of the Department in the fiscal year pursuant to determinations made under subparagraph (A).

(2) **INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.**—Any reduction applicable to an agency or organization of the Department under paragraph (1) for a fiscal year shall not apply to amounts, if any, available to such agency or organization for the fiscal year for military personnel.

(3) **LIMITATION ON FUNDS TRANSFERABLE.**—The authority to transfer amounts pursuant to this subsection applies only with respect to amounts that are appropriated after the date of the enactment of this Act.

(4) **REPORTS ON TRANSFERS.**—Not later than 15 days before the transfer of any amount pursuant to this subsection, the Secretary shall submit to the congressional defense committees a notice on the transfer, including the agency or organization whose funds will provide the source of the transfer, the amount of the transfer, and the specific plans for the use of the amount transferred for the resolution of Notices of Findings and Recommendations concerned.

(e) **DEFINITIONS.**—In this section:

(1) The term “audit ready”, with respect to an agency or organization of the Department of Defense, means that the agency or organization has in place the critical audit capabilities and associated infrastructure necessary to successfully commence and support a financial audit of its relevant financial statements.

(2) The term “adverse opinion”, with respect to financial statements, means an opinion by the auditor of the financial statements that the financial statements are misleading and cannot be relied upon.

(3) The term “disclaimer of opinion”, with respect to financial statements, means that the auditor of the financial statements was not able to complete the audit work, and cannot issue an opinion, on the financial statements.

(4) The term “qualified opinion”, with respect to financial statements, means an opinion by the auditor of the financial statements that the financial statements are reliable with certain exceptions.

(f) **COORDINATING REPEAL.**—Section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 113 note) is amended by striking subsection (d).

SA 683. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ENERGY SECURITY FOR MILITARY INSTALLATIONS IN EUROPE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) United States military installations in Europe are potentially vulnerable to supply disruptions from foreign governments, especially the Government of the Russian Federation, which could use control of energy supplies in a hostile or weaponized manner.

(2) The Government of the Russian Federation has previously shown its willingness to aggressively use energy supplies as a weapon to pressure foreign nations, including Ukraine.

(b) **AUTHORITY.**—The Secretary of Defense shall take appropriate measures, to the extent practicable, to—

(1) reduce the dependency of all United States military installations in Europe on energy sourced inside Russia; and

(2) ensure that all United States military installations in Europe are able to sustain operations in the event of a supply disruption

(c) **CERTIFICATION REQUIREMENT.**—Not later than December 31, 2021, the Secretary of Defense shall certify to the congressional defense committees whether or not every United States military installation in Europe—

(1) is dependent to the minimum extent practicable on energy sourced inside the Russian Federation; and

(2) has the ability to sustain operations during an energy supply disruption.

(d) **BRIEFING REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense shall brief the congressional defense committees on progress in achieving the goals described in subsection (b), including—

(1) an assessment of the operational risks of energy supply disruptions;

(2) a description of mitigation measures identified to address such operational risks;

(3) an assessment of the feasibility, estimated costs, and schedule of diversified energy solutions; and

(4) a determination of the minimum practicable usage of energy sourced inside Russia on United States military installations in Europe.

(e) **INTERIM REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and make publicly available an interim report on progress in achieving the goals described in subsection (b), including the assessments described in paragraphs (1) through (4) of subsection (d).

(f) **DEFINITION OF ENERGY SOURCED INSIDE RUSSIA.**—In this section, the term “energy sourced inside Russia” means energy that is produced, owned, or facilitated by companies that are located in the Russian Federation or owned or controlled by the Government of the Russian Federation.

SA 684. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 103, between lines 2 and 3, insert the following:

(1) not later than 120 days after the date of enactment of this Act, begin an exposure assessment of no less than 8 current or former military installations known to have per- and polyfluoroalkyl substances (PFAS) contamination in drinking water, ground water, and any other sources of water and relevant exposure vectors, and such assessment shall—

(A) include—

(i) a statistical sample at each installation, to be determined by the Secretary of Health and Human Services;

(ii) blood testing and bio-monitoring for assessing such contamination;

(B) conclude no later than 2 years after the date of enactment of this Act; and

(C) produce findings, which shall be—

(i) used to help design the study described in paragraph (2); and

(ii) released to the appropriate congressional committees not later than 1 year after the conclusion of such assessment;

SA 685. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1635, add the following:

(e) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 may be used for an action that is not permitted under the INF Treaty on the date of the enactment of this Act.

SA 686. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON SIGNIFICANT SECURITY VULNERABILITIES OF THE NATIONAL ELECTRIC GRID.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence and the Secretary of Energy, submit to the congressional defense committees a report setting forth the following:

(1) Identification of the significant security vulnerabilities of the national electric grid that are susceptible to significant malicious cyber-enabled activities.

(2) An assessment of the effect of the security vulnerabilities identified in paragraph (1) on the readiness of the United States Armed Forces.

(3) An assessment of the strategic benefits derived from, and the challenges associated with, isolating military infrastructure from the national electric grid and the use of microgrids by the Armed Forces.

(4) Recommendations on actions to be taken—

(A) to eliminate or mitigate the security vulnerabilities identified pursuant to paragraph (1); and

(B) to address the effect of those security vulnerabilities on the readiness of the Armed Forces identified pursuant to paragraph (2).

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) The term “security vulnerability” has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(2) The term “significant malicious cyber-enabled activities” include—

(A) significant efforts—

(i) to deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) to exfiltrate, degrade, corrupt, destroy, or release information from such a system or network without authorization for purposes of—

(I) conducting influence operations; or

(II) causing a significant misappropriation of funds, economic resources, trade secrets, personal identifications, or financial information for commercial or competitive advantage or private financial gain;

(B) significant destructive malware attacks; and

(C) significant denial of service activities.

SA 687. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle ____ of title ____, add the following:

SEC. ____ . PROTECTION OF INDIVIDUALS ELIGIBLE FOR INCREASED PENSION UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS ON BASIS OF NEED FOR REGULAR AID AND ATTENDANCE.

(a) **DEVELOPMENT AND IMPLEMENTATION OF STANDARDS.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall work with the heads of Federal agencies, States, and such experts as the Secretary considers appropriate to develop and implement Federal and State standards that protect individuals from dishonest, predatory, or otherwise unlawful practices relating to increased pension available to such individuals under chapter 15 of title 38, United States Code, on the basis of need for regular aid and attendance.

(2) **SUBMITTAL TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the standards developed under paragraph (1).

(b) **CONDITIONAL RECOMMENDATION BY COMPTROLLER GENERAL.**—If the Secretary does

not, on or before the date that is 180 days after the date of the enactment of this Act, submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives standards that are developed under subsection (a)(1), the Comptroller General of the United States shall, not later than the date that is one year after the date of the enactment of this Act, submit to such committees a report containing standards that the Comptroller General determines are standards that would be effective in protecting individuals as described in such subsection.

(c) **STUDY BY COMPTROLLER GENERAL.**—Not later than 540 days after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on standards implemented under this section to protect individuals as described in subsection (a)(1) and submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the findings of the Comptroller General with respect to such study.

SA 688. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REGULAR ORDER.

Notwithstanding any other provision of law, nothing in this Act, including the amendments made by this Act, shall take effect until the both the Senate and the House of Representatives pass this Act through regular order.

SA 689. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT TO HOLD CONFERENCE.

Notwithstanding any other provision of law, no provision of this Act, including any amendment made by this Act, shall take effect until a bipartisan conference has been convened and produced a conference report with respect to this Act, and such conference report has passed the Senate and the House of Representatives. The conference committee shall hold multiple public meetings and consider the input of stakeholders.

SA 690. Ms. MURKOWSKI (for herself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 267 submitted by Mr. CARDIN (for himself and Ms. STABENOW) and intended to be proposed to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 105.

SA 691. Mr. BLUMENTHAL submitted an amendment intended to be

proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 202 and insert the following:
SEC. ____ . WOMEN'S HEALTH CARE PROGRAM.

Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by adding at the end the following new section:

"SEC. 1947. WOMEN'S HEALTH CARE PROGRAM.

"(a) IN GENERAL.—Notwithstanding section 105 of the Health Care Freedom Act, the Secretary shall award funds on a competitive basis to any entity that is listed as a family planning essential community provider for the provision of family planning, reproductive health, and related services during the 1 year period that begins on the date of the enactment of such Act.

"(b) APPROPRIATION.—For the purpose of making awards under this section, there are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$422,000,000 for fiscal year 2017, to remain available until expended."

SA 692. Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. GILLIBRAND, Mr. PETERS, Mr. MARKEY, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to UH-60 Blackhawk M Model (MYP), strike the amount in the Senate Authorized column and insert "1,265,308".

In the funding table in section 4101, in the item relating to Total Aircraft Procurement, Army, strike the amount in the Senate Authorized column and insert "5,364,068".

In the funding table in section 4101, in the first item relating to O/A-X Light Attack Fighter, strike the amount in the Senate Authorized column and insert "873,000".

In the funding table in section 4101, in the second item relating to O/A-X Light Attack Fighter, strike the amount in the Senate Authorized column and insert "[873,000]".

In the funding table in section 4101, in the item relating to Total Aircraft Procurement, Air Force, strike the amount in the Senate Authorized column and insert "20,243,286".

SA 693. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. ____ . PAY FOR CERTAIN EMPLOYEES AND CONTRACTORS WORKING IN SENSITIVE SECURITY ENVIRONMENTS.

(a) FEDERAL EMPLOYEES.—

(1) IN GENERAL.—Subchapter IV of chapter 53 of title 5, United States Code, is amended by adding at the end the following:

"§ 5349A. Pay for prevailing rate employees working in sensitive security environments

"(a) DEFINITIONS.—In this section—

"(1) the term 'local wage area' means a local wage established under section 5343; and

"(2) the term 'position in a sensitive security environment' means a position in which individual—

"(A) is required to have a security clearance; or

"(B) performs not less than 50 percent of the official duties of the individual—

"(i) for an element of the intelligence community (as defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)));

"(ii) for a laboratory or research center overseen by the Office for National Laboratories of the Department of Homeland Security;

"(iii) at an airport; or

"(iv) at a military installation.

"(b) PAY LIMITATION.—The rate of basic pay for a prevailing wage employee in a position in a sensitive security environment shall be not less than the rate of basic pay for grade 2, level 1 of the WS wage schedule in effect for the local wage area of the duty station of the prevailing rate employee."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter VII of chapter 53 of title 5, United States Code, is amended by adding at the end the following:

"5349A. Pay for prevailing rate employees working in sensitive security environments."

(3) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the first day of the first pay period beginning after the date that is 1 year after the date of enactment of this Act.

(b) PRIVATE EMPLOYEES.—

(1) IN GENERAL.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

"(b) MINIMUM WAGE FOR EMPLOYEES IN SENSITIVE SECURITY ENVIRONMENTS.—

"(1) DEFINITION OF COVERED EMPLOYEE.—In this subsection, the term 'covered employee' means an employee who—

"(A) in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce;

"(B) performs duties described in section 5342(a)(2) of section 5, United States Code; and

"(C) is employed in a position in a sensitive security environment, as defined in section 5349A(a) of title 5, United States Code.

"(2) WAGE REQUIRED IN SENSITIVE SECURITY ENVIRONMENTS.—In lieu of any rate prescribed under subsection (a), (b), or (c), any employer shall pay a covered employee a wage rate that is not less than the rate of basic pay for grade 2, level 1 of the WS wage schedule in effect for the local wage area of the duty station of the employee."

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect beginning on the date that is 1 year after the date of enactment of this Act.

(c) FEDERAL CONTRACTOR REQUIREMENT.—By not later than 1 year after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require that all

Federal contracts for the provision of property or services include a requirement that the contractor comply with the requirements of section 6(h) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(h)).

SA 694. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . SHARK FIN TRADE ELIMINATION.

(a) FINDINGS.—Congress finds the following:

(1) Sharks are critically important species for their economic, cultural, and ecosystem value.

(2) Many shark populations are in peril worldwide and are on the decline.

(3) One of the greatest threats to sharks is the global trade in shark fins. It is estimated that fins from as many as 73,000,000 sharks end up in the global shark fin trade every year.

(4) Shark fins have no medicinal or nutritional value.

(5) The trade in shark fins is primarily focused on large coastal and pelagic species that grow slowly, mature late, and have low reproduction rates.

(6) Shark fins are often removed and retained while the remainder of a shark is discarded due to the high market value of shark fins relative to other parts of a shark.

(7) Shark fins are removed primarily to be commercialized as a fungible commodity.

(8) Shark finning is the cruel practice in which the fins of a shark are cut off on board a fishing vessel at sea. The remainder of the animal is then thrown back into the water to drown, starve, or die a slow death.

(9) Although the United States has banned the practice of shark finning aboard vessels in waters controlled by the United States, there is no Federal ban on the removal and sale of shark fins once the fin is brought ashore.

(10) Once a shark fin is detached from the body, it becomes impossible to determine whether the shark was legally caught or the fin lawfully removed.

(11) It is difficult to determine which species of shark a fin was removed from, which is problematic because some species are threatened with extinction.

(12) The States of Texas, Delaware, Hawaii, Illinois, Massachusetts, Maryland, New York, Oregon, Rhode Island, California, and Washington and American Samoa, Guam, and the North Mariana Islands have implemented bans on the sale of shark fins.

(13) Shark fins possessed, transported, offered for sale, sold, or purchased anywhere in the United States are part of a large international market, having a substantial and direct effect on interstate commerce.

(14) Abolition of the shark fin trade in the United States will remove the United States from the global shark fin market and will put the United States in a stronger position to advocate internationally for abolishing the shark fin trade in other countries.

(b) PROHIBITION ON SALE OF SHARK FINS.—

(1) **PROHIBITION.**—Except as provided in subsection (c), no person shall possess, transport, offer for sale, sell, or purchase shark fins or products containing shark fins.

(2) **PENALTY.**—A violation of paragraph (1) shall be treated as an act prohibited by section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) and shall be penalized pursuant to section 308(a) of that Act (16 U.S.C. 1858(a)), except that the maximum civil penalty for each violation shall be \$100,000, or the fair market value of the shark fins involved, whichever is greater.

(c) **EXCEPTIONS.**—A person may possess a shark fin that was taken lawfully under a State, territorial, or Federal license or permit to take or land sharks, if the shark fin is separated from the shark in a manner consistent with the license or permit and is—

(1) destroyed or discarded upon separation;

(2) used for noncommercial subsistence purposes in accordance with State or territorial law;

(3) used solely for display or research purposes by a museum, college, or university, or other person under a State or Federal permit to conduct noncommercial scientific research; or

(4) retained by the license or permit holder for a noncommercial purpose.

(d) **DOGFISH.**—

(1) **IN GENERAL.**—It shall not be a violation of subsection (b) for any person to possess, transport, offer for sale, sell, or purchase any fresh or frozen raw fin or tail from any stock of the species *Mustelus canis* (smooth dogfish) or *Squalus acanthias* (spiny dogfish).

(2) **REPORT.**—By not later than January 1, 2027, the Secretary of Commerce shall review the exemption contained in paragraph (1) and shall prepare and submit to Congress a report that includes a recommendation on whether the exemption contained in paragraph (1) should continue or be terminated. In preparing such report and making such recommendation, the Secretary shall analyze factors including—

(A) the economic viability of dogfish fisheries with and without the continuation of the exemption;

(B) the impact to ocean ecosystems of continuing or terminating the exemption;

(C) the impact on enforcement of the ban contained in subsection (b) caused by the exemption; and

(D) the impact of the exemption on shark conservation.

(e) **DEFINITION OF SHARK FIN.**—In this section, the term “shark fin” means—

(1) the raw or dried or otherwise processed detached fin of a shark; or

(2) the raw or dried or otherwise processed detached tail of a shark.

(f) **STATE AUTHORITY.**—Nothing in this section may be construed to preclude, deny, or limit any right of a State or territory to adopt or enforce any regulation or standard that is more stringent than a regulation or standard in effect under this section.

(g) **SEVERABILITY.**—If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

SA 695. Mr. BOOKER (for himself, Mrs. CAPITO, Mr. BLUMENTHAL, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed

by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. _____. SHARK FIN TRADE ELIMINATION.

(a) **FINDINGS.**—Congress finds the following:

(1) Sharks are critically important species for their economic, cultural, and ecosystem value.

(2) Many shark populations are in peril worldwide and are on the decline.

(3) One of the greatest threats to sharks is the global trade in shark fins. It is estimated that fins from as many as 73,000,000 sharks end up in the global shark fin trade every year.

(4) Shark fins have no medicinal or nutritional value.

(5) The trade in shark fins is primarily focused on large coastal and pelagic species that grow slowly, mature late, and have low reproduction rates.

(6) Shark fins are often removed and retained while the remainder of a shark is discarded due to the high market value of shark fins relative to other parts of a shark.

(7) Shark fins are removed primarily to be commercialized as a fungible commodity.

(8) Shark finning is the cruel practice in which the fins of a shark are cut off on board a fishing vessel at sea. The remainder of the animal is then thrown back into the water to drown, starve, or die a slow death.

(9) Although the United States has banned the practice of shark finning aboard vessels in waters controlled by the United States, there is no Federal ban on the removal and sale of shark fins once the fin is brought ashore.

(10) Once a shark fin is detached from the body, it becomes impossible to determine whether the shark was legally caught or the fin lawfully removed.

(11) It is difficult to determine which species of shark a fin was removed from, which is problematic because some species are threatened with extinction.

(12) The States of Texas, Delaware, Hawaii, Illinois, Massachusetts, Maryland, New York, Oregon, Rhode Island, California, and Washington and American Samoa, Guam, and the North Mariana Islands have implemented bans on the sale of shark fins.

(13) Shark fins possessed, transported, offered for sale, sold, or purchased anywhere in the United States are part of a large international market, having a substantial and direct effect on interstate commerce.

(14) Abolition of the shark fin trade in the United States will remove the United States from the global shark fin market and will put the United States in a stronger position to advocate internationally for abolishing the shark fin trade in other countries.

(b) **PROHIBITION ON SALE OF SHARK FINS.**—

(1) **PROHIBITION.**—Except as provided in subsection (c), no person shall possess, transport, offer for sale, sell, or purchase shark fins or products containing shark fins.

(2) **PENALTY.**—A violation of paragraph (1) shall be treated as an act prohibited by section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) and shall be penalized pursuant to sec-

tion 308(a) of that Act (16 U.S.C. 1858(a)), except that the maximum civil penalty for each violation shall be \$100,000, or the fair market value of the shark fins involved, whichever is greater.

(c) **EXCEPTIONS.**—A person may possess a shark fin that was taken lawfully under a State, territorial, or Federal license or permit to take or land sharks, if the shark fin is separated from the shark in a manner consistent with the license or permit and is—

(1) destroyed or discarded upon separation;

(2) used for noncommercial subsistence purposes in accordance with State or territorial law;

(3) used solely for display or research purposes by a museum, college, or university, or other person under a State or Federal permit to conduct noncommercial scientific research; or

(4) retained by the license or permit holder for a noncommercial purpose.

(d) **DOGFISH.**—

(1) **IN GENERAL.**—It shall not be a violation of subsection (b) for any person to possess, transport, offer for sale, sell, or purchase any fresh or frozen raw fin or tail from any stock of the species *Mustelus canis* (smooth dogfish) or *Squalus acanthias* (spiny dogfish).

(2) **REPORT.**—By not later than January 1, 2027, the Secretary of Commerce shall review the exemption contained in paragraph (1) and shall prepare and submit to Congress a report that includes a recommendation on whether the exemption contained in paragraph (1) should continue or be terminated. In preparing such report and making such recommendation, the Secretary shall analyze factors including—

(A) the economic viability of dogfish fisheries with and without the continuation of the exemption;

(B) the impact to ocean ecosystems of continuing or terminating the exemption;

(C) the impact on enforcement of the ban contained in subsection (b) caused by the exemption; and

(D) the impact of the exemption on shark conservation.

(e) **DEFINITION OF SHARK FIN.**—In this section, the term “shark fin” means—

(1) the raw or dried or otherwise processed detached fin of a shark; or

(2) the raw or dried or otherwise processed detached tail of a shark.

(f) **STATE AUTHORITY.**—Nothing in this section may be construed to preclude, deny, or limit any right of a State or territory to adopt or enforce any regulation or standard that is more stringent than a regulation or standard in effect under this section.

(g) **SEVERABILITY.**—If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

SA 696. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. ____. **INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE 74 MEMBERS OF THE CREW OF THE U.S.S. FRANK E. EVANS WHO PERISHED ON JUNE 3, 1969.**

(a) **SENSE OF CONGRESS.**—Congress acknowledge the courage, service, and sacrifice of the crew members of the U.S.S. Frank E. Evans, including the 74 crew members who perished on June 3, 1969.

(b) **APPROVAL OF INCLUSION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of the Interior, approve the inclusion on the Vietnam Veterans Memorial Wall of the names of the 74 sailors of the U.S.S. Frank E. Evans who perished on June 3, 1969.

SA 697. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following section:

SEC. ____. **PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF VETS4WARRIORS CRISIS HOTLINE PROGRAM.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to terminate the Vets4Warriors crisis hotline program unless the Secretary of Defense has submitted to the congressional defense committees a report describing a sufficient replacement to such program.

SA 697. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following section:

SEC. ____. **PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF VETS4WARRIORS CRISIS HOTLINE PROGRAM.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to terminate the Vets4Warriors crisis hotline program unless the Secretary of Defense has submitted to the congressional defense committees a report describing a sufficient replacement to such program.

SA 698. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **ITEMIZED LIST OF ITEMS ACQUIRED FROM FOREIGN ENTITIES THROUGH BUY AMERICAN WAIVERS.**

Section 8302(b)(2)(B) of title 41, United States Code, is amended by inserting “, including an itemized list of all articles, materials, and supplies acquired through such waivers,” after “this chapter”.

SA 699. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812.

SA 700. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **PILOT PROGRAM ON INTEGRATING INTO THE DEPARTMENT OF DEFENSE WORKFORCE INDIVIDUALS WITH CYBERSECURITY SKILLS WHOSE SERVICES ARE DONATED BY PRIVATE PERSONS.**

(a) **PILOT PROGRAM REQUIRED.**—Not later than June 1, 2019, the Secretary of Defense shall commence carrying out a pilot program to assess the feasibility and advisability of integrating into the workforce of the Department of Defense individuals who have skills relating to cybersecurity and whose services are donated to the Department of Defense by private persons.

(b) **DURATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary shall carry out the pilot program during the period beginning on the date of the commencement of the pilot program and ending on June 1, 2024.

(2) **EXTENSION.**—At the end of the period set forth in paragraph (1), the Secretary may, as the Secretary considers appropriate, extend the period of the pilot program for such period as the Secretary considers appropriate, except that such extension shall be less than two years.

(c) **LOCATION.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program at one or more facilities of the Federal Government or a non-profit organization. Such facilities shall be selected by the Secretary to maximize the number of individuals participating in the pilot program consistent with subsection (d)(3).

(2) **WORKSPACES FOR HANDLING CLASSIFIED MATERIAL.**—The Secretary shall ensure that

such facilities include, as the Secretary considers appropriate, workspaces for handling classified material.

(d) **APPLICATION AND SELECTION.**—

(1) **APPLICATION.**—An individual seeking to participate in the pilot program shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

(2) **SELECTION.**—The Secretary shall establish a competitive process for the selection of individuals to participate in the pilot program.

(3) **PRIORITIES.**—In selecting individuals to participate in the pilot program, the Secretary shall give priority to individuals who have not previously served as an employee or contractor of the Federal Government and who possess technical expertise relating to the defense of information systems. In selecting individuals to participate in the pilot program and individuals to support the pilot program, the Secretary shall also give priority to individuals who will facilitate integration of skilled experts from the private sector into the Federal Government cybersecurity workforce.

(4) **MAXIMUM NUMBER OF PARTICIPANTS.**—No more than 250 individuals may concurrently participate in the pilot program.

(e) **FEDERAL COLLABORATION.**—The Secretary shall detail employees of the Department to the facilities selected under subsection (c) to maximize productivity, collaboration, and exchange of knowledge.

(f) **APPOINTMENTS.**—

(1) **AUTHORITIES.**—In carrying out the pilot program, the Secretary may use any appropriate appointment authority, including the authorities for—

(A) public-private talent exchanges under section 1599g of title 10, United States Code;

(B) an information technology exchange program under section 3702 of title 5, United States Code, notwithstanding the numerical limitation provided in that section; and

(C) appointment under subchapter VI of chapter 33 of such title, except that, for purposes of the pilot program, the term “other organization”, as used in such subchapter, shall be deemed to include a for-profit organization.

(2) **COMPENSATION.**—Nothing in this section shall be construed as a modification of the compensation provisions or ethics requirements associated with the appointment authorities in paragraph (1).

(3) **EXPENSES.**—The Secretary may pay for travel and other work-related expenses associated with individuals participating in the pilot program.

(g) **DETAILING OF PARTICIPANTS.**—With the consent of an individual participating in the pilot program, the Secretary may, under the pilot program, detail the individual to another Federal department or agency.

(h) **SECURITY CLEARANCES.**—The Secretary shall establish an expedited process for providing appropriate security clearances to individuals who participate in the pilot program, consistent with counterintelligence best practices.

(i) **AVOIDANCE OF DUPLICATION.**—In carrying out the pilot program, the Secretary of Defense shall coordinate with the Defense Digital Service, the Defense Innovation Unit Experimental, and such other elements of the United States Government as the Secretary considers appropriate to minimize duplication of effort and facilities.

(j) **REPORTS.**—

(1) **PRELIMINARY REPORT.**—Not later than June 1, 2022, the Secretary shall submit to

the congressional defense committees a preliminary report describing the results of the pilot program, recommending how the pilot program could be improved, and providing a recommendation on whether the pilot program should be made permanent.

(2) **FINAL REPORT.**—Not later than January 1, 2025, the Secretary shall submit to the congressional defense committees a final report describing the results of the pilot program, recommending how the pilot program could be improved, and providing a recommendation on whether the pilot program should be made permanent.

SA 701. Ms. HARRIS (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 513. EXCLUSION OF MEMBERS OF THE NATIONAL GUARD PERFORMING FUNERAL HONORS FROM COUNTING FOR ACTIVE-DUTY END STRENGTH LEVELS.

(a) **IN GENERAL.**—Subsection (i) of section 115 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(14) Members of the National Guard on active duty or full-time National Guard duty for the purpose of carrying out funeral honors activities under section 115 of title 32.”.

(b) **CONFORMING AMENDMENT.**—Subsection (b)(3)(B) of such section is amended by striking “through (8)” and inserting “through (14)”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2017, and shall apply with respect to National Guard members ordered to active duty for the purpose of preparing and performing funeral honors before, on, or after that date.

SA 702. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—ONLINE SAFETY

SEC. 1701. SHORT TITLE.

This title may be cited as the “Online Safety Modernization Act of 2017”.

Subtitle A—Interstate Sextortion Prevention
SEC. 1711. COERCION OF SEXUAL ACTS, SEXUAL CONTACT, OR SEXUALLY INTIMATE VISUAL DEPICTIONS.

(a) **IN GENERAL.**—Part I of title 18, United States Code, is amended by adding at the end the following:

“CHAPTER 124—COERCION OF SEXUAL ACTS, SEXUAL CONTACT, OR SEXUALLY INTIMATE VISUAL DEPICTIONS

“2751. Definitions.

“2752. Coercion of sexual acts.

“2753. Coercion of sexual contact.

“2754. Coerced production of sexually intimate visual depictions.

“2755. Coercion using sexually intimate visual depictions.

“2756. Extortion using sexually intimate visual depictions.

“2757. Offenses involving minors.

“2758. Offenses resulting in death or serious bodily injury.

“2759. Attempt.

“2760. Repeat offenders.

“2761. Forfeitures.

“2762. Mandatory restitution.

“2763. Civil action.

“§ 2751. Definitions

“In this chapter:

“(1) **ACTUAL DEPICTION.**—The term ‘actual depiction’ means a depiction that has not been fabricated or materially altered to change the appearance or physical characteristics of any individual, object, or activity depicted.

“(2) **COERCION.**—The term ‘coercion’ means—

“(A) a threat of serious harm to or physical restraint against any individual;

“(B) a scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any individual; or

“(C) the abuse or threatened abuse of law or the legal process.

“(3) **COMPUTER-GENERATED SEXUALLY INTIMATE VISUAL DEPICTION.**—The term ‘computer-generated sexually intimate visual depiction’ means a depiction that has been created, adapted, or modified through the use of any computer technology to appear to be a sexually intimate visual depiction.

“(4) **CRIMINAL ACTION.**—The term ‘criminal action’ includes an investigation and prosecution that is pending, until final adjudication in the trial court.

“(5) **IMMEDIATE FAMILY MEMBER.**—The term ‘immediate family member’, with respect to an addressee, means—

“(A) the spouse, parent, legal guardian, grandparent, sibling, child, or grandchild of the addressee, or an individual for whom the addressee serves as legal guardian; or

“(B) any other individual living in the household of the addressee and related to the addressee by blood or marriage.

“(6) **INDISTINGUISHABLE.**—The term ‘indistinguishable’, with respect to a computer-generated sexually intimate visual depiction—

“(A) means virtually indistinguishable, in that the computer-generated sexually intimate visual depiction is such that an ordinary person viewing the computer-generated depiction would conclude that the computer-generated depiction is an actual depiction of the addressee or of an immediate family member or intimate partner of the addressee; and

“(B) does not apply to a depiction that is a drawing, cartoon, sculpture, or painting depicting any individual.

“(7) **INTIMATE PARTNER.**—The term ‘intimate partner’, with respect to an addressee, means an individual who is or has been in a social relationship of a romantic or intimate nature with the addressee, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the individuals involved in the relationship.

“(8) **MINOR.**—The term ‘minor’ means any individual who has not attained the age of 18 years.

“(9) **PRODUCE.**—The term ‘produce’ means to create, make, manufacture, photograph, film, videotape, record, or transmit live a sexually intimate visual depiction.

“(10) **PUBLISH.**—The term ‘publish’—

“(A) means to circulate, deliver, distribute, disseminate, transmit, or otherwise make available to another person; and

“(B) includes the hosting or display on the Internet.

“(11) **SERIOUS BODILY INJURY.**—The term ‘serious bodily injury’ means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

“(12) **SEXUAL ACT.**—The term ‘sexual act’ means—

“(A) any genital to genital, oral to genital, anal to genital, or oral to anal contact, not through the clothing;

“(B) the penetration, however slight, of the anal or genital opening of any individual by a hand or finger or by any object; or

“(C) the intentional touching, not through the clothing, of the genitalia of or by any individual.

“(13) **SEXUAL CONTACT.**—The term ‘sexual contact’ means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, or the intentional transmission or transfer of male or female ejaculate onto any part of another person’s body.

“(14) **SEXUALLY INTIMATE VISUAL DEPICTION.**—The term ‘sexually intimate visual depiction’ means any photograph, film, video, or other recording or live transmission of an individual, whether produced by electronic, mechanical, or other means (including depictions stored on undeveloped film and videotape, data stored on computer disk or by any electronic means that is capable of conversion into a visual image, and data that is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format), that depicts—

“(A) the naked exhibition of the anus, the post-pubescent female nipple, the genitals, or the pubic area of any individual;

“(B) any actual or simulated sexual contact or sexual act;

“(C) bestiality; or

“(D) sadistic or masochistic conduct.

“(15) **VICTIM.**—The term ‘victim’ means the individual harmed as a result of a commission of a crime under this chapter.

“§ 2752. Coercion of sexual acts

“(a) **IN GENERAL.**—

“(1) **OFFENSE.**—It shall be unlawful, using the mail or any facility or means of interstate or foreign commerce, to knowingly cause any individual to engage in a sexual act with another individual through coercion, fraud, or a threat to injure the person, property, or reputation of any person.

“(2) **PENALTY.**—Any person who violates paragraph (1) shall be fined under this title, imprisoned for any term of years or for life, or both.

“(b) **THREATS.**—

“(1) **OFFENSE.**—It shall be unlawful, with the intent to cause any individual to engage in a sexual act with another individual, to knowingly transmit any communication containing a threat to injure the person, property, or reputation of any person, using the mail or any facility or means of interstate or foreign commerce.

“(2) **PENALTY.**—Any person who violates paragraph (1) shall be fined under this title,

imprisoned for not more than 5 years, or both.

“§ 2753. Coercion of sexual contact

“(a) IN GENERAL.—

“(1) OFFENSE.—It shall be unlawful, using the mail or any facility or means of interstate or foreign commerce, to knowingly cause any individual to engage in sexual contact with another individual through coercion, fraud, or a threat to injure the person, property, or reputation of any person.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 10 years, or both.

“(b) THREATS.—

“(1) OFFENSE.—It shall be unlawful, with the intent to cause any individual to engage in sexual contact with another individual, to knowingly transmit any communication containing a threat to injure the person, property, or reputation of any person, using the mail or any facility or means of interstate or foreign commerce.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 5 years, or both.

“§ 2754. Coerced production of sexually intimate visual depictions

“(a) DEFINITION.—In this section, the term ‘sexually intimate visual depiction’ does not include any computer-generated sexually intimate visual depiction.

“(b) GENERAL PROHIBITION.—

“(1) OFFENSE.—It shall be unlawful, in a circumstance described in subsection (c), to knowingly cause any person to produce a sexually intimate visual depiction of any individual through coercion, fraud, or a threat to injure the person, property, or reputation of any person.

“(2) PENALTY.—Any person who violates paragraph (1) shall—

“(A) if a sexual act with another individual results, be fined under this title, imprisoned for any term of years or for life, or both; and

“(B) in any other case, be fined under this title, imprisoned for not more than 20 years, or both.

“(c) CIRCUMSTANCES DESCRIBED.—The circumstances described in this subsection are that—

“(1) the person uses the mail or any facility or means of interstate or foreign commerce to cause any person to produce the sexually intimate visual depiction described in subsection (a)(1);

“(2) the person knows or has reason to know that the sexually intimate visual depiction described in subsection (a)(1) will be—

“(A) transported or transmitted using any means or facility of interstate or foreign commerce, including by computer;

“(B) transported or transmitted in or affecting interstate or foreign commerce; or

“(C) mailed;

“(3) the sexually intimate visual depiction described in subsection (a)(1) is produced or transmitted using a material that has been—

“(A) transported or transmitted using any means or facility of interstate or foreign commerce, including by computer;

“(B) transported or transmitted in or affecting interstate or foreign commerce; or

“(C) mailed;

“(4) the sexually intimate visual depiction described in subsection (a)(1) is—

“(A) transported or transmitted using any means or facility of interstate or foreign commerce;

“(B) transported or transmitted in or affecting interstate or foreign commerce; or

“(C) mailed; or

“(5) any part of the offense occurs—

“(A) in a territory or possession of the United States; or

“(B) within the special maritime and territorial jurisdiction of the United States.

“(d) THREATS.—

“(1) OFFENSE.—It shall be unlawful, with the intent to cause a person to produce a sexually intimate visual depiction of any individual, to knowingly transmit any communication containing a threat to injure the person, property, or reputation of any person, using the mail or any facility or means of interstate or foreign commerce.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 5 years, or both.

“(e) OFFENSES INVOLVING MINORS.—Notwithstanding any other provision of law, in any case under this section involving a victim under the age of 18 in which the sexually intimate visual depiction constitutes child pornography, as defined in section 2256(8), the offender shall be punished as provided in section 2251(e).

“§ 2755. Coercion using sexually intimate visual depictions

“(a) DEFINITION.—In this section, the term ‘sexually intimate visual depiction’ includes any computer-generated sexually intimate visual depiction of an individual that is indistinguishable from an actual depiction of the individual.

“(b) GENERAL PROHIBITION.—

“(1) OFFENSE.—It shall be unlawful, using the mail or any facility or means of interstate or foreign commerce, to knowingly cause any person to engage or refrain from engaging in conduct by transmitting a communication containing a threat to publish any sexually intimate visual depiction of—

“(A) the addressee; or

“(B) an immediate family member or intimate partner of the addressee.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 7 years, or both.

“(c) THREATS.—

“(1) OFFENSE.—It shall be unlawful, with the intent to cause a person to engage or refrain from engaging in conduct, to knowingly transmit any communication containing a threat to publish any sexually intimate visual depiction of the addressee or of an immediate family member or intimate partner of the addressee, using the mail or any facility or means of interstate or foreign commerce.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 5 years, or both.

“§ 2756. Extortion using sexually intimate visual depictions

“(a) DEFINITION.—In this section, the term ‘sexually intimate visual depiction’ includes any computer-generated sexually intimate visual depiction of an individual that is indistinguishable from an actual depiction of the individual.

“(b) GENERAL PROHIBITION.—

“(1) OFFENSE.—It shall be unlawful, using the mail or any facility or means of interstate or foreign commerce, to knowingly extort any money, property, or other thing of value from another person by transmitting a communication containing a threat to publish any sexually intimate visual depiction of—

“(A) the addressee; or

“(B) an immediate family member or intimate partner of the addressee.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 7 years, or both.

“(c) THREATS.—

“(1) OFFENSE.—It shall be unlawful, with the intent to extort any money, property, or other thing of value from any person, to knowingly transmit any communication containing a threat to publish any sexually intimate visual depiction of the addressee or of an immediate family member or intimate partner of the addressee, using the mail or any facility or means of interstate or foreign commerce.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 5 years, or both.

“§ 2757. Offenses involving minors

“(a) OFFENSES INVOLVING MINORS UNDER 18.—If conduct that violates this chapter involves a victim or intended victim who has attained the age of 12 years and has not attained the age of 18 years, or who the defendant believes has attained the age of 12 years and has not attained the age of 18 years, the maximum term of imprisonment authorized for that offense shall be increased by 5 years.

“(b) OFFENSES INVOLVING MINORS UNDER 12.—If conduct that violates this chapter involves a victim or intended victim who has not attained the age of 12 years, or who the defendant believes has not attained the age of 12 years, the maximum term of imprisonment authorized for that offense shall be twice that otherwise provided under this chapter.

“§ 2758. Offenses resulting in death or serious bodily injury

“(a) OFFENSES RESULTING IN DEATH.—A person who commits a violation of this chapter that results in the death of any individual shall be fined under this title, imprisoned for any term of years or for life, or both.

“(b) OFFENSES RESULTING IN SERIOUS BODILY INJURY.—A person who commits a violation of this chapter that results in serious bodily injury to any individual shall be fined under this title, imprisoned for not more than 20 years, or both.

“§ 2759. Attempt

“(a) IN GENERAL.—An attempt to violate section 2752(a)(1), 2753(a)(1), 2754(b)(1), 2755(b)(1), or 2756(b)(1) shall be punishable in the same manner as a completed violation of that section.

“(b) LIMITATION.—For the purposes of sections 2752, 2753, 2754, 2755, and 2756, conduct consisting exclusively of a violation of 2752(b)(1), 2753(b)(1), 2754(d)(1), 2755(c)(1), or 2756(c)(1) shall not constitute an attempted violation of section 2752(a)(1), 2753(a)(1), 2754(b)(1), 2755(b)(1), or 2756(b)(1), respectively.

“§ 2760. Repeat offenders

“(a) DEFINITIONS.—In this section—

“(1) the term ‘prior sex offense conviction’ means a conviction for an offense—

“(A) under—

“(i) chapter 109A, 110, or 117; or

“(ii) section 1591, 2752(a), 2753(a), or 2754(b)(1) (if punishable under section 2754(b)(2)(A)); or

“(B) under State law or the Uniform Code of Military Justice involving an offense described in subparagraph (A) or would be such an offense if committed under circumstances supporting Federal jurisdiction; and

“(2) the term ‘State’ means any State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

“(b) MAXIMUM TERM OF IMPRISONMENT.—Except as provided in section 3559(e), the maximum term of imprisonment authorized for a violation of section 2752(a) or 2753(a), or a violation of paragraph (1) of section 2754(a) that is punishable under paragraph (2)(A) of that section, after a prior sex offense conviction shall be twice the term of imprisonment otherwise provided under this chapter.

“§ 2761. Forfeiture

“(a) CRIMINAL FORFEITURE.—The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that the person forfeit to the United States—

“(1) the person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the violation; and

“(2) any property, real or personal, constituting or derived from any proceeds that the person obtained, directly or indirectly, as a result of the violation.

“(b) CIVIL FORFEITURE.—

“(1) IN GENERAL.—The following shall be subject to forfeiture to the United States and no property right shall exist in them:

“(A) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of this chapter.

“(B) Any property, real or personal, that constitutes or is derived from proceeds traceable to any violation of this chapter.

“(C) Any visual depiction that was produced, used, or intended for use in violation of this chapter.

“(2) APPLICABILITY OF CHAPTER 46.—The provisions of chapter 46 relating to civil forfeitures shall apply to any seizure or forfeiture under this subsection.

“(c) TRANSFER OF FORFEITED ASSETS.—

“(1) IN GENERAL.—The Attorney General may transfer assets forfeited under this section, or the proceeds derived from the sale thereof, to satisfy a victim restitution order arising from a violation of this chapter.

“(2) USE OF NON-FORFEITED ASSETS.—A transfer under paragraph (1) shall not reduce or otherwise mitigate the obligation of a person convicted of a violation of this chapter to—

“(A) satisfy the full amount of a restitution order through the use of non-forfeited assets; or

“(B) reimburse the Attorney General for the value of assets or proceeds transferred under this subsection through the use of non-forfeited assets.

“§ 2762. Mandatory restitution

“(a) IN GENERAL.—Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

“(b) SCOPE AND NATURE OF ORDER.—

“(1) DEFINITION.—In this subsection, the term ‘full amount of the victim’s losses’ includes any costs incurred by the victim for—

“(A) medical services relating to physical, psychiatric, or psychological care;

“(B) physical and occupational therapy or rehabilitation;

“(C) necessary transportation, temporary housing, and child care expenses;

“(D) lost income;

“(E) attorney’s fees, in addition to any costs incurred in obtaining a civil protection order; and

“(F) any other losses suffered by the victim as a proximate result of the offense.

“(2) DIRECTIONS.—An order of restitution under this section shall direct the defendant to pay to the victim (through the appropriate court mechanism) the full amount of the victim’s losses as determined by the court in accordance with paragraph (3).

“(3) ENFORCEMENT.—An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

“(4) ORDER MANDATORY.—

“(A) IN GENERAL.—The issuance of a restitution order under this section is mandatory.

“(B) CONSIDERATION OF OTHER CIRCUMSTANCES PROHIBITED.—A court may not decline to issue an order under this section because of—

“(i) the economic circumstances of the defendant; or

“(ii) the fact that a victim has, or is entitled to, receive compensation for his or her injuries from the proceeds of insurance or any other source.

“(c) TRANSFER OF CRIME VICTIM’S RIGHTS.—In the case of a victim who is a minor, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim’s estate, another family member, or any other person appointed as suitable by the court, may assume the rights of the victim under this chapter, but the defendant may not assume those rights.

“§ 2763. Civil action

“(a) IN GENERAL.—An individual who is a victim of an offense under this chapter may—

“(1) bring a civil action against the person who committed the offense (or any person who knowingly benefits, financially or by receiving anything of value, from participation in a venture that the person knew or should have known has engaged in an act in violation of this chapter) in an appropriate district court of the United States; and

“(2) recover damages and any other appropriate relief, including reasonable attorney’s fees.

“(b) JOINT AND SEVERAL LIABILITY.—A person who is found liable in an action under this section shall be jointly and severally liable with each other person, if any, who is found liable in an action under this section for damages arising from the same violation of this chapter.

“(c) STAY PENDING CRIMINAL ACTION.—Any action filed under this section shall be stayed during the pendency of any criminal action arising out of the same occurrence in which the claimant is the victim.

“(d) STATUTE OF LIMITATIONS.—An action under this section may not be commenced later than 10 years after the later of—

“(1) the date on which a legal disability ends; or

“(2) the later of—

“(A) the date on which the plaintiff discovers the violation that forms the basis for the claim; or

“(B) the date on which the plaintiff discovers the injury that forms the basis for the claim.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by adding at the end the following:

“124. Coercion of sexual acts, sexual contact, or sexually intimate visual depictions 2751”.

(c) DIRECTIVE TO UNITED STATES SENTENCING COMMISSION.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements applicable to persons convicted of an offense under chapter 124 of title 18, United States Code, as added by subsection (a), to ensure that the guidelines and policy statements are consistent with that amendment and reflect the intent of Congress that the guidelines reflect the seriousness and great harm caused by the offenses under that chapter.

(2) CONSIDERATIONS.—In carrying out paragraph (1), the United States Sentencing Commission shall consider—

(A) the mandate of the United States Sentencing Commission, pursuant to its authority under section 994(p) of title 28, United States Code—

(i) to promulgate guidelines that meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code; and

(ii) in particular, to—

(I) ensure that sentencing courts properly consider the seriousness of the offense;

(II) promote respect for the law;

(III) provide just punishment for the offense;

(IV) afford adequate deterrence to criminal conduct; and

(V) protect the public from further crimes of the defendant; and

(B) the intent of Congress that the penalties for defendants convicted of an offense under chapter 124 of title 18, United States Code, as added by subsection (a), are appropriately severe and account for—

(i) the nature of the visual depiction, the acts engaged in, and the potential harm resulting from the offense;

(ii) the number and age of the victims involved; and

(iii) the degree to which the victims have been harmed.

SEC. 1712. AMENDMENTS TO EXISTING STATUTORY OFFENSES.

(a) Section 843(b)(2)(C) of title 10, United States Code (article 43(b)(2)(C) of the Uniform Code of Military Justice), is amended by inserting “, 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591”.

(b) Section 1001(a) of title 18, United States Code, is amended by inserting “2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591”.

(c) Section 2251(e) of title 18, United States Code, is amended by inserting “section 2752(a)(1), section 2753(a)(1), section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591”.

(d) Section 2252(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “section 2752(a)(1), section 2753(a)(1), section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591”; and

(2) in paragraph (2), by inserting “section 2752(a)(1), section 2753(a)(1), section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “under this chapter”.

(e) Section 2252A of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “section 2752(a)(1), section 2753(a)(1), section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591”; and

(B) in paragraph (2), by inserting “section 2752(a)(1), section 2753(a)(1), section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “under this chapter”; and

(2) in subsection (g), by inserting “section 2752(a)(1) (if the victim is a minor), section 2753(a)(1) (if the victim is a minor), section 2754(b)(1) (if punishable under section 2754(b)(2)(A)) and if the victim is a minor,” after “section 1591.”

(f) Section 2255(a) of title 18, United States Code, is amended—

(1) by striking “or” after “2422,”; and

(2) by inserting “, 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “2423.”

(g) Section 2260A of title 18, United States Code, is amended—

(1) by striking “or” after “2423,”; and

(2) by inserting “2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “2425.”

(h) Section 2426(b)(1)(A) of title 18, United States Code, is amended—

(1) by striking “or” after “chapter 110,”; and

(2) by inserting “, section 2752(a)(1), section 2753(a)(1), or section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591.”

(i) Section 2516(1)(c) of title 18, United States Code, is amended by inserting “sections 2752, 2753, 2754, 2755, and 2756 (relating to coercion of sexual acts and related crimes),” after “2425 (relating to transportation for illegal sexual activity and related crimes).”

(j) Section 3014(a) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking “or” at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

“(5) section 2752(a)(1), 2753(a)(1), or 2754(b)(1) (relating to coercion of sexual acts and related crimes); or”

(k) Section 3142 of title 18, United States Code, is amended—

(1) in subsection (c), in the flush text following subparagraph (B)—

(A) by striking “or” after “2423,”; and

(B) by inserting “, 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “2425”; and

(2) in subsection (e)(3)(E)—

(A) by striking “or” after “2423,”; and

(B) by inserting “, 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “2425.”

(l) Section 3156(a)(4)(C) of title 18, United States Code, is amended by inserting “section 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A)), or” after “any felony under”.

(m) Section 3282(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “, section 2752(a)(1), or section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “chapter 109A”; and

(2) in paragraph (2), by inserting “, section 2752(a)(1), or section 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “chapter 109A.”

(n) Section 3299 of title 18, United States Code, is amended—

(1) by striking “except for section” and inserting “except for sections”; and

(2) by inserting “, 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “section 1591.”

(o) Section 3553(b)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by inserting “2752(a)(1), 2753(a)(1), or 2754(b)(1),” after “section 1591,”; and

(2) by striking “In determining” and inserting the following:

“(B) CONSIDERATIONS.—In determining”.

(p) Section 3559 of title 18, United States Code, is amended—

(1) in subsection (c)(2)(F)(i), by inserting “coerced sexual act (as described in sections 2752(a)(1) and 2754(b)(2)(A));” after “sexual abuse (as described in sections 2241 and 2242);”;

(2) in subsection (e)(2)(A)—

(A) by striking “or” after “2422(b) (relating to coercion and enticement of a minor into prostitution);”;

(B) by inserting “, or 2752(a)(1) or 2754(b)(1) (if punishable under section 2754(b)(2)(A)) (relating to coercion of sexual acts)” after “2423(a) (relating to transportation of minors).”

(q) Section 3583(k) of title 18, United States Code, is amended—

(1) by striking “or” after “2423,”;

(2) by inserting “, 2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “2425”; and

(3) by striking “section 1201 or” and inserting “section 1201,”; and

(4) by inserting “2752(a)(1), 2753(a)(1), or 2754(b)(1) (if punishable under section 2754(b)(2)(A))” after “1591,” the second place that term appears.

(r) Section 2(1) of the PROTECT our Children Act of 2008 (42 U.S.C. 17601(1)) is amended by striking “and chapter 117” and inserting “chapter 117, or chapter 124”.

Subtitle B—Interstate Swatting Hoax

SEC. 1721. FALSE COMMUNICATIONS TO CAUSE AN EMERGENCY RESPONSE.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

“§ 1041. False communications to cause an emergency response

“(a) DEFINITIONS.—In this section:

“(1) CRIMINAL ACTION.—The term ‘criminal action’ includes an investigation and prosecution that is pending, until final adjudication in the trial court.

“(2) EMERGENCY RESPONSE.—The term ‘emergency response’ means any deployment of personnel or equipment, order or advice to evacuate, or issuance of a warning to the public or a threatened person, organization, or establishment, by—

“(A) an agency of the United States, a State, or, or a local government, charged with public safety functions, including any agency charged with detecting, preventing, or investigating crimes or with fire or rescue functions; or

“(B) a private not-for-profit organization that provides fire or rescue service.

“(3) STATE.—The term ‘State’ means each of the several States, the District of Columbia, each commonwealth, territory, or possession of the United States, and each federally recognized Indian tribe.

“(b) CRIMINAL VIOLATION.—

“(1) OFFENSE.—It shall be unlawful, in the absence of circumstances reasonably requiring an emergency response, to use the mail or any facility or means of interstate or foreign commerce to knowingly transmit false or misleading information that would reasonably be expected to cause an emergency response.

“(2) PENALTY.—Any person who violates paragraph (1) shall—

“(A) if an emergency response results, be fined under this title, imprisoned for not more than 5 years, or both;

“(B) if serious bodily injury (as defined in section 1365) results, be fined under this

title, imprisoned for not more than 20 years, or both;

“(C) if death results, be fined under this title, imprisoned for any term of years or for life, or both; and

“(D) in any other case, be fined under this title, imprisoned for not more than 1 year, or both.

“(c) CIVIL ACTION.—

“(1) IN GENERAL.—Any person aggrieved by a violation of subsection (b)(1) may—

“(A) bring a civil action against the person who committed the violation in an appropriate district court of the United States; and

“(B) recover damages and any other appropriate relief, including reasonable attorney’s fees.

“(2) JOINT AND SEVERAL LIABILITY.—A person who is found liable under this subsection shall be jointly and severally liable with each other person, if any, who is found liable under this subsection for damages arising from the same violation of this section.

“(3) STAY PENDING CRIMINAL ACTION.—Any civil action filed under this subsection shall be stayed during the pendency of any criminal action arising out of the same occurrence in which the claimant is the victim.

“(d) REIMBURSEMENT.—

“(1) IN GENERAL.—The court, in imposing a sentence on a defendant convicted of an offense under subsection (b), shall order the defendant to reimburse any agency or organization described in subsection (a)(2) that incurs expenses incident to any emergency response necessitated by the offense.

“(2) LIABILITY.—A person ordered to make reimbursement under this subsection shall be jointly and severally liable for the expenses with each other person, if any, who is ordered to make reimbursement under this subsection for the same expenses.

“(3) CIVIL JUDGMENT.—An order of reimbursement under this subsection shall, for the purposes of enforcement, be treated as a civil judgment.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

“1041. False communications to cause an emergency response.”

Subtitle C—Interstate Doxxing Prevention

SEC. 1731. DISCLOSURE OF PERSONAL INFORMATION WITH THE INTENT TO CAUSE HARM.

(a) IN GENERAL.—Chapter 41 of title 18, United States Code, is amended by adding at the end the following:

“§ 881. Publication of personally identifiable information with the intent to cause harm

“(a) DEFINITIONS.—In this section:

“(1) CRIME.—The term ‘crime’ means any Federal or State criminal offense.

“(2) CRIMINAL ACTION.—The term ‘criminal action’ includes an investigation and prosecution that is pending, until final adjudication in the trial court.

“(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term ‘personally identifiable information’ means—

“(A) any information that can be used to distinguish or trace the identity of an individual, such as name, prior legal name, alias, mother’s maiden name, social security number, date or place of birth, address, phone number, or biometric data;

“(B) any information that is linked or linkable to an individual, such as medical, financial, education, consumer, or employment information, data, or records; or

“(C) any other sensitive private information that is linked or linkable to an individual, such as gender identity, sexual orientation, or any sexually intimate visual depiction.”

“(4) PUBLISH.—The term ‘publish’ means to circulate, deliver, distribute, disseminate, transmit, or otherwise make available to another person.

“(5) SEXUALLY INTIMATE VISUAL DEPICTION.—The term ‘sexually intimate visual depiction’ means any photograph, film, video, or other recording or live transmission of an individual, whether produced by electronic, mechanical, or other means (including depictions stored on undeveloped film and videotape, data stored on computer disk or by any electronic means that is capable of conversion into a visual image, and data that is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format), that depicts—

“(A) the naked exhibition of the anus, the post-pubescent female nipple, the genitals, or the pubic area of any individual;

“(B) any actual or simulated sexual contact or sexual act (as defined in section 2751);

“(C) bestiality; or

“(D) sadistic or masochistic conduct.

“(b) CRIMINAL VIOLATION.—

“(1) OFFENSE.—It shall be unlawful to use the mail or any facility or means of interstate or foreign commerce to knowingly publish the personally identifiable information of an individual—

“(A) with the intent to—

“(i) threaten, intimidate, or harass any individual;

“(ii) incite or facilitate the commission of a crime against any individual; or

“(iii) place any individual in reasonable fear of death or serious bodily injury; or

“(B) with the intent that the information will be used to—

“(i) threaten, intimidate, or harass any individual;

“(ii) incite or facilitate the commission of a crime against any individual; or

“(iii) place any individual in reasonable fear of death or serious bodily injury.

“(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned for not more than 5 years, or both.

“(c) CIVIL ACTION.—

“(1) IN GENERAL.—An individual who is a victim of an offense under this section may—

“(A) bring a civil action against the person who commits the offense in an appropriate district court of the United States; and

“(B) recover damages and any other appropriate relief, including reasonable attorney’s fees.

“(2) JOINT AND SEVERAL LIABILITY.—A person who is found liable under this subsection shall be jointly and severally liable with each other person, if any, who is found liable under this subsection for damages arising from the same violation of this section.

“(3) STAY PENDING CRIMINAL ACTION.—Any civil action filed under this subsection shall be stayed during the pendency of any criminal action arising out of the same occurrence in which the claimant is the victim.

“(d) ATTEMPT.—An attempt to violate subsection (b)(1) shall be punishable in the same manner as a completed violation of that subsection.

“(e) ACTIVITIES OF LAW ENFORCEMENT.—This section shall not be construed to prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a

State, or a political subdivision of a State, or of an intelligence agency of the United States.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 41 title 18, United States Code, is amended by adding at the end the following:

“881. Publication of personally identifiable information with the intent to cause harm.”.

SA 703. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE THAT FEDERAL HEALTH PROGRAMS MUST PROTECT WOMEN’S ACCESS TO HEALTH CARE.

It is the sense of the Senate that Federal health care programs must protect women’s access to quality, affordable health care at the provider of their choice and that Congress should not restrict or prohibit Federal funding to Planned Parenthood health centers or other high quality family planning providers. Further, it is the sense of the Senate that States should not take any action pursuant to any provision of this Act that would allow for discrimination against a provider based on the provision of constitutionally protected reproductive health care.

SA 704. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING INDIVIDUALS FROM LOSING THEIR HEALTH COVERAGE.

Nothing in this Act (or an amendment made by this Act) shall be implemented in any manner that could result in the loss of health care coverage for people with Diabetes.

SA 705. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING INDIVIDUALS FROM LOSING THEIR HEALTH COVERAGE.

Nothing in this Act (or an amendment made by this Act) shall be implemented in any manner that could result in the loss of health care coverage for pregnant women.

SA 706. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING INDIVIDUALS FROM HIGHER HEALTH INSURANCE PREMIUMS.

Nothing in this Act (or the amendments made by this Act) shall take effect if any part of the Act (or amendments) has the effect of increasing health insurance premiums for people with Diabetes.

SA 707. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING INDIVIDUALS FROM HIGHER HEALTH INSURANCE PREMIUMS.

Nothing in this Act (or the amendments made by this Act) shall take effect if any part of the Act (or amendments) has the effect of increasing health insurance premiums for pregnant women.

SA 708. Mr. COCHRAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . EXPANDING THE DUTIES OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.

Section 133a(b) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

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

“(4) providing the Secretary with recommendations relating to unfunded requirements on matters, activities, and programs described in paragraph (2), including military construction projects.”.

SA 709. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF CONGRESS ON FIRE PROTECTION IN DEPARTMENT OF DEFENSE FACILITIES.

(a) FINDINGS.—Congress makes the following findings:

(1) A 2009 Consumer Product Safety Commission study found a full 370,000 residential fires are suppressed by portable fire extinguishers annually.

(2) Throughout the United States, of the 48,460 fires in buildings equipped with sprinklers from 2007 to 2011, 40,440, or 83 percent, never grew large enough to activate sprinklers, indicating many fires are successfully suppressed by portable fire extinguishers.

(3) Section 9-17.1 of the Unified Facilities Criteria 3-600-01 changes the Department of Defense building code by stating, "General purpose portable fire extinguishers are not required when the Facility is provided with complete automatic sprinkler protection and a fire alarm system in accordance with this UFC."

(4) This new language is a departure from national model fire codes, and is also a significant change from the last Unified Criteria governing portable extinguishers.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) portable fire extinguishers are essential to the safety of members of the Armed Forces and their families;

(2) the current United Facilities Criteria provides members of the Armed Forces, their families, and other Department of Defense personnel with less fire protection than that of civilian counterparts by deviating from fire safety codes used across the country and not requiring portable extinguishers on military installations;

(3) United Facilities Criteria 3-600-01, Section 4-9, dated September 26, 2006, clearly keeps Department of Defense Facilities in line with the national and international standards for fire safety; and

(4) the Secretary of Defense should amend current United Facilities Criteria Section 9-17.1 to reflect the standards established by United Facilities Criteria 3-600-01, Section 4-9, dated September 26, 2006.

SA 710. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **EVOLVED EXPENDABLE LAUNCH VEHICLE MODERNIZATION AND SUSTAINMENT OF ASSURED ACCESS TO SPACE.**

(a) DEVELOPMENT.—

(1) EVOLVED EXPENDABLE LAUNCH VEHICLE.—Using funds described in paragraph (2), the Secretary of Defense may only obligate or expend funds to carry out the evolved expendable launch vehicle program to—

(A) develop a domestic rocket propulsion system to replace non-allied space launch engines;

(B) develop the necessary interfaces to, or integration of, such domestic rocket propulsion system with an existing or new launch vehicle;

(C) develop capabilities necessary to enable new or existing commercially available space launch vehicles or infrastructure to meet any requirements that are unique to national security space missions to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to only—

(i) modifications to such vehicles required for national security space missions, including—

(I) certification and compliance of such vehicles for use in national security space missions;

(II) fairings necessary for the launch of national security space payloads to orbit; and

(III) other upgrades to meet performance, reliability, and orbital requirements that cannot otherwise be met through the use of new or existing commercially available launch vehicles; and

(ii) the development of infrastructure necessary for national security space missions, such as infrastructure for the use of heavy launch vehicles, including—

(I) facilities and equipment for the vertical integration of payloads;

(II) secure facilities for the processing of classified payloads; and

(III) other facilities and equipment, including ground systems and expanded capabilities, unique to national security space launches and the launch of national security payloads;

(D) conduct activities to modernize and improve existing certified launch vehicles, or existing launch vehicles previously contracted for use by the Air Force, including restarting a dormant supply chain, and infrastructure to increase the cost effectiveness of the launch system;

(E) certify new, modified, or existing launch vehicle systems; or

(F) develop, design, and integrate parts for new launch vehicle systems necessary for national security use.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for the evolved expendable launch vehicle program.

(b) OTHER AUTHORITIES.—Nothing in this section shall affect or prohibit the Secretary from procuring launch services of evolved expendable launch vehicle launch systems, including with respect to any associated operation and maintenance of capabilities and infrastructure relating to such systems.

(c) NOTIFICATION.—Not later than 30 days before any date on which the Secretary publishes a draft or final request for proposals, or obligates funds, for the development under subsection (a)(1), the Secretary shall notify the congressional defense committees of such proposed draft or final request for proposals or proposed obligation, as the case may be. If such proposed draft or final request for proposals or proposed obligation relates to intelligence requirements, the Secretary shall also notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of Cost Assessment and Program Evaluation, shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing an assessment of the most cost-effective method to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to each of the following periods:

(1) The five-year period beginning on the date of the report.

(2) The 10-year period beginning on the date of the report.

(3) The period consisting of the full lifecycle of the evolved expendable launch vehicle program.

(e) ROCKET PROPULSION SYSTEM DEFINED.—In this section, the term "rocket propulsion system" means, with respect to the development authorized by subsection (a)(1), a main booster, first-stage rocket engine (including such an engine using kerosene or methane-based or other propellant) or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

SA 711. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1243 through 1250 and insert the following:

SEC. 1243. EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) EXTENSION.—Subsection (h) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1068), as amended by section 1237 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2494), is further amended by striking "December 31, 2018" and inserting "December 31, 2020".

(b) FUNDING FOR FISCAL YEAR 2018.—Subsection (f) of such section 1250, as added by subsection (a) of such section 1237, is further amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B) and by moving such subparagraphs, as so redesignated, two ems to the right;

(2) by striking "From amounts" and inserting the following:

"(1) IN GENERAL.—From amounts";

(3) in paragraph (1), as redesignated by paragraph (2), by adding at the end the following new subparagraph:

"(C) For fiscal year 2018, \$500,000,000."; and

(4) by adding at the end the following:

"(2) AVAILABILITY OF AMOUNTS.—Amounts made available pursuant to paragraph (1) for the purposes of subsection (a) shall remain available until expended."

(c) AVAILABILITY OF FUNDS.—Subsection (c) of such section 1250, as amended by subsection (c) of such section 1237, is further amended—

(1) in paragraph (1), by inserting after "pursuant to subsection (f)(2)" the following: "or more than \$250,000,000 of the funds available for fiscal year 2018 pursuant to subsection (f)(3).";

(2) in paragraph (2)—

(A) in the first sentence—

(i) by inserting "with respect to the fiscal year concerned" after "is a certification"; and

(ii) by striking "and improvement in transparency, accountability, and potential opportunities for privatization in the defense industrial sector" and inserting "sustainment, inventory management practices, progress in improving the security of proprietary or sensitive foreign defense technology"; and

(B) in the second sentence, by inserting after "additional action is needed" the following: "and a description of the methodology used to evaluate whether Ukraine has made progress in defense institutional reforms relative to previously established goals and objectives"; and

(3) in paragraph (3)—

(A) by inserting “or 2018” after “in fiscal year 2017”; and

(B) by striking “in paragraph (2), such funds may be used in that fiscal year” and inserting “in paragraph (2) with respect to such fiscal year, such funds may be used in such fiscal year”.

SEC. 1244. EXTENSION OF AUTHORITY ON TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

(a) **EXTENSION.**—Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2282 note) is amended—

(1) by striking “September 30, 2018” and inserting “December 31, 2020”; and

(2) by striking “fiscal years 2016 through 2018” and inserting “fiscal year 2016 through calendar year 2020”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Such section is further amended—

(1) by striking “military” each place it appears and inserting “security”; and

(2) in subsection (e), by striking “that” and inserting “than”; and

(3) in subsection (f), by striking “section 2282” and inserting “chapter 16”.

SEC. 1245. SECURITY ASSISTANCE FOR BALTIC NATIONS FOR JOINT PROGRAM FOR RESILIENCY AND DETERRENCE AGAINST AGGRESSION.

(a) **IN GENERAL.**—The Secretary of Defense may, with the concurrence of the Secretary of State, conduct or support a joint program of the Baltic nations to improve their resilience against and build their capacity to deter aggression by the Russian Federation.

(b) **JOINT PROGRAM.**—For purposes of subsection (a), a joint program of the Baltic nations may be either of the following:

(1) A program jointly agreed by the Baltic nations that builds interoperability among those countries.

(2) An agreement for the joint procurement by the Baltic nations of defense articles or services using assistance provided pursuant to subsection (a).

(c) **PARTICIPATION OF OTHER COUNTRIES.**—Any country other than a Baltic nation may participate in the joint program described in subsection (a), but only using funds of such country.

(d) **LIMITATION ON AMOUNT.**—The total amount of assistance provided pursuant to subsection (a) in fiscal year 2018 may not exceed \$100,000,000.

(e) **FUNDING.**—Amounts for assistance provided pursuant to subsection (a) shall be derived from amounts authorized to be appropriated by this Act and available for the European Deterrence Initiative (EDI).

(f) **BALTIC NATIONS DEFINED.**—In this section, the term “Baltic nations” means the following:

(1) Estonia.

(2) Latvia.

(3) Lithuania.

SEC. 1246. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

Section 1245(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3566), as most recently amended by section 1235(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2490), is further amended—

(1) by redesignating paragraphs (14) through (20) as paragraphs (15) through (21), respectively; and

(2) by inserting after paragraph (13) the following new paragraph (14):

“(14) An assessment of Russia’s hybrid warfare strategy and capabilities, including—

“(A) Russia’s information warfare strategy and capabilities, including the use of misinformation, disinformation, and propaganda in social and traditional media;

“(B) Russia’s financing of political parties, think tanks, media organizations, and academic institutions;

“(C) Russia’s malicious cyber activities;

“(D) Russia’s use of coercive economic tools, including sanctions, market access, and differential pricing, especially in energy exports; and

“(E) Russia’s use of criminal networks and corruption to achieve political objectives.”.

SEC. 1247. ANNUAL REPORT ON ATTEMPTS OF THE RUSSIAN FEDERATION TO PROVIDE DISINFORMATION AND PROPAGANDA TO MEMBERS OF THE ARMED FORCES BY SOCIAL MEDIA.

(a) **ANNUAL REPORT REQUIRED.**—Not later than March 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on attempts by the Russian Federation, or any foreign person acting as an agent of or on behalf of the Russian Federation, during the preceding year to knowingly disseminate Russian Federation-supported disinformation or propaganda, through social media applications or related Internet-based means, to members of the Armed Forces with probable intent to cause injury to the United States or advantage the Government of the Russian Federation.

(b) **FORM.**—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 1248. SUPPORT OF EUROPEAN DETERRENCE INITIATIVE TO DETER RUSSIAN AGGRESSION.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Military exercises, such as Exercise Nifty Nugget and Exercise Reforger during the Cold War, have historically made important contributions to testing operational concepts, technologies, and leadership approaches; identifying limiting factors in the execution of operational plans and appropriate corrective action; and bolstering deterrence against adversaries by demonstrating United States military capabilities.

(2) Military exercises with North Atlantic Treaty Organization (NATO) allies enhance the interoperability and strategic credibility of the alliance.

(3) The increase in conventional, nuclear, and hybrid threats by the Russian Federation against the security interests of the United States and allies in Europe requires substantial and sustained investment to improve United States combat capability in Europe.

(4) The decline of a permanent United States military presence in Europe in recent years increases the likelihood the United States will rely on being able to flow forces from the continental United States to the European theater in the event of a major contingency.

(5) Senior military leaders, including the Commander of United States Transportation Command, have warned that a variety of increasingly advanced capabilities, especially the proliferation of anti-access, area denial (A2AD) capabilities, have given adversaries of the United States the ability to challenge the freedom of movement of the United States military in all domains from force deployment to employment to disrupt, delay, or deny operations.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that, to enhance the European De-

terrence Initiative and bolster deterrence against Russian aggression, the United States, together with North Atlantic Treaty Organization allies and other European partners, should demonstrate its resolve and ability to meet its commitments under Article V of the North Atlantic Treaty through appropriate military exercises with an emphasis on participation of United States forces based in the continental United States and testing strategic and operational logistics and transportation capabilities.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(A) An analysis of the challenges to the ability of the United States to flow significant forces from the continental United States to the European theater in the event of a major contingency.

(B) The plans of the Department of Defense, including the conduct of military exercises, to address such challenges.

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1249. SENSE OF CONGRESS ON THE EUROPEAN DETERRENCE INITIATIVE.

It is the sense of Congress that—

(1) the European Deterrence Initiative will bolster efforts to deter further Russian aggression by providing resources to—

(A) train and equip the military forces of North Atlantic Treaty Organization (NATO) and non-North Atlantic Treaty Organization partners in order to improve responsiveness, expand expeditionary capability, and strengthen combat effectiveness across the spectrum of security environments;

(B) enhance the indications and warning, interoperability, and logistics capabilities of Allied and partner military forces to increase their ability to respond to external aggression, defend sovereignty and territorial integrity, and preserve regional stability;

(C) improve the agility and flexibility of military forces required to address threats across the full spectrum of domains and effectively operate in a wide array of coalition operations across diverse global environments from North Africa and the Middle East to Eastern Europe and the Arctic; and

(D) mitigate potential gaps forming in the areas of information warfare, Anti-Access Area Denial, and force projection;

(2) investments that support the security and stability of Europe, and that assist European nations in further developing their security capabilities, are in the long-term vital national security interests of the United States; and

(3) funds for such efforts should be authorized and appropriated in the base budget of the Department of Defense in order to ensure continued and planned funding to address long-term stability in Europe, reassure the European allies and partners of the United States, and deter further Russian aggression.

SEC. 1250. ENHANCEMENT OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250(b) of National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 126 Stat. 1068), as amended by section 1237(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2495), is further amended by adding at the end the following new paragraphs:

“(12) Treatment of wounded Ukraine soldiers in the United States in medical treatment facilities through the Secretarial Designee Program, and transportation, lodging,

meals, and other appropriate non-medical support in connection with such treatment (including incidental expenses in connection with such support).

“(13) Air defense and coastal defense radars.

“(14) Naval mine and counter-mine capabilities.

“(15) Littoral-zone and coastal defense vessels.”.

SA 712. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. _____. PLAN TO MEET DEMAND FOR CYBERSPACE CAREER FIELDS IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) **PLAN REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a plan for meeting the increased demand for cyberspace career fields in the reserve components of the Armed Forces.

(b) **ELEMENTS.**—The plan shall take into account the following:

(1) The availability of qualified local workforces.

(2) Potential best practices of private sector companies involved in cyberspace and of educational institutions with established cyberspace-related academic programs.

(3) The potential for Total Force Integration throughout the defense cyber community.

(4) Recruitment strategies to attract individuals with critical cyber training and skills to join the reserve components.

(c) **METRICS.**—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

SA 713. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Section 1042 is amended to read as follows:

SEC. 1042. DEPARTMENT OF DEFENSE INTEGRATION OF INFORMATION OPERATIONS AND CYBER-ENABLED INFORMATION OPERATIONS.

(a) **INTEGRATION OF DEPARTMENT OF DEFENSE INFORMATION OPERATIONS AND CYBER-ENABLED INFORMATION OPERATIONS.**—

(1) **ESTABLISHMENT OF CROSS-FUNCTIONAL TASK FORCE.**—

(A) **IN GENERAL.**—The Secretary of Defense shall establish a cross-functional task force consistent with section 911(c)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note) to integrate across the organizations of the Department of Defense responsible for

information operations, military deception, public affairs, electronic warfare, and cyber operations to produce integrated strategy, planning, and budgeting to counter, deter, and conduct strategic information operations and cyber-enabled information operations.

(B) **DUTIES.**—The task force shall carry out the following:

(i) Development of a strategic framework for the conduct by the Department of Defense of information operations, including cyber-enabled information operations, coordinated across all relevant Department of Defense entities, including both near-term and long-term guidance for the conduct of such coordinated operations.

(ii) Development and dissemination of a common operating paradigm across the organizations specified in subparagraph (A) of the influence, deception, and propaganda activities of key malign actors, including in cyberspace.

(iii) Development of guidance for, and promotion of, the liaison capability of the Department to interact with the private sector, including social media, on matters related to the influence activities of malign actors.

(iv) Serve as the primary Department of Defense liaison with the Global Engagement Center and other relevant Federal entities in carrying out the purpose set forth in section 1287(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 22 U.S.C. 2656 note).

(2) **HEAD OF CROSS-FUNCTIONAL TASK FORCE.**—

(A) **IN GENERAL.**—The Secretary of Defense shall appoint as the head of the task force such individual as the Secretary considers appropriate from among individuals serving in the Department as an Under Secretary of Defense or in such other position within the Department of lesser order of precedence.

(B) **RESPONSIBILITIES.**—The responsibilities of the head of the task force are as follows:

(i) Oversight of strategic policy and guidance.

(ii) Overall resource allocation for the integration of information operations and cyber operations of the Department.

(iii) Ensuring the task force faithfully pursues the purpose set forth in subparagraph (A) of paragraph (1) and carries out its duties as set forth in subparagraph (B) of such paragraph.

(iv) Carrying out such activities as are required of the head of the task force under subsections (b) and (c).

(v) Coordination with the head of the Global Engagement Center in support of the execution of the purpose set forth in section 1287(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 22 U.S.C. 2656 note).

(b) **REQUIREMENTS AND PLANS FOR INFORMATION OPERATIONS.**—

(1) **COMBATANT COMMAND PLANNING AND REGIONAL STRATEGY.**—(A) The Secretary shall require each commander of a combatant command to develop, in coordination with the relevant regional Assistant Secretary of State or Assistant Secretaries of State and with the assistance of the Coordinator of the Global Engagement Center and the head of the task force appointed under subsection (a)(2)(A), a regional information strategy and interagency coordination plan for carrying out the strategy, where applicable.

(B) The Secretary shall require each commander of a combatant command to develop such requirements and specific plans as may be necessary for the conduct of information operations in support of the strategy re-

quired in subparagraph (A), including plans for deterring information operations, particularly in the cyber domain, by malign actors against the United States, allies of the United States, and interests of the United States.

(2) **IMPLEMENTATION PLAN FOR DEPARTMENT OF DEFENSE STRATEGY FOR OPERATIONS IN THE INFORMATION ENVIRONMENT.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the head of the task force shall—

(i) review the Department of Defense Strategy for Operations in the Information Environment, dated June 2016; and

(ii) submit to the congressional defense committees a plan for implementation of such strategy.

(B) **ELEMENTS.**—The implementation plan shall include, at a minimum, the following:

(i) An accounting of the efforts undertaken in support of the strategy described in subparagraph (A)(i) since it was issued in June 2016.

(ii) A description of any updates or changes to such strategy that have been made since it was first issued, as well as any expected updates or changes in light of the establishment of the task force.

(iii) A description of the role of the Department as part of a broader whole-of-government strategy for strategic communications, including assumptions about the roles and contributions of other Government departments and agencies to such a strategy.

(iv) Defined actions, performance metrics, and projected timelines to achieve the following specified tasks:

(I) Train, educate, and prepare commanders and their staffs, and the Joint Force as a whole, to lead, manage, and conduct operations in the information environment.

(II) Train, educate, and prepare information operations professionals and practitioners to enable effective operations in the information environment.

(III) Manage information operations professionals, practitioners, and organizations to meet emerging operational needs.

(IV) Establish a baseline assessment of current ability of the Department to conduct operations in the information environment, including an identification of the types of units and organizations currently responsible for building and employing information-related capabilities and an assignment of appropriate roles and missions for each type of unit or organization.

(V) Develop the ability of the Department and operating forces to engage, assess, characterize, forecast, and visualize the information environment.

(VI) Develop and maintain the proper capabilities and capacity to operate effectively in the information environment in coordination with implementation of related cyber and other strategies.

(VII) Develop and maintain the capability to assess accurately the effect of operations in the information environment.

(VIII) Adopt, adapt, and develop new science and technology for the Department to operate effectively in the information environment.

(IX) Develop and adapt information environment-related concepts, policies, and guidance.

(X) Ensure doctrine relevant to operations in the information environment remains current and responsive based on lessons learned and best practices.

(XI) Develop, update, and de-conflict authorities and permissions, as appropriate, to

enable effective operations in the information environment.

(XII) Establish and maintain partnerships among Department and interagency partners, including the Global Engagement Center, to enable more effective whole-of-government operations in the information environment.

(XIII) Establish and maintain appropriate interaction with entities that are not part of the Federal Government, including entities in industry, entities in academia, federally funded research and development centers, and other organizations, to enable operations in the information environment.

(XIV) Establish and maintain collaboration between and among the Department and international partners, including partner countries and nongovernmental organizations, to enable more effective operations in the information environment.

(XV) Foster, enhance, and leverage partnership capabilities and capacities.

(v) An analysis of any personnel, resourcing, capability, authority, or other gaps that will need to be addressed to ensure effective implementation of the strategy described in subparagraph (A)(i) across all relevant elements of the Department.

(vi) An investment framework and projected timeline for addressing any gaps identified under clause (v).

(vii) Such other matters as the Secretary of Defense considers relevant.

(C) PERIODIC STATUS REPORTS.—Not later than 90 days after the date on which the implementation plan is submitted under subparagraph (A)(ii) and not less frequently than once every 90 days thereafter until the date that is three years after the date of such submittal, the head of the task force shall submit to the congressional defense committees a report describing the status of the efforts of the Department to accomplish the tasks specified under clauses (iv) and (vi) of subparagraph (B).

(c) TRAINING AND EDUCATION.—Consistent with the elements of the implementation plan required under clauses (i) and (ii) of subsection (b)(2)(B)(4), the head of the task force shall establish programs to provide training and education to such members of the Armed Forces and civilian employees of the Department of Defense as the Secretary considers appropriate to ensure understanding of the role of information in warfare, the central goal of all military operations to affect the perceptions, views, and decisionmaking of adversaries, and the effective management and conduct of operations in the information environment.

(d) ESTABLISHMENT OF DEFENSE INTELLIGENCE OFFICER FOR INFORMATION OPERATIONS AND CYBER OPERATIONS.—The Secretary shall establish a position within the Department of Defense known as the “Defense Intelligence Officer for Information Operations and Cyber Operations”.

(e) DEFINITIONS.—In this section:

(1) The term “head of the task force” means the head appointed under subsection (a)(2)(A).

(2) The term “implementation plan” means the plan required by subsection (b)(2)(A)(ii).

(3) The term “task force” means the cross-functional task force established under subsection (a)(1)(A).

SA 714. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____. **EXCEPTION FROM PUBLIC DISCLOSURE OF MANIFEST INFORMATION FOR THE SHIPMENT OF HOUSEHOLD GOODS OF MEMBERS OF THE UNIFORMED FORCES AND FEDERAL EMPLOYEES.**

Section 431(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1431(c)(2)) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon and “or”; and

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

“(C) the shipment consists of used household goods and personal effects, including personally owned vehicles, which are items that are for residential or professional use, are not for commercial resale, and are owned by a private individual who is—

“(i) an employee, as that term is defined in section 2105 of title 5, United States Code, who is shipping the goods and effects as part of a transfer of the employee from one official station to another for permanent duty or the spouse or dependent, as that term is defined in section 8901 of such title, of such employee; or

“(ii) a member of a uniformed service, as that term is defined in section 101 of title 37, United States Code, who is shipping the goods and effects as part of a permanent change of station or a dependent, as that term is defined in section 401 of such title, of such member.”.

SA 715. Mr. MORAN (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ____. **MODERNIZATION OF GOVERNMENT INFORMATION TECHNOLOGY.**

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term “Board” means the Technology Modernization Board established under subsection (c)(3)(A).

(2) CLOUD COMPUTING.—The term “cloud computing” has the meaning given the term by the National Institute of Standards and Technology in NIST Special Publication 800-145 and any amendatory or superseding document thereto.

(3) COMMISSIONER.—The term “Commissioner” means the Commissioner of the Technology Transformation Service of the General Services Administration.

(4) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(5) FUND.—The term “Fund” means the Technology Modernization Fund established under subsection (c)(2)(A).

(6) INFORMATION TECHNOLOGY.—The term “information technology” has the meaning

given the term in section 3502 of title 44, United States Code.

(7) IT WORKING CAPITAL FUND.—The term “IT working capital fund” means an information technology system modernization and working capital fund established under subsection (b)(2)(A).

(8) LEGACY INFORMATION TECHNOLOGY SYSTEM.—The term “legacy information technology system” means an outdated or obsolete system of information technology.

(b) ESTABLISHMENT OF AGENCY INFORMATION TECHNOLOGY SYSTEMS MODERNIZATION AND WORKING CAPITAL FUNDS.—

(1) DEFINITION.—In this subsection, the term “covered agency” means each agency listed in section 901(b) of title 31, United States Code.

(2) INFORMATION TECHNOLOGY SYSTEM MODERNIZATION AND WORKING CAPITAL FUNDS.—

(A) ESTABLISHMENT.—The head of a covered agency may establish within the covered agency an information technology system modernization and working capital fund for necessary expenses described in subparagraph (C).

(B) SOURCE OF FUNDS.—The following amounts may be deposited into an IT working capital fund:

(i) Reprogramming and transfer of funds made available in appropriations Acts enacted after the date of enactment of this Act, including the transfer of any funds for the operation and maintenance of legacy information technology systems, in compliance with any applicable statutory transfer authority or reprogramming law or guidelines of the Committees on Appropriations of the Senate and the House of Representatives as in effect on the day before the date of enactment of this Act.

(ii) Amounts made available to the IT working capital fund through discretionary appropriations made available after the date of enactment of this Act.

(C) USE OF FUNDS.—An IT working capital fund may only be used, subject to the availability of appropriations—

(i) to improve, retire, or replace existing information technology systems in the covered agency to enhance cybersecurity and to improve efficiency and effectiveness;

(ii) to transition legacy information technology systems at the covered agency to cloud computing and other innovative platforms and technologies, including those serving more than 1 covered agency with common requirements;

(iii) to assist and support covered agency efforts to provide adequate, risk-based, and cost-effective information technology capabilities that address evolving threats to information security; and

(iv) to reimburse funds transferred to the covered agency from the Fund with the approval of the Chief Information Officer, in consultation with the Chief Financial Officer, of the covered agency.

(D) EXISTING FUNDS.—An IT working capital fund may not be used to supplant funds provided for the operation and maintenance of any system within an appropriation for the covered agency at the time of establishment of the IT working capital fund.

(E) PRIORITIZATION OF FUNDS.—

(i) IN GENERAL.—The head of each covered agency—

(I) shall prioritize funds within the IT working capital fund of the covered agency to be used initially for cost savings activities approved by the Chief Information Officer of the covered agency, in consultation with the Administrator of the Office of Electronic Government; and

(II) may reprogram and transfer any amounts saved as a direct result of the cost savings activities approved under subclause (I) for deposit into the IT working capital fund of the covered agency, consistent with subparagraph (B)(i).

(ii) REPORT.—The Chief Information Officer of each covered agency shall document and submit to the Administrator of the Office of Electronic Government a report on any cost savings activities approved under clause (i)(I).

(F) AVAILABILITY OF FUNDS.—

(i) IN GENERAL.—Any funds deposited into an IT working capital fund shall be available for obligation for the 3-year period beginning on the last day of the fiscal year in which the funds were deposited.

(ii) TRANSFER OF UNOBLIGATED AMOUNTS.—Any amounts in an IT working capital fund that are unobligated at the end of the 3-year period described in clause (i) shall be transferred to the general fund of the Treasury.

(G) AGENCY CIO RESPONSIBILITIES.—In evaluating projects to be funded by the IT working capital fund of a covered agency, the Chief Information Officer of the covered agency shall consider, to the extent applicable, guidance issued under subsection (c)(2)(A) to evaluate applications for funding from the Fund that include factors including a strong business case, technical design, consideration of commercial off-the-shelf products and services, procurement strategy (including adequate use of rapid, iterative software development practices), and program management.

(H) REPORTING REQUIREMENT.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 6 months thereafter, the head of each covered agency shall submit to the Director, with respect to the IT working capital fund of the covered agency—

(I) a list of each information technology investment funded, including the estimated cost and completion date for each investment; and

(II) a summary by fiscal year of obligations, expenditures, and unused balances.

(ii) PUBLIC AVAILABILITY.—The Director shall make the information submitted under clause (i) publicly available on a website.

(C) ESTABLISHMENT OF TECHNOLOGY MODERNIZATION FUND AND BOARD.—

(1) DEFINITION.—In this subsection, the term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(2) TECHNOLOGY MODERNIZATION FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury a Technology Modernization Fund for technology-related activities, to improve information technology, to enhance cybersecurity across the Federal Government, and to be administered in accordance with guidance issued by the Director.

(B) ADMINISTRATION OF FUND.—The Commissioner, in consultation with the Chief Information Officers Council and with the approval of the Director, shall administer the Fund in accordance with this paragraph.

(C) USE OF FUNDS.—The Commissioner shall, in accordance with recommendations from the Board, use amounts in the Fund—

(i) to transfer such amounts, to remain available until expended, to the head of an agency to improve, retire, or replace existing Federal information technology systems to enhance cybersecurity and privacy and improve efficiency and effectiveness;

(ii) for the development, operation, and procurement of information technology products, services, and acquisition vehicles

for use by agencies to improve Government-wide efficiency and cybersecurity in accordance with the requirements of the agencies; and

(iii) to provide services or work performed in support of—

(I) the activities described in clause (i) or (ii); and

(II) the Board and the Director in carrying out the responsibilities described in paragraph (3)(B).

(D) AUTHORIZATION OF APPROPRIATIONS; CREDITS; AVAILABILITY OF FUNDS.—

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund \$250,000,000 for each of fiscal years 2018 and 2019.

(ii) CREDITS.—In addition to any funds otherwise appropriated, the Fund shall be credited with all reimbursements, advances, or refunds or recoveries relating to information technology or services provided through the Fund.

(iii) AVAILABILITY OF FUNDS.—Amounts deposited, credited, or otherwise made available to the Fund shall be available, as provided in appropriations Acts, until expended for the purposes described in subparagraph (C).

(E) REIMBURSEMENT.—

(i) PAYMENT BY AGENCY.—For a product or service developed under subparagraph (C)(ii), including any services or work performed in support of that development under subparagraph (C)(iii), the head of an agency that uses the product or service shall pay an amount fixed by the Commissioner in accordance with this subparagraph.

(ii) REIMBURSEMENT BY AGENCY.—

(I) IN GENERAL.—The head of an agency shall reimburse the Fund for any transfer made under subparagraph (C)(i), including any services or work performed in support of the transfer under subparagraph (C)(iii), in accordance with the terms established in a written agreement described in subparagraph (F).

(II) REIMBURSEMENT FROM SUBSEQUENT APPROPRIATIONS.—Notwithstanding any other provision of law, an agency may make a reimbursement required under subclause (I) from any appropriation made available after the date of enactment of this Act for information technology activities, consistent with any applicable reprogramming law or guidelines of the Committees on Appropriations of the Senate and the House of Representatives as in effect on the day before the date of enactment of this Act.

(III) RECORDING OF OBLIGATION.—Notwithstanding section 1501 of title 31, United States Code, an obligation to make a payment under a written agreement described in subparagraph (E) in a fiscal year after the date of enactment of this Act shall be recorded in the fiscal year in which the payment is due.

(iii) PRICES FIXED BY COMMISSIONER.—

(I) IN GENERAL.—The Commissioner, in consultation with the Director, shall establish amounts to be paid by an agency under this paragraph and the terms of repayment for a product or service developed under subparagraph (C)(ii), including any services or work performed in support of that development under subparagraph (C)(iii), at levels sufficient to ensure the solvency of the Fund, including operating expenses.

(II) REVIEW AND APPROVAL.—Before making any changes to the established amounts and terms of repayment, the Commissioner shall conduct a review and obtain approval from the Director.

(iv) FAILURE TO MAKE TIMELY REIMBURSEMENT.—The Commissioner may obtain reim-

bursement from an agency under this subparagraph by the issuance of transfer and counterwarrants, or other lawful transfer documents, supported by itemized bills, if payment is not made by the agency—

(I) during the 90-day period beginning after the expiration of a repayment period described in a written agreement described in subparagraph (F); or

(II) during the 45-day period beginning after the expiration of the time period to make a payment under a payment schedule for a product or service developed under subparagraph (C)(ii).

(F) WRITTEN AGREEMENT.—

(i) IN GENERAL.—Before the transfer of funds to an agency under subparagraph (C)(i), the Commissioner, in consultation with the Director, and the head of the agency shall enter into a written agreement—

(I) documenting the purpose for which the funds will be used and the terms of repayment, which may not exceed 5 years unless approved by the Director; and

(II) which shall be recorded as an obligation as provided in subparagraph (E)(ii).

(ii) REQUIREMENT FOR USE OF COMMERCIAL PRODUCTS AND SERVICES AND RAPID, ITERATIVE DEVELOPMENT PRACTICES.—

(I) IN GENERAL.—For any funds transferred to an agency under subparagraph (C)(i), in the absence of compelling circumstances of the need to develop a custom information technology solution that are documented by the Commissioner in a written agreement under this subparagraph, the funds shall be used for commercial products and services.

(II) TIMELINE.—If the Commissioner documents in a written agreement under this subparagraph that there are compelling circumstances of the need to develop a custom information technology solution, the Commissioner shall include in the written agreement a timeline for a rapid, iterative development process.

(G) REPORTING REQUIREMENTS.—

(i) LIST OF PROJECTS.—

(I) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Director shall maintain a list of each project funded by the Fund, to be updated not less than quarterly, that includes a description of the project, project status (including any schedule delay and cost overruns), and financial expenditure data related to the project.

(II) PUBLIC AVAILABILITY.—The list required under subclause (I) shall be published on a public website in a manner that is, to the greatest extent possible, consistent with applicable law on the protection of classified information, sources, and methods.

(ii) COMPTROLLER GENERAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Comptroller General of the United States shall submit to Congress and make publicly available a report assessing—

(I) the costs associated with establishing the Fund and maintaining the oversight structure associated with the Fund compared with the cost savings associated with the projects funded by the Fund; and

(II) the reliability of the cost savings estimated by agencies associated with projects funded by the Fund.

(3) TECHNOLOGY MODERNIZATION BOARD.—

(A) ESTABLISHMENT.—There is established a Technology Modernization Board to evaluate proposals submitted by agencies for funding authorized under the Fund.

(B) RESPONSIBILITIES.—The responsibilities of the Board are—

(i) to provide input to the Director for the development of processes for agencies to submit modernization proposals to the Board

and to establish the criteria by which those proposals are evaluated, which shall include—

(I) addressing the greatest security, privacy, and operational risks;

(II) having the greatest Governmentwide impact; and

(III) having a high probability of success based on factors including the use of commercial solutions when possible, a strong business case, technical design, procurement strategy (including adequate use of rapid, iterative software development practices), and program management;

(ii) to make recommendations to the Commissioner to assist agencies in the further development and refinement of select submitted modernization proposals, based on an initial evaluation performed with the assistance of the Commissioner;

(iii) to review and prioritize, with the assistance of the Commissioner and the Director, modernization proposals based on criteria established pursuant to clause (i);

(iv) to identify, with the assistance of the Commissioner, opportunities to improve or replace multiple information technology systems with a smaller number of information technology service common to multiple agencies;

(v) to recommend the funding of modernization projects, in accordance with the uses described in paragraph (2)(C), to the Commissioner;

(vi) to monitor, in consultation with the Commissioner, progress and performance in executing approved projects and, if necessary, recommend the suspension or termination of funding for projects based on factors including the failure to meet the terms of a written agreement described in paragraph (2)(F); and

(vii) to monitor the operating costs of the Fund.

(C) **MEMBERSHIP.**—The Board shall consist of 7 voting members.

(D) **CHAIR.**—The Chair of the Board shall be the Administrator of the Office of Electronic Government.

(E) **PERMANENT MEMBERS.**—The permanent members of the Board shall be—

(i) the Administrator of the Office of Electronic Government; and

(ii) a senior official from the General Services Administration having technical expertise in information technology development, appointed by the Administrator of General Services, with the approval of the Director.

(F) **ADDITIONAL MEMBERS OF THE BOARD.**—

(i) **APPOINTMENT.**—The other members of the Board shall be—

(I) 1 employee of the National Protection and Programs Directorate of the Department of Homeland Security, appointed by the Secretary of Homeland Security; and

(II) 4 employees of the Federal Government primarily having technical expertise in information technology development, financial management, cybersecurity and privacy, and acquisition, appointed by the Director.

(ii) **TERM.**—Each member of the Board described in clause (i) shall serve a term of 1 year, which shall be renewable not more than 3 times at the discretion of the Secretary of Homeland Security or the Director, as applicable.

(G) **PROHIBITION ON COMPENSATION.**—Members of the Board may not receive additional pay, allowances, or benefits by reason of their service on the Board.

(H) **STAFF.**—Upon request of the Chair of the Board, the Director and the Administrator of General Services may detail, on a reimbursable or nonreimbursable basis, any

employee of the Federal Government to the Board to assist the Board in carrying out the functions of the Board.

(4) **RESPONSIBILITIES OF COMMISSIONER.**—

(A) **IN GENERAL.**—In addition to the responsibilities described in paragraph (2), the Commissioner shall support the activities of the Board and provide technical support to, and, with the concurrence of the Director, oversight of, agencies that receive transfers from the Fund.

(B) **RESPONSIBILITIES.**—The responsibilities of the Commissioner are—

(i) to provide direct technical support in the form of personnel services or otherwise to agencies transferred amounts under paragraph (2)(C)(i) and for products, services, and acquisition vehicles funded under paragraph (2)(C)(ii);

(ii) to assist the Board with the evaluation, prioritization, and development of agency modernization proposals.

(iii) to perform regular project oversight and monitoring of approved agency modernization projects, in consultation with the Board and the Director, to increase the likelihood of successful implementation and reduce waste; and

(iv) to provide the Director with information necessary to meet the requirements of paragraph (2)(G).

(5) **SUNSET.**—This subsection shall cease to have force or effect on the date that is 2 years after the date on which the Comptroller General of the United States issues the third report required under paragraph (2)(G)(ii).

SA 716. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING ACCESS TO PREVENTIVE SERVICES.

Any provision of this bill that would eliminate or reduce access to affordable preventive services that are currently offered without copayment or cost-sharing under the Patient Protection and Affordable Care Act, including blood pressure screening, colorectal screening, breast cancer screening, cervical cancer screening and domestic and interpersonal violence screening and counseling, shall be null and void and of no effect.

SA 717. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ENERGY SECURITY FOR MILITARY INSTALLATIONS IN EUROPE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) United States military installations in Europe are potentially vulnerable to supply disruptions from foreign governments, especially the Government of the Russian Fed-

eration, which could use control of energy supplies in a hostile or weaponized manner.

(2) The Government of the Russian Federation has previously shown its willingness to aggressively use energy supplies as a weapon to pressure foreign nations, including Ukraine.

(b) **AUTHORITY.**—The Secretary of Defense shall take appropriate measures, to the extent practicable, to—

(1) reduce the dependency of all United States military installations in Europe on energy sourced inside Russia; and

(2) ensure that all United States military installations in Europe are able to sustain operations in the event of a supply disruption

(c) **CERTIFICATION REQUIREMENT.**—Not later than December 31, 2021, the Secretary of Defense shall certify to the congressional defense committees whether or not every United States military installation in Europe—

(1) is dependent to the minimum extent practicable on energy sourced inside the Russian Federation; and

(2) has the ability to sustain operations during an energy supply disruption.

(d) **BRIEFING REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense shall brief the congressional defense committees on progress in achieving the goals described in subsection (b), including—

(1) an assessment of the operational risks of energy supply disruptions;

(2) a description of mitigation measures identified to address such operational risks;

(3) an assessment of the feasibility, estimated costs, and schedule of diversified energy solutions; and

(4) an assessment of the minimum practicable usage of energy sourced inside Russia on United States military installations in Europe.

(e) **INTERIM REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and make publicly available an interim report on progress in achieving the goals described in subsection (b), including the assessments described in paragraphs (1) through (4) of subsection (d).

(f) **DEFINITION OF ENERGY SOURCED INSIDE RUSSIA.**—In this section, the term “energy sourced inside Russia” means energy that is produced, owned, or facilitated by companies that are located in the Russian Federation or owned or controlled by the Government of the Russian Federation.

SA 718. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. ____ . REPORT ON MANAGEMENT OF MILITARY COMMISSARIES AND EXCHANGES.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to

the congressional defense committees a report regarding management practices of military commissaries and exchanges.

(b) **ELEMENTS.**—The report required under this section shall include a cost-benefit analysis with the goals of—

(1) reducing the costs of operating military commissaries and exchanges by \$2,000,000,000 during fiscal years 2018 through 2022; and

(2) not raising costs for patrons of military commissaries and exchanges.

SA 719. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. _____. ELIGIBILITY OF VETERANS OF OPERATION END SWEEP FOR VIETNAM SERVICE MEDAL.

The Secretary of the military department concerned shall, upon the application of an individual who is a veteran who participated in Operation End Sweep, award that individual the Vietnam Service Medal, notwithstanding any otherwise applicable requirements for the award of that medal.

SA 720. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end title XII, add the following:

Subtitle H—Iraq and Syria Genocide Relief and Accountability

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017”.

SEC. 1292. FINDINGS.

Congress finds the following:

(1) On March 17, 2016, Secretary of State John Kerry stated, “in my judgment, Daesh is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims . . . the United States will strongly support efforts to collect, document, preserve, and analyze the evidence of atrocities, and we will do all we can to see that the perpetrators are held accountable”.

(2) Secretary of State Kerry stated in the “Atrocities Prevention Report”, transmitted to Congress on March 17, 2016, “The Department of State has a longstanding commitment to providing support for the urgent humanitarian needs of conflict-affected populations in Iraq, Syria, and across the world, including but not limited to members of ethnic and religious minorities.”.

(3) The Independent International Commission of Inquiry on the Syrian Arab Republic stated in its February 3, 2016, report, “The Government has committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, tor-

ture, imprisonment, enforced disappearance and other inhuman acts. Based on the same conduct, war crimes have also been committed. Both Jabhat Al-Nusra and some anti-Government armed groups have committed the war crimes of murder, cruel treatment, and torture.”.

(4) The International Criminal Investigative Training Assistance Program and the Office of Overseas Prosecutorial Development Assistance and Training of the Department of Justice have provided technical assistance to governmental judicial and law enforcement entities in Iraq, including with funding support from the Department of State.

(5) There were an estimated 800,000 to 1,400,000 Christians in Iraq in 2002, 500,000 in 2013, and less than 250,000 in 2015, according to the annual International Religious Freedom Reports of the Department of State.

(6) Although Christians were an estimated 8 to 10 percent of the 21,000,000 person population of Syria in 2010, “media and other reports of Christians fleeing the country as a result of the civil war suggest the Christian population is now considerably lower” as of 2015, according to the annual International Religious Freedom Reports of the Department of State.

(7) The Chaldean Catholic Archdiocese of Erbil (Iraq) is an example of an entity that has not received funding from any government and has been providing assistance to internally displaced families of Yezidis, Muslims, and Christians, including food, resettlement from tents to permanent housing, and rent for Yezidis, medical care and education for Yezidis and Muslims through clinics, schools, and a university that are open to all, and some form of these types of assistance to all of the estimated 10,500 internally displaced Christian families, more than 70,000 people, in the greater Erbil region.

(8) In fiscal year 2015, the United States Government admitted to the United States through the United States Refugee Admissions Program persons from Priority 2 groups of special humanitarian concern, as designated by Congress, including—

(A) Jews, Evangelical Christians, Ukrainian Catholics, and Ukrainian Orthodox, from the former Soviet Union;

(B) Iraqis at risk because they were, or are, employed in Iraq by the United States Government, a media or nongovernmental organization headquartered in the United States, or an organization or entity that received funding from the United States Government, or are related to someone who is, or was, so employed;

(C) religious minorities in Iran; and

(D) members of other groups designated by the United States Government, including—

(i) former political prisoners, active members of persecuted religious minorities, human rights activists, and forced labor conscripts in Cuba;

(ii) minors in Honduras, El Salvador, and Guatemala;

(iii) ethnic minorities from Burma in Malaysia;

(iv) Bhutanese in Nepal; and

(v) Congolese in Rwanda.

(9) Through the United States Refugee Admissions Program, the United States Government—

(A) admitted 12,676 Iraqi refugees in fiscal year 2015, including at least 2,113 Christians and 213 Yezidis;

(B) admitted 9,880 Iraqi refugees in fiscal year 2016, including at least 1,524 Christians and 393 Yezidis;

(C) admitted 1,682 Syrian refugees in fiscal year 2015, including at least 30 Christians; and

(D) admitted 12,587 Syrian refugees in fiscal year 2016, including at least 64 Christians and 24 Yezidis.

SEC. 1293. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on the Judiciary of the House of Representatives; and

(F) the Committee on Homeland Security of the House of Representatives.

(2) **CAPACITY-BUILDING.**—The term “capacity-building”, with respect to cases of genocide, crimes against humanity, war crimes, and terrorism in Iraq or Syria, means developing domestic skills to efficiently adjudicate such cases, consistent with due process and respect for the rule of law, through the use of experts in international criminal investigations and experts in international criminal law to partner with, mentor, provide technical advice for, formally train, and provide equipment and infrastructure where necessary and appropriate to, investigators and judicial personnel in Iraq, including the Kurdistan region of Iraq, and domestic investigators and lawyers in Syria.

(3) **FOREIGN TERRORIST ORGANIZATION.**—The term “foreign terrorist organization” mean an organization designated by the Secretary of State as a foreign terrorist organization pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(4) **HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.**—The term “humanitarian, stabilization, and recovery needs”, with respect to an individual, includes water, sanitation, hygiene, food security, nutrition, shelter, housing, medical, education, and psychosocial needs.

(5) **HYBRID COURT.**—The term “hybrid court” means a court with a combination of domestic and international lawyers, judges, and personnel.

(6) **INTERNATIONALIZED DOMESTIC COURT.**—The term “internationalized domestic court” means a domestic court with the support of international advisers.

SEC. 1294. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ AND SYRIA.

(a) **ASSISTANCE TO SUPPORT CERTAIN ENTITIES.**—

(1) **IN GENERAL.**—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, and Labor, the Assistant Secretary for International Narcotics and Law Enforcement Affairs, and Administrator of the United States Agency for International Development, shall provide assistance, including financial assistance, to support entities that are taking the actions described in paragraph (2) with respect to individuals who are suspected to have committed genocide, crimes against humanity, or war crimes in Iraq since January 2014 or in Syria since March 2011.

(2) **ACTIONS DESCRIBED.**—The actions described in this paragraph are—

(A) conducting criminal investigations;

(B) developing investigative and judicial capacities;

(C) collecting evidence;

(D) preserving the chain of evidence for prosecution in domestic courts, hybrid courts, and internationalized domestic courts; and

(E) capacity building.

(3) **AVAILABILITY OF AMOUNTS.**—Amounts authorized to be appropriated or otherwise made available for programs, projects, and activities carried out by the Assistant Secretary for Democracy, Human Rights, and Labor and the Assistant Secretary for International Narcotics and Law Enforcement Affairs are authorized to be made available to carry out this subsection.

(b) **ACTIONS BY FOREIGN GOVERNMENTS.**—The Secretary of State, in consultation with the Attorney General, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, shall encourage governments of foreign countries—

(1) to include information in appropriate security databases and security screening procedures of such countries to identify individuals who are suspected to have committed genocide, crimes against humanity, or war crimes in Iraq since January 2014 or in Syria since March 2011, including individuals who are suspected to be members of foreign terrorist organizations operating within Iraq or Syria; and

(2) to prosecute individuals described in paragraph (1) for genocide, crimes against humanity, or war crimes, as appropriate.

(c) **REVIEW OF CERTAIN CRIMINAL STATUTES.**—The Attorney General, in consultation with the Secretary of State, shall conduct a review of existing criminal statutes concerning genocide, crimes against humanity, and war crimes to determine—

(1) the extent to which United States courts are currently authorized by statute to exercise jurisdiction over such crimes where the direct perpetrators, accomplices, or victims are United States nationals, United States residents, or persons physically present in the territory of the United States either during the commission of the crime or subsequent to the commission of the crime;

(2) the statutes currently in effect that would apply to conduct constituting war crimes or crimes against humanity, including—

(A) whether such statutes provide for extraterritorial jurisdiction;

(B) the statute of limitations for offenses under such statutes;

(C) the applicable penalties under such statutes; and

(D) whether offenders would be subject to extradition or mutual legal assistance treaties;

(3) the extent to which the absence of criminal statutes defining the crimes, or granting jurisdiction, would impede the prosecution of genocide, crimes against humanity, and war crimes in United States courts, including when United States military forces capture persons outside the United States who are known to have committed such crimes in a third country that is either unable or unwilling to prosecute the crimes; and

(4) whether additional statutory authorities are necessary to prosecute a United States person or a foreign person within the territory of the United States for genocide, crimes against humanity, or war crimes.

(d) **CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from, entities described in subsection (a)(1).

(e) **SENSE OF CONGRESS.**—It is the sense of Congress that an appropriate amount of the additional amount made available under the

heading “Economic Support Fund” in title II of division B of the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114-254) should be made available to carry out subsection (a).

SEC. 1295. IDENTIFICATION OF AND ASSISTANCE TO ADDRESS HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS OF CERTAIN PERSONS IN IRAQ AND SYRIA.

(a) **IDENTIFICATION.**—The Secretary of State, in consultation with the Secretary of Defense, the Ambassador at Large for International Religious Freedom, the Special Advisor for Religious Minorities in the Near East and South/Central Asia, the Assistant Secretary for Population, Refugees, and Migration, the Administrator of the United States Agency for International Development, and the Director of National Intelligence, shall identify—

(1) the threats of persecution and other warning signs of genocide, crimes against humanity, and war crimes against individuals—

(A) who—

(i) are or were nationals and residents of Iraq or of Syria; and

(ii) are members of a religious or ethnic group that is a minority religious or ethnic group in Iraq or in Syria against which the Secretary of State has determined the Islamic State of Iraq and Syria (ISIS) has committed genocide, crimes against humanity, or war crimes in Iraq or in Syria since January 2014; or

(B) who are members of another religious or ethnic group that is a minority religious or ethnic group in Iraq or in Syria that has been identified by the Secretary of State (or the Secretary’s designee) as a persecuted group;

(2) the humanitarian, stabilization, and recovery needs of individuals described in paragraph (1);

(3) the minority religious and ethnic groups in Iraq and in Syria—

(A) against which the Secretary of State has determined ISIS has committed genocide, crimes against humanity, or war crimes in Iraq or in Syria since January 2014; or

(B) that the Secretary of State (or the Secretary’s designee) has identified as a persecuted group at risk of forced migration, within or across the borders of Iraq, Syria, or a country of first asylum, and the primary reasons for such risk;

(4) the assistance provided by the United States to address humanitarian, stabilization, and recovery needs of individuals described in paragraph (1) and groups described in paragraph (3), including assistance to mitigate the risks of forced migration of such persons and groups from Iraq or from Syria;

(5) the mechanisms used by the United States Government to identify, assess, and respond to humanitarian, stabilization, and recovery needs, and risks of forced migration, of individuals described in paragraph (1) and groups described in paragraph (3);

(6) the assistance provided by or through the United Nations, including the Funding Facility for Immediate Stabilization and the Funding Facility for Expanded Stabilization, to address humanitarian, stabilization, and recovery needs of individuals described in paragraph (1) and groups described in paragraph (3), including assistance to mitigate the risks of forced migration of such individuals and groups within or across the borders of Iraq, Syria, or a country of first asylum from Iraq or from Syria;

(7) the entities, including faith-based entities, that are providing assistance to address

humanitarian, stabilization, and recovery needs of individuals described in paragraph (1) and groups described in paragraph (3); and

(8) if the United States Government is funding entities described in paragraph (7) for purposes of providing assistance described in such paragraph, the sources of such funding; and

(9) if the United States Government is not funding entities described in paragraph (7) for purposes of providing assistance described in such paragraph, a justification for not funding such entities, including whether funding such entities is prohibited under United States law.

(b) **ADDITIONAL CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from, individuals described in subsection (a)(1) and entities described in subsection (a)(7).

(c) **ASSISTANCE.**—The Secretary of State and Administrator of the United States Agency for International Development shall provide assistance, including cash assistance, to support entities described in subsection (a)(7) that the Secretary and the Administrator determine are effectively providing assistance described in subsection (a)(7), including entities that received funding from the United States Government for such purposes before the date of the enactment of this Act.

(d) **SENSE OF CONGRESS.**—It is the sense of Congress that an appropriate amount of the additional amount made available under the heading “Economic Support Fund” in title II of division B of the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114-254) should be made available to carry out subsection (c).

SEC. 1296. REFUGEE ADMISSIONS OF NATIONALS AND RESIDENTS OF IRAQ OR OF SYRIA.

(a) **IN GENERAL.**—Aliens who are, or were, a national and a resident of Iraq or of Syria, and who share common characteristics that identify them as targets of persecution on account of membership in a religious or ethnic minority in that country, particularly survivors of genocide, crimes against humanity, or war crimes, or the surviving spouse or child of an individual who was killed by a perpetrator of such a crime—

(1) are deemed to be of special humanitarian concern to the United States; and

(2) shall be eligible for Priority 2 processing under the refugee resettlement priority system.

(b) **IN-COUNTRY AND OUT-OF-COUNTRY PROCESSING.**—Aliens described in subsection (a) shall be allowed to apply, and interview, for admission to the United States through refugee processing mechanisms in countries where aliens may apply, and interview, for admission to the United States as refugees.

(c) **APPLICABILITY OF OTHER REQUIREMENTS.**—Aliens who qualify under this section for Priority 2 processing under the refugee resettlement priority system may only be admitted to the United States after—

(1) satisfying the requirements under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157); and

(2) clearing a background check and appropriate screening, as determined by the Secretary of Homeland Security.

(d) **WAIVER OF CERTAIN GROUNDS OF INADMISSIBILITY.**—The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may waive, in such

Secretary's sole and unreviewable discretion, the application of paragraph (3)(B) (other than clause (i)(II)) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) with respect to activities undertaken by an alien described in subsection (a) in the course of avoiding or evading persecution by a terrorist organization (as defined in section 212(a)(3)(B)(vi) of such Act (8 U.S.C. 1182(a)(3)(B)(vi))).

(e) CATEGORICAL ELIGIBILITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking “for each of fiscal years 1990” and all that follows through “2017” and inserting “each of the fiscal years 1990 through 2018”; and

(B) in subsection (e), by striking “2017.” each place it appears and inserting “2018.”; and

(2) in section 599E(b)(2) (8 U.S.C. 1255 note), by striking “2017.” and inserting “2018.”.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to lessen the protections under United States law for bona fide refugees who are not described in this section.

SEC. 1297. REPORTS.

(a) SUPPORT FOR THE INVESTIGATION AND PROSECUTION OF WAR CRIMES.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of the efforts taken, and efforts proposed to be taken, by the Secretary of State to implement subsections (a) and (b) of section 1294; and

(2) an assessment of—

(A) the feasibility and advisability of prosecuting individuals who are suspected to have committed genocide, crimes against humanity, or war crimes in Iraq since January 2014, or in Syria since March 2011, in domestic courts in Iraq, hybrid courts, and internationalized domestic courts; and

(B) the capacity building, and other measures, needed to ensure effective criminal investigations of such individuals.

(b) CRIMINAL STATUTE REVIEW.—Not later than 120 days after the date of the enactment of this Act, the Attorney General shall submit a report to the appropriate congressional committees that includes—

(1) the results of the review conducted under section 1294(c); and

(2) such recommendations for legislative and administrative actions to implement the results of such review as the Attorney General determines appropriate.

(c) ASSISTANCE FOR PERSECUTED MINORITIES IN IRAQ OR IN SYRIA.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes a detailed description of—

(1) the efforts taken, and proposed to be taken, by the Secretary of State to implement section 1295;

(2) the matters identified under section 1295(a); and

(3) the efforts taken, and proposed to be taken, by the Secretary of State and the Secretary of Homeland Security to implement section 1296.

(d) FORM.—Each report required under this section shall be submitted in unclassified form, but may contain a classified annex, if necessary.

SA 721. Ms. CANTWELL submitted an amendment intended to be proposed

to amendment SA 667 proposed by Mr. MCCONNELL to the amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ BASIC HEALTH PROGRAMS.

Section 1331(e)(1)(B) of the Patient Protection and Affordable Care Act (42 U.S.C. 18051(e)(1)(B)) is amended by striking “200” and inserting “250”.

SA 722. Mr. UDALL (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 202 and insert the following:

SEC. 202. SUPPORT FOR STATE AND INDIAN HEALTH PROGRAM RESPONSE TO SUBSTANCE USE DISORDER PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$1,000,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the “Secretary”) to award grants to States and Indian health programs to address the substance use disorder public health crisis or to respond to urgent mental health needs within the State or community served by the Indian health program. In awarding grants under this section, the Secretary may give preference to States, and Indian health programs that serve Indian tribes, with a substantial incidence or prevalence of substance use disorders. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State or Indian health program under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance use disorder.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance use disorder, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State or Indian health program determines appropriate, related to addressing the substance use disorder public health crisis or responding to urgent mental health needs within the State or community served by the Indian health program.

(c) INDIAN HEALTH PROGRAMS.—Not less than 10 percent of the amounts appropriated

under subsection (a) shall be awarded to Indian health programs.

(d) DEFINITIONS.—In this section, the terms “Indian health program” and “Indian tribe” have the meanings given the terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

SA 723. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 190 between lines 22 and 23, insert the following:

(6) A mechanism (to be known as “Clean Energy-Ready Vets”) to provide workforce training, in coordination the Secretary of Energy, junior or community colleges (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f))) in the vicinity of such location, private industry, and nonprofit organizations, for members of the Armed Forces participating in the pilot program to transition to jobs in the clean energy industry, including in the cyber and grid security, natural gas, solar, wind, geothermal fields. In carrying out the mechanism, the Secretary of Defense shall—

(A) coordinate with the Secretary of Veterans Affairs to consider opportunities to—

(i) streamline the approval of appropriate workforce training programs for which members participating in the pilot program and following their transition to civilian life may use veterans educational assistance; and

(ii) enhance distance learning in connection with such workforce training using such assistance;

(B) enhance the process, in coordination with power companies, by which members of the Armed Forces participating in the pilot program who serve or have served in system administrator positions, information technology positions, and other relevant cybersecurity duties and positions in the Armed Forces may transition to civilian careers in electric grid security;

(C) consider opportunities for the use of veterans educational assistance for on-the-job working training activities under the pilot program that are conducted outside the military installation concerned; and

(D) ensure that members of the Armed Forces are provided information at appropriate times and locations regarding eligibility to participate in similar energy and grid security workforce training programs, including through the Transition Assistance Program (TAP) of the Department of Defense.

SA 724. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLEAN ENERGY-READY VETS PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Energy (referred to in this section as the “Secretary”) shall establish a program, to be known as the “Clean Energy-Ready Vets Program”, to support and enhance training opportunities for members of the Armed Forces who are transitioning out of service in the Armed Forces for jobs in the energy industry, including jobs relating to—

- (1) electric grid security;
- (2) energy transmission and distribution infrastructure; and
- (3) solar, wind, geothermal, and natural gas energy.

(b) USE OF SKILLBRIDGE PROGRAM.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary, in partnership with the Secretary of Defense, shall carry out the Clean Energy-Ready Vets Program through the SkillBridge program of the Department of Defense at not fewer than 20 facilities of the Department of Defense, under which the Secretary shall—

(A) in partnership with junior or community colleges (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f))), nonprofit organizations, and the clean energy industry, train members of the Armed Forces who are transitioning out of service in the Armed Forces for jobs described in subsection (a); and

(B) facilitate partnerships between junior or community colleges (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f))) and potential employers to place members of the Armed Forces described in subparagraph (A) in jobs in the energy industry.

(2) MODIFICATION.—Notwithstanding any other provision of law, the Secretary of Defense shall modify the SkillBridge program to provide that 20 percent of the amount of Federal training assistance available under the SkillBridge program for the Clean Energy-Ready Vets Program at each facility of the Department of Defense may be used for on-the-job training activities conducted outside of a facility of the Department of Defense pursuant to the Clean Energy-Ready Vets Program.

(c) ADMINISTRATION.—

(1) SECRETARY.—In carrying out the Clean Energy-Ready Vets Program, the Secretary shall collaborate with the Secretary of Defense, the Secretary of Labor, and the Secretary of Veterans Affairs to increase opportunities for spouses of veterans to secure jobs in the energy industry.

(2) SECRETARY OF DEFENSE.—The Secretary of Defense shall collaborate with electric utilities to enhance the process by which members of the Armed Forces in system administrator positions, information technology positions, and other relevant cybersecurity duties and positions in the Armed Forces may transition to careers in electric grid security.

(3) SECRETARY OF LABOR.—To ensure that unemployed veterans and members of the Armed Forces who are transitioning out of service in the Armed Forces are provided information at appropriate times and locations regarding eligibility to participate in the Clean Energy-Ready Vets Program and other similar energy and grid security workforce training programs, the Secretary of Labor shall collaborate with—

- (A) the Secretary of Defense;
- (B) State workforce agencies; and
- (C) American Job Centers.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the

Secretary to carry out the Clean Energy-Ready Vets Program [§ _____] for [each of/the period of] fiscal years [2018 through ____].

(e) EXCEPTION FOR INDEPENDENT STUDY PROGRAMS RELATING TO ENERGY AND GRID SECURITY FROM CERTAIN LIMITATIONS ON USE OF EDUCATIONAL ASSISTANCE FROM DEPARTMENT OF VETERANS AFFAIRS.—Section 3680A(a)(4) of title 38, United States Code, is amended by striking “except” and all that follows through the period and inserting the following: “except—

“(A) an accredited independent study program (including open circuit television) leading to—

“(i) a standard college degree; or

“(ii) a certificate that reflects education attainment offered by an institution of higher learning; or

“(B) an independent study program in the field of energy or grid security.”.

(f) APPROVAL FOR PURPOSES OF VETERANS EDUCATIONAL ASSISTANCE OF PROGRAMS OF EDUCATION RELATING TO ELECTRIC GRID SECURITY, ENERGY TRANSMISSION, AND RENEWABLE ENERGY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Veterans Affairs—

(A) shall approve or disapprove under chapter 36 of title 38, United States Code, each program of education described in paragraph (2) of an educational institution that seeks approval of such program of education under such chapter; and

(B) shall not require such educational institution to seek approval of such program of education from a State approving agency under such chapter in order for it to be approved under such chapter.

(2) PROGRAMS OF EDUCATION DESCRIBED.—A program of education described in this paragraph is a program of education relating to the following:

(A) Electric grid security.

(B) Energy transmission and distribution infrastructure.

(C) Solar, wind, geothermal, and natural gas energy.

SA 725. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON CYBER CAPABILITY AND READINESS SHORTFALLS OF ARMY COMBAT TRAINING CENTERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the Army Combat Training Centers and the current resident cyber capabilities and training at such centers to examine potential training readiness shortfalls and ensure that pre-rotational cyber training needs are met.

(b) CONSIDERATION OF NEARBY ASSETS.—In preparing the report under subsection (a), the Secretary shall take into account nearby Army Combat Training Center cyber assets that could contribute to addressing potential cyber capability and readiness shortfalls.

SA 726. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON MILITARY TEST AND TRAINING EVENTS CONDUCTED IN THE AREA EAST OF THE MILITARY MISSION LINE IN THE GULF OF MEXICO.

(a) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense, after consultation with the Secretary of Interior, shall submit to the congressional defense committees and the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on military test and training events conducted in the area east of the Military Mission Line in the Gulf of Mexico.

(b) ELEMENTS.—The report required under subsection (a) shall address the following matters:

(1) The frequency and impact of test events, exercises, and military operations conducted annually in the ranges and operating areas east of the Military Mission Line in the Gulf of Mexico from 2006 to the time of the report.

(2) The frequency and impact of test events, exercises, and military operations conducted annually from 2006 to the time of the report in the ranges and operating in planning areas where active Outer Continental oil and gas leases currently exist.

(3) Comparable testing and training areas within the United States and its territories that can replicate the capabilities of the ranges and operating areas east of the Military Mission Line in the Gulf of Mexico.

(4) Comparable testing and training areas outside the United States which are available for United States military testing and training activities that can replicate the capabilities of the ranges and operating areas east of the Military Mission Line in the Gulf of Mexico.

(5) The extent to which the services will be able to meet training and test requirements necessary to be prepared to support Operational Plans should the moratorium on oil and gas leasing, pre-leasing, or any related activity east of the Military Mission Line in the Gulf of Mexico not be extended.

(6) The extent to which the services will be able to meet their training and test requirements, with specific stipulations similar to those in the Gulf of Mexico Central Planning Area, while incorporating potential Department of the Interior priorities east of the Military Mission Line in the Gulf of Mexico.

(c) MEASUREMENT OF FREQUENCY AND IMPACT.—For purposes of paragraphs (1) and (2) of subsection (b)—

(1) frequency shall be measured in duration as calendar days when test events, exercises, and military operations occur; and

(2) impact shall be measured in areas (as defined by longitude and latitude in degrees, minutes, and seconds) where restrictions or stipulations are imposed for test events, exercises, and military operations.

SA 727. Mr. CORNYN submitted an amendment intended to be proposed by

him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE REGARDING SUBSTANCE USE DISORDERS.

It is the Sense of the Senate that:

(1) The Committees of jurisdiction of the Senate should review issues related to substance use disorders, particularly related to opioids, including Federal efforts to prevent the development of, improve access to treatment, and promote recovery for people with opioid and other substance use disorders.

(2) Obamacare should be repealed because it increases health care costs, limits patient choice of health plans and doctors, forces Americans to buy insurance that they do not want, cannot afford, or may not be able to access, increases taxes on middle class families and fails to focus the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) on individuals most in need, such as the elderly and the disabled, as evidenced by the following:

(A) Premiums for plans offered on the Federal Exchange have doubled on average over the last 4 years, and these increases are projected to continue.

(B) 70 percent of counties have only a few options for Obamacare insurance in 2017, and at least 40 counties are expected to have zero insurers planning on their Exchange in 2018.

(C) 2,300,000 Americans purchasing plans on the Exchanges are projected to have only one insurer to choose from in 2018.

(D) The Joint Committee on Taxation has identified significant and widespread tax increases on individuals earning less than \$200,000.

(E) Medicaid costs have continued to spiral year after year leading to a detrimental impact on State budgets, which constrains State choices with respect to health care.

(3) Obamacare should be replaced with patient-centered legislation that—

(A) provides access to quality, affordable private health care coverage for Americans and their families by increasing competition, State flexibility, and individual choice; and

(B) strengthens the Medicaid program by focusing on the most needy individuals and empowering States through increased flexibility to best meet the needs of their population.

SA 728. Mrs. GILLIBRAND (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____ . LIMITATION ON MODIFICATION OF STATUS OF TRANSGENDER MEMBERS OF THE ARMED FORCES.

(a) LIMITATION.—No action described in subsection (b) may be taken with respect to transgender members of the Armed Forces until 60 days after the date of the submittal to Congress of a report on the six-month review being conducted by the Secretary of De-

fense in order to evaluate the impact of accessions of transgender individuals into the Armed Forces on readiness and lethality that will include all relevant considerations.

(b) ACTIONS.—An action described in this subsection with respect to transgender members of the Armed Forces is any of the following in connection with the nature of such members as transgender individuals:

(1) A modification of service status in the Armed Forces (other than through the normal expiration of service commitment or pursuant to a sentence of court-martial or administrative board action).

(2) A modification of current entitlement or eligibility for health care benefits as a member of the Armed Forces, or of the scope or nature of benefits to which entitled or eligible.

(3) Any change of responsibility or position (other than through promotion or routine re-assignment or deployment).

SA 729. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXCEPTION FOR CERTAIN SMALL GROUP HEALTH PLANS.

(a) INTERNAL REVENUE CODE.—Section 9831(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following flush sentence:

“A governmental plan shall be deemed to satisfy paragraph (2) if such plan has 2 or more participants who are current employees, and (A) such current employees retired from an employer and were subsequently hired by a different employer, and (B) such plan requires that participants be enrolled in the Medicare program under part A of title XVIII of the Social Security Act.”.

(b) ERISA.—Section 732(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191a(a)) is amended by adding at the end the following: “A governmental plan shall be deemed to satisfy this subsection if such plan has 2 or more participants who are current employees and (1) such current employees retired from an employer and were subsequently hired by a different employer, and (2) such plan requires that participants be enrolled in the Medicare program under part A of title XVIII of the Social Security Act.”.

(c) PUBLIC HEALTH SERVICE ACT.—Section 2722 of the Public Health Service Act (42 U.S.C. 300gg–21) is amended by adding at the end the following:

“(e) EXCEPTION FOR CERTAIN SMALL GROUP HEALTH PLANS.—The requirements of subparts 1 and 2 shall not apply with respect to a group health plan for any plan year if, on the first day of such plan year, such plan has less than 2 participants who are current employees. A non-Federal governmental plan shall be deemed to satisfy this subsection if such plan has 2 or more participants who are current employees and—

“(1) such current employees retired from an employer and were subsequently hired by a different employer; and

“(2) such plan requires that participants be enrolled in the Medicare program under part A of title XVIII of the Social Security Act.”.

SA 730. Mr. NELSON (for himself and Mr. COTTON) submitted an amendment

intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. ____ . PROHIBITION ON ESTABLISHMENT OF MILITARY DEPARTMENT OR CORPS SEPARATE FROM OR SUBORDINATE TO THE CURRENT MILITARY DEPARTMENTS.

No funds authorized to be appropriated by this Act or otherwise available for fiscal year 2018 for the Department of Defense may be used to establish a military department or corps separate from or subordinate to the current military departments, including a Space Corps in the Department of the Air Force, or a similar such corps in any other military department.

SA 731. Mr. NELSON (for himself, Mr. CORNYN, Mr. WARNER, Mr. TILLIS, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . APOLLO I LAUNCH TEST ACCIDENT MEMORIAL AT ARLINGTON NATIONAL CEMETERY, VIRGINIA.

(a) FINDINGS.—Congress finds the following:

(1) On January 27, 1967, National Aeronautics and Space Administration (NASA) Astronauts Command Pilot Virgil I. “Gus” Grissom, Senior Pilot Edward H. White II, and Pilot Roger B. Chaffee were killed in an electrical fire that broke out inside the Apollo I Command Module on Launch Pad 34 at the Kennedy Space Center in Cape Canaveral, Florida.

(2) Command Pilot Virgil I. “Gus” Grissom was selected by NASA in 1959 as one of the original seven Mercury astronauts. He piloted the Liberty Bell 7 spacecraft on July 21, 1963, on the second and final Mercury sub-orbital test flight, served as command pilot on the first manned Gemini flight on March 23, 1965, and was named as Command Pilot of the first Apollo flight. He began his career in the United States Army Air Corps and was a Lieutenant Colonel in the United States Air Force at the time of the accident, and he is buried at Arlington National Cemetery.

(3) Senior Pilot Edward H. White II was selected by NASA as a member of the second astronaut team in 1962. He piloted the Gemini-4 mission, a 4-day mission that took place in June 1965, during which he conducted the first extravehicular activity in the United States human spaceflight program. He was named as Command Module Pilot for the first Apollo flight. He began his career as a cadet at the United States Military Academy and was a Lieutenant Colonel in the United States Air Force at the time of

the accident, and he is buried at West Point Cemetery.

(4) Pilot Roger B. Chaffee was selected by NASA as part of the third group of astronauts in 1963. He was named as the Lunar Module Pilot for the first Apollo flight. He began his career as a Naval Reserve Officer Training Corps midshipman at Illinois Institute of Technology and Purdue University before commissioning as an ensign in the United States Navy, he was a Lieutenant Commander in the United States Navy at the time of the accident, and he is buried at Arlington National Cemetery.

(5) All 3 astronauts were posthumously awarded the Congressional Space Medal of Honor.

(6) As Arlington National Cemetery is where the United States recognize heroes who have passed in the service of our Nation, it is fitting on the 50th anniversary of the Apollo I launch test accident that the United States acknowledge those astronauts by building a memorial in their honor.

(b) CONSTRUCTION OF MEMORIAL TO THE CREW OF THE APOLLO I LAUNCH TEST ACCIDENT AT ARLINGTON NATIONAL CEMETERY.—Subject to applicable requirements of section 2409(b)(2)(E) of title 38, United States Code, the Secretary of the Army shall, in consultation with the Administrator of the National Aeronautics and Space Administration, the Commission of Fine Arts, and the Advisory Committee on Arlington National Cemetery, authorize the construction at an appropriate place in Arlington National Cemetery, Virginia, of a memorial marker honoring the three members of the crew of the Apollo I crew who died during a launch rehearsal test on January 27, 1967, in Cape Canaveral, Florida.

SA 732. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 338. PREVENTING ENCROACHMENT BY ACTIVITIES NOT COMPATIBLE WITH MILITARY OPERATIONS ON DEPARTMENT OF DEFENSE TEST AND TRAINING RANGES.

Section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; 43 U.S.C. 1331 note) is amended by striking “June 30, 2022” and inserting “June 30, 2027”.

SA 733. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Littoral Combat Ship, increase the amount in the Senate Authorized column by \$1,200,000,000.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MORAN. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, July 27, 2017, at 9:30 a.m., in 328A Russell Senate Office Building, in order to conduct a hearing entitled “To consider the following nominations: Rostin Behnam, Brian D. Quintenz, and Dawn DeBerry Stump, to be Commissioners at the CFTC.”

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 27, 2017 at 9:45 a.m. to conduct an executive session to vote on nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 27, 2017 at 10 a.m., to hold a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 27, 2017, at 9 a.m., in room SH-216 of the Hart Senate Office Building, to continue a hearing entitled “Oversight of the Foreign Agents Registration Act and Attempts to Influence U.S. Elections: Lessons Learned from Current and Prior Administrations.”

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, July 27, 2017 from 10 a.m. in room SH-219 of the Senate Hart Office Building to hold a Closed Member Markup.

PRIVILEGES OF THE FLOOR

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

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

Mr. WICKER. Mr. President, I ask unanimous consent that Dave Zwirblis, Shane Stoughton, and Neal McMillan, congressional fellows in my office, be granted floor privileges for the remainder of the 115th Congress.

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

ORDERS FOR MONDAY, JULY 31, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, July 31; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Newsom nomination; finally, that notwithstanding the provisions of rule XXII, the cloture vote on the Newsom nomination occur at 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JULY 31, 2017, AT 4 P.M.

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

There being no objection, the Senate, at 1:56 a.m., adjourned until Monday, July 31, 2017, at 4 p.m.

NOMINATIONS

Executive nominations received by the Senate:

CONSUMER PRODUCT SAFETY COMMISSION

ANN MARIE BUEBKLE, OF NEW YORK, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2018. (REAPPOINTMENT)
ANN MARIE BUEBKLE, OF NEW YORK, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE ELLIOT F. KAYE.

EXECUTIVE OFFICE OF THE PRESIDENT

C. J. MAHONEY, OF KANSAS, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE (INVESTMENT, SERVICES, LABOR, ENVIRONMENT, AFRICA, CHINA, AND THE WESTERN HEMISPHERE), WITH THE RANK OF AMBASSADOR, VICE MIRIAM E. SAPIRO, RESIGNED.

DEPARTMENT OF STATE

JOHN R. BASS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.
SAMUEL DALE BROWNBACK, OF KANSAS, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM, VICE DAVID NATHAN SAPERSTEIN, RESIGNED.
MICHAEL JAMES DODMAN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF MAURITANIA.

AFRICAN DEVELOPMENT BANK

J. STEVEN DOWD, OF FLORIDA, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE WALTER CRAWFORD JONES, RESIGNED.

DEPARTMENT OF STATE

PETER HOEKSTRA, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.
DANIEL J. KRITENBRINK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOCIALIST REPUBLIC OF VIETNAM.
JUSTIN HICKS SIBERELL, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BAHRAIN.
MICHELE JEANNE SISON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI.

DEPARTMENT OF JUSTICE

HALSEY B. FRANK, OF MAINE, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MAINE FOR THE TERM OF FOUR YEARS, VICE THOMAS E. DELAHANTY II, RESIGNED.

JEFFREY B. JENSEN, OF MISSOURI, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS, VICE RICHARD G. CALLAHAN, RESIGNED.

MARK A. KLAASSEN, OF WYOMING, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF WYOMING FOR THE TERM OF FOUR YEARS, VICE CHRISTOPHER A. CROFTS, RESIGNED.

BYUNG J. PAK, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE SALLY QUILLIAN YATES, RESIGNED.

BRIAN D. SCHRODER, OF ALASKA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF ALASKA FOR THE TERM OF FOUR YEARS, VICE KAREN LOUISE LOEF-FLER, RESIGNED.

D. MICHAEL HURST, JR., OF MISSISSIPPI, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS, VICE GREGORY K. DAVIS, RESIGNED.

WILLIAM C. LAMAR, OF MISSISSIPPI, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS, VICE FELICIA C. ADAMS, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DENNIS ARROYO
ERRILL C. AVECILLA
CHARLES A. BLANKMAN
THOMAS J. COLLINS
CRAIG E. DEAN
MARY C. GANTT
ORIN C. GILBERT
WILLIAM J. LEE
GLENN LITMAN
MICHAEL R. MEDVED
MARK A. SANDERS
RONALD C. SMITH
MICHAEL A. SPOSATO
BRIAN P. WEBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MURRAY E. CARLOCK
ROGER W. DRURY
ALFRED F. GOMEZ
JOHNNY D. JURGENSMEYER
JAMES M. JUSTITZ
JOHN M. KOLTVEDT
SANDRA R. MASON
GEORGE W. MCCOMMON
CORY J. OSWALD
JAMES D. PALMER
JOHN A. PASSEHL
CHRISTOPHER C. RIVERA
JOHN M. RODOLICO
WALTER R. ROSS, JR.
CARLOS V. SILVA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ALON S. AHARON
DANIEL E. BANKS
EVERETT J. BONNER, JR.
STEPHEN A. COLE
JON D. DUBOSE
JAMES H. GRUBER
TERRY D. HASHEY
MICHAEL L. JONES
HOMER E. KIRBY III
THEODOROS C. KOUMOUNDOUROU
MATTHEW J. LIEPKE
JOSE J. LOPEZAGUDO
CHRISTOPHER A. MARINAKIS
KARL E. MARKERT
SHANE R. MULL
BRETT D. OWENS
TRENT D. RASMUSSEN
MANI RAYEE
WAYNE T. SCOTT
REGAN P. SHABLOSKI
KELLY J. TURNER
STEPHEN E. VINGE
THEODORE M. WARE
EDWIN A. WYMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JULIA R. PLEVANIA
CHARLES G. RIDDLE
DOUGLAS B. SELBE
MONT S. SMITH
HAL E. VINEYARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

TRESSA D. COCHRAN
MICHAEL C. DESENA
LIBBY L. DILLON
ANGELA D. POSTER
PAUL G. GRAHAM
SANDRA B. HOLMES
KATHLEEN L. KING
JANET G. LUNDBERG
MARCELLA P. MCCALL
ROBERT W. NANCE, JR.
AMY J. PRICE
BRENDA A. RUHRER
CARRIE L. TEAGUE
KAREN F. WIGGINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LOREN D. ADAMS
JANICE L. BAKER
CHARLES C. DODD
TAMARA B. GULL
JULIE A. KOUFAL
PHILIP A. WENTZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOANNE E. ARSENAULT
TERESA R. BIERD
ANNIE M. CIOCHOCKI
JOHN F. CONROY
YVONNE M. IVANOV
JOHN R. KITCHEN
PATRICIA M. OSMON
HAIDIE L. PRATA
FELISHA L. RHODES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL E. ALVIS
CYRILENE D. ARRINGTON
MARIO AVILA, JR.
JOHN C. BARFELS
JOHN P. BOGGAN
TRENT D. BRANN
ELIZABETH A. BUSHEME
JACK O. EGAN
WILLIAM D. FLOYD
STEVEN GANDIA
ERIC D. HUGHES
MARK P. LOYOLA
MICHAEL K. MAGNER
KELLY J. NEBEL
CHRISTI G. OPSTRUP
MARILYNN G. RINK
ERIC L. SKINNER
MICHELE M. SPENCER
KATHERINE V. SUAREZ
DANITA L. TAYLOR
JAMES F. VANDEVENTER
JEFFREY A. WADE
RICHARD L. WEICHEL
JEFFREY P. WOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN W. ALDRIDGE
RAJ S. AMBAY
HAN S. BAE
LEE G. BECKWITH
INES H. BERGER
VLADIMIR BERKOVICH
DAVID BETTINGER
WILLIAM BROWDER
ALICIA CHILITO
RICHARD E. CLATTERBUCK
CINDY A. CODISPOTI
ALEXANDER F. DEGAZON
SHERI K. DENNISON
SHERRI L. DUNKELBERGER
JOSEF K. EICHINGER
CRAIG M. EYMAN
ANTONY FERNANDEZ
MARY C. FISCHER
ELIZABETH Y. FLANIGAN
ROBERT T. GEERTMAN
BRUCE A. GLEASON
DIANE F. GODOROV
PETER S. HEDBERG
TINH K. HUYN
NADIM ISLAM
NICKOLAS KARAJOHN
DAVID KING
OLIVER Y. LAU
ELIZABETH A. LAWRENCE
ROBERTO LEBRON
JUNPING LI
MILES E. MAHAN
CHAD T. MARLEY
SHARON A. MAXWELL
WILLIAM H. MONTGOMERY, JR.
ARTHUR W. MORROW
JODY D. NEFF

To be colonel

JOHN T. P. NGUYEN
LUCIANO OQUEENDO III
SHANE E. OTTMANN
GOPAKUMAR P. PANIKKAR
MATTHEW W. PANTSARI
AKI S. PURYEAR
MATTHEW D. PUTNAM
JULIE M. K. REMO
JOSE N. RIVERARUIZ
CAROLINE A. RYAN
JARRET E. SANDS
JAVIER SANTIAGORIVERA
JEFFREY L. SHERE
JAMES B. SMITH
MICHAEL J. SORNA
DE Q. TRAN
LORENZO M. VAZQUEZ
JAMES A. WAYNE, JR.
GORDON R. WEIGLE
MALLORY WILLIAMS
THEODORE S. WOLL
PHILIP E. ZAPANTA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SCOTT R. CHEEVER
VAL J. CHEEVER
ROGER T. ELLIS
JOHN W. GEARY, JR.
DENNIS R. GIMLIN
DONALD C. GUNDLACH
MICHAEL A. HOLLIFIELD
MARTIN A. HRITZ
JOHN C. P. HSU
MANUEL L. IRAVEDRA
KEVIN D. JOHNSON
TRENT E. LOISEAU
MANBIR K. PANNU
RUPANDE PATEL
ADAM K. RICH
SUSAN D. TUBIC
DIANA E. ZSCHASCHEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

EDWARD J. ALEXANDER
KATHY A. BAPTISTEJONES
ANDREA K. BASSMARTIN
LEANNA J. BROWN
AVERY A. BROWNE
MAUREEN M. COMFORT
JEANNETTA CORCORAN
CHRISTOPHER W. DABBS
JEFFREY R. DELAY
MARK W. DUNAVAN
OGO C. EZEOKIKE
ELIZABETH A. FRALEY
GREGORY P. FRAZIER
DERRICK C. GLYMPH
TERESA L. GULES
PAMELA J. LAWSON
TRYPHENA T. LEWIS
MARTHA J. LYSTAD
SHEILA M. MCCARLEY
SCOTT D. MCDANNOLD
TODD W. MEHRHOFF
MELODY K. MOUNT
RAMONA J. MULLENSFOREMAN
JACQUELYN C. NELSON
PATRICIA A. OLSON
ERIK R. PEMBERTON
KATHARINE O. POLLITT
CONCEPCION E. L. RIVERA
MICHAEL A. ROLLIN
MARIA E. ROMANLOZADA
SARA M. RUSH
KAREN M. RUTHERFORD
EDNA J. SMITH
VIVIAN L. TAYLOR
PATRICIA J. WADFORD
DANIEL E. WALTERS
DARIN J. WARD
ARLISSA M. WASHINGTON
SUSAN M. WEDELL
BRIDGET C. WOLFE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBIN CREAR
SCOTT T. FRAZIER
JEFFREY P. GRIMES
CHRISTOPHER R. HARRIS
LEON E. HOOTEN IV
DAVID G. PARKER
STEPHEN A. ROGERS
NEIL P. WOODS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ERIC W. BULLOCK
CRYSTAL R. ROMAY

EXTENSIONS OF REMARKS

MINE RESISTANT AMBUSH
PROTECTED (MRAP) VEHICLE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. WITTMAN. Mr. Speaker, I include in the RECORD the following statement on behalf of my constituent, Mr. Steve Chill, on the Marine Corps Mine Resistant Ambush Protected vehicle.

BLOWING THE WHISTLE ON A WHISTLEBLOWER:
THE REAL MRAP STORY

(By Steve Chill)

There is a perception that the Marine Corps was negligent in providing armored vehicle support for the warfighters in Operation Iraqi Freedom (OIF). This purported negligence was centered on the Mine Resistant Ambush Protected (MRAP) vehicle effort, but negligence accusations extended to other equipment. These perceptions about Marine Corps negligence surrounding the MRAP efforts reflect ignorance of the facts. The negligence story was largely fabricated by a whistleblower and drew the interest of the press. The perceptions were also drawn from a DODIG report, the conclusions of which are based on incomplete information, and a Marine Corps that failed to adequately explain the truth with supporting evidence.

The study "Blowing the Whistle on a Whistleblower: The Real MRAP Story" is a refutation of previous works dealing with the aforementioned MRAP accusations. This study explains what occurred and provides the evidence necessary (including hundreds of emails) to disprove the allegations of negligence. The author was in a unique position to observe the events incorrectly described. This study corrects the record about the Marine Corps' fabricated negligence. It also provides a means to understand the real lessons on support to operations in Iraq.

There are two series of events associated with MRAP: the Marine Corps effort providing armored vehicles and the portrayal of this effort.

Providing armored vehicles: The term "Hejlik UUNS" will be used for the Feb 2005 I MEF MRAP Urgent Universal Needs Statement (UUNS). "An UUNS is an immediate request from units that are deployed to or are awaiting imminent deployment to a combat theater. The UUNS is a request for a capability that, if not filled, places the accomplishment of the unit's mission in jeopardy or unduly increases the risk of casualties" (MARADMIN 045/06). The Commandant of the Marine Corps (CMC) decided to provide m1114 (armored HMMWVs or Humvees) as the material solution covering the Hejlik UUNS. The Executives of the Marine Corps were involved in this decision. The Hejlik UUNS was reduced to an UNS (Universal Needs Statement-not Urgent), removing it from further executive consideration and from the itinerary of the dozens of flag officer commands that were responsible for it. No Marine Corps command continued pur-

suing the UUNS. There was an absence of action (due to an absence of demand) between the removal of MRAP from consideration in August of 2005 until May of 2006 when I Marine Expeditionary Force (MEF) (in Iraq) submitted a brand new UUNS for 185 armored vehicles. A subsequent submission for 1000 MRAP brought the total requirement to 1,185 which the Marine Corps pursued in the DOD and in Congress.

The portrayal: Franz Gayl, a whistleblower, created his first whistleblower brief in March of 2007. It was not MRAP focused and only one slide (of 31 slides) focused on MRAP. Gayl, despite scant firsthand knowledge about MRAP needs, became the "MRAP whistleblower". Gayl published his study in Jan 2008 prompting the DOD Inspector General (DODIG) to investigate MRAP. Both the study and the DODIG report were flawed. Senator Biden, in conjunction with Gayl, established the "Marine Corps negligence" story in the mainstream press.

The simple facts concerning the MRAP need are enough to dispel the MRAP negligence falsehoods. A summary of the facts is as follows:

Marine forces in combat drive the initiation of urgent new capabilities by submitting UUNS. These forces may be regarded as "the customer" that drives the rest of the support system. If the customer does not want it, it is not deployed. If deployed Marines do not ask, they do not receive.

Over the period of decades before the 2005 Hejlik UUNS, several mid-level Marines noted the effectiveness of MRAP-type vehicles and wrote several articles/papers about them. They did not convince their leadership to take action, nor did they aggressively pursue MRAP-type vehicle purchases. The rest of the combat development community did not develop a need for MRAPs. Other Services, the Joint community, the DOD, and other civilian organizations that are not Marine Combat Developers could have developed MRAP-type vehicle needs and did not.

In February 2005, BGen Hejlik (I MEF) submitted an UUNS for 1,169 MRAPs. That UUNS was received by most major support commands. The need was immediate and there were significant concerns about material availability and manufacturing ability.

The UUNS was briefed at the Marine Corps Executive Safety Board (ESB-March 05) and the Marine Corps Executive Off-Site (EOS-May 05). Between the two briefs, the entirety of the Marine Corps Executive body was briefed and considered MRAP-type vehicles. This included the Commandant of the Marine Corps (CMC). CMC selected the m1114 (armored HMMWVs) with advice from his Executives and with the full knowledge of the Hejlik UUNS. The CMC decision to answer the 2005 Hejlik UUNS with m1114s effectively ended the urgent status of the 2005 Hejlik UUNS.

A key point is that I MEF (Fwd) in Iraq was asking for m1114s as a solution for the Hejlik UUNS. M1114 procurement was a decision supported by the MEFs in (or going to) Iraq.

Marine Executives continued to be briefed on the Hejlik UUNS through August 2005. In August of 2005 Marine Executives ended con-

sideration of the Hejlik UUNS as the m1114 decision by CMC was implemented. Over ten other senior Marine Corps Commands with MRAP decision responsibilities also ended their considerations. These commands did not simultaneously "lose" or "bury" the request as has been falsely insinuated by Gayl and the press.

The 2005 Hejlik UUNS was downgraded to an UNS which changed the status of MRAPs away from a critical need by a Commander involved in operations to save lives. The reduction to an UNS placed MRAP in the regular combat development process with other trucks where it continued to be considered by Systems Command as a potential vehicle solution for future needs. Marine Forces Pacific (MARFORPAC) reflected this reduction in its UUNS tracker and reflected the 2005 Hejlik UUNS as complete. The reduction to a regular UNS shows that the need was no longer required by the forces in Iraq to prevent undue increases in casualties.

II MEF (2005-2006 deployment), in Iraq, did not pursue the 2005 Hejlik UUNS or any different request for MRAPs. I MEF (2006-2007 deployment), in its prioritized listings before deployment neither listed MRAP as a priority nor as a need at all. The forces in combat or going to combat simply were not requesting MRAPs during this timeframe. The entire combat development community to include the MEFs, MARFORs, Advocates and Executives regarded the Hejlik UUNS as resolved and reduced to an UNS. The DODIG would later incorrectly summarize BGen Hejlik's assertion that the UUNS was reduced as a fabrication.

A separate Marine Corps I.G. of I MEF (Fwd) that concluded in May of 2006 found no documented need for MRAP. I MEF (Fwd) did nothing to indicate any existing MRAP UUNS during this I.G. once again indicating an absence of demand. I MEF had the opportunity to identify a MRAP need (new or old) to the Marine Corps I.G. and did not do so. The I.G. process allowed for review by CG I MEF (Fwd) and yet there was still no MRAP demand. This is evidence that I MEF was not pursuing MRAPs at this time.

Approximately nine months after Hejlik UUNS removal from MROC consideration, I MEF (back in Iraq) submitted a new UUNS for 185 vehicles (May 2006). The name requested was not MRAP. The number requested was not 1,169 (the number requested in the Hejlik UUNS). Combat developers pressured I MEF to ask for more vehicles and to submit for joint funding. I MEF initially refused to ask for more than 185. There is no logic in Gayl's or the DODIG's contention that I MEF simultaneously wanted 1,169 MRAPs, but also did not want more than 185 MRAPs. The fact is that the Hejlik UUNS was satisfied by the provision of m1114 and was no longer an active urgent request.

Eventually I MEF submitted a second request for 1000 more vehicles (July 2006), this time calling them MRAP.

Starting in May 2006 the Marine Corps supporting establishment, to include MCCDC, diligently processed and worked the new request even before it was officially submitted. Congress was briefed. Marine Corps leadership, up to and including the CMC, advocated

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

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

for MRAP. Testing of different MRAP-type vehicles from different companies occurred in 2006. Budget issues were worked for MRAP. The program office was created and MRAP became the Marine Corps' number 1 priority. Congress and DOD leadership were supportive of Marine efforts.

A contract was awarded for 200 vehicles in Feb of 2007 with the intent of fielding capability immediately. The Marine Corps MRAP need was considered to be over 800 with expectations of a higher number required. That expectation was realized as the joint requirement in Feb 2007 grew to almost 7,000 vehicles. The MRAP program was recommended for "high priority" status. In May 2007 SECDEF Gates finally designated MRAP as the number one DOD priority.

The Marine Corps was accused of negligence, and did not sufficiently battle these scurrilous accusations. The effort (and success) in smearing the Marine Corps is summarized below.

In 2007, while the Marine Corps was in combat, Gayl was fabricating a case against the Marine Corps. He stated that it was only a case against Quantico, but those who understand the Marine Corps also understand that combat development is a Corps-wide effort. Gayl's study reflects his inadequately developed or erroneous beliefs. Most of his important points are incorrect. Others are fabricated. Despite the myriad of inaccuracies, Gayl's study was perceived as credible.

A further repudiation of the Gayl study may be developed in a review of the actions of the Advocates. The Marine Corps developed a system of Advocacy to support the deployed forces. The "Advocates" act as a type of lawyer, ensuring the deployed forces' (MARFOR and MEFs) requests (including UUNS) are handled appropriately. The cover page from Gayl's study cites his whistleblower credential as the "GCE Advocate S&T Advisor". Advocate responsibilities are delineated in order and directive and are also included on the cover page of every UUNS. The Advocate (including Gayl) has sole responsibility for several UUNS steps and is a contributor for many others. Gayl's critique of the Marine Corps is either a criticism of his own job performance . . . or his critique is fatally flawed (the latter is actually the case).

The Assistant Commandant of the Marine Corps asked for a DODIG to look into the accusations in Gayl's study. The MRAP DODIG occurred over two years after the events it was investigating. Marines had rotated out of their billets and emails were deleted. The DODIG failed to uncover key evidence contradicting Gayl's claims. While the DODIG did not validate the great majority of Gayl's claims, it did not fully disprove his study. They were not as thorough as they should have been.

The "whistleblowing" continued and on 14 May 2009 Gayl testified before the House Committee on Oversight and Government Reform on the Whistleblower Protection Act. Gayl's study on MRAP was quoted for the record. Both the testimony and the study were flawed.

In addition to the outright rejections, there were a series of documents proving that I MEF did not desire or pursue MRAPs beyond the provision of the m1114s. Despite having ample opportunity to manifest any sort of new MRAP requirement (or dissatisfaction with the m1114 solution) in several documents, the deployed forces and their parent commands did not once do so. This absence of requests is reflected in mandated reports. They all show an absence of

any unprovided need from the Hejlik UUNS. The numerous official documents that did not identify an MRAP need reflect one thing: the absence of MRAP need. There was never any "constant demand" and the portrayal of a "constant demand" was a fabrication or outright lie.

The press remains woefully ignorant of the Marine Corps combat development process yet, even today, feels comfortable criticizing portions of it. Gayl's thousands of errors were not scrutinized by the press. Gayl's accusations were sensational and received widespread coverage but the press did not believe it necessary to check Gayl's "facts" before reporting.

The study "Blowing the Whistle on a Whistleblower: The Real MRAP Story" serves to contest the previous versions of events that disparaged the Corps' dealing with MRAP needs from 2005 to late 2006. The reputation of the Corps suffered as a result.

RECOGNIZING SPRING HILL, FLORIDA

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize Spring Hill, Florida as the community celebrates its 50th Anniversary.

Spring Hill was founded in 1967 by the Mackle Brothers' Deltona Development Corporation as a sister city to Deltona. The Spring Hill waterfall, located at Spring Hill Drive and US 19, marks the original entrance to the community. The Mackle Brothers developed a fly and buy program where they would fly potential buyers down to play golf and see the community. The Mackle Brothers marketing strategy brought huge crowds to the community and within three years the majority of the 28,500 platted lots were sold.

Today, Spring Hill's award-winning golf courses and gated communities attract newcomers to the area. Situated near Weeki Wachee Springs and the Gulf of Mexico, Spring Hill has developed itself into the largest community in Hernando County.

I congratulate the people that live and work in Spring Hill. It is truly an honor to serve the residents of Spring Hill, and I thank them for their tremendous contributions to Florida's Adventure Coast.

RECOGNIZING BALDWIN FAMILY HEALTH CARE'S 50TH ANNIVERSARY

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today to recognize Baldwin Family Health Care, a community health center in Baldwin, Michigan, for their 50 years of dedicated service. On Friday, August 11, 2017, they will celebrate this momentous anniversary.

Founded in 1967, Baldwin Family Health Care is a non-profit, Federally Qualified Health

Center that provides quality, integrated, and comprehensive health care services that are accessible to all. At the time, it was the nation's third community health center and the first of its kind in Michigan.

Committed to providing primary health care to families in the surrounding communities, Baldwin Family Health Care offers one-stop medical shopping opportunities. This includes primary medical care, dental, lab, x-ray, pharmacy, behavioral health, health education, perinatal services, and vision services. They also provide school-based child and adolescent health centers for the Baldwin area.

Baldwin Family Health Care serves the uninsured and underinsured in Lake County. Baldwin Family Health Care is purposely located to care for families in need, especially those in Lake County's nearby public housing. Baldwin Family Health Care is implementing new health initiatives to further strengthen health services for the poor. It is more than just treatment for illnesses and injuries; there is also an emphasis on education and prevention that promotes wellness to help people lead healthier lives.

Today, they have additional centers in White Cloud, Grant, Cadillac and McBain. In all, Family Health Care serves 30,000 medical patients and nearly 8,000 dental patients.

The efforts and success of Baldwin Family Health Care in providing health education, health care, and community services should be celebrated. Congratulations to Baldwin Family Health Care on your 50th Anniversary, and thank you for your compassion for communities in West Michigan.

HONORING THE SELMA 15U ALL STAR BASEBALL TEAM

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to congratulate the Selma 15U All Star baseball team for winning the 2017 Dixie Baseball World Series. It has been 45 years since a team paraded the World Series trophy through the streets of my hometown, Selma, Alabama, but this losing streak finally came to an end on Sunday, July 23, in Independence, Louisiana.

After falling short of winning last year's title, the team was ready for a taste of redemption. In a hard fought, 8-3 win against Hattiesburg, Mississippi, the Selma 15U All Stars secured their place in history and brought home the gold. An enthusiastic crowd of family and community members was waiting to welcome their hometown champions back to Selma.

The team is comprised of 14 boys: Dione Allen, Alex Colquitt, Tevin Craig, Matthew Davis, Trovonn Davis, Joseph Estes, Xavier Green, Jeremy Lee Jr., Amarian Molette, Octavious Palmer, Jacob Peavy, George Turner, Milam Turner, and Richard Allen Waters.

They come from a combination of Dallas County High School, Meadowview Christian Academy, Morgan Academy, and Selma High School. Built on a foundation of diversity, this team showcases what can happen when communities are united in a common cause.

Through their hard work and dedication, these boys displayed what it means to be a leader in their communities. Selma is often portrayed as a city lacking in opportunities for civic engagement, but the Selma 15U All Stars is a direct antithesis to this misguided characterization.

The man behind this remarkable group of young men is Head Coach Ricky Waters. I had the great privilege of going to grade school with Ricky in our hometown of Selma. I know that this victory is of special importance to him since he took the field against the same opponent, Hattiesburg, at the Dixie Baseball World Series when he was a player, 38 years ago. Although Ricky's time at bat ended in a loss, he was able to lead this team of Selma 15U All Stars to victory in 2017. Ricky, along with Coaches Richard Davis, Jake Peavy, and Jason Foti, created a winning team of boys that everyone in Alabama should be proud of.

As every sports fan knows, behind every great team is an even greater community. A raucous crowd of over 100 cheering fans and the blaring sirens of police cars and firetrucks welcomed the team of champions home. It was a bright day for Selma as the city came together to celebrate these young athletic ambassadors and their competitive triumph.

This extraordinary group of young men and their dedicated coaches are a shining example of the positive impact sports can have on a community. I am proud to represent these local heroes, and I ask my colleagues to join me in paying tribute to the 2017 Dixie Baseball World Series champions, the Selma 15U All Star Baseball Team. Congratulations.

HONORING THE 100-YEAR ANNIVERSARY OF FORT LEWIS, WASHINGTON

HON. DENNY HECK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. HECK. Mr. Speaker, I am pleased today to share my admiration and appreciation for the institution of Fort Lewis, which this year is celebrating 100 years in Washington's South Sound. In 1917, as the United States was fighting at the peak of World War I, the people of this community came together to show solidarity and sacrifice. Pierce County overwhelmingly passed a bond to raise \$2 million dollars to purchase and donate over 60,000 acres to the Army in order to found Camp Lewis. Civil-military partnerships and cooperation are a heritage we proudly continue to this very day.

What started as a modest training area has grown to become the premier power projection platform on the West Coast. Camp Lewis became Fort Lewis in 1927 and then Joint Base Lewis-McChord in 2010. It is now the fourth largest military base in the world, with active duty service members, National Guard, Reservists, and civilians working side by side to ensure our national security.

The soldiers stationed at Camp Lewis fought valiantly in World War I. The Ninety-First Division took part in the Battle of Flanders where it captured 2,300 German pris-

oners and 400 machine guns, despite facing enormous odds. Incredibly, five members of the Division were awarded the Medal of Honor for their bravery, including First Lieutenant Deming Bronson, a graduate of the University of Washington.

America's 34th President, Dwight D. Eisenhower, served at Fort Lewis as Chief of Staff of Third Army Division with the rank of Colonel between 1940 and 1941 before going on to become the Supreme Allied Commander in World War II. In that conflict, Fort Lewis units, including the 41st Infantry Division and the 3rd Infantry Division, deployed to New Guinea, North Africa, Sicily, Italy, France, and Central Europe. Their record was astounding; soldiers from the 3rd Infantry Division earned 16 Medals of Honor.

From early on, Fort Lewis was a bastion of diversity. In 1943, Fort Lewis was home to the Women's Army Auxiliary Corps, with heroic women serving in the motor pools, on sentry duty, and as medical technicians. The military, under President Truman's Executive Order, helped lead society toward desegregation in the 1940s and 50s. When the segregated "South Fort Lewis" and the black soldiers there joined ranks with the rest of the post, both the units and soldiers became stronger.

The storied history of Joint Base Lewis-McChord has chapters in Korea, Vietnam, Afghanistan, and Iraq. The Soldiers and Airmen stationed there have fought for freedom and democracy across the globe and back here at home. The base is now home to the Army I Corps, the Air Force 62nd and 446th Airlift Wings, the 7th Infantry Division, the 1st Special Forces Group, the 2nd Battalion of the 75th Ranger Regiment, and Madigan Army Medical Center—the Army's second largest medical treatment facility. They lay claim to an inspiring and influential past, only to be surpassed by a great future, full of potential, full of bravery, and full of patriotism.

Mr. Speaker, our country owes Joint Base Lewis-McChord and the brave women and men working there an insurmountable debt of gratitude. On the 100-year anniversary of its historic founding, I want to say thank you for the past century of protection, hope, and comradery coming out of Joint Base Lewis-McChord.

HONORING MITCHELL HUSTON FOR HIS 2ND PLACE FINISH AT THE NATIONAL SPEECH DEBATE TOURNAMENT

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor my constituent, Mitchell Huston, on his 2nd Place finish at the National Speech and Debate Tournament that took place in Birmingham, Alabama June 17–24, 2017.

Mitchell, who is a junior at Jefferson City High School, performed a piece entitled: "Not a Genuine Black Man," by Brian Copeland. Mitchell chose this piece because of the important message it instills about the need for

our society to be accepting of all races and creeds. Throughout his performance, Mitchell portrayed Brian Copeland's life story that involved years of criticism about his status in the African American community and eventually how Copeland confronted stigma and successfully overcame it. To make it to the National Tournament, Mitchell took 3rd place in the St. Louis District Tournament and at the National Speech and Debate Tournament, Mitchell placed 2nd in the prose category.

To receive 2nd Place at the competition was a great accomplishment for Mitchell. As this was Mitchell's first year on the Jefferson City High Debate Team, Mitchell's coach, Jordan Hart, was especially excited with this accomplishment. While competing during the national competition, Mitchell exhibited humility and as he continued to excel, he gave the glory of his success to God. Besides his participation with the debate team, Mitchell is also a member of the Jefferson City High School football team and participates in several other extracurricular activities.

I ask you to join me in congratulating Mitchell Huston on his 2nd Place finish at the National Speech and Debate Tournament. The commitment he has shown to the Jefferson City High School Debate team is a commendable accomplishment.

RECOGNIZING COLONEL DEACON MADDOX FOR HIS SERVICE TO THE PEOPLE OF THE 9TH DISTRICT AND THE NATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. SHUSTER. Mr. Speaker, I rise today in tribute to the dedicated service of Colonel Deacon Maddox, commander of Letterkenny Army Depot.

Since his arrival in August of 2015, Colonel Maddox has brought the finest elements of the U.S. Army Warrior Ethos to bear on the task of revitalizing operations at Letterkenny Army Depot. Through his innovative leadership, Colonel Maddox has brought about substantial and lasting changes that have cemented Letterkenny's place as the premier defense industrial facility in the nation for decades to come.

Throughout his career as an Army officer, Colonel Maddox has exemplified the finest traditions of this nation's armed forces. His tenure at the helm of Letterkenny has been marked by an unshakeable commitment to the men and women under his command, and his work to improve the efficacy and production at the depot has made this nation safer and more secure.

Let no one make the mistake of underestimating the role of America's organic industrial base. Our depots and arsenals work tirelessly to put the weapons and equipment in the hands of the warfighter, and the labor being done in the heart of Pennsylvania saves lives in lands far from home. That would not be possible without the steadfast guidance of leaders like Colonel Deacon Maddox.

In his time at Letterkenny Army Depot, Colonel Maddox has done more than simply

steer the installation towards greater success—he has also become a welcome part of the Franklin County community. From his engagement with local officials to his collaboration with Team Letterkenny, Colonel Maddox has been a valued member of the 9th District. It has been an honor to work with him, and his presence will be missed in Franklin County.

On behalf of Pennsylvania's 9th District, I want to thank Colonel Deacon Maddox for his selfless service, and for working so hard to protect both the American warfighter and the dedicated workforce at Letterkenny Army Depot. Though Colonel Maddox's time at Letterkenny Army Depot may be over, the impact he has made to improve the installation and the lives of its employees will be felt for decades to come.

RECOGNIZING THE CONTRIBUTIONS OF THE DENVER PRESS CLUB, A NATIONAL TREASURE CELEBRATING ITS 150TH ANNIVERSARY

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Ms. DEGETTE. Mr. Speaker, one year after Colorado became the 38th state, in 1877 a group of Denver journalists formed the nation's first press club. Now celebrating its 150th Anniversary, the Denver Press Club is significant to our community and our country in a number of ways.

What started as a means for frontier-town rival reporters to play poker, tap into a barrel of Taos Lightning whiskey and debate the news of the day became a magnet for some of the most famous names in the field, defenders of the First Amendment and strong advocates for the values of journalism that are so critical to our democracy.

In its early years, the club met in various spots, including the "cyclone cellar" of Wolfe Londoner's grocery store before he was elected mayor of Denver, a term cut short due to a scandal that his journalist friends covered with gusto. He was later elected president of the Colorado State Press Association.

As the club grew, it met in local hotels, among them the prestigious and famous Brown Palace. The club's own prestige increased as it brought national speakers and performers to Denver, awarded honorary membership to several U.S. presidents, brought the International League of Press Clubs to Denver in 1906 and served an instrumental role in elevating Denver's profile and meeting the needs of national media when the city hosted the 1908 National Democratic Convention.

A permanent home for the club was built with the help of an architect team that included the designer of the Denver Public Library, Daniels & Fisher department store and Red Rocks Amphitheater. In 1986, this structure was named a Historic Landmark, and the Society for Professional Journalists designated the club a "significant historical place in journalism" in 2008. It was listed on the National Register of Historic Places this year.

Oh, and of course the building includes a card room, home to one of the oldest card games in Denver.

But the Denver Press Club's nearly 500 members do a lot more than play games and socialize, though. They work to strengthen and promote journalism while educating the public on matters that reflect the importance of empowered and free media.

Through the years, the membership has included renowned reporters, editors, cartoonists, and authors, several of them Pulitzer Prize winners, who made their mark in the pursuit that has long been the watchword of many journalists: comforting the afflicted and afflicting the comfortable.

Among the luminaries on The Denver Press Club's historic roster was Damon Runyon, for whom the club has named its cornerstone award, given to people whose careers have embodied his style and verve. Recipients have included Molly Ivins, Tim Russert, Jill Abramson, Frank Deford, Katie Couric, Carl Hiasen, Bob Costas and many others.

The club also awards scholarships in Runyon's name to Colorado's top journalism students, as well as a separate award in coordination with the University of Colorado Boulder for outstanding crime reporting that's named for the late Al Nakkula, who was on the police beat for decades. These activities and others serve to raise awareness of what good journalism means to Colorado and the United States. And that cause is more relevant now than ever, amid vast changes to the media landscape in recent years and new, unexpected challenges.

The Denver Press Club has long played its part in shining a light on our city and helping democracy thrive. As it celebrates its sesquicentennial, I am proud and honored to congratulate the club's members on its legacy, and to wish them all the best in the future.

HAPPY GOLDEN WEDDING ANNIVERSARY TO HON. AND MRS. DAN AND MARTHA MICA

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. BEYER. Mr. Speaker, I rise today to bring to the attention of my colleagues an occasion that marks the 50th wedding anniversary of two individuals who not only have committed their lives together in marriage but also in the service of our great nation.

The Honorable Daniel A. Mica served as a member of this Chamber, in the 96th and the four succeeding Congresses (January 3, 1979 through January 3, 1989) initially representing Florida's 11th and then subsequently, 14th District. Mr. Mica and his wife, Martha Fry Mica met while students at Florida Atlantic University in Boca Raton, Florida, and were married on August 12, 1967 at St. Jerome Catholic Church in Fort Lauderdale, Florida. Mr. Mica's brother, John L. Mica, also a former member of this Chamber, served as the best man. Mr. Mica's friends, Richard McBride and John Sargent, served as groomsmen. Mrs. Mica's friend, Karen

McClary Cakouros, served as the maid of honor, her sister, Mary Alice Fry, served as bridesmaid and her brother, Stephen Fry, served as lector.

As a result of their interest in public service, the newly-married couple began working together on the campaign of Honorable Paul G. Rogers. Mr. Mica later served as Chief of Staff to Mr. Rogers, and succeeded him, serving five terms in the U.S. House of Representatives, working tirelessly for Floridians and all Americans. Subsequently, Mr. Mica worked more than two decades in the world of advocacy and association management. Mrs. Mica, while raising four children, received her juris doctorate degree from George Mason University and co-founded a landscape design business. Over the years, they have given generously of their time by serving on the boards of non-profit charitable organizations and as members of their Catholic parish.

Now living in Alexandria, Virginia, Mr. and Mrs. Mica continue to serve through their charitable work. They are proud parents and grandparents. The four children and five grandchildren are Christine Mica, of Alexandria, Virginia; Daniel A. "Andrew" Mica, Jr., his wife Elizabeth "Libby" Davies Mica, and their children Elin and Owen, of Belmont, Massachusetts; Caroline Mica Jolly, husband Frank Mosley Jolly, III, and their children Martha Jeanne, Gentry and Edward, of Alexandria, Virginia; and Paul Anthony Mica, of San Diego, California.

Born in Hannibal, Missouri, Martha Fry Mica is the daughter of Anna Marie Wagner Fry and Gentry Schultz Fry. Martha has six siblings, Susan Fry Lochrie, William Fry, Roger Fry, Stephen Fry, Mary Alice Fry, and Tracy Fry Rothaus.

Daniel Andrew Mica was born in Binghamton, New York. He is the son of John Mica and Adeline Rose Resciniti Mica. Dan has three siblings John L. Mica, Adeline "Cookie" Mica Downing, and David R. Mica.

Admired and loved by their family and friends, Mr. and Mrs. Mica demonstrate tremendous generosity and love of country. Therefore, I am pleased to congratulate them on their Golden Wedding Anniversary.

IN RECOGNITION OF MR. JOHNNY MARINES

HON. TONY CÁRDENAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. CÁRDENAS. Mr. Speaker, it is with great pride that I rise to recognize the accomplishments and contributions of Mr. Johnny Marines.

Mr. Marines is actively involved in the betterment of his community, the Los Angeles region, and in neighborhoods across our great nation.

Mr. Marines has been recognized by countless local leaders in both New York and California for his tremendous support to the community and dedication to assisting those in need.

Mr. Marines, a native of the Lower East Side of New York, has been a great force in

the rise of the popular Latin American group, Aventura and more recently, bachata star, Romeo Santos.

Johnny Marines founded JME, a diversified entertainment and media company with ventures in integrating music, film, television and philanthropy.

Johnny has made it his mission to grow the number of opportunities for Latino musical artists to be successful and make an impact on the community that listens to these artists.

Before becoming involved in the music industry, Mr. Marines dedicated his life to protecting and serving New York City residents. He attended John Jay College School of Criminal Justice until he was recruited by the NYPD on August 30, 1993.

In March 1994, Johnny graduated from the New York Police Academy in the top 10 percent of his class. Mr. Marines was promoted to the rank of sergeant in March 2003, retiring with that rank in February 2009.

He has not forgotten his humble roots and the neighborhood that had a profound impact on his upbringing.

Mr. Marines has committed to dedicating his time and resources to give back to his community.

Mr. Marines has worked with elected officials and music groups to provide holiday dinners to needy families, ship food and supplies to struggling families in the Dominican Republic, and visit sick children in hospitals in an effort to lift their spirits.

Mr. Marines has led the way in helping others in California in the City and County of Los Angeles, focusing on assisting Angelenos with developmental disabilities.

Mr. Marines has established himself as a leader and a charitable American utilizing his talents to create unique opportunities for all ages to thrive and impact the world.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Johnny Marines and applauding his contributions and philanthropic endeavors.

RECOGNIZING THE 2017 VETERAN COMMENDATION RECIPIENTS

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. KINZINGER. Mr. Speaker, I rise today to recognize the recipients of the 2017 Congressional Veteran Commendation from the 16th District of Illinois.

The eight veterans receiving this commendation represent the best of the brave men and women who serve our country. These veterans answered their country's call during World War II, the Korean War, and the Vietnam War. As a veteran myself, it is incredibly humbling to not only represent these heroes in Congress, but also to have the opportunity to honor them for their patriotism and sacrifices on behalf of our nation.

After their military service to our country, these veterans came home to serve their communities. They are civic leaders, active citizens, and many continue to serve their military brothers and sisters through veteran service

organizations. Although their mission has changed since returning to civilian life, their leadership and tenacity remains steadfast.

It is truly an honor to recognize the recipients of the 2017 Congressional Veteran Commendation: Sergeant David S. Buennemeyer of Marseilles, IL; Private First Class William J. Butzen of Ottawa, IL; Captain Thomas M. Craig of Streator, IL; Chief Petty Officer Irving F. DeWald of Coal City, IL; Chief Warrant Officer Four John "Jack" A. Leininger of Marseilles, IL; Master Sergeant Ashley "Dave" C. Davis of Rockford, IL; Sergeant Kelly Frey of Kankakee, IL; Sergeant Steven M. Huettemann of Morris, IL; Staff Sergeant Wm. Walter Lochbaum of Streator, IL; Sergeant Alan D. Love of Morris, IL; Petty Officer Third Class James A. Rissman of Sheridan, IL; Petty Officer Third Class Robert T. Rogers of Morris, IL; Specialist Four Randal E. Rosengren of Ottawa, IL; Sergeant Eric W. Sampson of Morris, IL; and Airman Third Class Timothy K. Stratton of Poplar Grove, IL.

Again, I am truly honored to be able to recognize these distinguished veterans from my district. I thank and acknowledge not only their service and sacrifice but also that of their families and loved ones. The recipients of this commendation serve as the embodiment of both military and civil service, and it is my hope they will inspire the next generation of great American leaders.

HONORING CAPTAIN TODD FLANNERY'S TWENTY-EIGHT YEARS OF SERVICE TO HIS COUNTRY AND HIS HONORABLE RETIREMENT FROM THE UNITED STATES NAVY

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to recognize and congratulate Captain Todd Flannery on his retirement from the United States Navy after 28 years of faithful service to our country. An esteemed and respected member of the U.S. Navy, Captain Flannery most recently served as the Director of the Navy's U.S. House of Representatives Liaison Office. In this capacity, he oversaw and led countless congressional and staff delegations to naval installations throughout the United States and the world. These trips helped members and their staffs achieve a greater understanding of the issues facing our Navy and its sailors from all over the world.

CAPT Flannery's distinguished career began at the United States Naval Academy where he earned a bachelor's degree in political science. He would later go on to earn his "wings of gold" and qualify as a Naval Aviator in 1990. CAPT Flannery accumulated 2,770 flight hours in the SH-3H, SH-60F, HH-60H, MH-60S, and the MH-53E. He commanded the 2515th Naval Air Ambulance Detachment, Helicopter Antisubmarine Squadron FIFTEEN, Helicopter Mine Countermeasures Squadron FIFTEEN, and Helicopter Sea Combat Wing Atlantic.

On shore duty, CAPT Flannery completed high-profile jobs within the Chairman of the

Joint Chiefs of Staff's office, Flag Aide to the Director of Air Warfare, and as a community detailee at the Navy's Personnel Command.

CAPT Flannery's awards and decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal, Air Medal (with individual action), Joint Service Commendation Medal, Navy Marine Corps Commendation Medal (five awards including one Combat Distinguishing Device), Army Commendation Medal and other personal, campaign, and service ribbons.

As CAPT Flannery embarks on a new chapter in life, it is my hope that he may recall, with a deep sense of pride and accomplishment, the outstanding contributions he has made to the United States Navy. I would like to send him my best wishes for continued success in his future endeavors.

IN RECOGNITION OF JUDGE DAMON J. KEITH FOR HIS PIONEERING LEGAL CAREER

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Judge Damon J. Keith for his outstanding legal career. For the past fifty years, Judge Keith has served the United States with distinction as a member of the federal judiciary.

Judge Keith began his career on the bench in 1967, when he was nominated by President Lyndon Johnson to the United States District Court for the Eastern District of Michigan. During his time with the Eastern District, Judge Keith distinguished himself as an ardent defender of the Constitution, prohibiting President Nixon's warrantless wiretapping initiatives and eventually being named Chief Judge of the District Court. As a result of his distinguished service with the Court, President Carter nominated Judge Keith to the United States Court of Appeals for the Sixth Circuit in 1977, where he has served since his confirmation. Throughout his career, Judge Keith's decisions have played a critical role in shaping the legal landscape. He helped end the Bush administration's practice of conducting post-9/11 deportation hearings in secret and create a more just and equal society by helping to desegregate public schools and combat systemic racism. He has also inspired a new generation of legal scholars who share his commitment to justice and the principles of the Constitution.

Judge Keith has received widespread acclaim for his service in the federal judiciary and his civil rights record. In 1997, he was the recipient of the Edward J. Devitt Distinguished Service to Justice Award, the highest honor available to the federal judiciary. He has also received the Spingarn Medal from the NAACP for outstanding achievement, as well as over 40 honorary degrees from institutes of higher education. Judge Keith was known for his commitment to equality for all during his time in public service, and his decisions continue to play a major role in shaping the nation's legal discourse. His work has impacted countless

lives, and I wish him well as he retires after an extraordinary and impactful career.

Mr. Speaker, I ask my colleagues to join me in honoring Judge Damon J. Keith for his groundbreaking legal career. He has provided exceptional service to our country throughout his career as a federal judge.

TRIBUTE TO ZANE HEHNKE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Zane Hehnke of Winterset, Iowa, for receiving the 2017 National Federation of Independent Business Young Entrepreneur Award.

Zane is the founder and owner of Inspired Finds, an interior design company that focuses on designing and creating accents using vintage and antique items. He understands the important role that small businesses and entrepreneurs like him play in the United States economy. The innovation and determination Zane has displayed is a true testament to his entrepreneurial spirit.

Mr. Speaker, it is an honor to represent leaders like Zane in the United States Congress and it is with great pride that I recognize him today for receiving this esteemed designation. I ask that my colleagues in the United States House of Representatives join me in congratulating him on receiving this award, and in wishing him nothing but continued success.

RECOGNIZING MR. DOUGLAS HARBOUR

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Douglas Harbour for his service in the Marine Corps during the Vietnam War and for his work to create the Tri-State 9/11 Tribute Foundation. This organization was established to instill in our nation's youth a sense of national pride by honoring those who have dedicated their lives to protecting all Americans. I believe that our nation's men and women in uniform are America's greatest assets. They have made incredible sacrifices for our country and deserve our utmost support and aid for their service.

Mr. Harbour created The Tri-State 9/11 Tribute Foundation in 2012 to honor our nation's First Responders and Military personnel both living and deceased. Since its founding, a memorial project has been initiated and the annual Tri-State 9/11 Tribute event is held each fall to recognize exemplary public servants. Mr. Harbour is the organization's sitting President and donates his time to ensure these men and women receive the utmost admiration and gratitude for their service. It is the heroic bravery and incredible sacrifices made by America's First Responders and men and

women in uniform that have helped secure the freedoms we as Americans hold dear.

Our nation owes no greater debt of gratitude than the one we owe our First Responders and military men and women. They and their families should be commended. On behalf of the 4th Congressional District of Colorado, I extend my best wishes and gratitude to Mr. Harbour for his creation of the Tri-State 9/11 Tribute Foundation to honor America's great service men and women.

Mr. Speaker, it is an honor to recognize Mr. Harbour for his accomplishments.

HONORING THE LIFE OF JOHN CLEMENT BUDD

HON. TED BUDD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. BUDD. Mr. Speaker, I rise today to honor a former aviator, war hero, and Huey helicopter pilot in Vietnam, John Clement Budd. He was my Uncle Jack. I remember his stories of the war—they were captivating. Growing up, I remember me and my brother putting on his old helmet and pretending we were flying. Later we didn't have to pretend. My oldest brother and I became civilian pilots, and my middle brother flew for the Army and the Air Force. The Budd family are fliers, Mr. Speaker, and my uncle was part of starting that proud tradition.

In 1965, he flew over the infamous la Drang Valley in Vietnam, known as the "Valley of Death," where he medevaced soldiers wounded by enemy fire. He pulled an A-6 Avenger pilot out of the line of fire at la Drang, after three other helicopters had been shot down in the attempt. He used to say that it was the only time he had ever been kissed by a colonel.

Jack was also an exceptional mind and tactician—the tactical doctrine he and his fellows developed in the skies over Vietnam was used in the Armed Forces until the 2003 invasion of Iraq. So Jack also left a lasting imprint on the way we fight wars.

Mr. Speaker, many Americans were not even born when the Berlin Wall came down, and Eastern Europe was freed from the cold grip of international Communism. Even more were not alive to witness the crucible that Vietnam was for our country. I am unbelievably proud that my uncle was there, on the front lines of that struggle.

His courage there is among the millions of stories of service and sacrifice in the tapestry of our victory over an evil ideology. His sacrifice, and his legacy to our country will not be forgotten. I know his five children and nineteen grandchildren are as proud of him as I am.

RECOGNIZING CHIEF EXECUTIVE OFFICER STAN RISEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. DENHAM. Mr. Speaker, I rise today to recognize Chief Executive Officer Stan Risen,

who just announced his retirement from Stanislaus County.

Stan has been instrumental in leading Stanislaus County towards greater public accountability, re-engaging an organization-wide focus on the County's vision and core values. Stanislaus County develops public programs that improve the lives of its residents through coordinated prevention efforts, which function across multiple sectors. These programs, however, would not have been made possible without Stan's unwavering commitment to the community.

Stan Risen started his career as a youth pastor before entering governmental service. He began his career in Stanislaus County in 1987 when he became an appraiser in the Assessor's Office. In 1999, he joined the Chief Executive Office as a project manager for the development of an Information Technology Strategic Plan. In 2005, Stan became an Assistant Executive Officer, and a few years later, was appointed to Chief Executive Officer.

Outside of the office, Stan enjoys many activities that include riding dirt bikes, performing home construction projects, and playing the guitar. He received his Bachelor of Arts from Bob Jones University and was formerly a Planning Commissioner and City Councilman for the City of Ceres. He lives a faith-based lifestyle as an active member of Crosspoint Community Church in Modesto. Furthermore, Stan and his wife, Cheryl, are celebrating 38 years of marriage. Together, they have four children and four grandchildren.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to Stanislaus County by Chief Executive Officer Stan Risen as we wish him continued success in his future endeavors.

HONORING MR. JAMES KENYON ON HIS SELECTION TO THE NAFCU BOARD

HON. GREG GIANFORTE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. GIANFORTE. Mr. Speaker, I rise today to congratulate James (Jim) Kenyon on his recent selection to the Board of Directors at the National Association of Federally-Insured Credit Unions, NAFCU.

Mr. Kenyon has been President and CEO of Whitefish Credit Union in Montana since 2009 and has over 25 years of credit union experience. Whitefish Credit Union is the largest credit union in Montana. Chartered in 1934, it has over \$1.4 billion in assets and 58,000 members. It is also a state-chartered credit union, which is significant, because Mr. Kenyon becomes the first state-chartered credit union executive to serve on the NAFCU Board, as the association just opened full membership to state-chartered credit unions last year.

Mr. Kenyon has lived in Montana most of his life and is a graduate of the University of Montana with a Bachelor of Science in Business Management. Being a Montanan, he is an avid outdoorsman and enjoys fishing, hiking and mountain biking.

Mr. Kenyon is also a strong advocate for community service, having served on the board of the Whitefish Community Foundation and as Co-Chairman for the North Valley Food Bank Fundraising Committee.

I wish Mr. Kenyon the best of luck in his new role on the NAFCU Board and look forward to working with him in this capacity. I ask that my colleagues join me today in congratulating Jim Kenyon on this achievement.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER SERGEANT FIRST CLASS (SFC) JOHNNY ROOSEVELT POLK

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant First Class (SFC) Johnny Roosevelt Polk who paid the ultimate sacrifice while defending our great nation on July 25, 2009, during Operation Iraqi Freedom. SFC Polk died from wounds he sustained when his vehicle was struck by an anti-tank grenade on July 23 in Kirkuk, Iraq.

SFC Polk was assigned to 3rd Battalion, 82nd Field Artillery Regiment, 2nd Brigade Combat Team, 1st Cavalry Division, Fort Hood, Texas. This was the third deployment of his 17-years spent in service.

According to the Associated Press, SFC Polk, a Gulfport native, was described as a fine leader who knew how to bring out the best in others.

SFC Polk attended Harrison Central High School where he was a member of the football team. He joined the U.S. Army in 1992.

"He was keen as well as humble," said Sergeant (SGT) Thomas Lathrop, who served with SFC Polk. "He had a swagger about him that separated him from the rest and an insurmountable vivacity that could never be ignored."

First Lieutenant (1LT) Jaciel Guerrero, who also served with SFC Polk, admired his leadership abilities. "Whenever anyone needed guidance, he was there," said 1LT Guerrero.

SFC Polk's son, Xavier Jones, said his dad was a loving father, a volunteer firefighter, and one who would find time for fishing. "He disappeared for days at a time and go fishing," Xavier said. "He would come home with fish and put them in a tank, a regular fish tank."

SFC Polk was awarded the Purple Heart and the Bronze Star medals.

According to the Memorial Network Partner Provider, a memorial service was held on August 15, 2009, at the Little Rock Missionary Baptist Church. SFC Polk was laid to rest at the Biloxi National Cemetery.

SFC Polk is survived by his wife, Wanonia Janise; five children, Antoine Azeheart, Mary Gardner, De'Andra Jones, Xavier Jones, Alvin Jones; and siblings, Walter Polk, Artha Polk, and Mary Polk.

SFC Polk paid the ultimate sacrifice for the freedoms we all enjoy. His devotion to our nation will not be forgotten.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. GRAVES of Missouri. Mr. Speaker, on July 25, 2017 I missed a series of Roll Call votes. Had I been present, I would have voted YEA on No. 410, 411, 412, and 413.

IN HONOR OF THE 50TH ANNIVERSARY OF THE JFK MEDICAL CENTER

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. PALLONE. Mr. Speaker, it is my great honor to extend heartfelt congratulations to the JFK Medical Center in Edison, New Jersey, as it celebrates 50 years of industry-leading innovation, research and high-quality patient care.

In 1961, Edison Mayor Anthony Yelencsics launched an effort to establish a hospital that would provide residents of Edison, Metuchen, and Woodbridge with high quality, accessible care—as well as good, local jobs.

A year later, more than 200 women joined together to form the JFK Auxiliary, which was charged with aiding fundraising for the project through activities like luncheons, fashion shows, and card parties. Within six years, the \$5.6 million needed for the project was raised through large gifts from local businesses, civic and social organizations, and tireless efforts by the JFK Auxiliary and other township residents soliciting donations door-to-door. Notably, Edison Township ensured the project's success by pledging \$100,000 and donating the 37-acre property where the hospital resides today.

JFK Medical Center opened its doors to the community on August 7, 1967 with 206 beds and 450 dedicated employees, including compassionate nurses, technicians, and administrators. From the beginning, JFK established itself as an industry innovation leader, using new computerization for patient records, private and semi-private rooms, a meditation room, and visitor rooms on every floor.

Over the next 50 years, JFK Medical Center evolved into one of Central New Jersey's most trusted hospitals, receiving nationwide recognition for its innovation, world-renowned research, and industry-leading quality of care.

JFK's emergency department, the largest in the state, has been awarded the Outstanding Private EMS Agency Award by the New Jersey Department of Health. The JFK Johnson Rehabilitation Institute has been named a "Top Hospital" by U.S. News & World Report—an award bestowed upon only 148 hospitals out of nearly 4,800 across the country. In 2016, JFK's oncology program was awarded the Outstanding Achievement Award by the American College of Surgeons.

Mr. Speaker, on behalf of the residents of New Jersey's Sixth Congressional District and the state of New Jersey, I recognize JFK Medical Center and its dedicated staff for 50 years

of exemplary service, cutting-edge innovation, and industry-leading quality of care.

IN HONOR OF THE RETIREMENT OF JUDGE FRED A. STINE

HON. THOMAS MASSIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. MASSIE. Mr. Speaker, I rise today in honor of the retirement of Judge Fred A. Stine, the Chief Circuit Court Judge of the 17th Judicial Circuit in Campbell County, Kentucky.

Judge Stine graduated from the University of Cincinnati in 1973, and received his J.D. from the Salmon P. Chase College of Law at Northern Kentucky University in 1978. He then worked in private practice for two years, until his appointment as the Assistant United States Attorney for the Eastern District of Kentucky. He served as an AUSA until October of 2004, when he was appointed to the Circuit Court.

Judge Stine has honorably served the Commonwealth as Circuit Court Judge since 2005. His many awards and recognitions include a Distinguished Service Recognition from the Federal Bureau of Investigation (FBI), a "Special Recognition for Victims' Rights" from the U.S. Department of Justice, the "U.S. Department of Justice Commendation" from the Law Enforcement Coordinating Committee, a "Lifetime Achievement Award" from the National Black Law Students Association at the Salmon P. Chase College of Law at Northern Kentucky University, and an award for "Outstanding Contributions to KY Law-Related Education" from the Kentucky Court of Justice.

Throughout his career, and despite his busy case docket, Judge Stine selflessly gave of his time to serve his community. For example, he served as a volunteer judge for the Northern Kentucky Teen Court, and for the Newport Central Catholic, Highlands High School, and Dixie Heights High School mock trial teams. He was also an active member of the Kentucky Bar Association and the Alumni Association Board of Governors of the Salmon P. Chase College of Law.

Judge Stine is a true public servant who has served his state and nation well. On behalf of the Commonwealth of Kentucky and all the citizens of the Fourth District, I am honored to wish Judge Stine the very best on his retirement. From all of us, we thank him.

RECOGNIZING AVDHOOOT BABA SHIVANDJI

HON. BRIAN K. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Avdhoot Baba Shivandji, a man who has dedicated his life to enriching the lives of others through sacred ancient Indian healing rituals. Also known as Babaji, he has deeply inspired many through his deep belief

that each person comes into this world with vast potential. Through the innovative ancient integrative process of Shiv Yog Cosmic Medicine and Shiv Yog Cosmic Farming, individuals learn how to access their vast spiritual potential to create their own destinies. He has shared this knowledge through media and live conferences to millions of citizens from both our country and the world. In addition to educating others on his Indian healing practices, Shivandji teaches English on Indian television. Avdhoot Baba Shivandji is truly a selfless person, always looking to help others, and for that I commend him.

RECOGNIZING ANDREW CONNERY'S SERVICE TO THE NEW DEMOCRAT COALITION

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. HIMES. Mr. Speaker, I rise today to thank Andrew Connery for his many contributions to the New Democrat Coalition. Next month, Andrew will be leaving the New Democrat Coalition to attend law school.

The New Democrat Coalition, which I have the honor to Chair, is made up of 61 forward-thinking Democrats in the U.S. House of Representatives who are committed to pro-economic growth, pro-innovation, and fiscally responsible policies. New Democrats are a solutions oriented coalition seeking to bridge the gap between left and right by challenging outmoded partisan approaches to governing.

Andrew joined the New Dem staff as the Policy & Member Services Aide in February 2015. Prior to joining the New Dem staff, Andrew was a legislative assistant for former New Democrat Coalition Member Rep. Joe Garcia of Florida. In recognition for his hard work, he was promoted to Senior Policy Advisor in January 2016 and Policy Director in June 2017.

Originally serving former New Democrat Coalition Chair Ron Kind, Andrew has been a trusted advisor to me and many Members of the Coalition. Over his tenure, the New Democrat Coalition has been active on many issues of national importance that have benefitted directly from Andrew's policy knowledge and expertise. These include working on the development of the American Prosperity Agenda, building support for President Obama's trade agenda, developing a tough and smart national security agenda, advocating for a bipartisan deal on tax reform and infrastructure, helping craft a path forward on fixing the Affordable Care Act, and working on several other policy issues through the New Democrat Coalition's task forces. Andrew also served as a key advisor for New Dem Members and their staffs working with them to develop individual policy priorities, counseling on floor votes, and advising on other matters.

Mr. Speaker, on behalf of the Members of the New Democrat Coalition, I thank Andrew.

CONGRATULATIONS TO MR. KENNETH JOHNSTON

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. LONG. Mr. Speaker, I rise today to congratulate Kenneth Johnston for his years of service in the United States Army.

Mr. Johnston, a native of southwest Missouri, was born in 1925. He was only 19 years-old when he began his service in the military. His dedication led him to become a highly-decorated soldier over the years due to his bravery and selfless commitment to defending the lives of others.

Mr. Johnston fought bravely in the Battle of the Bulge and on various other fronts. In addition to this, Mr. Johnston was the second man to go through the gates of Dachau as allied forces liberated the Jewish people from the brutality of the Nazi camp. His gallantry led him to be awarded the Bronze Star for his service. In addition to this he earned a variety of other medals and served in three different countries in Europe.

I am honored to recognize Mr. Johnston's service to the U.S. military over the years and his astonishing achievements. On behalf of Missouri's 7th Congressional District, I ask all my colleagues to join me in congratulating Mr. Johnston on his many years of service.

TRIBUTE TO MR. RONNIE GATHERS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Ronnie Gathers who recently announced his intention to retire as Director of Prince Georges County (Maryland) Parks and Recreation Department after thirty years of outstanding service.

A native of my hometown of Sumter County, South Carolina, Ronnie Gathers graduated from my alma mater South Carolina State University with a Bachelor of Science degree in Physical Education and Recreation. In addition to serving as Director with great distinction, he also developed and provided oversight of Prince Georges County Parks and Recreation Foundation.

Mr. Ronnie Gathers has provided tremendous leadership in direct operations for fourteen divisions comprised of Park Police, Park Planning, Capital Development, Management Services, Special Projects, Information Technology, Northern, Central and Southern Area Recreational Services and Maintenance, Special Needs Programs, Arts, Cultural Heritage, Natural and Historical Resource Management, Sports Management and Trades Maintenance Division. He has worked collaboratively with communities and elected officials to establish policy, provide public safety, acquire land, plan programs, develop facilities, amenities and deliver quality services.

Mr. Speaker, Mr. Gathers has done our shared home town and alma mater proud, and

I ask that you and my colleagues join me in wishing him Godspeed on the occasion of his retirement.

PERSONAL EXPLANATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mrs. NAPOLITANO. Mr. Speaker, I was absent during roll call votes No. 416 through No. 425 due to my spouse's health situation in California. Had I been present, I would have voted "nay" on the Perry Amendment. I would have also voted "nay" on the Griffith Amendment. I would have also voted "yea" on the Takano Amendment. I would have also voted "nay" on the King (IA) Amendment. I would have also voted "yea" on the Castor Amendment. I would have also voted "yea" on the Norcross Amendment. I would have also voted "yea" on the Esty Amendment. I would have also voted "yea" on the Garamendi Amendment. I would have also voted "yea" on the Pingree Amendment. I would have also voted "yea" on the Jackson Lee Amendment.

CONGRATULATING DAVID DAUGHERTY ON HIS RETIREMENT AS GOSHEN CHAMBER OF COMMERCE PRESIDENT

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate David Daugherty on his retirement as President of the Goshen Chamber of Commerce and to thank him for his 14 years of serving northern Indiana Hoosiers.

As Chamber president, David was committed to fostering opportunities that advanced our growing workforce, supported existing businesses, attracted new ones, and united our community under a common vision for a brighter future. I am grateful for the outstanding leadership and insight David brought to the Chamber. In tackling important issues like redevelopment, our community saw David's keen ability to build valuable relationships among community members and strong partnerships with education and government leaders.

David's work at the Chamber was guided by the values of integrity, respect, collaboration, and the belief that thriving businesses build stronger communities. A forward thinker, David has consistently led efforts that aim to improve the quality of life for Hoosiers, their families, and our local businesses. In doing so he encouraged greater inclusion and empowerment through the Chamber's efforts to work "Together, Growing Goshen."

Mr. Speaker, on behalf of Indiana's 2nd District I want to thank David for all he has done to make Goshen a wonderful place to live and work. His impact on the community is sure to last far into the future, and I have no doubt the Chamber will continue to honor David's legacy

by working to strengthen our business community and welcome growth and innovation.

IN HONOR OF CHERYL NIMMO

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. LANGEVIN. Mr. Speaker, today I pay tribute to Cheryl Nimmo, CRNA, DNP, MSHSA. Ms. Nimmo will soon complete her year as national president of the American Association of Nurse Anesthetists (AANA). It is an incredible honor that Ms. Nimmo was elected as the 2016–2017 president of this prestigious national organization.

As a Certified Registered Nurse Anesthetist (CRNA) for nearly 38 years, Ms. Nimmo has contributed greatly to the healthcare community in Rhode Island and nationwide. Ms. Nimmo is currently assistant professor and assistant program director for the nurse anesthesia program at the University of New England, in Portland, Maine. Hospitals in Rhode Island, Massachusetts, and Missouri have all benefited from Ms. Nimmo's work as both staff and chief CRNA. In addition to serving as an airway skills and pediatric anesthesia instructor, locum tenens CRNA, and clinical preceptor, she has provided expertise in office-based orthopedics and coronary care.

Ms. Nimmo has also modeled lifelong commitment to her professional education and development. She was awarded her nursing diploma from Newport Hospital School of Nursing, in Newport, R.I.; her Bachelor of Science degree in Biology from Evangel University in Springfield, Mo.; her certificate in nurse anesthesia from St. John's School of Anesthesia at Missouri State University in Springfield; her Master's Degree in Health Service Administration from Salve Regina University in Newport, RI.; and her Doctorate of Nursing Practice from Northeastern University, in Boston.

During her AANA Presidency, Ms. Nimmo has been a prominent advocate for patients and for the practice of nurse anesthesia. In addition to her service as AANA President, Ms. Nimmo has long been an active member of her state and national professional associations. She has served in multiple capacities on various committees, boards of directors, and the AANA Foundation.

I extend my sincere congratulations to Ms. Nimmo today on a job well done. Her service to the AANA and her patients and her commitment to high quality healthcare nationwide are commendable, and I ask my colleagues to join me in recognizing her notable career and outstanding achievements.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SERGEANT (SGT) TAUREAN TRAVANTI' HARRIS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant

(SGT) Taurean Travanti' Harris who paid the ultimate sacrifice while defending our great nation on August 2, 2007, during Operation Enduring Freedom. SGT Harris died of wounds he received from an improvised explosive device in Kala Gush, Afghanistan. SGT Harris was assigned to the 202nd Military Intelligence Battalion, 513th Military Intelligence Brigade, Fort Gordon, GA.

SGT Harris, a Liberty native, attended Amite County High School. He served as a Junior Reserve Officers' Training Corps (JROTC) cadet throughout high school. He graduated with honors in 2003. SGT Harris followed in the footsteps of his uncle, Frederick Wagner, and joined the U.S. Army.

SGT Harris' mother, Yolanda Wagner, said that her son was loved by all who knew him.

"Taurean truly was a beautiful person," Mrs. Wagner said. "He was the man every girl wanted to marry. Everybody loved him. He strived for excellence. He always wanted to better himself."

Mrs. Wagner said SGT Harris' memorial service, held at the Jerusalem Baptist Church, was unforgettable.

"I was so emotional," Mrs. Wagner said. "It was an honor to see so many people come out to honor him and support us. It was amazing."

According to the Associated Press, hundreds of family, friends, and military personnel came to the funeral. Mrs. Wagner says over 100 members of The Patriot Guard led the procession.

During the service, Brigadier General (BG) Jeffrey Foley commended SGT Harris for his positive attitude. "He was able to bring joy to whatever we would do," BG Foley said. "No matter what the task."

For his service, SGT Harris earned the Purple Heart, the Bronze Star, and a Good Conduct medal.

Mrs. Wagner says SGT Harris was honored for his service during a ceremony held on the tenth anniversary of his death. A portion of Highway 48, close to the Jerusalem Community where he grew up, was named in his honor by Mississippi Department of Transportation Commissioner Mike Tagert.

SGT Harris is survived by his daughter, Tiana Marie Harris; his daughter's mother, Joanie Poleder; his parents, Cecil Harris and Yolanda Wagner; his four brothers, Justin Davis, William Harris, Christian Harris, and Okoye Harris; and his sisters, Tara Cockerham and Bianca Sesson.

HONORING ROTAPLAST INTERNATIONAL

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Rotaplast International's 25th Anniversary of enabling children across the world with cleft lips and palates to receive life-changing surgery.

Founded in 1992 as part of the Rotary Club of San Francisco by its members Dr. Angelo Capozzi and Peter Lagarias, Rotaplast has

since sponsored over 200 missions that have helped over 18,000 children worldwide. From the fast mission to La Serena in northern Chile, Rotaplast has been saving smiles and changing lives in 26 countries, including Chile, Columbia, Guatemala, Mexico, the Philippines, India, Ethiopia, and Tanzania.

Rotaplast is able to do this tremendous work because of the thousands of medical professionals and Rotarians who volunteer countless hours of their time to this worthy endeavor. Multi-disciplinary teams of medical professionals travel around the world to provide free training to care for the children, in addition to the free reconstructive surgery. These volunteers help foster Rotaplast's mission of building goodwill among people from different countries, languages, cultures, and ways of life, and the education Rotaplast provides its patients and their families will help improve lives long after Rotaplast leaves.

Thanks to the support of Rotary International and the many Rotary Clubs and Districts around the world who have participated in this program, Rotaplast International's work in my district and around the world has been exemplary. It is therefore fitting to honor and thank Rotaplast for 25 years of success in changing children's lives and adhering to Rotary International's motto of "doing good in the world." I offer them my sincere congratulations and best wishes for many more years of service.

IN RECOGNITION OF THE STATE STREET ART FAIR'S 50TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the organizers and artists of the Ann Arbor State Street Art Fair. For 50 years, the Art Fair has showcased work from thousands of artists around the country and helped establish Ann Arbor as a center of art and culture.

Originally established in 1967, the State Street Art Fair hosts approximately 300 artists and their works each summer in Ann Arbor for four days by the campus of the University of Michigan. As one of the four independently juried art fairs that operate concurrently each summer as the Ann Arbor Art Fair, the State Street Art Fair is a key part of the city's cultural scene and has helped establish the city as a nexus for artistic excellence. The State Street Art Fair and other Ann Arbor art fairs collectively attract around 400,000 visitors each year and serve as an exhibition of award-winning artists as well as the city at large. The State Street Art Fair's rigorous screening process for prospective exhibitions by a jury of artistic professionals, as well as its high standards for entry, have resulted in a renowned art fair that helps draw outstanding artists and visitors to the Ann Arbor area.

The work of the organizers and participants have helped make State Street Art Fair one of the nation's premier showcases of artistic talent. The fair continues to attract a vibrant

community with expertise in traditional crafts of glass, painting and photography, as well as new innovative and contemporary mediums of expression. In addition to the merchant displays, the State Street Art Fair also offers live entertainment, food from local vendors and outdoor shopping. These offerings continue to help attract hundreds of thousands of individuals each year while supporting the local community, and it is my hope that the State Street Art Fair continues to build on its successful showings in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring the organizers and participants of the State Street Art Fair on the 50th Anniversary of its establishment. The fair continues to attract outstanding artists and visitors from around the country.

BORDER WALL

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mrs. DAVIS of California. Mr. Speaker, I have a few questions for my colleagues across the aisle—what can we do with 1.6 billion dollars?

How many highways and roads could we fix?

How many Americans could we train for good paying jobs, for that amount of money?

And didn't the President promise that Americans wouldn't have to pay for a wall?

Now in one big bill that's out of regular order we are being asked to waste 1.6 billion dollars on a wall that would be ineffective and offensive to our neighbors?

In my district, we know that our border is our strength, not our weakness.

San Diego and Tijuana are two regions, but we are one community.

We have worked for years to create an efficient border that allows thousands of people to safely cross into our country every day; spending money in our stores, paying taxes that support our infrastructure, and bringing economic stability to our region.

We cannot allow fear and uncertainty to isolate us from the rest of the world, and building a wall along our expansive southern border would do just that.

RECOGNIZING BYRON-BETHANY IRRIGATION DISTRICT

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Byron-Bethany Irrigation District for being awarded the Association of California Water Agencies' 2017 Excellence in Water Leaders Award.

Byron-Bethany Irrigation District serves crucial farming communities in California's Central Valley including the city of Tracy, which is located in my district. The water they distribute allows their customers to cultivate successful

farmland that both promotes a successful economy and feeds the world.

This award is in recognition of BBID's bold actions in defending the water rights of the farming communities within their area of service. In the face of the California drought, the State Water Resources Control Board issued curtailment orders for the local community that would drastically affect the crucial farmland that BBID serves. The District General Manager, Rick Gilmore, and the district's seven member Board of Directors launched an effective legal effort to protect the water rights of local farming communities. They argued that the state's analysis of available water was inaccurate. The state's dismissal of the case against BBID in 2016 was a victory for small farming districts, and cemented the water rights that serve as a foundation for BBID's community.

The Excellence in Water Leaders Award is presented annually by the Association of California Water Agencies to an individual or group that has made a visible contribution to California water. ACWA is a statewide association of public agencies and their members are responsible for about 90% of water delivered in California. ACWA's recognition of Byron-Bethany Irrigation District's impact on the water rights for small farming communities is an immense honor.

Mr. Speaker, please join me in honoring and commending the Byron-Bethany Irrigation District for receiving this impressive award and for their exuberance and dedication to our local farming communities within California's Central Valley.

PERSONAL EXPLANATION

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. MOONEY of West Virginia. Mr. Speaker, on Monday I accompanied President Donald J. Trump to his speech at the 2017 National Boy Scout Jamboree and thus missed votes Monday night.

Had I been present, I would have voted YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

CONSTITUTIONAL AMENDMENT TO BAN PRESIDENTS FROM PARDONING THEMSELVES

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. SHERMAN. Mr. Speaker, today, I joined as an original cosponsor of the Constitutional Amendment of AL GREEN of Texas. That Amendment states that a President may not pardon him or herself for violations of United States law.

I believe that the Amendment is likely unnecessary. I believe that the Supreme Court, in construing the existing Constitution, would reach the conclusion that the President's

power to pardon does not include the power to pardon the President.

However it is always useful to provide a clarification of a meaning of a statute, or even a Constitutional provision, whenever any doubt its meaning or construction.

I doubt that the amendment could be adopted and ratified with sufficient speed to prevent the current President from pardoning himself. I believe the adoption of the amendment could still be useful in providing a clarification should this issue arise in future presidencies.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. GRAVES of Missouri. Mr. Speaker, on July 26, 2017 I missed a series of Roll Call votes. Had I been present, I would have voted YEA on No. 414 and 415.

HONORING MOZELLE REYNOLDS DOBYNS

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. GRIFFITH. Mr. Speaker, I would like to honor the life of Mozelle Reynolds Dobyns, who passed away on June 29, 2017 at the age of 102. Mozelle and her late husband Garner were always wonderful people, and they were always giving people. Mozelle loved Republican politics, but she loved her God more.

Mozelle was born in a Roanoke County farmhouse in 1915, in a farmhouse without electricity or running water. In an early sign of her tenacity, Mozelle proved wrong the doctors that had told her parents she would not live more than a few days. She attended Andrew Lewis High School in Salem and contributed to the war effort in World War II as a worker at Radford Arsenal. She then worked at Burlington Hosiery Mill until it closed in 1963.

Mozelle put her faith first. It guided how she lived and how she cared for others. She attended Ft. Lewis Christian Church in her early years, spent 65 years at Melrose Christian Church, and in 2014 returned to Ft. Lewis. While at Melrose, she served as the first female Elder, as Elder Emeritus, and as Chairman of the Board. She taught Sunday School for decades and worked along with Garner as a counselor for Christian Endeavor, a non-denominational youth group. Generations of young people benefited from her guidance.

Mozelle was not expected to live long at birth, but she kept going until near the end of her life. Even at 95 years of age, she still bought groceries for a neighbor. She drove until she was 96, and mowed her own lawn until she was 98.

Mozelle lived her life well, and many are better for it. I will miss this good woman, but as her many "children" from her Sunday

school classes and youth groups will tell you, she always knew her Lord, Jesus Christ.

HONORING CERES FIRE CHIEF
BRYAN NICHOLAS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ceres Fire Chief Bryan Nicholes, who just announced his retirement after 45 years in the fire service industry; 32 of which was spent with the Ceres Fire Department.

In 1972, Bryan began his lifelong career as an explorer scout with the Burbank-Paradise fire district. In 1984, he moved to Ceres, California to take on the only paid firefighter position within the department during this time. Chief Nicholes then returned to Burbank-Paradise as Fire Chief in 1987. After two years, he came back to Ceres as Fire Marshall.

Chief Nicholes has combined his professional experience with years of higher education in the fire industry. He obtained his Associates of Science degree in Electronics Technology and Fire Science from Modesto Junior College and a Bachelor of Arts in Business Administration from Saint Mary's College, as well as many other State and Federal certifications.

Community has always been a priority for Bryan and his wife, Becki. He has been involved in the Ceres Rotary Club, Ceres Lions Club, and was instrumental in coordinating the "Love Ceres" event for six years.

Additionally, he and his family have chosen a life of faith serving God and attending New Life Christian Church. In 2011, Bryan was ordained as a minister and has traveled on multiple mission trips to spread the word of God. They also volunteer to host a small group of married couples and Bryan leads a Men's Fellowship Group. They have one son, Colby, and Bryan is looking forward to spending more time with his family after retirement.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to fire service in the City of Ceres by Chief Bryan Nicholes and hereby wish him continued success in his future endeavors.

HONORING THE LIFE OF BILLY
MANES

HON. STEPHANIE N. MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mrs. MURPHY of Florida. Mr. Speaker, it is with a heavy heart that I rise to honor the life and legacy of Billy Manes. Billy passed away last week, far too soon, at the age of 45. He is survived by his husband, Anthony, and an entire community that admired him. With Billy's passing, Orlando lost an icon, and our nation lost a committed, passionate, and fierce advocate for equality.

In Billy's short time with us, he made an indelible impact on our city and our country. He

was a prominent Orlando journalist and commentator, and the power of his words moved and amused central Florida. Billy broke barriers, becoming the first openly gay mayoral candidate in Orlando's history. After the tragic loss of his partner in 2012, Billy bravely told his story to the world, putting a human face on the pressing need for equal rights for same-sex couples.

Last year, when our Orlando family was reeling from the Pulse nightclub shooting, Billy gave voice to our city's grief. He relentlessly focused on the 49 beautiful lives we lost that night. Like them, Billy will never be forgotten.

If you ever had the privilege and the pleasure of meeting Billy, you couldn't escape his energy, his passion, and his endearing sense of humor.

Mr. Speaker, it is critical this hallowed chamber carry on the work that Billy so valiantly championed. Though we have so much progress to celebrate, too many of the inequities that Billy's work spotlighted remain.

May his memory inspire us to redouble our commitment to equality.

RECOGNIZING DR. JOHN
VASSALL, M.D.

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Dr. John Vassall II for his exemplary work in our community. For over thirty years, Dr. Vassall has made the greater Puget Sound Region a healthier and more equitable place.

Dr. Vassall has made many valuable contributions to Washington state's medical community. In 1978, he received his medical degree from the University of Washington. He then completed two competitive residency programs at Grady Memorial Hospital and Emory University Affiliated Hospitals. After his residencies, Dr. Vassall returned to the Puget Sound region in 1983, when he accepted an offer at Swedish Medical Center, where he has remained for 34 years. As Chief Medical Officer, he has been a key player on an outstanding medical team. In 2006, the Washington chapter of the American College of Physicians named Dr. Vassall the Internist of the Year.

Dr. Vassall's contributions to our community have not been limited to his professional work at the hospital. For 15 years, Dr. Vassall served as the vice-speaker and speaker of the House of Delegates for the Washington State Medical Association. He is a trustee at Seattle University and for the American Hospital Association, as well as a board member at the Washington State Hospital Association and the Washington State Medical Association. Through these roles, Dr. Vassall has shaped the future of medicine and has advanced quality care in Washington state. His long record of advocacy earned him the Alumni Service Award from his alma mater in 2008. Dr. Vassall's contributions to Washington's health care industry cannot be overstated.

It is because of physicians like Dr. Vassall that the Greater Puget Sound Region is now

a global center for health care innovation and education. Again, I would like to thank Dr. Vassall for his contributions to Washington's 9th District, and I look forward to working with him in the future as we work for a healthier world.

PERSONAL EXPLANATION

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on July 25, 2017, I missed four recorded votes on the House floor due to family commitments. Had I been present, I would have voted YEA on Roll Call 410, YEA on Roll Call 411, YEA on Roll Call 412, and YEA on Roll Call 413.

A BILL TO REAUTHORIZE THE
SOUTHEAST CRESCENT RE-
GIONAL COMMISSION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. JOHNSON of Georgia. Mr. Speaker, today I am introducing a bill to reauthorize the Southeast Crescent Regional Commission.

While this bill will reauthorize the Northern Border Regional Commission, the Southwest Border Regional Commission, and the Southeast Crescent Regional Commission, I will focus my remarks on the need for a commission that covers parts of my district—the Southeast Crescent Regional Commission.

The Southeast Crescent Regional Commission encompasses most of the counties of Virginia, North Carolina, South Carolina, Mississippi, Alabama, Florida, and parts of my district in Georgia.

This area is home to millions of rural and impoverished Americans still reeling from decades of job displacement and a lack of investment.

Families in Georgia and all across the South need the help of this Congress as well as the Trump Administration to break out of the unacceptable cycle of poverty and unemployment.

Although the Commission was first authorized by Congress in 2008, a federal co-chair has never been appointed and thus, has not yet had a chance to make a difference. In addition to the introduction of this legislation, I will be calling on President Trump to appoint a federal co-chair so that the full potential of this program can be realized to put the Southeast Crescent region on the road to recovery.

Working with the states and localities, the Commission can assist in leveraging public, private and philanthropic resources to improve the overall economy and infrastructure of the region to encourage private investment and promote growth in distressed areas. We have seen the success achieved through targeted investments by other regional economic development agencies, it is now time for the Southeast Crescent region have the same opportunity.

The Commission can help develop the community's economic competitiveness and leverage private investment to help improve infrastructure and public transportation, so that workers aren't stuck in endless gridlock and can get to and from work seamlessly. It can help provide job skills training and entrepreneurial development, ensuring that the jobs that are available can be filled by competent workers.

We have an historic opportunity to help create good jobs and develop an historically disadvantaged region.

I urge my colleagues to join me in supporting this measure and finally giving a region that has suffered from historic disadvantages the chance to thrive and succeed.

CELEBRATING THE LIFE OF
LENNIE STEVEN CHEUNG

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. TED LIEU of California. Mr. Speaker, I rise today to celebrate the life of Lennie Steven Cheung—a devoted husband, loving fa-

ther, wonderful grandfather, and great-grandfather—who passed away on July 16, 2017. He was 93 years old. Mr. Cheung was also a scholar, a visionary, an inventor, and engineer.

Mr. Cheung was born on April 1, 1924 in Tainan, Taiwan, youngest son of Mr. Ding-Chi Chang and Mrs. Po Chang-Su. During the Japanese era in Taiwan, he was educated in the Japanese education system. He scored the highest mark in the history of the General Civil Examinations when he was just 18 years old. Later he studied law and worked in the Tainan state office. After 1949, due to the change in government in Taiwan, the law he studied became invalid. He went abroad and studied engineering in Japan as he predicted that electronics and technology would become an important part of our society.

In 1970, a U.S. electronics company, Transworld Electronics, hired him and the family moved to Hong Kong. In the 1980s, he started his business, Winner Electronics Company Limited, and set up an electronic factory to manufacture exclusively for Sony. During his career as an electronics engineer, he was an active member of the Institute of Electrical and Electronics Engineers (IEEE) and was awarded several patents.

During his visit to the United States in 1982, he fell in love with the spirit and people he met. The following year, he set up a branch office in Los Angeles, California. Ten years later, in 1993, he, his wife (Mrs. Helen Cheung), and their youngest daughter (Mrs. Josephine Gow) were naturalized as U.S. Citizens and called America their home country.

Mr. Cheung lived in Taiwan, Japan, Hong Kong, and the United States for many years. He was fluent in Taiwanese, Mandarin, Cantonese, Japanese, and English.

Mr. Cheung was a man of many talents and interests. He was a great scholar and had the nick name “the living encyclopedia” from his friends and family. He was a great mentor and advisor to his friends and family. During his free time, he enjoyed reading, listening to music, attending magic shows, and watching detective and action movies. He also had a green thumb, and enjoyed gardening and golfing.

Mr. Cheung was loved and respected by all and he will be greatly missed. He is survived by his wife, Mrs. Helen Cheung, five children (Roger, Simon, Shen-Long, Alice, and Josephine), ten grandchildren, and eight great-grandchildren.

HOUSE OF REPRESENTATIVES—Friday, July 28, 2017

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Pastor Scott Poling, Harvest New Beginnings Church, Oswego, Illinois, offered the following prayer:

Lord, I pray for these who serve this Nation, for they ultimately serve You. There is no authority except from God, and these gathered here, whether they realize it or not, are Your ministers for the good of the people of the United States of America.

I pray for the men and women in this room and those who will soon fill these seats. Help them to acknowledge You, come to faith in You, look to You, and live in the fear of God and not the fear of men. Embolden them to make good godly decisions that You deem right, based on the authority of Your holy inspired word.

I especially pray for the many Representatives who are Your true children by faith in Jesus Christ. Grant them Your favor and blessing and raise them up. Give them supernatural strength through the work that they do. Give them great wisdom for the decisions they make and the direction in which they lead this Nation.

God, purify their motives, protect them from pride, help them bow, lest they break, and may they never forget Your promise: "He who honors Me, I will honor."

In Jesus' name, the only name by which we have access to Heaven, I pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Washington (Ms. DELBENE) come forward and lead the House in the Pledge of Allegiance.

Ms. DELBENE led the Pledge of Allegiance as follows:

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

WELCOMING PASTOR SCOTT POLING

The SPEAKER. Without objection, the gentleman from Illinois (Mr. HULTGREN) is recognized for 1 minute.

There was no objection.

Mr. HULTGREN. Mr. Speaker, I rise today pleased to welcome Pastor Scott Poling, who graciously delivered our opening prayer in the House this morning.

For more than 20 years, Pastor Scott has faithfully led the congregation at Harvest New Beginnings Church in Oswego, Illinois, where my family and I attend.

His passion for evangelism and outreach is contagious. Those touched by his ministry have seen firsthand his energy and passion for people around the globe.

When he is not running ultra-marathons or playing tennis, he spends time expanding the church's international ministry, and has equipped African pastors with the leadership skills to carry God's truth into their congregations.

Scott and his wife, Carla, are celebrating 26 years of life-giving marriage, along with their five beautiful children.

Pastor Scott, we praise God for how your ministry has affected so many, and our legislative work is blessed by your prayers over us today.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. BUCSHON) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 27, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 27, 2017, at 6:33 p.m.:

That the Senate passed without amendment H.R. 3364.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five further

requests for 1-minute speeches on each side of the aisle.

200TH ANNIVERSARY OF COLONEL SYLVANUS THAYER

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

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the 200th anniversary of Colonel Sylvanus Thayer entering West Point as the fifth superintendent of the United States Military Academy.

Colonel Thayer served 16 years as superintendent and is remembered as the "Father of the Military Academy." He is responsible for innovations that evolved the Academy into the world's premier leader development institution. His character-based leadership education system set new standards that are still expected of all cadets today.

The current superintendent is General Bob Caslen, who carries on Colonel Thayer's traditions and instills the ideals of duty, honor, and country in our future leaders.

To that end, the West Point Class of 2017 just graduated, and I congratulate the 936 commissioned 2nd lieutenants of the United States Army as they take their place in the long gray line. The class of 2017 has just begun with 1,230 members beginning their West Point experience.

I thank Colonel Thayer and those who follow him for exhibiting courage and developing leaders of character in the defense of our country. With that, I say: Beat Navy.

REINTRODUCING THE SMART ENFORCEMENT ACT

(Ms. DELBENE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELBENE. Mr. Speaker, 26 States and the District of Columbia have legalized some form of marijuana, including my home State of Washington. Yet marijuana possession or use for any purpose is still prohibited under Federal law, leaving my constituents, including cancer patients, at risk of prosecution.

That is why today I am reintroducing the State Marijuana and Regulatory Tolerance Enforcement Act, the SMART Enforcement Act. My bill will fix the conflict between State and Federal law by giving States a waiver from the Controlled Substances Act.

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

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

It also resolves the banking issues currently forcing dispensaries to operate in an unsafe all-cash basis.

These waivers will ensure people in States that have different laws from the Federal Government on marijuana are protected from prosecution, provided they meet certain requirements, because people in these States should not live in fear of unpredictable actions from the Attorney General and the Department of Justice on this issue.

HONORING THE LIFE OF LARRY JEFF ELEY, SR.

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to honor Larry Jeff Eley, Sr., a friend and strong advocate for farmers, growers, and landowners in my home district. He passed away suddenly at the age of 71 on July 17.

He was well known in Greene County, Georgia, as a gentle giant and will be remembered for his love for his family and his tireless efforts as president of the Greene County Farm Bureau and his steadfast leadership in the Georgia Association of Conservation Districts.

Farming was Larry's life. He was a guiding force in the community, who actively worked with State and local leaders to foster and promote a better understanding of agriculture. He was a leading voice for Georgia's farmers. Larry's legacy will better ensure that our children and grandchildren will experience the same opportunities to enjoy the natural resources of Georgia's 10th Congressional District just as our parents and grandparents.

Mr. Eley is survived by his wife of nearly 50 years, Nancy, and their four children and their grandchildren. Dee Dee and I both extend our thoughts and prayers to the family during this time of bereavement.

Mr. Speaker, I am grateful to have known Larry and to witness his passion firsthand. I ask my colleagues to join me in recognizing his unyielding commitment to the State of Georgia and our agriculture community.

GIVING SMALL BUSINESS A BETTER DEAL

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

Ms. VELÁZQUEZ. Mr. Speaker, Donald Trump has now been President for 188 days, and despite the promises, his Republican-controlled Congress has not passed a single meaningful piece of job creation legislation.

Last night, we watched as Republicans failed in their latest effort to take healthcare from the American

people. Mr. Speaker, it is time, at last, to move on.

The American people are looking for real proposals to create jobs, increase wages, and strengthen our economy. They are looking for—and they deserve—a better deal.

As the ranking member of the Small Business Committee, almost every day I hear from entrepreneurs and small businesses who create jobs in our communities, and under Democratic plans, we will give them tools to further succeed.

We will offer small firms tax incentives to bring on and train new employees. We will invest in apprenticeship programs to help meet small businesses' workforce needs. We will expand internet access to fuel the next generation of innovation and e-commerce.

I ask my Republican colleagues, at long last, give up on this obsession with attacking America's healthcare. Instead, let us move forward with giving America's workers and small businesses a better deal.

AUTHORIZING THE E-VERIFY SYSTEM

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

Mr. LANCE. Mr. Speaker, I rise today in support of permanently authorizing the E-Verify system and requiring U.S. employers to use the system to ensure their employees are eligible to be working in the United States.

I am proud to be a partner with United States Senator GRASSLEY of Iowa in offering legislation to do so, entitled "The Accountability Through Electronic Verification Act."

E-Verify is a proven system for making sure job opportunities are for American workers. E-Verify is a deterrent against illegal immigration. Expanding it to new workplaces will make sure legal American workers are not shut out of employment.

There are 700,000 American businesses that successfully use the E-Verify system. There is no cost for the employer or employee to use E-Verify, and our legislation will make sure that there are no costs passed onto businesses, their employees, or to customers.

We should be considering practical solutions that remove incentives for illegal migration into the United States. We need E-Verify up and running, and we need all employers to participate to make it effective.

I urge cosponsorship and collaborations from both sides of the aisle to implement this effective policy.

CENTENNIAL ANNIVERSARY OF MELVIN HERBERT EVANS

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, it is with great pride that I speak on behalf of the centennial anniversary of the birth of the Honorable Melvin Herbert Evans.

This celebration of Governor Evans' 100th birthday is both timely and symbolic. Evans was born in 1917, months after the transfer of the Virgin Islands from Denmark to the United States, when locals had no citizen rights and no mechanism for which they could have their own elected representation.

A son of the soil, he was educated on St. Croix, valedictorian of his high school class on St. Thomas, and in 1944 earned his medical degree from Howard College of Medicine. He returned to St. Croix and was eventually Commissioner of Health of the Virgin Islands.

In 1969, Evans was appointed Governor of the Virgin Islands by President Richard Nixon, earning him the distinction of being the territory's last appointed governor, but more importantly, the territory's first Black native governor.

In 1971, he became the governor elected by the people of the Virgin Islands after a 1970 law which allowed residents to elect their governor.

In 1978, he was elected to the House of Representatives in the 96th Congress. And after leaving Congress, he was an Ambassador to Trinidad and Tobago.

Governor Evans personifies the evolution of the political maturity of the Virgin Islands. His life and legacy symbolized not only the extraordinary achievement of Virgin Islanders—given little but striving and attaining much under the American flag—but also the political growth and progress of our Islands from colonial rule to self-governance.

PRAISING PRO-ACT

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to praise the work of the Council of Southeast Pennsylvania. The council provides resources and opportunities to reduce the impact of addiction, trauma, and other health-related issues for the five counties in southeastern Pennsylvania through intervention, education, and mobilization.

Established in 1997 by the council, PRO-ACT works to provide advocacy and residence for those suffering from the terrible disease of addiction. Through workshops and peer advocacy meetings for afflicted individuals and families, addiction victims can get

back on their feet and learn necessary skills for both recovery and entering the workforce.

I am proud to work with my constituent, Executive Director Beverly Haberle, and her administrative team, Cindy Mikalauskas and Stacey Conway.

Mr. Speaker, I want to share the words of a man named Jim, who stated that, through PRO-ACT, "A fire was lit inside of me, my spirit rekindled by hope."

Recovery from addiction is difficult, and it is up to remarkable associations like the council to serve the southeastern Pennsylvania community and make sure that these people can successfully beat this devastating disease.

□ 0915

HONORING FOOTBALL PIONEER TOM FLORES

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

Mr. SOTO. Mr. Speaker, I am pleased to introduce a resolution for Tom Flores urging he be inducted into the Pro Football Hall of Fame.

Tom Flores had an outstanding and successful career, both as a quarterback and as a head coach. This resolution pays tribute to his inspiring athletic talents.

Flores became the first Hispanic starting quarterback in professional football history and played on two Super Bowl-winning teams. Also, he was the first Hispanic head coach to win two Super Bowls, a feat he accomplished on two separate teams, and he became the first Hispanic manager in the National Football League. He left with an impressive lifetime record and an 8-3 playoff record.

Tom has been a trailblazer for Hispanics in the NFL and has motivated a generation of new players by showing they can compete and win. Let's enter this trailblazer into the Hall of Fame.

CONGRESS SHOULD REMAIN IN WASHINGTON UNTIL A HEALTHCARE BILL IS PASSED

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to call upon the House leadership to not adjourn until we have a healthcare bill.

Respective committees need to meet and walk a new product through regular order. We know what will and will not work, given the voting prerogatives of the Members of this body and the Senate.

We understand the needs of our constituents, regardless of their voter registration.

We understand it is our job to navigate the complexities of this issue on behalf of the American people and come up with a product that makes good on promises that have been made to improve our healthcare system. This will take Republicans and Democrats.

Later this morning, I will be proud to once again gather with my colleagues, Republicans and Democrats alike, who are members of the Problem Solvers Caucus, part of no labels, to continue our work seeking a bipartisan solution to what has become, unfortunately, a partisan issue.

I stand ready to make good on these promises and suggest that we remain in Washington until that work is complete.

PROVIDING FOR CONSIDERATION OF S. 114, DEPARTMENT OF VET- ERANS AFFAIRS BONUS TRANS- PARENCY ACT

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 480 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 480

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H. Res. 480, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Rules Committee. The rule provides for consideration of S. 114, the Department of Veterans Affairs Bonus Transparency Act.

The rule provides for 1 hour of debate, equally divided between the chairman and ranking member of the Veterans' Affairs Committee. The rule also provides for a motion to recommit.

Mr. Speaker, we can all agree that our Nation's veterans are heroes. They deserve our support, gratitude, and recognition, and they deserve to have the promises we as a nation have made to them fulfilled. Unfortunately, far too often, we fall short of keeping those promises.

Everyone remembers the scandals that shook the Department of Veterans Affairs a few years ago, highlighting critical problems around the country and the need for greater accountability. In the wake of these crises of mismanagement and wrongdoing, Congress created the Veterans Choice Program in 2014 to provide veterans with better options to seek out timely, appropriate care from providers in their communities rather than wade through the outrageous lines, excessive wait times, and subpar medical care at Veterans Health Administration facilities.

The Choice Program isn't perfect, and my colleagues and I are working to fix that, but it has been a meaningful start and a path to quicker, more convenient care for our Nation's veterans. Without congressional action today, we risk leaving our heroes without Choice. That is not a risk I am willing to take.

VA Secretary Shulkin has estimated that more than 1 million veterans in the VA system use some Choice care, and that number is expected to increase this year. In fact, today, more than 30 percent of the VA appointments are made with private sector providers that have the capacity to relieve some of the burden on our servicemembers and the VA clinics. This year alone, more than 18 million appointments with private doctors have been authorized by the Department of Veterans Affairs.

If we fail to take action, these veterans will lose their ability to receive prompt care from Choice providers. We would be flooding the VA medical facilities with more patients, even as we know that many facilities are still overburdened and, in some cases, underperforming.

Let me be clear: This is not a doomsday prediction. This is not a Henny Penny moment or Hail Mary effort to pass an obscure bill. If Congress refuses to act today, the Choice Program will expire on August 15.

Chairman ROE has worked diligently to ensure that this does not happen. In the Senate, my friend and fellow Georgian, Senator JOHNNY ISAKSON, serves as chairman of the Veterans' Affairs Committee. He, too, has worked tirelessly to ensure our veterans continue to receive care by safeguarding the viability of the Choice Program.

I have to say, the two chairmen, Chairman ROE and Chairman ISAKSON, the body is really at a favor having those two men working, and the ranking members working alongside of them, in this process. So we are continuing to look forward to this bill passing, and many more things to come.

When we understand this, Mr. Speaker, I firmly believe that Chairman ROE and Chairman ISAKSON, along with their respective ranking member counterparts, Mr. WALZ and Mr. TESTER, are committed to making the existing system work better for veterans.

I also know that the Choice Program needs reform. However, we can't improve a program that doesn't exist. We must first protect what is good in hopes of making it better.

Today's underlying bill provides additional funds to extend the Choice Program for 6 months and provide a critical \$2.1 billion infusion of funds while we move forward with thoughtful, sustainable reforms.

I have proposed ideas to make those reforms, including the Expanding Access to Choice Act, which prevents bureaucracy at the VA from derailing a functioning Choice program. I authored that bill as a direct response to concerns that were raised by my constituents in northeast Georgia.

I am sure that many Members here today have similar experiences and have heard similar stories from their neighbors, and I am confident many Members want to fix this program. By supporting the rule and the underlying bill today, we are taking a step towards making that happen.

Secretary Shulkin told the Veterans' Affairs Committee that, without additional funding, veterans would wait longer to receive the healthcare that they deserve. That statement should elicit one thing from this body, Mr. Speaker, and that is action.

Yet there are those who would rather we shuffle down the road of inaction than stand for our veterans today, Mr. Speaker. There are some who claim Choice represents a move towards privatization and who have opposed the Choice Program from the beginning.

Let me set the record straight: We are not talking about privatizing the VA today. We are talking about sustaining a program that currently serves hundreds of thousands—if not millions—of veterans across the country. This bill is not about privatization. It is about breathing 6 months' more life into a program that enables

veterans to access care more efficiently and effectively.

This is not the time for partisan maneuvers. Our veterans—their very lives—are on the line, and we owe it to them to vote to move forward so that they receive the care we have promised them.

Mr. Speaker, I am currently in the Air Force Reserve, and I have completed a tour earlier in Iraq. I have witnessed our Armed Forces' display of heroism, and I believe their actions deserve recognition. This bill doesn't repay the debt or gratitude we owe our veterans, but it brings us closer to fulfilling our promises by meeting their needs.

The underlying bill authorizes multiple major medical facility leases, including a lease for a facility in Pike County, Georgia. In addition, S. 114 enhances the recruitment, retention, and training of the VA workforce through a number of measures, including encouraging servicemembers with health-related occupational specialties to seek employment at the Veterans Health Administration and expanding hiring authority in the case of severe shortages of qualified healthcare personnel candidates.

Mr. Speaker, preserving the Choice Program and the access to community care options that it provides is critical. I agree that we can make this program better, but we have to provide a path to do that.

Already, I have heard from veterans in my district who say clinics are raising concerns about the availability of funds for Choice. We must address this issue today, and we must uphold our promises to America's veterans.

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

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

For me, this morning, July 28, could be the beginning of a new spirit in the House of Representatives because of what happened last night in the Senate. Since we are talking about healthcare for veterans, I want to just take a moment to talk about healthcare for all Americans.

Last night, we saw a remarkable thing happen. We have had a poisonous atmosphere around healthcare in the United States for the past 7 years. We are the last industrial country on the planet to provide healthcare for the people who count on us for that kind of help and support. We can now give that up.

I hope we can take the majority leader at his word that he sees no further use in trying to beat this bill to death and that we can work together to improve it and get on to other things which we are so in need of.

But I do want to say that I appreciate very much the votes last night. I think Senator MCCAIN showed, once

again, that he is America's hero. And Senators MURKOWSKI and COLLINS certainly are heroines of mine and I think let us know that women in positions of power can be counted on.

So, yesterday, in the Rules Committee, the majority passed a martial law rule granting themselves fast-track authority so they could get anything through, which I think scared even the Senate.

I read some news reports claiming this was a major victory. It was not a victory for either side fighting viciously over how we want healthcare to be given to our citizens, but it was certainly a victory for the American people, hundreds of whom stood last night here on the Capitol Grounds outside of the Senate begging to be able to continue their healthcare.

Imagine somebody with cancer, going through all of the pain and agony they have to go through, and wondering every day what in the world we are going to do here. Are they going to be left without healthcare, left without care that they can afford?

So I think, without a doubt, this is a good morning for all of us who are in the Congress of the United States to get together and to do better work. And I know of no agency, frankly, that needs more attention than the Veterans Administration.

My personal experience with them has been somewhat like Whack-a-Mole: we think we have something settled and then suddenly we don't. We have to be advocates for every veteran in our district, directly to the VA, personally, oftentimes simply to get the most simple kind of treatment done for our veterans.

It is my wholehearted wish, and has been for some time, that we will get the Veterans Administration out of the building business, where they are abysmal failures, and let them concentrate on healthcare for veterans, which is their number one issue.

I am very pleased—and let me echo what my colleague, Mr. COLLINS, said—with leadership both in the House and the Senate running the Veterans' Affairs Committees now. Dr. ROE has been an exemplary friend to all of us and understands exactly what we are doing.

So I think this is important, as Mr. COLLINS has pointed out. Veterans Choice has not been very popular in my district. It is so complicated and so complex that it takes a lot of hand-holding even to use it.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I am here to support House Resolution 480 that allows for consideration of the Veterans Choice Act.

For a while there, I was confused. I wasn't sure what we were talking

about there. I thought we were here talking about the Veterans Choice Act.

Mr. Speaker, I am proud to support the Veterans Choice Act. Our veterans selflessly answer the call to protect our families, our communities, and all that we hold dear. We can never repay our veterans for that sacrifice. But our country, this government, made our veterans a promise to care for them. Mr. Speaker, if we do not act today, we will breach that promise by denying healthcare benefits to those veterans who access it through the Choice Program.

This bill will provide \$2 billion for the Choice Program. Without this step, the Choice fund will be depleted by mid-August. VA Secretary Shulkin has made it clear that community programs are unable to care for veterans who need them if the Choice Program is eliminated.

Sometimes it astonishes me how it is that we wait until the last minute here to address problems like this.

Millions of America's veterans rely on the Choice Program. That is millions of promises we break if we fail to pass this legislation today. We cannot allow these funds to run out and leave our veterans without access to care.

Contrary to critics, today's debate is not about whether to privatize the VA. Secretary Shulkin has openly said numerous times that he has no plans to privatize the Veterans Administration.

Beyond that, today's debate is about people. It is about veterans who already use the Choice Program who would lose access to care if we do not pass this legislation. It is about allowing veterans choice.

□ 0930

Let's not play politics with our veterans. Over the course of the week, the VA Choice and Quality Employment Act has been improved with amendments. It would improve the hiring at the VA by enhancing recruitment, retention, and training of the VA workforce, but to those who continue to have concerns about veterans' choice, I ask we not let perfect be the enemy of good.

I have learned in life nothing is ever perfect. Lord knows I have learned that in business. I have certainly found that to be true about legislation during my short time here in Congress.

Mr. Speaker, the clock is ticking. We must not allow it to run out and default on the promises we made to veterans. We need to act today.

Mr. COLLINS of Georgia. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

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

Mr. Speaker, I am pleased to support the underlying bill we will be voting on today. I wish I were able to say that more often.

The bill will fund the Department of Veterans Affairs Choice Program for 6

months and authorize a number of leases for major medical facilities throughout the country, and I echo its major importance.

The next rule we will be considering contains martial law authority that will allow the majority to bring up any bill they want with hardly any notice at all, and I hope we will not use that.

It has been a long week. Let's end it on a bipartisan note with a strong vote in support of this bill before us to help veterans across America.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I would just again reiterate the point of the discussion that this is something we need to take up today. This is not about the peripheral discussions going on concerning Choice, privatization, and other things that have derailed this discussion. I want to see this move forward so we can continue to have viable discussions on Choice, but I would also be remiss, Mr. Speaker, if I did not at least address the discussion. The gentlewoman from New York, who I have the greatest respect for, has her opinion; I have mine as well.

I do not believe what happened last night in the Senate was, in her words, heroic. I believe it was basically a failure. It was a failure of process. What happened last night was not anything except the stopping of a process that could have included Democrats and Republicans in a conference committee, and it was chosen not to move forward. That is the reason we come to this place, is to move forward.

I think when we look at this, the disaster that is ObamaCare, and the reasons that we are now keeping it, and that the healthcare measure has failed, it brings the question to my mind, for the ones who have been helped, and I have never, from this podium or anywhere else, denied that there were many with preexisting conditions and other issues who found help, but, if we remember the promise, the promise was to cover all uninsured. It came nowhere close. The promise was, you can keep your doctor if you liked him, you can keep your plan if you liked it. The promise was that your premiums would go down, and the premiums have gone up.

So for all the supporters, then come to maybe my district or other districts and address those people who have lost their insurance, address those people whose premiums have gone up, address the people like the young lady in Chicago who did get on the ObamaCare exchanges, had a premium that was subsidized, but when she realized that she couldn't afford the deductible, she said: I might as well have not had it.

It is one thing to discuss this in grand terms, it is another to see the result in our system. To talk about the

nominal positives against the crushing negatives is not a victory.

So I think we move forward. Today, we have a chance to move forward on Choice, today we have a chance to move forward and look ahead, but I at least say, from this Member's perspective, I don't forget. I understand what I have heard for 7 years.

It has been said many times that the current bill is actually gaining in popularity. Well, I just simply point you to the only polls that have really mattered over the last 7 years, and those are elections, and every time there was an election and this issue was up, ObamaCare lost. I am not sure how you can continue to support, with any kind of a straight face, that kind of abject failure.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3180, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2018; WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 31, 2017, THROUGH SEPTEMBER 4, 2017

Ms. CHENEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 481 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 481

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3180) to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit with or without instructions.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the

same day it is presented to the House is waived with respect to any resolution reported through the legislative day of August 1, 2017.

SEC. 3. On any legislative day during the period from July 31, 2017, through September 4, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 7. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

The SPEAKER pro tempore. The gentlewoman from Wyoming is recognized for 1 hour.

Ms. CHENEY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. CHENEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Mr. Speaker, I rise today in support of House Resolution 481, which provides a closed rule for consideration of H.R. 3180, the Intelligence Authorization Act for Fiscal Year 2018.

Mr. Speaker, there is nothing we do in this body that is more important than actions we take for the defense of our Nation. We now face a more complex array of threats than we have at any time since the end of World War II.

North Korea continues to test ballistic missiles, has successfully tested an ICBM, and is continuing to move rapidly towards achieving the capability to strike U.S. soil.

A resurgent Russia is imposing its will across Europe, occupies Crimea, and is now using its military to support the Assad regime in Syria.

China is increasingly belligerent, continues to expand the size of its military and create bases on artificial islands in the South China Sea.

And Iran, Mr. Speaker, continues to work on its ballistic missile program and expand its influence as it supports terror across the Mediterranean and the larger Middle East.

Terrorist groups like al-Qaida and ISIS continue to carry out attacks across the West and threaten the United States.

We have seen a dramatic increase in tensions on the Temple Mount, Mr. Speaker, in just the last few weeks, and we have men and women in uniform deployed around the globe fighting to defend our Nation.

Our intelligence community plays a crucial role in ensuring our decision-makers and our warfighters have the information they need to keep our Nation secure.

H.R. 3180 provides the intelligence community with the authorization it needs to continue working to protect and defend the United States, supports critical national security programs, such as those protecting Americans against terrorism, cyber attacks, and hostile foreign nations. The bill maintains critical congressional oversight of the activities of the intelligence community, and the bill makes no changes to any surveillance authorities, including those set to expire, which we will take up later this year in legislation separate from this bill.

Mr. Speaker, as you know, earlier this week, H.R. 3180 was considered under suspension of the rules, which is not at all uncommon for bills, like this one, that receive unanimous bipartisan support in committee.

While the bill received well over 50 percent of the votes of the House, it did not achieve the required two-thirds majority to pass under suspension, which is why we are here today debating this rule.

A large portion of this bill, Mr. Speaker, is understandably, as it should be, classified, which requires Members of this body to review the bill in the SCIF.

I want to personally thank members of the Intelligence Committee and their staff for facilitating that process and making it so easy for Members of this House to undertake. A bipartisan notice was sent out, provided to Members, informing us of the availability of the text for review. And the text, Mr. Speaker, was available for 10 days, twice as long as last year's bill.

My staff simply had to call and inform the committee that I would like to review the bill, and the committee asked when I would be available, and they made sure that a member of the committee staff was also there to answer any questions I had.

The process itself was seamless, was very easy, and was facilitated by the members of the Intelligence Committee staff.

Mr. Speaker, this is a good and important bill. It supports the men and

women in our intelligence community and the work they do to keep us safe. This is not an issue we should politicize or subject to partisan debate.

The intelligence community plays a critical role in the defense of our Nation, and we need to support them, Mr. Speaker, by supporting this bill. Therefore, I urge support for the rule to allow consideration of H.R. 3180.

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

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

Mr. Speaker, I thank the gentlewoman from Wyoming (Ms. CHENEY) for yielding me the customary 30 minutes for debate, and I rise to debate the rule for H.R. 3180, the Intelligence Authorization Act for Fiscal Year 2018.

I was somewhat dismayed earlier this week when my friends across the aisle attempted to jam today's bill through this body by jettisoning regular order and bringing the bill up under suspension.

Luckily, we can add this shortsighted attempt at governing to their long list of legislative failures. And although I may be pleased that their suspension shenanigans failed, my frustration was born anew when we were informed that the bill would come to the floor under yet another closed rule.

This is all bad enough, and I will come back to it in a moment, but first we need to discuss the blanket martial law provision that my friends on the other side put into this rule.

This move, especially when considered in the context of those mentioned above, truly elevated poor governing to an art form.

□ 0945

I want the American people, Republican and Democrat and Independents alike, to be crystal clear on what is happening here today. By putting a blanket martial law provision into this rule, my friends across the aisle were trying to make it as easy as possible for them to pass a healthcare bill that they had never seen. The bill would have surely ripped healthcare away from millions of Americans and unceremoniously upended one-sixth of our economy.

Thankfully, Senators COLLINS, MURKOWSKI, and MCCAIN, and tens of thousands of regular Americans-turned-activists ensured that this effort failed.

Since day one, the approach of my colleagues on the other side of the aisle on healthcare or, for that matter, any number of other important issues has been horrendous. It has been rushed; it has been secretive; it has been chaotic; and it has been inspired by the desire for a cheap win rather than the desire to make our healthcare system stronger and more widely available to all Americans.

Truly, whether it is healthcare, veterans, or the authorization of funding

for something as important as our intelligence community, the approach leaves some of us bewildered, dismayed, and gravely concerned for the well-being of our country.

Indeed, when discussing something as important as the authorization for funding for the intelligence community, we ought to proceed in a manner that allows all Members of this body the opportunity to weigh in with their concerns. This closed process does a disservice not only to those of us who do not sit on the committee of jurisdiction, but also the intelligence community and the American people.

As an example, when I did sit on this committee, I was vice chair of the House Permanent Select Committee on Intelligence, and I worked diligently to ensure that minorities were given equal opportunity to break into the upper ranks of the intelligence community.

Since leaving that committee, I have continued this important work and introduced an amendment to a previous iteration of the underlying bill that called for the Director of National Intelligence to put forth a plan that would encourage diversity hires throughout the intelligence community. Frustratingly, I am stripped of such an opportunity today because of the Republican leadership's unyielding devotion to perpetuating a closed process.

Additionally, the gentlewoman from Texas (Ms. JACKSON LEE), my friend, has also offered amendments to the underlying bill in the past that call for an increase in the recruitment and training of minorities as officers and employees of the Central Intelligence Agency. She, like the majority of our colleagues, will not be afforded a similar opportunity this time around.

This is troublesome because diversity is a mission imperative for the intelligence community. Not only do we need to see minorities have more opportunities to climb the ranks, but we also need to recruit Americans who will be able to blend in, speak foreign languages, and understand the cultures in countries that are now central to our foreign policy interests.

At the end of the day, such diversity is achieved through the hiring process, and, therefore, we need to ensure that we are hiring Arab Americans, Iranian Americans, Pakistani Americans, Chinese Americans, Korean Americans, women, gays, and many other Americans from diverse backgrounds as we confront a myriad of threats and work harder to better understand our adversaries, wherever they may lurk. We do not seek this diversity in the name of political correctness but, rather, in the name of national security. As I have said before, if the intelligence community is to succeed in its global mission, it must have a global face.

I have no doubt that scores of Members would like to have offered amend-

ments addressing the issues I have just mentioned as well as many other issues that are of particular concern to them and their constituents. Unfortunately, under this rule, they will not be afforded such an opportunity today.

Those who work in the intelligence community serve our country faithfully and bravely, knowing that they will never receive the public recognition they so richly deserve. In fact, they have served and continue to serve knowing that not only will they not receive well-earned accolades, but that they will, upon occasion, have to endure unfounded and offensive statements from this administration. These statements began before the current administration even moved in down Pennsylvania Avenue.

I quote the following from the administration's, President's, Twitter account: "Intelligence agencies should never have allowed this fake news to 'leak' into the public. One last shot at me. Are we living in Nazi Germany?"

I find that shameful and absolutely unfounded in making such a statement. Comparing these brave and patriotic Americans to Nazis? You really have to be kidding me.

As a former member of HPSCI, I will not sit idly by while anyone maligns the honorable work these proud Americans do day in and day out to protect our country. But it seems that, with this closed process and their continued support of President Donald John Trump, even as he slowly erodes the foundation of our democracy one tweet at a time, is exactly what my friends and the Republican Congress are doing.

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

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

My colleague from Florida, with whom I have had the privilege of spending many hours in the Rules Committee debating this and a range of other issues, raised a number of points I think that are important to clarify.

First of all on the issue of minority recruitment, last night, in the Rules Committee, in open session, Chairman NUNES was asked about this, and he testified very clearly and directly that diversity is very important, that it is mission-critical for the reasons that my colleague from Florida stated.

I can report that there are several provisions in the classified annex—I won't go into the details about them—with which my colleague may or may not be familiar that support the whole notion of Centers of Academic Excellence, which are particularly focused on recruiting young people, recruiting minorities and young people across the board for service in the intelligence community.

We tend, in these rule discussions, Mr. Speaker, to have a lot of arguments and criticism of procedure. The Democrats this morning seem to be

particularly concerned about our same-day authority. But I would just note, Mr. Speaker, I am certainly confident that my constituents who are watching this—and, I would say, probably most Americans watching—would understand the importance of the House of Representatives getting its work done in a timely manner. And certainly, when it comes to healthcare, the arguments and the criticism from the other side of the aisle lose a little bit of their credibility when they simultaneously attack the Republicans for moving too slowly and then also for moving too quickly.

What I can tell you is we are debating hugely important issues and hugely important topics. We are absolutely committed to repealing and replacing ObamaCare. It is a system that is collapsing. It is a system that has devastated the lives of people across this country. It is a system that has driven premiums and deductibles through the roof. It has absolutely limited people's choice in terms of insurance plans, in terms of healthcare providers. It is a system that is failing.

We have seen the Democrats' fundamental approach was a government mandate and their attempt to force people across this Nation to buy health insurance. They thought that, through a government mandate, they would be able to force young people into these insurance pools and, therefore, drive the cost down. That is not what happened. It didn't work.

We know we have got to put in place a system that will be able to provide people the kind of care that they need, access, as well as lowering the cost and increasing availability. So there are a whole range of very important substantive efforts going on.

I think that it is clear that the folks on the other side of the aisle don't support the direction we are going in, may not support the policy, but the people across this Nation—certainly, in my home State of Wyoming—spoke very clearly last November that they wanted a change, that they wanted to see the government reduce its role in their lives, and that they wanted to see us begin the process of building our military, rebuilding what has been lost over the course of the last 8 years, as well as rebuilding the facilities and the capabilities of our intelligence community, and that is exactly what this bill does. That is exactly what we are here doing this morning.

Mr. Speaker, I think that is why it is so important that my colleagues support this rule, that we provide the authority that the intelligence community needs through this bill to continue to do its important work to keep us safe.

I reserve the balance of my time.

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

The brazen and reckless manner in which this bill was first brought to the

floor is evidence that my friends across the aisle have still not figured out how to govern. The learning curve may be steep, but it is not that steep.

Quite simply, my friends, it is time for you to start governing responsibly, not with closed rules and martial law, without hearings, and without CBO scores, but through regular order, with an opportunity for all Members and, through them, their constituents to take part in legislating. The White House may be in chaos, but that is no reason for the House to legislate in a similar manner.

For the good of the country, we must return to regular order. We must work to ensure that those serving in the intelligence community are able to do their best work, to do it as safely as possible, and to do it knowing that they will receive the respect they deserve from all branches of their government. I worry that they, increasingly, do not receive this respect, and that this disrespect, should it continue, will make it more difficult for us to retain and recruit the talent we so desperately need to protect our national security.

Of course, the intelligence community is only one part of our national security apparatus. The men and women in our military are an equally important part of maintaining our national security. And, unfortunately, we learned just yesterday that these brave servicemembers are not immune from baseless attacks from the administration.

It was announced, on the 69th anniversary of President Truman's issuing an executive order that desegregated the Armed Forces, that transgender servicemembers would no longer be able to serve in the military. Were these individuals, numbering between 10,000 and 15,000, banned because they are not brave, because they are not patriotic, because they are incapable of meeting the rigorous requirements of being in the military? No, they have been banned because bigotry defeated decency yesterday, and they have been banned because of who they are.

As I mentioned the other evening, I had three uncles who were in the Army. They served proudly. They served bravely. They served in a segregated Army. Two of them received purple hearts.

□ 1000

It was a great offense that they had to serve in a segregated Army in which they were made to feel that somehow their bravery, their patriotism, and their devotion to their brothers in arms was somehow less because of the color of their skin.

President Truman knew this was wrong, and he ended it. Simply put, President Truman knew then what our current President is incapable of understanding today: the strength of our

military is not found in the race or the religion or the creed or the sex or the gender identity of its servicemembers, but rather in the bravery and honor exhibited by these individuals on a daily basis. They, like all of us here today, are proud citizens of this country. They, like all of us here today, are God's children. I thank them for their service to our Nation.

Mr. Speaker, I urge a "no" vote on the rule, and I yield back the balance of my time.

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

Mr. Speaker, House Resolution 481 and the underlying bill, H.R. 3180, ensure the men and women of our intelligence community have the tools and the resources they need to continue the vital role they play in helping us address the threats facing our Nation.

I do want to point out, Mr. Speaker, my colleague is accusing the Republicans of being brazen and reckless because of our same-day rulemaking authority. I would only note that in the 11th Congress, when they were in the majority, they enacted this process 26 times; in the 110th Congress, 17 times.

It is an important ability for us to have when we know we might need to move quickly on something. As a member of the Rules Committee, I am committed to ensuring we do everything possible to make sure that we are able to bring bills to this floor that carry out the kind of changes and improvements that the people of this Nation sent us all here to undertake.

I was really disappointed, Mr. Speaker, earlier this week when this bill was defeated under suspension of the rules. There are many things that are partisan issues in this body, and it is too bad when the minority uses the Intelligence Authorization bill as part of a political stunt to make what should be a bipartisan process and a bipartisan committee appear partisan.

The bill, H.R. 3108, received unanimous support in committee, and I certainly hope today, Mr. Speaker, that the minority members of that committee, and frankly all on the minority side who understand the importance of the intelligence community in keeping our Nation safe, will put aside the partisanship, will put aside the games that the American people are so tired of, and will join me in supporting a good, effective, and important bill, that, frankly, the minority members in the Intelligence Committee worked very hard to help craft.

Mr. Speaker, I urge adoption of both the rule and H.R. 3180.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 186, not voting 23, as follows:

[Roll No. 436]

YEAS—224

Abraham	Gibbs	Noem
Aderholt	Gohmert	Norman
Allen	Goodlatte	Nunes
Amodei	Gosar	Olson
Arrington	Gowdy	Palazzo
Babin	Granger	Palmer
Bacon	Graves (GA)	Paulsen
Banks (IN)	Graves (LA)	Pearce
Barletta	Griffith	Perry
Barr	Grothman	Pittenger
Barton	Guthrie	Poe (TX)
Bergman	Handel	Poliquin
Biggs	Harper	Posey
Bilirakis	Harris	Ratcliffe
Bishop (MI)	Hartzler	Reed
Bishop (UT)	Hensarling	Reichert
Black	Herrera Beutler	Renacci
Blackburn	Hice, Jody B.	Rice (SC)
Blum	Higgins (LA)	Roby
Bost	Hill	Roe (TN)
Brady (TX)	Holding	Rogers (AL)
Brat	Hudson	Rogers (KY)
Bridenstine	Huizenga	Rohrabacher
Brooks (AL)	Hultgren	Rokita
Brooks (IN)	Hurd	Rooney, Francis
Buchanan	Issa	Ros-Lehtinen
Buck	Jenkins (KS)	Ross
Bucshon	Jenkins (WV)	Rothfus
Budd	Johnson (LA)	Rouzer
Burgess	Johnson (OH)	Royce (CA)
Byrne	Johnson, Sam	Russell
Calvert	Jordan	Rutherford
Carter (GA)	Joyce (OH)	Sanford
Carter (TX)	Katko	Schweikert
Chabot	Kelly (MS)	Scott, Austin
Cheney	Kelly (PA)	Sensenbrenner
Coffman	King (IA)	Sessions
Cole	Kinzinger	Shimkus
Collins (GA)	Knight	Shuster
Comer	Kustoff (TN)	Simpson
Comstock	Labrador	Smith (MO)
Conaway	LaHood	Smith (NE)
Cook	LaMalfa	Smith (NJ)
Costa	Lamborn	Smith (TX)
Cramer	Lance	Snucker
Crawford	Latta	Stefanik
Culberson	Lewis (MN)	Stewart
Curbelo (FL)	LoBiondo	Stivers
Davidson	Long	Taylor
Davis, Rodney	Loudermilk	Tenney
Denham	Love	Thompson (PA)
Dent	Lucas	Thornberry
DeSantis	Luetkemeyer	Tiberi
DesJarlais	MacArthur	Tipton
Diaz-Balart	Marchant	Trott
Duffy	Marino	Turner
Duncan (SC)	Marshall	Upton
Duncan (TN)	Mast	Valadao
Dunn	McCarthy	Wagner
Emmer	McCaul	Walberg
Estes (KS)	McClintock	Walden
Farenthold	McHenry	Walker
Faso	McKinley	Walorski
Ferguson	McMorris	Walters, Mimi
Fitzpatrick	Rodgers	Weber (TX)
Fleischmann	McSally	Wenstrup
Flores	Meadows	Westerman
Fortenberry	Meehan	Williams
Fox	Messer	Wilson (SC)
Franks (AZ)	Mitchell	Wittman
Frelinghuysen	Moolenaar	Womack
Gaetz	Mooney (WV)	Woodall
Gallagher	Mullin	Yoder
Garrett	Murphy (PA)	Yoho
Gianforte	Newhouse	Young (IA)

NAYS—186

Adams	Bishop (GA)	Brown (MD)
Aguilar	Blumenauer	Brownley (CA)
Amash	Blunt Rochester	Bustos
Barragán	Bonamici	Butterfield
Beatty	Boyle, Brendan	Capuano
Bera	F.	Carbajal
Beyer	Brady (PA)	Cárdenas

Carson (IN)	Jayapal	Perlmutter
Cartwright	Jeffries	Peters
Castor (FL)	Johnson (GA)	Peterson
Castro (TX)	Johnson, E. B.	Pingree
Chu, Judy	Jones	Pocan
Cicilline	Kaptur	Polis
Clark (MA)	Keating	Price (NC)
Clarke (NY)	Kelly (IL)	Quigley
Cleaver	Kennedy	Raskin
Clyburn	Khanna	Rice (NY)
Cohen	Kihuen	Rosen
Connolly	Kildee	Roybal-Allard
Cooper	Kilmer	Ruiz
Correa	Kind	Ruppersberger
Courtney	Krishnamoorthi	Rush
Crist	Kuster (NH)	Ryan (OH)
Crowley	Langevin	Sánchez
Cuellar	Larsen (WA)	Sarbanes
Davis (CA)	Larson (CT)	Schakowsky
Davis, Danny	Lawrence	Schiff
DeFazio	Lawson (FL)	Schneider
DeGette	Lee	Schrader
Delaney	Levin	Scott (VA)
DeLauro	Lewis (GA)	Scott, David
DeBene	Lieu, Ted	Serrano
Demings	Lipinski	Sewell (AL)
DeSaulnier	Loeb sack	Shea-Porter
Deutch	Lofgren	Sherman
Dingell	Lowenthal	Sinema
Doggett	Lowe y	Sires
Doyle, Michael F.	Luján, Ben Ray	Slaughter
Ellison	Lynch	Smith (WA)
Eshoo	Maloney,	Soto
Espallat	Carolyn B.	Speier
Esty (CT)	Maloney, Sean	Suo zzi
Evans	Massie	Swalwell (CA)
Foster	Matsui	Takano
Frankel (FL)	McCollum	Thompson (CA)
Fudge	McEachin	Thompson (MS)
Gabbard	McGovern	Titus
Gallo	McNerney	Tonko
Garamendi	Meeks	Torres
Gomez	Meng	Tsongas
Gonzalez (TX)	Moore	Vargas
Gottheimer	Moulton	Veasey
Green, Al	Murphy (FL)	Vela
Green, Gene	Nadler	Velázquez
Grijalva	Neal	Visclosky
Hanabusa	Nolan	Walz
Hastings	Norcross	Wasserman
Heck	O'Halleran	Schultz
Higgins (NY)	O'Rourke	Watson Coleman
Himes	Pallone	Welch
Hoyer	Panetta	Wilson (FL)
Huffman	Pascrell	Yarmuth
Jackson Lee	Payne	
	Pelosi	

NOT VOTING—23

Bass	Gutiérrez	Rooney, Thomas J.
Clay	Hollingsworth	Roskam
Collins (NY)	Hunter	Scalise
Conyers	King (NY)	Waters, Maxine
Costello (PA)	King (NY)	Webster (FL)
Cummings	Lujan Grisham,	Young (AK)
Donovan	M.	Zeldin
Engel	Napolitano	
Graves (MO)	Richmond	

□ 1027

Messrs. SUOZZI and HOYER changed their vote from “yea” to “nay.”

Mr. FERGUSON changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1030

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE SECRETARY OF THE TREASURY

Mr. HENSARLING, from the Committee on Financial Services, submitted an adverse privileged report (Rept. No. 115-265) on the resolution (H.

Res. 442) of inquiry directing the Secretary of the Treasury to provide certain documents in the Secretary's possession to the House of Representatives relating to President Trump's financial connections to Russia, certain illegal financial schemes, and related information, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

GENERAL LEAVE

Mr. ROE of TENNESSEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material in the RECORD on S. 114, as amended.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, pursuant to House Resolution 480, I call up the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 480, the amendment in the nature of a substitute printed in House Report 115-262, shall be considered as adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “VA Choice and Quality Employment Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—APPROPRIATION OF AMOUNTS FOR VETERANS CHOICE PROGRAM

Sec. 101. Appropriation of amounts for Veterans Choice Program.

TITLE II—PERSONNEL MATTERS

Sec. 201. Modification to annual determination of staffing shortages in Veterans Health Administration.

Sec. 202. Establishment of Department of Veterans Affairs Executive Management Fellowship Program.

Sec. 203. Accountability of leaders for managing the Department of Veterans Affairs.

Sec. 204. Reemployment of former employees at Department of Veterans Affairs.

Sec. 205. Promotional opportunities for technical experts at Department of Veterans Affairs.

Sec. 206. Employment of students and recent graduates by Department of Veterans Affairs.

Sec. 207. Encouragement of transition of military medical professionals into employment with Veterans Health Administration.

Sec. 208. Recruiting database at Department of Veterans Affairs.

Sec. 209. Training for human resources professionals of Veterans Health Administration on recruitment and retention.

Sec. 210. Plan to hire directors of medical centers of Department of Veterans Affairs.

Sec. 211. Exit surveys at Department of Veterans Affairs.

Sec. 212. Requirement that physician assistants employed by the Department of Veterans Affairs receive competitive pay.

Sec. 213. Expansion of direct-hiring authority for Department of Veterans Affairs in case of shortage of highly qualified candidates.

Sec. 214. Comptroller General of the United States assessment of succession planning at Department of Veterans Affairs.

TITLE III—MAJOR MEDICAL FACILITY LEASES

Sec. 301. Authorization of certain major medical facility leases of the Department of Veterans Affairs.

Sec. 302. Authorization of appropriations for medical facility leases.

TITLE IV—OTHER MATTERS

Sec. 401. Extension of reduction in amount of pension furnished by Department of Veterans Affairs for certain veterans covered by medicare plans for services furnished by nursing facilities.

Sec. 402. Extension of requirement for collection of fees for housing loans guaranteed by Secretary of Veterans Affairs.

Sec. 403. Extension of authority to use income information.

TITLE I—APPROPRIATION OF AMOUNTS FOR VETERANS CHOICE PROGRAM

SEC. 101. APPROPRIATION OF AMOUNTS FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated, \$2,100,000,000 to be deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note).

(b) AVAILABILITY.—The amount appropriated under subsection (a) shall remain available until expended.

TITLE II—PERSONNEL MATTERS

SEC. 201. MODIFICATION TO ANNUAL DETERMINATION OF STAFFING SHORTAGES IN VETERANS HEALTH ADMINISTRATION.

Section 7412(a) of title 38, United States Code, is amended—

(1) by striking “the five occupations” and inserting “at a minimum, the five clinical occupations and the five nonclinical occupations”; and

(2) by striking “throughout the Department” and inserting “with respect to each medical center of the Department.”.

SEC. 202. ESTABLISHMENT OF DEPARTMENT OF VETERANS AFFAIRS EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM.

(a) FELLOWSHIP PROGRAM.—Chapter 7 of title 38, United States Code, is amended by

adding at the end the following new subchapter:

"SUBCHAPTER III—EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM
"§ 741. Executive Management Fellowship Program

"(a) FELLOWSHIP PROGRAM.—There is in the Department an Executive Management Fellowship Program. The purpose of the program shall be to provide—

"(1) eligible employees of the Veterans Benefits Administration and the Veterans Health Administration with training and experience in the private sector; and

"(2) eligible employees of a private-sector entity with training and experience in the Department of Veterans Affairs.

"(b) FELLOWSHIP.—(1) A fellowship provided under this section is a 1-year fellowship during which—

"(A) with respect to a Department participant, the participant receives training and experience at a private-sector entity that is engaged in the administration and delivery of health care or other services similar to the benefits administered by the Secretary; and

"(B) with respect to a private-sector participant, the participant receives training and experience at the Veterans Benefits Administration or the Veterans Health Administration.

"(2) The Secretary shall enter into such agreements with private-sector entities as are necessary to carry out this section.

"(c) SELECTION OF RECIPIENTS.—(1) In August of each year, the Secretary shall select—

"(A) not fewer than 18 and not more than 30 eligible employees of the Veterans Benefits Administration and the Veterans Health Administration to receive a fellowship under this section; and

"(B) not fewer than 18 and not more than 30 eligible employees of private-sector entities to receive a fellowship under this section.

"(2) To the extent practicable, the Secretary shall select eligible employees under subparagraphs (A) and (B) of paragraph (1) from among eligible employees who are veterans in a manner that is reflective of the demographics of the veteran population of the United States and that whenever practicable provides a preference to such employees who represent or service rural areas.

"(d) ELIGIBLE EMPLOYEES.—For the purposes of this section, an eligible employee is—

"(1) with respect to an employee of the Veterans Benefits Administration or the Veterans Health Administration, an employee who—

"(A) is compensated at a rate of basic pay not less than the minimum rate of basic pay payable for grade GS-14 of the General Schedule and not more than either the minimum rate of basic pay payable to a member of the Senior Executive Service under section 5382 of title 5 or the minimum rate of basic pay payable pursuant to chapter 74 of this title, as the case may be;

"(B) enters into an agreement with the Secretary under subsection (e); and

"(C) submits to the Secretary an application containing such information and assurances as the Secretary may require; and

"(2) with respect to an employee of a private-sector entity, an employee who—

"(A) is employed in a position whose duties and responsibilities are commensurate with an employee of the Department described in paragraph (1);

"(B) enters into an agreement with the Secretary under subsection (e); and

"(C) submits to the Secretary an application containing such information and assurances as the Secretary may require.

"(e) AGREEMENTS.—(1) An agreement between the Secretary and a Department participant shall be in writing, shall be signed by the participant, and shall include the following provisions:

"(A) The Secretary's agreement to provide the participant with a fellowship under this section;

"(B) The participant's agreement—

"(i) to accept the fellowship;

"(ii) after completion of the fellowship, to serve as a full-time employee in the Veterans Benefits Administration or the Veterans Health Administration for at least 2 years as specified in the agreement; and

"(iii) that, during the 2-year period beginning on the last day of the fellowship, the participant will not accept employment in the same industry as the industry of the private-sector entity at which the participant accepts the fellowship.

"(C) A provision that any financial obligation of the United States arising out of an agreement entered into under this subchapter, and any obligation of the participant which is conditioned on such agreement, is contingent upon funds being appropriated.

"(D) A statement of the damages to which the United States is entitled under this subchapter for the participant's breach of the agreement.

"(E) Such other terms as the Secretary determines are required to be included in the agreement.

"(2) An agreement between the Secretary and a private-sector participant shall be in writing, shall be signed by the participant, and shall include the following provisions:

"(A) The Secretary's agreement to provide the participant with a fellowship under this section.

"(B) The participant's agreement to accept the fellowship.

"(C) Such other terms as the Secretary determines are required to be included in the agreement.

"(f) TREATMENT OF RECIPIENTS.—(1) A Department participant shall be considered an employee of the Department for all purposes, including for purposes of receiving a salary and benefits, and shall remain eligible for all promotion and incentive programs otherwise available to such an employee.

"(2) A private-sector participant shall be considered an employee of the private-sector entity that employs the participant for all purposes, including for purposes of receiving a salary and benefits, and during the fellowship shall be treated as a contractor of the Department.

"(g) REPORTS.—(1) Not later than 60 days after completing a fellowship under this section, a recipient of the fellowship shall submit to the Secretary a report on the fellowship.

"(2) Each such report shall describe the duties of the recipient during the fellowship and any recommendations of the recipient for the application by the Secretary of industry processes, technologies, and best practices.

"(3) Not later than 7 days after receiving each such report, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives such report without change.

"(h) DEFINITIONS.—In this section:

"(1) The term 'Department participant' means an employee of the Veterans Benefits Administration or the Veterans Health Ad-

ministration who is participating in the fellowship under this section.

"(2) The term 'private-sector entity' includes an entity operating under a public-private partnership.

"(3) The term 'private-sector participant' means an employee of a private-sector entity who is participating in the fellowship under this section."

(b) DEADLINE FOR IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall implement the Executive Management Fellowship Program required under section 741 of title 38, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 38, United States Code, is amended by adding at the end the following new items:

"SUBCHAPTER III—EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM

"741. Executive Management Fellowship Program."

SEC. 203. ACCOUNTABILITY OF LEADERS FOR MANAGING THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 725. Annual performance plan for political appointees

"(a) IN GENERAL.—The Secretary shall conduct an annual performance plan for each political appointee of the Department that is similar to the annual performance plan conducted for an employee of the Department who is appointed as a career appointee (as that term is defined in section 3132(a) of title 5) within the Senior Executive Service at the Department.

"(b) ELEMENTS OF PLAN.—Each annual performance plan conducted under subsection (a) with respect to a political appointee of the Department shall include an assessment of whether the appointee is meeting the following goals:

"(1) Recruiting, selecting, and retaining well-qualified individuals for employment at the Department.

"(2) Engaging and motivating employees.

"(3) Training and developing employees and preparing those employees for future leadership roles within the Department.

"(4) Holding each employee of the Department that is a manager accountable for addressing issues relating to performance, in particular issues relating to the performance of employees that report to the manager.

"(c) DEFINITION OF POLITICAL APPOINTEE.—In this section, the term 'political appointee' means an employee of the Department who holds—

"(1) a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character; or

"(2) a position in the Senior Executive Service as a noncareer appointee (as such term is defined in section 3132(a) of title 5)."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 723 the following new item:

"725. Annual performance plan for political appointees."

SEC. 204. REEMPLOYMENT OF FORMER EMPLOYEES AT DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Notwithstanding sections 3309 through 3318 of title 5, United States Code, the Secretary of Veterans Affairs may

noncompetitively appoint a qualified former career or career conditional employee to any position within the competitive service at the Department of Veterans Affairs that is one grade or equivalent higher than the grade or equivalent of the position at the Department most recently occupied by the employee.

(b) **LIMITATION.**—The Secretary may not appoint a qualified former employee to a position that is more than one grade (or equivalent) higher than the position at the Department most recently occupied by the employee.

(c) **DEFINITION OF QUALIFIED FORMER EMPLOYEE.**—For purposes of this section, the term “qualified former employee” means any individual who—

(1) formerly occupied any career or career conditional position at the Department of Veterans Affairs within 2 years before applying for reemployment at the Department;

(2) voluntarily left such position, or was subject to a reduction in force, and had a satisfactory performance record while occupying such position; and

(3) since leaving such position has maintained licensing requirements, related to the position, if any, and gained skill, knowledge, or other factors related to the position.

SEC. 205. PROMOTIONAL OPPORTUNITIES FOR TECHNICAL EXPERTS AT DEPARTMENT OF VETERANS AFFAIRS.

Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a promotional track system for employees of the Department of Veterans Affairs that the Secretary determines are technical experts pursuant to regulations prescribed by the Secretary for purposes of carrying out this section. Such system shall—

(1) provide any such employee the opportunity to advance within the Department without being required to transition to a management position; and

(2) for purposes of achieving career advancement—

(A) provide for the establishment of new positions within the Department; and

(B) notwithstanding any other provision of law, provide for increases in pay for any such employee.

SEC. 206. EMPLOYMENT OF STUDENTS AND RECENT GRADUATES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall prescribe regulations to allow for excepted service appointments of students and recent graduates leading to conversion to career or career conditional employment of a student or recent graduate of a qualifying educational institution, as defined by the Department.

(b) **APPLICABILITY.**—The conversion authority described in subsection (a) shall be applicable to individuals in good standing who—

(1) are employed in a qualifying internship or fellowship program at the Department;

(2) are employed in the Department in a volunteer capacity and performing substantive duties comparable to those of individuals in internship or fellowship programs and meet the required number of hours for conversion;

(3) are employed in the Department under a contract or agreement with an external nonprofit organization and performing substantive duties comparable to those of individuals in internship or fellowship programs;

(4) have received educational assistance under chapter 33 of title 38, United States Code; or

(5) graduated from a qualifying educational institution, as defined by the De-

partment, and have not reached 30 years of age.

(c) **UNIFORMITY.**—For the purposes of paragraphs (2) and (3) of subsection (b), hours of work performed by an individual employed shall be considered equal to those performed by an individual employed in a qualifying internship or fellowship program by the Department.

SEC. 207. ENCOURAGEMENT OF TRANSITION OF MILITARY MEDICAL PROFESSIONALS INTO EMPLOYMENT WITH VETERANS HEALTH ADMINISTRATION.

The Secretary of Veterans Affairs shall establish a program to encourage an individual who serves in the Armed Forces with a military occupational specialty relating to the provision of health care to seek employment with the Veterans Health Administration when the individual has been discharged or released from service in the Armed Forces or is contemplating separating from such service.

SEC. 208. RECRUITING DATABASE AT DEPARTMENT OF VETERANS AFFAIRS.

(a) **ESTABLISHMENT.**—The Secretary of Veterans Affairs shall establish a single database that lists—

(1) each vacant position in the Department of Veterans Affairs that the Secretary determines is critical to the mission of the Department, difficult to fill, or both; and

(2) each vacant position in the Department of Veterans Affairs for a mental health professional.

(b) **QUALIFIED APPLICANT.**—If the Secretary determines that an applicant for a vacant position listed in the database established under subsection (a) is qualified for such position but does not select the applicant for such position, the Secretary, at the election of the applicant, may consider the applicant for other similar vacant positions listed in the database for which the applicant is qualified.

(c) **PROLONGED VACANCIES.**—If the Secretary does not fill a vacant position listed in the database established under subsection (a) after a period determined appropriate by the Secretary, the Secretary—

(1) may ensure that applicants described in subsection (b) are considered for such position; and

(2) may use the database established under subsection (a) to assist in filling such position.

(d) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the use and efficacy of the database established under subsection (a).

SEC. 209. TRAINING FOR HUMAN RESOURCES PROFESSIONALS OF VETERANS HEALTH ADMINISTRATION ON RECRUITMENT AND RETENTION.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall provide to human resources professionals of the Veterans Health Administration training on how to best recruit and retain employees of the Veterans Health Administration, including with respect to any recruitment and retention matters that are unique to the Veterans Health Administration pursuant to chapter 74 of title 38, United States Code, or other provisions of law.

(b) **VIRTUAL TRAINING.**—Training provided under this section shall be provided virtually.

(c) **AMOUNT OF TRAINING.**—The Secretary shall ensure that each human resources professional of the Veterans Health Administration receives the training described in subsection (a)—

(1) as soon as practicable after being hired by the Secretary as a human resources professional; and

(2) annually thereafter.

(d) **CERTIFICATION.**—The Secretary shall require that each human resources professional of the Veterans Health Administration, upon the completion of the training described in subsection (a), certifies that the professional received the training and understands the information provided by the training.

(e) **ANNUAL REPORT.**—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the training described in subsection (a), including the cost of providing such training and the number of human resources professionals who received such training during the year covered by the report.

SEC. 210. PLAN TO HIRE DIRECTORS OF MEDICAL CENTERS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **PLAN.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement a plan to hire highly qualified directors for each medical center of the Department of Veterans Affairs that lacks a permanent director as of the date of the plan.

(b) **PRIORITY.**—The Secretary shall prioritize under the plan developed under subsection (a) the hiring of directors for medical centers that have not had a permanent director for the longest periods.

(c) **MATTERS INCLUDED.**—The plan developed under subsection (a) shall include the following:

(1) A deadline to hire directors of medical centers of the Department as described in such subsection.

(2) Identification of the possible impediments to such hiring.

(3) Identification of opportunities to promote and train candidates from within the Department to senior executive positions in the Department, including as directors of medical centers.

(d) **SUBMITTAL OF PLAN.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the plan developed under subsection (a).

(e) **SEMIANNUAL REPORTS.**—Not later than 180 days after the date of the enactment of this Act, and not later than 180 days thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing a list of each medical center of the Department that lacks a permanent director as of the date of the report.

SEC. 211. EXIT SURVEYS AT DEPARTMENT OF VETERANS AFFAIRS.

(a) **EXIT SURVEYS REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall develop and carry out a standardized exit survey to be voluntarily completed by career and noncareer employees and executives of the Department of Veterans Affairs who voluntarily separate from the Department.

(2) **CONSULTATION.**—Such exit survey shall be developed in consultation with an appropriate non-Department entity with experience developing such surveys.

(b) **SURVEY CONTENT.**—The survey shall include, at a minimum, the following:

(1) Reasons for leaving the Department.
 (2) Efforts made by the supervisor of the employee to retain the individual.

(3) The extent of job satisfaction and engagement during the employment.

(4) The intent of employee to either remain employed within the Federal Government or to leave employment with the Federal Government.

(5) Such other matters as the Secretary determines appropriate.

(c) ANONYMITY OF SURVEY CONTENT.—The Secretary shall ensure that data collected under subsection (a)—

(1) is anonymized, including through the use of a location that allows for privacy;

(2) is not directly visible by another employee; and

(3) does not require the departing employee to input any personally identifiable data.

(d) SHARING OF SURVEY DATA.—The Secretary shall ensure that the results of the survey required by subsection (a) are—

(1) aggregated at the Veterans Integrated Service Network level; and

(2) shared on an annual basis with directors and managers of facilities of the Department and the Veterans Integrated Service Networks.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the aggregate results of the exit survey under subsection (a) covering the year prior to the report.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) An analysis of the most common reasons employees choose to leave the Department.

(B) The steps the Secretary is taking to improve retention, particularly for mission-critical occupations.

(C) The demographic characteristics of employees choosing to leave the Department.

(D) Any legislative barriers to improving employee retention.

(E) The total number of employees who voluntarily separated from the Department and the number and percentage of whom took the exit survey under subsection (a).

SEC. 212. REQUIREMENT THAT PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS RECEIVE COMPETITIVE PAY.

Section 7451(a)(2) of title 38, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C);

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) Physician assistant.”; and

(3) in subparagraph (C), as redesignated by paragraph (1), by striking “and registered nurse” and inserting “registered nurse, and physician assistant”.

SEC. 213. EXPANSION OF DIRECT-HIRING AUTHORITY FOR DEPARTMENT OF VETERANS AFFAIRS IN CASE OF SHORTAGE OF HIGHLY QUALIFIED CANDIDATES.

Section 3304(a)(3)(B) of title 5, United States Code, is amended by inserting “(or, with respect to the Department of Veterans Affairs, that there exists a severe shortage of highly qualified candidates)” after “severe shortage of candidates”.

SEC. 214. COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF SUCCESSION PLANNING AT DEPARTMENT OF VETERANS AFFAIRS.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Comptroller General of the United States shall assess the extent to which key succession planning policies and guidance at the Department of Veterans Affairs, including the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration, are consistent with leading practices for succession and workforce planning identified by Comptroller General.

(2) ADDITIONAL MATTERS.—In carrying out the assessment required by paragraph (1), the Comptroller General may assess such other matters as the Comptroller General considers appropriate.

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the assessment carried out under subsection (a).

(c) SENSE OF CONGRESS ON STUDY ON COMPLIANCE WITH POLICIES AND GUIDANCE.—It is the sense of Congress that—

(1) the Comptroller General should conduct a study to examine the extent to which a sampling of installations of the Department of Veterans Affairs are complying with policies and guidance of the Department, as well as applicable leading practices; and

(2) the scope and timeframe of a study conducted as described in paragraph (1) may be dependent upon the findings of the Comptroller General with respect to the assessment carried out under subsection (a).

TITLE III—MAJOR MEDICAL FACILITY LEASES

SEC. 301. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For a replacement outpatient clinic, Ann Arbor, Michigan, an amount not to exceed \$4,247,000.

(2) For a new outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed \$6,649,000.

(3) For new research space, Boston, Massachusetts, an amount not to exceed \$6,224,000.

(4) For a replacement research space, Charleston, South Carolina, an amount not to exceed \$7,274,000.

(5) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed \$6,556,000.

(6) For a replacement outpatient clinic, Daytona Beach, Florida, an amount not to exceed \$12,198,000.

(7) For a replacement Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed \$14,784,000.

(8) For a replacement outpatient clinic, Fredericksburg, Virginia, an amount not to exceed \$45,015,000.

(9) For a new outpatient clinic, Gainesville, Florida, an amount not to exceed \$7,891,000.

(10) For an outpatient mental health clinic, Gainesville, Florida, an amount not to exceed \$4,320,000.

(11) For a replacement outpatient clinic, Hampton Roads, Virginia, an amount not to exceed \$18,141,000.

(12) For a replacement outpatient clinic, Indianapolis, Indiana, an amount not to exceed \$7,876,000.

(13) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed \$18,623,000.

(14) For a replacement outpatient clinic, Missoula, Montana, an amount not to exceed \$6,942,000.

(15) For a replacement outpatient mental health clinic, Northern Colorado, Colorado, an amount not to exceed \$8,904,000.

(16) For a replacement outpatient clinic, Ocala, Florida, an amount not to exceed \$5,026,000.

(17) For a new outpatient clinic, Oxnard, California, an amount not to exceed \$5,274,000.

(18) For a new outpatient clinic, Pike County, Georgia, an amount not to exceed \$5,565,000.

(19) For a new outpatient clinic, Pittsburgh, Pennsylvania, an amount not to exceed \$6,247,000.

(20) For a replacement outpatient clinic, Portland, Maine, an amount not to exceed \$6,808,000.

(21) For a replacement outpatient clinic, Raleigh, North Carolina, an amount not to exceed \$21,870,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed \$3,645,000.

(23) For a replacement research space, San Diego, California, an amount not to exceed \$4,852,000.

(24) For a new outpatient clinic, Santa Rosa, California, an amount not to exceed \$6,922,000.

(25) For a replacement mental health clinic, Tampa, Florida, an amount not to exceed \$13,387,000.

(26) For a replacement outpatient clinic, Lakeland, Tampa, Florida, an amount not to exceed \$10,760,000.

(27) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed \$4,102,000.

(28) For a replacement outpatient clinic, Rapid City, South Dakota, an amount not to exceed \$4,532,000.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.

There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2018 or the year in which funds are appropriated for the Medical Facilities account \$274,634,000 for the major medical facility leases authorized in section 301.

TITLE IV—OTHER MATTERS

SEC. 401. EXTENSION OF REDUCTION IN AMOUNT OF PENSION FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2024” and inserting “September 30, 2027”.

SEC. 402. EXTENSION OF REQUIREMENT FOR COLLECTION OF FEES FOR HOUSING LOANS GUARANTEED BY SECRETARY OF VETERANS AFFAIRS.

Section 7329(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking “September 30, 2024” and inserting “September 30, 2027”; and

(B) in clause (iv), by striking “September 30, 2024” and inserting “September 30, 2027”;

(2) in subparagraph (B)—

(A) in clause (i), by striking “September 30, 2024” and inserting “September 30, 2027”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “September 30, 2027”; and

(3) in subparagraph (C)—

(A) in clause (i), by striking “September 30, 2024” and inserting “September 30, 2027”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “September 30, 2027”; and

(4) in subparagraph (D)—

(A) in clause (i), by striking “September 30, 2024” and inserting “September 30, 2027”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “September 30, 2027”.

SEC. 403. EXTENSION OF AUTHORITY TO USE INCOME INFORMATION.

Section 5317(g) of title 38, United States Code, is amended by striking “September 30, 2024” and inserting “September 30, 2027”.

The SPEAKER pro tempore. The gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 114, as amended, the VA Choice and Quality Employment Act of 2017.

It has been a long week of negotiations, but we are here today with an agreement we—and, more importantly, our veterans—can all be proud to support. I know that I am.

Ranking Member WALZ and I have worked feverishly with our Senate counterparts to find a solution that can pass both Chambers and ensure that veterans will continue to be able to access care in the community.

The VA Choice and Quality Improvement Act of 2017 would expand veteran access to care both inside and outside the Department of Veterans Affairs healthcare system by, number one, providing \$2.1 billion to sustain the Choice Program for the next 6 months, authorizing 28 VA medical center facility leases, and improving VA's ability to recruit and retain high-quality employees by including many of the provisions of H.R. 1367, as amended, which were sponsored by Dr. BRAD WENSTRUP, the chairman of the Subcommittee on Health, and unanimously approved by the House in March. I would be remiss if I did not impress upon my colleagues a sense of urgency about this legislation.

The Choice Program was created 3 years ago in response to the nationwide VA access crisis that began with 40 veteran patients who died while waiting for VA care in Phoenix, Arizona. Due to much higher than expected veteran demand for Choice care, the program is slated to run out of money by mid-August. It would leave devastating consequences for veterans in its wake.

Starting with an extremely tight 90-day implementation period and count-

less contract modifications with third-party administrators, I will be the first to admit that the Choice Program has been plagued with problems. But I will also tell you that the program has come a long way from where it once was and is responsible for more than 1 million veterans getting the care they need closer to home and in a more timely manner. The good Lord only knows how many lives have been saved or prolonged. That is a success.

If Choice were to end 3 weeks from now, Mr. Speaker, VA's most senior leaders, including Secretary Shulkin, have warned that waiting times for veteran patients will increase to pre-Choice Phoenix levels. They also said continuity of care would be disrupted for veterans across the country, and some of our most vulnerable veterans may not be able to get care without either a long, possibly debilitating wait time or an excessive travel distance. That is failure.

Passage of this bill today, followed by swift passage by our colleagues in the Senate, would preserve Choice for the next 6 months. That would allow the program to continue serving veterans while we continue the hard work of creating a stronger, more integrated VA healthcare system for the years ahead.

Some stakeholders have expressed frustration that Congress has not been adequately supporting VA's internal capacity for care and too much attention has been paid since the 2014 access crisis to addressing issues with growing veteran demand for community care programs, Choice included. They argue that providing increased funding for Choice without identical increases in funding for VA medical facilities is harmful to veterans. I totally disagree.

I do not believe that argument is fair or constructive, given the historic funding increases that VA has received in recent years and the growth in staffing, programming, and the VA physical footprint that has resulted from those increases. In fact, VA's budget—that is the healthcare budget, not total budget. The VA's healthcare budget has grown more than \$83 billion since I came to Congress in 2009.

Mr. Speaker, we were spending \$93.7 billion when I was sworn into this House in 2009. The President's request this year is \$186.5 billion. In the same time, the number of VA full-time employees has increased by almost 63,000. What is more, we just passed a MILCON-VA Appropriations bill which includes a \$3.9 billion increase for VA medical care.

Nevertheless, I have listened to the concerns of those stakeholders, which include many veterans service organizations, and I respect their viewpoints and their willingness to be strong advocates for our Nation's veterans. As a matter of fact, I belong to many of these organizations.

That is why this bill includes provisions to increase VA internal capacity by authorizing 28 medical facility leases, most of which are for community-based outpatient clinics, and by enhancing VA's ability to maintain a robust, highly qualified workforce in recognition of the many challenges VA has in competing for workers in an extremely competitive hiring market.

To offset a significant portion of the costs of this legislation, we have used offsets that have been used routinely on a bipartisan basis over the last decades and that were included in the legislation which first created the Choice Program 3 years ago.

As I alluded to earlier, this bill was crafted as the result of negotiations between myself; my friend, Ranking Member Sergeant Major WALZ; and Senators ISAKSON and TESTER, the chairman and ranking member, respectively, on the Senate Committee on Veterans' Affairs. I am grateful to them for this work.

I am also grateful to my friends and colleagues in the House leadership for their efforts and willingness to do the sometimes difficult work of finding a solution that is in the best interests of both veterans and taxpayers and to our VSO partners for their input and support throughout the past weeks.

There is still much work ahead. This is only a 6-month patch to the Choice Program. The ranking member and I have a framework agreement for moving forward, but that will require the cooperation and buy-in from all my colleagues in the House and Senate.

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

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

I rise today and associate myself with the words of my friend and our chairman, the gentleman from Tennessee. I strongly recommend support for the newly amended S. 114, a bill, as the chairman so clearly stated, that not only extends veterans' access to care in the community, but provides additional funding for 28 critical leases to expand capacity and also makes sure we can recruit and retain the best medical professionals.

Mr. Speaker, I would like to note that on Monday, someone, another Member, mentioned that they felt a disturbance in the force on Monday is the way they described it. There has been a reputation that I think is rightfully earned from the leadership of the chairman and the members of the committee that the House Veterans' Affairs Committee is here to do the business of this Nation's veterans and the taxpayers and that the politics that are necessary and that are a part of getting things done take a backseat to that.

What you saw on Monday were disagreements. We could not come to an

agreement. But instead of the theatrics of partisanship and instead of the politics of deconstruction, it was the politics of the possible. So instead of sulking away or sending out competing press releases, we came back together to try to find compromise on this. For that I am grateful.

I am grateful as a veteran, and I am grateful as a citizen that, on a morning when many Americans are waking up wondering about our politics and seeing the theatrics that go on, I am here to tell you that under the chairman's leadership, the honorable gentleman from Tennessee, he is guiding this House and tying it into the Senate in the best interests of our Nation's veterans, taking in the concerns of the minority side and taking in the concerns of the veterans service organizations in a way that also means compromise on my Republican colleagues' side.

That is hard to do, asking people to put their own personal ideology aside if it is in the best interests of building a coalition and producing a piece of legislation that can pass through this House, the Senate, and be signed by the President. That is a tough order around here right now, and I am proud to stand with someone who has done it. I am proud to give my little piece of what it takes to do that.

I would encourage my colleagues, let's show a strong sign not just to our veterans, not just to this piece of legislation that, the gentleman was right, is absolutely critical for the care of our veterans; let's send a sign to our fellow citizens that this democracy still can function, this democracy still can find answers, this democracy can put American citizens first, and we can walk away from this knowing that our job was to come here and do exactly that, and it will be done.

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

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Maine (Mr. POLIQUIN), who is my good friend. I had the privilege of visiting BRUCE POLIQUIN's beautiful State last summer.

Mr. POLIQUIN. Mr. Speaker, I would remind you that "Maine is Vacationland." If you have not booked your Maine vacation, there is still plenty of time.

I would like to thank Chairman ROE, who is a Vietnam veteran himself and a doctor, in leading us down this path for better healthcare for our veterans.

Mr. Speaker, it was, I believe, our first Commander in Chief, George Washington, who said, and I paraphrase, that we can never expect young men and women in this country to step forward and fight for their country and give us the freedom that we all enjoy unless and until we take care of those who have already sacrificed on the battlefield. That is what this is about.

Mr. Speaker, in our State, we have about 125,000 veterans, and we love our

veterans in the State of Maine. More than half of them are in the Second Congressional District that I represent, which is mostly central, down east, western, and northern Maine. Let me tell you, Mr. Speaker, we know how to shoot straight up in Maine, and we just need to make sure we take care of our veterans who live in rural areas.

One of the great concerns I have—and I know the chairman and others on the committee have the same concern—is that what about if you are a veteran that lives far away from a medical hospital, a veterans hospital. In the State of Maine, we have one veterans hospital. It is called Togus. It is the first VA hospital in the country—about 150 years old—and it was put together first to take care of those who have served on the battlefield in the Civil War.

In northern Maine, you might live in Fort Kent or Van Buren or Madawaska and be a 5-hour drive away from Togus. If you are not feeling well, it is February and the snow is blowing sideways, it might be really tough to get down to Togus. That is why this Choice Program is so important. It allows our veterans who live far away from medical facilities to get their treatment close to home. This is something that I am a huge advocate of, and it is something we need to keep doing.

Now, one more thing I want to mention if I may, Mr. Speaker, is that we all know that veterans heal better with other veterans. We are not in any way trying to replace the veterans' facilities. We have healthcare facilities in this country. But the Choice Program allows us to augment that care through the Choice Program where they are able to go to private facilities.

Now, this emergency funding is absolutely critical. It will extend this program for 6 months instead of letting it run out of money in 3 weeks. It also includes something that is highly important. I am so grateful to the chairman for including it. It includes the ability to authorize a lease in Portland, Maine, for a brand-new, state-of-the-art, if you will, VA facility, a CBOC facility, an outpatient facility, that will serve about 4,000 veterans in the State of Maine.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The time of the gentleman has expired.

Mr. ROE of Tennessee. Mr. Speaker, I yield the gentleman an additional 30 seconds.

□ 1045

Mr. POLIQUIN. Mr. Speaker, I thank Congresswoman CHELLIE PINGREE from the First District of the State of Maine. I represent the Second District.

I encourage everyone in this body, Republicans and Democrats, to please take care of our veterans. Please vote for S. 114 to renew the authorization in the emergency fund for the Choice Program.

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. TAKANO), my good friend, the vice ranking member of the full Committee on Veterans' Affairs, who is also from a great vacation State.

Mr. TAKANO. Mr. Chairman, I thank the ranking member for mentioning that so that it doesn't detract from my time. But please visit California, especially Riverside, California.

Mr. Speaker, I rise today in support of S. 114, which prevents a funding lapse in the VA Choice Program while making critical investments to strengthen the Department of Veterans Affairs.

This legislation is a significant improvement over the bill we considered earlier this week. It now includes leasing authorizations for VA medical facilities in 17 States across the country, and it includes several provisions that I introduced that will help address the VA's workforce shortages. This is what I hope to be the first step in providing the VA the tools it needs to meet its internal workforce challenges.

As I have often said, the VA's ability to provide quality and timely care to our Nation's veterans will be determined by who it hires.

There are nearly 50,000 vacancies at the VA that need to be filled. This bill strengthens and streamlines the VA's ability to recruit, hire, and retain talented and dedicated individuals. But more needs to be done to expand the VA's own internal capacity to provide care for our veterans.

The VA Choice Program is a well-intentioned program, but it has not delivered on its promise to consistently cut wait times or improve care. We do not want to be back here in January passing another short-term fix.

Starting today, we have 6 months to come together and develop a more efficient and effective system to connect veterans with the care they need.

Earlier this week, I expressed my desire to vote for a bill that avoids a funding gap in the Choice Program, while also recognizing the importance of a strong and sustainable VA. This legislation meets that standard, and I urge my colleagues to vote "yes."

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARRINGTON), chairman of the Subcommittee on Economic Opportunity on the full Committee of Veterans' Affairs.

Mr. ARRINGTON. Mr. Speaker, I rise in support of S. 114, which will continue funding the Choice Program, an important reform to make sure that our veterans have access to quality care.

For too long, our veterans, Mr. Speaker, have been trapped in a system that has failed them. They are in a single-payer system. We put them in a system that the Members of Congress wouldn't sign up for. For years, we

haven't give them the same choice that we have given Medicaid patients and Medicare patients.

The Choice Program isn't just common sense, it is common decency. We have asked these men and women to serve and to sacrifice for our freedom. They deserve the very best care. The only way they are going to get the best care is to have choice when they have geographic challenges or are waiting in line.

We have all read the reports about how our veterans have waited in line, have gotten sicker, and some even died. It is unconscionable and unacceptable.

I am so grateful that, in an institution that has a reputation of gridlock and dysfunction, we have a committee with leaders like Chairman ROE and Ranking Member WALZ who will come together and put America first. So I am heartened by this and I applaud their leadership.

I support this continuation of funding and the improved access to care for our heroes. I thank the chairman for the privilege of serving under the leadership of his committee.

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BROWNLEY), my good friend, a long-time champion of veterans, and the ranking member of the Subcommittee on Health.

Ms. BROWNLEY of California. Mr. Speaker, I thank the gentleman from Minnesota, our ranking member; and the gentleman from Tennessee, the chair, for their commitment to bipartisan solutions which helped get us the agreement that the House is considering today.

I am extremely proud to work on the Veterans' Affairs Committee because we have shown that we can tackle the big issues in a bipartisan way. That is why I rise today in support of S. 114, which will address the immediate shortfall in funding for the Choice Program, while making needed investments in direct VA-provided care.

I am so pleased that this bipartisan agreement includes my legislation authorizing 28 new VA healthcare facilities across the country. This bill will bring more care closer to home for veterans from coast to coast.

The demand for VA healthcare is increasing, and many veterans face long wait times because outdated facilities are too small to accommodate the growing number of men and women seeking care.

The leases authorized by this bill are located in 17 States, with nearly 12 million veterans living in them, who have been waiting years for improved access to care. This includes a new, larger clinic in the city of Oxnard, in my district, which will bring much-needed specialty care closer to home for our veterans in Ventura County.

Veterans in my community and communities across the country have wait-

ed long enough for these expanded services, and I thank my colleagues on both sides of the aisle and our veterans service organizations for working with me to deliver this win for them.

We can fund the VA Choice Program and fund other programs critical to the VA's mission, my mission, and the mission of my colleagues on both sides of the aisle: provide the care our veterans, who have risked their lives for our country, have earned and deserve.

Mr. Speaker, I urge all of my colleagues to support this legislation and help ensure veterans get the care they need and to make the investments we need to build a modern, veteran-centric 21st century VA.

Mr. ROE of Tennessee. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CORREA), a good friend and new member of the Veterans' Affairs Committee.

Mr. CORREA. Mr. Speaker, first of all, I thank all of our veterans for their service and sacrifice for our great country.

I come from California, the home of the greatest number of veterans in this great country. On their behalf, I would like to thank Chairman ROE and Ranking Member WALZ for their tremendous job and leadership in addressing the needs of all of our veterans.

I am pleased that we reached the bipartisan agreement, and I hope the rest of this place learns from the work the Veterans Affairs' Committee has done. I hope that tomorrow, when we wake up and open up those newspapers, this is a front-page story, because it deserves to be. Democrats and Republicans, everybody coming together to work for our veterans, that is the way it should be done.

Three years ago, Congress created the Choice Program. This was an alternative to make sure that our veterans didn't have to wait to get the health services they needed.

This bill will provide additional funding and short-term sustainability for this program called the Choice Program. This bill will also allow the Department of Veterans Affairs to open up more clinics and to hire additional doctors to make sure that our veterans get the service they deserve.

Again, I am glad that we are here today and that we could work to make sure that our veterans get the services they earned. I urge all my colleagues to support this bipartisan measure.

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), who is also on the Maine Tourism Board.

Ms. PINGREE. Mr. Speaker, I thank the Ranking Member for yielding and allowing me to reinforce my colleague from the State of Maine and say: if you haven't made your plans, it is not too

late. Lobster season is just picking up. I highly recommend a visit to the Maine coast or anywhere in the State of Maine.

Mr. Speaker, I rise in support of this bill to provide the VA Choice Program with additional funds and to authorize several provisions to improve care for our Nation's veterans.

Specifically, I want to recognize the authorization of a lease included in this bill for a community-based outpatient clinic in Portland, Maine, that will provide much-improved services to the veterans in that area. The new facility will be a huge step in improving the care for veterans in my district.

The proposed facility will go a long way toward a more efficient, patient-centered approach to care and will provide a wide range of services, including audiology, dental, physical therapy, prosthetics, and women's health.

Most of the veterans served by this new CBOC will be coming from the surrounding areas, and this new clinic will result in a much shorter commute for those veterans living in the most densely populated area of Maine.

The entire Maine congressional delegation has worked for the authorization of this lease, including my colleague, Mr. POLIQUIN from Maine's Second District.

I thank Congresswoman BROWNLEY for introducing legislation earlier this year to authorize these leases and for her work on this issue.

I am proud to support S. 114, and I thank Ranking Member WALZ and Chairman ROE for their work on this legislation. The authorization of this lease represents a tremendous step for our State in providing veterans the proper care they have earned.

Mr. ROE of Tennessee. Mr. Speaker, since we are doing a Maine advertisement here today, I will say one thing negative about Maine. I herniated a disk in my back climbing Mount Katahdin with my good friend, FRENCH HILL from Arkansas, last summer. It wasn't all good.

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

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

Mr. Speaker, as you heard here today from numerous members of the committee and others, this is how business should be done: looking out for our veterans, compromises being made.

I do want to extend my thanks to Senator ISAKSON; Senator TESTER; Secretary Shulkin; the DAVs and the other VSOs; and the staff on both sides of the aisle who are the ones who are carrying out late-night negotiations.

I think the gentleman from Tennessee, Chairman ROE, did bring up a good point: this is the beginning of tough decisions that need to be made, tough negotiations.

I hope everyone here understands that the continued good will and bipartisanship is going to be needed, because

we have an opportunity to transform the VA into that 21st century VA, one that is more responsive to the needs of veterans, one that takes into account the realities of modern-day medicine that involves many outpatient clinics and different ways of delivering service, especially to rural veterans who we represent.

This is a great start. It is one that I think we go from a stop on Monday to what I hope can be a unanimous vote for a good, smart piece of legislation.

Mr. Speaker, I urge my colleagues to support this, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do want to associate my remarks with those of the ranking member.

We have a lot of thanks to go around, but the major thanks go to our veterans who serve this great Nation. I think it would be remiss on us and a pox on this body if we didn't do what is right for our veterans. And we are.

As Mr. WALZ said, this is just the first step, although a major one, in a transformative process that we have been given the opportunity on this committee to do.

We serve 21 million veterans in this country that have served this Nation honorably. We have a great organization. I think a lot of times it doesn't get said that the VA does a lot of good work.

I don't go home where there is not a day that I don't run into somebody at the grocery store or somewhere that tells me of a positive thing that happened to them at the VA. It is not everywhere, though.

I also get stopped and told and have stacks of documents on my desk that tell me the problems with the VA. We hear those loud and clear. I think both of us do.

But I think it is an opportunity for us as a body—not just this committee, but the entire body—to thank our veterans, pass this bill unanimously, send it to the Senate, and then to the President's desk for his signature.

I, once again, thank Mr. WALZ, his committee and staff, and our committee and staff for working in a bipartisan way to pass this.

Mr. Speaker, I encourage all Members to support S. 114, and I yield back the balance of my time.

Mr. SABLON. Mr. Speaker, I rise in support of the Amendment in the Nature of a Substitute to S. 114 that provides for a 6-month extension of the Choice program, as well as funding for VA recruitment and retention programs.

Extension of the Choice program is good news for veterans in my district. The Northern Marianas is the only jurisdiction in our country that does not have a VA medical clinic and does not have a single, dedicated VA doctor or mental health professional. There is one

physician contracted by the VA on a part-time basis. But she is at capacity and cannot take on any more veteran patients.

So, it is the Choice program that allows the veterans I represent to obtain health care, where they live, rather than having to fly hundreds or thousands of miles, to Guam or to Hawai'i, for treatment.

It was to ease that burden that I was one of the Members who identified and spoke up about the problem of access to service for veterans in remote and rural areas of America; and advocacy by Members from underserved areas helped lead to the creation of Choice.

Make no mistake, the Choice program does not solve all of the issues of health care access that trouble Marianas veterans. A VA health clinic with VA staff in the Marianas remains my goal. But S. 114—short of a full-fledged clinic—does provide recruitment and retention authorities that could lead to having more VA staff in my district. That would be step in the right direction.

Meanwhile, and until we have a real, full-time, fully staffed and equipped VA clinic in the Northern Marianas, the Choice program will continue to be needed to fill the gap and provide the care that veterans deserve.

My thanks to Chairman ROE and Ranking Member WALZ and to their staff for the time and effort that has gone into ensuring that Choice can continue for veterans in the Marianas—and in rural, remote, and underserved areas throughout America.

I am also grateful to the many veteran service organizations, who have advised on this legislation and who have been steadfast in their commitment to improve the Department of Veterans' Affairs for those who served our Nation.

□ 1100

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 480, the previous question is ordered on the bill, as amended.

The question is on the third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. ROE of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

VETERANS' ACCESS TO CHILD CARE ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 95) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 95

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Access to Child Care Act".

SEC. 2. CHILD CARE ASSISTANCE FOR VETERANS RECEIVING MENTAL HEALTH CARE AND OTHER INTENSIVE HEALTH CARE SERVICES PROVIDED BY THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 1730B. Child care assistance for veterans receiving mental health care and other intensive health care services

"(a) IN GENERAL.—The Secretary shall provide child care assistance to an eligible veteran for any period that the veteran—

"(1) receives covered health care services at a facility of the Department; and

"(2) is required travel to and return from such facility for the receipt of such health care services.

"(b) CHILD CARE ASSISTANCE.—(1) Child care assistance provided under this section may include any of the following:

"(A) A stipend for the payment of child care offered by a licensed child care center (either directly or through a voucher program) which shall be, to the extent practicable, modeled after the Department of Veterans Affairs Child Care Subsidy Program established pursuant to section 590 of title 40.

"(B) Direct provision of child care at an on-site facility of the Department.

"(C) A payment made directly to a private child care agency.

"(D) A collaboration with a facility or program of another Federal department or agency.

"(E) Such other form of assistance as the Secretary considers appropriate.

"(2) In the case that child care assistance under this section is provided as a stipend under paragraph (1)(A), such stipend shall cover the full cost of such child care.

"(c) DEFINITIONS.—In this section:

"(1) The term 'eligible veteran' means a veteran who—

"(A) is the primary caretaker of a child or children; and

"(B) is—

"(i) receiving covered health care services from the Department; or

"(ii) in need of covered health care services, and but for lack of child care services, would receive such covered health care services from the Department.

“(2) The term ‘covered health care services’ means—

“(A) regular mental health care services;

“(B) intensive mental health care services;

or

“(C) such other intensive health care services that the Secretary determines that provision of assistance to the veteran to obtain child care would improve access to such health care services by the veteran.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1730A the following new item:

“1730B. Child care assistance for veterans receiving mental health care and other intensive health care services.”.

SEC. 3. EXTENSION OF REDUCTION IN AMOUNT OF PENSION FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2024” and inserting “September 30, 2026”.

SEC. 4. EXTENSION OF REQUIREMENT FOR COLLECTION OF FEES FOR HOUSING LOANS GUARANTEED BY SECRETARY OF VETERANS AFFAIRS.

Section 3729(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking “September 30, 2024” and inserting “December 31, 2024”;

and

(B) in clause (iv), by striking “September 30, 2024” and inserting “December 31, 2024”;

(2) in subparagraph (B)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2024”;

and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2024”;

(3) in subparagraph (C)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2024”;

and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2024”;

(4) in subparagraph (D)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2024”;

and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2024”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 95, as amended, the Veterans' Access to Child Care Act. This bill

would make the Department of Veterans Affairs' successful pilot program to provide childcare assistance to veterans seeking mental or other intensive healthcare services through the VA healthcare system permanent.

I have been a “Doctor Dad” myself, and I know firsthand how difficult it can be to manage childcare responsibilities on top of everything else.

We know that the lack of childcare is a barrier to care for many patients and that assisting veteran parents, grandparents, and guardians in finding childcare opportunities while they are attending VA appointments will relieve a major stress point and increase access to care.

I am grateful to Congresswoman JULIA BROWNLEY, the ranking member of our Subcommittee on Health, for her leadership in sponsoring the Veterans' Access to Child Care Act.

I am proud to support this bill and urge my colleagues to do so as well.

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

Mr. WALZ. Mr. Speaker I yield myself such time as I may consume.

I rise in support of H.R. 95, as amended, offered by the Subcommittee on Health Ranking Member JULIA BROWNLEY.

Mr. Speaker, to increase access, we must eliminate barriers, and this amendment in the nature of a substitute does exactly that. The Veterans' Access to Child Care Act assists those veterans who are also parents to access the healthcare they need by allowing the VA to provide childcare assistance to eligible veterans.

Representative BROWNLEY's bill is essential to ensuring all veterans have that access, and I appreciate her hard work to make it a reality. I urge my colleagues to support the amendment in the nature of a substitute.

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

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

Mr. WALZ. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. BROWNLEY), the author of this piece of legislation.

Ms. BROWNLEY of California. Mr. Speaker, I thank the gentleman from Minnesota, our ranking member, and the gentleman from Tennessee, our chairman, for their support of this bill and for their tireless advocacy on behalf of our Nation's veterans.

I rise today in support of H.R. 95, the Veterans' Access to Child Care Act, which will break down a barrier to care many veterans with children face. This is especially problematic for women veterans, who are often the primary caretakers of young children and a rapidly growing segment of the veteran population.

According to a 2015 VA study, 42 percent of women who use the VA said it is difficult to find childcare that would

allow them to attend medical appointments, and for those who can, that care is often unaffordable.

The average cost of childcare in my home State of California, for instance, is more than \$13,000 a year. As the post-9/11 generation continue to start their families, more and more veterans will face the unacceptable choice between caring for their children and getting the healthcare they need.

Without affordable childcare options, veterans can miss their appointments, including critical mental health appointments, that impact their long-term well-being. It is just common sense: better access to childcare will lead to better access to care, which will ultimately result in better outcomes for our Nation's veterans.

The VA currently runs a successful childcare pilot program at several locations around the country that benefits female and male veterans of all eras. My legislation will make that program permanent and expand it nationwide, ensuring that no veteran will have to miss a VA health appointment because of a lack of access of childcare.

I want to thank my colleague, Congressman BRIAN HIGGINS, for his steadfast support of this bill and all of my colleagues on the VA Committee who have backed this proposal every step of the way.

Mr. Speaker, I urge all of my colleagues to support this legislation and help ensure that veterans do not have to choose between caring for their children and getting the healthcare they need and deserve.

Mr. ROE of Tennessee. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

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

Again, the Chair heard the reasons for this. I thank the gentlewoman for authoring this needed piece of legislation and urge my colleagues to support its passage.

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

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 95, the “Veterans' Access to Child Care Act,” which makes permanent the VA's Child Care Pilot Program and expands it so that all veterans who are primary caretakers have a safe, reliable, and cost-free option for child care when they use VA healthcare.

As the founder and chair of the Congressional Children's Caucus, I fully understand the importance of having access to affordable and safe child care.

The bill provides child care assistance to an eligible veteran for any period that the veteran receives covered health care services at a VA facility, and is required to travel to and return from such facility for the receipt of such services.

My own city of Houston is home to the second largest veterans' community in the United States in terms of resident veterans.

The U.S. Census Bureau recorded that Houston is home to approximately 282,000 veterans, which is almost one-fifth of the state's veteran population.

The Michael E. DeBakey VA Medical Center in the city of Houston has 111,189 veterans enrolled in the center.

For these veterans in Houston and veterans across the country, H.R. 95 provides access to child care for veterans receiving mental health services and other intensive health care services at VA facilities.

The VA reported that it had provided free childcare to 10,000 children through the pilot program and that veterans were consistently "completely satisfied" with the services received.

H.R. 95 ensures that veterans continue to get the care they have earned and deserve, and that includes ensuring that those seeking treatment at VA medical facilities do not miss appointments because they do not have access to safe and reliable child care.

The lack of convenient and affordable child care has prevented veterans from getting the medical care they need.

The cost of full time infant care across the United States in 2012 ranged from \$4,600 to \$20,200 a year.

The cost of full time care for a 4 year old ranged from \$3,900 to \$15,450.

Of those seeking childcare, 89 percent were looking for full time care and only 11 percent were looking for part-time care.

Parents who serve as the primary care taker of a child should not have to sacrifice their own health to find safe and reliable child care.

We must remove barriers that impede veterans' access to health care.

Currently, the Child Care Pilot Program offers free child care for qualified veterans using VA healthcare services at a limited number of participating sites around the United States.

Congress has reauthorized this popular pilot program three times in separate bills, but it is time to make this program permanent.

I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 95, as amended.

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

A motion to reconsider was laid on the table.

VA SENIOR EXECUTIVE ACCOUNTABILITY ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2772) to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2772

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "VA Senior Executive Accountability Act" or the "SEA Act".

SEC. 2. SEMIANNUAL REPORTS ON REASSIGNMENT OF DEPARTMENT OF VETERANS AFFAIRS SENIOR EXECUTIVE EMPLOYEES.

(a) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 723. Reassignment of senior executives

"(a) APPROVAL OF REASSIGNMENTS.—No individual employed in a senior executive position at the Department may be reassigned to another such position at the Department unless such reassignment is approved in writing and signed by the Secretary.

"(b) SEMIANNUAL REPORTS REQUIRED.—Not later than June 30 and December 31 of each year, the Secretary shall submit to Congress a report on the reassignment of individuals employed in senior executive positions at the Department to other such positions at the Department during the period covered by the report. Each such report shall describe the purpose of each such reassignment and the costs associated with such reassignment.

"(c) SENIOR EXECUTIVE POSITION DEFINED.—In this section, the term 'senior executive position' has the meaning given such term in section 713(g)(3) of this title."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 723 the following new item:

"724. Reassignment of senior executives."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2772, as amended, the VA Senior Executive Accountability Act, or SEA Act. This bill would provide needed transparency of the Department of Veterans Affairs' reassignment of members of the Senior Executive Service. Specifically, the bill would require the Secretary to personally approve of a reassignment of VA's approximately 350 SES employees.

It would also require VA to report to Congress identifying those employees who are reassigned and the cost associated with reassignments.

I thank Representative TAYLOR for his thoughtful legislation. And with

that, Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 2772.

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

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

Mr. Speaker, I rise in support of H.R. 2772, the VA Senior Executive Accountability Act. Mr. Speaker, this is a commonsense bill that has received bipartisan support as it moved through regular order of our committee.

This bill requires that any reassignment of a senior executive at the VA have the Secretary's written approval. It also requires an annual report to Congress to help us in our oversight ability.

I have dealt with this issue myself in Minnesota and know firsthand how important this is.

Mr. Speaker, I would like to thank Mr. TAYLOR and our vice ranking member, Mr. TAKANO, for developing this legislation. I support and encourage Members to join in its support.

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

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TAYLOR), the author of this bill and a Navy SEAL.

Mr. TAYLOR. Mr. Speaker, I rise in support of my bill, H.R. 2772, the VA Senior Executive Accountability Act.

This bipartisan bill brings transparency and accountability to senior VA leadership.

Mr. Speaker, my area has the fastest growing veterans population in the Nation. Our OIF, our OEF, and our women's veterans population is rapidly growing.

Recently, our main VA hospital was rated at a one-star out of a five-star rating. In making a change, the VA simply swapped out the underperforming leadership with another VA hospital.

This, Mr. Speaker, is unacceptable.

My bill would require the VA to issue reports on any reassignment of VA leadership and how much the cost is. Additionally, the Secretary of the VA would have to personally sign off on the reassignment.

Mr. Speaker, veterans need to trust that they are getting the best care possible. They need to trust that they will have transparency. They need to trust that there will be accountability.

I want to thank the chairman, the ranking member, and all those on the committee for their work, their dedication, and their commitment to upholding our sacred responsibility of care for those who upheld their own sacred responsibility to our Nation.

Mr. WALZ. Mr. Speaker, I have no further speakers, and I am prepared to close at this time.

Mr. Speaker, again, commonsense bill, bipartisan, does the right thing, and, as the gentleman so clearly explained, providing that trust to our

veterans is absolutely critical. I believe this will do that. I urge my colleagues to support passage of H.R. 2772.

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

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 2772, as amended.

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

A motion to reconsider was laid on the table.

GROW OUR OWN DIRECTIVE: PHYSICIAN ASSISTANT EMPLOYMENT AND EDUCATION ACT OF 2017

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3262) to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3262

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Grow Our Own Directive: Physician Assistant Employment and Education Act of 2017”.

SEC. 2. PILOT PROGRAM TO PROVIDE EDUCATIONAL ASSISTANCE TO PHYSICIAN ASSISTANTS TO BE EMPLOYED AT THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a pilot program to be known as the “Grow Our Own Directive” or “G.O.O.D.” pilot program (in this section referred to as the “pilot program”) to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs.

(2) INFORMATION ON PILOT PROGRAM.—The Secretary shall provide information on the pilot program to eligible individuals under subsection (b), including information on application requirements and a list of entities with which the Secretary has partnered under subsection (g).

(b) ELIGIBLE INDIVIDUALS.—An individual is eligible to participate in the pilot program if the individual—

(1) has medical or military health experience gained while serving as a member of the Armed Forces;

(2) has received a certificate, associate degree, baccalaureate degree, master's degree, or postbaccalaureate training in a science relating to health care;

(3) is not eligible to participate in educational assistance under chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code, or chapter 1606 or 1607 of title 10, United States Code;

(4) has participated in the delivery of health care services or related medical services, including participation in military training relating to the identification, evaluation, treatment, and prevention of diseases and disorders; and

(5) does not have a degree of doctor of medicine, doctor of osteopathy, or doctor of dentistry.

(c) DURATION.—The pilot program shall be carried out during the five-year period beginning on the date that is 180 days after the date of the enactment of this Act.

(d) SELECTION.—

(1) IN GENERAL.—The Secretary shall select not less than 250 eligible individuals under subsection (b) to participate in the pilot program.

(2) PRIORITY FOR SELECTION.—In selecting individuals to participate in the pilot program under paragraph (1), the Secretary shall give priority to the following individuals:

(A) Individuals who participated in the Intermediate Care Technician Pilot Program of the Department that was carried out by the Secretary between January 2011 and February 2015.

(B) Individuals who agree to be employed as a physician assistant for the Veterans Health Administration at a medical facility of the Department located in a community that—

(i) is designated as a medically underserved population under section 330(b)(3)(A) of the Public Health Service Act (42 U.S.C. 254b(b)(3)(A)); and

(ii) is in a State with a per capita population of veterans of more than 9 percent according to the National Center for Veterans Analysis and Statistics and the United States Census Bureau.

(e) EDUCATIONAL ASSISTANCE.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary shall provide educational assistance to individuals participating in the pilot program, including through the use of scholarships, to cover the costs to such individuals of obtaining a master's degree in physician assistant studies or a similar master's degree.

(2) USE OF EXISTING PROGRAMS.—In providing educational assistance under paragraph (1), the Secretary shall use the Department of Veterans Affairs Health Professionals Educational Assistance Program under chapter 76 of title 38, United States Code, and such other educational assistance programs of the Department as the Secretary considers appropriate.

(3) USE OF SCHOLARSHIPS.—The Secretary shall provide not less than 35 scholarships under the pilot program to individuals participating in the pilot program during each year in which the pilot program is carried out.

(f) PERIOD OF OBLIGATED SERVICE.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with each individual participating in the pilot program in which such individual agrees to be employed as a physician assistant for the Veterans Health Administration for a period of obligated service specified in paragraph (2).

(2) PERIOD SPECIFIED.—With respect to each individual participating in the pilot pro-

gram, the period of obligated service specified in this paragraph for the individual is—

(A) if the individual is participating in the pilot program through a program described in subsection (e)(2) that specifies a period of obligated service, the period specified with respect to such program; or

(B) if the individual is participating in the pilot program other than through a program described in such subsection, or if such program does not specify a period of obligated service, a period of three years or such other period as the Secretary considers appropriate for purposes of the pilot program.

(g) BREACH.—

(1) LIABILITY.—Except as provided in paragraph (2), an individual who participates in the pilot program and fails to satisfy the period of obligated service under subsection (f) shall be liable to the United States, in lieu of such obligated service, for the amount that has been paid or is payable to or on behalf of the individual under the pilot program, reduced by the proportion that the number of days served for completion of the period of obligated service bears to the total number of days in the period of obligated service of such individual.

(2) EXCEPTION.—If an individual is participating in the pilot program through a program described in subsection (e)(2) that specifies a period of obligated service, the liability of the individual for failing to satisfy the period of obligated service under subsection (f) shall be determined as specified with respect to such program.

(h) MENTORS.—The Secretary shall ensure that a physician assistant mentor or mentors are available for individuals participating in the pilot program at each facility of the Veterans Health Administration at which a participant in the pilot program is employed.

(i) PARTNERSHIPS.—In carrying out the pilot program, the Secretary shall seek to partner with the following:

(1) Not less than 15 institutions of higher education that—

(A) offer a master's degree program in physician assistant studies or a similar area of study that is accredited by the Accreditation Review Commission on Education for the Physician Assistant; and

(B) agree—

(i) to guarantee seats in such master's degree program for individuals participating in the pilot program who meet the entrance requirements for such master's degree program; and

(ii) to provide individuals participating in the pilot program with information on admissions criteria and the admissions process.

(2) Other institutions of higher education that offer programs in physician assistant studies or other similar areas of studies that are accredited by the Accreditation Review Commission on Education for the Physician Assistant.

(3) The Transition Assistance Program of the Department of Defense.

(4) The Veterans' Employment and Training Service of the Department of Labor.

(5) Programs carried out under chapter 41 of title 38, United States Code, for the purpose of marketing and advertising the pilot program to veterans and members of the Armed Forces who may be interested in the pilot program.

(j) ADMINISTRATION OF PILOT PROGRAM.—For purposes of carrying out the pilot program, the Secretary shall appoint or select within the Office of Physician Assistant Services of the Veterans Health Administration the following:

(1) A Deputy Director for Education and Career Development of Physician Assistants who—

(A) is a physician assistant, a veteran, and employed by the Department as of the date of the enactment of this Act;

(B) is responsible for—

(i) overseeing the pilot program;

(ii) recruiting candidates to participate in the pilot program;

(iii) coordinating with individuals participating in the pilot program and assisting those individuals in applying and being admitted to a master's degree program under the pilot program; and

(iv) providing information to eligible individuals under subsection (b) with respect to the pilot program; and

(C) may be employed in the field at a medical center of the Department.

(2) A Deputy Director of Recruitment and Retention who—

(A) is a physician assistant, a veteran, and employed by the Department as of the date of the enactment of this Act;

(B) is responsible for—

(i) identifying and coordinating the needs of the pilot program and assist the Secretary in providing mentors under subsection (h) to participants in the pilot program; and

(ii) coordinating the staff of facilities of the Veterans Health Administration with respect to identifying employment positions and mentors under subsection (h) for participants in the pilot program; and

(C) may be employed in the field at a medical center of the Department.

(3) A recruiter who—

(A) reports directly to the Deputy Director of Recruitment and Retention; and

(B) works with the Workforce Management and Consulting Office and the Healthcare Talent Management Office of the Veterans Health Administration to develop and implement national recruiting strategic plans for the recruitment and retention of physician assistants within the Department.

(4) An administrative assistant, compensated at a rate not less than level GS-6 of the General Schedule, or equivalent, who assists with administrative duties relating to the pilot program in the Office of Physician Assistant Services and such other duties as determined by the Secretary to ensure that the Office runs effectively and efficiently.

(k) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in collaboration with the Secretary of Labor, the Secretary of Defense, and the Secretary of Health and Human Services, shall submit to Congress a report on the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The extent to which the pilot program is effective in improving the ability of eligible individuals under subsection (b) to become physician assistants;

(B) An examination of whether the pilot program is achieving the goals of—

(i) enabling individuals to build on medical skills gained as members of the Armed Forces by entering into the physician assistant workforce of the Department; and

(ii) helping to meet the shortage of physician assistants employed by the Department.

(C) An identification of such modifications to the pilot program as the Secretary of Veterans Affairs, the Secretary of Labor, the Secretary of Defense, and the Secretary of Health and Human Services consider necessary to meet the goals described in subparagraph (B).

(D) An assessment of whether the pilot program could serve as a model for other programs of the Department to assist individuals in obtaining certification and employment in other health care fields.

(1) SOURCE OF AMOUNTS.—Not less than \$8,000,000 of the amount necessary to carry out the pilot program shall be derived from amounts appropriated to the Department of Veterans Affairs before the date of the enactment of this Act.

SEC. 3. ESTABLISHMENT OF STANDARDS FOR THE DEPARTMENT OF VETERANS AFFAIRS FOR USING EDUCATIONAL ASSISTANCE PROGRAMS TO EDUCATE AND HIRE PHYSICIAN ASSISTANTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish standards described in subsection (b) to improve the use by the Department of Veterans Affairs of the Department of Veterans Affairs Health Professionals Educational Assistance Program under chapter 76 of title 38, United States Code, and other educational assistance programs of the Department, including the pilot program under section 2, to educate and hire physician assistants of the Department.

(b) STANDARDS.—The standards described in this subsection are the following:

(1) Holding directors of medical centers of the Department accountable for failure to use the educational assistance programs described in subsection (a) and other incentives—

(A) to advance employees of the Department in their education as physician assistants; and

(B) to improve recruitment and retention of physician assistants.

(2) Ensuring that the Department of Veterans Affairs Education Debt Reduction Program under subchapter VII of chapter 76 of such title is available for participants in the pilot program under section 2 to fill vacant physician assistant positions at the Department, including by—

(A) including in all vacancy announcements for physician assistant positions the availability of the Education Debt Reduction Program; and

(B) informing applicants to physician assistant positions of their eligibility for the Education Debt Reduction Program.

(3) Monitoring compliance with the application process for educational assistance programs described in subsection (a) to ensure that such programs are being fully utilized to carry out this section.

(4) Creating programs, including through the use of the Department of Veterans Affairs Employee Incentive Scholarship Program under subchapter VI of chapter 76 of such title, to encourage employees of the Department to apply to accredited physician assistant programs.

(c) REGULATIONS.—The Secretary shall prescribe such regulations as the Secretary considers appropriate to carry out this section.

SEC. 4. EXTENSION OF REQUIREMENT FOR COLLECTION OF FEES FOR HOUSING LOANS GUARANTEED BY SECRETARY OF VETERANS AFFAIRS.

Section 3729(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking “September 30, 2024” and inserting “December 31, 2024”; and

(B) in clause (iv), by striking “September 30, 2024” and inserting “December 31, 2024”;

(2) in subparagraph (B)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2024”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2024”;

(3) in subparagraph (C)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2024”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2024”; and

(4) in subparagraph (D)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2024”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2024”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3262, as amended, the Grow Our Own Directive—or GOOD—Physician Assistant Employment and Education Act of 2017.

The PA profession has a long and storied connection with veterans as the first class of PAs was primarily composed of Army medics and Navy corpsmen who served in the Vietnam war.

And I might add, when I did basic training at San Antonio, Texas, at Fort Sam, one of the first PA classes was there.

Today, the Department of Veterans Affairs is the single largest employer of PAs in the country. Nevertheless, PAs are consistently identified as one of the top five professions where VA is experiencing the largest staffing shortages.

H.R. 3262, as amended, would help solve that by creating a pilot program to provide assistance to veterans who want to pursue education and training to become a PA and to serve their fellow veterans by working at VA medical facilities.

I am grateful to Congresswoman ANN KUSTER for sponsoring this legislation and shepherding it through the legislative process, and I am confident that it will go a long way in resolving existing PA recruitment and retention issues, ensuring that VA medical facilities are appropriately staffed with high-quality PAs and, in turn, increasing access to care for veteran patients.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 3262, as amended, and I reserve the balance of my time.

□ 1115

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

Mr. Speaker, I, too, rise in support of H.R. 3262, as amended, the GOOD Act of 2017, which was introduced by a good friend, someone who has proven herself to be a dogged champion of veterans, the ranking member of the Oversight and Investigations Subcommittee, Ms. KUSTER. This important piece of legislation will allow veterans who served as medics and corpsmen in the military to receive scholarships to train as physician assistants.

The VA has over 45,000 provider vacancies to fill so that veterans are not waiting too long for care. In the United States, we face a provider shortage in general, especially in our rural communities, where most veterans live. This bill will help address these critical shortages by providing veterans with an incredible opportunity to aid their communities and their fellow veterans.

Ms. KUSTER's hard work on this legislation and on behalf of veterans is admirable, and I urge my colleagues to support this bill.

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

Mr. ROE of Tennessee. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN), who is the chairman of the Subcommittee on Oversight and Investigations on the full Veterans' Affairs Committee.

Mr. BERGMAN. Mr. Speaker, for years, the Department of Veterans Affairs has seen many of its medical personnel leave to pursue opportunities outside of the VA healthcare system, resulting in fewer healthcare providers and, ultimately, less access to care for our veterans. In the First District of Michigan, which I represent, we are largely a rural district, and our district and our veterans have suffered more than most on this.

The GOOD Act utilizes a two-pronged approach to address VA's continuing struggles in recruiting and retaining their physician assistant workforce. This bill creates a pilot program to provide that pathway for veterans to receive the education necessary to become a PA while, simultaneously, requiring the VA to establish a national strategic plan to recruit and retain a robust and long-term medical staff.

Our veterans have given so much for our country at exceptional costs, and they deserve access to timely and high-quality healthcare from skilled professionals. I am proud to join Ranking Member KUSTER from our Oversight and Investigations Subcommittee in supporting this bipartisan legislation on behalf of our Nation's veterans.

Mr. Speaker, I urge all of my colleagues to support the bill, H.R. 3262.

Mr. WALZ. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentlewoman from New Hampshire (Ms.

KUSTER), the author of this piece of legislation, the ranking member of the Subcommittee on Oversight and Investigations.

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise to join my colleague, General BERGMAN, in support of our bill, H.R. 3262, the Grow Our Own Directive: Physician Assistant Employment and Education Act of 2017.

The Department of Veterans Affairs and the entire Nation are experiencing a shortage of quality physicians and healthcare providers. For doctors alone, the Association of American Medical Colleges estimates that, by 2030, the country could face a doctor shortage of over 100,000 physicians. Access to care will only become a harder problem to solve the longer it takes to be addressed.

Nonphysician providers, like physician assistants, are an important part of the solution to this shortage. Physician assistants are highly trained providers that often focus their training on specialties like psychiatry, orthopedics, and internal medicine.

It is fitting that my bill would help get more PAs into the VA to serve veterans. After all, the profession started when a small group of four Navy corpsmen completed the first PA program started at Duke University. That first program was based on the fast-tracked training of doctors during World War II. Veterans and the military have always been a part of the physician assistant profession.

The PA workforce offers unique value to rural and underserved areas. In places like northern New Hampshire, in my district, PAs help resolve shortages for family physicians and primary care physicians, shortages that have existed for decades.

My bill would leverage the Department of Veterans Affairs to improve access to quality care for veterans and rural locations alike. It would create a pilot scholarship program that awards no less than 250 scholarships over 5 years to PAs.

Currently, the VA has approximately 2,000 PAs. My bill would increase the PA workforce at the VA by over 10 percent.

In exchange for these scholarships, PAs would be required to work at the VA, and their placement would be focused on sending providers to rural and underserved areas. We know that if a provider is placed in New Hampshire, they tend to stay there.

This bill would also help get veterans with medical training in the workforce and with good-paying jobs. It is crucial that we help our veterans find excellent career paths that utilize the skills they learned while in the military service, and it is an added bonus that these veterans get to take care of their brothers and sisters in arms.

The final provision in my bill was included in the Choice funding bill we de-

bated just moments ago. This provision would provide PAs in the VA with competitive pay based on the community they serve. This provision is crucial because it helps recruit and retain these critical providers. The GAO recently reported that PAs experience the highest loss rate of any critical occupation, higher than doctors and nurse practitioners.

I would like to applaud my colleagues for coming together in a bipartisan way to craft the Choice funding bill. Not only will the bill fund the Choice Program for another 6 months, but it includes a number of important reforms that will improve service for all of our veterans. These provisions include improved authority for hiring in job shortage areas, measures to increase accountability within the VA, and my provision to boost the pay of PAs.

I would like to thank my esteemed colleague on the House Veterans Affairs' Subcommittee on Oversight and Investigations, Chairman Bergman. His support for this legislation was crucial to its passage today. I thank our chairman, Dr. ROE, and our ranking member.

Mr. Speaker, I ask my colleagues to immediately pass this bill.

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

Mr. WALZ. Mr. Speaker, as you heard, I urge my colleagues to support this smart piece of legislation. But I would like to close by adding, also, a thank-you to the chairman and to the majority side, once again showing bipartisanship offering two bills introduced by our side of the aisle that are being heard here on the floor which can be signed into law. It is greatly appreciated. It shows that the care of veterans always comes first. We on the minority side are appreciative of that courtesy.

Mr. Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I certainly support this bill, and I want to thank both General BERGMAN and Ms. KUSTER. We made a trip to Afghanistan together a couple of years ago. She has a dogged—and I will say “dogged”—commitment to the veterans in her district and to this country, and I want to thank her for bringing this piece of legislation up. I believe it will make a difference, I truly do, when it is implemented.

And I want to thank the ranking member, and his staff and mine, for bringing a lot of pieces of legislation to the House floor in the last couple of weeks. This week, especially, we have had some success here, and that means veterans had success. Certainly, the post-9/11 GI Bill that was passed this week is an enormous bill and will do

good generations after no one ever remembers who was on this floor debating that bill. So I want to thank them and thank my colleagues and wish everyone a safe recess and a healthy recess.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 3262, as amended.

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

The title of the bill was amended so as to read: "A bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, and for other purposes."

A motion to reconsider was laid on the table.

GLOBAL WAR ON TERRORISM WAR MEMORIAL ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 873) to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 873

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Global War on Terrorism War Memorial Act".

SEC. 2. NATIONAL GLOBAL WAR ON TERRORISM MEMORIAL.

(a) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Association may establish the National Global War on Terrorism Memorial as a commemorative work on Federal land in the District of Columbia and its environs to commemorate and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—

(1) IN GENERAL.—Except as provided in paragraph 2, the establishment of the memorial under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act").

(2) NON-APPLICABILITY.—Subsections (b) and (c) of section 8903 of title 40, United States Code, shall not apply to this Act.

(c) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the memorial under this section.

(2) RESPONSIBILITY OF ASSOCIATION.—The Association shall be solely responsible for

acceptance of contributions for, and payment of the expenses of, the establishment of the memorial.

(d) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the memorial under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the memorial, the Association shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SEC. 3. DEFINITIONS.

In this Act:

(1) ASSOCIATION.—The term "Association" means the Global War on Terror Memorial Foundation, a corporation that is—

(A) organized under the laws of the State of Pennsylvania; and

(B) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

(2) DISTRICT OF COLUMBIA AND ITS ENVIRONS.—The term "District of Columbia and its environs" has the meaning given that term in section 8902(a) of title 40, United States Code.

(3) GLOBAL WAR ON TERRORISM.—The term "Global War on Terrorism" means any contingency operation conducted by the Armed Forces in response to the terrorist attacks of September 11, 2001, or other terrorist attack.

(4) MEMORIAL.—The term "memorial" means the National Global War on Terrorism Memorial authorized to be established under section 2.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from Arizona (Mr. GALLEG0) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 873, the Global War on Terrorism War Memorial Act, authored by Congressman MIKE GALLAGHER of Wisconsin, would authorize the Global War on Terror Memorial Foundation to begin the lengthy Commemorative Works Act process to establish a Global War on Terrorism Memorial on Federal land in the District of Columbia. The memorial will recognize and honor the men and women who have served on Active Duty in the United States Armed Forces since the attack on our country on September 11, 2001.

The global war on terrorism is the longest conflict ever fought by the United States, and there is still no end

in sight. We can and should debate the policies that have prolonged this war and denied our troops the full might and resources of our Nation. But one thing is far above and beyond any debate, and that is the heroism, selflessness, devotion, and patriotism of the men and women of our Nation who stepped forward from the safety, security, and comfort of hearth and home and into harm's way when our Nation called.

The Commemorative Works Act requires that a war be ended for at least 10 years before planning can commence on a national memorial. There is good reason for this requirement: it gives history the insight to place the war in an historic context and to begin to fully appreciate its full significance to our country and future generations.

But the war on terrorism has been fought in a decidedly different way than our past wars. We are now approaching the 16th anniversary of the attack on New York and Washington. The veterans who sacrificed so much to keep that war away from our shores deserve some tangible and lasting tribute to their patriotism and altruism while they, their families, and their fellow countrymen can know it. The Gold Star families of our fallen heroes for whom the war will never end deserve some assurance that their sons and daughters will never be forgotten by a grateful Nation.

We should remember that many of our Nation's heroes from World War II never lived to see the completion of the World War II Memorial, which was completed 59 years after the end of that conflict.

For these reasons, this measure suspends the 10-year period in current law. It doesn't repeal it. It merely sets it aside for the unique circumstances of the current war on terrorism.

I am confident that the Memorial Commission will respect and appreciate the fact that many may have yet to serve in this war, and history has not yet had time to reflect on its significance to our Nation and, indeed, to the future of Western civilization. I am sure the design they recommend will respect these facts and provide significant latitude for the completion of the memorial after this bane of Islamic terrorism has been extirpated from our planet and the long-suffering people of the Middle East have been liberated from it by the brave fighting men and women of the United States Armed Forces that this memorial will honor and thank.

Mr. Speaker, I include in the RECORD a July 28, 2017, letter from the Congressional Budget Office providing a cost estimate for this bill.

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, July 28, 2017.

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 873, the Global War on Terrorism War Memorial Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran. Sincerely,

MARK P. HADLEY,
(For Keith Hall, Director).

Enclosure.

H.R. 873—GLOBAL WAR ON TERRORISM WAR
MEMORIAL ACT

As ordered reported by the House Committee on Natural Resources on July 26, 2017

H.R. 873 would authorize the Global War on Terror Memorial Foundation, a non-profit organization, to establish a memorial in the District of Columbia and its environs to commemorate members of the armed forces who served on active duty in support of the Global War on Terrorism.

Because H.R. 873 would prohibit the use of federal funds to establish the memorial, CBO estimates that implementing the legislation would result in no significant costs to the federal government.

Enacting H.R. 873 would affect direct spending; therefore, pay-as-you-go procedures apply. The memorial project would be subject to the requirements of the Commemorative Works Act. Under that act, any entity that receives a permit to construct a memorial must donate to the National Park Foundation (a nonprofit organization) an amount equal to 10 percent of the memorial's estimated construction cost. That amount, as well as any project funds remaining after construction of the memorial, would be available in future years for maintenance of the memorial.

Based on the experience of similar commemorative projects, CBO expects that any amounts collected by the federal government for maintenance would not be received for several years and would be offset by an expenditure soon thereafter. On net, CBO estimates that such effects would be insignificant. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 873 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 873 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was approved by Theresa A. Gullo, Assistant Director for Budget Analysis.

Mr. MCCLINTOCK. Mr. Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

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

Mr. Speaker, today I rise to speak in favor of the Global War on Terrorism War Memorial Act. This act will initiate the process for constructing a memorial to the brave men and women of the Armed Forces who have fought and, too often, died for this country in the wake of the September 11 attacks.

As a veteran of the Iraq war, I am extremely proud to be on the floor today as we memorialize the bravest and best of Americans: the ones who volunteered to put themselves in harm's way and did not come back.

I want to commend my fellow Marines, Mr. MOULTON and Mr. GALLAGHER, for sponsoring this act. As you know, Mr. Speaker, it takes a lot for an enlisted marine like me to speak very highly of any officer, let alone Marine Corps officers, but there are always exceptions.

Mr. Speaker, as we consider this legislation, I hope every Member of this body will take a quiet moment today to think about the courageous men and women we have lost over the past 16 years. When I cast my vote today, I know I will be thinking about my close friends, including Corporal Andre Williams and Lance Corporal Christopher Lyons, who died 12 years ago today in Cykla, Iraq.

This memorial will honor thousands of our countrymen who have been killed and wounded in Iraq and around the world. It will memorialize the service of those who have survived the battle only to fall victim to the mental and emotional demons of post-traumatic stress. And it will represent a token of thanks to the family and friends who have served by supporting their loved ones in uniform.

□ 1130

For as long as this memorial stands, it will continue the proud tradition of America honoring its sons and daughters who have given their last full measure of devotion.

I look forward to commencing design and to the day when the memorial passes from an idea on a piece of paper to a landmark on the National Mall.

I thank Congressman MOULTON and Congressman GALLAGHER for their remarks.

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

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. GALLAGHER), the author of this measure, one of the many thousands of Americans who stepped forward to answer their country's call.

Mr. GALLAGHER. Mr. Speaker, I thank the chairman for his leadership on this issue, for working with us, and I ask that he please extend our thanks to every member of the Natural Resources Committee for its effort in getting this bill to the floor.

Mr. Speaker, I also thank the gentleman from Arizona for his words and for his service. It is my honor to call him my fellow marine. As an officer, I did my best just not to get in the way of my enlisted marines, who were doing the real work. Maybe we can bring some of that same ethos here to Congress.

Mr. Speaker, I rise today in strong support of this bill that honors our post-9/11 veterans and secures their rightful place in our Nation's Capital.

Earlier this summer, I had the honor of welcoming a group of American heroes who journeyed from northeast Wisconsin to Washington, D.C., aboard the Old Glory Honor Flight. That is one of the truly incredible things we get to do as Members of Congress.

Just to watch generation after generation of veterans representing every major conflict since World War II visiting the very memorials that honor their sacrifice, their service, their commitment, their courage in those conflicts was one of the most remarkable experiences of my life.

Just as these veterans visited their respective memorials, so, too, should the brave men and women who have served and continue to serve in the ongoing war on terrorism have a memorial one day to honor their courage, their sacrifice, their commitment. But as the chairman laid out, current law does not allow for the creation of a memorial for the war on terror.

The 1986 Commemorative Works Act requires that monuments in honor of a "... limited military engagement or a unit of an armed force may not be authorized ... until at least 10 years after the officially designated end of such war or conflict."

But as we know, this is a conflict unlike many others that have preceded it. This war will have no clear end date, no V Day or V-J Day. Threats continue to rise, so the longest ongoing conflict in our Nation's history continues. After 15 years, after over 6,800 American lives lost, there is still no end in sight.

So this memorial is for the men and women who have died fighting, those who continue to fight, those who are still joining the fight against terrorism.

Mr. Speaker, I just want to take a second to recognize the dedicated members of the Global War on Terrorism Memorial Foundation, many of whom are with us here today, especially Andrew Brennan, George Chewning, Chad Longell, and Matt Gannon. They have been tireless in their commitment to getting this done. Today we are taking an important step forward, but we still need to get it across the finish line, so I want to recognize their efforts.

I just want to say, Mr. Speaker, like most, I struggle with how to truly honor the men and women whose sacrifices far exceed my own. I was lucky. I had great marines that kept me safe, and we all came home safe. But my hope is that this memorial will serve as not only a way to honor those who paid the ultimate sacrifices, but also as a call to action for us, the living.

I believe that those we will pay tribute to through this memorial didn't

risk everything just so we would sit back and praise them for keeping us safe. I would submit to you that the fallen don't want our praise. They want our participation in this incredible experiment in self-government.

If we are going to continue passing the torch of democracy from one generation to the next, then we need to build this memorial so that future generations never forget their duty to do the same, so that future generations never forget the cost of liberty.

Mr. Speaker, I call on my colleagues to support this legislation to memorialize the service of the brave men and women who have fought in the global war on terrorism.

Mr. GALLEGO. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MOULTON).

Mr. MOULTON. Mr. Speaker, I thank my colleagues from Wisconsin and Arizona. It is an honor to stand here as fellow marines in support of this bill today.

Today is a big day. It is a milestone in a journey that we started over a year ago. We are taking a major legislative step in the direction of creating a memorial honoring those who have served on Active Duty during the global war on terrorism.

For many, like my colleagues, this bill is personal. None of us will forget where we were on September 11, 2001, and we all continue to live with the aftermath of that tragic day in American history.

It is important to note that the tragic events of 9/11 and the war on terror to follow did not leave us isolated and afraid as a nation. Rather, in true American fashion, they inspired an entire generation to come together and serve.

So many young men and women selflessly answered the call to serve their country in the wake of that tragedy, and I would like to share just one story with you about someone from my district who would be on this memorial.

Captain Jennifer Harris lived in the town of Swampscott. She was a graduate of the United States Naval Academy, and, sadly, became the first Massachusetts woman killed in the Iraq war.

Jennifer was the epitome of leadership and sacrifice. On flying missions, she had the call sign "The Dove." She would often be called to evacuate our wounded soldiers and marines from the battlefield.

Captain Harris' final mission was to transport blood supplies. She willingly volunteered for it even though she was only just days away from returning home. In fact, she was initially told:

No. You are too close to leaving. Don't go.

But she said:

I want to fly one more time.

Her superiors reluctantly agreed. Captain Harris died on February 7,

along with six other crew members after insurgents shot down her helicopter.

In her twenties, with a bright future ahead of her, Captain Harris was on her third tour of duty in Iraq.

I can't help but think today of my grandfather, a World War II veteran. He never got to see the WWII Memorial in his lifetime. He was never afforded the opportunity to have some place to take his family to reflect on his time in the service or remember his colleagues who did not have the opportunity to come home.

Let's not let that history repeat itself. The men and women who have given their all in the war on terror should be afforded a place on the National Mall where their loved ones can pay respects and honor their sacrifice.

Passage of this bill is an important first step in seeing this memorial built in our lifetime.

Let's get this done for Captain Jennifer Harris and the thousands of others like her who have made the ultimate sacrifice for our country.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman from California for yielding.

Mr. Speaker, I rise in the strongest support possible for this bill to begin the process of establishing a memorial to honor the servicemembers of our longest war.

5,799 days ago, on a crystal blue September morning, we came face to face with an evil as old as time. Within days, our military was engaged, and within weeks, we sustained our first casualties. Our latest loss happened this very month.

They came from every walk of American life, from the North, the South, the East, the West, every race, color, and creed, men and women.

The memorial authorized in this bill will allow the Nation to remember not only those who did not come home, but also those with life-changing injuries, visible and invisible, the incomprehensible and too often unnoticed stress on the spouses and children of those deployed, and the sacrifices of those who put their stateside lives on hold to serve.

Mr. Speaker, amidst the divisions in our country today, we need this memorial now more than ever, yes, to remember our fallen, but also to bind us together as we reflect upon their sacrifice for the transcendent ideals upon which this country was founded.

Mr. Speaker, I thank the gentleman from Wisconsin, the gentleman from Arizona, and the gentleman from Massachusetts for their work on this legislation and for their service to our country.

Mr. GALLEGO. Mr. Speaker, I yield 2 minutes to the gentleman from Cali-

fornia (Mr. PANETTA). To show our bipartisan nature, we are going to allow somebody from the Army to speak also on this bill.

Mr. PANETTA. Mr. Speaker, I thank the gentleman for yielding, but like a typical marine, he actually got it wrong. I was actually in the Navy.

Mr. GALLEGO. That is worse.

Mr. PANETTA. I was a Navy officer. I am sure that was on purpose.

So standing here actually as a Navy officer, being asked to address this bill, H.R. 873, and to support this bill, being asked by a bunch of marines is a true honor, and it is very humbling at the same time.

Mr. Speaker, I do rise in support of H.R. 873, the Global War on Terrorism War Memorial Act, to create the foundation, which will then provide for the Global War on Terrorism Memorial right here on the National Mall.

Mr. Speaker, I thank Mr. GALLEGO from Arizona; Mr. MOULTON from Massachusetts; and, of course, Mr. GALLAGHER from Wisconsin, my classmate here in the 115th Congress, a fellow freshman. Again, it is quite a privilege to stand here with these fellow veterans as peers, but also as a true sign of bipartisanship in the House of Representatives.

Now, I had remarks prepared yesterday to address the House about this topic, but last night I went to Arlington National Cemetery. I took my two daughters, who are here in town. We saw what people normally see, the changing of the guard, the Tomb of the Unknown Soldier, the tomb of President Kennedy. But I made it a point to go to area 60, the area where there are many recent interments from the people, from our veterans, from our brethren, who have served in the global war on terrorism.

On that hallowed ground, I made it a point to seek out someone I served with, a gentleman by the name of Brendan Looney. I served with Mr. Looney in Korea. He was an intelligence officer back then. Both of us made sure that we wanted to do more. I went forward, but Brendan Looney wanted to do more than just that: he wanted to become a SEAL, and he did. He served in Iraq and he served in Afghanistan. It was in 2010 when the Blackhawk he was riding in went down and crashed, killing everybody on board.

Now, Brendan is interred in area 60 at Arlington National Cemetery right along with his brethren, with his brother in arms, Travis Manion. I looked at Travis Manion's tombstone, and on that tombstone is a quote that I would like to share. On that tombstone, it says:

If not me, then who?

And right next to Mr. Manion's tombstone was another 19-year-old who was interred there, a veteran of the global war on terrorism. And on his

tombstone was a quote that I would like to share. It said:

I just want to do my part.

Mr. Speaker, it is this attitude that was inscribed on those tombstones which is the attitude of this generation of veterans who served in the global war on terrorism, my generation, our generation, men and women who didn't step back; instead, they stepped forward. They didn't just step forward; they ran forward, they ran to the fight.

Now, also at Arlington National Cemetery was another quote that I would like to share, and it was from John F. Kennedy. The quote that they had up there by his tomb was from one of his speeches, in which he stated:

In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from this responsibility. I welcome it.

□ 1145

The men and women who served in the global war on terrorism did not shrink from that responsibility. They did not run away. They ran forward.

So, Mr. Speaker, I believe that it is important to have this memorial because the families, the friends, the men and women of this country should not just have to go to cemeteries to honor those who served and paid the ultimate sacrifice. That is why I stand here, Mr. Speaker, in full support of the memorial here on the National Mall to not just honor, but to celebrate the service and the sacrifice of the veterans of the global war on terrorism.

Mr. McCLINTOCK. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Wisconsin (Mr. GALLAGHER), who has brought this legislation before us today.

Mr. GALLAGHER. Mr. Speaker, I just wanted to quickly add my thanks to the gentleman from Massachusetts (Mr. MOULTON), who started this effort in the last Congress with another colleague of ours, and I was fortunate enough to join that team when I arrived here. Without his dedication from the start, we would not be at this moment today.

I would also thank him for his example of leadership in the Marine Corps and in Congress, which has inspired a generation of marines like myself. And while we don't agree on everything, we always look for ways to work together.

It is my belief in just listening to these speeches, particularly from the veterans who serve in Congress, that there is so much that we can work together on; and there are forces that are trying to divide us, but there is still so much that we can agree upon.

So while this may seem like a small step, I would submit that this is big. And I hope this is the beginning of more work that we can do on behalf of the country, and that is what it should be about at the end of the day.

So I just thank all of my colleagues. I thank the chairman for his help. I couldn't be more proud that, in a divided time, we came together to do something good on behalf of past generations of veterans and on behalf of the next generation.

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

Again, I thank Congressman GALLAGHER, Congressman MOULTON, and all of the veterans who have sponsored this bill in remembrance of our brothers and sisters from the global war on terrorism.

I would like to speak a couple more minutes just because I rarely have the opportunity to speak about the guys that I served with. It was a group called Lima 325 out of Ohio. It was one of the best groups of men who I probably have ever met. We were nice young men from New Mexico that were suddenly added to these country boys and city boys from Ohio and sent to the middle of nowhere, Iraq. And from there, we saw a lot of combat. We lost a lot of friends.

In section 60, many of us veterans have this tradition where we go and we put our quarters on the headstones of the men we served with. And I, unfortunately, have to put down a lot of quarters.

But one of the things that I will always remember is that this unit, Lima 325, really brought people from all walks of life in America. You had African Americans, you had country boys from Ohio, you had Navajo from the Navajo Nation and other parts of our Tribal Nations, you had Latinos.

We even taught some of the Ohio boys how to cook since they don't really have good taste. We introduced them to the idea of green chili, which I have heard has now taken off in Oliver, Ohio. And we lived together for 7 months, going from house to house, from hole to hole. And even today, though many of us cannot see each other, we still live with each other in our spirits and in our souls.

These types of memorials matter. For many of us, this generation is not the generation that served together on a base. Many of us actually served from different parts of the world. We dropped our jobs and what we were doing, our school sometimes, to join in, leave our families, leave the comfort and safety of the United States to go and defend what we believed was important to this country and to honor our commitment.

Sometimes it is these types of memorials that are the only thing that actually bring us together. I recently was lucky enough to have my 10-year reunion with the guys from Lima Company, and that is the first time I had seen many men that I had lived with for so long. It was a very inspiring as well as moving, and really consoling thing for me.

I believe that having a memorial of this nature would be extremely important for many men and women to be able to see, to be able to come and maybe not necessarily physically meet with their partners, with their comrades, but to at least be able to spiritually have a place to meet with their comrades, with the people that they served with in arms.

Mr. Speaker, I urge everyone to vote "yes," and I yield back the balance of my time.

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

With this vote, we will begin proceeding on this memorial and begin a process of planning a great work to honor the bravery, sacrifice, and patriotism to those who have defended Western civilization from the medieval barbarism that has reappeared in our time.

But even more importantly, we begin work on a tangible promise for future generations, a promise animated by the heroic deeds of these veterans, the promise of a coming age of liberty and justice, of peace and tolerance that will surely come. I ask for adoption of this measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 873.

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

A motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. NUNES. Mr. Speaker, pursuant to House Resolution 481, I call up the bill (H.R. 3180) to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 481, the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 3180

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

Sec. 202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.

Sec. 303. Congressional oversight of intelligence community contractors.

Sec. 304. Enhanced personnel security programs.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.

Sec. 402. Designation of the program manager-information sharing environment.

Sec. 403. Technical correction to the executive schedule.

Subtitle B—Other Elements

Sec. 411. Requirements relating to appointment of General Counsel of National Security Agency.

Sec. 412. Transfer or elimination of certain components and functions of the Defense Intelligence Agency.

Sec. 413. Technical amendments related to the Department of Energy.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Sec. 501. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Sec. 502. Foreign counterintelligence and cybersecurity threats to Federal election campaigns.

Sec. 503. Assessment of threat finance relating to the Russian Federation.

TITLE VI—REPORTS AND OTHER MATTERS

Sec. 601. Period of overseas assignments for certain foreign service officers.

Sec. 602. Semiannual reports on investigations of unauthorized public disclosures of classified information.

Sec. 603. Intelligence community reports on security clearances.

Sec. 604. Report on expansion of Security Protective Services jurisdiction.

Sec. 605. Report on role of Director of National Intelligence with respect to certain foreign investments.

Sec. 606. Report on Cyber Exchange Program.

Sec. 607. Review of intelligence community participation in vulnerabilities equities process.

Sec. 608. Review of Intelligence Community whistleblower matters.

Sec. 609. Sense of Congress on notifications of certain disclosures of classified information.

SEC. 2. DEFINITIONS.

In this Act:

(1) **CONGRESSIONAL INTELLIGENCE COMMITTEES.**—The term “congressional intelligence committees” means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

TITLE I—INTELLIGENCE ACTIVITIES**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) **SPECIFICATIONS OF AMOUNTS.**—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2018, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this Act.

(b) **AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**—

(1) **AVAILABILITY.**—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) **DISTRIBUTION BY THE PRESIDENT.**—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) **LIMITS ON DISCLOSURE.**—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) **AUTHORITY FOR INCREASES.**—The Director of National Intelligence may authorize employ-

ment of civilian personnel in excess of the number authorized for fiscal year 2018 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) **TREATMENT OF CERTAIN PERSONNEL.**—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long-term, full-time training.

(c) **NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.**—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2018 the sum of \$526,900,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2019.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 804 positions as of September 30, 2018. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) **CLASSIFIED AUTHORIZATIONS.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2018 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts made available for advanced research and development shall remain available until September 30, 2019.

(2) **AUTHORIZATION OF PERSONNEL.**—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2018, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2018 the sum of \$514,000,000.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) **COMPUTATION OF ANNUITIES.**—

(1) *IN GENERAL*.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting “, as determined by using the annual rate of basic pay that would be payable for full-time service in that position.”;

(B) in subsection (b)(1)(C)(i), by striking “12-month” and inserting “2-year”;

(C) in subsection (f)(2), by striking “one year” and inserting “two years”;

(D) in subsection (g)(2), by striking “one year” each place such term appears and inserting “two years”;

(E) by redesignating subsections (h), (i), (j), (k), and (l) as subsections (i), (j), (k), (l), and (m), respectively; and

(F) by inserting after subsection (g) the following:

“(h) *CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT*.—

“(1) *AUTHORITY TO MAKE DESIGNATION*.—Subject to the rights of former spouses under subsection (b) and section 222, at the time of retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive an annuity under the system after the participant's death, except that any such election to provide an insurable interest survivor annuity to the participant's spouse shall only be effective if the participant's spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 55 percent of the participant's reduced annuity.

“(2) *REDUCTION IN PARTICIPANT'S ANNUITY*.—The annuity payable to the participant making such election shall be reduced by 10 percent of an annuity computed under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this subparagraph may not exceed 40 percent.

“(3) *COMMENCEMENT OF SURVIVOR ANNUITY*.—The annuity payable to the designated individual shall begin on the day after the retired participant dies and terminate on the last day of the month before the designated individual dies.

“(4) *RECOMPUTATION OF PARTICIPANT'S ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL*.—An annuity which is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.”.

(2) *CONFORMING AMENDMENTS*.—

(A) *CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT*.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(i) in section 232(b)(1) (50 U.S.C. 2052(b)(1)), by striking “221(h),” and inserting “221(i),”; and

(ii) in section 252(h)(4) (50 U.S.C. 2082(h)(4)), by striking “221(k)” and inserting “221(l)”.

(B) *CENTRAL INTELLIGENCE AGENCY ACT OF 1949*.—Subsection (a) of section 14 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3514(a)) is amended by striking “221(h)(2), 221(i), 221(l),” and inserting “221(i)(2), 221(j), 221(m),”.

(b) *ANNUITIES FOR FORMER SPOUSES*.—Subparagraph (B) of section 222(b)(5) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is amended by striking “one year” and inserting “two years”.

(c) *PRIOR SERVICE CREDIT*.—Subparagraph (A) of section 252(b)(3) of the Central Intel-

ligence Agency Retirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking “October 1, 1990” both places that term appears and inserting “March 31, 1991”.

(d) *REEMPLOYMENT COMPENSATION*.—Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2113) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b) *PART-TIME REEMPLOYED ANNUITANTS*.—The Director shall have the authority to reemploy an annuitant in a part-time basis in accordance with section 8344(l) of title 5, United States Code.”.

(e) *EFFECTIVE DATE AND APPLICATION*.—The amendments made by subsection (a)(1)(A) and subsection (c) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of such date.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE COMMUNITY CONTRACTORS.

(a) *OVERSIGHT BY CONGRESS*.—

(1) *IN GENERAL*.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 506J the following new section:

“SEC. 506K. OVERSIGHT OF INTELLIGENCE COMMUNITY CONTRACTORS.

“Notwithstanding the terms of any contract awarded by the head of an element of the intelligence community, the head may not—

“(1) prohibit a contractor of such element from contacting or meeting with either of the congressional intelligence committees (including a member or an employee thereof) to discuss matters relating to a contract;

“(2) take any adverse action against a contractor of such element, including by suspending or debarring the contractor or terminating a contract, based on the contractor contacting or meeting with either of the congressional intelligence committees (including a member or an employee thereof) to discuss matters relating to a contract; or

“(3) require the approval of the head before a contractor of such element contacts or meets with either of the congressional intelligence committees (including a member or an employee thereof) to discuss matters relating to a contract.”.

(2) *CLERICAL AMENDMENT*.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506J the following new item:

“Sec. 506K. Oversight of intelligence community contractors.”.

(b) *APPLICATION*.—The amendment made by subsection (a)(1) shall apply with respect to a contract awarded by the head of an element of the intelligence community on or after the date of the enactment of this Act.

SEC. 304. ENHANCED PERSONNEL SECURITY PROGRAMS.

Section 11001(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking “AUDIT” and inserting “REVIEW”;

(2) in paragraph (1), by striking “audit” and inserting “review”; and

(3) in paragraph (2), by striking “audit” and inserting “review”.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking “such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;” and inserting “current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate;”.

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER—INFORMATION SHARING ENVIRONMENT.

(a) *INFORMATION SHARING ENVIRONMENT*.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking “President” and inserting “Director of National Intelligence”; and

(2) in paragraph (2), by striking “President” both places that term appears and inserting “Director of National Intelligence”.

(b) *PROGRAM MANAGER*.—Section 1016(f) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)) is amended by striking “The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President's sole discretion).” and inserting “Beginning on the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2018, each individual designated as the program manager shall be appointed by the Director of National Intelligence.”.

SEC. 403. TECHNICAL CORRECTION TO THE EXECUTIVE SCHEDULE.

Section 5313 of title 5, United States Code, is amended by adding at the end the following:

“Director of the National Counterintelligence and Security.”.

Subtitle B—Other Elements

SEC. 411. REQUIREMENTS RELATING TO APPOINTMENT OF GENERAL COUNSEL OF NATIONAL SECURITY AGENCY.

(a) *IN GENERAL*.—Section 2 of the National Security Agency Act of 1959 (Public Law 86–36; 50 U.S.C. 3602) is amended by adding at the end the following new subsection:

“(c)(1) There is a General Counsel of the National Security Agency.

“(2) The General Counsel of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.”.

(b) *EFFECTIVE DATE*.—Subsection (c) of section 2 of the National Security Agency Act of 1959 (Public Law 86–36; 50 U.S.C. 3602) shall apply with respect to any person who is appointed to serve as General Counsel of the National Security Agency on or after January 21, 2021.

SEC. 412. TRANSFER OR ELIMINATION OF CERTAIN COMPONENTS AND FUNCTIONS OF THE DEFENSE INTELLIGENCE AGENCY.

(a) *INFORMATION REVIEW TASK FORCE*.—

(1) **TRANSFER REQUIRED.**—Effective on the date that is 180 days after the date of the enactment of this Act, there is transferred from the Director of the Defense Intelligence Agency to the Chairman of the Joint Chiefs of Staff all functions performed by the Information Review Task Force and all assigned responsibilities performed by the Information Review Task Force. Upon such transfer, such Task Force shall be designated as a chairman's controlled activity.

(2) **TRANSITION PLAN.**—

(A) **CONGRESSIONAL BRIEFING.**—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Chairman of the Joint Chiefs of Staff shall jointly brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the transfer required under paragraph (1).

(B) **SUBMITTAL OF FORMAL PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional intelligence committees and the congressional defense committees a formal plan for the transfer required under paragraph (1).

(3) **LIMITATION ON USE OF FUNDS.**—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Information Review Task Force for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to the Chairman of the Joint Chiefs of Staff.

(b) **IDENTITY INTELLIGENCE PROJECT OFFICE.**—

(1) **ELIMINATION.**—Effective on the date that is 180 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall eliminate the Identity Intelligence Project Office, including all functions and assigned responsibilities performed by the Identity Intelligence Project Office. All personnel and assets pertaining to such Office shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(2) **TRANSITION PLAN.**—

(A) **CONGRESSIONAL BRIEFING.**—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the elimination required under paragraph (1).

(B) **SUBMITTAL OF FORMAL PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees a formal plan for the elimination required under paragraph (1).

(3) **LIMITATION ON USE OF FUNDS.**—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Identity Intelligence Project Office for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(c) **WATCHLISTING BRANCH.**—

(1) **TRANSFER REQUIRED.**—Effective on the date that is 180 days after the date of the enactment of this Act, there is transferred from the Director of the Defense Intelligence Agency to the Director for Intelligence of the Joint Staff all functions and all assigned responsibilities performed by the Watchlisting Branch.

(2) **TRANSITION PLAN.**—

(A) **CONGRESSIONAL BRIEFING.**—Not later than 60 days after the date of the enactment of this

Act, the Director of the Defense Intelligence Agency and the Director for Intelligence of the Joint Staff shall jointly brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the transfer required under paragraph (1).

(B) **SUBMITTAL OF FORMAL PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Director for Intelligence of the Joint Staff shall jointly submit to the congressional intelligence committees and the congressional defense committees a formal plan for the transfer required under paragraph (1).

(3) **LIMITATION ON USE OF FUNDS.**—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Watchlisting Branch for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to the Director for Intelligence of the Joint Staff.

(d) **COUNTER-THREAT FINANCE.**—

(1) **ELIMINATION.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall eliminate the Counter-Threat Finance analysis function of the Defense Intelligence Agency. All personnel and assets pertaining to such function shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(2) **TRANSITION PLAN.**—

(A) **CONGRESSIONAL BRIEFING.**—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall brief the congressional intelligence committees and the congressional defense committees on the plan to eliminate the Counter-Threat Finance analysis function under paragraph (1).

(B) **SUBMITTAL OF FORMAL PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees a formal plan to eliminate such function under paragraph (1).

(3) **LIMITATION ON USE OF FUNDS.**—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Counter-Threat Finance analysis function for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(e) **NATIONAL INTELLIGENCE UNIVERSITY.**—

(1) **TRANSFER REQUIRED.**—Effective on October 1, 2020, there is transferred from the Director of the Defense Intelligence Agency to the Director of National Intelligence all functions and all assigned responsibilities performed by the National Intelligence University.

(2) **TRANSITION PLAN.**—

(A) **CONGRESSIONAL BRIEFING.**—Not later than October 1, 2018, the Director of the Defense Intelligence Agency and the Director of National Intelligence shall jointly brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the transfer required under paragraph (1).

(B) **SUBMITTAL OF FORMAL PLAN.**—Not later than April 1, 2019, the Director of the Defense Intelligence Agency and the Director of National Intelligence shall jointly submit to the congressional intelligence committees and the congressional defense committees a formal plan for the transfer required under paragraph (1).

(3) **LIMITATION ON USE OF FUNDS.**—The Director of the Defense Intelligence Agency may not

obligate or expend any funds authorized to be appropriated for the National Intelligence University after October 1, 2020. Any such funds that are unobligated or unexpended as of such date shall be transferred to the Director of National Intelligence.

(f) **CONGRESSIONAL NOTICE FOR REPROGRAMMING.**—Not later than 30 days before transferring any funds relating to transferring or eliminating any function under this section, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees notice in writing of such transfer.

(g) **TREATMENT OF CERTAIN FUNCTIONS AND RESPONSIBILITIES.**—

(1) **IN GENERAL.**—In the case of any function or executive agent responsibility that is transferred to the Director of National Intelligence pursuant to this section, the Director of National Intelligence may not delegate such function or responsibility to another element of the intelligence community.

(2) **EXECUTIVE AGENT RESPONSIBILITY.**—In this subsection, the term “executive agent responsibility” means the specific responsibilities, functions, and authorities assigned by the Director of National Intelligence to the head of an intelligence community element to provide defined levels of support for intelligence operations, or administrative or other designated activities.

(h) **DEADLINE FOR POLICY UPDATES.**—Not later than October 1, 2020, the Director of National Intelligence, the Under Secretary of Defense for Intelligence, and the Chairman of the Joint Chiefs of Staff shall ensure that all relevant policies of the intelligence community and Department of Defense are updated to reflect the transfers required to be made pursuant to this section.

(i) **TREATMENT OF TRANSFERRED FUNCTIONS.**—No transferred functions or assigned responsibility referred to in subsection (a), (c), or (e) shall be considered a new start by the receiving element, including in the case of any lapse of appropriation for such transferred function or assigned responsibility.

(j) **REPORTS ON OTHER ELEMENTS OF DEFENSE INTELLIGENCE AGENCY.**—

(1) **NATIONAL CENTER FOR CREDIBILITY ASSESSMENT.**—

(A) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(i) the assignment of executive agency for the National Center for Credibility Assessment to the Director of the Defense Intelligence Agency may be limiting the ability of the Center to effectively serve the Federal customer base of the Center;

(ii) the failure of the Director of National Intelligence, in the role of the Director as security executive for the Federal Government, to define in policy the term “Executive Agent” may be further limiting the ability of the Center to receive sufficient resources to carry out the critical Federal mission of the Center; and

(iii) the evolution of the Center from an organization of the Army to an organization serving 27 departments and agencies and responsible for all Federal credibility assessment training, oversight, and research and development, has resulted in a convoluted oversight structure based on legacy reporting requirements.

(B) **REPORT.**—Not later than October 1, 2018, the Director of the Defense Intelligence Agency, the Director of National Intelligence, and the Secretary of Defense shall jointly submit to the congressional intelligence committees and the congressional defense committees a report on—

(i) the current and projected missions and functions of the National Center for Credibility Assessment;

(ii) the effectiveness of the current organizational assignment of the Center to the Director of the Defense Intelligence Agency;

(iii) the effectiveness of the current oversight structure between the Center, the Defense Intelligence Agency, the Under Secretary of Defense for Intelligence, and the Director of National Intelligence; and

(iv) the resources and authorities necessary to most effectively execute the missions and functions of the Center.

(2) UNDERGROUND FACILITIES ANALYSIS CENTER.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) the assignment of executive agency for the Underground Facilities Analysis Center to the Director of the Defense Intelligence Agency may be limiting the ability of the Center to effectively serve the broader intelligence community customer base of the Center;

(ii) the failure of the Director of National Intelligence to define in policy the term “Executive Agent” may be further limiting the ability of the Center to receive sufficient resources to carry out the critical mission of the Center; and

(iii) the requirements of the intelligence community and Department of Defense with respect to underground facilities are not adequately being met given the scale and complexity of the problem set and the relatively small amount of funding currently received by the Center.

(B) REPORT.—Not later than October 1, 2018, the Director of the Defense Intelligence Agency, the Director of National Intelligence, and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional intelligence committees and the congressional defense committees a report on—

(i) the missions and functions of the Underground Facilities Analysis Center;

(ii) the state of the requirements of the intelligence community and Department of Defense with respect to underground facilities and the ability of the Center to meet such requirements;

(iii) the effectiveness of the current organizational assignment of the Center to the Director of the Defense Intelligence Agency;

(iv) the effectiveness of the current oversight structure between the Center, the Defense Intelligence Agency, the Secretary of Defense, and the Director of National Intelligence; and

(v) the resources and authorities necessary to most effectively execute the missions and functions of the Center.

(k) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term “congressional defense committees” means—

(1) the Committees on Armed Services of the Senate and House of Representatives; and

(2) the Committees on Appropriations of the Senate and House of Representatives.

SEC. 413. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) ATOMIC ENERGY DEFENSE ACT.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended by inserting “Intelligence and” after “The Director of”.

(b) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting “and Counterintelligence” after “Office of Intelligence”;

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(4) in subparagraph (H), as redesignated by paragraph (3), by realigning the margin of such subparagraph two ems to the left.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

SEC. 501. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.

(a) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;

(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referendum;

(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(b) FORM.—The report required by subsection (a) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

(c) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In this section, the term “Russian influence campaign” means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

SEC. 502. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal offices can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is one year before the date of the election.

(3) INFORMATION TO BE INCLUDED.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available additional information to the appropriate representatives of such campaign.

SEC. 503. ASSESSMENT OF THREAT FINANCE RELATING TO THE RUSSIAN FEDERATION.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, acting through the National Intelligence Manager for Threat Finance, shall submit to the congressional intelligence committees a report containing an assessment of the financing of threat activity by the Russian Federation.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, at a minimum, the following:

(1) A summary of leading examples from the 3-year period prior to the date of the report of any threat finance activities conducted by, for the benefit of, or at the behest of officials of the Government of Russia, persons subject to sanctions under any provision of law imposing sanctions with respect to Russia, or Russian nationals subject to sanctions under any other provision of law.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities.

(3) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(4) An identification of any resource and collection gaps.

(c) FORM.—The report submitted under subsection (a) may be submitted in classified form.

(d) THREAT FINANCE DEFINED.—In this section, the term “threat finance” means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, or conceal money or value on behalf of threat actors;

(3) sanctions evasion; or

(4) other forms of threat financing domestically or internationally, as defined by the President.

TITLE VI—REPORTS AND OTHER MATTERS

SEC. 601. PERIOD OF OVERSEAS ASSIGNMENTS FOR CERTAIN FOREIGN SERVICE OFFICERS.

(a) LENGTH OF PERIOD OF ASSIGNMENT.—Subsection (a) of section 502 of the Foreign Service Act of 1980 (22 U.S.C. 3982) is amended by adding at the end the following new paragraph:

“(3) In making assignments under paragraph (1), and in accordance with section 903, and, if applicable, section 503, the Secretary shall assure that a member of the Service may serve at a post for a period of not more than six consecutive years.”.

(b) FOREIGN LANGUAGE DEPLOYMENT REQUIREMENTS.—Section 702 of the Foreign Service Act of 1980 (22 U.S.C. 4022) is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) FOREIGN LANGUAGE DEPLOYMENT REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary of State, with the assistance of other relevant officials, shall require all members of the Service who receive foreign language training in Arabic, Farsi, Chinese (Mandarin or Cantonese), Turkish, Korean, and Japanese by the institution or otherwise in accordance with subsection (b) to serve three successive tours in positions in which the acquired language is both relevant and determined to be a benefit to the Department.

“(2) OVERSEAS DEPLOYMENTS.—In carrying out paragraph (1), at least one of the three successive tours referred to in such paragraph shall be an overseas deployment.

“(3) WAIVER.—The Secretary of State may waive the application of paragraph (1) for medical or family hardship or in the interest of national security.

“(4) CONGRESSIONAL NOTIFICATION.—The Secretary of State shall notify the Committees on Appropriations and Foreign Affairs of the House of Representatives and Committees on Appropriations and Foreign Relations of the Senate at the end of each fiscal year of any instances during the prior twelve months in which the waiver authority described in paragraph (3) was invoked.”.

SEC. 602. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED PUBLIC DISCLOSURES OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section:

“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED PUBLIC DISCLOSURES OF CLASSIFIED INFORMATION.

“(a) IN GENERAL.—On a semiannual basis, each covered official shall submit to the congressional intelligence committees a report that includes, with respect to the preceding 6-month period—

“(1) the number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information;

“(2) the number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information; and

“(3) of the number of such completed investigations identified under paragraph (2), the number referred to the Attorney General for criminal investigation.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘covered official’ means—

“(A) the heads of each element of the intelligence community; and

“(B) the inspectors general with oversight responsibility for an element of the intelligence community.

“(2) The term ‘investigation’ means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

“(3) The term ‘unauthorized public disclosure of classified information’ means the unauthorized disclosure of classified information to a journalist or media organization.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized public disclosures of classified information.”.

SEC. 603. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)(ii), by inserting “and” after the semicolon;

(B) in subparagraph (B)(ii), by striking “; and” and inserting a period; and

(C) by striking subparagraph (C);

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following new subsection (b):

“(b) INTELLIGENCE COMMUNITY REPORTS.—(1) Not later than March 1 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the security clearances processed by each element of the intelligence community during the preceding calendar year. Each such report shall separately identify security clearances processed by each such element and shall cover Federal employees and contractor employees.

“(2) Each report submitted under paragraph (1) shall include each of the following for each element of the intelligence community for the year covered by the report:

“(A) The total number of initial security clearance background investigations opened for new applicants.

“(B) The total number of security clearance periodic re-investigations opened for existing employees.

“(C) The total number of initial security clearance background investigations for new applicants that were finalized and adjudicated with notice of a determination provided to the prospective applicant, including—

“(i) the total number that were adjudicated favorably and granted access to classified information; and

“(ii) the total number that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

“(D) The total number of security clearance periodic background investigations that were finalized and adjudicated with notice of a determination provided to the existing employee, including—

“(i) the total number that were adjudicated favorably; and

“(ii) the total number that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

“(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic re-investigations, that were not finalized and adjudicated as of the last day of such year and that remained pending as follows:

“(i) For 180 days or less.

“(ii) For 180 days or longer, but less than 12 months.

“(iii) For 12 months or longer, but less than 18 months.

“(iv) For 18 months or longer, but less than 24 months.

“(v) For 24 months or longer.

“(F) In the case of security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

“(i) the cause of the delay for such determinations; and

“(ii) the number of such determinations for which polygraph examinations were required.

“(G) The percentage of security clearance investigations, including initial and periodic re-investigations, that resulted in a denial or revocation of a security clearance.

“(H) The percentage of security clearance investigations that resulted in incomplete information.

“(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

“(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.”; and

(4) in subsection (c), as redesignated by paragraph (2), by inserting “and (b)” after “subsection (a)(1)”.

SEC. 604. REPORT ON EXPANSION OF SECURITY PROTECTIVE SERVICES JURISDICTION.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the feasibility, justification, costs, and benefits of expanding the jurisdiction of the protective services of the Central Intelligence Agency under section 15(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)). The report shall include—

(1) an explanation of the need for expanding such jurisdiction beyond the 500-foot limit specified in such section 15(a)(1); and

(2) an identification of any comparable departments or agencies of the Federal Government in the Washington metropolitan region (as defined in section 8301 of title 40, United States Code) whose protective services jurisdictions exceed 500 feet.

(b) FORM.—The report under subsection (a) may be submitted in classified form.

SEC. 605. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

(b) MATTERS INCLUDED.—The report under subsection (a) shall—

(1) describe the current process for the provision of the analytic materials described in subsection (a);

(2) identify the most significant benefits and drawbacks of such process with respect to the role of the Director, including any benefits or drawbacks relating to the time allotted to the Director to prepare such materials; and

(3) include recommendations to improve such process.

SEC. 606. REPORT ON CYBER EXCHANGE PROGRAM.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the detailee; and

(2) an employee of a private technology company with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to an element of the intelligence community that has elected to receive the detailee.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The feasibility of establishing the exchange program described in such subsection.

(2) Identification of any challenges in establishing the exchange program.

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

SEC. 607. REVIEW OF INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCESSIONS.

(a) **REVIEW.**—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall review, with respect to the 3-year period preceding the date of the review, the roles and responsibilities of the elements of the intelligence community in the process of the Federal Government for determining whether, when, how, and to whom information about a vulnerability that is not publicly known will be shared with or released to a non-Federal entity or the public.

(b) **REPORT.**—

(1) **SUBMISSION.**—Not later than 240 days after the date of the enactment of this Act, the Inspector General shall submit to the congressional intelligence committees a report on the results of the review under subsection (a).

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) A description of the roles and responsibilities of the elements of the intelligence community in the process of determining whether, when, how, and to whom information about a vulnerability that is not publicly known will be shared or released to a non-Federal entity or the public.

(B) The criteria used by the Federal Government, including elements of the intelligence community, in making such determination.

(C) With respect to the period covered by the review—

(i) a summary of vulnerabilities known to elements of the intelligence community that were reviewed by the Federal Government pursuant to such process, including—

(I) the number of vulnerabilities known to the intelligence community that were reviewed; and
(II) of such number of reviewed vulnerabilities, the number for which information was shared with or released to a non-Federal entity or the public;

(ii) an assessment of whether there were any vulnerabilities known to elements of the intelligence community that were not reviewed pursuant to such process, and if so, the basis and rationale for not conducting such a review; and
(iii) a summary of the most significant incidents in which a vulnerability known to the intelligence community, but not shared with or released to a non-Federal entity or the public, was exploited by an individual, an entity, or a foreign country in the course of carrying out a cyber intrusion.

(D) A description of any current mechanisms for overseeing such process.

(E) Recommendations to improve the efficiency, effectiveness, accountability, and, consistent with national security, transparency of such process.

(F) Any other matters the Inspector General determines appropriate.

(3) **FORM.**—The report may be submitted in classified form.

(c) **VULNERABILITY DEFINED.**—In this section, the term “vulnerability” means, with respect to information technology, a design, configuration, or implementation weakness in a technology, product, system, service, or application that can be exploited or triggered to cause unexpected or unintended behavior.

SEC. 608. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) **REVIEW OF WHISTLEBLOWER MATTERS.**—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) **OBJECTIVE OF REVIEW.**—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(c) **CONDUCT OF REVIEW.**—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) **REPORT.**—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of Intelligence Community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

SEC. 609. SENSE OF CONGRESS ON NOTIFICATIONS OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) **FINDINGS.**—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees “fully and currently informed” about all “intelligence activities” of the United States, and to “furnish to the congressional intelligence committees any information or material concerning intelligence activities . . . which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.”

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the authorities described in subsection (a), together with other intelligence community authorities, obligate an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels; and

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and

(D) a summary of the circumstances of such disclosure.

(c) **DEFINITIONS.**—In this section:

(1) The term “adversary foreign government” means the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) The term “covered classified information” means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) The term “established intelligence channels” means methods to exchange intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) The term “individual in the executive branch” means any officer or employee of the executive branch, including individuals—

(A) occupying a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving in the civil service or the senior executive service (or similar service for senior executives of particular departments or agencies).

The SPEAKER pro tempore. The gentleman from California (Mr. NUNES) and the gentleman from California (Mr. SCHIFF) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. NUNES).

GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD on the bill, H.R. 3180.

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

There was no objection.

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

Mr. Speaker, this is a good, bipartisan bill that we have worked all year putting together in a bipartisan manner. I thank all of my colleagues not only on the Intelligence Committee, but also those colleagues who came down to review the bill. Hopefully they got all the information from our staff to provide all the answers that they may need so that they understand the classified nature of the bill and the importance of this bill to our Nation's intelligence community and our warfighters.

I want to highlight just a few things in the bill, because we did debate this bill on Monday, so I will go through this quickly.

The legislation provides the intelligence community authorization needed to protect and defend the United States. It supports critical national security programs, such as those protecting Americans against terrorism, cyber attacks, and hostile foreign nations.

The total funding authorized in the bill is slightly below the President's budget request, and is consistent with the House Budget Committee-passed fiscal year 2018 budget resolution.

H.R. 3180 enables the intelligence community to carry out its vital work

protecting Americans in the most complex threat environment since 9/11.

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

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

The Intelligence Authorization Act for Fiscal Year 2018 is a solid, bipartisan bill, one that garnered unanimous approval in the committee by voice vote.

I thank my committee colleagues and the entire HPSCI staff for their collaborative efforts in crafting the measure that we consider here today.

In the 114th Congress, this committee worked in a similar bipartisan fashion to pass into law four key pieces of national security legislation. I am proud of our past legislative accomplishments, which testify to the virtues of substantive deliberation and reasoned compromise without needing to compromise the security of the American people or of our brave servicemembers.

Reflecting on the past year, on Russia's assault on Western democracies, and on other challenges as well, from everything to include North Korea's unrelenting pursuit of a strategic nuclear capability, we owe the American people a deliberate process.

I wish the bill had come to the floor with a rule that allowed Members to offer amendments. That opportunity is commensurate with the importance of the intelligence bill and the need for vigorous oversight of the IC by the whole Congress.

Nonetheless, the manifest shortcomings in the process cannot take precedence over the imperative of discharging our duty and authorizing the operations of the intelligence community. On its merits, I urge all Members to vote "yes" on H.R. 3180 today.

The Intelligence Committee oversees some of the most sensitive and highly classified aspects of U.S. intelligence operations and programs. The annual Intelligence Authorization Act is the primary means by which we can guarantee an appropriate balance between our Nation's national security imperatives and the civil liberties and privacy rights enshrined in the Constitution.

H.R. 3180 does just that by funding, equipping, and giving policy direction to the intelligence community and military intelligence elements of the Defense Department. It sustains support for key national security priorities and programs, and represents a slight decrease from the President's budget request from 2018.

This bill features a number of provisions championed by my Democratic colleagues, some of which redouble the IC's focus on the scope and nature of the threat, both overt and covert, that Russia poses to our interests and American political institutions.

H.R. 3180 also mandates public reporting about counterintelligence and cyber threats against future U.S. elec-

tions; bolsters oversight of our policy guiding counterterrorism actions outside of declared areas of hostilities; and seeks more information about the executive branch's process for determining when and to whom to reveal information about vulnerabilities in computers and networks.

At the same time, and unlike IAAs of years past, this bill omits problematic language regarding Guantanamo detentions and the role of the Privacy and Civil Liberties Oversight Board.

I am less supportive of some elements in this legislation, but the bill's merits outweigh any misgivings I may have, and I was proud to cosponsor the bill along with the chairman. Through it, our committee and the Congress as a whole serves as a guardrail against any excesses, transgressions or abuses. That has always been a solemn obligation, but at this uncertain and unprecedented moment in our national life, it carries even more responsibility for all of us.

So, again, I urge my colleagues today to vote with me to advance the Intelligence Authorization Act and see that it is enacted into law.

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

Mr. NUNES. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut (Mr. HIMES), one of our subcommittee ranking members.

Mr. HIMES. Mr. Speaker, I thank both the chairman and ranking member for the strong bill that has been offered up today and for the bipartisan manner in which it was developed and enacted and, hopefully, will be passed.

I rise in strong support of this bill, but would note for my colleagues that this authorization bill is an odd one. To fully understand it, you need to go deep into the basement of this Capitol and review it behind heavy metal doors.

□ 1200

The bill is full of acronyms and code words and classified information. As such, it can be hard to understand, and things that are hard to understand sometimes cause anxiety and fear. Let me take a moment to describe what this bill does.

This bill has the strong bipartisan support of my fellow committee members, liberal Democrats and conservative Republicans alike, because it provides the lifeblood to a truly remarkable group of people who work behind the scenes and in the dark to keep us safe and to keep us free.

The unheralded and unacknowledged warriors of the intelligence community never stop in the work that they do around the world. As we speak, North Korea is feverishly working to develop the ability to deliver a nuclear bomb to

American shores. Our intelligence community is watching, evaluating, and planning against this mortal threat.

As we speak, for the first time in a generation, Iran is not feverishly working to develop the ability to deliver a nuclear bomb to our shores. Our intelligence community is making sure that that stays true.

As we speak, Mr. Speaker, for the umpteenth time, terrorists in places like Afghanistan and Libya and Syria are spending their time desperately trying to stay alive instead of spending their time planning to attack our airlines, our cities, and our people.

As we speak, Mr. Speaker, Russia lurks, seeking advantage, promoting instability, and working to erode international norms and instability. We should make no mistake about Russia as an adversary, because there is a lot of noise about this. Russia is a country that invades neighboring sovereign countries, it murders political opponents, it bombs Syrian hospitals, and, yes, it conducted an unprecedented attack on the very core of our Democratic system: our free and fair elections.

This bill funds the warriors who are watching that, who are standing up against that, in order to keep our system what we all like it to be.

Mr. Speaker, because these activities are carried out secretly in the dark of night and usually unacknowledged, there is always the possibility for abuse. These activities, by their nature, run up against the lines of those values that make us Americans. This is surveillance. It is other things that are worthy of debate. The members of this committee spend their days in good argument about what the limits of those activities should be, and we will have additional arguments around things like the reauthorization of the section 702 surveillance programs. These are terrific arguments that we have in a constructive way. These are not arguments that are present in this bill. Just as we did on section 215, we will have a robust discussion of the section 702 international authorities. These are authorities that raise questions and that should be subject to the debate of this Chamber.

But this bill, this bill today, is about the lifeblood of a remarkable group of people who don't always get it right any more than we do, but who are patriots, who respect the Constitution, and who need our support in the work that they do to keep us safe and keep us free.

I would like to, again, thank the majority, the chairman, the ranking member, and especially the staff who worked diligently to make this a bill that we would unanimously support and suggest to my colleagues in this Chamber that we don't see a lot of bills like this one, but this one is worthy of their support.

Mr. NUNES. Madam Speaker, I want to thank the gentleman, Mr. HIMES, for his kind comments, and I reserve the balance of my time.

Mr. SCHIFF. Madam Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI.)

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me time, and I join our colleague in saluting the committee for bringing this bipartisan legislation to the floor—so many issues that the committee has to deal with. I know that full well as a previous ranking member.

I know that we all agree that every chance we get we want to salute the patriotic men and women of the intelligence community for their ceaseless heroism and unblinking vigilance to keep the American people safe. I thank them for all they do for force protection and conflict prevention. The quiet professionals of the U.S. intelligence community work every day, again, to keep this country safe and our leaders informed. Respect for their work is essential.

I thank Ranking Member SCHIFF and members of the committee—Mr. SCHIFF, for his leadership, and commend all the members of the committee for their dedication to those same goals.

I am sorry that this bill is coming up under a closed rule so that Members cannot offer amendments. One such amendment might be about an independent commission. It is the judgment of the intelligence community, as expressed in the January 2017 Intelligence Community Assessment, that Russian President Vladimir Putin ordered a multifaceted active-measures campaign to sow discord in our political process and help one Presidential candidate and hurt the other.

For this reason, we continue to ask for an outside, independent commission to look forward on how to prevent Russia and others from meddling in our election system again. The Swalwell-Cummings legislation to establish that commission has 200 bipartisan cosponsors.

I also want to salute our Homeland Security Committee ranking member, BENNIE THOMPSON, for his leadership to strengthen the preparedness of the election infrastructure of the United States to identify and withstand a foreign attack.

Our election systems are part of the critical infrastructure of our country, some of the most critical infrastructure of our democracy itself. We must protect it.

The United States must reject foreign interference in our elections, no matter which party it helps or which party it hurts. Our oath of office is to protect and defend the Constitution against all enemies, foreign and domestic. Working with the intelligence com-

munity to better ensure the integrity of our elections is vital to that goal.

Madam Speaker, I urge a “yes” vote on this bipartisan legislation and salute the members of the committee. I especially want to acknowledge the tremendous leadership of our ranking member, Mr. SCHIFF from California.

Mr. NUNES. Madam Speaker, I continue to reserve the balance of my time.

Mr. SCHIFF. Madam Speaker, I want to express my agreement with Leader PELOSI's comments on the continuing need for the appointment of an independent commission. An independent commission would have the dedicated focus, the distance from any potential political interference, and the resources to prepare a report of the caliber that we saw of the 9/11 Commission. I think that would be a very sound and important complement to what we are doing in Congress and what Special Counsel Mueller is doing.

Madam Speaker, I yield 3 minutes to the gentleman from Washington (Mr. HECK), my wonderful colleague on the Intelligence Committee.

Mr. HECK. Madam Speaker, I rise to support the 2018 Intelligence Authorization Act, but first I would like to tender a point of personal privilege.

Happy birthday, Madam Speaker.

This Intelligence Authorization Act has very strong bipartisan language. I just want to highlight two areas where the IAA furthers what I believe to be high priorities for our national security.

First, section 605, which I had the honor to author, sets in motion how to change the Committee on Foreign Investment in the United States, we also call it CFIUS, to better protect our keystone technologies.

This IAA provision dovetails with some broader work that we are doing in the Financial Services Committee, in fact, across the aisle with Congressman PITTENGER and myself and others. It would modernize the process to better protect and prevent strategic foreign adversaries like China or Russia from taking advantage of our open markets in a way that undermines our national security.

America's technological edge is, in fact, a cornerstone of our national security, but our strategic adversaries know that, too. They are increasingly seeking to obtain these critical technologies and resources through commercial transactions, i.e., they are buying them. CFIUS is a place to safeguard us against this risk, but it needs modernization, more resources, and authority and support from the intelligence community.

Russian meddling in the 2017 election showed us what happens when an adversary tries to exploit our political openness. Now they are trying to exploit our economic openness. Our intelligence community is vital in protecting against both of those threats.

Let me also underscore this point: The fiscal year 2018 IAA takes steps to safeguard our Nation's edge, our advantage in space, which is, I am sorry to say, increasingly threatened by adversary nations. To mitigate that risk, the bill supports some truly cutting-edge space technologies and invests in and oversees programs to ensure the resiliency of overhead architecture. At the same time, it keeps up with the Intelligence Committee's long-running efforts to stimulate innovation.

In particular, the committee report accompanying today's legislation asks the National Geospatial-Intelligence Agency to examine new approaches to public and private sector collaboration, with the goal of fostering the faster, smarter development of automation, artificial intelligence, and similar technologies.

Madam Speaker, I am proud to support this legislation. I hope all my colleagues will join me in both wishing the Speaker a happy birthday and in voting “yes” on this bill.

Mr. NUNES. Madam Speaker, I wasn't aware it is your birthday, but happy birthday, and I continue to reserve the balance of my time.

Mr. SCHIFF. Madam Speaker, happy birthday.

Madam Speaker, I am pleased to yield to the gentleman from Texas (Mr. CASTRO), who will now sing Happy Birthday for you.

Mr. CASTRO of Texas. Madam Speaker, I will spare you that.

Madam Speaker, I voice my support for H.R. 3180, the Intelligence Authorization Act for Fiscal Year 2018.

The men and women of America's intelligence community, the best in the world, protect our country every day. They serve beyond the front lines of conflict to collect and analyze intelligence on our adversaries.

In addition to being highly effective, America's intelligence community adapts as the threats our country faces shift on a daily basis. Their effectiveness is amplified when they are in close cooperation and coordination with policymakers.

I want to thank my fellow members on the committee, especially Ranking Member SCHIFF and Chairman NUNES, for working with me to add language into this bill requiring the intelligence community to brief Congress on our intelligence capabilities in the South China Sea.

Over \$5 trillion in ship-borne commerce flows through the region each year, including the vast majority of sea-borne energy imports by close U.S. partners such as Japan, South Korea, and Taiwan.

The security of the United States and those of these partners is closely linked to the ability of the United States to guarantee the freedom of navigation in the South China Sea.

Our ongoing territorial disputes in the South China Sea threaten the principles of a rules-based order and the security of the United States and our allies.

The language in the IAA allows Congress to more effectively understand the needs of the intelligence community. It allows for a two-way conversation so that Congress can act to provide the intelligence community the tools and authorities it needs to inform policymakers.

Mr. NUNES. Madam Speaker, I continue to reserve the balance of my time.

Mr. SCHIFF. Madam Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. MURPHY).

Mrs. MURPHY of Florida. Madam Speaker, I rise in support of the Intelligence Authorization Act.

Good intelligence safeguards our Nation from adversaries. It is used to support our Armed Forces, our diplomats, and our homeland security professionals.

The men and women of the U.S. intelligence community make enormous sacrifices on behalf of our country. While others seek the limelight, they shun publicity and self-promotion. They are silent warriors and quiet heroes.

I want to highlight section 609 of this legislation. It is a version of a bill that I authored called the Prevention and Oversight of Intelligence Sharing with Enemies Act, or the POISE Act.

I introduced the POISE Act in May after the President disclosed highly sensitive information to senior Russian officials during a White House meeting. This information had been entrusted to the U.S. by key allies.

Under Federal law, the executive branch is required to inform the congressional intelligence committees of U.S. intelligence activities. The POISE Act would specify that the executive branch must notify the committees when a member of the executive branch, including the President, intentionally or inadvertently discloses top-secret information to adversary foreign government.

□ 1215

It is dangerous for a U.S. official to share classified information with an adversary, especially outside of established intelligence channels. The adversary could use the information to harm the United States or its allies. Moreover, our partners might decide to stop sharing critical intelligence with us if they lose confidence in our capacity to keep it confidential.

The congressional notification requirement in the POISE Act would help deter inappropriate disclosures of classified information to adversaries. Once formally notified of the disclosure, Congress would be in a position to take any appropriate oversight action.

I am so pleased that the core of the POISE Act is contained in section 609. I want to thank Chairman NUNES and Ranking Member SCHIFF for including the provision in the bill, and I urge the bill's swift passage.

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

Mr. SCHIFF. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Madam Speaker, happy birthday to you.

Madam Speaker, I would like to thank the ranking member and our chair.

I think this IAA represents the best of what we do together in the committee, and I am really just thrilled on behalf of the men and women who serve this country in our military and in our intelligence services that they have an authorization, act, that respects what they do, that enables what they do and understands that we have trying days ahead.

Press reports right now are showing that North Korea may have just launched another ballistic missile, and so people who we represent at home are counting on us to do everything we can to protect this great country. It has been a privilege to work with Mr. SCHIFF and the chairman on this bill.

Of particular interest for me is that this bill also has our intelligence agencies report back to Congress just what efforts the Russians are taking not just in America, but across the globe to interfere and meddle in other countries' elections. We have seen an escalating pattern of this over the past few decades, certainly culminating in our recent 2016 election.

It is very important that the Congress knows and that the American people and our allies know what continued efforts will look like. So I appreciate the majority's willingness to work with us.

We have seen, I think, in just the past few days, a bicameral effort to come together and say that we are not going to tolerate Russia's aggression in the world. The sanctions that were recently passed in this House and across the way in the Senate, I think, showed the world that we are serious, that this is our democracy, and it is still a democracy that is worth protecting. I think part of the IAA reflects that spirit as well.

So, again, I thank the chairman for his work. I thank the staff on the majority side and the Members on the majority side, as well as our ranking member and our own staff, for working so hard to put this forward to protect and defend this great country.

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

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

This year's Intelligence Authorization Act was a bipartisan effort, and I

am pleased to vote for it today. With this legislation, we reaffirm that all of our government's activities, including ones that are, by necessity, classified, must be maximally effective and bound by law. I urge my colleagues to vote "yes" on this year's IAA.

I do want to take this opportunity, also, to commend our committee's outgoing fellow from the Los Alamos National Lab, Phil Tubesing. For 2 years, Phil has worked alongside the entire HPSCI staff, imparting his scientific expertise about nuclear weapons and the other significant national security work that our national labs undertake.

Phil, we thank you for your service to the committee and wish you every success in the future.

Finally, I want to extend a closing word to all of the men and women of the intelligence community. The work that you do keeps us safe. Your mission is to speak truth to power, to give policymakers objective, rigorously vetted and diligently produced intelligence, and you do that in magnificent fashion. Thank you for your commitment and resolve in the face of a challenging global threat landscape. With this legislation, we believe that we provide you with the adequate tools, authorities, and funding, while making sure that our congressional oversight remains robust.

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

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

Madam Speaker, I want to thank both the majority and minority members of our committee for working in a bipartisan manner this year to complete this bill, which I believe is a really good product and will support the men and women doing very difficult work to protect the American people.

I do want to thank the staff not only from the minority side, but also from the majority side, specifically: Shannon Stuart, Nick Ciarlante, Scott Glabe, Bill Flanigan, Allen Souza, Lisa Major, Jacqueline Tame, Mark Stewart, Chelsey Campbell, Andrew House, Marissa Skaggs, Angel Smith, Kash Patel, Doug Presley, Steve Keith, George Pappas, and Jack Langer for helping craft this bill with the minority; as well as the committee-shared staff of Brandon Smith, Kim Kerr, and Kristin Jepson.

I would also like to take another moment, as Mr. SCHIFF just did, our ranking member, and thank our fellow who will be leaving us this year, who has been here a couple of years, Mr. Phil Tubesing, who will be going back and ending his congressional fellowship. We thank him for all of his work.

Madam Speaker, I urge all of my colleagues to pass this bill and send an overwhelming message to the men and women who protect this country that this Congress stands ready to support them.

I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Homeland Security Committee and vigilant defender of our national security, I rise in support of H.R. 3180, the "Intelligence Authorization Act for Fiscal Year 2018," which will provide the Intelligence Community (IC) with the necessary resources and authorities to ensure they remain capable of protecting and defending the United States.

Our intelligence community is facing unprecedented threats from our adversaries around the world as this Administration struggles with the basics of leading this great nation.

The Obama Administration left the nation with a stable and growing economy; several important international coalition wins that include the Iranian Nuclear Arms Deal; the Russia Sanctions; and the Paris Climate Agreement.

The work of our intelligence community is a key asset in our efforts to thwart our adversaries when they seek to do Americans or our interests harm.

Following the Election, President-elect Trump was critical of the intelligence community.

In December 2016, he attacked the CIA over its assessment that Russian hacks on Democratic political targets were intended to help him win the White House.

In January of this year just prior to his inauguration, he compared our intelligence community to Nazi Germany, while making an unfounded accusation that the intelligence community leaked an unconfirmed dossier of sensitive information regarding him compiled by a private investigator.

President Trump's disclosure of highly sensitive intelligence to Russian officials during a visit they had in the oval office raises grave concerns among our allies regarding sharing information with our intelligence community and the disclosure threatened to fracture his already-delicate relationship with the intelligence community.

The revelation that President Trump met a second time in secret with Russian President Putin was not disclosed to the public, but came to light due to investigative journalism.

The New York Times reported that lawyers and aides to President Trump are investigating the investigators hired by special counsel Robert Mueller, by scouring their records for potential conflicts of interest in an attempt to discredit their work.

There is a pressing need for not only funding the work of the intelligence community, but to also provide additional protections to guard this national asset from undue interference from an Administration with too many entanglements with the Russian government that are under investigation.

This bill authorizes appropriations for Fiscal Year 2018 for vital intelligence activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency (CIA) Retirement and Disability System, and for other purposes.

H.R. 3180 comes at a critical time in the status of our national security and the IC's ability to protect it.

As we continue to face a diverse and growing array of threats from terrorist groups, hostile nation states, and questionable or incom-

petent figures in the Trump administration, it is crucial that the IC receive all the resources it needs to do its job while Congress has the necessary tools to carry out rigorous oversight of its work.

This bill seeks to meet these challenges by supporting critical national security programs, particularly those focused on countering terrorism and cyberattacks.

Under H.R. 3180, the Director of National Intelligence will be required to electronically publish an unclassified advisory report on foreign counterintelligence and cybersecurity threats to federal elections.

It also bolsters intelligence oversight by ensuring that IC contractors can meet freely with Congress.

Lastly, this bill improves IC accountability to Congress by requiring the IC to provide reports on:

Investigations of leaks of classified information;

Security clearance processing timelines;

The process for reviewing information about computer vulnerabilities for retention or potential release;

And Russian influence campaigns directed at foreign elections and threat finance activities.

Madam Speaker, H.R. 3180 is a necessary response to the overwhelming evidence pointing to a carefully planned and executed infiltration of our 2016 Presidential Election by the Russian government and its operatives.

The issue of cybersecurity, particularly with regards to our federal election computer system infrastructure, has been of great concern to me and the American public as more and more reports of Russian hacking efforts have come to light.

In addition, the provision requiring reports on security clearance processing timelines should shed light on the highly dubious and inscrutable security clearances of Ivanka Trump and Jared Kushner.

Donald Trump's blatant and irresponsible nepotism towards his daughter and son-in-law have made us all vulnerable to Russian and other foreign influence at the highest levels of our federal government.

H.R. 3180 will give the American people what they crave and deserve: clarity and transparency to pierce through the haze of cover-ups and distractions surrounding the Trump Administration.

This bill also takes significant, much-needed steps to improve benefits for members of the IC, such as increasing employee compensation and authorizing \$514 million in appropriations for the CIA's Retirement and Disability System.

Congress must do its part to adequately recompense the patriotic Americans who serve our nation through their work in the IC, especially employees with disabilities, who make up 9 percent of the intelligence workforce.

At the same time, we must continue to ensure that Congress can exercise oversight over and maintain transparency for the 17 agencies that comprise the IC.

I am heartened that my Republican colleagues in the Intelligence Committee are starting to see the light in recognizing the sinister threat of Russian infiltration and White

House collusion, both of which endanger our nation's ability to practice and protect its core democratic values.

I look forward to working with all Members of Congress to strengthen our IC, and I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore (Ms. CHENEY). All time for debate has expired.

Pursuant to House Resolution 481, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. NUNES. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 3180 will be followed by a 5-minute vote on passage of S. 114.

The vote was taken by electronic device, and there were—yeas 380, nays 35, not voting 18, as follows:

[Roll No. 437]

YEAS—380

Abraham	Carson (IN)	Duffy
Adams	Carter (GA)	Duncan (SC)
Aderholt	Carter (TX)	Dunn
Aguilar	Cartwright	Emmer
Allen	Castor (FL)	Engel
Amodei	Castro (TX)	Eshoo
Arrington	Chabot	Espallat
Babin	Cheney	Estes (KS)
Bacon	Cicilline	Esty (CT)
Banks (IN)	Cleaver	Evans
Barletta	Clyburn	Farenthold
Barr	Coffman	Faso
Barragán	Cohen	Ferguson
Barton	Cole	Fitzpatrick
Beatty	Collins (GA)	Fleischmann
Bera	Comer	Flores
Bergman	Comstock	Fortenberry
Beyer	Conaway	Poster
Biggs	Connolly	Fox
Bilirakis	Cook	Frankel (FL)
Bishop (GA)	Cooper	Franks (AZ)
Bishop (MI)	Correa	Frelinghuysen
Bishop (UT)	Courtney	Fudge
Black	Cramer	Gaetz
Blackburn	Crawford	Gallagher
Blum	Crist	Galleo
Blunt Rochester	Crowley	Garamendi
Bonamici	Cuellar	Garrett
Bost	Culberson	Gianforte
Boyle, Brendan	Curbelo (FL)	Gibbs
F.	Davidson	Gohmert
Brady (PA)	Davis (CA)	Gonzalez (TX)
Brady (TX)	Davis, Danny	Goodlatte
Brat	Davis, Rodney	Gosar
Bridenstine	DeFazio	Gottheimer
Brooks (AL)	DeGette	Gowdy
Brooks (IN)	Delaney	Granger
Brown (MD)	DeLauro	Graves (GA)
Brownley (CA)	Demings	Graves (LA)
Buchanan	Denham	Green, Al
Buck	Dent	Green, Gene
Bucshon	DeSantis	Griffith
Budd	DeSaulnier	Grothman
Burgess	DesJarlais	Guthrie
Bustos	Deutch	Hanabusa
Butterfield	Diaz-Balart	Handel
Byrne	Dingell	Harper
Calvert	Doggett	Harris
Carbajal	Doyle, Michael	Hartzler
Cárdenas	F.	Hastings

Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hoyer
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (IA)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lawson (FL)
Levin
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCauley
McClintock

McCollum
McEachin
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarelli
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell

NAYS—35

Amash
Bass
Blumenauer
Capuano
Chu, Judy
Clark (MA)
Clarke (NY)
Conyers
DeBene
Duncan (TN)
Ellison
Gabbard

Gomez
Grijalva
Gutiérrez
Huffman
Jayapal
Johnson (GA)
Jones
Khanna
Labrador
Lee
Lewis (GA)
Lofgren

Rutherford
Ryan (OH)
Sánchez
Sarbanes
Schiff
Schneider
Schradler
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Taylor
Tennet
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
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Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
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Boyle, Brendan
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Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)

Massie
McGovern
O'Rourke
Pocan
Polis
Sanford
Schakowsky
Smith (WA)
Takano
Velázquez
Welch

Clay
Collins (NY)
Costa
Costello (PA)
Cummings
Donovan
Graves (MO)

Hollingsworth
King (NY)
Larson (CT)
Lujan Grisham,
M.
Napolitano
Roskam

□ 1245

Mmes. SCHAKOWSKY, VELÁZQUEZ, and CLARKE of New York changed their vote from “yea” to “nay.”

Ms. ADAMS, Messrs. CROWLEY and KIND changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 438]

YEAS—414

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
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Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
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Brady (TX)
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Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Ciocline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutsch
Diaz-Balart
Dingell
Doggett
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Español

Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
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Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
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Hartzer
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Herrera Beutler
Hice, Jody B.
Higgins (LA)
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Jenkins (KS)
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Johnson (GA)
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Johnson, E. B.
Johnson, Sam
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Joyce (OH)
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Kelly (IL)
Kelly (MS)
Kelly (PA)
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Kildee
Kilmer
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King (IA)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador

LaHood
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Lieu, Ted
Lipinski
LoBiondo
Loeb sack
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Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
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Carolyn B.
Maloney, Sean
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NOT VOTING—19

Bass	Graves (MO)	Roskam
Clay	Hollingsworth	Scalise
Collins (NY)	King (NY)	Speier
Costa	Larson (CT)	Taylor
Costello (PA)	Lujan Grisham,	Webster (FL)
Cummings	M.	Zeldin
Donovan	Napolitano	

□ 1252

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to authorize appropriations and to appropriate amounts for the Veterans Choice Program of the Department of Veterans Affairs, to improve hiring authorities of the Department, to authorize major medical facility leases, and for other purposes.”.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Madam Speaker, I was absent during rollcall votes No. 436, No. 437, and No. 438 due to my spouse's health situation in California. Had I been present, I would have voted “nay” on H.R. 481—Providing for consideration of the bill (H.R. 3180) Intelligence Authorization Act for FY 2018. I would have also voted “yea” on H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018. I would have also voted “yea” on S. 114—Department of Veterans Affairs Bonus Transparency Act.

PERSONAL EXPLANATION

Mr. ZELDIN. Madam Speaker, today I was absent in order to accompany the President of the United States on a visit to my district in Long Island, New York. Had I been present, I would have voted “yea” on rollcall No. 436, “yea” on rollcall No. 437, and “yea” on rollcall No. 438.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Madam Speaker, on Friday, July 28, 2017, I was not present for rollcall votes 437 and 438. If I had been present for these votes, I would have voted “yea” on rollcall vote 437 and “yea” on rollcall vote 438.

DEPARTMENT OF STATE AUTHORITIES ACT, FISCAL YEAR 2017, IMPROVEMENTS ACT

Mr. ROYCE of California. Madam Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the bill (S. 371) to make technical changes and other improvements to the Department of State Authorities Act, Fiscal Year 2017, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 371

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of State Authorities Act, Fiscal Year 2017, Improvements Act”.

SEC. 2. OVERSIGHT BY COMMITTEES ON APPROPRIATIONS.

(a) OMNIBUS DIPLOMATIC SECURITY AND ANTITERRORISM ACT OF 1986.—Section 104(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 101 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(b) ANNUAL REPORT ON EMBASSY CONSTRUCTION COSTS.—Section 118(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(c) OVERSIGHT OF AND ACCOUNTABILITY FOR PEACEKEEPER ABUSES.—Section 301(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(d) WORKFORCE RIGHTSIZING REPORT.—Section 405(c) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(e) CONSULAR IMMUNITY.—Subsection (b)(2) of section 4 of the Diplomatic Relations Act (22 U.S.C. 254c), as added by section 501 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), is amended by striking “of the House of Representatives and the Committee on Foreign Relations” and inserting “and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations”.

(f) WESTERN HEMISPHERE DRUG POLICY COMMISSION REPORT.—Section 602(c) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) by inserting “and the Committee on Appropriations” after “Committee on Foreign Affairs”; and

(2) by inserting “and the Committee on Appropriations” after “Committee on Foreign Relations”;

SEC. 3. PEACEKEEPING TRAINING.

Section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subsection (e)—

(A) in paragraph (1), by striking “enhance the discovery” and inserting “investigate allegations”;

(B) in paragraph (2), by striking “adequately respond to complaints about such offenses by carrying out swift and effective disciplinary action against the personnel” and inserting “appropriately hold accountable personnel”; and

(C) in paragraph (3), by inserting “, including compensation to victims, as appropriate” after “responses to such offenses”;

(2) in subsection (f)(2), by striking “any individual who commits an act” and inserting “personnel who are found to have committed acts”; and

(3) in subsection (g)(1), by striking “noteworthy”.

SEC. 4. QUALIFICATIONS OF THE UNITED NATIONS SECRETARY GENERAL.

Section 310 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subsection (b), by striking “The descriptions referred to in subsection (a) shall include the following elements” and inserting “In addition to the descriptions referred to in subsection (a), each such candidate shall be urged to describe the following”; and

(2) in subsection (c), by striking “such 1” and inserting “such agenda”.

SEC. 5. POLICY REGARDING THE UNITED NATIONS HUMAN RIGHTS COUNCIL.

Section 311(a)(2) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subparagraph (C), by striking “; or” and inserting a semicolon; and

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

“(E) which has been designated as a Tier 3 country in the annual Department of State Trafficking in Persons Report under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107); or

“(F) which is identified as having failed to prevent or address gross violations of human rights in the annual Department of State Human Rights Report under the Foreign Assistance Act of 1961 and the Trade Act of 1974.”.

SEC. 6. COMPARATIVE REPORT ON PEACEKEEPING OPERATIONS.

Section 313 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”;

(2) by amending paragraph (1) to read as follows:

“(1) a comparison of the costs of current United Nations peacekeeping operations, including the costs incurred by the United States for such operations, and the estimated cost of such operations if implemented unilaterally by the United States;”;

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1), as amended by paragraph (2) of this section, the following new paragraph:

“(2) an assessment of the operational, structural, and doctrinal differences between the military and civilian infrastructures of the United States and United Nations and other assumptions that impact cost estimates; and”.

SEC. 7. LATERAL ENTRY INTO THE FOREIGN SERVICE.

Section 404(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “outstanding”.

SEC. 8. COMBATING INTOLERANCE.

The section heading of section 419 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “ANTI-SEMITISM” and inserting “INTOLERANCE”.

SEC. 9. TECHNICAL CORRECTION REGARDING COMPLETION OF WESTERN HEMISPHERE DRUG POLICY COMMISSION REPORT.

Section 603(f)(1) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “section 362” and inserting “section 602(c)”.

SEC. 10. BROADCASTING BOARD OF GOVERNORS.

Section 703(b)(2) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “any significant restructuring.”.

SEC. 11. RANSOMS TO FOREIGN TERRORIST ORGANIZATIONS.

Section 709(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “, to the extent practicable,” before “transmit”.

SEC. 12. RESTORATION OF TIBET REPORT.

Section 613 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228, 22 U.S.C. 6901 note), as amended by section 715(b)(1) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), is further amended—

(1) in subsection (a), by striking “IN GENERAL” and inserting the following: “POLICY.—”

“(1) IN GENERAL.—”;

(2) by redesignating subsection (b) as paragraph (2) and moving such paragraph, as so redesignated, two ems to the right; and

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

“(b) PERIODIC REPORTS.—Not later than 180 days after the date of the enactment of the Department of State Authorities Act, Fiscal Year 2017, Improvements Act, and annually thereafter until December 31, 2021, the President shall transmit to the appropriate congressional committees a report on—

“(1) the steps taken by the President and the Secretary in accordance with subsection (a)(1); and

“(2) the status of any discussions between the People’s Republic of China and the Dalai Lama or his representatives.”.

AMENDMENT OFFERED BY MR. ROYCE OF CALIFORNIA

Mr. ROYCE of California. Madam Speaker, I have an amendment at the desk.

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

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of State Authorities Act, Fiscal Year 2017, Improvements Act”.

SEC. 2. REPORTS.

(a) OMNIBUS DIPLOMATIC SECURITY AND ANTITERRORISM ACT OF 1986.—Section 104(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as added by section 101 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(b) ANNUAL REPORT ON EMBASSY CONSTRUCTION COSTS.—Section 118(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(c) OVERSIGHT OF AND ACCOUNTABILITY FOR PEACEKEEPER ABUSES.—Section 301(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(d) WORKFORCE RIGHTSIZING REPORT.—Section 405(c) of the Department of State Au-

thorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”.

(e) CONSULAR IMMUNITY.—Subsection (b)(2) of section 4 of the Diplomatic Relations Act (22 U.S.C. 254c), as added by section 501 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), is amended by striking “of the House of Representatives and the Committee on Foreign Relations” and inserting “and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations”.

(f) WESTERN HEMISPHERE DRUG POLICY COMMISSION REPORT.—Section 602(c) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) by inserting “and the Committee on Appropriations” after “Committee on Foreign Affairs”; and

(2) by inserting “and the Committee on Appropriations” after “Committee on Foreign Relations”;

SEC. 3. PEACEKEEPING TRAINING.

Section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subsection (e)—

(A) in paragraph (1), by striking “enhance the discovery” and inserting “investigate allegations”;;

(B) in paragraph (2), by striking “adequately respond to complaints about such offenses by carrying out swift and effective disciplinary action against the personnel” and inserting “appropriately hold accountable personnel”; and

(C) in paragraph (3), by inserting “, including compensation to victims, as appropriate” after “responses to such offenses”;

(2) in subsection (f)(2), by striking “any individual who commits an act” and inserting “personnel who are found to have committed acts”; and

(3) in subsection (g)(1), by striking “noteworthy”.

SEC. 4. QUALIFICATIONS OF THE UNITED NATIONS SECRETARY GENERAL.

Section 310 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subsection (b), by striking “The descriptions referred to in subsection (a) shall include the following elements” and inserting “In addition to the descriptions referred to in subsection (a), each such candidate shall be urged to describe the following”; and

(2) in subsection (c), by striking “such 1” and inserting “such agenda”.

SEC. 5. POLICY REGARDING THE UNITED NATIONS HUMAN RIGHTS COUNCIL.

Section 311(a)(2) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subparagraph (C), by striking “or” at the end;

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

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

“(E) which has been designated as a Tier 3 country in the annual Department of State Trafficking in Persons Report under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107); or

“(F) which is identified as having failed to prevent or address gross violations of human rights in the annual Department of State Human Rights Report under the Foreign Assistance Act of 1961 and the Trade Act of 1974; and”.

SEC. 6. COMPARATIVE REPORT ON PEACEKEEPING OPERATIONS.

Section 313 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) by inserting “and the Committees on Appropriations of the Senate and the House of Representatives” after “appropriate congressional committees”;

(2) by amending paragraph (1) to read as follows:

“(1) a comparison of the costs of current United Nations peacekeeping operations, including the costs incurred by the United States for such operations, and the estimated cost of such operations if implemented unilaterally by the United States;”;

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1), as amended by paragraph (2) of this section, the following new paragraph:

“(2) an assessment of the operational, structural, and doctrinal differences between the military and civilian infrastructures of the United States and United Nations and other assumptions that impact cost estimates; and”.

SEC. 7. LATERAL ENTRY INTO THE FOREIGN SERVICE.

Section 404(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “outstanding”.

SEC. 8. COMBATING INTOLERANCE.

The section heading of section 419 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “ANTI-SEMITISM” and inserting “INTOLERANCE”.

SEC. 9. TECHNICAL CORRECTIONS REGARDING COMPLETION OF WESTERN HEMISPHERE DRUG POLICY COMMISSION REPORT.

Section 603 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended—

(1) in subsection (f)(1), by striking “section 362” and inserting “section 602(c)”; and

(2) by amending subsection (h) to read as follows:

“(h) COMPENSATION.—Members of the Commission shall serve without pay or benefits.”.

SEC. 10. TECHNICAL CORRECTION REGARDING POWERS OF WESTERN HEMISPHERE DRUG POLICY COMMISSION.

Section 604 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by adding at the end the following new subsection:

“(f) GIFTS, BEQUESTS, AND DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or property, both real and personal, for the purpose of carrying out any duty, power, or authority of the Commission.”.

SEC. 11. BROADCASTING BOARD OF GOVERNORS.

Section 703(b)(2) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by striking “any significant restructuring.”.

SEC. 12. RANSOMS TO FOREIGN TERRORIST ORGANIZATIONS.

Section 709(a) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323) is amended by inserting “, to the extent practicable,” before “transmit”.

SEC. 13. RESTORATION OF TIBET REPORT.

Section 613 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228, 22 U.S.C. 6901 note), as amended by section 715(b)(1) of the Department of State

Authorities Act, Fiscal Year 2017 (Public Law 114-323), is further amended—

(1) in subsection (a), by striking "IN GENERAL" and inserting the following: "POLICY—

"(1) IN GENERAL.—";

(2) by redesignating subsection (b) as paragraph (2) and moving such paragraph, as so redesignated, two ems to the right; and

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

"(b) PERIODIC REPORTS.—Not later than 180 days after the date of the enactment of the Department of State Authorities Act, Fiscal Year 2017, Improvements Act, and annually thereafter until December 31, 2021, the President shall transmit to the appropriate congressional committees a report on—

"(1) the steps taken by the President and the Secretary in accordance with subsection (a)(1) to implement the Tibetan Policy Act of 2002; and

"(2) the status of any discussions between the People's Republic of China and the Dalai Lama or his representatives or a successor selected by a method of the 14th Dalai Lama's own choosing or the representatives of such successor.".

SEC. 14. DEPARTMENT OF STATE REORGANIZATIONS.

The report required under subsection (1) of section 7034 of the Consolidated Appropriations Act, 2017 (Public Law 115-31) shall also be provided to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations in the Senate concurrent with the submission of such report to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate pursuant to such subsection.

Mr. ROYCE of California (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The amendment was agreed to.

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

PRIVILEGED REPORT ON RESOLUTION TO THE SECRETARY OF HOMELAND SECURITY

Mr. KATKO, from the Committee on Homeland Security, submitted an adverse privileged report (Rept. No. 115-270) on the resolution (H. Res. 447) directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to Department of Homeland Security policies and activities relating to businesses owned or controlled by President Donald J. Trump, which was referred to the House Calendar and ordered to be printed.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. SHUSTER, from the Committee on Transportation, submitted an ad-

verse privileged report (Rept. No. 115-269) on the resolution (H. Res. 437) of inquiry requesting the President to provide certain documents in the President's possession, which was referred to the House Calendar and ordered to be printed.

MESSAGE FROM THE PRESIDENT

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

MOMENT OF SILENCE HONORING VICTIMS OF HUMAN SMUGGLING

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

Mr. CASTRO of Texas. Madam Speaker, I rise today to offer my condolences to the loved ones and families of the 10 victims who died in the tragic human smuggling incident that took place in my hometown of San Antonio, Texas, over the weekend. Many before them have sought to come to our country by land and sea, and have perished.

These were not Americans, but they are children of God. This was, above all else, politics aside, a human tragedy.

Please join me in a moment of silence to remember the victims and the countless others like them who have lost their lives in pursuit of the American Dream.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Thursday, July 27, 2017:

H.R. 3298, to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

WASHINGTON STATE BOY SCOUTS JAMBOREE TROOP 3218

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

Mr. NEWHOUSE. Mr. Speaker, today I rise to recognize two groups of young men, the Boy Scouts Jamboree Troop 3218 and the Grand Columbia Council, both from Washington State, as they recently attended the 2017 National Scout Jamboree.

In the 107 years since its founding, the Boy Scouts of America have instilled the values of hard work, responsibility, resourcefulness, and citizenship into the hearts and minds of thou-

sands of young American men. The National Scout Jamboree brings together first class scouts from all 50 States to participate in a variety of Scouting traditions and to celebrate their organization.

The Boy Scouts of America have made a marked difference in our Nation, in Washington State, and in my Fourth Congressional District through the schools and values they teach our young people. I have no doubt that these young men will continue to be leaders in their families, careers, and communities.

Please join me in thanking these troops for their commitment to American values, service, and leadership.

□ 1300

LET'S WORK TOGETHER

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

Mr. GENE GREEN of Texas. Mr. Speaker, the Senate Republican majority failed to pass their ACA repeal. This is a win for the people across America who wrote letters, made phone calls, and organized communities against this disastrous bill.

Mr. Speaker, millions of people rely on insurance expansion made possible under the ACA. Our job is not to harm the people we serve but to make their lives better.

Under every single Republican healthcare bill, millions of people would lose health coverage. There are many steps we can take together. Let us strengthen the risk pools, promote competition among insurers, and require States to expand their Medicaid programs.

These steps will help lower premiums, increase choice, and allow 50,000 individuals in my district and millions of low-income Americans across the country to get insurance.

My constituents are tired of the partisanship. I urge my friends on the other side of the aisle to work with us and each other instead of against each other so everyday Americans do not grow even more cynical of our governing institutions.

While the failure of TrumpCare is welcome news, now is the time to hold public hearings, bipartisan meetings, and work toward goals that reduce premiums, deductibles, and healthcare costs for American people.

I look forward to working with my Republican colleagues to build on the ACA and improve the law.

RECOGNIZING THE 50TH ANNIVERSARY OF THE SUGAR GROVE CORN BOIL

(Mr. HULTGREN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, it is my privilege today to rise to recognize the 50th anniversary of the Sugar Grove Corn Boil, a volunteer-run annual summer festival bringing residents together to raise funds for local organizations doing good work in the community. This year, the corn boil is focused on helping families and organizations addressing autism.

In 1967, the first ever corn boil brought Sugar Grove community members together for several hours in order to raise enough funds for the town's first ever street lamp. As a result of the festival's initial success, the community continued the tradition year after year.

The Sugar Grove Corn Boil has grown from a one-day event to a four-day event that brings around 35,000 attendees annually. Even though the old steam engines that used to boil the corn are no longer in use, the tradition of corn in the community ensures the grain remains a staple of the festival.

While the festival has grown in size and prominence, the mission has always stayed the same: to bring friends, family, and neighbors together to raise money for local organizations and for town improvement.

In addition, the corn boil celebrates Sugar Grove's Citizen of the Year to remind the community of the difference one person can make. Every dime donated to the Sugar Grove Corn Boil is given back to the community, whether it is local groups, food banks, churches, or to meet village needs.

I am pleased to share that this year's festival is dedicated to the effort to address autism.

I commend the vital role the Sugar Grove Corn Boil organization and the members play in my community. I ask that all my colleagues join in acknowledging their great contribution to the individuals and families of the 14th Congressional District.

GINNY BOUVIER, A POWERFUL VOICE FOR PEACE

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

Mr. MCGOVERN. Mr. Speaker, I rise to sing the praises of Virginia Bouvier, who is a senior adviser for peace processes at the U.S. Institute of Peace and the director of its Colombia program.

I have known Ginny for over 30 years. She is a powerful voice for peace and a strong, loving, generous spirit. I have seen her create the conditions, open up the spaces so that peace may take hold even during violent conflict.

Around the world, but especially in Colombia, she has brought together people from different points of view, different walks of life, the powerful and

the marginalized. She has worked alongside them to find common ground and common purpose in building peace.

In all honesty, Mr. Speaker, Ginny is the very model of a life lived fully with intelligence, love, compassion, tolerance, and devotion. Right now, Ginny is under critical care at Georgetown University Hospital. I ask all my colleagues to keep Ginny and her family in their thoughts and prayers.

HEALTHCARE REFORM

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

Mr. ROTHFUS. Mr. Speaker, the Senate's inability to pass healthcare reform legislation does not change the fact that the Affordable Care Act is failing. Many Americans may not have one insurance provider on the exchange this fall.

Forty percent of counties in the country now only have one option on the exchange. The ACA Medicaid expansion treats nonelderly, nondisabled individuals living above the poverty line more favorably than the elderly and disabled that this crucial program exists to protect.

Seven years ago, President Obama and congressional Democrats ran through an ill-conceived and unsustainable healthcare law that was grounded in make-believe and statements that were just not true. The Supreme Court twisted an unconstitutional individual mandate penalty into a dubiously constitutional tax, not only mocking our Constitution, but facilitating an evasion of responsibility for representatives who imposed an unpopular tax on the American people.

The legacy ObamaCare has been and will continue to be—lost plans, lost doctors, and, as Chelsea Clinton reminded us last year, crushing costs. Single payer is not the option. Not one Senator voted for single payer yesterday.

The solution to our healthcare problem is more freedom, more choice, less Washington control. We must continue our efforts to save the American people from this failing law, and continue our healthcare reform efforts.

SOUTH ASIAN HEART HEALTH AWARENESS AND RESEARCH ACT

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

Ms. JAYAPAL. Mr. Speaker, today, with Congressman JOE WILSON of South Carolina, I am introducing bipartisan legislation to raise awareness regarding the alarming rate at which the South Asian community is developing heart disease and to invest in ways to reverse the trend.

Coming from countries including India, Pakistan, Bangladesh, Sri

Lanka, and Nepal, South Asians are the sixth largest and fastest growing ethnic group in the Nation.

Despite a traditional diet that is high in lentils, vegetables, grains, and spices, heart disease is on the rise in these communities. A Stanford study has found that South Asians have a four times greater risk of developing heart disease than the general population and have a much greater risk of having a heart attack before the age of 50. Coupled with the prevalence of diabetes in the South Asian community, something needs to be done. That is why we are introducing the South Asian Heart Health Awareness and Research Act.

Specifically, our bill will create grants at the CDC, NIH, and USDA to fund heart health research and promotion among South Asian populations. We hope, through doing this, that we can help save lives, develop tools, and support valuable research that can broadly benefit the American public.

PASSING EXTENSION OF THE VETERANS CHOICE ACT

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

Mr. LAMALFA. Mr. Speaker, I am pleased that the House was able to pass the extension of the Veterans Choice Act funding for an additional 6 months to allow veterans to have choices, the ability to not wait in long lines, long lists, and have local proximity to treatment and care that they need.

We need to do much more on this in the future, but with today's action, at least we can sustain that program for an additional amount of time and serve our veterans who served us so well.

The Veterans Choice Act is a good outlet, a good opportunity for them to receive the care they need timely and in proximity to where they live.

Mr. Speaker, let's make sure the Senate gets this through and our veterans are served well.

WORKING TOGETHER TO BUILD A HEALTHCARE SYSTEM

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

Mr. TAKANO. Mr. Speaker, late last night, Senate Republicans failed in their latest attempt to repeal the Affordable Care Act, but today is not a day for celebration. It is a day for solutions.

Over the past 7 years, the Affordable Care Act has expanded access to healthcare for millions of Americans; but the law's imperfections, combined with politically motivated opposition, have created a system that falls short of the goals we all share.

In many communities across the country, there is not enough competition in the individual marketplaces, there is not enough support for middle class families and small businesses, and there is not nearly enough being done to curb the prescription drug prices that are swallowing family budgets.

The good news is that we know how to solve these challenges. Now is the time for us to work together, Democrats and Republicans, to build a healthcare system that is worthy of this great Nation.

HONORING RABBI AVROHOM HOFFMAN

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

Mr. ESPAILLAT. Mr. Speaker, I take great pleasure in sharing this story of Rabbi Avrohom Hoffman, a truly remarkable man whose presence has illuminated our community for decades.

Rabbi Hoffman has called Washington Heights his home for more than 35 years, fathering nine children with his wonderful wife, Miriam. He has served our community by teaching precollege students at a yeshiva and by providing spiritual guidance to those in great need.

I am honored to have such an exceptional individual in my district. I was recently informed that Rabbi Hoffman has donated his kidney to a 62-year-old woman diagnosed with polycystic kidney disease. His boundless acts of philanthropy serve as a testament to his tremendous character and remind us of the power of human kindness.

He serves as a role model to all of us, and I am proud to have recognized a man of such compassion and virtue on this floor.

WORKING TOGETHER TO IMPROVE OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. TED LIEU) is recognized for 60 minutes as the designee of the minority leader.

Mr. TED LIEU of California. Mr. Speaker, the collapse of TrumpCare in the Senate shows that we need a new way. The process from the very beginning was fatally flawed. The plan was really behind closed doors. There were no hearings. No witnesses, no doctors, no insurance plans, no patients, no nurses, nobody could testify in front of Congress and let people know about the current healthcare system.

I am not ObamaCare. I am willing to work with Republicans, with the President, with Democrats to update and improve ObamaCare. Any law can be made better, but to repeal ObamaCare without a plan is a really stupid way to

go about it, and to repeal it with an even worse plan known as TrumpCare is an even more stupid way to go about it.

The version that the House passed was going to cause 23 million people to lose their health insurance, increase premiums in 2018 and 2020, and then take people with preexisting conditions and give them enormously higher costs. No wonder the Senate killed that version.

Now we are in a position where the Republicans, instead of trying four, five, six, seven, eight different versions of TrumpCare, they should do the one thing they haven't yet tried, which is bipartisanship.

Mr. Speaker, I yield to the gentlemen from Arizona (Mr. GALLEGO), who will make some comments as well.

Mr. GALLEGO. Mr. Speaker, first of all, my experience with the Affordable Care Act actually comes from the State legislature, where, in a bipartisan manner, the Republican governor joined with the minority Democrats and a handful of Republicans in the Senate State House to pass Medicaid expansion.

Why did we do that?

If you looked at what was happening in Arizona, it was some of the Trump areas, as I like to call them, these rural districts where the rural hospitals, which are not only the medically necessary infrastructure of the area but also the economic drivers, the only high-wage employers in the area, they were about to shut down.

There was so much uncompensated cost, because people were using the emergency room as their primary care doctor, that these hospitals were starting to have to charge more and insurance companies were starting to refuse to pay more for their premiums, that they needed to respond to that.

In the end, what we started hearing from these hospitals is that we are going to have to shut down the emergency room, and if you have an emergency, we are going to have to helicopter you either to Tucson or Phoenix.

Now, for many of you guys who are not Southwesterners like us in the Southwest, we have a lot of territory and a lot of land. For you to just drive to Phoenix for emergency care would be pretty insane, let alone the expense of helicoptering into Phoenix was even more so than that.

Because we had the goal of actually increasing and improving our healthcare outcomes, we worked again in a bipartisan manner with Governor Brewer, with Republicans and Democrats to pass one of the most comprehensive Medicaid expansion bills in the country that has actually turned around, lowered costs, created better healthcare outcomes, and has now insured more than 400,000 poor Arizonans that did not have it before, including

people in the disability community, as well as children.

□ 1315

To counteract what we saw today, if it wasn't really for the bravery of Senator MURKOWSKI, Senator COLLINS, and Senator MCCAIN, as well as all of the Senate Democrats, what we would have seen would have been a bill that would not only have just rolled back the millions of people who are now covered with health insurance, but it would also have been detrimental to the people who currently have even private health insurance.

Premiums were going to go up for everybody. The estimated amount of people just on the so-called skinny bill that were going to lose health insurance would be 16 million people, and on the House bill it was going to be 23 million people, in addition to the essential gutting of Medicaid, all for giving a tax cut to the top 1 percent.

Now, this is bad policy, but it is worse policy when you don't have an open process to it, when you seek it through the middle of the night, hoping that the American public is just going to accept what comes out.

There is a reason why TrumpCare was polling less than Congress, and trust me, it is very difficult to poll less than Congress. At this point, it is just our families that like us.

Mr. TED LIEU of California. I like you.

Mr. GALLEGO. I like you, too, TED. You are a good man.

But the fact that we the American public knew so little, just knew enough, and said this bill is bad and were able to come out and put pressure on our Senators and our Members of Congress with public hearings and townhalls was key to stopping this.

Lastly, before I move back to TED, if you are so proud of this bill, if you are the Senate Republicans and you are so proud of this bill, if you are Donald Trump and you are so proud of this bill, even our House colleagues, why didn't you have consistent townhalls? Why didn't you go out there and explain to people what you were planning to do and why this is better for America?

Instead, they tried to hide it. They tried to move it as fast as possible, and then tried to schedule a vote in the middle of the night. If you have to vote for something in the middle of the night, it means you are not very confident and you are not very proud of that bill.

So what is the solution now? Nobody in the Democratic Caucus thinks the Affordable Care Act—or ObamaCare, as some people call it—is the be-all and end-all. We don't think it is perfect. We certainly think that there is a great bipartisan approach we can take to make it better. And what I mean by "better" is more coverage, lower premiums, and better healthcare outcomes.

When I use those words, those were almost exactly, word for word, what Donald Trump said he wanted to see happen when he was going to replace the Affordable Care Act.

But, point by point, whether it was the bill that came through the House or the bill that came through the Senate, none of those would have even fit Donald Trump's mandate. Which is why, at the end of the day, that bill was radioactive. Nobody liked it, and they had to hide it.

So what we should do is follow the advice of Senator McCAIN in Arizona, follow the example of Senators MURKOWSKI and COLLINS and all of the Senate Democrats: get back to regular order and work out an actual fix to the Affordable Care Act and get Americans more coverage, lower premiums, and better healthcare outcomes.

I say that also as someone who is on an ObamaCare plan. I am not exempt from it, and neither is Mr. LIEU. We are in it just as much as everyone else is, and we want to see it fixed.

Mr. TED LIEU of California. Mr. Speaker, Representative GALLEG0 and I both served on Active Duty in the United States military. Before we could do that, we had to take an oath to the Constitution. That is the same oath that Members of Congress take, and it is also an oath that members of the executive branch take.

Under the Constitution, Congress passes the laws. ObamaCare is the law of the land. Under the Constitution, the President has a duty to enforce those laws.

Today, the President tweeted that he wants ObamaCare to implode. Not only is that mean, mean, mean, it is also a dereliction of duty. The job of the President is to help Americans, not hurt millions of Americans out of spite.

Let me give you an example of what it was like before ObamaCare.

I was at a restaurant and a waitress came up to me. She knew I was a legislator. I was in the State legislature at the time, and she wanted help. Her daughter had just turned 18, and, in California, where I am from, you cannot get government health insurance if you don't have any minor children. So she lost her government health insurance.

She was recently diagnosed with breast cancer. She tried to get private insurance. None of them would cover her. And I realized that she is now going to slowly die because she could not get health insurance coverage.

She could not go into an emergency room and get treatment because her breast cancer had not progressed to that point. But one day she is going to get to that point. She will go to an emergency room; she will get treated for a few days; and then she will die. And I thought, in a country as great as America, that should never be happening.

Now that the Affordable Care Act is the law of the land, you cannot be discriminated against because of your pre-existing conditions. There are some incredibly amazing elements of this law. That is why the Republicans could not repeal it. Because the American people, after looking at it for 7 years, the majority said, you know, this is a pretty good deal. Is it the best deal? No. We could definitely make it better.

Mr. Speaker, Representative GALLEG0 and I are offering to the Republicans and Speaker RYAN to engage in bipartisanship. The one thing we are asking the Speaker to do is to not enable the President to sabotage the Affordable Care Act. Not only is that wrong, but it would be enabling his dereliction of duty, and it will cause millions of Americans to suffer greatly just out of spite.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. GALLEG0).

Mr. GALLEG0. Mr. Speaker, if you want to hear some ideas—and I think it is important that instead of just us knocking what was introduced, we could also give some ideas—certainly, for me, and I think I am also speaking for TED LIEU, we would prefer to have Medicare for all, so people have a stable insurance, a system that we know works, a system that actually brings down costs. But if we can't do that, there are many things we can do in the meantime.

Why not drop the age of Medicare eligibility to 55? If you do that, you are going to also decrease premiums for people who are not on Medicare, people who are just buying private health insurance. You could be on Medicare at 55 and still be working.

What about for those counties that don't have private insurers on the subsidized market? They should be able to buy into the Federal health insurance plans of all of the workers who live in those districts, or buy into the plans that TED and I have. Why can't we let them do that?

Why not cover every U.S. citizen up until the age of 18 under Medicaid to relieve the parents of that burden?

We can also start looking at community health centers, reinforcing those to make sure that we are taking the poorest of the poor who actually cost the most when it comes to healthcare costs and, instead of forcing them into a hospital or into a primary care situation, they could get consistent care without putting a burden on the overall medical system.

There are tons of ideas that we could be working on with our colleagues that will, again, fulfill President Trump's goal of lower costs, lower premiums, and better healthcare outcomes. So this doesn't have to be a static situation. This doesn't have to be an either/or.

President Trump is making it sound like, because we did not pass his idea of

reform, we must collapse the whole system. That is unnecessary, that is irresponsible, and that is not how adult people that legislate act.

You can fix this. We can fix this so more people can have healthcare coverage, more people can have that security that they are going to always have health insurance so they can go and start a business and know they are going to have health insurance, know that they can send their kid to college and they are still going to have health insurance, know that they can retire knowing that they have been healthy the whole time and they are going to have a good, dignified retirement because we had made sure that we established a good healthcare system from the time they were born until the time they retire.

This is possible. This is possible.

Mr. TED LIEU of California. Mr. Speaker, in conclusion, the House of Representatives is going to go on recess in August. Now is the time for millions of people across America to contact their Member, ask them to hold townhalls, ask them to explain their vote on the awful TrumpCare legislation that passed the House, and ask them to now work with Democrats and work on a bipartisan basis to improve ObamaCare. Now is the time for millions of Americans to speak up. They have the entire month of August to contact their Member of Congress, and I urge them to do so.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. GALLEG0).

Mr. GALLEG0. Mr. Speaker, lastly, I will close with this. If you were one of those Members of Congress, if you are a Republican Senator or a Republican Member of Congress who voted to gut the Affordable Care Act, there is time. There is a way to come back from that really bad decision. You can turn around and start working for the betterment of this country by trying to fix the Affordable Care Act.

The American public will look kindly upon those legislators who are here to work in a bipartisan manner to, again, lower costs, lower premiums, and provide more coverage and better healthcare outcomes. There is time to do this. But there is not time for more opportunities to gut this, for more time to kick people off Medicaid, or for more time to create some kind of situation that is only go to raise premiums.

If we allow Trump to actually, in his words, make the whole thing fail, it is not ObamaCare that fails, it is not the Affordable Care Act that fails—it is the American people that fail. He is playing a game with the lives of the American people.

What he is going to do is he is going to cause millions of people to either lose their insurance because insurance companies are going to have to start shedding people, or premiums are going

to end up going up because, if he creates instability in the market, these insurance companies are going to try to recoup their costs somehow, and it is going to discourage younger individuals from actually coming on and buying into the ObamaCare insurance pool, which, again, will raise premiums. This is unnecessary.

Mr. Speaker, for those Members of Congress and those Senators who want to work with us, the first step is to encourage and stop the President from sabotaging the Affordable Care Act and to work diligently in a bipartisan manner to fix the Affordable Care Act and cover more people.

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

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

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LEBANON—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-59)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2017.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

DONALD J. TRUMP.
THE WHITE HOUSE, July 28, 2017.

MEGAN RONDINI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE of Texas. Mr. Speaker, I want to talk today about a person, a person that I never got to meet, but this is her story, and this is her story from her point of view and the information that I have received from people who knew her, including her parents, her aunt, and some of her friends. And, like I said, I don't know the real facts of this case. I am just giving you my opinion, and I am here today to tell Megan Rondini's story, because she can't tell her case, Mr. Speaker.

I am co-chair of the Victims' Rights Caucus, along with the gentleman from California (Mr. COSTA), my friend. I was a former prosecutor in Houston, Texas, for 8 years. I tried felony cases. And then I was a criminal court judge for 22 years, seeing all kinds of violations of the law. I mention that because that is the background from which I speak.

Over that time, I knew a lot of victims of crime. Too many victims of crime worked their way through the courthouse. I am going to talk about another one today: Megan Rondini.

□ 1330

She was 19 or 20 when she was a student at the University of Alabama, and on July 1, 2015, Megan and some of her friends, sorority friends, went to a nearby bar, as we would term it in the old days, where a lot of students in Tuscaloosa, Alabama, went for meeting other folks and hanging out.

She came in contact with an individual whose name was Terry Jackson Bunn, Jr. His nickname was Sweet T.

Sweet T—being from the South, you can understand somebody being called that, Mr. Speaker.

He was a patron of this establishment. He was older. He was in his early thirties. Megan was approximately 20.

He invited her to go over to his house, to look at his house, because he and his family live in a big mansion in Tuscaloosa, Alabama. She agreed to go. He went with another individual that he knew, and they went over to his house.

They go upstairs, and here is where the problem and the crime apparently started. He takes her into his bedroom. She says: This is not a good idea.

She may have been intoxicated, but apparently later during that evening, she is drugged or under the influence of drugs and really was not coherent during this time, according to her, later.

He sexually assaulted her. She did not consent. She did not consent. And she, from that day on, told everybody who talked to her about this case she did not consent.

He had sexual intercourse with her. He falls asleep on the bed.

She gets up. She tries to get out of this upstairs room. There is a dead bolt on the door, apparently. She couldn't get out. She couldn't figure out how to get out, so she climbs out the second-story window in the middle of the night and jumps from the second-story window to a trash can on the ground.

She doesn't have her keys. She didn't know where they are. So his car is parked there, a Mercedes, sleek Mercedes, which he picked her up in earlier. She gets in the car, looks for her keys.

She doesn't have any money, so she takes money out of the vehicle to call a cab, to pay for the cab so she could get away, and the cab later shows up.

During this time, she is texting her friends, asking for them to come get her. The text messages maybe didn't make a whole lot of sense because of the condition that she is in.

She eventually gets to the hospital, the place where sexual assault victims usually go first to get medical attention. She goes to the hospital there in Tuscaloosa, Alabama, and while there, she told her story, even though she was somewhat still under the influence of drugs, probably. And while there, a Women and Gender Resource Center advocate shows up at the hospital.

The hospital people take what we call in the vernacular in law enforcement, as you used to be, a rape kit. It is called a sexual assault kit now. They take that sexual assault kit and they perform that examination, but they didn't take any blood and they didn't take any urine and they didn't test Megan for whether she was under the influence of drugs. They did the sexual assault kit.

Along the route, the sexual assault kit gets to the sheriff's department, and we don't know what happened to it after that. It was never tested. As far as I know, it hasn't been tested yet. They don't know where it is. Maybe the sheriff's department has it, maybe they don't, but that sexual assault kit, like I said, was never tested.

So after she is there, or while she is there, the police, the sheriff's department show up and they question her briefly. It appears that these two homicide detectives heard her story, and they didn't take any notes about it. They just listened to her story.

What transpired there maybe was not a lot of information given to the police, except she told her story. She told the police she didn't consent, that she may be under the influence of drugs, drug-induced rape, and they left.

The next morning, Megan, staying up all this time, the police, either at the first or the second interview, wanted to know why she didn't physically resist, why she didn't fight back this older man. And she was under the influence of drugs.

Under most laws in most States, she couldn't physically fight back, and

that is the lack of consent. She didn't give consent. And it is still sexual assault, but apparently not so to the sheriff's department in Tuscaloosa, Alabama. She didn't fight back.

Now, I am older than you are, Mr. Speaker, but I remember the days of these old, archaic rape laws where, in many States, the victim had to fight almost until death. The statutory limitation on sexual assault or rape was 1 year. That is when the victim only had a year to have that case indicted. And there are some other things about the old law that we both know, but I will get to that, hopefully, later.

But it was obvious to her, either at the first interview and at least the second interview, the sheriff's department did not believe her. When she told them who the alleged perpetrator was, Sweet T Bunn, they seemed to back off the prosecution.

Sweet T Bunn comes from a family in Tuscaloosa, Alabama, well-known, prominent citizens. The Bunn folks run a construction company, probably built every road in Tuscaloosa, Alabama. Everybody knew who they were. And they backed off, according to her, of the investigation, still not taking, apparently, any real notes.

On the second interview later that morning with the police, the police started accusing her of committing a crime. So the victim no longer is the victim, but becomes the accused, the defendant, about the money that she took from Bunn's car so she could get a cab to flee the perpetrator.

The police interviewed TJ Bunn. He first denied she was ever at his mansion, and then later he changed his story, as accused individuals tend to do, and then said it was consent, that she consented to everything and that this is not a criminal case. And the police further backed off and then later said to Megan: We think we are going to prosecute you for theft of that money to get home and get away from the offender unless you drop the charges, the accusations against Sweet T.

Mr. Speaker, we need, as a community, to understand and put ourselves in the place of this girl who is alone. And I believe, all through that night, she made the best decisions she could to get help, and everywhere she turned, people turned her down.

Now, I don't know what most victims would do in this case, but she didn't know what to do. She called her mom in Austin, Texas. Mom quickly gets in her car and starts driving to Alabama, as mothers do, wanting to know how she should handle this particular situation: she is becoming the accused. And that is the trump card that the police put on her: You back off the prosecution, and we won't prosecute you for theft and maybe other crimes that you committed.

So Megan left, not knowing what to do.

So the sheriff's department doesn't believe her, doesn't want to believe her, and takes the alleged perpetrator and makes him the victim and makes her the accused individual. So the sheriff's department has the rape kit—never tested. The sheriff's department is accusing the victim of committing a crime.

So she seeks relief from the University of Alabama. She goes there and she talks to a lady who was a counselor for students at the University of Alabama, a female, and tells her the whole story again: No consent; I was sexually assaulted.

After the story is told to the counselor, the counselor apparently says: I can't help you. I know the Bunn family. I have a relative that works for Bunn Construction. I cannot help you, and I am backing off and recusing myself of this case—the counselor.

What does Megan do? Well, the university gives her another counselor, who I wouldn't say is a real counselor. It is a graduate assistant. And the graduate assistant talks to Megan and says: "I can't talk to you until you take medication for your anxiety."

Well, no kidding she has anxiety because of what has happened to her over these several hours.

And that was the last we heard of the University of Alabama physical therapist. She backs off because she has anxiety.

The district attorney, eventually, about 3 weeks later, said: We are not prosecuting this case. No case, no sexual assault, believes the sheriff's department, believes it is consent, and they are not prosecuting the case.

Later, it turns out, Mr. Speaker, and I don't know if this influenced these people's decisions or not, but we learn that the defendant's family, the construction company, gave financial contributions to the sheriff's department, to the district attorney's office campaign, and to the University of Alabama, where they apparently are big contributors. I don't know if that influenced all of this or not, but you can take it for what you want. But anyway, they backed off the case.

Megan, because it is the summer break, leaves and goes back home to Texas. She wants to get away from the University of Alabama because she had seen the defendant on campus. He is not a student there. She had told the people on the campus: I am very worried about me because of this person being on campus.

She leaves the university, asking the title IX folks to help her transfer her university education from the University of Alabama to SMU, and she leaves. Apparently, she did not get cooperation, according to her, for a couple of months from the title IX folks, which is another issue that I am not going to go into, and enrolls in the university at SMU, needing a letter from

Alabama to get into another university, as all kids need to have nowadays.

She is at SMU. She seeks medical help in Texas. The doctor told her that the findings were apparently post-traumatic stress, anxiety, depression, all from this criminal case that happened against her, always telling folks she didn't consent. She never changed her rendition of the case.

She wasn't doing very well. She saw a counselor at SMU and wanted help with depression when she is filling out her medical history form that goes to the university at SMU in Dallas, Texas.

□ 1345

She said she had mental issues. She said that she had bad thoughts about living. And then later, on February 26, 2016, with that form laying next to her, Megan committed suicide. She took her life.

Why? My opinion, because she never got any help. She couldn't get help from the hospital because of the urine test; no drug test, no blood test; the rape kit never analyzed by the police department, sheriff's department; the sheriff's department didn't believe her? Like I said, in my opinion, they didn't want to believe her.

The university didn't help her. They gave her a graduate assistant to try to help her with her mental case, told her to get on medication.

Mr. Speaker, Megan did everything that she should have done under those situations. It is easy for society, in cases like this, to always say to victims of crime, especially rape cases: You should have done this; you shouldn't have done that.

And there is a lot of second-guessing going on in this case by a lot of people. But, as a prosecutor, former judge, I think she did the best she could to get help, and she got no help.

When people are desperate, when they feel like nobody cares, that nobody is going to help them, in a sexual assault case, where—to me, that is one of the worst crimes that can be committed against a person—they are desperate, and she didn't think life was worth living because of this case.

Over the years, I have learned a lot from sexual assault victims, and one thing that they all want is validation. They want validation from us—community, society, government—that that act they said happened to them did happen. That is what they want. Sometimes they want that more than prosecution or apprehension of the offender, is validation that we believe them.

She didn't get that validation, except for her family, and so she took her own life. What a tragedy.

So that is why I am here today. Megan can't talk about what happened to her, but we can. We, as Members of Congress, are really in the people business, and that is why I am in Congress. I know that is why you are in Congress.

So what are we going to do about this? What has happened in the interim?

Well, at the hospital, because of the failures—no drug testing, no urine testing, the loss of the sexual assault kit, rape kit, or not being analyzed—myself, CAROLYN MALONEY, Democrat from New York, and also, TERRI SEWELL, who represents this area in Alabama, have filed the Megan Rondini Act on her behalf.

Now, what does that do? So this legislation will require hospitals in our country, wherever they are, to have a SAFE at that hospital. What is a SAFE? It is a Sexual Assault Forensic Examiner. Some hospitals do, some don't; but this law will require you have one at your hospital 24 hours a day, 7 days a week, or be able to take a sexual assault victim to one place close by that has this type of examiner.

It is a special recognition for people in the sexual assault business, whether they are a nurse or whether they are a doctor, and we filed that legislation. Maybe that would have helped in this case where the sexual assault examiner would have finished the examination, made sure that the testing was done, or had some examiner near this hospital. So we filed this. It is called the Megan Rondini Act. That is one of the pieces of legislation we filed.

I want to talk about the law enforcement agency. Now, you know as much about law enforcement as anybody in Congress, but let me tell you the way I see this.

They never tested the sexual assault kit, the rape kit, the urine sample. They questioned her because why didn't she resist? Why didn't she fight back?

When a person is drug-induced in a sexual assault, they can't fight back. They certainly can't consent, but that is what they were asking her, even though that didn't apply in this case. She couldn't fight back. She didn't fight back because of what happened to her when she was drugged or under the influence of something.

And then they accused her of being a criminal. Rather than examining her case and finishing her case, they went on to take the defendant's position, say they believed him, even though he gave contradictory stories later in this investigation.

We have a piece of legislation that has already been filed to deal with sexual assault kits, and I have introduced legislation today to reauthorize SAFER. SAFER is a piece of legislation Congress needs to reauthorize to have rape kits throughout the country examined. There are thousands of sexual assault cases sitting on the shelves, sitting in warehouses; some have been destroyed they are so old, where law enforcement, government, has not analyzed those sexual assault rape kits.

There are a lot of excuses made—there is not money, all of those things.

They need to be examined in all criminal cases. SAFER provides funding to do that so that the backlogged evidence gets tested and so that it convicts the guilty and clears the innocent. That is the second piece of legislation that we have filed.

The district attorney's office, after Megan committed suicide, after they had refused to do anything about the case, almost a year later, they took the case to a grand jury, and it was not indicted. It was no-billed.

Now, I have presented cases to the grand jury. I am sure you have testified before grand juries. Unfortunately, some district attorneys, I am not saying all, or even most—the grand jury does the will of the district attorney. If the district attorney encourages an indictment, that person is indicted. If they encourage and recommend a no-bill, not indicted, grand juries will do that.

Some prosecutors don't offer advice. They let the grand jury make that decision because that is their decision. I don't know if that happened in this case or not. But they did decide to present the case to a grand jury, and it was not indicted. She was not indicted, or the defendant was not indicted.

Of course, nothing could happen to her. She has already taken her own life.

The university made some mistakes, in my opinion. The school victim advocate abandoned her at the hospital where she was.

On campus, the counselor, even though hearing the case, full story, at the end—this is interesting—at the end, decided to recuse herself because she knew the Bunn family. She knew the Bunn family when this interview started. Why didn't she recuse herself before the victim tells the story again to another person, to another stranger? Interesting turn of events.

Graduate assistant, in my opinion, didn't have any qualifications to order that she get medical treatment before she comes back to talk to the folks at the hospital.

We have filed a resolution, it is a sense of Congress resolution, Mr. Speaker, calling on all universities to employ a full-time victim advocate on campus who deals with sexual assault victims, have that expertise. And it is an expertise. A victim advocate needs to be specified to be a sexual assault victim advocate, because, you can talk about a victim advocate, that could be somebody talking about a theft case or something, but you need a sexual assault victim advocate on campus, no matter what university this happens to be.

It is a sense of Congress. It is a resolution that has been filed today.

Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman has 34 minutes remaining.

Mr. POE of Texas. Mr. Speaker, let me—this is Megan Rondini. This is the way she looked when she was a student. We have heard a lot about her, as we should.

But now I want to talk about the family of the alleged perpetrator, Sweet T, and the Bunn family. Well-known business in the community. Good for them. Business is doing well. They give money to the university. As I mentioned, apparently they give money to the campaigns of the sheriff and the district attorney, and they make other contributions throughout the Tuscaloosa region. Apparently, everybody knows them.

They are so concerned about this case that this is a full-page ad taken out of one of the Tuscaloosa, Alabama, newspapers this week defending their honor, as we would say in the South. And it goes into quite a bit of detail.

What it does is attack the victim of this crime. It almost justifies the defendant's, the accused's, position. All through this ad, they talk about a lot of things. I want to read you just part of it. Here's just one paragraph talking about their three generations of civic involvement in Tuscaloosa, Alabama:

We support education. We support law enforcement. We support our hospital and civic. We are generous, and now we are condemned as if it is a conspiracy.

The Bunn family, for more than 70 years, have given their time, energy, and resources to make our community a better place to live. Now, according to some journalists, every act of charity and good citizenship was nothing more than a large standing conspiracy. If no deed goes unpunished then why should anyone invest in our community to take the risk of being a good citizen?

They are defending their honor. They are defending Sweet T. And all through this ad, taken out this week, they never mention sympathy or compassion or sadness for the death of the victim in this crime. That seems very strange to me. Regardless of guilt or innocence, we know that a person took their life because of what happened. I find that very strange.

They seem to protest too much—full-page ad in a local newspaper.

The parents of Megan, Mike and Cindy Rondini, they are just folks who live in Austin, Texas. Robin, the aunt, she is a constituent of mine in Houston. And just listening to them talk, there sure is a different side of the story about compassion than what we hear from the Bunn folks.

Mr. Speaker, I will try to sum this up. I appreciate your patience. I mentioned I have known a lot of sexual assault victims. Years ago, before you were born, I was prosecuting in Houston, Texas.

□ 1400

I am going to change the name of the victim in this case because of concerns about privacy for her family.

Lisa was a student at the University of Houston, working a second job. She

leaves school one evening at about 9 o'clock p.m. or so. She is driving north on one of our interstates—or freeways, as we call them. She has car trouble. She pulls off the freeway, goes to a service station she thought was open. It was not open.

An individual comes up to her, has a pistol—Luke, we will call him—kidnaps her, sexually assaults her, and abandons her. She is later found in a very traumatic emotional state somewhere in the area. The police are called. They figure out who the perpetrator was, they go out and arrest him, investigate the case.

One thing I want to mention that happens in most cases that didn't happen in Megan's case, the police didn't talk to any witnesses. They didn't talk to the witnesses at the bar. They didn't talk to any of Megan's friends. They didn't talk to anybody. They just talked to the alleged perpetrator and to Megan. No investigation.

Anyway, the investigation is done, Luke is captured. It turns out he is an ex-con for sexual assault—rape, as we called it in those days.

Lisa convinced herself that she would testify. She comes to the courthouse. I prosecuted the case. She went through every detail.

And you remember, Mr. Speaker, years ago, before the law started having justice in it, sexual assault victims had to tell their whole sexual life before strangers. Of course the defendant, you never could go into the sexual life of the defendant, but the defense could always go into it on a victim.

She goes through the trial. Twelve right-thinking folks on a jury convicted the offender. That same jury gave him 99 years in the penitentiary of Texas, what he earned, what he deserved.

We would hope that life would go on, that justice is done, and that everybody is satisfied that justice is done. But that doesn't always work.

Lisa lost her job, dropped out of school, started abusing alcohol, drugs, a lot of stuff. She married, had two kids. Her husband, being the kind of guy he was, apparently decided to leave her and took the two kids and went somewhere else.

It wasn't long after that I got a call from Lisa's mom telling me that she had taken her own life and left a note saying: "I am tired of running from Luke in my nightmares."

Another victim years ago, and I give her example only because we need to understand that this is one of the worst things that can happen to a person. One other case. I prosecuted a case where a guy was charged with sexually assaulting an elderly woman. She came to the courthouse to testify. Sadie. I will use her first name. She was dressed in a dark gray suit, long skirt, double-breasted coat. She had on a dark gray hat and a little veil over her face.

She took the witness stand. I asked her: What happened when this perpetrator that you have identified came into your house?

She said: He committed an act worse than death.

I asked: What do you mean? What did he do? Did he assault you? What did he do?

She said: He committed an act worse than death.

Finally, she testified to the legal requirement of penetration.

To some sexual assault victims, rape is a fate worse than death. To Megan, she got the death penalty for being a sexual assault victim. She couldn't quite handle it. Why? Because no one was there to make sure that she did handle it.

Mr. Speaker, sexual assault predators—and that is what they are. You can call it rape, you can call it sexual assault, you can call it a fate worse than death—sometimes steal the soul of the victim. That is the way the victims feel. Everything that was important to them is gone because of the perpetrator.

I think the best evidence, unfortunately, that Megan, in my opinion, was telling the truth throughout all of this was that she took her life. That is what makes this case so sad.

Sexual assault or rape, Mr. Speaker, is never the fault of the victim. Never. Never. And some folks want to look at this and say: Megan, you should have done this, you should have done that, you shouldn't have gone with him, you shouldn't have been drunk, you shouldn't have allowed him to get you intoxicated on drugs, whatever.

I think most of them do the best they can in trying to get justice.

She went to the hospital and was denied help. The sheriff's department, in her opinion, denied help. In fact, they accused her of being the perpetrator. They didn't investigate, they didn't talk to witnesses. She goes to a university that gets Federal funds trying to get help and was denied. Denied. Denied. Denied.

She leaves, she goes back to Texas, tries to enroll in another university, and before all that is completed, she takes her life.

I hope we can understand not just this case and not just Megan, but we can understand the plight and the awful things that happen to some of our young women in our country.

The same Constitution that protects defendants of crime, protects victims of crime. They are entitled to equal protection under the law. I am talking about victims of crime. If we understand that principle, we will understand justice. We will understand what we are all about; that we are in the people business. In this House of Representatives on this late Friday afternoon, we need to understand that.

Justice means different things to different folks. But justice must be bal-

anced between the rights of the accused and the rights of the victim so that we do the right thing for the right reason in every case.

Mr. Speaker, you know this in doing investigations in your capacity before, and I want to reiterate this. Sometimes victims just never get over it. They just never do. We should be there with them. I am talking about the community should be there with them and at least hear them out and make a rational and just decision, regardless of who the offender is: poor, rich, famous, somebody in the community, big contributor, whatever; and no matter who the victim is, same background: poor, rich, famous. That should go away in determining justice. Otherwise, we don't have justice for all. We only have justice for a few.

Mr. Speaker, I appreciate the time, I appreciate the patience of the House of Representatives when I wanted to talk today about Megan Rondini. This case bothers me as a father of four kids, three of them girls; twelve grandchildren, eight of them girls. It bothers me as a Member of the House of Representatives and as a former person who worked at the courthouse for over 30 years.

I hope it bothers the House of Representatives so we move forward with trying to get help for folks like this, that we pass legislation that requires a safe officer at hospitals, that we pass legislation as a House resolution that it is a sense of Congress that all universities have on campus a sexual assault victim's advocate or coordinator, as the law says.

I thank CAROLYN MALONEY from New York and TERRI SEWELL from Alabama, who represents this area, for cosponsoring this bill.

I ask the leadership to move this legislation forward. But let's not forget about Megan's family and Megan's case and the thing that happened to her that just can't happen anymore. Justice can be served, it shall be served, because justice is what we do, Mr. Speaker.

And that is just the way it is.

Mr. Speaker, I would ask how much time is left.

The SPEAKER pro tempore. The gentleman has 17 minutes remaining.

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

IN HONOR OF THE LIFE OF EMIL OGDEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. FLORES) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. FLORES. Mr. Speaker, I appreciate the gentleman for Texas sharing the story about Megan with this Chamber, and I look forward to supporting

him in his efforts to try to keep these things from happening again in the future.

Mr. Speaker, I rise today to honor Emil Ogden of College Station, Texas, who passed away on July 25, 2017.

Emil Ogden was born on September 15, 1927, in Blackwell, Oklahoma. He was raised by his loving mother, Mary Ogden, in Bowling Green, Missouri. Growing up during the worst of the Great Depression, Emil experienced poverty firsthand and lived in a one-room house. To provide for her son, Emil's mother worked as a maid at his grandfather's hotel for \$2 a week. To help the family, Emil worked any odd job he could find.

During this time, an act of kindness from a member of the local Rotary Club would change his life. Emil was enamored with baseball and would often visit the local hardware store owned by Rotary Club member Ed Dunlap. Ed noticed that Emil loved baseball but could not afford the equipment. He sent a bat, a glove, and a ball to Emil. The care that Ed and the Rotary members showed to Emil put his life on a better course.

Emil valued their support, once stating: "I could have been very rebellious as a child. Things like poverty can make you grow up with some resentment. But all of a sudden, I had a whole town of surrogate fathers, and they cared about me. It motivated me to be a better example as a young man. The leaders of the community who we respected were all members of the Rotary, and I didn't want to disappoint them after they had taken an interest in me."

In 1945, Emil joined the U.S. Army Air Corps and was assigned to the 503rd Army Air Forces Base Unit, better known as the Brass Hat Squadron. The Brass Hat Squadron was a group of esteemed Army pilots whose job it was to fly high-profile persons around the world to significant events.

Based out of Washington National Airport, the squadron flew senior government officials, including senators and congressmen, U.S. and foreign dignitaries and, military leaders, among others.

Personally, Emil flew dignitaries to events such as the Nuremberg war trials, the atomic bomb tests on Bikini Atoll, and the national independence celebration in the Philippines. Due to his service in the military, Emil had visited more than 30 countries before his 20th birthday.

In 1947, Emil married his high school sweetheart and the love of his life, Clementine Lindeman.

□ 1415

Clementine was the center of Emil's life for over 69 years. Her support and encouragement always kept Emil grounded. Their love and commitment to each other, their Catholic faith, and

the values upon which they built their lives, endured until his death. Together they had six children, whom they both loved dearly. At the time of his passing, their legacy included 22 grandchildren, and 12 great-grandchildren.

After his service in World War II, Emil went on to play professional baseball in the minor leagues, playing for both the Brooklyn Dodgers' and the Baltimore Orioles' organizations. His career lasted from 1949 to 1953. His baseball career took place in west Texas, first for the Midland Indians and then for the Odessa Oilers. During his playing days, Emil met several baseball legends, including Jackie Robinson.

Emil's baseball career came to a close when Clementine gave him an ultimatum: either stay married or keep playing baseball. Emil was a wise man, and he chose to focus on marriage.

Emil began college at Texas A&M University as part of the class of 1953. In the 1980s, he finished a degree in philosophy while he was in his sixties. Upon finishing his degree later in life, Emil said: "Too many of us grow older and we sit back and say, 'Well, I've lived my life. There's nothing else to do. I'll try to live on my past experiences and past knowledge and hope that I survive with some dignity.' I think that person has already partially died." Emil's love for learning and his intellectual curiosity would continue through the end of his life.

In 1953, Emil returned to Abilene, Texas, to begin his career in the oil industry. While starting his career, he worked odd jobs to help make ends meet for his growing family. One of those odd jobs was playing the trumpet in local dance bands on the weekends.

In 1973, his independent oil and gas operations hit it big when the properties he was leasing dramatically increased in value, creating the nucleus of Emil's business success. The oil and gas business eventually brought Emil back to College Station in 1979, where he would be instrumental in developing the successful Bryan Woodbine Oil Field in the 1980s.

Passionate about educating youth, Emil helped found the Ogden-Chaparral Entertainment Company, where he produced an educational children's television show called "ImagineLane" in the 1990s. The first show aired on KAMU-TV in the Brazos Valley and was eventually shown on stations all across the United States.

Even with all of his business accomplishments, Emil will best be remembered for his philanthropic efforts in the Brazos Valley. His upbringing in poverty and struggles during early life are something Emil never forgot, and it made him empathize with those in need.

He served on the board of directors for the local Boys & Girls Club, in multiple positions for the Knights of Col-

umbus, as chairman of the Arrow Moon District of the Boy Scouts of America, and he was also a member of the Bryan Rotary Club.

A lifelong conservative, Emil also gave to many conservative causes, including donating the seed money to the 40 Days for Life campaign, which began at College Station and advocated for pro-life causes around the world today.

He also sponsors three Habitat for Humanity homes, saying that it was "my way of giving thanks."

Mr. Speaker, Emil Ogden worked tirelessly for the Brazos Valley. He is loved in Bryan-College Station and certainly left an enduring impression on our community. He will be forever remembered as a great philanthropist, humanitarian, businessman, husband, father, grandfather, great-grandfather, pro-life champion, and friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Ogden family. We also lift up the family and friends of Emil Ogden in our prayers.

I have requested that the United States flag be flown over the Nation's Capitol today to honor the life and legacy of Emil Ogden.

As I close today, I urge all Americans to continue praying for our country during these difficult times, for our military men and women who protect us from external threats, and for our first responders who protect us from threats here at home.

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

HONORING THE LIFE OF JAMES LOUIS MAXWELL, JR.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 30 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to reflect on the life of the late James Louis Maxwell, Jr., a gentleman from a small eastern North Carolina county, whose innovative mind and entrepreneurial spirit helped grow his grandfather's local milling company into a thriving international agribusiness. Louis Maxwell's story is certainly one of commercial and financial success, but it is, more importantly, Mr. Speaker, about a life devoted to family and community.

On January 9, 1927, in Wayne County, North Carolina, James Louis Maxwell and his wife, Ruth Herring, welcomed the birth of a son, Louis, Jr. He was an active youngster and became involved in Boy Scouts, proudly earning his Eagle Scout badge. He would later say that scouting had a transformational impact on him, and he remained actively involved with the Scouts throughout his life.

Louis' grandfather, Hugh Maxwell, founded Goldsboro Milling Company in 1916, a family business, which is honored, Mr. Speaker, to celebrate 101

years of business this year. The company began with the production of various feeds for farm animals, along with milling cornmeal and making grits.

Young Louis, a graduate of Goldsboro High School, attended Davidson College, but left to serve his country during World War II. After completing his Naval service, Louis enrolled in UNC-Chapel Hill, graduating in 1950 with a degree in commerce.

Proud of, and loyal to his deep roots in eastern North Carolina, he returned home to Goldsboro and immediately began working in the family business, and he rose quickly through the ranks.

Louis was always looking at ways to expand the family business, and he began the company's efforts in raising turkeys, hoping that eastern North Carolina would be favorable to growing those large birds. Turkey production grew rapidly, and today, Mr. Speaker, Louis' vision and hard work have helped his company become the largest producer and processor of turkeys in the world, having acquired Butterball Company some years ago.

Continuing to grow agribusiness across the United States, Louis expanded his family's ventures, becoming a major swine producer, along with timber and blueberry farming. His visionary acumen has now carried through five generations of the Maxwell family and shows no signs of slowing down.

Yet, despite all of the many achievements of this good man—and I have really not even touched the surface of those achievements—he is truly a humble person. To Louis Maxwell, helping folks in his communities, by providing good jobs and many opportunities, was one of the most honorable things he thought a man could do to serve his fellow man. He expected much from himself and from those he employed, and he was pleased to reward loyalty and hard work.

His outlet, when he wasn't working hard, what he liked to do was spend his time outdoors. Louis was the ultimate outdoorsman. If it wasn't hunting season, it was fishing season. His children were right there with him, and they say that he was still out in the boat fishing even in his later years. They always stuck to one rule, though, which was: he had to clean the fish that he caught.

Louis was a born and bred Methodist and was a lifelong member of St. Paul's Methodist Church in Goldsboro. No matter where he was, Mr. Speaker, he never met a stranger, never walked past someone without saying hello, and he was a proud American. He loved his flag, and he loved his country.

But most importantly, he spent more than 60 years married to the love of his life, Mary Ann Jeffreys, until she passed in 2014. Together, they had four children, eight grandchildren, and now a great-grandchild. Louis was very

proud of his family, as they were of him. He cherished his role as a husband, father, and grandfather.

In his lifetime, Louis Maxwell enriched countless lives in ways too many to express. He will truly be missed. He was a friend.

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

ADJOURNMENT FROM FRIDAY, JULY 28, 2017, TO TUESDAY, AUGUST 1, 2017

Mr. HOLDING. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Tuesday next.

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

There was no objection.

IMPORTANT ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it has been a deeply troubling last 12 hours—24 hours, I guess. The House went about trying to repeal the—and it is just tough to say—Affordable Care Act because of the thousands of people we have heard from in my district in the last 7 years who have just been devastated by the costs that skyrocketed, the premiums that skyrocketed, the deductibles that skyrocketed, the critically important doctor or medicine or facility that President Obama promised they could keep that was taken away by ObamaCare. It is just hard to call it the Affordable Care Act because it has cost some people everything.

But every Republican had promised we would repeal ObamaCare. It is possible SUSAN COLLINS in the Senate may not have. She didn't vote for the repeal in the last Congress, but it is my understanding that virtually everybody had promised: If you will elect me, or reelect me, I will vote for repeal.

I have literally prayed for Senator JOHN MCCAIN with the cancer that they found out has overtaken him, and I do hope and pray for a speedy, full recovery. But I do recall, vividly, that election in Arizona, and apparently he was extremely concerned about getting reelected.

There was hard-charging opposition in the Republican primary, more than one primary opponent, and as I recall, there were repeated promises that the Senator, if the good people of Arizona would just reelect him, give him another 6 years, he would be working tirelessly, he would be working so hard to repeal ObamaCare.

And I did go down to the Senate Chamber this week a couple of days ago. I went down because I thought it

would be historic, potentially, to have the Senate vote to proceed to debate on what we hoped would be an actual repeal of ObamaCare.

It turns out they called it a skinny bill, or a skinny repeal. It wasn't much of a repeal at all. In fact, I guess there is a decent chance, if that had passed and become law, it may have very well ensured the total collapse of private insurance and, ultimately, the desire of those who pushed through ObamaCare. We would ultimately end up with socialized medicine, rationed care.

I am not a fan of the term "single payer" because it masks what we are really talking about. We are talking about government takeover of healthcare. And as we have watched the little precious child, Charlie Gard's parents going through absolute hell, there have been so many questions: Whether you agree or disagree, should he be allowed to have further surgery? Should he have been allowed to have a procedure that might have saved his life?

It ends up going to court, and because of the laws in England with their socialized medicine, the government gets to choose who can have potentially lifesaving procedures, what life-enhancing procedures, and who can't. That is the nature of socialized medicine.

□ 1430

During my summer in the former Soviet Union, back when I was in college as an exchange student over there, I didn't just have tours, I saw the way people were treated in the socialized medicine of the Soviet Union.

I have heard even some of my dear friends and colleagues here in the House say: We know socialized medicine always fails.

Actually, that is something I don't know. What I know and what I believe is socialized medicine never actually fails. Now, socialism will always fail. It always has. Even going back to the New Testament church when the Apostle Paul tried this beautiful, wonderful concept: bringing all into the common storehouse, sharing and sharing alike.

Well, eventually he realized that is going to work in Heaven just beautifully, but it sure doesn't work on Earth. So here is a new rule: if you don't work, you don't eat.

Why? Because in this beautiful, incredible world where people are human, they are imperfect. Everyone has done wrong at some point and fallen short of the glory of God—every one of us. Nobody is perfect. So you can't have a perfect system that does anything but become a totalitarian government.

It has to become totalitarian in order to force people to bring into the common storehouse. When you do that, you eliminate the incentives that have proved over recorded history to be the least effective. If you don't have incentives, it is ineffective. People don't work the hardest.

Mr. Speaker, I have mentioned before—because there was a great example during that summer in the Soviet Union at a collective farm 30 miles or so outside of Kiev—there were thousands and thousands of acres, but I could not tell the difference between the cultivated areas and the noncultivated areas.

I've worked on farms and ranches. This was in the middle of July. We are at about the same latitude in east Texas. You want to get out there as close to sunup as you can because it gets so hot by midafternoon you want to be finishing up by midafternoon.

Here it was the middle of the morning, and most of the farmers were out there in the middle of the village area there in the shade. Back in Mount Pleasant growing up, some of the older gentlemen had a spit and whittle club. That reminded me of that, the old guys just sitting around talking—young and old.

So I tried to use my best Russian and asked: When do you work out in the field? Obviously, these guys hadn't worked up a sweat all morning. I was trying to be pleasant. When do you work out in the field?

They all laughed. So I thought maybe I didn't say it right. But one of them then responded in Russian: I make the same number of rubles if I am out there in the sun or I am here in the shade, so I am here in the shade.

Obviously, I have not forgotten this. It is such a great example of why socialism never works because there is no incentive to work. Oh, yes, you can punish people. But that doesn't provide nearly the incentive as the Pilgrims found, their beautiful Compact: bring into the common storehouse, share and share alike.

After they lost so many people that first harsh winter, they tried something called private property—you got to keep what you produced. Wow, did it work out well. It has worked out well over the years even to the present time, although this government has continued to buy and take over more and more land and move in the direction of being socialistic.

But our medicine has not been really socialistic. It has been taken over more and more by government and the insurance companies. Why in the world did the insurance companies support ObamaCare, the ACA, in the past? Because they were so shortsighted.

I think they and the big pharmaceutical companies knew that eventually by signing onto ObamaCare they were signing their own death warrants. Not immediately. Those executives that got involved would be able to take their golden parachutes and their millions and millions of dollars in distribution. But, ultimately, we would become a socialized medicine country.

You would see mortality rates begin to go up where people didn't live as

long. People would not get the knee, hip, and the back surgeries and hearing aids. The government ends up deciding who is worthy and who is not.

So America voted the Democrats out of majorities in the House and Senate mainly because they pushed through ObamaCare. The huge majority of Americans were satisfied with their health insurance, their health insurance plans, and their healthcare.

There is a big difference. Those terms, health insurance and healthcare, have been skewed. There is a big difference. We have got to get back to a place where patients and doctors have a relationship unencumbered and without being separated by insurance companies and the government.

But if we don't repeal ObamaCare, we will move to total government control and Charlie Gard's situation where the government says: You can have a life-saving procedure, but you cannot.

That day has already come, and it is going to be a common occurrence if we don't keep our promise and repeal ObamaCare.

I was down there when they voted to proceed to debate. But, honest to goodness, even though I have been here 12 years and think nothing shocks me, I couldn't believe that so many people who promised over and over and over again "we will repeal ObamaCare, we will end ObamaCare, we will get you back in control of your healthcare, we will get you back affordable healthcare" couldn't vote even for the skinny bill.

It hardly did much of anything to ObamaCare, even a little bit.

It is the first time I am aware of in the history of the United States Congress where one body contacted the other body—the Senate, in this case, contacted the Republicans in the House—and said: Please, we think we can pass our bill in the Senate, but you have got to promise us you won't pass it in the House. We will go to conference. Please promise us you won't pass it in the House. We have a chance to pass it in the Senate.

What kind of governance is that? I think it is a good thing to take a break from being here in session where we talk to ourselves too much. I think that is a problem here on both ends of the House.

I am proud of some of the things we have done here in the House. We have made some progress. We need to make a lot more. We need to pass the tax reform. I want to see the corporate tax get down to 15 percent so those hundreds of thousands of millions of jobs that went to China can come back to the United States. Why? Because we undercut the income tax that China charges to corporations.

What is a corporate tax? It is an insidious fee that citizens have to pay where the government makes them think they are not paying it—oh, it is

the evil corporation paying it. No. It is every customer pays for the corporate tax.

If you reduce that tax, then we become competitive around the world in things that we are not competitive, and jobs come back here. As any historian can tell you, an international power that does not produce the things they need in a time of war will not remain an international power after the next war.

When we lost production of steel, of rubber, and of tires—all these things that are critical in the time of war—it will encourage our enemies to take advantage of the fact that they provide the things we will need in a time of war. The only way you really effectively avoid war, as President Reagan made clear, is you become so strong nobody wants to fight you. Those are the small times of peace in world history either when someone is so strong they enslave everybody else or that one country is so strong that believes in freedom that they force the evil leaders in the world to stay at bay where people have peace.

I want peace. I want a strong America. I want to keep our promises and have tax cuts. I feel pretty comfortable that we are going to do it in the House.

I just hope and pray, Mr. Speaker, that those in the Senate who have made promises about repealing ObamaCare and cutting taxes will have the kind of August where God lays it on their hearts that it is not a good thing to lie to the American people or constituents, and that the best thing I can do for myself politically and for my country is to keep my promises.

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

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3298. An act to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

H.R. 3364. An act to provide congressional review and to counter aggression by the Government of Iran, the Russian Federation, and North Korea, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 27, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 3298. To authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police

who have sustained serious line-of-duty injuries, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 41 minutes p.m.), consistent with the fourth clause in section 5 of Article I of the Constitution, and notwithstanding section 132 of the Legislative Reorganization Act of 1946, the House adjourned until Tuesday, August 1, 2017, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2118. A letter from the Acting Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Decreased Assessment Rate [Doc. No.: AMS-SC-16-0111; SC17-945-1 FR] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

2119. A letter from the Acting Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's interim rule — Walnuts Grown in California; Decreased Assessment Rate [Doc. No.: AMS-SC-17-0031; SC17-984-1 IR] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

2120. A letter from the Acting Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Tart Cherries Grown in the States of Michigan, et al.; Free and Restricted Percentages for the 2016-17 Crop Year for Tart Cherries [Doc. No.: AMS-SC-16-0105; SC16-930-5 FR] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

2121. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Definitions and Selection Criteria that Apply to Direct Grant Programs [Docket ID: ED-2017-OII-0032] (RIN: 1855-AA13) received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2122. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received July 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2123. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Kentucky; Revisions to Louisville; Definitions [EPA-R04-OAR-2017-0365; FRL-9965-30-Region 4] received July 21, 2017, pursuant to

5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2124. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Georgia; Miscellaneous Revisions [EPA-R04-OAR-2017-0021; FRL-9965-25-Region 4] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2125. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Florida; Unnecessary Rule Removal [EPA-R04-OAR-2016-0656; FRL-9965-14-Region 4] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2126. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; CT; Reasonably Available Control Technology for the 2008 Ozone Standard [EPA-R01-OAR-2014-0611; A-1-FRL-9963-89-Region 1] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2127. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List [EPA-HQ-OLEM-2016-0428, 0430, 0432, 0434, 0435, 0436 and 0437; FRL-9965-31-OLEM] received July 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2128. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ametoctradin; Pesticide Tolerance [EPA-HQ-OPP-2016-0518; FRL-9963-04] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2129. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Requirements for Continuous Emission Monitoring [EPA-R03-OAR-2017-0047; FRL-9965-23-Region 3] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2130. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants under the Safe Drinking Water Act; Analysis and Sampling Procedures [EPA-HQ-OW-2017-0284; FRL-9964-78-OW] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2131. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenamidone; Pesticide Tolerances [EPA-HQ-OPP-2016-0064; FRL-9962-96] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2132. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenpyroximate; Pesticide Tolerances [EPA-HQ-OPP-2016-0307; FRL-9963-22] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2133. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List [EPA-HQ-OLEM-2016-0428, 0430, 0432, 0434, 0435, 0436 and 0437; FRL-9965-31-OLEM] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2134. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tolpyralate; Pesticide Tolerances [EPA-HQ-OPP-2015-0405; FRL-9964-15] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2135. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Pseudomonas chlororaphis* strain AFS009; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0284; FRL-9961-77] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2136. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Topramezone; Pesticide Tolerances [EPA-HQ-OPP-2015-0825; FRL-9960-37] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2137. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — TSCA Inventory Notification (Active-Inactive) Requirements [EPA-HQ-OPPT-2016-0426; FRL-9964-22] (RIN: 2070-AK24) received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2138. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 [MB Docket No.: 11-43] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2139. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 [MB Docket No.: 11-43] received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2140. A letter from the Deputy Bureau Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network [PS Docket: 16-269] received

July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2141. A letter from the Acting Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLD Order No.: 007-2017] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

2142. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Miscellaneous Changes to Trademark Trial and Appeal Board Rules of Practice; Clarification [Docket No.: PTO-T-2017-0025] (RIN: 0651-AD22) received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

2143. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Health Insurance Premium Tax Credit [TD: 9822] (RIN: 1545-BM09) received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2144. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of Guidance in Notice 2015-77 for Participants in the HFA Hardest Hit Fund [Notice 2017-40] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2145. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Branded Prescription Drug Fee [TD: 9823] (RIN: 1545-BM26) received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2146. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulation — Special Enrollment Examination User Fee for Enrolled Agents [TD: 9820] (RIN: 1545-BN09) received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2147. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Return Due Date and Extended Due Date Changes [TD: 9821] (RIN: 1545-BN13) received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 873. A bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for

other purposes (Rept. 115-264). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. House Resolution 442. Resolution of inquiry directing the Secretary of the Treasury to provide certain documents in the Secretary's possession to the House of Representatives relating to President Trump's financial connections to Russia, certain illegal financial schemes, and related information; adversely (Rept. 115-265). Referred to the House Calendar.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 95. A bill to amend title 28, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs, with an amendment (Rept. 115-266). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 3262. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes; with an amendment (Rept. 115-267). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 2195. A bill to amend title 5, United States Code, to provide for access of the Special Counsel to certain information, with amendments (Rept. 115-268). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Resolution 437. Resolution of inquiry requesting the President to provide certain documents in the President's possession; adversely (Rept. 115-269). Referred to the House Calendar.

Mr. McCAUL: Committee on Homeland Security. House Resolution 447. Resolution directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to Department of Homeland Security policies and activities relating to businesses owned or controlled by President Donald J. Trump; adversely (Rept. 115-270). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DANNY K. DAVIS of Illinois (for himself, Ms. DeGETTE, Mr. DOGGETT, Ms. CASTOR of Florida, Mr. HIGGINS of New York, Mr. LEWIS of Georgia, Mr. PASCRELL, Mr. NEAL, Mr. PALLONE, Mr. BEN RAY LUJÁN of New Mexico, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. SEWELL of Alabama, Mr. LEVIN, Mrs. DINGELL, Ms. JUDY CHU of California, Ms. ESHOO, Mr. CROWLEY, Mr. TONKO, Mr. ENGEL, Ms. SÁNCHEZ, Ms. DELBENE, Mr. GENE GREEN of Texas, Mr. RUSH, Mr. MCNERNEY, Mr. THOMPSON of California, Mr. MCGOVERN, Mr. LARSON of Connecticut, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. KIND, Ms. MATSUI, and Ms. CLARKE of New York):

H.R. 3525. A bill to amend title V of the Social Security Act to reauthorize the Mater-

nal, Infant, and Early Childhood Home Visiting Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHFUS (for himself and Mr. PETERSON):

H.R. 3526. A bill to amend title 28, United States Code, to allow the use of the Department of Justice Asset Forfeiture Fund to finance United States border security measures, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Maryland (for himself, Mr. SARBANES, and Mr. RUPPERSBERGER):

H.R. 3527. A bill to prohibit the use of funds to return certain property and interests in property to the Government of the Russian Federation; to the Committee on Foreign Affairs.

By Ms. CLARK of Massachusetts (for herself and Mr. MULLIN):

H.R. 3528. A bill to amend title XVIII of the Social Security Act to require e-prescribing for coverage under part D of the Medicare program of prescription drugs that are controlled substances; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT:

H.R. 3529. A bill to amend the special supplemental nutrition program for women, infants, and children to cover certain vitamins; to the Committee on Education and the Workforce.

By Mr. COMER (for himself, Mr. GOODLATTE, Mr. POLIS, Mr. MASSIE, Mr. GRIFFITH, Mr. YOUNG of Alaska, Mr. CRAMER, Mr. BLUMENAUER, Mr. PETERSON, Mr. COHEN, Ms. BONAMICI, Ms. GABBARD, Mr. DEFazio, Mr. SCHRADER, Mr. PERLMUTTER, and Mr. BARR):

H.R. 3530. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. AMODEI, Mr. GALLEGOS, Mr. GRIJALVA, and Ms. SINEMA):

H.R. 3531. A bill to amend the Radiation Exposure Compensation Act for purposes of making claims under such Act based on exposure to atmospheric nuclear testing, and for other purposes; to the Committee on the Judiciary.

By Mr. EVANS (for himself and Mr. MCGOVERN):

H.R. 3532. A bill to require the President to convert private businesses and investments in order to prevent conflicts of interest under Federal law, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CARBAJAL (for himself and Mr. CURBELO of Florida):

H.R. 3533. A bill to amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal

climate change adaptation preparedness and response program, and for other purposes; to the Committee on Natural Resources.

By Ms. DELBENE (for herself, Mr. CICILLINE, Mr. COHEN, and Mr. SMITH of Washington):

H.R. 3534. A bill to make the Controlled Substances Act inapplicable with respect to marihuana in States that have legalized marijuana and have in effect a statewide regulatory regime to protect certain Federal interests, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMALFA:

H.R. 3535. A bill to restore Federal recognition to the Ruffey Rancheria of California, and for other purposes; to the Committee on Natural Resources.

By Mr. DEFAZIO:

H.R. 3536. A bill to require persons who undertake Federally funded research and development of drugs to enter into reasonable pricing agreements with the Secretary of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. PRICE of North Carolina:

H.R. 3537. A bill to reform our government, reduce the grip of special interest, and return our democracy to the American people by increasing transparency and oversight of our elections and government, reforming public financing for Presidential elections and providing for public financing for Congressional elections, and requiring States to conduct Congressional redistricting through independent commissions, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, Oversight and Government Reform, Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 3538. A bill to amend the Truth in Lending Act to create additional requirements for original and new creditors of mortgage loans in the case of a sale, transfer, or assignment of a mortgage loan, and for other purposes; to the Committee on Financial Services.

By Mr. RUSH:

H.R. 3539. A bill to amend the Fair Credit Reporting Act to establish a procedure for the removal of a booking photograph from a consumer's file, and for other purposes; to the Committee on Financial Services.

By Mr. RUSH (for himself and Mr. PALLONE):

H.R. 3540. A bill to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POE of Texas:

H.R. 3541. A bill to reauthorize the SAFER Act of 2013, and for other purposes; to the Committee on the Judiciary.

By Mr. WILSON of South Carolina (for himself, Mr. MOULTON, Ms. ROSELEHTINEN, and Mr. DEUTCH):

H.R. 3542. A bill to impose sanctions against Hamas for gross violations of internationally recognized human rights by reason of the use of civilians as human shields, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Com-

mittee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART (for himself and Mr. TIPTON):

H.R. 3543. A bill to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, and for other purposes; to the Committee on Natural Resources.

By Mr. LYNCH (for himself, Mrs. CAROLYN B. MALONEY of New York, and Mr. KING of New York):

H.R. 3544. A bill to require the disclosure of beneficial ownership by a foreign person of aircraft registration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MURPHY of Pennsylvania (for himself, Mr. MEEHAN, Mr. BLUMENAUER, Mr. CARTER of Georgia, Mr. RENACCI, and Mr. MULLIN):

H.R. 3545. A bill to amend the Public Health Service Act to protect the confidentiality of substance use disorder patient records; to the Committee on Energy and Commerce.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. POSEY, Mr. FLORES, Mr. JODY B. HICE of Georgia, Mr. ALLEN, Mr. NORMAN, Mr. BABIN, Mr. RICE of South Carolina, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. COOK, Mr. CHABOT, Mr. WENSTRUP, Mr. BRAT, Mr. BYRNE, Mr. FERGUSON, Mr. DUNN, Ms. JENKINS of Kansas, and Mr. CRAWFORD):

H.R. 3546. A bill to prohibit universal service support of commercial mobile service and commercial mobile data service through the Lifeline program; to the Committee on Energy and Commerce.

By Mr. ISSA (for himself, Mr. VARGAS, Mrs. NOEM, Mr. ALLEN, and Mr. FLORES):

H.R. 3547. A bill to authorize the Secretary of State to establish a permanent residence in Jerusalem, Israel, for the United States Ambassador to Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McCAUL (for himself, Mr. THORNBERRY, Mr. SESSIONS, Mr. BISHOP of Utah, Mr. SHUSTER, Mr. SMITH of Texas, Mr. BRADY of Texas, Mr. CONAWAY, Mr. HENSARLING, Mr. CARTER of Texas, Ms. GRANGER, Mr. CALVERT, Mr. KING of New York, Ms. MCSALLY, Mr. KATKO, Mr. DONOVAN, Mr. RATCLIFFE, Mr. HIGGINS of Louisiana, Mr. ESTES of Kansas, Mr. POE of Texas, Mr. OLSON, Mr. BURGESS, Mr. MARCHANT, Mr. FARENTHOLD, Mr. SAM JOHNSON of Texas, Mr. ARRINGTON, Mr. CULBERSON, Mr. WEBER of Texas, Mr. WILLIAMS, Mr. BABIN, Mr. BARTON, Mr. FLORES, Mr. MEADOWS, Mr. HUNTER, Mr. COOK, Mr. BRIDENSTINE, Mr. PALAZZO, Mr. BERGMAN, Mr. KELLY of Mississippi, Mr. COLLINS of New York, Mr. POLIQUIN, Mr. FRANKS of Arizona, Mr. GOODLATTE, Mr. CRAMER, and Mr. LOUDERMILK):

H.R. 3548. A bill to make certain improvements to the security of the international borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, Foreign Affairs, Natural Resources, Agriculture, Transportation and Infrastructure, Ways and Means, and Oversight

and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN:

H.R. 3549. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit with respect to any stillborn child of a taxpayer; to the Committee on Ways and Means.

By Mr. LARSEN of Washington:

H.R. 3550. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify that ASL students are English learners; to the Committee on Education and the Workforce.

By Ms. MCSALLY (for herself, Mr. REICHERT, Mr. McCAUL, Mr. KING of New York, Mr. HURD, and Mr. GARRETT):

H.R. 3551. A bill to amend the Security and Accountability for Every Port Act of 2006 to reauthorize the Customs-Trade Partnership Against Terrorism Program, and for other purposes; to the Committee on Homeland Security.

By Mr. CLEAVER (for himself and Mr. YODER):

H.R. 3552. A bill to amend the Elementary and Secondary Education Act of 1965 to require that teachers, principals, counselors, and other school leaders receive youth suicide awareness and prevention training; to the Committee on Education and the Workforce.

By Mr. MARINO (for himself and Mr. PERLMUTTER):

H.R. 3553. A bill to amend title 11 of the United States Code to increase the amount of compensation paid to chapter 7 bankruptcy trustees for services rendered; to the Committee on the Judiciary.

By Ms. BONAMICI (for herself, Mr. COSTELLO of Pennsylvania, Mr. MOULTON, and Mr. MEEHAN):

H.R. 3554. A bill to amend the Higher Education Act of 1965 to provide for the automatic recertification of income for income-driven repayment plans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOUDERMILK (for himself, Mr. MEEKS, Mr. HULTGREN, Mr. DAVID SCOTT of Georgia, and Mr. ZELDIN):

H.R. 3555. A bill to amend the Securities Exchange Act of 1934 to provide that the definition of a facility of an exchange does not apply to a line of business the purpose of which is not to effect or report a transaction on an exchange; to the Committee on Financial Services.

By Mr. ROYCE of California (for himself and Ms. MOORE):

H.R. 3556. A bill to require Fannie Mae and Freddie Mac to engage in credit risk transfer transactions, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself, Mr. DEFAZIO, and Mr. NEWHOUSE):

H.R. 3557. A bill to amend title 38, United States Code, to increase the number of health care professionals employed by the

Department of Veterans Affairs by improving the Department of Veterans Affairs Education Debt Reduction Program; to the Committee on Veterans' Affairs.

By Mrs. BROOKS of Indiana (for herself and Mrs. MURPHY of Florida):

H.R. 3558. A bill to direct the Secretary of Veterans Affairs to make certain improvements relating to inspections of Department of Veterans Affairs medical facilities and improving care for women; to the Committee on Veterans' Affairs.

By Ms. ADAMS (for herself, Mr. SMITH of Washington, Ms. BARRAGAN, Mrs. NAPOLITANO, Mr. CONYERS, Mr. AGUILAR, Ms. KELLY of Illinois, Ms. JUDY CHU of California, Ms. WILSON of Florida, Mr. DAVID SCOTT of Georgia, and Mr. PAYNE):

H.R. 3559. A bill to authorize the Secretary of Health and Human Services to award grants to support the access of marginalized youth to sexual health services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. AGUILAR:

H.R. 3560. A bill to amend the Higher Education Act of 1965 to give borrowers an option to extend the grace period prior to the beginning of the repayment period, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ARRINGTON (for himself, Mr. O'ROURKE, Mr. WALDEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. DUNN):

H.R. 3561. A bill to amend title 38, United States Code, to permit appraisers approved by the Secretary of Veterans Affairs to make appraisals for purposes of chapter 37 of such title based on inspections performed by third parties; to the Committee on Veterans' Affairs.

By Mr. ARRINGTON (for himself, Mr. O'ROURKE, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. DUNN):

H.R. 3562. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BARRAGAN (for herself, Mr. GALLEGU, Mrs. NAPOLITANO, and Mr. CORREA):

H.R. 3563. A bill to amend the Immigration and Nationality Act to recognize the service of veterans of the armed forces by providing a more navigable and accommodating pathway for veterans honorably discharged from the United States military to naturalize and seek citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. BEYER (for himself, Mr. CONYERS, Mr. COHEN, Mr. PAYNE, Mr. JOHNSON of Georgia, Mrs. TORRES, Ms. MCCOLLUM, Mr. TED LIEU of California, Mr. RASKIN, Mr. WELCH, Ms. LOFGREN, Mr. CICILLINE, Ms. SHEA-PORTER, Miss RICE of New York, Mr. EVANS, Mr. BLUMENAUER, Mrs. NAPOLITANO, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. WASSERMAN SCHULTZ, Ms. JAYAPAL, and Mr. MCGOVERN):

H.R. 3564. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 to authorize the Director of the Federal Bureau of Investigation to revoke the security clearance of political appointees in the Executive Office of the President for national security purposes; to the Committee on Oversight and Government Reform, and in addition

to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. FLEISCHMANN, Mr. KUSTOFF of Tennessee, Mr. SESSIONS, Mr. STEWART, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. ROE of Tennessee, Mrs. BLACKBURN, and Mr. DUNCAN of Tennessee):

H.R. 3565. A bill to achieve domestic energy independence by empowering States to control the exploration, development, and production of oil and gas on all available Federal land, and for other purposes; to the Committee on Natural Resources.

By Mrs. BUSTOS (for herself, Mr. CRAWFORD, Mr. MARSHALL, Mr. EVANS, and Ms. KUSTER of New Hampshire):

H.R. 3566. A bill to strengthen resources to combat the heroin and opioid epidemic in rural communities across America; to the Committee on Agriculture.

By Mr. CALVERT (for himself and Mr. TAKANO):

H.R. 3567. A bill to authorize the purchase of a small parcel of Natural Resources Conservation Service property in Riverside, California, by the Riverside Corona Resource Conservation District, and for other purposes; to the Committee on Agriculture.

By Mr. CAPUANO (for himself and Mr. SENSENBRENNER):

H.R. 3568. A bill to require manufacturers to disclose to consumers the presence of event data recorders, or "black boxes", on new automobiles, motorcycles, and autocycles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles, motorcycles, and autocycles; to the Committee on Energy and Commerce.

By Mr. CAPUANO (for himself, Ms. BROWNLEY of California, Mr. CASTRO of Texas, Ms. CLARK of Massachusetts, Ms. JACKSON LEE, Mr. KEATING, Mr. KENNEDY, Mr. KING of New York, Mr. LYNCH, Mr. MCGOVERN, Mr. MOULTON, Mr. NEAL, Ms. TSONGAS, Mr. VEASEY, Ms. SHEA-PORTER, Mr. COHEN, and Mr. DESAULNIER):

H.R. 3569. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide death benefits for campus police officers; to the Committee on the Judiciary.

By Mr. CARTER of Georgia (for himself, Mr. BABIN, Mr. FARENTHOLD, Mr. FORTENBERRY, Mr. MCKINLEY, Mr. LOUDERMILK, Mr. CRAMER, Mr. YOHIO, and Mr. FLORES):

H.R. 3570. A bill to amend part A of title II of the Clean Air Act to exclude trailers and other vehicles that rely on a connection to a self-propelled vehicle from the definition of a motor vehicle; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida:

H.R. 3571. A bill to amend title III of the Americans with Disabilities Act of 1990 to require a plaintiff to provide a defendant with an opportunity to correct a violation of such title voluntarily before the plaintiff may commence a civil action, and for other purposes; to the Committee on the Judiciary.

By Mr. CICILLINE (for himself, Ms. BASS, Ms. CLARKE of New York, Mr. MCGOVERN, Ms. SCHAKOWSKY, Ms. WILSON of Florida, and Mr. ELLISON):

H.R. 3572. A bill to carry out an income-contingent repayment program for Federal Interest Free Education Loans for under-

graduate students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CICILLINE (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. EVANS, Mr. KILMER, Mr. NOLAN, and Ms. WILSON of Florida):

H.R. 3573. A bill to amend the Internal Revenue Code of 1986 to increase the deduction allowed for student loan interest and the limitation based on income, and for other purposes; to the Committee on Ways and Means.

By Ms. CLARK of Massachusetts:

H.R. 3574. A bill to amend the Department of Education Organization Act and the Higher Education Act of 1965 to require publication of information relating to religious exemptions to the requirements of title IX of the Education Amendments of 1972, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself and Mr. ROSS):

H.R. 3575. A bill to provide standards for physical condition and management of housing receiving assistance payments under section 8 of the United States Housing Act of 1937; to the Committee on Financial Services.

By Mr. COLLINS of New York:

H.R. 3576. A bill to amend title 18, United States Code, to limit the authority of States and localities to regulate conduct, or impose penalties or taxes, in relation to rifles or shotguns; to the Committee on the Judiciary.

By Mr. COSTA (for himself, Mr. MCGOVERN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. DELBENE):

H.R. 3577. A bill to amend the Food and Nutrition Act of 2008 to establish a competitive grant program to provide grants to States to carry out targeted employment and training projects; to the Committee on Agriculture.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3578. A bill to permit the expungement of records of certain non-violent criminal offenses; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Ms. MOORE, and Mr. COHEN):

H.R. 3579. A bill to make a supplemental appropriation for the Public Health Emergency Fund, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER:

H.R. 3580. A bill to promote State requirements for local educational agencies and public elementary and secondary schools relating to the prevention and treatment of concussions suffered by students; to the Committee on Education and the Workforce.

By Mr. DESAULNIER:

H.R. 3581. A bill to amend the Internal Revenue Code of 1986 to exclude Federal Pell Grants from gross income; to the Committee on Ways and Means.

By Mrs. DINGELL (for herself, Ms. KAPTUR, Mr. QUIGLEY, Ms. MCCOLLUM, and Mr. RUSH):

H.R. 3582. A bill to prohibit the closure, consolidation, or elimination of offices of the Environmental Protection Agency; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Science, Space, and Technology, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON:

H.R. 3583. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with civil claim awards; to the Committee on Ways and Means.

By Mr. ESPAILLAT (for himself, Mr. SERRANO, Ms. VELÁZQUEZ, Mr. ROGERS of Kentucky, and Ms. NORTON):

H.R. 3584. A bill to amend the Internal Revenue Code of 1986 to extend certain credits against tax related to empowerment zones; to the Committee on Ways and Means.

By Mr. FARENTHOLD (for himself and Mr. GOHMERT):

H.R. 3585. A bill to amend title 18, United States Code, to make it a criminal offense to knowingly make a request to access classified information concerning a United States person to be unminimized pursuant to the Foreign Intelligence Surveillance Act for a reason other than an authorized reason under that Act, and for other purposes; to the Committee on the Judiciary.

By Mr. FERGUSON (for himself and Mr. BYRNE):

H.R. 3586. A bill to amend the Occupational Safety and Health Act of 1970 with respect to labor organization representation during physical inspections of workplaces; to the Committee on Education and the Workforce.

By Mr. GOMEZ:

H.R. 3587. A bill to provide for the collection and assessment of intelligence regarding the efforts of foreign powers to gain influence through the financial interests of the President and close family members and associates of the President; to the Committee on Intelligence (Permanent Select).

By Mr. GRAVES of Louisiana (for himself, Mr. RICHMOND, Mr. BYRNE, Mr. THOMPSON of Mississippi, Mr. WEBER of Texas, Mr. CLAY, Mr. PALAZZO, Mr. FARENTHOLD, Mr. AUSTIN SCOTT of Georgia, and Mr. HIGGINS of Louisiana):

H.R. 3588. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide for management of red snapper in the Gulf of Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri:

H.R. 3589. A bill to amend title 31, United States Code, to end speculation on the current cost of multilingual services provided by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA:

H.R. 3590. A bill to restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Interagency Working Group on Environmental Justice Compliance and Enforcement, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTIERREZ (for himself, Ms. LOFGREN, Ms. ROYBAL-ALLARD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. PELOSI, Mr. HOYER, Mr. CROWLEY, Ms. SÁNCHEZ, Mr. CONYERS, Mr. GRIJALVA, Ms. JUDY CHU of California, Mr. AGUILAR, Ms. BARRAGÁN,

Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARBAJAL, Mr. CÁRDENAS, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CORREA, Mr. COURTNEY, Mr. CRIST, Mr. CUMMINGS, Ms. DEGETTE, Ms. DELAULO, Ms. DELBENE, Mr. DEUTCH, Mr. DOGETT, Mr. ELLISON, Ms. ESHOO, Mr. ESPAILLAT, Mr. EVANS, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGU, Mr. GOMEZ, Mr. GONZALEZ of Texas, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Ms. HANABUSA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. COSTA, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. LANGEVIN, Ms. LEE, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALONE, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RASKIN, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SABLAN, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEAPORTER, Mr. SHERMAN, Mr. SIRES, Mr. SMITH of Washington, Mr. SOTO, Mr. SWALWELL of California, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Mr. VARGAS, Mr. VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, and Ms. BASS):

H.R. 3591. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain aliens who are United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JAYAPAL (for herself, Mr. WILSON of South Carolina, Mr. BERA, Ms. JUDY CHU of California, Mr. CORREA, Mr. CROWLEY, Ms. FRANKEL of Florida, Ms. GABBARD, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KHANNA, Mr. KRISHNAMOORTHY, Ms. LEE, Ms. MENG, Ms. NORTON, Mr. SMITH of Washington, Mr. SUOZZI, Mrs. TORRES, Mrs. WATSON COLEMAN, and Mr. NADLER):

H.R. 3592. A bill To amend the Public Health Service Act and the Food, Agriculture, Conservation, and Trade Act of 1990 to provide for research and improvement of cardiovascular health among the South Asian population of the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the

Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Louisiana:

H.R. 3593. A bill to amend the Wilderness Act to authorize U.S. Customs and Border Protection to conduct certain activities to secure the international land borders of the United States, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Ms. JENKINS of Kansas):

H.R. 3594. A bill to amend title II of the Social Security Act to protect the Social Security Trust Funds from overpayment discharge during bankruptcy proceedings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself and Ms. SEWELL of Alabama):

H.R. 3595. A bill to amend the Internal Revenue Code of 1986 to provide a credit to employers who provide paid family and medical leave, and for other purposes; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania (for himself and Mr. KIND):

H.R. 3596. A bill to amend the Employee Retirement Income Security Act of 1974 to adjust single-employer premiums, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. YOUNG of Alaska, Mr. COLE, Mr. HECK, Mr. HUFFMAN, Mr. POCAN, Ms. MOORE, Mr. POLIS, Mrs. TORRES, Mr. BEN RAY LUJÁN of New Mexico, Ms. PINGREE, Mr. COOK, Mr. GRIJALVA, Mr. GALLEGU, Ms. SLAUGHTER, Mrs. DINGELL, and Ms. DELBENE):

H.R. 3597. A bill to amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes; to the Committee on Natural Resources.

By Mr. KIND (for himself and Mr. WITTMAN):

H.R. 3598. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Natural Resources.

By Mr. KING of Iowa:

H.R. 3599. A bill to prevent States and local jurisdictions from interfering with the production and distribution of agricultural products in interstate or foreign commerce; to the Committee on Agriculture.

By Mr. KING of Iowa:

H.R. 3600. A bill to amend title 13, United States Code, to require that any questionnaire used in determining the decennial census of population shall contain an option for respondents to indicate citizenship status or lawful presence in the United States, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KUSTOFF of Tennessee:

H.R. 3601. A bill to amend the Consumer Financial Protection Act of 2010 to clarify data and information sharing requirements regarding consumer complaints, and for other purposes; to the Committee on Financial Services.

By Ms. LEE (for herself, Ms. DEGETTE,

Mr. ELLISON, Mr. TONKO, Mr. TAKANO, Mr. HUFFMAN, Ms. NORTON, Mr. MCNERNEY, Ms. SPEIER, Miss RICE of New York, Mr. DEUTCH, Ms. CLARK of Massachusetts, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. AGUILAR, Ms. ROYBAL-ALLARD, Mr. LARSEN of Washington, Mr. KIHUEN, Ms. CLARKE of New York, Mr. KHANNA, Ms. TITUS, Mr. NADLER, Mr. MCGOVERN, Mr. RYAN of Ohio, Mr. PRICE of North Carolina, Ms. KELLY of Illinois, Mr. LOWENTHAL, Mr. SCHIFF, Ms. DELAURO, Mr. DANNY K. DAVIS of Illinois, Ms. HANABUSA, Mr. CARBAJAL, Ms. SCHAKOWSKY, Mr. EVANS, Mr. CONYERS, Mr. WELCH, Ms. BONAMICI, Ms. JUDY CHU of California, Ms. SLAUGHTER, Mr. LEWIS of Georgia, Ms. ADAMS, Mr. CICILLINE, Ms. FRANKEL of Florida, Mrs. CAROLYN B. MALONEY of New York, Mr. POCAN, and Mr. SERRANO):

H.R. 3602. A bill to provide for the overall health and well-being of young people, including the promotion of lifelong sexual health and healthy relationships, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself and Mr. THOMPSON of California):

H.R. 3603. A bill to amend the Internal Revenue Code of 1986 to prevent earnings stripping of corporations which are related to inverted corporations; to the Committee on Ways and Means.

By Mr. LOEBSACK:

H.R. 3604. A bill to establish a National Flood Research and Education Center to provide research, data, and recommendations on physical science, social science, economic analysis, policy analysis, risk analysis, monitoring, predicting, and planning as they relate to flooding and flood-related issues; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACARTHUR (for himself, Mr. ALLEN, Mr. LANCE, and Mr. COSTELLO of Pennsylvania):

H.R. 3605. A bill to amend title 38, United States Code, to provide for a presumption of herbicide exposure for certain veterans who served in Korea; to the Committee on Veterans' Affairs.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. ELLISON):

H.R. 3606. A bill to amend the Truth in Lending Act to establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. MCCLINTOCK (for himself and Mr. TIPTON):

H.R. 3607. A bill to authorize the Secretary of the Interior to establish fees for medical services provided in units of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. MCCLINTOCK (for himself, Mr. HUIZENGA, Mr. LAMALFA, Mr. JONES, Mr. GIANFORTE, and Mr. TIPTON):

H.R. 3608. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Natural Resources.

By Mrs. MURPHY of Florida (for herself, Mr. SOTO, Mr. CURBELO of Florida, Mr. CRIST, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS, and Ms. WILSON of Florida):

H.R. 3609. A bill to amend the Elementary and Secondary Education Act of 1965 to provide that children that have relocated from Puerto Rico to the States are fully considered for purposes of State allotments under the English language acquisition grants; to the Committee on Education and the Workforce.

By Mrs. NOEM:

H.R. 3610. A bill to amend the Food Security Act of 1985 to permit the donation of hay harvested under the conservation reserve program to certain disaster areas, and for other purposes; to the Committee on Agriculture.

By Mr. PAULSEN (for himself, Mr. KIND, and Mr. MARCHANT):

H.R. 3611. A bill to amend title XVIII of the Social Security Act to create incentives for healthcare providers to promote quality healthcare outcomes, and for other purposes; to the Committee on Ways and Means.

By Mr. PAYNE:

H.R. 3612. A bill to amend the Foreign Assistance Act of 1961 to provide assistance to expand, improve, support, and promote primary and secondary education for displaced children, including girls, from areas designated by the Department of State as areas of conflict; to the Committee on Foreign Affairs.

By Mr. PAYNE (for himself, Mr. SERRANO, Mr. EVANS, Ms. SPEIER, Mrs. WATSON COLEMAN, Mr. HIGGINS of New York, Mr. BLUMENAUER, Ms. MOORE, Mr. MCGOVERN, Mr. DAVID SCOTT of Georgia, Mr. JOHNSON of Georgia, Mr. SIREN, Ms. FUDGE, Ms. NORTON, Mr. COHEN, Mr. HASTINGS, and Mr. PALLONE):

H.R. 3613. A bill to authorize the Director of the Bureau of Justice Assistance to make grants to States, units of local government, and gun dealers to conduct gun buyback programs, and for other purposes; to the Committee on the Judiciary.

By Mr. POLIQUIN:

H.R. 3614. A bill to direct the Administrator of General Services to establish a program to sell Federal buildings that are not utilized to provide revenue for increases in Social Security benefits and military retirement pay, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 3615. A bill to direct the Secretary of Health and Human Services to conduct or support a comprehensive study comparing total health outcomes, including risk of au-

tism, in vaccinated populations in the United States with such outcomes in unvaccinated populations in the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RICHMOND:

H.R. 3616. A bill to amend the Workforce Innovation and Opportunity Act to provide grants to States for summer employment programs for youth; to the Committee on Education and the Workforce.

By Mr. RICHMOND (for himself, Mr. GRIJALVA, Mr. CONYERS, Ms. KAPTUR, Mr. BLUMENAUER, and Mr. RUSH):

H.R. 3617. A bill to amend title 39, United States Code, to provide that the United States Postal Service may provide certain basic financial services, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RICHMOND:

H.R. 3618. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to establish the Office of School Discipline Policy, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ:

H.R. 3619. A bill to authorize the Export-Import Bank of the United States to use 3 percent of its profits for administrative expenses; to the Committee on Financial Services.

By Mr. RUIZ (for himself, Mr. CARBAJAL, and Mr. KIHUEN):

H.R. 3620. A bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan; to the Committee on Ways and Means.

By Mr. RUSSELL:

H.R. 3621. A bill to require subscribers to services supported through the Lifeline program of the Federal Communications Commission to reapply for such services on an annual basis; to the Committee on Energy and Commerce.

By Ms. SEWELL of Alabama (for herself, Ms. CLARKE of New York, Mr. RUPPERSBERGER, Mr. BISHOP of Georgia, Mr. CLAY, Ms. HANABUSA, Mr. KRISHNAMOORTHY, Mrs. WATSON COLEMAN, Mr. SOTO, Mr. EVANS, Mrs. DINGELL, Mr. BEYER, Mr. MOULTON, Mr. MCNERNEY, Mr. KILMER, Ms. MOORE, Mr. SCHIFF, and Mr. QUIGLEY):

H.R. 3622. A bill to direct the Election Assistance Commission to establish the E-Security Fellows Program to provide individuals who work on political campaigns with training in the best practices for election cybersecurity, and for other purposes; to the Committee on House Administration.

By Ms. SEWELL of Alabama (for herself, Ms. CLARKE of New York, Mr. RUPPERSBERGER, Mr. BISHOP of Georgia, Mr. CLAY, Ms. HANABUSA, Mr. KRISHNAMOORTHY, Mrs. WATSON COLEMAN, Mr. SOTO, Mr. EVANS, Mrs. DINGELL, and Mr. BEYER):

H.R. 3623. A bill to amend the Homeland Security Act of 2002 to secure and heighten the integrity of elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself, Mr. GRIJALVA, Mr. CARTWRIGHT, Ms. MCCOLLUM, Ms. JAYAPAL, Ms. NORTON, Mr. HECK, and Mr. BLUMENAUER):

H.R. 3624. A bill to authorize voluntary grazing permit retirement on Federal lands managed by the Department of Agriculture or the Department of the Interior where livestock grazing is impractical, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. WALZ):

H.R. 3625. A bill to require Senate confirmation of Inspector General of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS:

H.R. 3626. A bill to amend the Bank Service Company Act to provide improvements with respect to State banking agencies, and for other purposes; to the Committee on Financial Services.

By Ms. WILSON of Florida:

H.R. 3627. A bill to amend the Workforce Innovation and Opportunity Act to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 3628. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means.

By Ms. WILSON of Florida:

H.R. 3629. A bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida:

H.R. 3630. A bill to establish student loan borrowers' rights to basic consumer protections, reasonable and flexible repayment options, access to earned credentials, and effective loan cancellation in exchange for public service, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida:

H.R. 3631. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, and for other purposes; to the Committee on Education and the

Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YODER (for himself and Mrs. MURPHY of Florida):

H.R. 3632. A bill to amend the Internal Revenue Code of 1986 to make the Child and Dependent Care Tax Credit fully refundable, and for other purposes; to the Committee on Ways and Means.

By Mr. MCEACHIN (for himself, Mr. THOMPSON of Mississippi, Mrs. WATSON COLEMAN, Mr. EVANS, Mr. HASTINGS, Ms. CLARKE of New York, Ms. KELLY of Illinois, Ms. BARRAGÁN, and Ms. JAYAPAL):

H.J. Res. 116. A joint resolution proposing an amendment to the Constitution of the United States prohibiting Congress and the States from abridging the right of citizens to affordable, quality health care; to the Committee on the Judiciary.

By Ms. ADAMS (for herself and Mr. CONYERS):

H. Con. Res. 75. Concurrent resolution expressing the sense of the Congress that homelessness in America should be eliminated; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. MEEKS, Ms. BARRAGÁN, Ms. TITUS, Mr. SWALWELL of California, Ms. SHEA-PORTER, Mr. KING of New York, Mr. COOK, Ms. JACKSON LEE, and Mr. DONOVAN):

H. Con. Res. 76. Concurrent resolution expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home and for property taxes should not be further restricted; to the Committee on Ways and Means.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. BRADY of Pennsylvania, and Mr. EVANS):

H. Res. 485. A resolution commemorating the 40th anniversary of the ALS Association Greater Philadelphia Chapter; to the Committee on Energy and Commerce.

By Mr. POE of Texas (for himself, Mr. WEBER of Texas, Mr. ROHRBACHER, Ms. JUDY CHU of California, and Mr. SESSIONS):

H. Res. 486. A resolution calling on the Government of Iraq to compensate the former residents of Camp Ashraf for their assets seized by groups affiliated with the Government of Iraq; to the Committee on Foreign Affairs.

By Mr. POE of Texas:

H. Res. 487. A resolution urging all Universities to designate and maintain a sexual assault coordinator on staff who can be accessed by student victims of domestic violence, dating violence, sexual assault, or stalking on campus and in the surrounding community; to the Committee on Education and the Workforce.

By Mr. CICILLINE (for himself and Ms. JAYAPAL):

H. Res. 488. A resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to the removal of former Federal

Bureau of Investigation Director James Comey; to the Committee on the Judiciary.

By Mr. WALDEN (for himself, Mr. RYAN of Wisconsin, Ms. PELOSI, Mr. MCCARTHY, Mr. HOYER, Mr. PALLONE, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. BRADY of Texas, Mr. NEAL, Mr. TIBERI, and Mr. LEVIN):

H. Res. 489. A resolution honoring Edward G. Grossman for his distinguished public service and professional assistance to the House of Representatives; to the Committee on House Administration.

By Ms. DELLAURO (for herself, Mr. ELLISON, and Ms. LEE):

H. Res. 490. A resolution supporting the goals and ideals of "National Diaper Need Awareness Week"; to the Committee on Oversight and Government Reform.

By Mr. DUFFY (for himself, Mr. GROTHMAN, and Mr. PERLMUTTER):

H. Res. 491. A resolution a resolution affirming and recognizing the Khmer, Laotian, Hmong, and the other ethnic groups commonly referred to as Montagnards of Cambodia and Laos who supported and defended the United States Armed Forces and freedom in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself, Ms. JACKSON LEE, Ms. BASS, Mr. GENE GREEN of Texas, Mr. BISHOP of Georgia, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. EVANS, Ms. FUDGE, Mr. HASTINGS, Mr. LAWSON of Florida, Ms. LEE, Mrs. NAPOLITANO, Mr. CUMMINGS, Ms. LOFGREN, Mr. MCEACHIN, Ms. BARRAGÁN, Mr. SOTO, Mr. CORREA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GONZALEZ of Texas, Mr. MCGOVERN, Ms. VELAZQUEZ, Mr. GUTIERREZ, Mr. CÁRDENAS, and Mr. CASTRO of Texas):

H. Res. 492. A resolution expressing concern for the separation of José Escobar from his wife and children as a result of his deportation, and for other purposes; to the Committee on the Judiciary.

By Mr. KRISHNAMOORTHY (for himself and Mr. HULTGREEN):

H. Res. 493. A resolution recognizing the dangers of distracted driving; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H. Res. 494. A resolution expressing support for the designation of August 22, 2017, as national "Chuck Brown Day" and honoring his contributions to music and to the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. DAVID SCOTT of Georgia (for himself, Ms. ESHOO, Ms. JACKSON LEE, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. CLARKE of New York, Mr. MARSHALL, Ms. KELLY of Illinois, Mr. EVANS, Mr. LARSEN of Washington, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. BUTTERFIELD, Mrs. WATSON COLEMAN, Mr. LEWIS of Georgia, Ms. KAPTUR, Mr. COHEN, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Ms. ROS-LEHTINEN, Ms. FUDGE, and Ms. SPEIER):

H. Res. 495. A resolution recognizing the seriousness of Polycystic Ovary Syndrome (PCOS) and expressing support for the designation of the month of September 2017 as

“PCOS Awareness Month”; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3525.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. ROTHFUS:

H.R. 3526.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the Constitution of the United States

By Mr. BROWN of Maryland:

H.R. 3527.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Ms. CLARK of Massachusetts:

H.R. 3528.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. BRAT:

H.R. 3529.

Congress has the power to enact this legislation pursuant to the following:

“Article, I, Section 8, Clause 1 (The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States) of the United States Constitution.”

By Mr. COMER:

H.R. 3530.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. GOSAR:

H.R. 3531.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (Spending Clause): “The Congress shall have the power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense . . .” The United States has incurred legal liability for which it has waived its sovereign immunity for illnesses and deaths associated with its Nuclear Weapons testing programs during the 1950s and 1960s. This bill is grounded in scientific principles, represents an intent to apologize and offer compassionate compensation to an expanded list of individuals who were not included in the 1990 Act but who, nonetheless, deserve restitution.

By Mr. EVANS:

H.R. 3532.

Congress has the power to enact this legislation pursuant to the following:

General Welfare Clause at Article 1, Section 8, Clause 1 and the Necessary and Proper clause, Article 1, Section 8, Clause 18.

By Mr. CARBAJAL:

H.R. 3533.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. DELBENE:

H.R. 3534.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. LAMALFA:

H.R. 3535.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8 of the Constitution of the United States grants Congress the authority to regulate relations with Indian tribes.

By Mr. DEFAZIO:

H.R. 3536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. PRICE of North Carolina:

H.R. 3537.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution and Article I, Section 4 of the Constitution, which give Congress the power to make laws governing the time, place, and manner of Federal elections.

By Mr. RUSH:

H.R. 3538.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: “The Congress shall have Power To . . . provide for the . . . general welfare of the United States . . .”;

Article 1, Section 8, Clause 3: The Congress shall have Power “To . . . regulate Commerce . . . among the several States . . .”;

Article 1, Section 8, Clause 18: The Congress shall have Power “To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . .”;

Amendment V: “No person . . . shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.”; and

Amendment XIV, Section 1: “No state shall . . . deprive any person of life, liberty, or property, without due process of law”.

By Mr. RUSH:

H.R. 3539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power “To . . . provide for the . . . general Welfare of the United States . . .”;

Article I, Section 8, Clause 3: The Congress shall have Power “To . . . regulate Commerce . . . among the several States . . .”;

Article I, Section 8, Clause 18: The Congress shall have Power “To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . .”;

Amendment IV: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

By Mr. RUSH:

H.R. 3540.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. POE of Texas:

H.R. 3541.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power “to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WILSON of South Carolina:

H.R. 3542.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the Constitution of the United States of America

By Mr. STEWART:

H.R. 3543.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LYNCH:

H.R. 3544.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 18 of the United States Constitution.

By Mr. MURPHY of Pennsylvania:

H.R. 3545.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 3546.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ISSA:

H.R. 3547.

Congress has the power to enact this legislation pursuant to the following:

Clause 13 of Article 1, section 8 of the Constitution of the United States, “To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. McCAUL:

H.R. 3548.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. PAULSEN:

H.R. 3549.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LARSEN of Washington:

H.R. 3550.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 “all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

By Ms. MCSALLY:

H.R. 3551.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. CLEAVER:

H.R. 3552.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 1.

By Mr. MARINO:

H.R. 3553.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 in that the legislation exercises legislative powers granted to Congress by that clause "To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States."

Article III, Section 1, Clause 1 in that the legislation exercises legislative powers granted to Congress by that clause "The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

By Ms. BONAMICI:

H.R. 3554.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. LOUDERMILK:

H.R. 3555.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. ROYCE of California:

H.R. 3556.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States);

By Mr. WALDEN:

H.R. 3557.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clauses 12 & 13

By Mrs. BROOKS of Indiana:

H.R. 3558.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. ADAMS:

H.R. 3559.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution.

The Congress shall have the Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. AGUILAR:

H.R. 3560.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. ARRINGTON:

H.R. 3561.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. ARRINGTON:

H.R. 3562.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. BARRAGÁN:

H.R. 3563.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 1 and 8

By Mr. BEYER:

H.R. 3564.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mrs. BLACK:

H.R. 3565.

Congress has the power to enact this legislation pursuant to the following:

(a) Article I, section 1, to exercise all legislative powers vested in Congress as granted by the Constitution;

(b) Article I, section 8, clause 18, which gives Congress the authority "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof";

(c) Article IV, section 3, clause 2, stating that, "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States"; and

(d) Article I, section 8, clause 17, providing that, "The Congress shall have Power To . . . exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States."

By Mrs. BUSTOS:

H.R. 3566.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CALVERT:

H.R. 3567.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. CAPUANO:

H.R. 3568.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CAPUANO:

H.R. 3569.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause I; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CARTER of Georgia:

H.R. 3570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 which grants to the Congress power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers,

and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Ms. CASTOR of Florida:

H.R. 3571.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution.

By Mr. CICILLINE:

H.R. 3572.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. CICILLINE:

H.R. 3573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. CLARK of Massachusetts:

H.R. 3574.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, United States Constitution

By Mr. COHEN:

H.R. 3575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COLLINS of New York:

H.R. 3576.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. COSTA:

H.R. 3577.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18, which allows Congress to make all laws which shall be necessary and proper for carrying into execution any of Congress's enumerated powers, including Congress's powers over appropriations, or just simply Article I, Section 8.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3578.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States

By Ms. DeLAURO:

H.R. 3579.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 and Article I, Section 8, Clause 1

By Mr. DeSAULNIER:

H.R. 3580.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. DeSAULNIER:

H.R. 3581.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mrs. DINGELL:

H.R. 3582.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mr. ELLISON:

H.R. 3583.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. ESPAILLAT:

H.R. 3584.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. FARENTHOLD:

H.R. 3585.

Congress has the power to enact this legislation pursuant to the following:

The 4th Amendment to the Constitution and Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. FERGUSON:

H.R. 3586.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any Department or Officer thereof.

By Mr. GOMEZ:

H.R. 3587.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. GRAVES of Louisiana:

H.R. 3588.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States of America

By Mr. GRAVES of Missouri:

H.R. 3589.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 gives Congress the power to lay and collect taxes, duties, imposts and excises, and to pay the debts levied by such expenses.

By Mr. GRIJALVA:

H.R. 3590.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GUTIÉRREZ:

H.R. 3591.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the U.S. Constitution

By Ms. JAYAPAL:

H.R. 3592.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. JOHNSON of Louisiana:

H.R. 3593.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

Article 4, Section 3, clause 2

By Mr. SAM JOHNSON of Texas:

H.R. 3594.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution to “provide for the common defense and general welfare of the United States.”

By Mr. KELLY of Pennsylvania:

H.R. 3595.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KELLY of Pennsylvania:

H.R. 3596.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KILMER:

H.R. 3597.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. KIND:

H.R. 3598.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KING of Iowa:

H.R. 3599.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes under Article I, Section 8, Clause 3 of the United States Constitution

By Mr. KING of Iowa:

H.R. 3600.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Amendment XIV, Section 2, of the United States Constitution.

By Mr. KUSTOFF of Tennessee:

H.R. 3601.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority on with this bill rests is the explicit power of Congress to regulate in commerce in, and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause of the United States Constitution. In addition this legislation rests on the power of Congress to make all laws which shall be necessary and proper as enumerated in Article 1, Section 8, Clause 18.

By Ms. LEE:

H.R. 3602.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEVIN:

H.R. 3603.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LOEBACK:

H.R. 3604.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause I of the Constitution which grants Congress the power to provide for the general welfare of the United States.

By Mr. MACARTHUR:

H.R. 3605.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. MCCLINTOCK:

H.R. 3607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution, “The Appropriations Clause,” which confers on Congress the power to control or to limit spending by the federal government.

By Mr. MCCLINTOCK:

H.R. 3608.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the United States Constitution, “The Property Clause,” which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States.

By Mrs. MURPHY of Florida:

H.R. 3609.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which provides Congress with the power to regulate commerce among the several states, the power to promote the progress of science and the useful arts, and the power to make all laws necessary and proper for carrying out the foregoing powers

By Mrs. NOEM:

H.R. 3610.

Congress has the power to enact this legislation pursuant to the following:

What Is Article 1, Section 8

By Mr. PAULSEN:

H.R. 3611.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. PAYNE:

H.R. 3612.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PAYNE:

H.R. 3613.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3 -Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POLIQUIN:

H.R. 3614.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 grants Congress the power to “regulate Commerce with foreign Nations, and among the several States”

By Mr. POSEY:

H.R. 3615.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States:

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. RICHMOND:

H.R. 3616.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill.

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. I Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. RICHMOND:

H.R. 3617.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill.

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. RICHMOND:

H.R. 3618.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill.

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. RUIZ:

H.R. 3619.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUIZ:

H.R. 3620.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.

By Mr. RUSSELL:

H.R. 3621.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—To regulate Commerce with Foreign Nations, and among the several States, and with the Indian Tribes;

By Ms. SEWELL of Alabama:

H.R. 3622.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Ms. SEWELL of Alabama:

H.R. 3623.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. SMITH of Washington:

H.R. 3624.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3. "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. STIVERS:

H.R. 3625.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution: Congress shall have the power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WILLIAMS:

H.R. 3626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. WILSON of Florida:

H.R. 3627.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. WILSON of Florida:

H.R. 3628.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. WILSON of Florida:

H.R. 3629.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. WILSON of Florida:

H.R. 3630.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. WILSON of Florida:

H.R. 3631.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. YODER:

H.R. 3632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. McEACHIN:

H.J. Res. 116.

Congress has the power to enact this legislation pursuant to the following:

Article V, U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Mr. PERLMUTTER and Mr. GOMEZ.
H.R. 19: Mr. SESSIONS.
H.R. 25: Mr. MARCHANT.
H.R. 33: Mr. SMUCKER.
H.R. 113: Mr. SOTO.
H.R. 125: Ms. NORTON.
H.R. 173: Mr. TAKANO.
H.R. 252: Ms. NORTON.
H.R. 285: Mr. SMUCKER.
H.R. 365: Mr. PETERSON.
H.R. 370: Mr. ALLEN.
H.R. 449: Mr. RUIZ.
H.R. 490: Mr. TURNER.
H.R. 532: Mr. CONNOLLY.
H.R. 545: Mr. CHABOT and Mr. ALLEN.
H.R. 631: Mr. WALDEN.
H.R. 632: Mr. GALLEGO and Mrs. BEATTY.
H.R. 676: Mr. GOMEZ.
H.R. 719: Mr. JOHNSON of Louisiana, Mr. DUNN, and Mr. BYRNE.
H.R. 721: Mr. OLSON.
H.R. 741: Mr. KIND.
H.R. 747: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. RATCLIFFE.
H.R. 754: Mr. ROGERS of Kentucky, Mr. ADERHOLT, Mr. FITZPATRICK, Ms. TITUS, Mr. GIBBS, Mr. CONNOLLY, Mr. PRICE of North Carolina, Mr. ALLEN, and Mr. NEWHOUSE.
H.R. 770: Mr. RODNEY DAVIS of Illinois.
H.R. 792: Mr. JENKINS of West Virginia and Mr. WALBERG.
H.R. 820: Ms. STEFANIK, Ms. FUDGE, and Mr. JOHNSON of Georgia.
H.R. 823: Ms. SPEIER.
H.R. 825: Mr. DENHAM.
H.R. 828: Mr. BISHOP of Michigan.
H.R. 849: Mr. REICHERT.
H.R. 850: Mr. BILIRAKIS, Mr. FRANCIS ROONEY of Florida, and Mr. SAM JOHNSON of Texas.
H.R. 908: Mr. SENSENBRENNER and Mr. THOMPSON of Pennsylvania.
H.R. 915: Mr. COHEN.
H.R. 930: Mr. CRAMER, Mr. GARRETT, and Mr. NEWHOUSE.
H.R. 970: Mr. SERRANO.
H.R. 972: Mr. DEFazio.
H.R. 1022: Mr. EVANS.
H.R. 1057: Mr. WESTERMAN.
H.R. 1098: Mr. SIREs and Ms. LOFGREN.
H.R. 1099: Mr. PERLMUTTER.
H.R. 1136: Ms. FOXX and Mr. OLSON.

H.R. 1158: Mr. JOYCE of Ohio, Ms. KAPTUR, and Mrs. NOEM.

H.R. 1164: Mr. LOUDERMILK, Mrs. COMSTOCK, and Mr. JOHNSON of Ohio.

H.R. 1196: Mr. OLSON.

H.R. 1223: Mr. LONG.

H.R. 1267: Mr. RUSH.

H.R. 1273: Mr. GIANFORTE.

H.R. 1274: Mr. GIANFORTE.

H.R. 1281: Mr. MACARTHUR.

H.R. 1317: Mr. RATCLIFFE.

H.R. 1358: Mr. KIHUEN.

H.R. 1399: Mr. PERLMUTTER.

H.R. 1406: Ms. MENG and Mr. AGUILAR.

H.R. 1437: Mr. KHANNA.

H.R. 1450: Mr. SOTO.

H.R. 1456: Mr. SESSIONS.

H.R. 1481: Ms. LOFGREN.

H.R. 1494: Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. LAHOOD, Mr. DESJARLAIS, Mr. LANCE, Mr. LAMBORN, Mr. PRICE of North Carolina, and Ms. HANABUSA.

H.R. 1515: Mr. CONNOLLY.

H.R. 1516: Mr. CROWLEY.

H.R. 1566: Ms. MENG.

H.R. 1615: Ms. MENG and Mrs. TORRES.

H.R. 1649: Mr. VEASEY.

H.R. 1661: Ms. JUDY CHU of California.

H.R. 1697: Mr. LOUDERMILK, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. PALAZZO.

H.R. 1730: Ms. MENG.

H.R. 1731: Mr. GUTHRIE, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. SEWELL of Alabama.

H.R. 1741: Mr. SAM JOHNSON of Texas.

H.R. 1796: Ms. TENNEY.

H.R. 1818: Ms. JAYAPAL, Mrs. NAPOLITANO, Mr. SCHNEIDER, Ms. MCCOLLUM, Mr. POLIS, Mr. COFFMAN, Mr. MCGOVERN, and Ms. MENG.

H.R. 1821: Mr. CULBERSON.

H.R. 1828: Ms. SHEA-PORTER.

H.R. 1861: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CLYBURN, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. DEFAZIO, Ms. DELBENE, Mrs. DINGELL, Mr. DOGETT, Mr. ENGEL, Ms. ESTY of Connecticut, Mr. FOSTER, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HOYER, Mr. JOHNSON of Georgia, Mr. KILDEE, Ms. LEE, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. MEEKS, Ms. MOORE, Mr. NOLAN, Mr. PANETTA, Mr. PRICE of North Carolina, Ms. SÁNCHEZ, Mr. THOMPSON of Mississippi, and Mr. WALZ.

H.R. 1865: Mr. THOMAS J. ROONEY of Florida, Mr. GRAVES of Missouri, Mr. SMITH of Missouri, Mr. ZELDIN, Mr. MACARTHUR, Mr. PITTENGER, Mr. CONAWAY, Mr. YOUNG of Iowa, Mr. WALKER, Mr. WALBERG, Mr. HARRIS, Mr. MESSER, Mr. SMITH of Texas, Mr. BRAT, Mr. POLIQUIN, Mr. VALADAO, Mrs. MIMI WALTERS of California, Mr. GIBBS, Ms. HERRERA BEUTLER, Mr. LONG, Mrs. BUTTERFIELD, Mr. PAYNE, Ms. BASS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. HANABUSA, Ms. BLUNT ROCHESTER, Mrs. LAWRENCE, Ms. DELAURO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HASTINGS, Mr. RICHMOND, Mrs. LOVE, Mr. CLAY, Mr. KILDEE, Mr. BROWN of Maryland, Ms. PLASKETT, Ms. ADAMS, Mr. THOMPSON of Mississippi, Mr. CLEAVER, Mr. BOST, Ms. TENNEY, Mr. HUDSON, Mrs. HANDEL, Mr. CUELLAR, Mr. COLE, Mr. BILIRAKIS, Mrs. NOEM, Mrs. BROOKS of Indiana, Ms. ROSLEHTINEN, Mr. ROSS, Mr. KELLY of Mississippi, Mr. DONOVAN, Ms. KUSTER of New Hampshire, Mr. BISHOP of Georgia, Mrs. WATSON COLEMAN, Mr. PALMER, Mr. DAVIDSON, Ms. FOXX, Mrs. BLACK, Mr. CONNOLLY, and Mr. FASO.

H.R. 1876: Mr. LANCE.

H.R. 1880: Ms. MENG.

H.R. 1897: Ms. SEWELL of Alabama.

H.R. 1931: Mr. DANNY K. DAVIS of Illinois.

H.R. 1932: Mr. DANNY K. DAVIS of Illinois and Mr. VISCLOSKY.

H.R. 1949: Mr. POE of Texas.

H.R. 1953: Mr. NORCROSS.

H.R. 1997: Mr. CONNOLLY.

H.R. 2013: Ms. PINGREE.

H.R. 2015: Ms. SHEA-PORTER and Ms. SPEIER.

H.R. 2029: Mr. BISHOP of Michigan and Mr. WOMACK.

H.R. 2091: Mrs. WATSON COLEMAN, Mr. CARTWRIGHT, and Mr. COLLINS of New York.

H.R. 2106: Mr. KENNEDY.

H.R. 2123: Mr. WALDEN.

H.R. 2150: Miss RICE of New York and Mr. BURGESS.

H.R. 2215: Ms. LOFGREN and Ms. PINGREE.

H.R. 2240: Ms. ROSEN.

H.R. 2241: Mr. BISHOP of Michigan.

H.R. 2285: Mr. CHABOT, Mr. JOHNSON of Ohio, Ms. CLARKE of New York, and Ms. CASTOR of Florida.

H.R. 2295: Ms. DELAURO.

H.R. 2301: Mr. COHEN.

H.R. 2315: Mr. SWALWELL of California and Ms. ROSEN.

H.R. 2319: Mr. KILDEE.

H.R. 2327: Mr. MACARTHUR, Mr. CARBAJAL, Mr. DUNCAN of Tennessee, Mr. ABRAHAM, Mr. GUTHRIE, and Mr. BUCHANAN.

H.R. 2340: Mr. ADERHOLT.

H.R. 2360: Mr. COHEN.

H.R. 2416: Ms. ESHOO and Ms. LOFGREN.

H.R. 2417: Ms. TITUS, Mrs. LOWEY, Mr. BERA, Ms. VELÁZQUEZ, and Mr. GARAMENDI.

H.R. 2431: Mr. MCCAUL.

H.R. 2440: Ms. SHEA-PORTER.

H.R. 2475: Mr. GOMEZ.

H.R. 2477: Ms. MCCOLLUM.

H.R. 2478: Mr. COSTA.

H.R. 2486: Mr. RYAN of Ohio.

H.R. 2519: Mr. MEEHAN, Mr. SHUSTER, Mr. ADERHOLT, Mr. HOLDING, Mr. PITTENGER, Mr. CONAWAY, Mr. WEBER of Texas, Mr. OLSON, Mr. NUNES, Mr. ROHRBACHER, Mr. UPTON, Mr. BURGESS, Mr. PERRY, Mr. GARAMENDI, Mrs. TORRES, Mr. RUIZ, Mr. LARSON of Connecticut, Mr. REICHERT, Ms. SEWELL of Alabama, Mr. VISCLOSKY, Mr. SERRANO, Mr. BABIN, Mr. ESTES of Kansas, Mr. DESANTIS, Mr. MURPHY of Pennsylvania, Mr. SCOTT of Virginia, Mr. SIMPSON, Mr. JOYCE of Ohio, Mr. GIBBS, Mr. RUSSELL, and Mr. KELLY of Pennsylvania.

H.R. 2557: Mrs. WALORSKI.

H.R. 2590: Ms. ROSEN.

H.R. 2640: Mr. CARSON of Indiana and Ms. FUDGE.

H.R. 2641: Mr. KIND and Mr. BILIRAKIS.

H.R. 2651: Mr. KING of New York.

H.R. 2663: Ms. SHEA-PORTER and Mr. KIND.

H.R. 2687: Mr. MOULTON.

H.R. 2723: Mr. CULBERSON, Mr. RUSSELL, Mr. SESSIONS, Mr. JOHNSON of Louisiana, Mr. DUNN, and Mr. BURGESS.

H.R. 2740: Mr. HURD, Mr. ROGERS of Kentucky, Mr. SESSIONS, Ms. FRANKEL of Florida, Mr. RASKIN, Mr. LEWIS of Georgia, Mr. CONNOLLY, Mr. ALLEN, Mr. QUIGLEY, Mr. GRIFFITH, Ms. JUDY CHU of California, and Mr. NEWHOUSE.

H.R. 2777: Mr. BROWN of Maryland.

H.R. 2797: Ms. SHEA-PORTER.

H.R. 2832: Mr. JOHNSON of Louisiana and Mr. ALLEN.

H.R. 2838: Mr. TAKANO.

H.R. 2840: Ms. JAYAPAL, Mrs. TORRES, Mr. NADLER, Ms. CLARK of Massachusetts, and Mr. PAYNE.

H.R. 2851: Mr. COSTELLO of Pennsylvania and Mr. NEAL.

H.R. 2856: Mr. SOTO and Ms. BONAMICI.

H.R. 2862: Mr. CULBERSON.

H.R. 2864: Mr. SHERMAN.

H.R. 2890: Mr. RODNEY DAVIS of Illinois, Mr. POCAN, Mr. GALLAGHER, Mr. SCHNEIDER, Mr. PERLMUTTER, Mr. DANNY K. DAVIS of Illinois, and Mr. LAHOOD.

H.R. 2901: Mr. HASTINGS, Mr. BISHOP of Georgia, Mr. ROSKAM, and Mr. CORREA.

H.R. 2906: Ms. JENKINS of Kansas and Mr. KIND.

H.R. 2918: Mr. FORTENBERRY.

H.R. 2925: Mr. LOBIONDO.

H.R. 2929: Mr. KILMER and Mrs. COMSTOCK.

H.R. 2948: Mr. MEEKS, Ms. MOORE, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2957: Mr. KIND.

H.R. 2958: Ms. NORTON and Mr. THOMPSON of California.

H.R. 2972: Ms. JUDY CHU of California.

H.R. 2973: Mr. CORREA, Mr. KATKO, and Ms. JUDY CHU of California.

H.R. 2996: Mr. BUDD, Mr. BIGGS, Mr. LOUDERMILK, and Mr. CULBERSON.

H.R. 3006: Mr. COHEN.

H.R. 3034: Mr. CRAWFORD.

H.R. 3035: Mr. PASCRELL.

H.R. 3040: Mrs. BEATTY, Ms. SHEA-PORTER, Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SCHAKOWSKY, and Ms. Velázquez.

H.R. 3053: Mr. SESSIONS, Mr. ABRAHAM, Mr. HULTGREN, Mr. WESTERMAN, Mr. CALVERT, Mr. KATKO, Mr. ALLEN, Mr. PERRY, Mr. PAULSEN, and Mr. MACARTHUR.

H.R. 3055: Mr. GOHMERT and Mr. ALLEN.

H.R. 3056: Mr. GOHMERT and Mr. ALLEN.

H.R. 3059: Ms. MCCOLLUM.

H.R. 3082: Ms. JUDY CHU of California.

H.R. 3091: Mr. COOPER.

H.R. 3111: Mrs. WATSON COLEMAN.

H.R. 3139: Mr. NEWHOUSE.

H.R. 3174: Mr. PERLMUTTER and Mrs. MURPHY of Florida.

H.R. 3186: Ms. HANABUSA, Mr. KILMER, Mr. CONNOLLY, Mr. POCAN, Ms. JUDY CHU of California, Mr. GRIJALVA, Ms. PINGREE, Ms. MCCOLLUM, Mr. SCHNEIDER, and Mr. PERLMUTTER.

H.R. 3197: Mr. COSTELLO of Pennsylvania, Mrs. COMSTOCK, Ms. TENNEY, Ms. JUDY CHU of California, Ms. MCSALLY, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 3222: Mr. CRIST, Mr. KIND, and Ms. BROWNLEY of California.

H.R. 3223: Mr. BIGGS.

H.R. 3236: Mr. PALAZZO and Mr. MULLIN.

H.R. 3248: Mr. PERLMUTTER.

H.R. 3258: Mr. LANGEVIN, Mr. PRICE of North Carolina, Mr. MOULTON, Mr. KILMER, Mr. DAVID SCOTT of Georgia, Mrs. BEATTY, Mr. MEEKS, Mr. HECK, Ms. CASTOR of Florida, Mr. BEYER, Mrs. DINGELL, Ms. MATSUI, Ms. DEGETTE, and Mr. VEASEY.

H.R. 3271: Mr. BILIRAKIS and Mr. RODNEY DAVIS of Illinois.

H.R. 3272: Mr. CURBELO of Florida.

H.R. 3274: Mr. POLIQUIN, Mrs. BROOKS of Indiana, Mr. HUDSON, Mr. HURD, Mr. GUTHRIE, Mr. MURPHY of Pennsylvania, Mrs. BEATTY, Mr. GARRETT, Mr. WOMACK, Mr. CORREA, Mr. FORTENBERRY, Mr. ZELDIN, Mr. CULBERSON, Mr. SMITH of Nebraska, Mr. CHABOT, Mr. MARSHALL, Mr. STEWART, Mr. FITZPATRICK, Mr. OLSON, and Mr. ESTES of Kansas.

H.R. 3275: Ms. MATSUI, Mr. HUFFMAN, and Mr. GARAMENDI.

H.R. 3282: Mr. SESSIONS, Mr. JOHNSON of Louisiana, Mr. CULBERSON, Mr. CONAWAY, Mr. BANKS of Indiana, and Mr. BOST.

H.R. 3300: Mr. RASKIN.

H.R. 3304: Mr. CLAY, Ms. FUDGE, and Mr. RYAN of Ohio.

H.R. 3310: Mr. RENACCI.

H.R. 3311: Mr. CORREA and Mr. MCGOVERN.

H.R. 3312: Mr. PETERS, Mr. LOUDERMILK, Mr. POSEY, Mr. MEADOWS, and Mr. VEASEY.

- H.R. 3314: Mr. MCGOVERN.
H.R. 3325: Mr. GUTHRIE, Mr. BLUMENAUER, Ms. SINEMA, Ms. CLARK of Massachusetts, Mr. ROYCE of California, Mr. RYAN of Ohio, Mr. RUTHERFORD, Mr. FRANKS of Arizona, and Mr. LUETKEMEYER.
H.R. 3329: Mrs. NAPOLITANO, Mr. HUDSON, and Ms. FRANKEL of Florida.
H.R. 3332: Mr. KHANNA and Mr. JONES.
H.R. 3340: Mr. BLUMENAUER and Mr. LARSON of Connecticut.
H.R. 3342: Ms. WASSERMAN SCHULTZ, Mr. KINZINGER, Mr. LIPINSKI, Mr. GARRETT, and Ms. ROSEN.
H.R. 3343: Mr. RASKIN.
H.R. 3345: Mr. COSTA, Mr. TAKANO, and Mr. BROWN of Maryland.
H.R. 3346: Ms. VELÁZQUEZ, Ms. BARRAGÁN, Ms. ADAMS, Mr. EVANS, Ms. NORTON, Mr. JOHNSON of Georgia, Ms. SHEA-PORTER, Mr. MCGOVERN, Mr. SOTO, Mr. VARGAS, Mr. ESPAILLAT, and Ms. TITUS.
H.R. 3361: Ms. PINGREE.
H.R. 3394: Mr. LOEBSACK and Mr. MULLIN.
H.R. 3395: Mr. KELLY of Pennsylvania and Mrs. WALORSKI.
H.R. 3414: Mr. RUSH.
H.R. 3415: Ms. SEWELL of Alabama.
H.R. 3421: Mr. RUSH.
- H.R. 3425: Mr. BURGESS.
H.R. 3440: Ms. LOFGREN and Mr. COFFMAN.
H.R. 3441: Mr. ESTES of Kansas, Mr. CRAMER, Mr. RODNEY DAVIS of Illinois, Mr. BRAT, Mr. YODER, Mr. MARSHALL, Mrs. COMSTOCK, and Mr. MACARTHUR.
H.R. 3443: Mr. HIGGINS of New York and Ms. FUDGE.
H.R. 3452: Mr. SESSIONS and Mr. CULBERSON.
H.R. 3462: Ms. NORTON.
H.R. 3466: Ms. JUDY CHU of California.
H.R. 3473: Mr. ELLISON.
H.R. 3492: Mr. RODNEY DAVIS of Illinois.
H.R. 3513: Mr. COLLINS of New York and Mr. HIGGINS of New York.
H.R. 3516: Mr. ELLISON and Mr. CORREA.
H.J. Res. 31: Mr. RUIZ.
H.J. Res. 51: Mr. DESANTIS and Mr. DAVID SCOTT of Georgia.
H.J. Res. 61: Mr. SAM JOHNSON of Texas.
H.J. Res. 88: Mr. TED LIEU of California.
H.J. Res. 90: Mr. COHEN.
H. Con. Res. 8: Mr. MARSHALL.
H. Con. Res. 10: Mr. SHIMKUS.
H. Con. Res. 20: Mrs. WAGNER.
H. Con. Res. 27: Mr. RUSH, Ms. MCCOLLUM, Mr. GARAMENDI, Mr. TONKO, and Mr. MCNERNEY.
- H. Con. Res. 63: Mr. LARSON of Connecticut, Mr. SARBANES, Ms. DELBENE, and Mr. SOTO.
H. Con. Res. 73: Mr. FRANKS of Arizona.
H. Res. 129: Mr. BYRNE, Mr. COSTA, Mr. MOOLENAAR, and Mr. GALLAGHER.
H. Res. 318: Mr. EMMER.
H. Res. 327: Ms. JUDY CHU of California.
H. Res. 359: Ms. ROSEN.
H. Res. 394: Mrs. LOWEY.
H. Res. 401: Mr. EVANS and Mr. AGUILAR.
H. Res. 436: Mr. EVANS, Mr. COHEN, and Ms. ESTY of Connecticut.
H. Res. 443: Mrs. NAPOLITANO.
H. Res. 455: Mr. GARRETT, Mrs. DINGELL, and Mr. CARTWRIGHT.
H. Res. 457: Mr. SMITH of Washington.
H. Res. 461: Mr. AGUILAR.
H. Res. 466: Mr. SOTO, Ms. NORTON, Mr. CONYERS, Mrs. NAPOLITANO, Mr. LARSEN of Washington, Mr. RYAN of Ohio, and Mr. YARMUTH.
H. Res. 474: Ms. JAYAPAL.
H. Res. 477: Mr. DUNN.
H. Res. 479: Mr. BLUMENAUER, Ms. SÁNCHEZ, Mr. DANNY K. DAVIS of Illinois, and Mr. THOMPSON of California.

EXTENSIONS OF REMARKS

RECOGNIZING LAMP HIGH SCHOOL IN MONTGOMERY, ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor the history and continued legacy of LAMP High School in Montgomery, Alabama. This Magnet school remains a significant testament to the success of public education in America, especially in the historic city of Montgomery.

LAMP, originally an acronym for Lanier Academic Motivational Program, had its origin in 1984 as a magnet program in Lanier High School. As the Montgomery Board of Education saw that white flight away from integrated schools continued to increase, public education leaders affirmed that retaining racial balance in schools would allow for quality education for all students.

The first director of the program, Mary George Jester, brilliantly led this school to continually be the number one ranked public school in Alabama, a top 50 public school nationally, and the number one ranked magnet school in the nation in 2013, according to Newsweek and US News and World Report. What started as an idea by the Board of Education to combat white flight turned into a program with the philosophy that any student, regardless of background or race, could get the highest quality education in Alabama. Mary George Jester relentlessly took that attitude into a community that was all too familiar with innovative ideas, a fervor for change, and the desire for equal opportunity. Montgomery remains the backdrop of LAMP High School today as it boasts its racial, religious, and cultural diversity.

However, as the 2017 to 2018 school year approaches, LAMP will move locations for the third time in four years. After LAMP formed in an already existing high school in 1984, it finally received its own building in 1999. That facility, built in 1923, housed the first junior and senior high schools for African-American students, and was named after Henry Allen Loveless, a founding member of the Dexter Avenue Baptist Church. Subsequently, LAMP changed its acronym to what it is today: Loveless Academic Magnet Program—reflecting the name of that building. As students and faculty grew accustomed to their new surroundings and strived to get national recognition, the building they worked in slowly deteriorated. Finally, after 13 years, that building was deemed severely unsafe for a school, and the school was promptly moved in November of 2014 to a temporary, unused elementary school building a couple miles away downtown.

Nevertheless, LAMP persisted, with students, faculty, and administrators scrambling

to get situated; this was not the first nor the last time LAMP would have to adapt to a new environment. The timeless philosophy Mary George Jester instilled in the program that “excellence in education does not limit itself in the classroom; rather, it encompasses the student’s entire world.” After being present for LAMP’s second move, Ms. Jester retired after returning that year to be the principal. Ms. Jester’s philosophy remained as LAMP was informed that it would be moving again to a renovated portion of the closed down and vacant Montgomery Mall building. The brand new facility will reopen for students and faculty in August of 2017, which will complete its fourth and final move.

It took the push of education leaders in 1984 for LAMP’s success to transcend buildings thirty-three years later. Through community support early on, LAMP stands as a testament that public education creates developed minds with the ability to adapt to adversity. As current Principal Matthew Monson leads the school onward, Ms. Jester’s philosophy is clearer than ever: education is “always believing in, and always nurturing the mind, body and soul, no matter the hindrances.”

On behalf of Alabama’s 7th Congressional District, and the nation, I ask my colleagues to join me in recognizing LAMP High School in Montgomery, Alabama for demonstrating the pinnacle of public education in the face of adversity.

HONORING BRIAN ROSS LUCAS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Brian Ross Lucas. Brian is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 222, and earning the most prestigious award of Eagle Scout.

Brian has been very active with his troop, participating in many scout activities. Over the many years Brian has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Brian has contributed to his community through his Eagle Scout project. Brian completed a landscaping project around a sign he also erected for Eagleville United Methodist Church in Eagleville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Brian Ross Lucas for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THE 2017 GRADUATING CLASS OF THE DODIE LONDEN EXCELLENCE IN PUBLIC SERVICE SERIES

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. SCHWEIKERT. Mr. Speaker, I rise today in recognition of the graduating class of the 2017 Dodie Londen Excellence in Public Service Series. Brandy Wells, Cindy Casaus, Debi Vandenboom, Farhana Ahmed, Jeni White, Kristen Desmangles, Lauren Pemberton, Lisa Godzich, Dr. Shadow Asgari, Simone Hall, ViciLee Jacobs, Bernadette Coggins and Yvonne Cahill have all distinguished themselves as impactful leaders in our community.

HONORING NAFCU NEWEST BOARD MEMBER

HON. SCOTT TAYLOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. TAYLOR. Mr. Speaker, I rise today to congratulate Brian Schools on his recent selection to the Board of Directors at the National Association of Federally-Insured Credit Unions, NAFCU.

Mr. Schools has been President and CEO of Chartway Federal Credit Union in Virginia Beach since 2015. Mr. Schools joined Chartway Federal Credit Union in 2008 and served as vice president of lending, corporate strategy officer, and corporate divisional president, until he assumed his current role.

Mr. Schools has more than 20 years of business leadership experience and holds a Bachelor of Science in Finance from Virginia Tech and a Master of Business Administration from Virginia Commonwealth University. He has also served as a Board member of Chartway’s We Promise Foundation, which provides financial support to make dreams and wishes come to life for children facing medical challenges.

He is known at his credit union as a highly capable leader who has the experience, the determination, and the drive to position Chartway for the opportunities and challenges ahead. Mr. Schools’ business experience and leadership will bring a tremendous amount of expertise to the NAFCU Board.

I wish Mr. Schools the best of luck in his new role on the NAFCU Board, and look forward to working with him in this capacity. I ask that my colleagues join me today in congratulating Brian Schools on this achievement.

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

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

RECOGNIZING THE 150TH ANNIVERSARY OF THE VILLAGE OF PENTWATER

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today to recognize the village of Pentwater, Michigan on the occasion of its 150th Anniversary.

On March 16, 1867, the former settlement of Pentwater was officially incorporated as a village by the Michigan Legislature. The Victorian homes and cottages scattered around the village remind visitors of Pentwater's historic past. Its first sawmill—opened in 1867—turned into a booming lumbering industry, including the largest shingle mill in the United States. As we look back at Pentwater's historic past, we hope to preserve that which has made it special.

From early on, Pentwater was known as a scenic resort destination. Today, with its picturesque location on Lake Michigan, Pentwater offers countless options for recreation and entertainment. Charles Mears State Park provides visitors the opportunity to hike, fish, sail and enjoy all that Lake Michigan has to offer.

Mr. Speaker, I encourage my colleagues to join me in celebrating the 150th Anniversary of the village of Pentwater, Michigan.

TRIBUTE TO DAN MATHEWS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Dan Mathews and thank him for his years of dedicated service to Congress and the American taxpayers. Dan has worked on the Hill for over 20 years, and, he has been a fixture on the staff of the Committee on Transportation and Infrastructure as the Republican Staff Director of the Subcommittee on Economic Development, Public Buildings, and Emergency Management for the last 14 years. The Subcommittee has a wide area of jurisdiction covering federal buildings and courthouses, the General Services Administration, and GSA leases and capital projects, the Smithsonian, the Kennedy Center, the National Gallery of Art, and numerous other federal facilities. In addition, Dan also staffed the Select Bipartisan Committee to Investigate the Preparedness for and the Response to Hurricane Katrina in 2006. He was one of the primary authors of the Committee's investigative report, "A Failure of Initiative," which led to the successful enactment of the Post-Katrina Emergency Management Reform Act, and later the establishment of the National Preparedness System and the Sandy Recovery Improvement Act.

In his time with the Committee on Transportation and Infrastructure, Dan has had a leading role in the enactment of major pieces of legislation related to public buildings and emergency management. Most notably, during

his tenure, he has overseen the passage and the initial implementation of the Federal Assets Sale and Transfer Act (FASTA), which will shrink the size of government and help ensure savings by selling or redeveloping high value properties, consolidating federal space, and streamlining the disposal of unneeded assets; the Post-Katrina Emergency Management Reform Act, which gave FEMA clear guidance on its mission and priorities, and provided the legislative authorities needed to better partner with state, local, tribal, and territorial governments before, during, and after disasters; and the Sandy Recovery Improvement Act, which was the most significant legislative change to the Federal Emergency Management Agency's (FEMA) substantive authorities since the enactment of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974.

Dan has also worked tirelessly to save taxpayer money by reducing the cost of federal real estate, reducing waste in the federal courthouse construction program, coordinating efforts by agencies to reduce leasing costs through space reductions and consolidations, and pushing GSA to negotiate the best lease deals for the taxpayer. It comes as no surprise given his experience and efforts, that the Administration has appointed him Commissioner of GSA's Public Buildings Service. I am confident in that role, Dan will continue the important work of ensuring GSA and other federal agencies continue to reduce costs and make smarter decisions in federal real estate to benefit the taxpayer.

In his spare time, Dan enjoys spending time with his family, his wife Lara and their two daughters, traveling, doing yoga, and rock climbing. Mr. Speaker, please join me in acknowledging Dan's achievements during his tenure here in the House of Representatives and in wishing Dan the best of luck with new endeavors.

RECOGNIZING THE 200TH ANNIVERSARY OF THE AUBURN CORRECTIONAL FACILITY

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the 200th Anniversary of the Auburn Correctional Facility in Auburn, NY.

The Auburn Correctional Facility has served Central New York diligently and without fail—never ceasing to operate 24 hours a day for seven days a week—for 200 years. The Auburn Correctional Facility has been an economic driver in Auburn and Central New York, creating jobs and boosting the local economy over the past two centuries.

I commend the New York State Department of Corrections and Community Supervision for keeping the Auburn Correctional Facility operational for the last 200 years, and I wish the Auburn Correctional Facility continued success in the years to come.

FEDERAL COURT DECISION ON THE PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to express deep concern about the recent Federal Court decision on the Trump Administration's Presidential Advisor Commission on Election Integrity. The partisan commission led by Vice President PENCE and Kansas Secretary of State Kris Kobach sparked controversy on June 28th when they requested the names, date of birth, party registrations, partial Social Security numbers, and voting history of more than 150 million registered voters across America.

Immediately following this request, voting rights groups and civil liberty activists challenged the Commission on Election Integrity in Federal Court. Earlier this week, a D.C. federal judge ruled that the White House is exempt from federal privacy review requirements, permitting the Trump Administration's commission to move forward with collecting voters' personal information throughout the country. This decision is a setback to democracy, because it legitimizes the voter suppression efforts of this commission.

The creation of the Commission on Election Integrity is based on an inaccurate claim by President Trump that he would have "won the popular vote if you deduct the millions of people who voted illegally." It is also upsetting that the commission is using tax payer money to promote this false narrative.

Fortunately, the D.C. Federal Court's decision will not be the final ruling on the legitimacy of the Presidential Advisory Commission on Election Integrity. Many other groups, including the NAACP Legal Defense Fund, have filed lawsuits in federal courts across the country to challenge the commission's efforts.

With the seemingly constant attacks on voting rights, it is easy to become discouraged and disengaged. I challenge every American to draw inspiration from the foot soldiers of the Civil Rights and Voting Rights Movement who risked their lives in the pursuit of unfettered access to the ballot. As old battles become new again, we must re-double our efforts to ensure equal access to the voting booth. That is why I proposed H.R. 2978—The Voting Rights Advancement Act of 2017. By restoring the full protection of the Voting Rights Act of 1965, we can address the problem of voter discrimination and help ensure all Americans, regardless of race and economic status, are able to exercise their right to vote.

HONORING TALENT IN GEORGIA'S FILM INDUSTRY

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to highlight the success and bright

future of the film industry in my home state of Georgia.

When Americans ventured out to see feature films like *Spiderman: Homecoming* and *Guardians of the Galaxy Volume 2* they watched movies that were shot 50 miles south of my home in Gainesville. Ten years ago, no one could imagine big ticket films such as these being produced here. But today, Georgia's film industry yields an economic impact of over \$7 billion.

The need for Georgians to keep up with the pace of this industry's growth is crucial. Therefore, I want to take the time to commend the efforts that my northeast Georgia friends have taken to educate and inspire our youngest generation to get involved in film production.

Recently, the Hall County Library System hosted a film school that offered free classes to young students. There, students were taught how to draft their own movie scripts, shoot videos at different angles, and edit them in order to provide viewers with the best experience.

Additionally, I want to recognize Opal Littleton, a star on the rise from Dahlgonega. She was recently cast as the role of young Charlotte Byrde on the show *Ozark* and is working with Clint Eastwood on his film, *15:17 to Paris*.

The future of Georgia's film industry is being paved by the talent of these young Georgians and the support that their loved ones give to them. I am excited to watch them grow and take on their own roles in the success of Georgia's film industry.

HONORING DR. JOSEPH V.
ERARDI, JR.

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor Dr. Joseph Erardi, Jr. upon his retirement as the Superintendent of Schools in Newtown, Connecticut. Dr. Erardi is a distinguished educator and administrator, and his legacy of fighting for Connecticut's students will inspire the next generation of public servants.

Dr. Erardi has long been active in education in our state. He completed his undergraduate and Master's degrees at Central Connecticut State University before earning his Doctorate in Educational Leadership from the University of Hartford. Before joining the Newtown Public Schools, Joe worked in school administration at Rockville High, Killingly High, and Manchester Public Schools. He then worked as Superintendent at the Southington, Watertown, and Bolton school districts in Connecticut before joining Newtown as Superintendent in 2014.

Joe's leadership has been vital to support our local schools during a challenging time for our state and local governments. In November 2016, the Connecticut Boards of Education and Connecticut Association of Public School Superintendents named Dr. Erardi as the Superintendent of the Year for 2017 in recognition of his dedication to students, teachers, and his district. What's more, in spite of his

demanding work at Newtown Public Schools, Joe found the time to teach at Central Connecticut State University and to share his experience with the next generation of educators.

On a personal note, I want to honor my friend Joe. He is a true educator, mentor, and citizen servant. Joe, we'll miss you—but know that your service stands as a benchmark for all of us who care about education and about our communities. I extend him my best wishes for an enjoyable retirement with his wife, Sue, and children, Joe and Chelsea.

Mr. Speaker, Dr. Joseph Erardi dedicated his career in public service to improving our public schools and ensuring Connecticut's students receive a quality education. Therefore, it is fitting and proper that we honor him here today.

TRIBUTE TO JERRY NURNBERG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jerry Nurnberg for his many years of service to the Creston Volunteer Fire Department. After serving admirably for 45 years, Jerry has decided it's time to hang up his boots.

Jerry joined the Creston Fire Department in 1972. Not only did he work calls for fires, but in the beginning, the volunteers also responded to ambulance calls. He has had experience with everything from house fires to train wrecks and has been the treasurer for the volunteer fire fighters for most of his tenure.

Mr. Speaker, it is an honor representing Jerry in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in commending him for his outstanding service to the city of Creston and in wishing him nothing but the best in his retirement.

LEINENKUGEL'S 150TH
ANNIVERSARY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. KIND. Mr. Speaker, I rise today in celebration of the 150th Anniversary of the Jacob Leinenkugel Brewing Company. As every Wisconsinite knows, Leinenkugel's is a staple of our state's economy and has been for 150 years.

In my district, Chippewa Falls, WI is home to one of the original Leinenkugel breweries and is still proudly producing union made Leinenkugel beer today. In fact, Leinenkugel's is not only one of the oldest continuously operating breweries in the United States; it is also the 4th largest craft brewer in our country.

Leinenkugel Brewing Company has also been a dynamic driver of tourism in my district

and across the state of Wisconsin. The brewery's visitor center, the Leinie Lodge, draws over 125,000 visitors annually making it one of the most prominent tourist destinations in our great state of Wisconsin.

Leinenkugel's success, however, is not only because they manufacture great tasting beer, but it's also because they embody the Wisconsin notion of service to others. The Leinenkugel family has a long history of public service, dating back to World War II when Bill Leinenkugel served as a United States Marine in the South Pacific. It was this same passion for service that propelled Bill's 40-year career with the brewing company. Two of Bill's sons, the fifth generation of the family to work for the brewery, Jake and Dick also served as officers in the United States Marine Corps. In addition to their service as Marines, Dick Leinenkugel served as a County Board Supervisor in Waukesha County, WI and as Wisconsin's Secretary of Commerce from 2008 until 2010. Jake Leinenkugel is retired from the company but continues to honor the Leinenkugel tradition of service as a Senior White House Advisor to the Veterans Administration. The dedication for community involvement and support has been passed down through generations and continues to shape the way in which the Leinenkugel family does business in western Wisconsin today.

Whether it's brewing Leinenkugel beer in Chippewa Falls, WI or serving our country in the Marines, the Leinenkugel family consistently represents the hardworking values of all Wisconsinites. With this in mind, I'd like to raise a Summer Shandy and congratulate the Jacob Leinenkugel Brewing Company and Leinenkugel family on 150 years of dedicated service to western Wisconsin.

MEMORIAL TRIBUTE TO
KATHERINE JENNINGS MOXHAM

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. PINGREE. Mr. Speaker, I rise today to honor the memory of Katherine Jennings Moxham who passed away on July 7, 2017.

Katherine Jennings "Kate" Moxham, 46, a resident of Kennebunk, Maine, died Friday, July 7, 2017 at Maine Medical Center in Portland from injuries received in an accident while riding a bike from home to the town library. She was an advocate for education, literature, science, the environment and personal rights, regardless of race, gender or sexual orientation.

Kate was born May 5, 1971 in Kingston, PA, the daughter of Donald Bryden Jennings and Freda Ann Lockyer Jennings, and is a graduate of Merrimack College in North Andover, MA with a BA degree in history.

Kate was constantly seeking knowledge and educating. She loved reading, had a huge passion for libraries and learning, and was a constant advocate for both. She was vocal about what she stood for and fought for what she believed in. Having been awakened more recently (as she put it), Kate participated in the recent march for Women in Washington, DC, and in the March for Science in Boston.

Bringing people together to make connections and develop relationships, within her family, her wide circle of friends and her community was a hugely important part of her life. She was always the brightest light in the room wherever she was. Her laugh was infectious and her wit kept others in stitches. And her heart was as big as could be. She would help others without them needing to ask on a daily basis. And if they asked, she was right there.

One of Kate's passions was literature, and getting kids within her realm to pick up on that passion in any way she could. She was a volunteer at the Kennebunk Free Library, and served on its board of Trustees, including a term as board chair. Kate worked as librarian in the Kennebunk School System, at the Sea Road School library and also the Mildred L. Day School Library; created summer reading lists for all students from elementary grades through junior high, and created personal lists for students she knew so they would be challenged, intrigued, and enjoy the fun of a good book.

First and foremost was Kate's love of her immediate family—husband Todd of 17 years, and sons Tyler (15) and Riley (13). She was a tireless advocate for Tyler and Riley in the school system and in life. She loved to travel and show them new places and things to expand their minds, and to show them how to live in a community, taking care of others. She was planning to go next spring on a service trip with Tyler to Mississippi with a team from South Congregational Church.

Survivors include her husband Todd Moxham, two sons Tyler Moxham and Riley Moxham, all of Kennebunk, Maine.

DONATTI RECEIVES PRESTIGIOUS FULBRIGHT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Michael Donatti of Pearland, TX, for receiving a Fulbright award to work on his Master of Science degree at the University of Bristol in the UK.

Michael is a Rice University student studying environmental policy and management. His environmental policy program will cover corporate environmental sustainability, legal and economic frameworks and climate science, and will require him to write a thesis. Each year the Fulbright Program grants students the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable U.S. relationships.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Michael for receiving this Fulbright award. Keep up the great work.

HONORING THE MEMORY OF RON VAN GUNDY

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to honor the life of a respected constituent of mine, Ron Van Gundy.

Since 1968, Ron devoted his time and energy to the Roza Irrigation District in the Yakima Basin. His collaborative efforts throughout the years have guided the district through several major droughts, enhanced water quality, and improved conservation efforts.

In Central Washington, water is often times a luxury, and it takes an intelligent, visionary mind to navigate the unique irrigation challenges that face our farmers. Ron exhibited an unmatched sense of leadership and cultivated strong relationships throughout the region and state-wide. He did all of this to gain support for one of Washington's most important and vulnerable agricultural districts.

Ron will be missed by many, and I am proud to have worked with him. We can honor his legacy by continuing his work and demonstrating the passion he had for water solutions in Washington's 4th District.

I ask my colleagues to please join me in remembering Ron Van Gundy.

CELEBRATING THE CITY OF PARAMOUNT'S 60TH ANNIVERSARY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to congratulate the City of Paramount on its 60th anniversary. I am deeply honored to represent this hub of innovation and history as part of California's 40th Congressional District, and I hope my colleagues will join me in paying tribute to Paramount and its residents.

The City of Paramount was incorporated in 1957 after two communities, Hynes and Clearwater, merged. The unincorporated Hynes-Clearwater community staged a hard-fought campaign, "Save Paramount for Paramount," contesting its annexation from surrounding communities, and secured the right to self-governance.

The city we now call Paramount has been home to a rich and enduring history. The city's "Hay Tree," where the price of the world's hay used to be set each day, stands today as a State Historical Landmark, proudly representing Paramount's inspiring past as a major hay and dairy producer. Iceland, an ice rink opened in 1940 by Frank Zamboni and an early Paramount landmark, celebrates the city's rich ice skating history. Iceland has not only been a widely enjoyed community asset, but the training facility for professional skaters such as Olympic champions Sonia Henie and Dorothy Hamill. The world-famous Zamboni Ice-Resurfacing Machine, which Mr. Zamboni developed in Paramount, is a memorable illustration of the area's enduring spirit of innovation.

In the spirit of the city's motto, "Positively Paramount," residents of Paramount share a commitment to making the city the best it can be. Named an "All-America City" in 1988 for its redevelopment efforts, Paramount continues to flourish as a thriving urban center. The city's revitalization in recent decades has inspired an arts movement, sparked investments in commercial and residential rehabilitation, and, most notably, reinvented the downtown.

The City of Paramount has transformed the Paramount Pond from a vacant lot riddled with blight to a unique and thriving plaza, whose artistic features encourage community and family-oriented values and celebrate ice skating history. Only a block from Frank Zamboni's ice rink, families, residents, and tourists can dine at three different restaurants, admire the beautiful bronze sculptures, and play on a miniature Zamboni Ice-Resurfacing Machine. At the heart of Paramount are the Civic Center Gardens, connecting City Hall, the community hospital, and the county library. The gardens are much-loved by Paramount residents, and reflect the city's commitment to innovation and community unification.

Paramount's commitment to redevelopment continues to this day. City leaders have recently come together to support a multimillion dollar campaign to revitalize more than 155,000 square feet of downtown Paramount. Paramount Town Center West and Paramount Town Center East have been renovated. A new, vibrant shopping center, Clearwater Crossing Shopping Center, has been completed. New outdoor patios where families can dine, additional public parking, and wider sidewalks are making Paramount a more pleasant place for all. The city's redevelopment efforts and business-friendly reputation have attracted major restaurant chains including Applebee's, Habit Burger Grill, Chipotle, and Waba Grill, as well as retailers including WSS Shoes and AutoZone.

I hope my colleagues will join me in sending their best wishes and congratulations to Paramount on its 60th anniversary. Let us salute its optimistic spirit, and its commitment to embracing the future through smart investments, innovation, and creativity. May Paramount remain strong, successful, and "Positively Paramount" in the years ahead.

RECOGNIZING MAYTHA SEBASTO IN CELEBRATION OF HER 80TH BIRTHDAY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COSTA. Mr. Speaker, I rise today in celebration of Mrs. Maytha Sebasto's 80th birthday. Maytha is a beloved wife, mother, teacher, and friend to many.

Maytha Sebasto was born in Merced, California to M.O. and Bertha Richards. Her parents were true pioneers and farmed in Merced and later in the LeGrand area. Maytha graduated LeGrand High School in 1955 and went on to Fresno State where she earned her degree in elementary education in 1960. While in

high school, Maytha belonged to her local 4-H club and was a member of Job's Daughters and President of the Girls League.

Maytha began teaching at LeGrand Elementary School in the fall of 1958 with a provisional credential. Her teaching philosophy was simple: Always give your students a strong foundation for their future success.

In 1960 she taught at Eastin Arcola in Madera County and then in 1961 she joined Fresno Unified School District, teaching primary grades at Tielman Elementary, Birney Elementary and Columbia. Maytha joined the faculty at Ewing Elementary in 1967. In 1990 she joined the faculty at Ayer Elementary where she remained until her retirement after more than 35 years of teaching. Maytha was beloved by her students and spent the last 15 years of her career teaching Kindergarten.

Maytha caught the eye of a young soldier, Alfred Sebasto at a church party. The two were married on December 29, 1962. For the first year of their marriage, Maytha and Alfred lived in Augsburg, Germany, where Alfred was stationed in the U.S. Army. Thereafter, the two moved back to the Sebasto Family Farm on the Eastside of Fresno County to raise their family. Maytha and Alfred are the proud parents of two loving daughters, Theresa and Alfreda.

Maytha not only assists her husband in the family farming operation, but she also volunteered for the Farm Bureau "Ag in the Classroom" program, teaching students and teachers more about the industry of agriculture and its importance to our community. Since her retirement from teaching, Maytha has become an accomplished water color artist.

Mr. Speaker, I ask my colleagues to join me today in recognizing Maytha Sebasto as she celebrates her 80th birthday. I ask that you join me in wishing her and her family continued health and happiness.

SUPPORTING LEGISLATION TO REDUCE SEXUAL ASSAULT ON COLLEGE CAMPUSES

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today, I would like to speak in support of the Campus Accountability and Safety Act and the Megan Rondini Act. During August recess, students across the country will return to their universities, some will be freshmen, going to college for the first time. Therefore, I hope that Congress can take decisive action and pass these bills when we return in September. It is our responsibility to ensure all students are safe and secure when they are away from home and pursuing their college education.

We cannot ignore the rise of sexual assault on college campuses across this country. RAAIN, the nation's largest anti-sexual violence organization, reports one in six women in our nation have been the victim of rape or attempted rape. College-aged women are three to four times more likely to experience sexual assault. Unfortunately when many of these women seek medical attention and justice through their universities, they find neither.

I have the privilege of representing the University of Alabama, the fastest growing flagship university in the country. As our universities grow and the number of sexual assault victims grow, it is imperative that universities become the allies of all students, especially victims of sexual assault.

I am proud to join my colleagues in co-sponsoring the Campus Accountability and Security Act. The proposed legislation would increase accountability and transparency between universities and students and ensure safer university environments. Schools will be responsible for providing essential resources for victims, like confidential advisers and well-trained campus personnel. This training will teach campus personnel the neurobiological effects of trauma and stress on the victim and their memory, ensuring that the students receive victim-centered, trauma-informed interviews.

For every one-thousand rapes in the United States only fifty-seven reports will lead to arrest; only six of these will result in the incarceration of a rapist. This bill would require that campus authorities coordinate with local law enforcement and share information when a crime occurs. Pursuant to the Cleary Act of 1990, universities are required to keep and make public information about assault cases and other crimes. This current bill will create stronger penalties for universities that do not comply with their responsibilities laid out by the Cleary Act.

Likewise, my colleagues Representative MALONEY and Representative POE introduced H.R. 3415, the Megan Rondini Act of 2017 this week. This bipartisan bill requires hospitals to have a Sexual Assault Forensic Examiner, also known as a SAFE, or an alternative plan that gets victims to a nearby hospital with access to these resources. Requiring that SAFEs are available to victims 24 hours a day, 7 days a week results in both the proper medical attention and the preservation of the evidence necessary to litigate the assault.

I urge all the members of Congress to support the Campus Accountability and Security Act, the Megan Rondini Act and any other legislation that would protect victims of sexual violence on our college campuses.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF MCDADE PARK IN SCRANTON, PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the 40th Anniversary of McDade Park, which will be celebrated on Monday, July 31, 2017. For four decades McDade Park has been an important part of Lackawanna County, providing residents and visitors with a place to have fun and enjoy the beauty and history of Northeastern Pennsylvania.

Since 1977, McDade Park has offered services and recreational amenities for everyone. The park's 180 acres include several sports fields utilized by athletes of all ages while na-

ture lovers enjoy the park's hiking trail and ponds for fishing. Programs such as youth soccer, women's golf, children's fishing derbies, and many others bring people together for some friendly competition. More recently, McDade Park has taken great strides to become more accessible to people of all needs. The Boundless Playground is a special structure added in 2009 which contains wheelchair-accessible slides and special sensory areas that allows children of all needs and abilities to have fun.

McDade Park has also helped bring past and present together by commemorating Lackawanna County's history. The Lackawanna Coal Mine tour, Pennsylvania Anthracite Museum, and Miner's Memorial are located at the park to preserve Lackawanna County's rich industrial past. The coal mine tour allows visitors to descend 300 feet underground via a mine car to explore a restored anthracite coal mine. In addition to the mine tour, McDade Park is home to memorials dedicated to honor Cancer Survivors and to commemorate the September 11, 2001 attacks on our country.

It is an honor to recognize McDade Park as it celebrates its 40th Anniversary. May the people of Lackawanna County continue to enjoy the beauty and history that McDade Park offers for many, many years to come.

RECOGNIZING THE LIFE OF FLORENTINO DURAN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Florentino "Tino" Duran.

Born and raised in San Antonio, Florentino Duran was an accomplished man. He persevered and managed to become Student Corps President, an ROTC Colonel, and editor of his high school newspaper. After high school, he served four years in the United States Air Force. Once he finished his service, Mr. Duran attended St. Mary's University and received a bachelor's degree in political science and a master's degree in public administration.

Mr. Duran worked in a variety of capacities after graduating college. He served as executive assistant to both Mayor John Gatti and the Lyndon B. Johnson Administration. He also worked as executive director of the Bexar County Department of Housing, President of the National Association of Hispanic Publications of the United States (NAHP) and Vice President of the Hispanic Chamber of Commerce of San Antonio.

Later in Mr. Duran's career, he became general manager of a Dallas newspaper known as "El Sol de Tejas". He then became CEO and president of the "Hispanic Informer". In 1989, Duran and his loving wife Millie reintroduced the newspaper "La Prensa" as a bilingual publication reporting on San Antonio and the Hispanic community.

Mr. Duran's successful career brought numerous recognitions, including the 2002 Media

Award, presented by the San Antonio Police Association; the 2006 Community Service Award from the San Antonio-Norte Chamber of Commerce; and the 2005 Henry B. Gonzalez Public Service and Integrity award, presented by the Department of Public Administration of San Antonio College.

Mr. Speaker, I am honored to have the opportunity to recognize and honor the life of Florentine Duran of San Antonio.

HONORING MILJENKO "MIKE" GRGICH, RECIPIENT OF THE AMERICAN DREAM AWARD

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Mr. Miljenko "Mike" Grgich, whom I have selected to receive the American Dream Award for California's 5th Congressional District. This award recognizes the achievements of immigrants in my district who have made remarkable contributions to our communities in the areas of Arts and Culture, Professional Achievement, Entrepreneurship and Innovation, or Community Service. Mr. Grgich is very deserving of this award and recognition.

Mike Grgich was born in Desne, Croatia and studied winemaking and viticulture at the University of Zagreb before leaving to escape communism. He came to Napa Valley in 1958 where he has become a successful vintner and an innovator in the wine community.

After arriving in Napa, Mike learned from some of the best vintners in the region. He became a winemaker for Chateau Montelena and made the Chardonnay that won the 1976 Paris Tasting, forever changing the way the world views American Wine. George Taber documented this consequential decision in a TIME magazine article, "Modern Living: Judgment of Paris." The resulting coverage of the Judgment of Paris created an immediate positive impact on the world of wine, and inspired among experts, consumers, and the trade a new appreciation for California wines.

In 1995, Mike returned to the University of Zagreb at the age of 72 and finally received the degree in enology and viticulture that he earned as a young man. In 2002, he helped prove that the Zinfandel vine originated in Croatia. His work led to his induction into the Vintners Hall of Fame and a Lifetime Achievement Award from the California State Fair. His 366-acre property, Grgich Hills, is completely organic, solar powered and strongly supports community organizations. Mike is an active member of Roots of Peace, an organization that works to replace land mines with grape vines all over the world. In 2007, Roots of Peace presented Mike with their Global Citizen Award for his leadership.

Mr. Speaker, we recognize Mr. Miljenko "Mike" Grgich for his achievements and for enriching our community. It is fitting and proper that we honor him here today with the American Dream Award.

HONORING YEHIA "JOHN" SHOUSER ON HIS 90TH BIRTHDAY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to honor a Toledo area legend as he celebrates his 90th birthday, Yehia "John" Shousher. An American of Lebanese heritage, a proud U.S. citizen and indefatigable Ambassador of Goodwill, Mr. Shousher has been a one-of-a-kind Arab American leader in Greater Toledo since he adopted the community as an immigrant to our nation.

Yehia, who with his brother ran a real estate investment company and J-S Vending, has been a leader in the Toledo community for decades as a civic-minded businessman as well as a Multi-Faith and Multi-Cultural Ambassador.

Yehia has served as an administrator, public relations representative, and fund-raiser in the Muslim community for many years. His generosity has been felt in many homes and organizations in our community. At the same time, he has also focused his efforts on building back hope in his ancestral land of Lebanon. He worked to establish student exchanges, village development and medical education throughout Lebanon's Bekaa Valley.

Yehia was one of the founders of the first mosque in Toledo, which was established in 1954 on East Bancroft Street. After the membership of the Mosque on East Bancroft Street outgrew the location, Yehia helped secure and plan the 48-acre campus that has become one of the icons of Perrysburg Township: the mosque and Islamic Center of Greater Toledo, which opened in 1983.

The Center has been a fulcrum of the Muslim and Interfaith communities, working to promote freedom and tolerance of religion and, together with his cherished wife Emney, Yehia has been an integral part of its inner workings and work in the larger community.

Always involved in events which promote cooperation among the faith and ethnic traditions in our community, Yehia's dedication to cultural diversity was recognized when he became a 2013 inductee into the Heroes of Compassion Gallery for Toledo.

Yehia's commitment to the Toledo community has been passed on to his children, Hussein, Lila, Mona and Mariam, his 10 grandchildren and his six great-grandchildren.

When I think of John, I see him carrying the flag of Lebanon at the annual Multi Faith Council's parade of nations at the University of Toledo on Martin Luther King holiday. I see him hospitably greeting guests with his wife Emney at events throughout our community welcoming new citizens. He has been instrumental in inviting religious leaders and public officials from throughout the world to visit Toledo and built our community into a place of gracious welcome.

I see him setting up exchange programs for students from Arab speaking countries to transmit the learning and values of a free society. He graciously took the time to include me on unforgettable travels with his family through the village of his ancestors and adjoining terri-

tories. The memories of that journey greatly inform my work.

Yehia with Emney at his side, and their bright smiles, have been indefatigable forces for good in our community for nearly a century. We wish them well in the coming years and consider our community fortunate to have them among us.

The Quran 7:199 teaches, "Show Forgiveness, Enjoin Kindness, Avoid Ignorance." Yehia "John" Shousher has spent his life on this earth demonstrating this message through word and deed. His legacy is writ large in his faith community, his family, the land of his birth and our region.

We celebrate with Yehia as he reaches this milestone birthday of his 90th year. We take this moment to thank him for all he has done for so many in our community, for his leadership, for his efforts to promote mutual understanding and tolerance of diverse cultures and foster acceptance of our differences. Best wishes to both John and Emney as he celebrates this special milestone.

RECOGNIZING THE SERVICE OF MAJ. CHARLES APPLEBERRY

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the military service of Major Charles Appleberry of Flat River, Missouri. Major Appleberry was a medical doctor who enlisted in the Army on May 26, 1942 and served until his discharge on January 29, 1946.

As a member of the Army Medical Corps, he served in the South Pacific during World War II. He saved many lives, but one particular surgery is recounted in the Chillicothe Constitution-Tribune on November 1, 1944. It tells of how Dr. Appleberry removed a live Japanese 20 millimeter shell from the chest of Private Jackie Miles on the island of Leyte in The Philippines. The newspaper account explains how the doughboy clung to life, "unaware that the group of tense medics were risking their lives to save him." The article states how Major Appleberry firmly grasped the shell, removed it and safely lifted it to a tray for careful disposal.

After the war, Dr. Appleberry returned to St. Francois County to resume his medical career at the Farmington State Hospital and Bonne Terre Hospital until his death in 1984.

Those who knew the doctor join with VFW Post No. 5741 in Leadington today to honor him for his 55-year career as a physician both at home and at war. I join them in recognizing Dr. Appleberry today before the United States House of Representatives.

TRIBUTE TO WARREN B. ROLAND

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Warren B.

Roland for his 50 years of service as a Funeral Director in Atlantic, Iowa. Warren was recently honored at the 137th Annual Iowa Funeral Directors Association Convention.

Warren grew up in Atlantic where his father was a Funeral Director who served as a President of the Iowa Funeral Directors Association. He admired his father's dedication to his profession and to his community, which helped influence his decision to pursue a career as a funeral director. Warren is a 1966 graduate of the University of Minnesota and is co-owner of Roland Funeral Home in Atlantic.

Mr. Speaker, I commend and congratulate Warren for his many years of dedicated and devoted service to Atlantic, Iowa and the surrounding area. Warren and his staff make a difference by helping and serving others in a time of need. It is with great honor that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating him for his outstanding service in the funeral industry and in wishing him nothing but continued success.

PERSONAL EXPLANATION

HON. BONNIE WATSON COLEMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mrs. WATSON COLEMAN. Mr. Speaker, during consideration of the National Defense Authorization Act of fiscal year 2018 on July 13, 2017, my good friend and colleague Mr. NADLER of New York introduced an amendment to strike section 1022 of the bill prohibiting the use of funds for transfer or release of individuals detained at Guantanamo Bay to the United States. Though I supported the amendment, I erroneously casted a NO vote (Roll Call Vote No. 359); I intended to vote AYE.

I want to make it clear that I support my colleague from New York's amendment and any other measure that leads to closing the detention centers at Guantanamo Bay. Guantanamo Bay is a stain on American values of justice and due process. Since joining Congress, I have signed onto many pieces of legislation to close the facility. In a previous defense appropriation, I voted for an amendment by Mr. NADLER to prohibit funds to be used to renovate and expand the facility at Guantanamo Bay along with supporting an amendment to close the detention facility that was introduced by Representative Mr. SMITH of Washington. Yesterday, I voted for another amendment introduced by Mr. NADLER to close the facility.

I appreciate the opportunity to clarify my record and to reassure my constituents that I maintain my opposition to the continuing operations of the detention centers at Guantanamo Bay.

HONORING THE SERVICE OF MR. CHARLES WILSON

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Mr. Charles E. "Charlie" Wilson, of Carlisle, Kentucky, for his distinguished military service during World War II. Mr. Wilson, a part of the greatest generation, served our nation in the United States Army.

Mr. Wilson was just eighteen years old when he registered for the draft and became a member of the United States Army in 1943, where he served until the end of the war. He was assigned to the 4th Infantry Division just five days before the D-Day invasion of Normandy.

After clearing Utah Beach, the 4th Infantry Division was sent to liberate Cherbourg. Mr. Wilson served as a forward observer, keeping the infantry safe. During his second rotation to the front, he was injured badly by German shells. The injury left him paralyzed for fifteen days. To this day, Mr. Wilson suffers from pain from this injury.

Mr. Wilson returned to his unit and became a tank driver for the rest of the war. On August 25, 1944, Wilson's 19th birthday, he helped liberate the city of Paris. During the battle of Hurtgen Forest, Mr. Wilson was injured again. He was found half-buried, unconscious, and bleeding. He was treated and rejoined the effort. The Army went on to free all of France and kept pushing the Germans until the war was won. As the end of the war neared, in April 1945, Mr. Wilson helped to identify the Dachau Concentration Camp, saving the lives of many Jewish people.

After the war, Mr. Wilson returned home and became an educator. He served as Principal of Nicholas County Elementary School. He has spoken to numerous school classes about his war experiences.

Mr. Wilson was invited by the French Government to Normandy in 2014 for the 70th Anniversary of D-Day. He returned in 2015 for his third trip to France, where he was awarded the Legion of Honor. Mr. Wilson spoke at the event and his words are recorded in the French archives.

The bravery of Mr. Wilson and his fellow men and women of the United States Army is heroic. Because of the courage of individuals from Nicholas County and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all.

RUSSIAN ENERGY SECURITY THREATS

HON. DON BACON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. BACON. Mr. Speaker, I rise today to call attention to the growing national security

risk to our overseas military facilities posed by the Russian Federation.

For the last three years, we have watched with alarm as Putin's Russia has adopted an aggressive and adversarial posture towards the U.S. and our allies. Putin armed the so-called separatists in eastern Ukraine. He aggressively annexed Crimea. He is intervening in the Syrian Civil War on the side of a brutal dictator. He blatantly threatens allied nations in Europe and close to home we know he used cyber weapons to destabilize our democratic process. Moscow's hostility to our interests grows stronger and more apparent by the day.

The military dimension of Russia's strategy is obvious and you can see it covered in the nightly news. What is less obvious however is the non-military aspect of Russia's national strategy. Today one of the most serious threats to our European allies—and our military installation in Europe—is Russia's corner on natural gas and oil. Putin constantly threatens to use these resources as means to exercise political and economic control on those who heavily rely on Russian fuels as their primary source of energy.

It is for these reasons that I was proud to join my friend and colleague from South Carolina, Representative JOE WILSON, in shining a light on this threat in the House Armed Services Committee report to accompany the 2018 National Defense Authorization Act.

Just as we focus on the risk to our forward-based troops, aircraft and ships, we must not overlook the risk to the installations from which they operate. The energy we rely on to power these facilities supports our troops, their families, and their vital mission.

As a matter of strategy, our military installations overseas require secure and reliable sources of energy. Today in Europe—particularly in Germany—our military facilities receive furnished heat and other utilities from commercial or private power stations. In many cases, these energy facilities are fueled by German natural gas distribution systems which are heavily supplied with natural gas from the Russian Federation.

Our growing exposure to Russia's ability to disrupt our energy supply lines is clearly seen in our network of military installations in Germany. I wish to call attention to one such facility: the U.S. Army's future medical complex at Rhine Ordnance Barracks, nearby Ramstein Air Base where I was the installation commander. At an authorized cost of nearly \$1 billion, this vital new facility will replace the Landstuhl Army Regional Medical Center and serve the combat needs and family requirements of military personnel on three continents.

Mr. Speaker, I am gravely concerned that our current energy supply strategy will actually increase our exposure to harmful Russian influence over time. Under no circumstances should we construct and operate critical military installations overseas where the only source of energy comes from Russia. We must take immediate and deliberate steps to adopt a strategy of energy resilience through mixed-fuel diversification such that not one single source—such as Russian Federation gas—should serve as a primary supply of energy.

It would be financially irresponsible and strategically reckless to appropriate nearly \$1 billion for a state-of-the-art military medical center to serve our troops and families overseas, only to have the design of the new facility compromise the very reason it exists by relying on the Russian Federation to supply natural gas as the primary fuel source. There are local mixed-fuel energy supply options readily available and it would be inexcusable not to make them part of the design of this project. This is good strategy, good economics and just plain common sense.

We simply cannot allow ourselves to be put in a situation where Russia has the ability to cut off energy to our forward bases, especially when we could have averted this tragic vulnerability ahead of time.

The seriousness of the Russian energy threat to our overseas military installations is addressed in the 2018 House Armed Services NDAA report which directs the Secretary of Defense to make a comprehensive evaluation of these risks and report his findings and recommendations. I am pleased to see my colleagues in the House Appropriations Committee also took up this issue with similar language in the Military Construction Appropriations and Defense Appropriations bills that passed the House.

Mr. Speaker, I ask my colleagues in the House and Senate—and especially all Members of the Armed Services and Appropriations Committees—to join me in exercising aggressive oversight of this real and serious threat to our national security.

PERSONAL EXPLANATION

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. HENSARLING. Mr. Speaker, I inadvertently voted YES on Roll Call Vote 433 and would like to have it reflected that I meant to vote no.

INTRODUCTION OF THE HOUSING ACCOUNTABILITY ACT OF 2017

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COHEN. Mr. Speaker, today I am introducing alongside Rep. DENNIS ROSS of Florida, the Housing Accountability Act of 2017 to hold property owners of low-income housing accountable for poor living conditions.

This legislation would require the U.S. Department of Housing and Urban Development (HUD) to survey tenants living in subsidized housing twice a year about property conditions and management performance and create new penalties for property owners who repeatedly fail the tenant surveys.

The Housing Accountability Act comes in the wake of recent local and federal investigations that found deplorable living conditions at several federally subsidized-housing properties

owned by Global Ministries Foundation (GMF) in Memphis, Tennessee and Jacksonville, Florida.

For too long, property managers like Global Ministries have taken advantage of HUD's lack of effective oversight and over dependence on often unreliable third-party property inspections, and as a result continue to force our nation's most vulnerable to live in squalor with impunity.

This bill seeks to put an end to these malpractices, hold federally-subsidized property managers to account, and provide HUD the necessary authority and directive to ensure that public housing units are suitable homes for all families, children, and hardworking Americans.

I urge my colleagues on both sides of the aisle to support this bipartisan, bicameral legislation and do right by the American public.

RECOGNITION OF MINNESOTA STATE CAPITOL GRAND REOPENING

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today to honor and celebrate the grand reopening of the Minnesota State Capitol after nearly four years of renovation.

Designed by renowned architect Cass Gilbert and inspired by the 1893 Chicago World's Fair's White City, an Italian Renaissance city-sized exhibit, the Minnesota State Capitol was celebrated as one of America's finest state houses when it opened in 1905.

Now, after nearly 30 years of planning and study, this great building has been reborn through renovation, restoration, and enhancements, including technological improvements. The renovation extends the usable lifespan of the State Capitol by at least another century.

The amount of public space has doubled to nearly 40,000 square feet, brand new public meeting rooms line the halls, the public will have more access and seating in hearing rooms, and a new information center for students and educators will enrich school visits. In addition, the renovation has made the State Capitol more accessible to all Minnesotans, especially those with disabilities.

When the State Capitol open its doors to Minnesotans this summer, the citizens of my home state will be able to tour expanded public spaces, marvel at restored art and craftsmanship, and more effectively participate in our legislative process.

Thank you to all the workers for the hours of planning, design, building, and polishing our State Capitol back to its original grandeur. Congratulations to everyone involved.

JOHN MILLER RETIRES FROM THE UNITED STATES FOREST SERVICE

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding career of John Miller, who will retire from his position as the U.S. Forest Service Public Affairs Officer for the San Bernardino National Forest on July 31, 2017.

My office has had the pleasure of working with John over the past four and a half years. On numerous occasions, John demonstrated a willingness to go above and beyond to serve my constituents and forest visitors. He has repeatedly shown his dedication to the Forest Service's mission and has been instrumental in balancing multiple and sometimes competing uses of the most heavily urbanized forest in the nation.

In addition to his work as a public affairs officer, John was the Public Information Officer for a Federal Interagency Management Team and served on the U.S. Forest Service Honor Guard. John is a true professional in every sense of the word, and I wish him the best of luck as he embarks on a new chapter in his life.

IN CELEBRATION OF JAMES W. PARISH AS 2017 AVIATION PROFESSIONAL OF THE YEAR

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to celebrate the accomplishments of James W. Parish, executive director of the Punta Gorda Airport, who was recently recognized as the 2017 Aviation Professional of the Year by the Florida Department of Transportation.

Every year, the Florida Department of Transportation honors one executive member of the aviation community with the title of Aviation Professional of the Year. The recipient is selected based on the management and logistical organization of their airport, as well as the safety and technological advancements that take place under their watch.

Mr. Parish earned this award because of the impressive progress that the Punta Gorda Airport has made under his leadership and his overall contributions to the Charlotte County community. During his tenure in Punta Gorda, Mr. Parish elevated the airport from one that only served the general aviation community to one that now offers commercial services and has brought over \$200 million dollars into the local economy while serving over 1 million customers. Under his guidance, the airport has modernized and streamlined its safety protocols while still maintaining a low-cost business model.

Mr. Speaker, I would like to congratulate Mr. Parish and thank him for all that he has done for the Punta Gorda community. He is truly

deserving of the Aviation Professional of the Year award, and I am honored to represent him in Congress.

KATY GYMNAST WINS GOLD AT JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Rowan Dumond of Katy, TX, for winning a gold medal for his floor routine at the U.S. Men's Junior Olympic National Championship.

I was both Rowan's first gold at the Junior Olympics and his first time competing there. The 12-year-old competed against 800 of the top junior gymnasts in the country. When not training at the gym, Rowan is also a student at Seven Lakes High School and plays percussion with the band.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Rowan for winning gold at the Junior Olympics. We are very proud of him and look forward to his future success as a gymnast. We're excited to have him represent TX--22.

CELEBRATING THE 50TH ANNIVERSARY OF F. GAVIÑA & SONS, INC.

HON. LUCILE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize F. Gaviña & Sons, Inc., a coffee company located in my 40th Congressional District of California, in the city of Vernon. The company, one of America's largest family-owned coffee companies and the nation's largest privately held minority roaster, celebrates their 50th anniversary in 2017.

The history of this coffee company is a story about family. Brothers José María and Ramón Gaviña left their native Basque region of Spain in 1870, in search of a better life. They settled in the fertile mountains of southern Cuba and planted the seeds of what would become Gaviña Coffee.

Don Francisco Gaviña was born on the family coffee estate, Hacienda Buenos Aires. As a boy, he worked in the fields with his own father, watching and learning the secrets of growing quality coffee. He spent hours upon hours helping sow the seeds and urging the little plants to grow.

The family left Cuba in 1959, and arrived in Los Angeles in 1963, where they put down roots. The family later leased a 1,100 square foot building in Vernon and purchased a small roaster from Bob's Big Boy restaurant. By June 1967, when they founded F. Gaviña & Sons, Inc., they were roasting, packing and selling Café Gaviña Espresso.

In the beginning, they focused on producing Cuban-style coffee, but eventually expanded into other coffees that appealed to Middle

Eastern and Vietnamese coffee drinkers. About 35 years later, Gaviña's retail brand, Don Francisco's Coffee, had become the top selling coffee in Southern California, behind Folgers and Maxwell House.

The family began selling their coffee to a small group of McDonald's restaurants in 1983. In 2005, Gaviña created a stronger blend that resulted in a double-digit increase in the chain's coffee sales.

According to the Los Angeles Times, by 2010, F. Gaviña & Sons, Inc. had become a \$114 million business and was roasting 40 million pounds of coffee a year. A fifth of their revenue was coming from making and packaging private label coffees for McDonald's, 7-Eleven, and Costco stores. Gaviña coffee brands were being sold in 20 states, and in stores like Ralph's, Walmart, and Vons / Safeway.

Don Francisco's sons, Paco, Pedro, and José, and his daughter, Leonor Gaviña-Valls, grew up on the plantation and learned about coffee in the fields. Along with their own children, they still personally select beans, cup samples as they arrive, and oversee the specialty coffee roasting and production every day. They do all of this so that their customers and guests can be ensured a wonderful cup of coffee every time, from first sip to final drop.

Today, they carry on the dream in their 240,000-square-foot eco-friendly, state-of-the-art coffee roasting facility, just a few blocks from their original 1,100 square foot building. Gaviña Coffee employs more than 250 people, and services businesses of all sizes—from mom and pop shops to multinational accounts. The company offers four leading U.S. coffee brands: Gaviña Gourmet Coffee, Don Francisco's Coffee, Café La Llave Espresso, and José's Gourmet Coffee.

In honor of their 50th anniversary, Gaviña Coffee created a special Anniversary Blend which is roasted in Los Angeles and uses beans grown on the award-winning Carmen Estate in Panamá by a third generation coffee-growing family. The Anniversary Blend, which entered the market on June 19, 2017, comes in a commemorative tin with a 10-ounce bag of ground coffee. Flavor notes in the new blend include caramel, honey, and ripe fruit with a chocolaty finish.

Fifty years have brought many changes to the original company, but one thing remains the same: Members of the Gaviña family still run the day-to-day operations of the company, with a new generation of Gaviñas poised to continue the pursuit of a great cup of coffee.

Gaviña Coffee's 50th anniversary celebration includes: the opening of their first brick and mortar store in downtown Los Angeles, named Don Francisco's Coffee, Casa Cubana; the special anniversary blend; reaching the goal of 100% zero-waste-to-landfill; a continued commitment to leaving a greener coffee footprint through their Direct ImpactTM Initiative, which is based on four core pillars of dedication to farmers, sustainable sourcing, environmental sustainability, and social stewardship; continuing to donate coffee to local shelters and missions; and continuing to support organizations such as the Komen Race for the Cure, Avon Walk 39, Children's Miracle Network Hospitals (CMNH), EnrichLA and the International Women's Coffee Alliance.

Mr. Speaker, I ask my colleagues to please join me in raising our coffee cups to the Gaviña family and F. Gaviña & Sons, Inc. as we celebrate their 50 years of success. We look forward to the next 50 with great anticipation.

TRIBUTE TO SHERRY AND NEAL HANLEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sherry and Neal Hanley for being named the 2017 Earlham Freedom Fest King and Queen. This award is given to a couple that gives back to the community of Earlham.

Sherry and Neal moved to Earlham in 1976 to raise their children and had them attend Earlham schools. Since then, the Hanley's have served on a number of school projects to help bolster the community. They were on the original Freedom Fest committee and love the parade and how everyone comes together at the park. Both Sherry and Neal serve with the Earlham Lion's Club and with Early Chapel Christian Church. Neal is also a member of the American Legion and served as commander and chaplain.

Mr. Speaker, Sherry and Neal's hard work embodies the Iowa spirit and I am honored to represent them and Iowans like them in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Sherry and Neal for receiving this award and in wishing them nothing but continued success.

CELEBRATING THE SALEM COURTHOUSE COMMUNITY CENTER

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the Salem Courthouse Community Center for its outstanding service to New York's 21st District.

Founded by a group of dedicated local citizens, the Salem Courthouse Community Center provides a place for people of all ages to come together. Cognizant of its historic location in the Old Washington County Courthouse, the Center seeks to preserve our region's history while creating opportunities for individuals to enjoy and strengthen our community in the present.

In service of this mission, the Center offers a wide variety of programs that foster artistic expression and community growth. The Center's many facilities, including a community garden, pottery studio, and public kitchen, host instructive and enriching programs for both children and adults. This summer, the Center has hosted nearly 150 local children in their Lunch, Learn & Play program which provides active and educational fun for its participants.

On behalf of New York's 21st District, I want to thank the Salem Courthouse Community Center for its dedication to bringing our community together. We commend its incredible service, and look forward to its future endeavors.

HONORING NICHOLAS HROMALIK

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize a dedicated member of my staff, Nicholas (Nick) Hromalik, who is leaving this week after serving in many capacities over the past six years.

Nick graduated from the University of California, San Diego, in 2009, but he began on the path of public service even earlier, working as an intern for Senator DIANNE FEINSTEIN and then-Mayor of San Francisco Gavin Newsom while still in college. After graduation, he traveled to Washington to intern for my predecessor in Congress, Lynn Woolsey, and was soon hired to work for the Green the Capitol Initiative at the CAO. In that role, he helped to make the operations of the Capitol complex more sustainable and led outreach efforts to Member offices. Nick was called home to California upon that program's defunding, joining my team for the first time.

Drawing on his deep Petaluma roots, Nick built relationships across the North Bay, meeting with community leaders and learning about local issues. Starting as a volunteer, he ultimately became the field director of my newly-announced campaign for Congress. On a break from the campaign, Nick also spent some time in my Assembly district office in San Rafael that year, where he helped constituents with casework, and served as a liaison to organized labor and Sonoma County elected officials.

After my election to Congress in November 2012, Nick returned again to Washington, this time as one of my first hires in this office. Since my swearing-in in 2013, Nick has served California's second Congressional district with distinction, staffing me on issues as diverse as health care, agriculture, trade, energy, and education.

In the six years I have had the pleasure of working with him, Nick has never lost sight of our mission—to solve problems and make a positive difference—and he has maintained deep connections to California that have served him well in his career. He has championed causes that needed a champion, from special education to clean energy, and he has maintained his good humor and dedication throughout.

My family, my staff, and I all wish him and his fiancée Colleen Kilbride all the best as they travel to Chicago for the next step in their careers.

RECOGNIZING THE OPENING OF
THE NEW STONEGATE CHRISTIAN
ACADEMY CAMPUS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to recognize and congratulate StoneGate Christian Academy on the opening of their new school campus, located in Irving, Texas.

Founded in 1976 as a ministry of the Shady Grove Church in Grand Prairie, Texas, StoneGate Christian Academy was built to foster the educational and spiritual needs of the prospering communities that made up its congregation.

In 2008, the Academy's board of directors faced the tremendous hardship of having to relocate their campus to two separate buildings, neither of which possessed the facilities to adequately host StoneGate Christian Academy's growing student body. By the grace of God, StoneGate Christian Academy continued to grow for the next nine years. During this time, StoneGate leased practice venues for its sports teams, band, choir, and drama programs, in order to ensure its students access to their sports and award-winning fine arts programs.

In 2014, word began to spread that the Lakewood Baptist Church in Irving, Texas, was considering selling its property. After two years of discussion and prayer, Lakewood Baptist Church's board of directors reached a decision to sell the property to StoneGate Christian Academy in December of 2016. For the next seven months, StoneGate worked tirelessly to raise enough funds to complete the purchase of its new academy campus, which includes a schoolyard, auditorium, and gym. Through the tireless efforts of alumni, students, parents, teachers, and staff, StoneGate Christian Academy now has adequate facilities to support its growing student body and sustain this growth well into the future.

Today, StoneGate serves as one of the most affordable private Christian schools in North Texas, providing an outstanding education to its students and teaching valuable lessons about community service and civic duty.

Mr. Speaker, I am honored to recognize StoneGate Christian Academy and congratulate them on the opening of their new campus in Irving, Texas. I ask all my distinguished colleagues to join me in congratulating StoneGate Christian Academy for this monumental achievement.

HONORING NEW MILFORD
VILLAGE FAIR DAYS

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to celebrate the 50th Anniversary of the annual New Milford Village Fair Days, sponsored and organized by the New Milford

Chamber of Commerce. Village Fair Days is the highlight of the summer in New Milford, and the festival brings thousands of people together for two days of shopping, eating, and playing on the town's village green.

Since its inception in 1967, New Milford Village Fair Days has grown to be the largest annual event in New Milford. Bob Hanna, the Chair of the Fair, planned a special way for the community to commemorate five decades of the festival. This year, fairgoers can make a wish and donate to a local nonprofit of their choice at the Wishing New Milford Well.

Village Fair Days brings together our community to enjoy live entertainment and games, as well as to connect with local businesses and nonprofit groups. The Kids Fun Run is a fun part of the fair that helps children join in the fun and get active. The New Milford Farmers Market also participates in the fair and helps local farmers meet with thousands of neighbors. I would like to recognize the volunteers who have made Village Fair Days possible for the past five decades. Volunteers' love for their town and willingness to dedicate their time to make this event possible show the strength of our community in New Milford.

Mr. Speaker, New Milford Village Fair Days has brought together our neighbors each summer for five decades. Thanks to the event's sponsors, organizers, and volunteers, we can look forward to the annual event for many years to come. Therefore, it is fitting and proper that we honor New Milford Village Fair Days here today.

HONORING FALLEN CLINTON
COUNTY SHERIFF'S DEPUTY

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today with a heavy heart as flags throughout the Commonwealth are lowered to half-staff in honor of Clinton County Sheriff's Deputy Sheriff Stephen Herold who died unexpectedly on Thursday, July 20.

Stephen was 30 years old and had served as a sheriff's deputy for the last year and a half. He and his wife, Kelly, had just welcomed Brock—their first child 10 days before his death.

On Wednesday, more than 100 members of law enforcement from near and far lined the auditorium at Central Mountain High School to say goodbye to Stephen.

Clinton County Sheriff Kerry Stover said Stephen was the first deputy he'd hired after being elected sheriff. At Stephen's service, he said:

He was outstanding. He took his job seriously . . . He served his community. He helped people. He confided in people. He was polite and courteous. He projected law enforcement in a positive way . . . He trusted his heart and he did it right.

Mr. Speaker, Stephen's sendoff was awe-inspiring, which was a fitting goodbye for a man who served his community with distinction and honor. Stephen will be missed, but his memory will live on forever.

HAPPY 104TH BIRTHDAY TO ANNIE
QUEEN

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize Annie Galloway Queen, a northeast Georgian who recently celebrated her 104th birthday.

Annie has been a part of our community since her birth in 1913. She learned to value hard work at an early age, and her life illustrates the strength and diligence that characterizes America's Greatest Generation.

Like many in that generation, Annie and her husband struggled through the Great Depression, which taught them to make the most of what little they had. Rather than mourn their lack of physical possessions, Annie educated her children in the spiritual dimension of life, teaching them to rely on their faith during life's most challenging seasons.

Mr. Speaker, it is a blessing to spend birthdays surrounded by loved ones. I am thankful to know that that is how Annie spent hers—sharing with family and friends the wisdom that she has gained over 104 years.

I am honored to be Annie's neighbor and ask that you join me in wishing her happy 104th birthday.

TRIBUTE TO EAGLE SCOUT SAM
BALDWIN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sam Baldwin of Clarinda, Iowa for achieving the rank of Eagle Scout. Sam is a 2017 graduate of Clarinda High School and has earned the 21 merit badges that are required to obtain the honor of Eagle Scout.

The Eagle Scout designation is the highest advancement rank in scouting. Only about 5 percent of Boy Scouts earn the award. It is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges as well as completing an Eagle Project to benefit the community. Sam built a shrine placed near the main entrance of the St. Clare Catholic Church in Clarinda, Iowa as his Eagle Project. The work ethic Sam has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Sam and his family in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in

congratulating him on obtaining the Eagle Scout rank and in wishing him nothing but continued success in his future education and career.

RECOGNIZING THE BICENTENNIAL
OF THE TOWN OF DAVENPORT

HON. JOHN J. FASO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. FASO. Mr. Speaker, today I honor the Town of Davenport on the occasion of its bicentennial. On March 31, 1817, Davenport was established as a new town in Delaware County, New York. It is named for its founder, John Davenport, who first settled there less than a decade earlier and laid down the roots for what would become the vibrant community that exists today.

For over 200 years, Davenport has participated in the American story, contributing to our great state and nation. On the weekend of July 29, 2017, the residents of Davenport will hold a well-deserved celebration of its history and accomplishments. In the neighborly and hospitable tradition of Davenport, this bicentennial celebration will reflect the values of this beautiful community, bringing families and residents together to commemorate the town they love and share.

I formally thank the Town of Davenport and each of its residents of the past two centuries for their contributions to our Catskills community and our Upstate New York home.

Mr. Speaker, I include in the RECORD Davenport Town Supervisor Dennis Valente's statement regarding the Town of Davenport's bicentennial:

An Anniversary is a time to look back. 200 years seems so long ago. However, a look back over the Town's history brings the present Davenport community closer together with our ancestors. It is with a good deal of enjoyment that we explore the past and realize the value of the old saying: the more things change, the more things stay the same.

The first meeting for the Town of Davenport was in April 1817. The town recognized the need for our community to work together between neighbors and the community at large. The delicate balance of open space and individual property rights was addressed first in regard to free ranged animals.

Along these past 200 years the Town has found itself involved in many issues including the establishment of local cemeteries, and community sacrifice in times of war. Immigrants from many countries settled here to be our blacksmiths, work our tanneries, and build our railroads. The work of woman suffrage was engaged by 'bloomer girls' at Sexsmith Lake in 1911. Rural electrification of the 1930s was a struggle so similar to the rural internet broadband availability struggle today.

The acknowledgment of a shared sense of values, with neighbors long ago, adds purpose to present day community engagement. We are a Town that endeavors to settle conflicts with reasoned engagement and a community that offers a helping hand when the need calls.

YON GOICOCHEA: POLITICAL PRISONER OF THE VENEZUELAN REGIME

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ROS-LEHTINEN. Mr. Speaker, today I want to recognize the plight of Yon Goicochea, a 36-year-old political prisoner who is being unjustly detained in a Venezuelan prison. On August 29, 2016, Mr. Goicochea was arrested by the Venezuelan secret police because of his role as a leading advocate for a democratic and transparent Venezuela. Over the past decade, Mr. Goicochea has played a crucial part in leading pro-democracy movements in Venezuela. At one point, he even led the pro-democracy opposition party, "Voluntad Popular."

After working for various opposition movements, Mr. Goicochea found himself and his family increasingly under threat by the repressive Maduro regime. Mr. Goicochea made the decision to leave Venezuela with his family in 2013 and come to the United States to pursue a degree in Law from Columbia University. Three years later, Mr. Goicochea returned to Venezuela to fight for freedom, democracy and human rights.

Mr. Goicochea has remained in prison since his arrest in 2016. As highlighted in a recent report by the Office of the United Nations High Commissioner for Human Rights Arbitrary Detentions Group, Mr. Goicochea has been denied the right to due process and subject to brutal forms of solitary confinement. Unfortunately, Mr. Goicochea is only one of thousands to have been unjustly imprisoned by the Maduro regime.

The United States must address these egregious human rights abuses by fully implementing and applying additional sanctions against Maduro regime officials who continue to violate the most basic principles of human rights and liberty and who are responsible for the plight of the Venezuelan people. Maduro and his thugs must not be allowed to continue to oppress the people of Venezuela without paying a significant price. We must demand the release of all the political prisoners who have been denied their fundamental human rights.

The Venezuelan people have illustrated an unrelenting resolve to bring about a just and democratic Venezuela. Just during the past three months, over ninety people have been killed, thousands injured, and hundreds have been subject to politically motivated arrests, as the people of Venezuela have taken to the streets to protest the undemocratic nature of this brutal regime. The United States must stand with Mr. Goicochea, all political prisoners, and the people of Venezuela in their pursuit of a democratic society.

27TH ANNIVERSARY OF THE
AMERICANS WITH DISABILITIES
ACT

HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. DUNN. Mr. Speaker, this week marks the 27th Anniversary of the Americans with Disabilities Act, a law that protects the rights of people with disabilities. The Act stands on the principle that no matter one's disability, whether it be visible or invisible, the Constitution and laws of the United States protect us all. Personally, I appreciate and support how this law protects the rights and opportunities for our wounded warriors. I welcome my colleagues to join me in marking the anniversary of the Americans with Disabilities Act and its contributions to equal rights in the United States.

CONGRATULATING DISTINGUISHED
YOUNG WOMEN NATIONAL
SCHOLARSHIP WINNER AND D.C.
RESIDENT SKYE BORK

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating District of Columbia native and resident Skye Bork on being named the 2017 winner of the country's largest scholarship program for girls, the Distinguished Young Women (DYW) program. Skye was awarded \$36,500 in scholarships for her college education.

DYW is a 60-year-old national scholarship program aimed at encouraging high school girls to develop their full potential through a series of scholastic and creative workshops. DYW allows college-bound high school juniors and seniors the opportunity to participate as long as they maintain at least a 3.0 grade point average. A scholarship is then awarded based upon an interview, academic achievement, talent, self-expression and physical fitness. DYW is well-known nationally, and past winners have included television broadcasters Diane Sawyer and Kathie Lee Gifford, and actresses Debra Messing and Kim Bassinger.

Skye was selected to win the scholarship from among four finalists from schools in wards throughout the city. She attended the Washington School of Ballet for many years, as well as the Akhmedova Ballet Academy in Maryland. For her talent segment, Skye performed a ballet excerpt en pointe, from Bizet's Carmen. Skye, the daughter of Shigeko and Tim Bork, is a 2017 graduate with honors from the National Cathedral School. She is the first D.C. resident to be awarded the scholarship in the program's 60-year history, due in large part to the fact that the area chapter of the program remained dormant for 30 years. I would like to thank the D.C. chapter of DYW for reviving the program, and also thank the local businesses who supported the program

and donated to the scholarship fund. Skye was proud to announce that she will be attending Columbia University this fall, and, in preparation for the career she would like to pursue in international business and government, she will be studying applied mathematics and economics. The District is very proud of Skye. She will be the national representative of DYW for a year.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Skye Bork on her impressive achievements.

HONORING THE LIFE OF ROBERTA
"BOBBIE" BISHOP

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to celebrate the life of the beloved Roberta Bishop, or to those who knew her, "Bobbie."

Bobbie was a model citizen who dedicated her life to giving back to those in need. Not only did she have a kind spirit and a big heart, she also empowered herself to make a real difference by creating Midwest Service Dogs, a non-profit in South Bend, Indiana, that helps train and place service dogs and companion dogs.

The combination of her love of animals and her desire to give back fueled her participation in multiple charities as well as her work at a local animal clinic. Bobbie strived to make our community a better place, and from her loving family to the many friends she made along the way, her strength in character and compassion for others were hard to miss.

Bobbie lived a meaningful life full of love, happiness, and generosity of spirit. I am grateful that her wonderful legacy is sure to live on in the cherished life lessons she taught her children, grandchildren, and great-grandchildren.

Mr. Speaker, I'm personally thankful for our decades-long friendship and the impact she had on my life. Our country lost a great human being, and I wish her two sons and extended family all the best.

HONORING ERIKA FEIN ON HER
88TH BIRTHDAY FOR HER EXEM-
PLARY RESILIENCE AND
STRENGTH

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. RUIZ. Mr. Speaker, I rise today to honor the remarkable life of Erika Fein, a Holocaust survivor who turns 88 years old on August 11, 2017. Her powerful story is an example of resilience, perseverance, and strength in character.

Erika was born in 1929 in Yugoslavia, where she lived in a small village with her family. They were torn apart when Yugoslavia was invaded by Germany, Italy, and Hungary in 1941. Erika, her mother, and aunt were

taken by the Nazis, and she never again saw her other family members. Over the next four years, she was kept as a prisoner in three different concentration camps. She was first taken to a German labor camp Guben, then shuttled to Auschwitz II-Birkenau in Poland, and finally brought to Bergen-Belsen in Germany.

During the last years of World War II, when she was just a teenager, Erika was forced to participate in a death march, where she ultimately lost her mother and aunt. The Nazi military organized large scale marches to move prisoners to different camps to evade suspicion of mass killings, and to erase any trace of evidence. Nazi soldiers subjected prisoners to starvation, dehydration, and humiliation during inclement weather. Not only did Erika survive these marches as a teenager, but she endured, despite being ripped apart from her family.

While at Bergen-Belsen in Germany, Erika and the other prisoners were finally liberated by the British Armed Forces in April 1945.

A few years later, Erika moved to the United States seeking a new beginning in pursuit of the American dream. She married her current husband, and they adopted a son. They later moved to Palm Desert, in my Congressional District, where they live today.

Today, I am elated to honor her courage and dedication, as we celebrate her 88th birthday. Her story is a reminder that we must always be steadfast in the fight against intolerance, hate, and injustice. The hardships she overcame are unthinkable, but her strength is admirable. She is truly an inspiration.

Mr. Speaker, I am proud to recognize the life of Erika Fein. On behalf of California's 36th Congressional District, it is with deep respect that I extend my best wishes on her 88th birthday. I wish her and her family all my best in the years to come. Happy Birthday Erika.

HONORING DON SIMPSON FOR RE-
CEIVING A SILVER STAR MEDAL
FOR HIS COURAGEOUS SERVICE
TO OUR NATION

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. RUIZ. Mr. Speaker, I rise to recognize an outstanding individual from my Congressional District Sergeant Don Simpson of Hemet, California. Because of his commitment to protecting our nation and his fellow service members, Don received a Silver Star Medal. His story is truly an inspiration and today, I want to recognize his exceptional achievements and courage.

Don graduated from Hemet High School in 1964 and entered the U.S. Army a few years later. During his service, Don was sent to Vietnam where he served as a rifleman, Radio Telephone Operator (RTO), and squad leader.

In February of 1967, Don was a Specialist 4 (SPC) and the RTO for a reconnaissance team that was conducting a sweep of the forward battle area. After disembarking the helicopters, his unit came under intense heavy

enemy automatic weapons fire. Seeking cover behind a small hedge, SPC Simpson returned fire against the enemy.

Over the next hour of intense fighting, SPC Simpson established radio communication with Captain Conlon, Alpha Company Commander, requesting support from helicopter gunships and artillery. Despite continued intense enemy fire, and at great risk to himself, SPC Simpson maneuvered to a position allowing him a better view of the enemy. With complete disregard for his own personal safety, SPC Simpson established direct contact with the Air Force Pilot on station, directing an air strike on the enemy. When the first two air strikes did not fully eliminate the opposing forces, SPC Simpson directed the strike that was dangerously close to himself and his own troops, resulting in elimination of the enemy. During the entire combat event, SPC Simpson maintained communication with higher command, calling additional air support.

The engagement resulted in 4 personnel killed in action and 8 wounded in action. His courageous initiative and exemplary professionalism significantly contributed to the successful outcome of the engagement and directly led to the saving of his fellow soldiers' lives. Specialist 4 Simpson's unquestionable valor while engaged in military operation involving conflict with insurgent force is in keeping with the finest tradition of the military service and reflects great credit upon himself, the 1st Cavalry Division, and the United States Army.

Five years ago, Don discussed his service and this incident with his doctor when getting a VA C&P Exam. The doctor, Mr. Ronnie Immel, contacted Don's squad leader Sgt. Carl Lawrence and his 1st Sgt. Ralph Cranitz. Both recommended Don for a Silver Star. My office was pleased to partner with them to ensure Don's service was properly recognized. Together, we worked to find the rest of Don's chain of command and submit the Silver Star Medal to the Department of the Army. After a few months, Don's Silver Star Medal was finally received and I was honored to present it to him.

Among the many awards he has received for his honorable service are the Army Commendation Medal, the Vietnam Service Medal, the National Defense Medal, the Valorous Unit Award, and the Republic of Vietnam Campaign Medal with "60" Device.

Mr. Speaker, I am proud to recognize and honor Don Simpson. He is indeed a hero whose actions embody the true meaning of valor. I am very proud to have met him. His years of committed service to our nation are an example of excellence and dedication that all should seek to emulate.

HONORING THE LIFE OF JARROD DAUGHERTY AND HIS MEMORY AS A DEDICATED STUDENT AND LOVING SON

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. RUIZ. Mr. Speaker, I rise to honor the life of Jarrod Daugherty, a young constituent

who unexpectedly passed away in an accident on May 8, 2017. His charisma, energy, and talent will be enormously missed. I had the pleasure of meeting Jarrod when he visited my office in Washington, D.C. earlier this year as part of St. Theresa Catholic School's tour. I will never forget our conversation.

Jarrod was a bright and talented student from my Congressional District. He was born on June 29, 2003, in Indio, CA and spent his childhood in Palm Springs and Cathedral City. He attended Cielo Vista Charter High School and St. Theresa School where he was beloved by his peers and teachers.

Outside of school, Jarrod was involved in our local community. He was an active member of the Victory Christian Center and the Palm Springs Youth League Baseball Organization. He was passionate about sports, and his favorite teams were the LA Dodgers, Minnesota Vikings, Dallas Stars, and Notre Dame Fighting Irish.

Jarrod enjoyed spending time with his family and his dogs. With a smile and a great sense of humor, he brought joy to those who knew him. He was a blessing to his parents, Jarrod and Cassandra, who often referred to him as Jr., Bub, Bubba, or Bubbies. Another one of his nicknames was Country, given his love for country music.

Mr. Speaker, I am proud to honor the memory of Jarrod Daugherty. I am grateful for the opportunity to have met such a charming young man and on behalf of California's 36th Congressional District, I extend my deepest sympathies to his family and loved ones.

HONORING TEXAS AGGIE WOMEN

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. FLORES. Mr. Speaker, I rise today to honor the Texas A&M University Women Former Students Network, known as "Aggie Women."

In the summer of 2007, a group of Aggie women started talking regularly and sharing ideas about ways to give back to Texas A&M University and contribute to its reputation as a world-class university. The original idea to form the Women Former Students' Network as a constituent network of the Texas A&M Association of Former Students came to fruition on December 21, 2007. At that time an interim board of directors was formed and the group branded themselves as Aggie Women. Fueled by the excitement of its formation, Aggie Women grew rapidly in its first year.

During its inaugural year of operations in 2008, in addition to recruiting nearly 200 charter members, Aggie Women established its first President's Endowed Scholarship through its "45 Women Campaign", which honored the 45 years of women's admittance to A&M. The year culminated in an inaugural meeting held November 14, 2008 on the campus of the University. Over 200 members and guests attended this historic day. Special guests included Former First Lady Barbara Bush, an honorary member of Aggie Women; members of the first graduating class of Aggie women;

and many officials of Texas A&M University and The Association of Former Students. The first member-elected Board of Directors was seated in January 2009.

The mission of Aggie Women is to enhance excellence at Texas A&M University by promoting the active engagement of women in the educational, charitable, and cultural life of the institution. The mission is fulfilled through increased engagement of Women Former Students in academic, research and service activities; through their expanded role as mentors of current women students, and future generations of women students; and through their increased philanthropic ties to the University and The Association of Former Students. The Network strives to value and promote inclusiveness and diversity in the representation of its membership and in all its activities.

Aggie Women have raised over \$200,000 for President's Endowed Scholarships, three of which have been awarded, providing women students with needed academic funding.

Another Aggie Women initiative is the Eminent Scholar Award which is a joint project of Aggie Women and the President of Texas A&M University. It is designed to recognize outstanding research, scholarship, and service; and it honors the role these extraordinary women play in serving as models for all women students at the University. There have been three recipients of the Eminent Scholar Award and they received significant recognition on campus as well as a monetary stipend.

Over 400 students have been reached through Aggie Women's mentoring program. The program, known as "JumpStart," is a unique and engaging initiative in which Aggie Women partner with student organizations to provide tailored programs that are flexible in topics and length.

The "Aggie Women Legacy Awards" program has honored thirty women to date who have achieved excellence as an Aggie student or Former Student, and whose accomplishments have had an impact on future generations of Aggie Women worldwide. Aggie Women who have received this award often go on to achieve Outstanding Alumni recognition from the Association of Former Students and the University.

Over fifty Aggie Women have signed up for another sponsored program entitled "Aggie Experts." This endeavor engages Aggie Women in roles throughout the University by providing leadership and speaking opportunities for dynamic women to give back the University through their vast experience.

At an annual reception, Aggie Women honor those women achieving top student leadership positions, including the Texas A&M Corps of Cadets and Student Government. Throughout each academic year, they also provide monthly programs for students on a variety of topics—chosen by the students themselves.

Mr. Speaker, Aggie Women are working tirelessly to continue the Aggie core values of Excellence, Integrity, Leadership, Loyalty, Respect, and Selfless Service. As an all-volunteer organization, Aggie Women continues to rely on the contributions of time, talent, and treasure of its board, its members and supporters. Together, they are building a legacy of strong women role models for all students—female and male—who come after them.

My wife, Gina, and I, as well as all of the Aggie Network, are proud to honor Aggie Women today. We thank them for their hard work and commitment to making Texas A&M University a better place for current, former, and future Texas Aggie students.

I have requested that a United States flag be flown over our nation's Capitol today to honor the Texas A&M University Women Former Students Network.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who protect us from external threats, and for our first responders who protect us in our communities.

RECOGNIZING THE LIFE OF ALBERTO PATRICIO CARDENAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Alberto Patricio Cardenas of Laredo, Texas, who proudly served the people of Laredo in public and higher education for nearly forty-four years.

Alberto Patricio Cardenas was born on March 17th, 1937 in Laredo, Texas. After graduating from high school at the age of 16, Alberto began his studies at The Agricultural and Mechanical College of Texas where he would successfully graduate in four years with a degree in history and as a member of the Corps of Cadets.

After college, Alberto began a 13-year career with the Laredo Independent School District, where he taught students at Urbahn Elementary, Lamar Middle School, Nixon High School, and Martin High School. He earned his Master of Education degree from Texas A&M University and thereafter was recruited to be a faculty member of Laredo Junior College where he would meet the love of his life, Maria de la Luz.

Mr. Cardenas spent the next 31 years serving as a counselor and eventually Director of the Counseling and Assessment Center at Laredo Community College. He influenced thousands of students by helping them navigate their degree plans, personal challenges, and by teaching multiple courses. He also raised money for scholarships, organized school floats for parades, and counseled student organizations.

Mr. Cardenas lived a long and service filled life. Not only was he an accomplished educator, but a dedicated community leader. He served in the United States Air Force Reserve, on the Board of Directors and as President of the Laredo Boys & Girls Club, as President of the Laredo Chapter of the International Good Neighbor Council, and on the Laredo-Webb County Child Welfare Board. He also was a member of the Equestrian Order of the Holy Sepulcher of Jerusalem for 15 years, achieving the rank of Knight Commander with Star.

Above all, Alberto was a committed husband and father to Maria de la Luz (Lucy) Rodriguez and their three children Cristina Doda, Alberto Jr., and Maradelle Lilliam.

Mr. Speaker, I am honored to have the opportunity to recognize and honor Alberto

Patricio Cardenas for his many years of service to the city of Laredo.

CELEBRATING DR. DALE HEASTON'S DISTINGUISHED SERVICE AWARD

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize Dr. Dale Heaston of Richland, Washington for being awarded the American Optometric Association's 2017 Distinguished Service Award.

This award signifies above-and-beyond service in the field of optometry, which Dr. Heaston exemplifies. Since graduating from the Illinois College of Optometry, Dr. Heaston has been providing quality care to patients in Central Washington and ensuring that the needs of underserved communities are met.

He has advocated on behalf of optometrists at both the state and national levels, working with local and state organizations to educate communities about vision and eye health and to create public awareness of the profession. He has worked with lawmakers across Washington State to promote legislation that supports optometry and currently serves as a Federal Legislative Key person for the American Optometric Association.

Dr. Heaston's dedication and contributions to his profession are admirable and right to be recognized. Please join me in celebrating his accomplishments and congratulating him on this award.

TRIBUTE TO ROBERTA CARPENTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise to recognize and congratulate Roberta Carpenter from Adair County Health System in Greenfield, Iowa. Roberta was awarded the 2017 DAISY Award at a ceremony earlier this spring.

Roberta is always willing to step up and take on additional responsibilities with the management of EMS as well as her duties in the Emergency Department. She has been instrumental in implementing programming to increase patient satisfaction and takes every opportunity to serve her patients well with empathy and great care.

Mr. Speaker, I applaud and congratulate Roberta for receiving this award and for providing excellent patient care in Iowa's 3rd Congressional District. I am proud to represent her and all the members of the Adair County Health System in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Roberta and in wishing her nothing but continued success.

IN MEMORY OF FIRST SERGEANT MARGARET BARKER

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CORREA. Mr. Speaker, I rise today in memory of First Sergeant Margaret Barker, an honored veteran who passed away just last week. Sergeant Barker was a highly-respected service woman and a loved community member, and she would have been 100 years old this August.

Raised in Boston, Massachusetts, Sergeant Barker was the third eldest in a family of nine children. When World War II broke out, Sergeant Barker felt called to serve this nation she loved and enlisted in the Women's Army Auxiliary Corps in 1942.

She was sent out to Angel Island just off the coast of San Francisco and moved on to Fort McDowell, where she served until the War ended as a First Sergeant in charge of one of the first all-female, all-black companies in the Army. In 2015, Mrs. Barker traveled to Washington, D.C. with 19 other World War II veterans to view the national war memorial and be honored, and she was the only woman in the group.

Sergeant Barker was a trailblazer and a maverick, serving with grace and distinction in a time when forces were still segregated and gendered. Her devotion to duty and her Company earned her the nickname "Top" in the Military, a name usually given to Sergeants for their commitment to especially caring leadership. This is just one instance of her selflessness, and how highly she valued those around her. Sergeant Barker was known for her warmth and resilience, which is reflected in the close relationships she shared with her family.

After serving in the Military, Mrs. Barker returned to her home in Boston, where she then married longtime friend, Vernon Barker, who was a fellow service member. Together, they decided to move to California, where they started their family and made their home in our community.

Mr. Speaker, please join me in honoring and remembering Sergeant Margaret Barker, whose strength and steadfastness identifies her as a role model to us all. Her generous and always kind spirit will live on in the hearts and lives of everyone she touched, and I extend my deepest condolences to her children, Gail and Beverly, and the rest of her family. May God bless her soul and her family.

IN MEMORY OF DR. FRANK S. MOORE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. WILSON of South Carolina. Mr. Speaker, today, July 28, 2017, a Celebration of Life was conducted by Dr. Frank S. Moore at New Covenant Presbyterian Church with services by Pastor Drew Kornreich. A resident of Aiken,

South Carolina, for 25 years, Dr. Moore was a dedicated family man, beloved member of the community, and respected nuclear physicist. He will be greatly missed.

The following thoughtful obituary was appropriately published in the Aiken Standard on June 20, 2017:

Frank S. Moore Jr., Ph.D., passed away Monday, July 24, 2017 at his residence at the age of 81. Dr. Moore was born July 25, 1935 in Norfolk, VA to the late Frank S. Moore Sr. and the late Margaret Moore. He received his undergraduate degree from Hampden-Sydney College, his Master's degree from the University of Michigan at Ann Arbor, and his Doctorate from the University of Georgia. He has been a resident of Aiken for the past twenty-five years. Dr. Moore retired as a Nuclear Physicist at the age of 70 from Westinghouse at the Savannah River Site. He was an avid marksman and runner all his life.

In addition to his parents, Dr. Moore was preceded in death by his sister, Mary Mac Moore. He is survived by his beloved wife, Kathleen Moore; two daughters, Elizabeth Corneluis (David) and Martha Ruthven (KT.); two sons, Christopher Moore and Matthew Musolf (Michelle); and four grandchildren, Allison Corneluis; Michael Corneluis, Dylan Crowell, and Jacob Crowell.

Funeral services will be held at 3:00 PM Friday, July 28, 2017 at New Covenant Presbyterian Church with Pastor Drew Kornreich officiating. Interment will follow in Southlawn Cemetery. Pallbearers will be Elmer Wilhite, Don Drinkwater, John Cook, Ken Odell, Jim Harris, and Claude O'Donovan. The family will receive friends beginning one hour prior to the services at the church. In lieu of flowers, memorial contributions may be directed to the Can Hope Foundation, PO Box 3694, Aiken, SC 29802.

CELEBRATING THE 100TH BIRTHDAY OF DR. MARY R. STAUFFER

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize Dr. Mary R. Stauffer on her upcoming 100th birthday, which will be celebrated on August 27, 2017, in Downey, California.

Born in Toledo, Ohio on August 26, 1917, to Amelia and Reverend Henry Schuh, Mary Ruth Schuh was raised in a home of three generations of Lutheran ministers. At age six, she started teaching Sunday school. Her early teaching experience and involvement with the church introduced her to a lifelong interest in education and philanthropy.

Mary loved reading and studying, and in 1935, she was the class valedictorian of Bexley High School, near Columbus, Ohio. With a scholarship, she attended Capital University, a Lutheran College. By working as an unpaid assistant for a pathologist at White Cross Hospital, she gained invaluable experience and a glowing recommendation for medical school. She graduated summa cum laude from Capital University in 1939.

Mary was admitted to Ohio State University Medical School, where she was one of just five women in a class of 75. She graduated

top of her class on April 15, 1943. Concurrent with her MD, she earned her MS in Pathology by applying the first electron microscope in the U.S. to biological research.

On December 18, 1943, she married a co-resident in pathology, Dr. Floyd (Dal) Stauffer, a scholar and an athlete. Dal was commissioned into the Navy on their wedding day and reported to duty in Bremerton, Washington, on January 1, 1944. In Bremerton, Dr. Mary completed her residency, but just when she opened her own practice, Dal was transferred to Pensacola, Florida. In 1953 after Dal completed his service in the Navy, the family moved, and settled in Downey, California.

After briefly working as a physician for the Los Angeles Unified School District, Dr. Mary Stauffer opened her own OB-GYN practice and in 1954 joined the Downey Community Hospital Medical Staff. As her practice grew, she always kept Tuesday and Thursday afternoons open for her five children's activities.

Dr. Mary Stauffer was one of the first obstetricians to offer expecting mothers an educational program. Based on Grantly Dick-Read natural childbirth (before Lamaze), she developed a series of three lectures. The third was held with spouses at her home and included an 8-mm film of her delivering twins. In 1976, after delivering babies for 23 years in Downey, she transitioned into general practice.

In 1972, Dr. Mary was chosen Chief of Staff at Downey Community Hospital. In 1987, with a donation of \$100,000, she was the first physician to qualify as a member of the Founders Gallery of the hospital. She hoped to be the first of many.

Dr. Mary's other honors include the 1983 Ohio State Medical School Alumni Achievement Award, the 1997 Distinguished Service Award from Capital University, and the 2007 Delta Kappa Gamma Chi State Distinguished Public Service Award. She was also named California State "Woman of the Year" in 1998 by California State Senator Betty Karnette and in 2010 by State Senator Hector De La Torre, and was a 2012 Downey High School Hall of Fame Honoree. In 2007, Dr. Mary was one of the founding directors of the Columbia Memorial Space Center. Later she rescued an *Apollo* capsule from unclaimed freight to become the center's welcoming icon. In 2014, the Downey Unified School District renamed West Middle School the Mary R. Stauffer Middle School.

In 1993, her passions for education and philanthropy came together in the Mary R. Stauffer Foundation, a private educational foundation she established to give back to Downey, the community where she had had a successful medical practice. On June 30, 1997, at nearly 80 years old, Dr. Mary retired from her medical practice and became the full-time CEO of her educational foundation. Since starting the foundation almost 25 years ago, she has donated well over \$5 million for innovative educational projects in the Downey Unified School District and scholarships for Downey students. Among the projects that the foundation helped with initial startup funds are Academic Olympics for middle schools; Project Lead the Way; Robotics Clubs; and Character Counts, a city-wide program.

The foundation invites teachers annually to propose grants for creative projects, such as a

Cooking Cart with lessons in math and science. Other projects have become traditions and encourage use of local resources, such as the Autry Museum and the Mission Control Program at the local Space Center.

In the 2016-17 school year, over 800 students received these now-traditional merit awards: Junior 4.0 GPA; Scholar-Athlete for students who have lettered in a sport with a 3.5 GPA (created by Dal, Mary's late husband); and the Stauffer Scholar award to start a college savings plan for 4.0 GPA 6th and 7th graders. In the same year, 90 students received scholarships to attend community college or trade school.

Dr. Mary's favorite saying is "be the best you can be." Her decision that the Mary R. Stauffer Foundation will continue in perpetuity will carry on her legacy of helping to make Downey students the best they can be.

On Sunday, August 27th, the community will celebrate Dr. Mary's birthday at the Columbia Memorial Space Center. A full program will commemorate this momentous occasion with local school projects throughout the facility, special guests, and, of course, a birthday cake. Light refreshments will also be provided by the culinary arts students of the local Downey schools.

Congratulations to Dr. Mary Stauffer and her family: sons Jim and John; daughters Dorothy Knight, Judi Saunders, and Janet Suzuki; granddaughters Dawn Martens, Diane Saunders, Katherine Rieth, Mary Owens, Jessica Stauffer, and Jordan Nichols; and great grandsons Phoenix Rieth and Quillan Owens.

Mr. Speaker, I ask my colleagues to please join me in thanking Dr. Mary R. Stauffer for her many years of enriching the lives of others so they can be the best they can be, and wish her a very Happy 100th Birthday.

FARISHTA RECEIVES PRESTIGIOUS FULBRIGHT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Karim Farishta of Sugar Land, TX, for receiving a Fulbright award to do research in Sri Lanka.

A graduate of George Washington University and a Truman Scholarship recipient, Karim is focused on the core of youth engagement, urbanization and reconciliation. Prior to leaving for Sri Lanka, Karim worked for the White House and was one of the youngest political appointees in the Obama Administration. Each year the Fulbright Program grants students the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable U.S. relationships.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Karim for receiving this Fulbright award. Keep up the great work.

TRIBUTE TO MARY COLLINS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mary Collins of Shenandoah, Iowa on the occasion of her 103rd birthday. Mary was born on July 30, 1914.

Our world has changed a great deal during the course of Mary's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Mary has lived through eighteen United States Presidents and twenty-six Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Mary in the United States Congress and it is my pleasure to wish her a very happy 103rd birthday. I ask that my colleagues in the United States House of Representatives join me in congratulating Mary on reaching this incredible milestone and wishing her even more health and happiness in the years to come.

HONORING DR. WANDA WILSON,
CRNA, MSN, PhD, CEO OF THE
AMERICAN ASSOCIATION OF
NURSE ANESTHETISTS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. SCHAKOWSKY. Mr. Speaker, today I pay tribute to Dr. Wanda Wilson, CRNA, MSN, PhD, of Cincinnati, Ohio. Dr. Wilson will soon complete her tenure as the CEO of the American Association of Nurse Anesthetists (AANA) whose headquarters are located in my district. I am proud that Dr. Wilson has led the AANA as their CEO and Executive Director since 2009, a job she began after serving as President of the AANA in 2007. She has been an extremely effective leader on behalf of her CRNA colleagues.

Certified Registered Nurse Anesthetists (CRNAs) are advanced practice registered nurses who administer approximately 43 million anesthetics to patients each year. CRNAs practice in every setting in which anesthesia is delivered: traditional hospital surgical suites and obstetrical delivery rooms; critical access hospitals; ambulatory surgical centers; the offices of dentists, podiatrists, ophthalmologists, plastic surgeons, and pain management specialists; and U.S. military, Public Health Services, and Department of Veterans Affairs healthcare facilities.

Prior to her time at the AANA, Dr. Wilson enjoyed a career as the nurse anesthesia educational program director and professor of clinical nursing for the University of Cincinnati's College of Nursing, Nurse Anesthesia Major. The highly regarded Cincinnati program in-

cludes a primary clinical site at the University Hospital in Cincinnati, where she maintained her clinical skills while directing the education of 28–32 nurse anesthesia students per year. Dr. Wilson received her doctorate degree in nursing science and physiology and a master's degree in nursing from the University of Cincinnati. She also earned a bachelor's degree in nursing and a bachelor's degree in science from the University of Cincinnati; her nurse anesthesia diploma from Cincinnati General Hospital; and her nursing diploma from Holzer Medical Center in Gallipolis, Ohio.

During her time as CEO of the AANA, Dr. Wilson has been a prominent advocate for patients, practitioners and students of nurse anesthesia before federal agencies and members of Congress. She has worked tirelessly to promote anesthesia patient safety and the value of CRNAs to our healthcare system, recognition of CRNAs as Full Practice Providers in the Veterans Health Administration (VHA), proper implementation of the provider non-discrimination, and appropriate recognition of the full scope of CRNA practice including pain management and related services in Medicare.

I extend my sincere congratulations to Dr. Wilson today on a job well done. Her service to the AANA, her patients, and her students and her commitment to advancing the nurse anesthetist profession as a leader, educator and advocate are unrivaled.

ANTONIO "TONY" VEGA

HON. DON BACON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. BACON. Mr. Speaker, I rise to recognize a leader in the Hispanic, small business community of my congressional district in Omaha, Nebraska. A Nebraska immigrant, Mr. Antonio "Tony" Vega's career of entrepreneurship and mentorship is recognized through his commitment to service and upholding the values of hard work.

Mr. Vega was born and raised in Zapotlán El Grande, a city about 80 miles south of Guadalajara, in Mexico. He was raised by a single mother who considered his education to be her highest priority. She sacrificed greatly for his higher education by immigrating to the United States to earn enough money to pay for Tony's education back in Mexico. Tony also attributes his strong morals, values and work ethic to his grandparents, who influenced him during his childhood. As a result, Tony successfully completed a Bachelor's Degree in Tourism and Travel Management at the Universidad de Guadalajara in 1987.

Following graduation, Tony's first job was with the State of Jalisco tourism agency as the Deputy Delegate, overseeing 16 counties and developing relations with all county dignitaries. He later became the Director of Small Business Development for his hometown of Zapotlán El Grande, where he was the coordinator for the annual festival Feria Zapotlán, which runs during the entire month of October with a variety of cultural activities and national attractions.

In 1994, he immigrated to the United States to reside in San Gabriel, CA. It was there that he met a wholesale leather goods distributor who taught him about Hispanic, small businesses. Mr. Vega worked Monday through Friday at Arambula Hats. During the weekend, he explored ways to develop more efficient shipping routes throughout the Pacific coast from Southern California to Oregon.

Tony came to Omaha, Nebraska in 2000 to work as an administrator at Plaza Latina. Mr. Vega implemented a new management style for retail through an inventive strategy of connecting small businesses in a single retail, one-stop location. His concept was praised by the owners of Plaza Latina, who offered to sell the whole business and building to Mr. Vega along with a 5-year financing deal, requiring no lawyers be involved. This led Mr. Vega to construct an incubator for a Hispanic, small business. Using the small retail spaces and resources at Plaza Latina, new entrepreneurs had an opportunity to succeed within one community and location.

This concept for small business development caught the attention of Dr. Jonathan Benjamin-Alvarado, a faculty member at the University of Nebraska—Omaha, who wanted to know more about Mr. Vega's modern marketing and business approach. Dr. Benjamin-Alvarado brought the University of Nebraska's College of Business' students from all campuses to experience his business concept. This partnership was the initial catalyst that led to the success of the many businesses that Tony helped.

In 2005, the Hispanic business community in South Omaha started to take off and the first major bank moved into the area. First National Bank of Omaha broke ground on a new Spanish-speaking branch, solely focused on Hispanic clients and businesses along the 24th Street corridor. This would eventually become the main financier in South Omaha. The move by the bank was initially received with reluctance by local Latino business. However, due to the quick actions of Mr. Vega, seven core businesses gathered for a meeting at Guacamaya Restaurant on the 2nd of March. Mr. Vega proposed the local Hispanic Business Community integrate with the U.S. Hispanic Chamber of Commerce (USHCC).

On April 7, 2005 by unanimous vote, Mr. Vega's Hispanic Business Group became a member of the USHCC and grew from 7 Hispanic businesses to 28 in their first month. Tony became the first President of the Nebraska Hispanic Chamber of Commerce and held the position for the first 3 years. He paved the way for the current business model of incubating, developing and empowering small business success.

Today, Mr. Vega is the owner of Factor Latino magazine. Published monthly in Spanish, it is catered to the Latino and Hispanic business community leaders in Nebraska. An avid fan of Mexican Lucha Libre (Wrestling) since childhood; he is the founder and President of Midwest Mexican Wrestling. Additionally, he created TV Latina Nebraska to serve the online Latino community. It is a platform that provides coverage on local politics, community support programs and leaders within the Hispanic community in Omaha.

Mr. Vega is happily married to the love of his life, Eliana Ortiz since 1992. He is a father

to three boys: Braulio, Omar and Nicolás, and two girls: Jessica and Grecia. His everyday passions include communications, road trips, Mexican wrestling and hosting gatherings of friends and family. I am proud to recognize all of Mr. Vega's accomplishments and am confident that he will continue to inspire and enhance the Hispanic, small business community in Nebraska.

FULBRIGHT SCHOLARS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to honor four northeast Georgians who recently completed time abroad as part of the Fulbright Scholar Program.

Established in 1946, the Fulbright Program has given more than 370,000 American students the opportunity to step out of their comfort zones in order to live and study in a different country. The travels that these young Americans have embarked on each year highlight our nation's commitment to expanding our knowledge and building relationships.

I would like to recognize the following four Fulbright recipients: Franziska Brunner, Kimberly Buice, Isaac Hopkins, and Dr. Mihai Spariosu. This past year, these four scholars lived in Austria, Laos, Canada, and Romania, respectively, studying topics ranging from literature to music.

These students teach us that instead of fearing the unknown, we should commit ourselves to seeking it out. As Fulbright Scholars, these individuals returned with a newfound appreciation for different cultures and new ideas about how we can cultivate strong ties with others all across the globe.

It is an honor to represent these bright, young scholars.

RECOGNIZING THE CENTENNIAL BIRTHDAY OF HELEN S. LIU

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mrs. TORRES. Mr. Speaker, I rise today to honor a long-time resident of my district, Mrs. Helen Liu, as she celebrates her 100th birthday surrounded by family and friends.

Mrs. Liu spends her days embodying the qualities of kindness, generosity, and selflessness, all of which have been gained after many years spent as a mother and a woman of faith. She was born August 19, 1917 in a small village outside the city of Tangshan, China. The youngest of six children—three older brothers and two older sisters—Helen found a passion in pursuing higher education in an environment that discouraged it.

After completing her exams at Shen Hung Girl's High School, Helen was accepted to two prestigious universities: Yanjing University in Beijing and Nankai University in Tianjin. In order to remain close to her family, Helen at-

tended school in Tianjin. It was here where she later met and married her husband, Yung Kwei Lui, on April 7, 1941.

Helen and her husband raised a beautiful family of four, two sons and two daughter, one of which she currently spends her days with in the City of Montclair. In her spare time, Helen teaches bible study and the lessons she has learned throughout her long, but fulfilling life. Many of these lessons are well documented in her autobiography.

When asked her opinion of such a monumental celebration, Helen said she finds it difficult to believe that she has lived to see 100 years. She only hopes to see many more.

For her endless dedication to her family and her community, and for being an example of love and kindness, I would like to recognize Mrs. Helen Liu, proud American citizen, and wish her a very Happy Birthday.

REMEMBERING THE LIFE OF DESIREE LANGSTON CARN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to remember the life of Mrs. Desiree Langston Carn, a revered member of our Toledo community. Mrs. Carn passed from this life on June 26, 2017 surrounded by her family.

Desiree Langston Carn graduated from Jesup W. Scott High School in 1973 and earned her Bachelor's Degree from the Ohio State University and a Master's Degree from Bowling Green State University in guidance and counseling.

She served the Toledo community and touched the lives of countless students as a Counselor, retiring after 34 years from the Toledo Board of Education. Her compassion, her smile, and her words of wisdom guided many young people on paths forward.

Desiree had a beautiful voice which she used in worship at Jerusalem Missionary Baptist Church in Toledo. So special was her gift, that a citywide musical celebration was held at the church as part of her homegoing.

Desiree leaves to cherish her memory her husband, Ernest Carn, Jr., her sons Jamal and Jasyn, her five grandchildren, her mother, Elzena Langston, her brother Calvin Thompson, her sister Antoinette Langston, and many loving relatives. We offer them our prayers and hope that they find comfort in the wonderful memories of what Desiree had meant to each of the people who shared in her life.

Psalm 59: 16-17 sings, "But as for me, I shall sing of Your strength; Yes, I shall joyfully sing of Your loving kindness in the morning, For You have been my stronghold and a refuge in the day of my distress. O my strength, I will sing praises to You; For God is my stronghold, the God who shows me loving kindness." Desiree Langston Carn shared this message through her angelic voice. Now she joins the Angels in song.

Desiree led a full life and gave so much to all those who knew her. Her legacy grows in the wisdom she shared and the hope she inspired in the young people she counseled. Her voice still shines as it is carried forth.

RECOGNIZING THE LIFE OF JUDGE BEN MORALES

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Judge Alvin James "Ben" Morales, who proudly served the people of Laredo for more than 20 years.

Judge Ben Morales was born in 1950 in Taylor, Texas. He graduated from Taylor High School and joined the United States Army during the Vietnam War. After he was honorably discharged, Judge Morales completed his studies at Southwest Texas State University with a bachelor's degree in political science and history.

After college, Judge Morales married Liz Gamez. They then moved to Houston where he pursued a degree at Thurgood Marshall School of Law, graduating in 1979. After passing the bar exam Judge Morales moved his family to Laredo, where he started a career as an attorney before serving as a judge, a position he held for over twenty years.

Judge Morales was a widely respected and admired judge and individual. Among his many achievements, he launched Webb County's first-ever juvenile drug court program in 2013. He also served as a member of the American Judge's Association, as a Chairman of the Webb County Bail Bond Board, and as an Assistant Webb County Attorney. In 2014, Judge Morales retired, and he and his wife moved to Pflugerville to be closer to their daughters, friends, and extended family.

Judge Morales is survived by his loving wife Liz Morales and two daughters Marisa Morales and Raquel Leal.

Mr. Speaker, I am honored to have the opportunity to recognize and honor Judge Morales for his years of service to the city of Laredo.

TRIBUTE TO LOIS HOCKABOUT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lois Hockabout of Tabor, Iowa on the occasion of her 100th birthday. Lois was born on August 9, 1917.

Our world has changed a great deal during the course of Lois' life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones, and the Internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Lois has lived through eighteen United States Presidents and twenty-five Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Lois in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I ask that my colleagues in the United

States House of Representatives join me in congratulating Lois on reaching this incredible milestone and wishing her even more health and happiness in the years to come.

**HONORING CYNTHIA K. DOHNER
FOR 24 YEARS OF SERVICE AT
THE U.S. FISH AND WILDLIFE
SERVICE**

HON. GARRET GRAVES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. GRAVES of Louisiana. Mr. Speaker, I rise today to recognize the public service career of Cynthia K. Dohner. Cindy served the U.S. Fish and Wildlife Service with distinction and honor for more than 24 years and will leave the Service on August 30, 2017.

Cindy's love of the outdoors began while fishing Pennsylvania's Susquehanna River with her father and tagging along on his deer hunting trips. It was at this point in her life that she knew that she wanted to make a positive difference. Those experiences set her on a course that led to a bachelor's degree in marine biology, a master's degree in fisheries and aquaculture, and a long career protecting fish and wildlife and the untamed places upon which they depend.

Cindy made conservation her career. She has worked for a private environmental consulting firm and held positions in several state and federal agencies before joining the U.S. Fish and Wildlife Service in 1993. Prior to her time in the Southeast Region, Cindy worked with the Service's Division of Fish Hatcheries and as the Branch Chief for Recovery and Consultation in Washington, D.C. She came to Atlanta in 1999 to serve as the Assistant Regional Director for Ecological Services and later served as Deputy Regional Director.

For the last seven years, Cindy has led the Southeast Region in a daily mission to make a difference for fish, wildlife, plants and the people who live and work in communities across the region. As Regional Director, she provided vision and leadership for more than 1,300 employees in 10 southeastern states, Puerto Rico, and the U.S. Virgin Islands, and has continuously worked toward producing successful management solutions that have positively influenced our national conservation efforts. On any given day, you are just as likely to find her working with employees and partners on issues as big as the restoration of Louisiana's coast and as small but no less consequential as the partnership work and proactive conservation that led to removing the Georgia aster from the list of candidate species under the Endangered Species Act.

I witnessed Cindy's dedication to protecting and conserving America's natural resources firsthand while working together with her to restore Louisiana's coast and the Gulf of Mexico following the Deepwater Horizon oil spill. At the time of the spill in 2010, she led an extraordinary effort to respond to this unprecedented event that deployed thousands of employees to stations in four Gulf Coast states over the first year. Additionally, she was instrumental in securing funds to rebuild Breton

Island—an area that has provided protection for our bird habitat as well as fishing habitat for Louisiana's saltwater anglers. Whether the need was simple or more complicated, she worked tirelessly to solve a host of environmental and economic needs. While serving as the Department of the Interior's Authorized Official for the Deepwater Horizon Natural Resource Damage Assessment and Restoration, Cindy was a committed partner to the State of Louisiana and the other Gulf states in working collaboratively to help us get on the right path to repairing our ecosystem, and restoring the Gulf's abundant natural resources and the economy its people depend upon.

She is recognized throughout the Southeast as an honest partner and innovative conservation leader. Under her leadership, the region has joined forces with states, private landowners, other federal agencies, the Department of Defense, and several sectors of industry and business including energy, timber, and finance among others to find creative ways to conserve fish and wildlife resources. This collaboration has resulted in notable conservation successes including removing the Louisiana black bear from the endangered species list, upgrading the status of the West Indian manatee and wood stork and precluding the need to list more than 100 fish, wildlife, and plants petitioned for federal protection in the past seven years. She worked closely with many partners to restore more than one million acres of bottomland hardwood habitat in the South and reverse the decline of longleaf pine forests so critical for migratory birds and wildlife in decline. Her recognition of the little things to build lasting relationships that so often have big implications and make conservation success possible on larger scales is something I will miss. I commend Cindy for her desire to make a lasting difference and hope the Service will continue to build on her outstanding conservation legacy.

I speak for myself and I think for many policymakers, business leaders, and lovers of the outdoors when I say Cindy Dohner and her passion for wildlife will be missed. I appreciate the many years of public service she has to the Southeast Region and people that call Louisiana home and make it a Sportsmen's Paradise. I ask that my colleagues join me in expressing our deepest appreciation and gratitude for her public service and wishing Cindy success and happiness in her future endeavors.

**IN RECOGNITION OF JOHN
KELMENDI FOR HIS WORK WITH
THE METRO DETROIT COMMUNITY**

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mr. John Kelmendi for his career as an educator and involvement in the southeast Michigan community. Mr. Kelmendi has been a dedicated advocate for students during his career with the Detroit Public Schools and involvement with local community groups.

Mr. Kelmendi, a native of Albania, began his career with Detroit Public Schools in 1993 and established a reputation as a dedicated teacher invested in the success of his students. Mr. Kelmendi initially taught social studies to students at Pershing High School and became curriculum leader of the school's social studies department in 2003. In this role, Mr. Kelmendi helped coordinate the staff and manage the instructional material in the social studies department. He also served as an instructional specialist, where he helped observe and evaluate other educators in addition to teaching students. Mr. Kelmendi's work with the students at Pershing resulted in significant improvements in academic achievement, including a strong upward trend in social studies test scores relative to other DPS students.

Mr. Kelmendi's time as an educator and community activist was critical to improving student achievement and establishing a culture of excellence within the social studies department at Pershing High School. As a result of his actions, Mr. Kelmendi received a lifetime achievement award from Detroit Public Schools and was well-known for his passion for teaching. Additionally, he was active in the Metro Detroit Community, having served as a member of Detroit's School-Community Relations Committee, which helped establish and improve collaboration between the DPS academic community and residents of Detroit. Mr. Kelmendi went above and beyond what was expected in the classroom and the community, and his efforts are worthy of commendation.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. John Kelmendi for his work as an educator and in the Metro Detroit community. Mr. Kelmendi's actions have impacted countless lives.

**TRIBUTE TO BOY SCOUTS OF
AMERICA TROOP 533**

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. ROKITA. Mr. Speaker, I rise today to honor an important Hoosier institution, the Boy Scouts of America Troop 533 from Munster, Indiana, which is celebrating its ninetieth anniversary this year.

Boy Scout Troop 533 was organized in 1927 by Mr. Maury Kraay, an eighth grader attending Munster Public Schools. He gathered classmates, local boys, and a retired school principal to form Munster's Boy Scout Troop. Troop 533 was present on June 14, 1927 when President Calvin Coolidge dedicated Wicker Park in Highland, Indiana. The Troop was also heavily involved in the World War II effort by organizing parades and rallies for war bonds, planting and maintaining gardens for local consumption, practicing blackout drills, carrying warden messages and reports to sector headquarters, and participating in wartime recycling programs.

More recently, Troop 533 organized Cub Scout Packs in Munster elementary schools in the 1960s. In 1982, the Troop presented the colors during the dedication of the first Munster Town Council meeting in the town's newly

constructed municipal complex, and began leading the Independence Park Fourth of July Parade a year later—an honor it still holds today. During the Little Calumet River flooding in 2008, Troop 533 assisted with filling sandbags to protect public and private property and later helped with yard clean-up, raking, moving dirt, and re-graveling driveways after the flood waters subsided.

Troop 533 has positively influenced countless Munster families by leading many boys to success, including producing over 100 Eagle Scouts. The scouts and their adult leaders have long served the community in which they live and love. They have lived by the Boy Scout Oath and Motto, and my hometown of Munster is better for having Troop 533 a part of the community.

Mr. Speaker, as a proud father of a young Cub Scout, I am honored to congratulate Munster Boy Scout Troop 533, on its ninetieth anniversary and look forward to their continued service to fellow Hoosiers and our nation.

IKWUEZUNMA RECIEVES PRESTIGIOUS FULLBRIGHT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Ijezie Ikwuezunma of Richmond, TX, for receiving a Fulbright award to do research in the UK.

Ijezie, a student at Washington and Lee University, was awarded a Fulbright grant for his project, "Cardiovascular Pharmacogenomics and Pharmacokinetics of Warfarin (an oral anti-coagulant)." His research will be based around cardiovascular agents and their pharmacology, with a particular focus on the drug warfarin. While completing his Fulbright, Ijezie will also be pursuing his Masters of Research in biomedical sciences and transnational medicine at the University of Liverpool. Each year the Fulbright Program grants students the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable US relationships.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Ijezie for receiving this Fulbright award. Keep up the great work.

RECOGNIZING MIKE MILLER, NEW U.S. WHEAT ASSOCIATES CHAIRMAN

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize a constituent from my district, Mike Miller, of Ritzville, Washington, who was recently selected as the new Chairman of the U.S. Wheat Associates.

Mike is a fourth-generation farmer and a family man who has served on many local, state and national boards. He currently serves as the Chairman of the Washington Grain Commission and has been representing Washington as a U.S. Wheat Associates Director for six years.

He has been very active in supporting wheat research and development, and I know he will be an excellent leader for the U.S. Wheat Associates, as they continue to promote the quality and value of all six U.S. wheat classes to international markets.

Please join me in congratulating Mike on his new position.

OPPOSING PROPOSED LEGISLATION THAT THREATENS THE BOUNDARY WATERS CANOE AREA WILDERNESS

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. MCCOLLUM. Mr. Speaker, I include in the RECORD my letter to the Chairman and Ranking Member of the Energy and Mineral Resources Subcommittee of the House Natural Resources Committee. The letter expresses my strong opposition to a discussion draft the Committee held a hearing on this week, proposed by Representative TOM EMMER, that would undercut existing environmental and public lands laws to allow a Chilean mining conglomerate to conduct dangerous sulfide-ore coppering mining adjacent to the Boundary Waters Canoe Area Wilderness.

HOUSE OF REPRESENTATIVES,

Washington, DC, July 27, 2017.

Hon. PAUL GOSAR,

Chairman, Subcommittee on Energy and Minerals, House Committee on Natural Resources, Washington, DC.

Hon. ALAN LOWENTHAL,

Ranking Member, Subcommittee on Energy and Minerals, House Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN GOSAR AND RANKING MEMBER LOWENTHAL: I write to express my strong opposition to the discussion draft proposed by Representative Tom Emmer considered today, July 27, in the Energy and Mineral Resources Subcommittee of the House Natural Resources Committee. This proposed legislation would undercut existing environmental and public lands laws to allow a Chilean mining conglomerate to conduct dangerous sulfide-ore coppering mining adjacent to the Boundary Waters Canoe Area Wilderness.

Located in northeastern Minnesota along the United States' border with Canada, the Boundary Waters Canoe Area Wilderness (BWCAW) comprises approximately 1.1 million acres of unspoiled woodlands and more than 1,000 pristine lakes. It is home to iconic species such as loons, moose, and lynx, while the waters support thriving populations of walleye, bass, and trout.

Congress recognized the value of this unique national treasure when it passed the Boundary Waters Canoe Area Wilderness Act in 1978. This critical legislation established necessary protections for the BWCAW, prohibiting logging and mining and placing lim-

its on the use of motorized vehicles to preserve the unspoiled nature of this special area.

That law strengthened the federal role as caretaker of this area of unparalleled natural beauty, and in doing so built upon more than a century of actions by federal and state governments. In 1909, President Theodore Roosevelt created the Superior National Forest to protect the surrounding area. In 1964, President Lyndon Johnson signed the Wilderness Act into law, and set aside one million acres of the Boundary Waters as a wilderness area. In 1976, the state of Minnesota banned mining on state lands within the Boundary Waters.

These policies have ensured that Minnesota's Boundary Waters are one of the few remaining wild places in the United States.

The BWCAW does not exist in isolation, however. It is a critical part of a vast, interconnected watershed that flows through the Superior National Forest and into Voyageurs National Park and Canada's Quetico Provincial Park. While the Boundary Waters Canoe Area Wilderness Act of 1978 prohibited mining within the Boundary Waters itself, it did not address existing mineral leases located within the parts of the watershed in the Superior National Forest.

In 2011, Chilean mining conglomerate Antofagasta announced plans for its Twin Metals sulfide-ore copper mine on federal land within this watershed. Antofagasta planned to pursue this mining under mineral leases issued in 1966, before the enactment of modern environmental legislation such as the National Environmental Policy Act and the Clean Water Act. However, those leases expired in 2014, requiring Antofagasta to apply for a renewal.

Under the terms of the leases, the Bureau of Land Management (BLM) reviewed and denied those renewals in December 2016, based on a denial of consent from the United States Forest Service (USFS). The USFS determined that copper-sulfide ore mining on these leases would pose an unacceptable risk that "might cause serious and Irreplaceable harm to this unique, iconic, and irreplaceable wilderness area."

Sulfide-ore mining is the most toxic industry in America, polluting waterways with acid drainage that contains arsenic, mercury and lead.

Researchers that surveyed sulfide-ore copper mines in North America found that every mine had leached pollution into surrounding water, with 92 percent failing to contain mine seepage and seriously affecting water quality. Underscoring the danger of sulfide-ore copper mining, the failure of the Mount Polley copper mine in British Columbia in August 2014 released a toxic slurry of 10 billion liters of wastewater and 5 billion liters of solid tailings. This immense pollution destroyed the surrounding landscape and permanently damaged an irreplaceable salmon spawning area.

Simply put, sulfide-ore copper mining is not suited in the vast, interconnected watershed that contains the BWCA, which is exactly why the BLM and USFS determined that the sustainable management of the forests, lakes and streams in this area was best served by not renewing Antofagasta's leases.

This decision was also supported with action taken by the state government. In March 2016, Minnesota Governor Mark Dayton directed the Minnesota Department of Natural Resources "not to authorize or enter into any new state access agreements or lease agreements for mining operations" on state lands in close proximity to the BWCAW.

Following the denial of the leases, the USFS submitted an application to the Secretary of the Interior to withdraw portions of the watershed that flows into the BWCAW from future mineral permits and leases, to remove the threat of sulfide-ore mining throughout this sensitive landscape. Today, the USFS and the BLM are conducting a thorough environmental analysis to determine whether the lands should be withdrawn from mineral leasing for a period of 20 years. In addition to relying on sound science, this review includes input from the public and key stakeholders. In just the past two weeks, more than 1,500 people have attended public meetings held by the USFS in Virginia, Minnesota and St. Paul, Minnesota.

This environmental review and public input process is the best path forward, as Secretary of Agriculture Sonny Perdue affirmed to me during a hearing of the House Interior-Environment Appropriations Subcommittee on May 27, 2017. In response to a question about the study, Secretary Perdue responded: "We are determined to proceed in that effort and let it run its course. No decision will be made prior to the conclusion of that."

Unfortunately, the discussion draft presented by Representative Emmer entirely short-circuits this careful and deliberate review process, recklessly overturns the science-based denial of consent decision from the USFS, and attacks existing environmental and public lands laws—all for the benefit of a foreign conglomerate's mining project.

I have several serious concerns about the far-reaching impacts of the discussion draft presented by Representative Emmer:

It automatically grants Antofagasta two federal mineral leases on Superior National Forest lands, ignoring the strong federal and state opposition to sulfide-ore mining in this area. One federal mineral lease is immediately adjacent to the BWCAW and the second is within three miles of the BWCAW boundary. Peer-reviewed science documents that acid mine drainage from sulfide-ore copper mines on these leases would flow through the Boundary Waters, Voyageurs National Park, and Canada's Quetico Provincial Park. Attached to this letter is a map that illustrates the extent of the pollution risk to this interconnected watershed.

It voids the Forest Service Record of Decision in which the USFS denied to consent to the renewal of Antofagasta's federal mineral leases based on the risk of harm to the Boundary Waters if the leases were granted. The Forest Service's decision on the lease renewals was made by professional career USFS staff after a 3-year review, with extensive opportunity for public comment. The decision cites sound scientific evidence of harm to the BWCAW and considerable public opposition to the projects. The discussion draft ignores these facts entirely and recklessly overturns the well-considered decision of the Forest Service.

It undermines established laws governing mineral leasing in the Superior National Forest, bypasses the National Environmental Policy Act, and interferes with an ongoing Environmental Impact Statement (EIS). This proposal would amend the 1976 Federal Land Policy and Management Act and override the law that gives USFS the right to consent to mining in the Superior National Forest—making substantive changes to these carefully established laws. By retroactively reinstating the Twin Metals leases, the bill would also waive the requirement that federal mineral leases in the wa-

tershed go through a NEPA analysis. Furthermore, by reinstating these leases and requiring Congressional approval for the withdrawal of future leasing, this bill would shove aside the scientific analysis and public input process of the current EIS. All of this interference in the established legal process governing federal mineral leasing will primarily serve to benefit a foreign mining conglomerate.

It fundamentally alters the 1906 Antiquities Act by mandating Congressional approval for national monuments in the Superior and Chippewa National Forests. This is a virtually unprecedented attack on the Antiquities Act. This bill chips away at fundamental conservation principles in the United States by establishing a carve-out from one of our nation's essential public lands laws.

These concerns have been echoed by leaders at some of the United States' foremost organizations advocating for the protection of our environment and the conservation of our public lands. I have attached statements from them to this letter.

If this legislation were allowed to move forward with these troubling provisions intact, it would not only undercut existing environmental and public lands laws. It would also undermine the environmental and economic health of northern Minnesota.

Drawn by the pristine landscape, the BWCAW today attracts more than 250,000 visitors each year who take advantage of unparalleled opportunities to canoe, fish, and explore this area.

These visitors have been a boon to a thriving outdoor recreation economy in the area. According to the Iron Range Resources & Rehabilitation Board, tourism in Northeastern Minnesota supports 18,000 jobs and brings \$850 million in sales annually to the region. These jobs are dependent on a healthy watershed, and Representative Emmer's plan to reinstate leases for copper-sulfide ore mining would put these jobs and the growing economy they support at risk.

As the previous administration explained when issuing their denial of the Twin Metals leases: "It is well established that acid mine drainage is a significant environmental risk at sulfide ore mine sites like the one proposed for these leased lands and in a water-based ecosystem like the Boundary Waters because contaminated water could have dramatic impacts to aquatic life, sport fisheries, and recreation-based uses and communities."

As Members of Congress, we have an obligation to be good stewards of our nation's natural resources. It would be a grave mistake to allow dangerous mining to take place on the edge of the Boundary Waters, one of the last wild places in our country.

I urge you to oppose the discussion draft presented by Representative Emmer.

Sincerely,

BETTY MCCOLLUM,
Member of Congress.

Enclosures.

STATEMENTS OPPOSING THE DISCUSSION DRAFT FROM LEADING ENVIRONMENTAL AND PUBLIC LANDS ORGANIZATIONS

Lena Moffitt, Director of Our Wild American Program, Sierra Club:

The waters of Lake Superior and the Boundary Waters are a precious national resource, depended on and enjoyed by millions of Americans. Sadly, members of Congress are clearly prioritizing the interests of multinational mining companies over the needs of both local communities and the American public. We strongly oppose these attacks on our public lands and waters, and call on Congressional leaders to do the same.

Jamie Williams, President, The Wilderness Society:

The Emmer mining bill is yet another dangerous attack on our public lands. Anti-conservation interests are determined to let Congress sell or lease to private profiteers our nation's natural treasures that are owned by all Americans. In addition to opening the door to sulfide-ore mining in the priceless Boundary Waters watershed, the bill undermines bedrock conservation laws including the Antiquities Act, used by Republican and Democratic presidents alike to protect places of historic or natural significance. The Boundary Waters is one of the original places protected by the 1964 Wilderness Act, is America's most visited wilderness area, and its waters must be protected from industrial mining.

Alex Taurel, Deputy Legislative Director, League of Conservation Voters:

This radical legislation would harm Minnesota's outdoor recreation economy by allowing a foreign mining company to build a risky mine that threatens the health of America's most visited wilderness area in the spectacular Boundary Waters. We urge members of Congress to oppose this harmful bill that greenlights a decision on the project based on politics and shamefully cuts out the voices of Minnesotans and people across the country that have engaged in a lengthy public process.

TRIBUTE TO JEAN AND WENDELL VOLKENS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jean and Wendell Volkens of Council Bluffs, Iowa on the very special occasion of their 60th wedding anniversary. They were married on June 16, 1957 at Zion Lutheran Church in Auburn, Iowa.

Jean and Wendell's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together, and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING IMPD DEPUTY CHIEF JIM WATERS

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CARSON of Indiana. Mr. Speaker, I rise with a profound sense of sadness, as I grieve with the City of Indianapolis and the entire law enforcement community, over the loss of a true public servant. Today, we remember Indianapolis Metropolitan Police Department Deputy Chief Jim Waters, who dedicated his life to serving others.

Deputy Chief Waters served our city for nearly 30 years, in a variety of roles in city government and on the Indianapolis Metropolitan Police Department. In all his roles, Deputy Chief Waters was known as a bridge builder and someone who worked alongside community members to improve and protect our city.

Deputy Chief Waters was a decorated police officer who came from a long line of public servants. He rose through the ranks of IMPD, serving as District Commander of the East District, Assistant Chief, as well as Deputy Chief. His service did not go unnoticed; he was awarded the Medal of Bravery and Mayor's Community Service Award for his commitment to protecting Hoosiers.

Today, I ask my colleagues to join me in extending our thoughts and prayers to Deputy Chief Waters' wife, Sherry, his children and his entire family. Deputy Chief Waters left a lasting legacy on the Indianapolis community and I am grateful for his years of dedicated service to our city.

CELEBRATING THE CENTENNIAL
OF THE POKE-O-MOONSHINE
FIRE TOWER

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 100th Anniversary of the Poke-O-Moonshine fire tower.

Sitting atop Poke-O-Moonshine Mountain since 1917, the historic fire tower has played an important role in protecting the Adirondack's environment and wildlife by allowing lookouts to detect and report early signs of wildfires. Although it was decommissioned by New York State in 1988, the fire tower has been fully restored and continues to offer hikers incredible views of the Adirondack Mountains, Lake Champlain, and Vermont.

In honor of the fire tower's centennial, the Friends of Poke-O-Moonshine is hosting several celebratory events including hikes up the mountain, a silent art auction, and live performances. The organization, which was largely responsible for the restoration of the fire tower, is dedicated to preserving Poke-O-Moonshine and to educating the public about the mountain and its surrounding areas. Their efforts have expanded public access to this special place and increased awareness of our region's rich environmental history.

On behalf of New York's 21st District, I want to join in celebrating the 100th Anniversary of the Poke-O-Moonshine fire tower. It is an important piece of the Adirondack Park and a symbol of the North Country's long tradition of outdoor engagement.

HONORING THE LIFE AND SERVICE
OF IRV HOLLAND

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the life and service of Mr. Irvin Holland.

Irv Holland was a brave and courageous man who served our country in a multitude of ways and will forever be remembered as a member of one of the great generations.

Mr. Holland was born in 1917, eldest child to first generation immigrants. He grew up in New York where he graduated high school and attended night school but never graduated with a college degree. In 1943, he joined the United States Army Air Corps, and became an Army Air Corps navigator, eventually reaching the rank of Second Lieutenant. In the midst of World War II, and on his maiden mission, the navigational instruments on his B-17 failed. In the dark and over the ocean Mr. Holland led three B-17 airplanes to the Ashen Islands where they landed safely. After taking off from the Ashen Islands they continued to the European Theater and in June 1943 he and several other crew members were shot down over Germany. Irv bailed out and was taken as a prisoner of war. He was a prisoner of war from June 13, 1943 to May 22, 1945, and endured difficult conditions in camp Stalag Luft 3—Sagan-Silesia, Bavaria, eventually moving to Nuremberg, Germany. Mr. Holland was liberated by the Americans at the end of the war.

After his release in 1945 from Prisoner of War Camp, he returned to the U.S. and shortly afterwards traveled to the west coast to begin a new chapter in his life. In 1947, he met and married Barbara Donner Schwartz and soon became the father of three.

"Irv" and Barbara moved to Fresno in 1952 from the Bay Area and Irv established the Irwin Holland Advertising Agency. He was a community minded individual with involvements in the civil rights movement, community education and the Jewish community, but politics was his real love and passion. Irwin Holland was a political animal and felt a commitment to participate and improve his community. With that in mind, he ran for several political offices in the San Joaquin Valley as well as becoming the advance man for every National Democratic Candidate who traveled the Central Valley from the mid '50's to the end of the 1970's, including John F. Kennedy (before his presidency), Sen. Robert F. Kennedy, Rose Kennedy, Pierre Salinger, Hubert Humphrey, and others.

All during this time he was active in the Fresno Democratic Central Committee. From 1962 to 1970 he served as Administrative Assistant for former California State Assemblyman and Senator George Zenovich and in 1974 Irv was named District Director for former U.S. Congressman John Krebs, serving at his pleasure for the two terms that Mr. Krebs was in office.

In 1979, following a dream, Irwin and Barbara moved to Jerusalem, Israel. Once they became established in Israel, Irv worked as a freelance writer, writing articles about his experiences in Israel for the McClatchy Newspapers. While adapting to a new country and language Irv continued his community involvement and was involved with the Americans and Canadians in Israel, Democrats Abroad, and the San Francisco Jewish Federation's Office in Jerusalem for several years.

After fully retiring he began his "personal campaign" to provide "behind the scenes" insights about politics in the region to his friends and family at home. He forever felt that con-

nection between the place of his birth and his new home.

Mr. Speaker, it is with great respect that I ask my colleagues in the U.S. House of Representatives to recognize a mentor and a friend, Irv Holland. A gentleman, who felt the obligation to serve both his community and country of birth as well as his new-found home. He is survived by his wife of 69 years, Barbara, who still lives in Israel and their three children: Francine, Amy, and Robbie, their five grandchildren: David, Sarah, Rachel, Hannah, and Naomi, and their four great-grandchildren: Ami, Ophir, Arbel, and Ella.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, on Thursday, July 27, on Roll Call vote 414, I did not vote. Had I been present, it was my intention to vote NO.

CONGRATULATING THE SERGEANT
ANDREW BRUCHER VETERANS
OF FOREIGN WARS POST 5499

HON. JOHN J. FASO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. FASO. Mr. Speaker, today I rise to congratulate Sgt. Andrew Brucher Veterans of Foreign Wars Post 5499, located in Kauneonga Lake, New York, which will celebrate its 50th anniversary on August 5, 2017.

At its anniversary dinner, the Post will honor two very special people: Mrs. Mabel Brucher, a Gold Star Mother, and Mr. Raymond Jankowski, a veteran of the Second World War and founding Charter Member of Post 5499.

Post 5499 is named for Sgt. Andrew Carl Brucher, son of Leo and Mabel Brucher of Smallwood, New York. Sgt. Brucher was inducted into the Army on November 8, 1965, arrived in Vietnam on January 6, 1967, and died on April 4, 1967, in Da Nang, Vietnam. Having served honorably, Sgt. Brucher was awarded the Purple Heart, National Defense Medal, Vietnam Service Medal with a Bronze Star, and the Republic of Vietnam Campaign Medal.

Honoring those who serve our nation should be a top priority for all Americans, and the VFW is an essential organization that fosters camaraderie among American veterans and advocates on their behalf. Congratulations to Post 5499 on this milestone anniversary.

IN RECOGNITION OF NAVY YEOMAN
3RD CLASS EDMUND RYAN

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. NEAL. Mr. Speaker, Navy Yeoman 3rd Class Edmund Ryan of Wilbraham, Massachusetts was killed when the Japanese sank the USS *Oklahoma* during the attack on Pearl Harbor in 1941. For 75 years, Yeoman Ryan was one of the nearly 400 sailors from that vessel whose identities were deemed "non-recoverable." But thanks to the advancements in DNA testing and the efforts by the Defense POW/MIA Accounting Agency, Yeoman Ryan's remains have been finally identified. This was possible by matching the mitochondrial DNA to family members of the deceased. This achievement gives hope to the family members of the 26,000 servicemembers from World War II that possibly they too can be identified.

Next week, Yeoman Ryan will be interred in his final resting place at Arlington National Cemetery. On behalf of the First District of Massachusetts and the United States, we are eternally grateful for his service and sacrifice to his nation. And on this solemn occasion, I want to extend my best wishes to his family.

RECOGNIZING NORTHEAST
GEORGIA'S STEM STUDENTS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to honor seventeen of northeast Georgia's brightest high school students. The National Academy of Future Scientists and Technologists and the National Academy of Future Physicians and Medical Scientists selected these young scholars to represent the state of Georgia at their respective national conventions held in late June.

Despite the fact that these students hailed from different parts of the district, they share a common interest in science and medical-related fields. Representing our state as delegates gave them a chance to discuss their interests and ideas—whether they involved becoming our nation's next leading scientist or becoming the brain power behind the next iPhone.

Mr. Speaker, I would like to recognize the following outstanding young people: Omeka Bhatia, John Bradley, Justin Mayo, Tyrese McIntosh, Andrew O'Brian, Thinh Pham-Hoang, David Tran, and Ana Woodsides for attending the Congress of Future Science and Technology Leaders. Additionally, Briana Bishop, Keah Gruduah, Andres Meza, Garrett Raxter, Angela Rivera, Lorenza Rojas-Gonzalez, Helen Viec, and Amber York have made northeast Georgia proud by attending the Congress of Future Medical Leaders.

These talented students are carving out a future for STEM fields and will help lead the next generation of innovation in our country. I

am honored to represent them in Congress, and I wish them the best as they run after their dreams.

CELEBRATING TONY ZAPATA

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to pay tribute to Tony Zapata, who recently concluded his service as Commander of Veterans of Foreign Wars (VFW) Post 4696 in East Los Angeles. As a representative of East LA in Congress, I have had the honor of getting to know Tony over the years, especially in his capacity as the organizer of the annual Memorial Day and Veterans Day events at the Cinco Puntos intersection.

Tony, a Vietnam veteran, comes from a family with deep military roots. His grandfather served in World War I, his father and two brothers served in WWII, two of his uncles served in Korea, and his son went to Kuwait. It should come as no surprise, then, that Tony has shown an unstinting dedication to those who serve and have served in our nation's armed forces.

Tony was born in Del Rio, Texas, and graduated from high school in 1963. In January 1965, he enlisted in the U.S. Navy. After boot camp in San Diego, California, in April 1965, he went aboard the U.S.S. Evans (DE-1023) in Bremerton, Washington, as a Machinist's Mate Fireman Apprentice. In August 1967, he was assigned to North Island Naval Air Station in Coronado, California, as an Airman Aviation Ordnance man. He was trained in Search and Rescue operations on NHU1 Helicopters, also known as Hueys.

In November 1967, Tony was sent to Okinawa, where he joined a Search and Rescue Unit with the 3rd Marine Division Temporary Attached Duty (TAD). From Okinawa, he went to Cubi Point in the Philippine Islands. At Cubi Point, he qualified with an M-60 Machine Gun (mounted). In January 1968, he went on to Da Nang, South Vietnam. After one year in Vietnam, he returned to North Island Naval Air Station, where he was Honorably Discharged in February 1969. He was awarded the National Defense Medal, Vietnam Service Medal, Republic of Vietnam Service Medal, Republic of Vietnam Service Medal, Expeditionary Medal, and Meritorious Service Ribbon.

In May 1969, Tony went to work for Travelers Insurance Company as a Workman's Compensation Investigator. After Travelers, he worked as an inspector at U.S. Can in Commerce, California, until his retirement in 2006.

In 1992, Tony began to become involved with the VFW, and began full-time VFW involvement following his retirement. In 2010, he was appointed Commander of VFW Post 4696.

Tony has shown an inspiring commitment to assisting veterans and their families with their benefits. He has also been involved with helping homeless Veterans get into VA programs, including help with housing, education, and medical benefits. He has also enjoyed working with local elementary school students. In his

talks with students, he has described the importance of patriotism, spoken about Memorial Day and Veterans Day, and reminded his young listeners that freedom is not free. He has also described how they can support our troops in Iraq and Afghanistan by writing letters and sending care packages to our servicemen and women overseas.

On May 29, 2017, Tony stepped down as Commander for Post 4696, but I am pleased to hear that he will still be involved with the VFW as an at large member. I hope my colleagues will join me in sending Tony Zapata our deepest gratitude for his record of service overseas and here at home. His defense of our country, and his faithful support of our veterans and current servicemembers, is an inspiration to us all.

HONORING FIRE CHIEF DAVID
SKORYI

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Fire Chief David Skoryi who is retiring after serving the Lockport Township community for over 25 years.

Chief Skoryi was raised in Lockport and attended Taft Grade School and Lockport Township High School. He joined the Lockport Township Fire Protection District in 1980 as a firefighter and quickly rose through the ranks. He became a Lieutenant in 1993, Battalion Chief in 1998, and Assistant Chief in 2001. In 2010, Skoryi was named Lockport Township Fire District Chief.

During his time with the fire district, Chief Skoryi reached a number of milestones. He was the first Battalion Chief in the department's history and the first full time Training Officer. He also served as the Operations Chief, the Technical Rescue Team Leader, and the Swift Water Rescue Technician. Chief Skoryi has also overseen five fire station construction projects in the district.

Chief David Skoryi is married to Deb Skoryi and has three grown children, two of whom still live in the area. He plans to spend his retirement with his wife, tending to a small farm the couple purchased and traveling in their motor home.

Mr. Speaker, I ask my colleagues to join me in recognizing Chief David Skoryi for his public service and congratulate him on his achievements. He has spent many years protecting the people of Lockport and the surrounding areas. His dedication is greatly appreciated by the residents of the Third District of Illinois. I wish him the best in his future endeavors.

HONORING BENTON POLICE CHIEF
KIRK LANE

HON. J. FRENCH HILL

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. HILL. Mr. Speaker, I rise today in honor of Benton Police Chief Kirk Lane's appointment as the new Arkansas Drug Officer. His

experience and activism truly embody what all states need in the fight against illegal narcotics.

Chief Lane is a graduate of the Arkansas Law Enforcement Training Academy and the FBI National Academy.

After graduation, Chief Lane spent 20 years with the Pulaski County Sheriff's Office, where he served as the Captain of Criminal Investigations.

Chief Lane has gone above and beyond his duty in the fight against illegal narcotics by participating in many organizations, including the Arkansas Drug and Alcohol Coordinating Council, the Arkansas Prescription Drug Advisory Board, and the Arkansas Prescription Drug Monitoring Board.

As a recipient of the 2010 Benton Citizen of the Year Award and the 2012 Marie Interfaith Award, Chief Lane is recognized for his exceptional character and devotion to community.

I'm proud of my friend Chief Lane, who has proven his devotion to law and order, and he will be a great addition to Arkansas's Drug Enforcement Agency to fight against narcotics and reduce the crime rate.

RECOGNIZING THE LIFE OF STEPHEN THOMAS ZAMORA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Stephen Thomas Zamora, who proudly served the people of Houston, Texas, as a professor at the University of Houston Law Center for nearly thirty-six years.

Stephen Zamora was born on June 26, 1944, in Los Angeles, California. Steve graduated from Servite High School in 1962, and earned a B.A. from Stanford University four years later. It was there where he met and married his wife, Lois. Together, they worked for the Peace Corps for two years. Afterwards, Steve graduated first in his class with a law degree from the University of California at Berkeley in 1972.

After law school, in 1973, Stephen served as a Postgraduate Fellow at the University Consortium for World Order Studies in Geneva, Switzerland. He would then practice international law at the World Bank in Washington D.C. from 1974 to 1978 before settling in Houston, Texas.

Mr. Zamora joined the University of Houston Law Center's faculty and served as the first dean of Hispanic origin from 1995 to 2000. He also dedicated his independent research at the Center for U.S. and Mexican Law to Mexican law and relations. For his work, he was awarded the highest distinction by the Mexican government to a foreign national, the Order of the Aztec Eagle, in 2006. He continued to devote his time to his professional interests until 2015.

Mr. Zamora lived a long and service filled life. He was an accomplished educator, a role model to his students, and loving father and husband to his wife, Lois Zamora; his daughter,

Camille Zamora, and her husband Thomas; grandsons Landon and Nate; and siblings Carol, Anita, John, Mary, Paula, and Tony; and his many nephews, nieces, aunts, cousins, and friends.

Mr. Speaker, I am honored to have the opportunity to recognize and honor Stephen Zamora for his many years of service.

TRIBUTE TO WALTER HARRISON

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. LARSON of Connecticut. Mr. Speaker, I rise to pay tribute to Walter Harrison, who retired as the president of the University of Hartford on June 30, 2017 after serving in that position for 19 years. In his time as president, the University of Hartford has truly flourished. Under his leadership, UHart has grown by leaps and bounds through increased enrollment, continued academic success, new academic programs and centers, and major renovations to campus facilities. He leaves the university as a place with a national reputation as a renowned academic institution.

Walt is first and foremost an educator and a scholar of American literature and culture. A native of Pittsburgh, he first came to Connecticut to study at Trinity College in Hartford where he received his bachelor's degree. He then went on to earn a master's degree from the University of Michigan and his doctorate from the University of California—Davis. He is a veteran of the United States Air Force where he served as an officer.

During his time as chair of the NCAA's Committee on Academic Performance, he became one of the nation's most influential voices on higher education and collegiate athletics. He has always been a champion on behalf of student-athletes and ensuring that collegiate athletics are always a part of an enriching academic experience. This culminated with Walt's receipt of the NCAA's Gerald R. Ford Award.

Walt has not only been an extraordinary leader of the university, but has been a pillar of the Greater Hartford community. That can be seen in the two magnet schools opened by the university under his tenure and through his service on the boards of the Hartford Stage, St. Francis Hospital, MetroHartford Alliance, Suffield Academy, Hartford Consortium for Higher Education, the Connecticut Conference of Independent Colleges, and the Connecticut Science Center. Walt has contributed immensely to the fabric of our civic culture.

I am proud to call Walt a friend. Anyone who knows Walt knows that he is a passionate baseball fan, particularly of his Pittsburgh Pirates. His doctoral dissertation was on baseball's influence on the nation's culture and he is the most knowledgeable baseball fan that one will ever meet. I wish him the best in retirement and I hope he takes his newfound free time to enjoy his family and to finally visit every big league ballpark.

I would like to submit for the RECORD the undergraduate and graduate commencement addresses delivered on Walter's last graduation

ceremonies as president by my colleagues, Congresswoman MIA LOVE of Utah and Congressman RICHARD NEAL of Massachusetts, two proud UHart alumni.

THE HONORABLE MIA LOVE

It is wonderful to be with you all today. It is great to be back to a place filled with so many memories. My mind has been racing back to places and spaces on this campus; to so many lessons learned, and to so many people who made a difference in my life. My time here as a student stretched me, strengthened me, and positioned me to recognize opportunities so I can rise to my full potential.

One of those amazing faculty members who challenged me to rise was Peter Flint. He was our teacher and sadly, he passed away far too soon—but he is forever a part of my life and the lives of those who were blessed by his vision and direction. Peter had a motto for those of us in musical theater. He had us memorize it—but more importantly he challenged us to live it.

The motto said, "I am an artist. These are my emotions and I own them. And I like them. My talent comes from something other than myself, but I alone am responsible for it. I will dare to be bad, so that I may be good. I am an artist. I am that I am."

Peter continually challenged us to rise. He gave us the courage to know it was ok to be bad in the beginning and that working through the bad was the only way to rise to the good and ultimately to the best we had within us. Above all, Peter expected us to take responsibility and ownership for our talents and gifts.

Winston Churchill said it this way, "To each there comes . . . a special moment when we are figuratively tapped on the shoulder and offered the chance to do something very special, unique to our talents. What a tragedy if that moment finds us unwilling, unprepared or unqualified for that which could have been their finest hour." The great question you will face in the days and years ahead is this, "Am I prepared to rise in such moments?" I hope you consider today, graduation day, the first step to accepting taps on the shoulder that will lead you to a lifetime of fine hours as you rise to the full measure of your potential.

Two things for you to keep in mind as you get ready to rise.

First your ability to rise will be bolstered or shackled by your ability to engage in elevated dialogue. It may seem crazy for a member of Congress to be talking about elevated dialogue—but I believe it is the key to all of our finest hours. As a nation, as individuals, and as communities we must get comfortable having uncomfortable conversations. We cannot rise if we are constantly spewing divisive and demonizing rhetoric. It is so tempting to melt-down someone's twitter feed or blow up their Facebook page with anger-filled words of frustration. Someone wisely said, "Speak in anger and you will give the best speech you ever live to regret." Even if it's sharing a virtual speech on social media—the result is the same. Remember this, moments captured are forever and friends keep friends off YouTube. The solution to any problem begins when someone says, "Let's talk about it." We have a long way to go as a country—but it starts with each of us individually being willing to have an elevated conversation about the challenges of our day. It is impossible to rise without being comfortable and confident in higher dialogue.

Second, remember that your goal is to rise with, not over, others. There is an old Scottish saying, "Thee lift me and I'll lift thee

and together we'll ascend." Sadly our society tells us more and more that we should just look out for number one and not worry about anyone else.

My dad came to this country with \$10 in his pocket in an attempt to rise above the poverty and strife of his native Haiti. Through grit and determination he and my mom provided me, and my siblings, the opportunity to rise in pursuit of our own version of the American dream.

I will always remember the day my dad dropped me off here on campus on orientation day. He was so excited and giddy as if he were the one ready to start the adventure on campus, away from home. At one point he became serious as he looked me in the eye and said, "Mia, your mom and I have worked hard to get us to this point today. You will not be a burden to society. You will give back. You will contribute. You will make a difference for others." What he was telling me is that it was part of my responsibility not only to rise myself, but to bring others along with me. Just as he had done with me.

I will confess that stepping onto this campus that day the thought of being a mayor, a mother or a member of congress were not remotely in my mind. But when I stepped off of this campus, as each of you will today, I was ready to rise to new roles, responsibilities and opportunities. Each of those roles has given me an opportunity to learn, to engage in elevated dialogue and help others rise to their potential.

You are the rising generation. You are the leaders, not just for tomorrow, but for today.

Today I challenge you to raise your sight, not just your status, as you enter the workforce and a world desperately in need of your energy, talent and commitment.

Remember the second half of Churchill's statement about those taps on the shoulder and those opportunities to rise. There is one more quote I'd like to share, by a man named John Greenleaf Whittier. He wrote, "Of all sad words of tongue or pen, the saddest are these: 'It might have been.'"

Guys, we cannot accept "what might have been." It is a haunting horrible phrase. Fifty years from now you will have far more regrets about the opportunities you didn't take, the mountains you did not climb and the adventures you did not pursue than you will ever have for opportunities you took—even when you tried and failed.

When we fail to continuously learn—we will be left to live with what might have been.

When we fail to engage in elevated dialogue in our homes, communities, and places of employment—we will be left to live with what might have been.

When we fail to lift others as we ourselves rise—we will be left to live with what might have been.

A few years ago my family and I were at an event in our community. There was a large hot-air balloon there as part of the fun. An opportunity arose for me to go up in the balloon. As I approached they told me to bring one of my children along for the ride. I called to my son Peyton, who was 7 years old, to come jump in the basket with me. He hesitated and resisted. The balloon was ready to launch and we couldn't wait for Peyton to decide so I called to my daughter Abi who jumped in and off we went. After rising in the crisp, cool air and enjoying the amazing view of my district in Utah we started our return to the ground. As we began to descend the winds picked up and let's just say the landing was a bit of an adventure. Peyton had watched all the fun from the ground. As

we got out of the basket he came running over shouting that he was ready for his turn. Unfortunately with the now windy conditions, the balloon had to stay on the ground. The opportunity to rise and soar in the sky came and was gone.

I took Peyton aside and told him to remember this experience. Because in life, especially here in America, if you don't take an opportunity—it quickly passes and you never know if it will—come back. Presented with opportunity—we must rise to the occasion.

Graduates—your experiences on campus have given you a view from higher up. Remember those experiences—remember what it felt like to gain that new perspective, understand that new knowledge, ace that test, master that new skill or maximize your talent. So that when life knocks you down—and surely it will—you will get back up because you know what it takes to rise.

So my challenge to each of you is the same one I make to my colleagues in Congress—create opportunities every day for yourself, for those you love, and for good people everywhere to rise.

To you graduates I say —You got this. This is your tap on the shoulder. This is your time. These are your days—Rise.

UNIVERSITY OF HARTFORD GRADUATE KEYNOTE ADDRESS, MAY 20, 2017

THE HONORABLE RICHARD NEAL

Good morning President Harrison, President-Designate Woodward, parents, friends and guests. And of course the graduate school class of 2017. I am so honored to speak at University of Hartford's 60th Commencement Address. For me, it is a homecoming.

Looking around campus and at the students and faculty brings back fond memories of when I studied here for my Master's degree. For my first year, I worked in the Mayor of Springfield's office during the day and went to school at night. The second year, I went to school as a full time day student. The education I received here allowed me to serve as a lecturer at UMass Amherst and other institutions for the last 28 years.

The faculty certainly deserves special recognition. You blend your experience and teaching talents to help students reach their potential. As I have always said, when you reach your potential, your potential expands.

I applaud you for pushing students to rely on facts and listen closely to both sides of an argument. You encourage students to be curious and examine evidence while at the same time, discourage them from insulating themselves from opposing views. It is admirable and critical at a time when many students and activists refuse to hear both sides of an argument. The university is not the place for the incurious!

As a graduate student, your professors expected more from your writing, presentations and papers. In turn, you had to ensure your work and arguments were backed up with facts, not opinions.

Since the beginning of this Congressional session, the House Ways and Means Committee, of which I am the leading Democrat, has been at the heart of almost every major public policy debate about issues that directly impact our nation's economy, including: health care, tax, trade, and Social Security. My Committee colleagues on both sides of the aisle rely on facts and ensure we take time to listen to both sides of each argument. And like me, my colleagues think it is important to talk in complete sentences and give thought to something before we say anything. There is very little substantive

thought and analysis that can be done in 140 characters or less.

Thanks to the education I received at University of Hartford and the support of its great faculty members, it taught me to think critically and prepared me to be the new Ranking Member of the Ways and Means Committee. As a child who was raised by my aunt and grandmother on Social Security Survivor Benefits, the fact that I am standing here today having accomplished as much as I have is in due part to the great education I received throughout my lifetime.

As you move forward in your careers or toward your next degree, it is imperative you keep a critical eye on facts. Because today more than ever, facts should count. And not be seen as decorations to clever arguments.

Unfortunately, today facts are hazy or simply non-existent. The 24 hour news cycle creates a constant race to get news out before anyone else.

And often, facts are cast aside and "infotainment" takes over—entertainment is more and more disguised as news. News should not be entertaining, especially in today's political environment. Opinions draw ratings and provide a ripe environment for fake news to thrive.

Merriam Webster Dictionary is headquartered in Springfield, Massachusetts. They have become the referee in this new-aged news cycle—having to point out what words are being used correctly and when they simply are not. Who would have ever thought "bigly" would become part of our political vernacular?

Fake news is not based on fact, instead reflects the "only if you agree with me" mentality. This is a dangerous precedent. As we saw at Middlebury and Berkeley earlier this year, the social media mob can disrupt a campus. It reflects the common misperception that you are entitled to your own set of opinions, but not your own set of facts. The university must remain the citadel of free speech and thought.

A former Clinton official recently said UC Berkeley made a "grave mistake" when they originally cancelled an appearance earlier this year by a conservative commentator. These two people agree on almost nothing, but both fiercely defend the first amendment. Why? Because cancelling events like this sets the stage for a slippery slope towards dismantling the first amendment. A similar situation happened at Middlebury—student backlash in response to a conservative speaker sparked violence and other inappropriate behavior. Men and women in masks are inimical to representative democracy.

This goes to exactly what I am talking about. Cancelling events like this lacerate the first amendment. Many students like free speech—but only if they agree with the issue. When our founding fathers wrote the constitution, they didn't include an asterisk next to the first amendment that said "except if I don't agree with you." Students could have had an opportunity to hear a view different than their own, and used the experience to further develop and challenge their own fact based analytical thinking.

Biased news does not benefit anyone. Instead, it creates a toxic environment that breeds misinformation, anger, paranoia and stifles compromise and dialogue.

My staff knows not to even ask me if I will go on cable TV shows because the answer is always no. It is guaranteed to be filled with inflammatory language that is more focused on finding conflict than understanding the facts. It becomes incoherent!

Experience informs our judgement. It is critical for students to engage with people with whom you don't agree. It shapes your experience and ultimately your judgement. That's how I informed myself. I read articles and publications that may not agree with my opinion. I talk to those across the aisle. I meet and listen to constituents from all walks of life. And I always leave knowing more than I did when I walked in. It's all about broadening your scope. Democracy is supposed to be noisy.

Backlash at Berkeley and Middlebury both point to how the first amendment is put at risk—those who think free speech is fine and safe until they are offended and in turn refuse to hear or even allow other opinions to have the opportunity to share their side of the story. The first amendment is the cornerstone of our constitutional system—the first amendment guarantees a second opinion.

How did we get here? Well one reason is the passage of time. I am a child of the 1960s. Younger people played a critical role in the civil rights movement and were focused on ending discrimination. As time has passed and the central figures of the 1960's have aged, the younger generation and organizations that have historically focused on civil rights have readjusted their focus to economic justice. While not to belittle economic justice, unfortunately, free speech and non-partisanship have fallen by the wayside.

How do we get back to a place where free speech is not only protected and guaranteed, but can flourish? One simple, important first step: listen. I was recently asked how I en-

gage with younger people. The answer was easy—the same way I engage with anyone—I listen. Today, we talk too much and don't listen enough. We care more about our phones and posting information rather than listening. So much can be gained from listening—it generates thoughtful discussion, shows you care, expands your horizon, and often leads to new ideas and compromise.

I am certainly not saying this is easy. It's uncomfortable, but ultimately, it is an important step to protect free speech. The closing of the American mind is not helpful to growing democracy.

Columnist and Harvard Professor Cass R. Sunstein put it well in a recent Boston Herald opinion piece. He talked about the energy that goes into protests and encouraged students to think through how their actions and protests will ultimately help people rather than looking inward at college life.

As complex as things are today, facts are more important than ever. I challenge you to expand your potential, engage with people with opposing views, and take time to examine evidence to protect facts and discourage fake news. All of these actions ultimately protect the cornerstone of our democracy the first amendment.

Thank you President Harrison, President-Designate Woodward and the entire University of Hartford community. Congratulations on behalf of the United States of America.

TRIBUTE TO EILEEN DENNIS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Eileen Dennis of Atlantic, Iowa on the occasion of her 100th birthday. Eileen was born on July 27, 1917.

Our world has changed a great deal during the course of Eileen's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the Internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Eileen has lived through eighteen United States Presidents and twenty-five Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Eileen in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I ask that my colleagues in the United States House of Representatives join me in congratulating Eileen on reaching this incredible milestone and wishing her even more health and happiness in the years to come.

SENATE—Monday, July 31, 2017

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, who transforms common days into transfiguring and redemptive moments, hallowed be Your Name. Make our lawmakers great enough for these momentous times, as they seek to live worthy of Your great Name. May Your precepts keep them from life's pitfalls, guiding them through the darkness to a safe haven. Lord, cleanse the fountains of their hearts from all that defiles, so that they may be fit vessels to be used for Your glory. Let Your peace be within them, as Your Spirit inspires them to glorify You in their thoughts, words, and actions.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

NOMINATION OF KEVIN NEWSOM

Mr. MCCONNELL. Madam President, this week the Senate will continue considering a number of nominations, beginning with Kevin Newsom of Alabama to serve as judge on the Eleventh Circuit Court of Appeals.

Mr. Newsom has earned bipartisan support, having been voted out of the Judiciary Committee 18 to 2. As Chairman GRASSLEY pointed out prior to that vote, several lifelong Democrats and Republicans have penned letters to the committee touting Mr. Newsom's "professionalism and qualifications." He is an "exceptionally accomplished nominee," Chairman GRASSLEY said, "who spent the last 20 years building an impressive legal resume."

That resume includes things like clerking for an Associate Justice on the U.S. Supreme Court, serving as Alabama's solicitor general, and earn-

ing an appointment to the Advisory Committee on Appellate Rules.

For his exceptional work, Mr. Newsom has garnered a number of awards from the legal community. The American Lawyer magazine has included him on its list of America's top 50 litigators under age 45. Chambers USA has ranked him Band 1 for appellate litigation. The National Association of Attorneys General has awarded him on several occasions the Best Brief Award for his briefing before the Supreme Court.

During his impressive legal career, Mr. Newsom has argued four cases before the Supreme Court, filed amicus briefs in many other cases, and argued more than 35 cases in Federal circuit courts.

As indicated by his distinguished professional background, Mr. Newsom will be an excellent addition to the court. I look forward to supporting his nomination today and confirming him to the Eleventh Circuit later this week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION**EXECUTIVE CALENDAR**

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

The senior assistant legislative clerk read the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

LEGISLATIVE SESSION

Mr. MCCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION**EXECUTIVE CALENDAR**

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 175, Marvin Kaplan.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

Mitch McConnell, Chuck Grassley, Marco Rubio, Deb Fischer, John Cornyn, Susan M. Collins, Lamar Alexander, Roy Blunt, Luther Strange, Pat Roberts, James Lankford, Bob Corker, Richard C. Shelby, John Barrasso, Joni Ernst, Orrin G. Hatch.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Thank you, Madam President.

First, on the matter of healthcare. I sincerely and truly hope the events of last week are a turning point. I hope they steer this body toward a period of greater bipartisanship. We sure could use it because the problems in our healthcare system did not end last week. We Democrats know that the Affordable Care Act wasn't perfect. We

want to keep what works—and there are a lot of good things in it—and we want to fix what doesn't. We have a lot of work to do on that front.

Our first order of business should be to stabilize the individual market and then both parties should work together through regular order through committees to discuss other improvements. Chairman ALEXANDER and Ranking Member MURRAY have indicated they want to work together, have public hearings, and do this the right away. I am hopeful Chairman HATCH, Ranking Member WYDEN, both of whom have proven themselves willing and able to work across party lines, also will be willing to work closely together to address broader problems with our healthcare system.

Let me repeat. The first order of business should be to stabilize the individual market, which has been racked by uncertainty.

Right now, as insurers prepare to lock in their rates and plans for 2018, the Trump administration is dangling a massive sword of Damocles over the heads of millions of Americans, threatening to end payments the administration is supposed to make that would lower deductibles and out-of-pocket costs for so many Americans. These payments are critical to keeping healthcare costs down and keeping the markets stable. Remember, AHIP—the largest trade group of insurers—has said the uncertainty about these payments is “the single most destabilizing factor in the individual market.” That is not CHUCK SCHUMER or some Democrat saying it, it is the insurers saying it. Make no mistake, by refusing these payments, President Trump is sabotaging our healthcare system. He is actively trying to make it collapse, taking out his political loss on the American people. That is not being Presidential; that is small, it is vindictive, and it will hurt millions of Americans he has sworn to help.

In Pennsylvania and North Carolina, insurers have filed two separate sets of possible rates for 2018; one if the payments are made and one if they are not. If the payments are not made, premiums would be 20 percent higher.

Let's repeat that. If the payments are not made, if President Trump follows through on his vindictive idea of not making the payments, premiums will be 20 percent higher for the people of North Carolina and Pennsylvania. So if President Trump does not guarantee these payments permanently, Americans will have to pay a Trump tax on their premiums next year.

Let me say that again. If President Trump does not guarantee these payments, Americans will be paying a Trump tax of 20 percent higher premiums.

President Trump has a responsibility to make our healthcare system work, and millions of Americans will hold

him accountable if the system implodes on his watch, if insurers leave the markets on his watch, or if their premiums go up 20 percent or more on his watch.

Of course, we in Congress could remove the uncertainty hanging over the market and take the decision out of the President's hands. We can and should guarantee these payments as soon as possible, before the insurers set their rates for next year. I urge my Republican friends to join us on Senator SHAHEEN's bill to guarantee these payments and prevent President Trump's premium tax from going into effect. Republican Senators ALEXANDER, COLLINS, HATCH, PORTMAN, and JOHNSON have all spoken about the need to do this. I hope they will help us move forward. We could get this done very quickly and show the American people that we are able to work together on healthcare in a very bipartisan way, to help keep costs down for so many ratepayers.

SANCTIONS BILL

Now, Madam President, on the matter of Russia sanctions. I was very proud last week, as nearly every Member of Congress, save five, voted to pass legislation for sanctions on Russia, Iran, and North Korea; that there was such bipartisanship on that issue. According to reports, the President will sign the legislation.

These are tough sanctions. They will have a real effect on Russia, and they are more than justified. President Putin violated the sovereignty of Ukraine, aided and abetted human rights abuses in Syria, and attacked the very foundation of our democracy by meddling in the 2016 election.

Just as importantly, the sanctions bill gives Congress the ability to review any decision to weaken, dilute, or lift sanctions on Russia. President Putin will not be able to get out from under the sting of these sanctions without the consent of Congress.

Let this be an unequivocal message to Mr. Putin and any other nation that is thinking of interfering in our elections: If you interfere with our elections, which we hold sacred, you will be sanctioned. Those sanctions will be severe.

RUSSIA INVESTIGATION

Finally, Madam President, a word on the investigation conducted by Special Counsel Mueller.

Since the beginning of the investigation of Russia's meddling into our elections both here in Congress and in the executive branch, the heavy hand of the administration has never been far away. We know that the administration solicited the help of the chairman of the House Intelligence Committee to beat back reports in the press about Russia's interference in our election, and that was after 17 intelligence agencies said that it happened. The President fired FBI Director Jim Comey and

admitted on national television that he was thinking about “this Russia thing” when he did it. Then, after Special Counsel Mueller was appointed to lead the investigation, allies of the administration went on television to defame his character, to sully his reputation—a shameful ploy to degrade a man with one of the most sterling records of non-partisan public service that a man can have in this country.

On Twitter, the President routinely berates and humiliates his former friend—maybe he still is a friend; who knows—his Attorney General, his great ally in his campaign. Jeff Sessions was one of President Trump's earliest friends, one of his first supporters in Congress. Not only does that get to character—I cannot imagine any American likes the way Senator Sessions was treated, whether you agree with him or disagree with him—but it also raises questions about whether the President wants the Attorney General to resign so that he can appoint a new Attorney General who is willing to fire Special Counsel Mueller.

If such a scenario were to pass, we would have a constitutional crisis on our hands. The Senate should remove even the possibility of its coming about. So, in the tradition of the Senate, I expect that we will hold pro forma sessions throughout the upcoming recess to prevent a recess appointment from being made.

The fact that President Trump continues to meddle with the Department of Justice and impede the Russia investigation gets to a larger question: If President Trump has nothing to hide, nothing to fear, why not let Special Counsel Mueller do his job, follow the facts, and finally get to the bottom of the matter?

On a matter as important as foreign interference in our elections, the American people deserve a thorough and impartial investigation into the facts. President Trump should come nowhere near it.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

VENEZUELA

Mr. NELSON. Madam President, we have chaos in Venezuela. It is a protracted crisis in Venezuela, which took yet another turn for the worse yesterday.

Venezuelan President Nicolas Maduro pushed ahead with a vote to form a constitutional assembly despite the vehement opposition of the Venezuelan people and overwhelming international criticism. It became a

sham vote. Only about 10 percent of the population voted. The opposition stayed home. Plain and simple, the vote was illegal, and it was rigged. Once again, on the streets and at the ballot box, the Venezuelan people have made themselves heard loud and clear. Two weeks ago, more than 7 million Venezuelans voted against even holding this vote, and, yesterday, millions of people stayed home.

Maduro wants to rewrite Venezuela's Constitution so that he can cling to power, and yesterday's vote was only the latest attempt to undermine, if not to completely undo, Venezuela's democracy. He continues to crack down on protesters, killing more than 100 and injuring and arresting thousands more. His thugs have raided homes and terrorized the opposition's families. He has tried to strip the National Assembly of its powers, undercut the Attorney General, and he has co-opted the courts. His thugs attacked the National Assembly and injured opposition lawmakers. He blocked a lawful referendum to recall his election.

His cronies steal the country's money and enrich themselves. All the while, the Venezuelan people suffer. The people go hungry; children are malnourished; there are no staple products—no medicines, no medical supplies for the people. Of course, you know who gets the food and the medical treatment. It is the privileged few—the Maduro ones whom he protects. This is Venezuela's tragic reality.

Maduro has made himself a dictator, and he and his cronies are bent on turning Venezuela's once vibrant democracy and once vibrant economy into a Cuban-style regime. Nevertheless, the Venezuelan people, in the face of violence, oppression, and deprivation, continue to fight for their democracy—for the little bit of freedom they have left. They are doing everything they can—at great risk to themselves and their families—to save their democracy and, thus, to save their country. The task just got a lot harder.

The issue before us is what we can do to support them since Maduro has now installed himself with this fake referendum on the National Assembly. What can we do to keep Maduro from being the dictator he is?

What we need to do is to condemn the National Assembly as the sham that it is. It also means the United States increasing the pressure on the Maduro regime. I just spoke this afternoon with the Treasury Department. The United States announced a little earlier this afternoon that it has frozen Maduro's assets. I expect at least two other countries to follow suit—and probably more after they do. This is an important step, and I hope that it is the first in what will be the strongest possible economic sanctions to stop Maduro. It is time that we consider

cutting the imports of Venezuela's oil also.

What have we done thus far?

There was already a group of Maduro's cronies—some in the private sector, some in the government—on whom the sanctions have been slapped. You ask: What does that do? What good does that do? Listen, all of these cronies of Maduro's love to come to Miami. They love to have offshore bank accounts and all kinds of assets stashed overseas—if not in the United States, perhaps in some of those other countries that are going to follow suit. We should do that with his cronies.

What we have done today with the announcement by the Treasury Department is to freeze Nicholas Maduro's assets, and if other countries will follow suit, they are going to freeze his assets as well.

Maybe we should take the next step. The next step is that Venezuela exports a lot of its oil to the United States. It is such a heavy, dirty crude that a good part of that has to go to the refineries in the United States because those refineries are the ones that are capable of refining that heavy, dirty crude. Maybe we just ought to stop our imports of Venezuela's oil and absorb that percentage of loss of oil that is coming into the United States from Venezuela as, clearly, on the world marketplace, oil is fungible. Maybe that is what we ought to do because we are now dealing with a Cuban-style dictator who is the head of Venezuela.

I think, in going forward, that the United States must insist on the release of all political prisoners and the rule of law and that Venezuela has to go back to when it was a thriving democracy. That was back when they respected human rights and the people had some freedoms. As the United States, we ought to help rally the nations of the Organization of American States and rally the support of the world to bring about a meaningful end to this crisis because it is just going to get worse and worse.

The violence that you have seen on the TV yesterday and today is going to continue. As you continue to squeeze the people, to starve them, to take away all semblance of human decency, what do you think they are going to do? They are going to revolt, and the violence is not going to stop.

There is a role for Congress, and there is an opportunity for the Congress to lead. The President's budget eliminated the funding for democracy programs in Venezuela that supported the old National Assembly and civil society and those same democracy programs that promoted human rights and the encouraging of an independent media.

Recently I wrote to the Senate Appropriations Committee, along with a number of other Senators, urging that the committee continue that funding

for those democracy programs in Venezuela. In May, this Senator joined Senators CARDIN and RUBIO and seven others in introducing the Venezuela Humanitarian Assistance and Defense of Democratic Governance Act. That bill addresses the many aspects of the crisis in Venezuela.

It codified targeted sanctions on regime officials—something we are now implementing—and thank goodness for this announcement today by the administration. I give them kudos for that. That act would authorize badly needed humanitarian assistance. It would back OAS efforts to bring about an end to the crisis, and it funds election observation organizations and groups working to defend democracy in Venezuela.

These are bipartisan efforts, and I urge our colleagues to support them, and I urge that we bring them up as soon as possible. The situation is terrible in the country, and the situation in that chaos, especially what we have seen in Caracas, is going to get worse. Time is of the essence.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Dan Sullivan, John Barrasso, John Cornyn, Orrin G. Hatch, Ron Johnson, Chuck Grassley, Tom Cotton, Richard Burr, James Lankford, Lamar Alexander, John Kennedy, Cory Gardner, James M. Inhofe, Michael B. Enzi, John Thune, Richard C. Shelby, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), and the Senator from Michigan (Mr. PETERS) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 26, as follows:

[Rollcall Vote No. 180 Leg.]

YEAS—68

Alexander	Fischer	Nelson
Barrasso	Flake	Paul
Blumenthal	Gardner	Perdue
Blunt	Grassley	Portman
Boozman	Hassan	Risch
Capito	Hatch	Roberts
Cardin	Heitkamp	Rounds
Cassey	Heller	Rubio
Cassidy	Hirono	Sasse
Cochran	Hooven	Scott
Collins	Inhofe	Shaheen
Corker	Isakson	Shelby
Cornyn	Johnson	Stabenow
Cotton	Kennedy	Strange
Crapo	Klobuchar	Sullivan
Cruz	Lankford	Tester
Daines	Leahy	Thune
Donnelly	Lee	Tillis
Duckworth	McCaskill	Toomey
Durbin	McConnell	Warner
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Feinstein	Murphy	

NAYS—26

Baldwin	Gillibrand	Sanders
Bennet	Harris	Schatz
Booker	Heinrich	Schumer
Brown	Kaine	Udall
Cantwell	King	Van Hollen
Carper	Manchin	Warren
Coons	Markey	Whitehouse
Cortez Masto	Murray	Wyden
Franken	Reed	

NOT VOTING—6

Burr	McCain	Merkley
Graham	Menendez	Peters

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 26.

The motion is agreed to.

The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms

sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-30, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Switzerland for defense articles and services estimated to cost \$115 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,
Acting Director.

Enclosures.

TRANSMITTAL NO. 17-30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 35(b)(1) of the Arms Export Control Act, as amended

(i) (U) Prospective Purchaser: The Government of Switzerland.

(ii) (U) Total Estimated Value:
Major Defense Equipment* \$25 million.
Other \$90 million.
Total \$115 million.

(iii) (U) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

The following defense articles and services have been requested as part of a Service Life Extension Program for Switzerland's F/A-18C/D aircraft:

Major Defense Equipment (MDE):

Up to fifty (50) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) with Concurrent Multi-Net 4 (CMN-4) Capability.

Non-MDE includes: Fifty (50) ARC-210 GEN 5 RT-1900A(C) radios w/Second Generation Anti-Jam Tactical UHF Radio for NATO (SATURN) frequency hopping; twenty (20) Joint Helmet Mounted Cueing System (JHMCS) Night Vision Cueing Display (NVCD); CIT Automated Dependence Surveillance-Broadcast (ADS-B) Out; software enhancements to the APG-73 radar; improvements to the F/A-18 Software Configuration Set (SCS) 29C; and sustainment for the ALQ-165 Airborne Self Protection Jammer (ASPJ) system. Operational support for these modifications will be provided through upgrades to the purchaser's unique Mission Data System. Also included are: system integration and testing; software development and inte-

gration; support equipment; spare and repair parts; maintenance personnel and pilot familiarization training; software support; publications and technical documents; U.S. Government and contractor technical assistance; and other related elements of logistics and program support.

(iv) (U) Military Department: Navy (XX-P-LAS).

(v) (U) Prior Related Cases, if any: SZ-P-LAN.

(vi) (U) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) (U) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) (U) Date Report Delivered to Congress: July 28, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

(U) Government of Switzerland—F/A-18 Upgrades

(U) The Government of Switzerland has requested the possible sale of a Service Life Extension Program for its F/A-18C/D aircraft to include up to fifty (50) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) with Concurrent Multi-Net 4 (CMN-4) capability; fifty (50) ARC-210 GEN 5 RT-1900A(C) radios w/Second Generation Anti-Jam Tactical UHF Radio for NATO (SATURN) frequency hopping; twenty (20) Joint Helmet Mounted Cueing System (JHMCS) Night Vision Cueing Display (NVCD); CIT Automated Dependence Surveillance-Broadcast (ADS-B) Out; software enhancements to the APG-73 radar; improvements to the F/A-18 Software Configuration Set (SCS) 29C; and sustainment for the ALQ-165 Airborne Self Protection Jammer (ASPJ) system. Operational support for these modifications will be provided through upgrades to the purchaser's unique Mission Data System. Also included are: system integration and testing; software development and integration; support equipment; spare and repair parts; maintenance personnel and pilot familiarization training; software support; publications and technical documents; U.S. Government and contractor technical assistance; and other related elements of logistics and program support. The estimated total case value is \$115 million.

(U) This proposed sale will contribute to the foreign policy and national security objectives of the United States by helping to improve the security of Switzerland which has been, and continues to be an important force for political stability and economic progress in Europe. Switzerland is also a member of the NATO Partnership for Peace (PfP) program.

(U) The proposed sale will allow the Swiss Air Force to extend the useful life of its F/A-18 fighter aircraft and enhance their survivability. Further, the proposed sale will increase Switzerland's tactical aviation operational capabilities. Switzerland will have no difficulty absorbing this equipment and support into its armed forces.

(U) The proposed sale of this equipment and support will not alter the basic military balance in the region.

(U) The principal contractors will be the Boeing Company, McDonnell Douglas Corporation, St. Louis, MO; Data Link Solutions LLC, Wayne, NJ; Rockwell Collins, Cedar Rapids, IA; Rockwell Collins ESA Vision System LLC, Fort Worth, TX. There are no known offset agreements associated with this potential sale.

(U) Implementation of this proposed sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to Switzerland. However, multiple trips to Switzerland involving U.S. Government and contractor representatives will be required for technical reviews/support, and program management.

(U) There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) (U) Sensitivity of Technology:

1. (U) The hardware and software being purchased is being used to upgrade Switzerland's existing F/A-18C/D Hornet aircraft. Description and classification of the hardware and software being purchased are detailed in the following paragraphs.

a. (U) The MIDS/JTRS with CMN-4 is a secure, scalable, modular, wireless, and jam-resistant digital information system currently providing Tactical Air Navigation (TACAN), Link-16, and J-Voice to airborne, ground, and maritime joint and coalition warfighting platforms. MIDS provides real-time and low-cost information and situational awareness via digital and voice, communications within the JTRS Enterprise. The MIDS/JTRS hardware is UNCLASSIFIED. The MIDS/JTRS software requires a crypto key be loaded in order to function. The crypto key required for operation is a Controlled Cryptographic Item (CCI).

b. (U) The ARC-210 GEN 5 RT-1990A(C) is a digital radio capable of transmit and receipt of Digital Communication System, Variable Message Format (DCS/VMF) encrypted data messages. The RT-1990 hardware is UNCLASSIFIED. The RT 1900 software requires a crypto key be loaded in order to function. The crypto key required for operation is a Controlled Cryptographic Item (CCI).

c. (U) The AN/AVS-11 Night Vision Cueing Device (NVCD) is UNCLASSIFIED but is capable of high resolution imaging. This capability allows reduced visibility weapon delivery using Switzerland's F/A-18C/D aircraft. While the NVCD hardware is UNCLASSIFIED, this item requires Enhanced End Use Monitoring (EEUM).

2. (U) If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapons systems effectiveness or be used in the development of a system with similar or advanced capabilities.

3. (U) A determination has been made that the Government of Switzerland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Switzerland.

NOMINATION OF KEVIN NEWSOM

Mrs. FEINSTEIN. Mr. President, today I want to speak briefly about the nomination of Kevin Newsom to the Eleventh Circuit Court of Appeals from Alabama.

I intend to support Mr. Newsom's nomination. Mr. Newsom is currently in private practice in Birmingham. He previously served as the solicitor general of Alabama. He also clerked for Justice Souter on the U.S. Supreme Court and graduated from Harvard Law School and Samford University. The American Bar Association has unanimously rated him "well qualified."

My support for Mr. Newsom's nomination does not mean that this is a judicial nominee that I would have necessarily chosen. There are aspects of Mr. Newsom's record that concern me.

For example, in private practice, Mr. Newsom published an article in which he was extremely critical of the doctrine known as substantive due process. This is the doctrine the Supreme Court invoked in protecting the right to use contraception, a women's right to choose, and the right to same-sex marriage.

Additionally, as solicitor general of Alabama, Mr. Newsom filed an amicus brief in the Supreme Court in the case *Rasul v. Bush*, arguing that Federal courts did not have jurisdiction to hear habeas claims from foreign nationals who were captured overseas and detained at Guantanamo Bay. The Supreme Court ruled against Mr. Newsom's position in a 6-3 decision.

Lastly, while Mr. Newsom was in private practice, he filed an amicus brief in the Supreme Court case *Roper v. Simmons*, where he urged the Court to reject a brightline rule prohibiting capital punishment for children under the age of 18. His work on this case followed several other cases where, as solicitor general of Alabama, he had argued against procedural rights for individuals on death row.

As I consider this nominee, I have to balance these positions—which do concern me—with other aspects of Mr. Newsom's nomination. Here, we have a nominee unanimously rated "well qualified" by the American Bar Association. His home-State Senators have returned blue slips and support his nomination. Although some outside groups have expressed concerns, no outside group has officially opposed his confirmation.

As a result, I voted to invoke cloture on Mr. Newsom's nomination today. My decision on every nominee will be based on that nominee's individual record.

I also want to briefly remind my colleagues why we are even considering Mr. Newsom's nomination in the first place.

In February 2016, President Obama nominated Alabama U.S. District Court Judge Abdul Kallon for this very same vacancy on the Eleventh Circuit.

Today Mr. Newsom was voted on because Senators SHELBY and STRANGE returned blue slips for his nomination.

I would like the Senate to also know that we held a hearing just last week

that included Judge Ralph Erickson to be a judge on the Eighth Circuit Court of Appeals because Senators HOEVEN and HEITKAMP returned their blue slips. This shows the importance of the blue slip helping move nominations through the process.

Democratic Senators are conducting their due diligence on these nominees before returning their blue slips, and in the Erickson nomination, the return of the blue slip is bipartisan. Many of the current nominees have voluminous records, and we need to allow home-State Senators to do their work.

Thank you.

TRIBUTE TO PETER JOHN CAMINO

Mr. ENZI. Mr. President, I wish to speak on behalf of Peter John Camino, who is being inducted into the Wyoming Agriculture Hall of Fame. Every year since 1992, Wyoming has recognized individuals who have made substantial contributions to agriculture in our State. As a third-generation rancher dedicating much of his life to Wyoming's agriculture industry, Peter John is well deserving of this honor.

Peter John grew up on his ranch that his grandfather founded near Buffalo, WY. After attending college, he joined the military and served honorably for several years. Ultimately, the ranch lifestyle called him home and he returned to Wyoming to take over the family operation. Peter John has said the sheep business was thriving upon his return and fondly remembers the community support and good times.

Fortunately for Wyoming, Peter John not only stuck with the agriculture industry during the good times, but took on leadership positions and persevered through the hard times as well. Peter John served as president of the Wyoming Wool Growers Association and played a crucial role in strengthening the organization. He has been described by coworkers and friends as a courageous leader who would always take time to listen to members of the organization. As president, he guided the sheep industry through some tough times and advocated for its cause at the local and Federal levels.

Leadership, courage, and collaboration are only some of the admirable qualities Peter John possesses. He has also shown dedication and selflessness while volunteering in his community and passing on his knowledge of the agriculture industry to younger generations. In addition to volunteering with his church and Knights of Columbus, serving on the board for Johnson County Fire District, and advising the University of Wyoming's Sheep Program, he also serves as sheep superintendent for the Johnson County Fair and often invites schoolkids to his ranch to teach them about ranching, the sheep industry, and the value of wool.

I want to extend my congratulations to Mr. Camino and thank him for his service and years of hard work. Peter John truly lives the "Code of the West," and I am proud to have the opportunity to recognize his achievements as an inductee into the Wyoming Agriculture Hall of Fame. Wyoming is well served by his lasting and continuing contributions to our State.

ADDITIONAL STATEMENTS

TRIBUTE TO MARIDI CHOMA

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Maridi for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Maridi is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying international studies and French. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Maridi for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO ELIZABETH DUNCAN

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Elizabeth for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Elizabeth is a native of California. She currently attends Johns Hopkins University, where she is studying international studies and history. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Elizabeth for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO KAITLYN FINLEY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Kaitlyn for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts

and contributions to my office, as well as to the State of Wyoming.

Kaitlyn is a native of Oklahoma. She currently attends the University of Oklahoma, where she is studying political science and history. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Kaitlyn for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO SAMUEL FRENCH

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Samuel for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Samuel is a native of Wilson, WY, and a graduate of Boston College. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Samuel for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO ELIZABETH GREGORY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Elizabeth for her hard work as an intern in the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Elizabeth is a native of New Jersey. She currently attends Villanova University, where she is studying political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Elizabeth for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO CONNOR HIGGINS

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to

express my appreciation to Connor for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Connor is a native of Nevada. He currently attends Linfield College, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Connor for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO AMANDA HINCHEY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amanda for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Amanda is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying business management and Spanish. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Amanda for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO KAYLA LAFOUNTAIN

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Kayla for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Kayla is a native of Casper, WY. She currently attends Casper College, where she is studying international studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Kayla for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO JESSICA LEACH

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to

express my appreciation to Jessica for her hard work as an intern in the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Jessica is a native of Cheyenne, WY. She currently attends the University of Wyoming, where she is studying secondary education social studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jessica for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO CAREN NELSON

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Caren for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Caren is a native of Texas. She is a graduate of the University of Oklahoma, where she studied environmental sustainability. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Caren for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO CONOR POWERS

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Conor for his hard work as an intern in the Senate Republican Policy Committee. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Conor is a native of New York. He currently attends Boston College, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Conor for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO DAKOTAH PRICE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Dakotah for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Dakotah is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying economics and journalism. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Dakotah for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO CHRISTOPHER RUWART

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Christopher for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Christopher is a native of Wheatland, WY. He currently attends the University of Wyoming, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Christopher for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO PATRICK SHEEHAN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Patrick for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Patrick is a native of Casper, WY. He currently attends the University of Wyoming, where he is studying organizational leadership. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Patrick for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know

he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO CHARLES VANPATTEN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Charles for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Charles is a native of Gillette, WY. He is a graduate of the University of Wyoming, where he studied history. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Charles for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO GEORGE ECCARIUS

● Mr. THUNE. Mr. President, today I recognize George Eccarius, an intern in my Rapid City, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

George is a graduate of St. Thomas More High School in Rapid City. Currently, he is attending the University of Oregon, where he is majoring in business. George is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to George Eccarius for all of the fine work he has done and wish him continued success in the years to come.●

A TRIBUTE TO HALLIE SHAE

● Mr. THUNE. Mr. President, today I recognize Hallie Shae, an intern in my Aberdeen, SD, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Hallie is a graduate of Deuel High School in Clear Lake, SD. Currently, she is attending Northern State University, where she is majoring in sociology, with an emphasis in criminal justice. Hallie is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Hallie Shae for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to

the Senate by Ms. Ridgway, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13441 WITH RESPECT TO LEBANON, RECEIVED DURING ADJOURNMENT OF THE SENATE ON JULY 28, 2017—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2017.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

DONALD J. TRUMP.
THE WHITE HOUSE, July 28, 2017.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on July 28, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 3364. An act to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes:

Under the authority of the order of the Senate of January 3, 2017, the en-

rolled bill was signed on July 28, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 4:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 95. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs.

H.R. 873. An act to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

H.R. 2772. An act to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees.

H.R. 3180. An act to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

H.R. 3262. An act to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, and for other purposes.

The message also announced that the House has passed the following bill with an amendment, in which it requests the concurrence of the Senate:

S. 371. An act to make technical changes and other improvements to the Department of State Authorities Act, Fiscal Year 2017.

The message further announced that the House has passed the following bill with amendments, in which it requests the concurrence of the Senate:

S. 114. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs.

MEASURES REFERRED

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

H.R. 95. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 2772. An act to amend title 38, United States Code, to provide for requirements re-

lating to the reassignment of Department of Veterans Affairs senior executive employees; to the Committee on Veterans' Affairs.

H.R. 3180. An act to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence.

H.R. 3262. An act to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2363. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Decreased Assessment Rate" (Docket No. AMS-SC-16-0111) received in the Office of the President of the Senate on July 26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2364. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan, et al.; Free and Restricted Percentages for the 2016-17 Crop Year for Tart Cherries" (Docket No. AMS-SC-16-0105) received in the Office of the President of the Senate on July 26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2365. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Walnuts Grown in California; Decreased Assessment Rate" (Docket No. AMS-SC-17-0031) received in the Office of the President of the Senate on July 26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2366. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Decreased Assessment Rate" (Docket No. AMS-SC-16-0116) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2367. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-2368. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Incorporation by Reference of American Society of Mechanical Engineers Codes and Code Cases" (RIN3150-A197) (NRC-2011-0088) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2369. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled, "Review of Medicare's Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program: Fiscal Year 2016"; to the Committee on Finance.

EC-2370. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections to U.S. Customs and Border Protection Regulations" (CBP Dec. 17-08) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Finance.

EC-2371. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0768); to the Committee on Foreign Relations.

EC-2372. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and 36(d) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services to support the establishment of an F-35 aircraft Final Assembly and Checkout (FACO) facility in Nagoya, Japan for end-use by the Japan Air Self Defense Force in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-016); to the Committee on Foreign Relations.

EC-2373. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of M1500 bolt action rifles in various calibers and accessories to Argentina for commercial resale in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-020); to the Committee on Foreign Relations.

EC-2374. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities" (RIN1820-AB74) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2375. A communication from the Chief of External Affairs and Performance Branch, Office of Government Ethics, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Office of Government Ethics, received in the Office of the President of the Senate on July 26, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2376. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-101, "Medical Marijuana Certified Business Enterprise Preference Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2377. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-100, "Closing of a Public Alley in Square 2960, S.O. 15-53893, Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2378. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ametoctradin; Pesticide Tolerance" (FRL No. 9963-04) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2379. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenamidone; Pesticide Tolerances" (FRL No. 9962-96) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2380. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenpyroximate; Pesticide Tolerances" (FRL No. 9963-22) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2381. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pseudomonas chloraraphis strain AFS009; Exemption from the Requirement of a Tolerance" (FRL No. 9961-77) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2382. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tolpyralate; Pesticide Tolerances" (FRL No. 9964-15) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2383. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Topramezone; Pesticide Tolerances" (FRL No. 9960-37) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2384. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the "National Defense Authorization Act for Fiscal Year 2018"; to the Committee on Armed Services.

EC-2385. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to activities under the Secretary of Defense personnel management demonstration project authorities for Department of Defense Science and Technology Reinvention Laboratories (STRs) for calendar year 2016; to the Committee on Armed Services.

EC-2386. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) for the Army Major Defense Acquisition Programs (MDAPs) (OSS-2017-0785); to the Committee on Armed Services.

EC-2387. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral William A. Brown, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2388. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments to Federal Mortgage Disclosure Requirements under the Truth in Lending Act (Regulation Z)" (RIN3170-AA61) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2389. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-2390. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Service Level I, II, and III Protective Coatings Applied to Nuclear Power Plants" (NRC-2016-0192) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2391. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants under the Safe Drinking Water Act; Analysis and Sampling Procedures" (FRL No. 9964-78-OW) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2392. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List" (FRL No. 9965-31-OLEM) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2393. A communication from the Director of the Regulatory Management Division,

21, 2017; to the Committee on Environment and Public Works.

EC-2419. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Water, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2420. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2421. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2422. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Quality Group Classification and Standards for Water-, Steam-, Radioactive-Waste-Components of Nuclear Power Plants" (Regulatory Guide 1.26, Revision 5) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2423. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Comprehensive Vibration Assessment Program for Reactor Internals During Preoperational and Initial Startup Testing" (Regulatory Guide 1.20, Revision 4) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2424. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Evaluation of Shipper-Receiver Differences in the Transfer of Special Nuclear Material; Internal Transfers of Special Nuclear Material; Shipping and Receiving Control of Strategic Nuclear Material" ((NRC-2016-0189) (Regulatory Guide 5.28, Revision 0; Regulatory Guide 5.49, Revision 0; and Regulatory Guide 5.57, Revision 1)) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2425. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Recommended Practice for Dealing with Outlying Observations" (NRC-2017-0077) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2426. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment of the Assumption of Normality (Employing Individual Ob-

served Values)" (NRC-2017-0161) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2427. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Dedication of Commercial-Grade Items for Use in Nuclear Power Plants" (Regulatory Guide 1.164, Revision 0) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2428. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Guidance for the application of the Theft and Diversion Design-Basis Threat for Category I Fuel Cycle Facilities" (NRC-2017-0042) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2429. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Shipping, Receiving, and Internal Transfer of Special Nuclear Material at Fuel Cycle Facilities" (Regulatory Guide 5.41, Revision 0) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2430. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Limit of Error Concepts and Principles of Calculation in Nuclear Materials Control" (NRC-2017-0059) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2431. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC-2432. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Enrollment Examination User Fee for Enrolled Agents" ((RIN1545-BN09) (TD 9820)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2433. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Return Due Date and Extended Due Date Changes" ((RIN1545-BN13) (TD 9821)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2434. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Notice 2015-77 for Participants in the HFA Hardest Hit Fund" (Notice 2017-40) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2435. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules Regarding the Health Insurance Premium Tax Credit" ((RIN1545-BM09) (TD 9822)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2436. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Branded Prescription Drug Fee" ((RIN1545-BM26) (TD 9823)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2437. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Sunset Date for Attorney Advisor Program" (RIN0960-AI06) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2438. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0129—2017-0141); to the Committee on Foreign Relations.

EC-2439. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2440. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Pre-market Approval of Pediatric Uses of Devices—Fiscal Year 2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-2441. A communication from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Definitions and Selection Criteria that Apply to Direct Grant Programs" (RIN1855-AA13) received during adjournment of the Senate in the Office of the President of the Senate on July 28, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2442. A communication from the Acting Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's 2017 Federal Activities Inventory Reform Act inventory; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CARPER (for himself, Ms. COLLINS, Mr. BROWN, Mr. CARDIN, Mr. REED, Mr. COONS, Mr. KING, Mr. SCHATZ, Mr. MARKEY, Mr. MENENDEZ, Ms. WARREN, and Mr. WHITEHOUSE):

S. 1672. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. DURBIN, and Mr. VAN HOLLEN):

S. 1673. A bill to amend the Internal Revenue Code to include in income the unrepatriated earnings of groups that include an inverted corporation; to the Committee on Finance.

By Mr. REED (for himself, Mr. BROWN, Ms. CORTEZ MASTO, Ms. HASSAN, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, and Mr. CARDIN):

S. 1674. A bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes; to the Committee on Finance.

By Mr. BLUNT (for himself, Ms. WARREN, Mr. LANKFORD, and Mrs. SHAHEEN):

S. 1675. A bill to promote quality student loan servicing by improving the borrower experience for borrowers of Federal Direct Loans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mrs. CAPITO):

S. 1676. A bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DONNELLY (for himself and Mr. STRANGE):

S. 1677. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to improve access to grants and loans for evidence-based substance use disorder treatment services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DONNELLY (for himself and Mr. ROBERTS):

S. 1678. A bill to amend the Consolidated Farm and Rural Development Act to improve access to grants and loans for evidence-based substance use disorder treatment services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. DUCKWORTH (for herself, Mr. BLUMENTHAL, and Mr. DURBIN):

S. 1679. A bill to amend the Foreign Agents Registration Act of 1938 to increase enforcement of certain violations and strengthen certain transparency requirements; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mr. SCHATZ, Mr. WYDEN, Mr. MERKLEY, and Mr. BOOKER):

S. 1680. A bill to decrease the incidence of food waste, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SANDERS:

S. 1681. A bill to require persons who undertake Federally funded research and development of drugs to enter into reasonable pricing agreements with the Secretary of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

(Mr. TESTER) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 754

At the request of Mr. KAINE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 754, a bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1050

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

S. 1169

At the request of Mr. DURBIN, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1169, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the

100th anniversary of The American Legion.

S. 1218

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1218, a bill to promote Federal employment for veterans, and for other purposes.

S. 1301

At the request of Mr. NELSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1301, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1514

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1514, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1520, a bill to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 1529

At the request of Ms. HEITKAMP, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1529, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan.

S. 1544

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1544, a bill to prevent Federal funds from being used to establish a cybersecurity unit in cooperation with the Russian Federation.

S. 1595

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1598

At the request of Mr. ISAKSON, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr.

ADDITIONAL COSPONSORS

S. 479

At the request of Mr. BROWN, the name of the Senator from Montana

BROWN) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service.

S. 1638

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1638, a bill to provide priority under certain federally assisted housing programs to assist youths who are aging out of foster care, and for other purposes.

S. 1640

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1640, a bill to reform the financing of Senate elections, and for other purposes.

S. 1657

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1657, a bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers and for geolocation information in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes.

S. 1663

At the request of Mr. HOEVEN, the names of the Senator from Montana (Mr. DAINES), the Senator from Mississippi (Mr. WICKER), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1663, a bill to amend the Internal Revenue Code of 1986 to enhance the requirements for secure geological storage of carbon dioxide for purposes of the carbon dioxide sequestration credit.

S. RES. 233

At the request of Mr. REED, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 233, a resolution designating August 16, 2017, as "National Airborne Day".

AMENDMENT NO. 527

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 527 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 528

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 528 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 529

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 529 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 534

At the request of Mrs. CAPITO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 534 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 536

At the request of Mrs. CAPITO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 536 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 592

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Maine (Ms. COLLINS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Colorado (Mr. BENNET) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. BROWN, Ms. CORTEZ MASTO, Ms. HASSAN, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, and Mr. CARDIN):

S. 1674. A bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, our public schools are critical National infrastructure. They play a central role in our Democracy—educating the next generation, serving as polling places for our elections, hosting community meetings and events, and so much more. As we consider the components of a new major Federal investment in infrastructure, we cannot afford to leave our public schools behind. That is why I am proud to be introducing the School Building Improvement Act with my colleagues Senators BROWN, CORTEZ MASTO, HASSAN, WARREN, WHITEHOUSE, HIRONO, and CARDIN.

Safe, healthy, modern, well-equipped schools are essential for advancing student achievement and ensuring that the next generation is prepared to meet the economic, social, environmental, and global challenges our Nation faces. Yet, too many of the over 50 million students and six million staff who learn and work in our public schools, spend their days in facilities that fail to make the grade. A 2014 Department of Education study estimated that it would cost \$197 billion to bring all public schools into "good" condition. Nationally, there is also a \$38 billion funding gap in annual capital construction and new facility funding, as reported in the 2016 State of Our Schools report. Despite the benefits and need, however, Federal funding accounts for 0.2% of the total current capital investment in our schools.

Addressing this need is the right thing to do for our students and our communities. Moreover, it will give a needed boost to our economy, putting people to work in family sustaining jobs. According to an analysis by the Economic Policy Institute, every \$1 billion spent on construction generates 17,785 jobs.

There are plenty of examples in Rhode Island of the urgent need for additional investment in school facilities. My hometown of Cranston recently reported \$190 million in school facility deficiencies—a startling figure. In the weeks ahead, the Rhode Island Department of Education will publish a report detailing the infrastructure shortfalls in school districts across the state. Our students and community members do not have to be convinced about the need for investing in school facilities. This spring, students, educators, and

community leaders gathered in Providence to talk about our schools. One participant said, “The condition of the buildings is a value statement about how we feel about our students. We must have buildings that are warm, safe, and dry.” The Federal government needs to be a partner in helping Rhode Island and other States in closing school infrastructure funding gaps.

The School Building Improvement Act of 2017 will create a Federal-State partnership for school infrastructure. It will provide, over ten years, a total of \$100 billion in direct grants and school construction bonds to help fill the annual gap in school facility capital needs, while creating nearly two million jobs.

Specifically, the School Building Improvement Act will provide \$7 billion per year in formula funds to States for local competitive grants for school repair, renovation, and construction. States will focus assistance on communities with the greatest financial need, encourage green construction practices, and ensure equitable access for public charter schools. Our legislation would also provide \$30 billion for qualified school infrastructure bonds (QSIBs), \$10 billion each year from FY 2018 through FY 2020 and expand the bond authority of and eligible purposes for Qualified Zone Academy Bonds (QZABS) to allow local education agencies to construct, rehabilitate, retrofit, or repair school facilities. The School Building Improvement Act also supports American workers by ensuring that projects use American-made iron, steel, and manufactured products.

I would like to thank the broad coalition of educators, community organizations, and unions that have provided feedback and support for this legislation, including Rebuild America's Schools, American Federation of Teachers, Californians for School Facilities, Council of the Great City Schools, International Union of Operating Engineers, National Association of Elementary School Principals., National Association of Federally Impacted Schools, National Association of Secondary School Principals, National Education Association, National Parent Teacher Association, and North America's Building Trades Unions. We look forward to expanding this coalition in the weeks and months ahead.

We have no time to waste in fixing our deteriorating school infrastructure. In the words of a student activist in Providence, “Students cannot learn in a crumbling building, a school that isn't fit to uplift our minds.” We need to listen to our students, strengthen our communities, and improve our school buildings. I urge all of my colleagues to cosponsor the School Building Improvement Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 734. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 735. Mr. DONNELLY (for himself, Ms. BALDWIN, Ms. STABENOW, Mrs. GILLIBRAND, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 736. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 737. Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 738. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 739. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 740. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 734. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PERMANENT RESIDENT STATUS FOR LUIS BARRIOS, VALENT KOLAMI, NURY CHAVARRIA, AND JOEL COLINDRES.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Luis Barrios, Valent Kolami, Nury Chavarria, and Joel Colindres shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres enters the United States before the filing deadline specified in subsection (c), Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, as applicable, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status

under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, as applicable, under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) the total number of immigrant visas that are made available to natives of the country of birth of Luis Barrios, Valent Kolami, Nury Chavarria, or Joel Colindres, as applicable, under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 735. Mr. DONNELLY (for himself, Ms. BALDWIN, Ms. STABENOW, Mrs. GILLIBRAND, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle K—End Outsourcing Act

SEC. 899D. SHORT TITLE.

This subtitle may be cited as the “End Outsourcing Act”.

SEC. 899E. OUTSOURCING STATEMENT IN WORKER ADJUSTMENT AND RETRAINING NOTICE.

(a) OUTSOURCING STATEMENT.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended by adding at the end the following:

“(e) OUTSOURCING STATEMENT.—

“(1) IN GENERAL.—For purposes of subsection (a), the employer shall include an outsourcing statement in the notice described in that subsection. The outsourcing statement shall specify whether part or all of the positions held by affected employees covered by subsection (a) will be moved to a country outside the United States, regardless of whether the positions are moved within the business enterprise involved or to another business enterprise. The employer shall make the determination of whether the positions are being so moved in accordance

with regulations issued by the Secretary. The employer shall serve the notice as required under subsection (a) and submit the notice to the Secretary of Labor.

“(2) LIST.—Not less often than annually, the Secretary shall publish and make available on the website of the Department of Labor, a list including each employer who—

“(A) has included an outsourcing statement in a notice under paragraph (1); or

“(B) has incurred liability under section 5, in part or in whole, because the employer ordered a plant closing or mass layoff without having served a notice that is required, under this section, to include an outsourcing statement.”.

(b) IMPLEMENTATION REPORT.—The Worker Adjustment and Retraining Notification Act is amended by inserting after section 10 (29 U.S.C. 2109) the following:

“SEC. 10A. IMPLEMENTATION STUDY.

“(a) STUDY.—The Comptroller General of the United States shall conduct a study of the implementation of section 3(e) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102(e)) by the Department of Labor.

“(b) REPORT.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the appropriate committees of Congress a report containing the results of the study.”.

SEC. 899F. DENIAL OF DEDUCTION FOR OUTSOURCING EXPENSES.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 280I. OUTSOURCING EXPENSES.

“(a) IN GENERAL.—No deduction otherwise allowable under this chapter shall be allowed for any specified outsourcing expense.

“(b) SPECIFIED OUTSOURCING EXPENSE.—For purposes of this section—

“(1) IN GENERAL.—The term ‘specified outsourcing expense’ means—

“(A) any eligible expense paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States, and

“(B) any eligible expense paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States, if such establishment constitutes the relocation of the business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

“(2) ELIGIBLE EXPENSES.—The term ‘eligible expenses’ means—

“(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

“(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

“(3) BUSINESS UNIT.—The term ‘business unit’ means—

“(A) any trade or business, and

“(B) any line of business, or functional unit, which is part of any trade or business.

“(4) EXPANDED AFFILIATED GROUP.—The term ‘expanded affiliated group’ means an affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting ‘more than 50 percent’ for ‘at least 80 percent’ each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

“(5) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the ongoing operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

“(c) SPECIAL RULES.—

“(1) APPLICATION TO DEDUCTIONS FOR DEPRECIATION AND AMORTIZATION.—In the case of any portion of a specified outsourcing expense which is not deductible in the taxable year in which paid or incurred, such portion shall neither be chargeable to capital account nor amortizable.

“(2) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term ‘United States’ shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

“(d) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations which provide (or create a rebuttable presumption) that certain establishments of business units outside the United States will be treated as relocations (based on timing or such other factors as the Secretary may provide) of business units eliminated within the United States.”.

(b) LIMITATION ON SUBPART F INCOME OF CONTROLLED FOREIGN CORPORATIONS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—Subsection (c) of section 952 of such Code is amended by adding at the end the following new paragraph:

“(4) EARNINGS AND PROFITS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—For purposes of this subsection, earnings and profits of any controlled foreign corporation shall be determined without regard to any specified outsourcing expense (as defined in section 280I(b)).”.

(c) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 280I. Outsourcing expenses.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

SEC. 899G. DENIAL OF CERTAIN DEDUCTIONS AND ACCOUNTING METHODS FOR OUTSOURCING EMPLOYERS.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 280J. LIMITATIONS FOR OUTSOURCING EMPLOYERS.

“(a) IN GENERAL.—During the disallowance period, an applicable taxpayer—

“(1) shall not be allowed any deduction under section 199 for any income of the taxpayer,

“(2) may not use the method provided in section 472(b) in inventorying goods,

“(3) may not use the lower of cost or market method of determining inventories for purposes of determining income, and

“(4) shall not be allowed any deduction under section 163 for interest paid or accrued on indebtedness.

“(b) APPLICABLE TAXPAYER.—For purposes of subsection (a), the term ‘applicable taxpayer’ means a taxpayer which—

“(1) during the taxable year, has served written notice under subsection (a) of section 3 of the Worker Adjustment and Retraining Notification Act which includes an outsourcing statement described in subsection (e) of such section, and

“(2) the cumulative employment loss (excluding any part-time employees) for positions at facilities owned by such taxpayer which will be moved to a country outside of the United States, as determined pursuant to any outsourcing statements served by such taxpayer during such taxable year, exceeds 50 employees.

“(c) DISALLOWANCE PERIOD.—For purposes of subsection (a), the disallowance period is the period of 3 taxable years after the taxable year in which the statements described in subsection (b)(2) are required to be served.

“(d) EXPANDED AFFILIATED GROUP TREATED AS SINGLE TAXPAYER.—For purposes of this section, the members of an expanded affiliated group (as defined in section 280I(b)(4)) shall be treated as a single taxpayer.

“(e) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 280J. Limitations for outsourcing employers.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 899H. RECAPTURE OF CREDITS FOR OUTSOURCING EMPLOYERS.

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subpart:

“Subpart K—Recapture of Credits for Outsourcing Employers

“Sec. 54BB. Recapture of credits for outsourcing employers.

“SEC. 54BB. RECAPTURE OF CREDITS FOR OUTSOURCING EMPLOYERS.

“(a) IN GENERAL.—Pursuant to regulations prescribed by the Secretary, in the case of a taxpayer which owns a facility for which there is an outsourcing event during the taxable year, the tax under this chapter for such taxable year shall be increased by the amount equal to the sum of—

“(1) any credits allowed under this chapter relating to expenses for design, construction, operation, or maintenance of such facility during the 5 taxable years preceding such taxable year, and

“(2) any grants provided by the Secretary in lieu of credits described in paragraph (1) during the 5 taxable years preceding such taxable year.

“(b) OUTSOURCING EVENT.—For purposes of subsection (a), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in

which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of such section 3(e) of such Act) served by the taxpayer during the taxable year, exceeds 50 employees.

“(c) EXPANDED AFFILIATED GROUP TREATED AS SINGLE TAXPAYER.—For purposes of this section, the members of an expanded affiliated group (as defined in section 280I(b)(4)) shall be treated as a single taxpayer.”.

(b) CLERICAL AMENDMENT.—The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

“SUBPART K. RECAPTURE OF CREDITS FOR OUTSOURCING EMPLOYERS”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 899I. CREDIT FOR INSOURCING EXPENSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 45S. CREDIT FOR INSOURCING EXPENSES.

“(a) IN GENERAL.—For purposes of section 38, the insourcing expenses credit for any taxable year is an amount equal to 20 percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection (d).

“(b) ELIGIBLE INSOURCING EXPENSES.—For purposes of this section—

“(1) IN GENERAL.—The term ‘eligible insourcing expenses’ means—

“(A) eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States, and

“(B) eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within—

“(i) a HUBZone (as defined in section 3(p)(2) of the Small Business Act (15 U.S.C. 632(p)(2))), or

“(ii) a low-income community (as described in section 45D(e)),

if such establishment constitutes the relocation of the business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

“(2) ELIGIBLE EXPENSES.—The term ‘eligible expenses’ means—

“(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

“(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

“(3) BUSINESS UNIT.—The term ‘business unit’ means—

“(A) any trade or business, and

“(B) any line of business, or functional unit, which is part of any trade or business.

“(4) EXPANDED AFFILIATED GROUP.—The term ‘expanded affiliated group’ means an

affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting ‘more than 50 percent’ for ‘at least 80 percent’ each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

“(5) EXPENSES MUST BE PURSUANT TO INSOURCING PLAN.—Amounts shall be taken into account under paragraph (1) only to the extent that such amounts are paid or incurred pursuant to a written plan to carry out the relocation described in paragraph (1).

“(6) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the on-going operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

“(c) INCREASED DOMESTIC EMPLOYMENT REQUIREMENT.—No credit shall be allowed under this section unless the number of full-time equivalent employees of the taxpayer for the taxable year for which the credit is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year ending before the first taxable year in which such eligible insourcing expenses were paid or incurred. For purposes of this subsection, full-time equivalent employees has the meaning given such term under section 45R(d) (and the applicable rules of section 45R(e)). All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

“(d) CREDIT ALLOWED UPON COMPLETION OF INSOURCING PLAN.—

“(1) IN GENERAL.—Except as provided in paragraph (2), eligible insourcing expenses shall be taken into account under subsection (a) in the taxable year during which the plan described in subsection (b)(5) has been completed and all eligible insourcing expenses pursuant to such plan have been paid or incurred.

“(2) ELECTION TO APPLY EMPLOYMENT TEST AND CLAIM CREDIT IN FIRST FULL TAXABLE YEAR AFTER COMPLETION OF PLAN.—If the taxpayer elects the application of this paragraph, eligible insourcing expenses shall be taken into account under subsection (a) in the first taxable year after the taxable year described in paragraph (1).

“(e) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term ‘United States’ shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

“(f) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.”.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code is amended by striking “plus” at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting “, plus”, and by adding at the end the following new paragraph:

“(37) the insourcing expenses credit determined under section 45S(a).”.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is

amended by adding at the end the following new item:

“Sec. 45S. Credit for insourcing expenses.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

(e) APPLICATION TO UNITED STATES POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall make periodic payments to each possession of the United States with a mirror code tax system in an amount equal to the loss to that possession by reason of section 45S of the Internal Revenue Code of 1986. Such amount shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall make annual payments to each possession of the United States which does not have a mirror code tax system in an amount estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of section 45S of such Code if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 45S of such Code to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of such section, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B).

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSIONS OF THE UNITED STATES.—For purposes of this section, the term “possession of the United States” includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from sections referred to in such section 1324(b)(2).

SEC. 899J. AUTHORITY FOR FEDERAL CONTRACTING OFFICERS TO TAKE THE OUTSOURCING OF JOBS FROM THE UNITED STATES INTO ACCOUNT IN AWARDING CONTRACTS.

(a) DEPARTMENT OF DEFENSE AND RELATED AGENCY CONTRACTS.—

(1) CONSIDERATION OF OUTSOURCING.—

(A) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2327 the following new section: “§2327a. Contracts: consideration of outsourcing of jobs

“(a) DISCLOSURE OF OUTSOURCING OF JOBS.—

“(1) IN GENERAL.—The head of an agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the agency to disclose in that bid or proposal if the contractor, or a subsidiary of the contractor, owns a facility for which there is an outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

“(2) OUTSOURCING EVENT.—For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of such section 3(e) of such Act) served by the taxpayer during the taxable year, exceeds 50 employees.

“(b) CONSIDERATION AUTHORIZED.—(1) Agency contracting officers considering bids or proposals in response to a solicitation issued by the agency may take into account any disclosure made pursuant to subsection (a) in such bids and proposals.

“(2) The head of an agency may establish a negative preference of up to 10 percent of the cost of a contract for purposes of evaluating a bid or proposal of a contractor that makes a disclosure pursuant to subsection (a).

“(c) SENSE OF CONGRESS.—It is the sense of Congress that agency contracting officers should, using section 2304(b)(3) of this title, exclude contractors making a disclosure pursuant to subsection (a) in response to solicitations issued by the agency from the bidding process in connection with such solicitations on the grounds that the actions described in the disclosures are against the public interests of the United States.

“(d) ANNUAL REPORT.—The head of each agency shall submit to Congress each year a report on the following:

“(1) The number of solicitations made by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

“(2) The number of contracts awarded by the agency during the preceding year in which such disclosures were taken into account in the contract award.”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by inserting after the item relating to section 2327 the following new item:

“2327a. Contracts: consideration of outsourcing of jobs.”.

(2) EXCLUSION OF FIRMS FROM SOURCES.—Section 2304(b) of such title is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by inserting after paragraph (2) the following new paragraph:

“(3) The head of an agency may provide for the procurement of property and services covered by this chapter using competitive procedures but excluding a source making a disclosure pursuant to section 2327a(a) of this title in the bid or proposal in response to the solicitation issued by the agency if the head of the agency determines that the actions described by disclosure are against the public interests of the United States and the source is to be excluded on those grounds. Any such determination shall take into account the sense of Congress set forth in section 2327a(c) of this title.”; and

(C) in paragraph (3), as so redesignated, by striking “paragraphs (1) and (2)” and inserting “paragraphs (1), (2), and (3)”.

(b) OTHER FEDERAL CONTRACTS.—

(1) CONSIDERATION OF OUTSOURCING.—Chapter 35 of title 41, United States Code, is amended by inserting after section 3303 the following new section:

“§ 3303a. Bidders outsourcing jobs: disclosure of outsourcing; consideration of outsourcing in award; exclusion from sources

“(a) DISCLOSURE OF OUTSOURCING OF JOBS.—

“(1) IN GENERAL.—The head of an executive agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the executive agency to disclose in that bid or proposal if the contractor, or a subsidiary of the contractor, owns a facility for which there is an outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

“(2) OUTSOURCING EVENT.—For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of such section 3(e) of such Act) served by the taxpayer during the taxable year, exceeds 50 employees.

“(b) CONSIDERATION AUTHORIZED.—(1) Contracting officers of an executive agency considering bids or proposals in response to a solicitation issued by the executive agency may take into account any disclosure made pursuant to subsection (a) in such bids and proposals.

“(2) The head of an executive agency may establish a negative preference of up to 10 percent of the cost of a contract for purposes of evaluating a bid or proposal of a contractor that makes a disclosure pursuant to subsection (a).

“(c) EXCLUSION FROM SOURCES.—

“(1) IN GENERAL.—The head of an executive agency may provide for the procurement of property and services using competitive procedures but excluding a source making a disclosure under subsection (a) in the bid or proposal in response to the solicitation issued by the executive agency if the head of the executive agency determines that the actions described by disclosure are against the public interests of the United States and the source is to be excluded on those grounds. Any such determination shall take into account the sense of Congress set forth in paragraph (2).

“(2) SENSE OF CONGRESS.—It is the sense of Congress that contracting officers of executive agencies may use paragraph (1) to exclude contractors making a disclosure pursuant to subsection (a) in response to a solicitation issued by the executive agency from the bidding process in connection with the solicitation on the grounds that the actions described by the disclosure are against the public interests of the United States.

“(d) ANNUAL REPORT.—The head of each executive agency shall submit to Congress each year a report on the following:

“(1) The number of solicitations made by the executive agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

“(2) The number of contracts awarded to contractors that disclosed having outsourced more than 50 jobs during the preceding three years.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of

such title is amended by inserting after the item relating to section 3303 the following new item:

“3303a. Bidders outsourcing jobs: disclosure of outsourcing; consideration of outsourcing in award; exclusion from sources.”.

(3) CONFORMING AMENDMENT.—Section 3301(a) of such title is amended by inserting “3303a(c),” after “3303.”.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council, in consultation with the heads of relevant agencies, shall amend the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement to carry out the requirements of section 3303a of title 41, United States Code, and section 2327a of title 10, United States Code, as added by this section.

(2) DEFINITION OF OUTSOURCING.—For purposes of defining outsourcing pursuant to paragraph (1), the Federal Acquisition Regulatory Council may utilize regulations prescribed by the Secretary of Labor.

(d) RULE OF CONSTRUCTION.—This section, and the amendments made by this section, shall be applied in a manner consistent with United States obligations under international agreements.

SA 736. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary. The City shall provide an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of the Secretary.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration in the form of cash

payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) MAP AND LEGAL DESCRIPTION.—

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

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

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

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

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

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

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

SA 737. Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 573. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING BATTLE OF THE BULGE.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States

Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of the Bulge when, as a first lieutenant in the 82d Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

SA 738. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . EXPANSION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION BY LAW.

Paragraph (3) of section 2572(e) of title 10, United States Code, is amended to read as follows:

“(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object that is specifically authorized by law.”.

SA 739. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ITEMIZED LIST OF ITEMS ACQUIRED FROM FOREIGN ENTITIES THROUGH BUY AMERICAN NON-AVAILABILITY WAIVERS.

Section 8302(b)(2) of title 41, United States Code, is amended—

(1) in subparagraph (C), by striking “supplies; and” and inserting “supplies;”;

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

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

“(E) an itemized list of all articles, materials, and supplies acquired through waivers pursuant to subsection (a)(2)(B).”.

SA 740. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize

appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INTEGRITY IN BORDER AND IMMIGRATION ENFORCEMENT.

(a) SHORT TITLE.—This section may be cited as the “Integrity in Border and Immigration Enforcement Act”.

(b) DEFINITIONS.—In this section:

(1) LAW ENFORCEMENT POSITION.—The term “law enforcement position” means any law enforcement position in U.S. Customs and Border Protection (“CBP”) or U.S. Immigration and Customs Enforcement (“ICE”).

(2) POLYGRAPH EXAMINATION.—The term “polygraph examination” means the Law Enforcement Pre-Employment Test certified by the National Center for Credibility Assessment.

(c) POLYGRAPH EXAMINATIONS FOR LAW ENFORCEMENT PERSONNEL.—

(1) APPLICANTS.—Beginning not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security—

(A) shall require that polygraph examinations are conducted on all applicants for law enforcement positions; and

(B) may not hire any applicant for a law enforcement position who does not pass a polygraph examination.

(2) TARGETED POLYGRAPH REINVESTIGATIONS.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, as part of each background reinvestigation, shall administer a polygraph examination to—

(A) every CBP law enforcement employee who is determined by the Inspector General of the Department of Homeland Security to be part of a population at risk of corruption or misconduct, based on an analysis of past incidents of misconduct and corruption; and

(B) every ICE law enforcement employee who is determined by the Inspector General of the Department of Homeland Security to be part of a population at risk of corruption or misconduct, based on an analysis of past incidents of misconduct and corruption.

(3) DELEGATION OF AUTHORITY TO DETERMINE TARGETED POLYGRAPH EXAMINATIONS.—The Inspector General of the Department of Homeland Security may—

(A) delegate the authority under paragraph (2)(A) to the CBP Office of Professional Responsibility; and

(B) delegate the authority under paragraph (2)(B) to the ICE Office of Professional Responsibility.

(4) RANDOM POLYGRAPH REINVESTIGATIONS.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(A) randomly administer a polygraph examination each year to at least 5 percent of CBP law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under paragraph (2)(A); and

(B) randomly administer a polygraph examination each year to at least 5 percent of ICE law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under paragraph (2)(B).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar Nos. 195 through 223, with the exception of COL John K. Muller, and all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, and Navy; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Steven L. Kwast

The following named officer for reappointment as the Vice Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To be general

Gen. Paul J. Selva

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bruce T. Crawford

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John B. Cooper

IN THE ARMY

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. John B. Dunlap, III
Col. Donald R. Emerson
Col. David Fleming, III
Col. Ryan T. Pace
Col. Andrew M. Roman

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indi-

cated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Deborah Y. Howell

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Stephen R. Lyons

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Charles W. Hooper

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Edward M. Daly

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Michelle M. Rose

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Daniel W. Dwyer

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Ross A. Myers

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John J. Broadmeadow

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Kenneth F. McKenzie, Jr.

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Vincent R. Stewart

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Herman S. Clardy, III

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of im-

portance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. William C. Mayville, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general

Maj. Gen. Richard D. Clarke

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Frederick J. Roegge

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Daniel J. O'Donohue

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael A. Rocco

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Mark A. Brilakis

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. John D. Slocum

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Anthony J. Carrelli

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Sam C. Barrett

IN THE ARMY

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Michael N. Adame
Col. Jaime A. Areizaga

Col. Thomas G. Behling
 Col. Karen A. Berry
 Col. Robyn J. Blader
 Col. Darrell L. Butters
 Col. Stephen M. Doyle
 Col. John J. Driscoll
 Col. Larry D. Fletcher
 Col. David A. Gagnon
 Col. Terry L. Grisham
 Col. Herman W. Holt
 Col. Todd H. Hubbard
 Col. Jonathan S. Hubbard
 Col. Manley James
 Col. David M. Jenkins
 Col. John T. Kelly
 Col. Steven J. Kremer
 Col. Scott M. MacLeod
 Col. Sharon A. Martin
 Col. Brian R. Nesvik
 Col. Donald D. Perez
 Col. Stephen M. Radulski
 Col. Carl T. Reese
 Col. Robert K. Ryan
 Col. Lawrence E. Schloegel
 Col. Grant C. Slayden
 Col. Troy J. Soukup
 Col. Brian E. Tate
 Col. Jeffrey M. Terrill
 Col. Patrick C. Thibodeau

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. John C. Andonie
 Col. Jimmie L. Cole
 Col. William T. Conway
 Col. Jeffrey L. Copeland
 Col. Peter B. Cross
 Col. Jon M. Harrison
 Col. Stefanie K. Horvath
 Col. Lowell E. Kruse
 Col. Haldane B. Lamberton
 Col. Stephen F. Logan
 Col. Franklin D. Powell
 Col. Carlton G. Smith
 Col. Timothy N. Thombleson
 Col. Cynthia K. Tinkham

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Samuel AgostoSantiago
 Col. Herbert J. Brock, IV
 Col. Charles G. Cody
 Col. Charles T. Crosby
 Col. Jakie R. Davis, Jr.
 Col. Mark D. Drown
 Col. Curtis W. Faulk
 Col. Timothy A. Glynn
 Col. Richard A. Gray
 Col. Gregory J. Hadfield
 Col. Thomas W. Hanley
 Col. Shawn A. Harris
 Col. Ralph F. Hedenberg
 Col. Jackie A. Huber
 Col. David T. Manfredi
 Col. Judith D. Martin
 Col. William M. Myer
 Col. Ralph R. Myers, Jr.
 Col. Eric J. Oh
 Col. Amos P. Parker, Jr.
 Col. Joseph K. Pearce
 Col. Debra D. Rice
 Col. Douglas C. Rose, Jr.
 Col. Mark J. Schindler
 Col. Farin D. Schwartz
 Col. Ronald F. Taylor
 Col. Daniel L. Townsend
 Col. William L. Zana

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. (1h) William R. Merz

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN538 AIR FORCE nominations (1223) beginning WILLIAM JOHN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nomination of Lisa E. Donovan, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 AIR FORCE nomination of Kirt L. Stallings, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN632 AIR FORCE nominations (2) beginning Michael G. Rhode, and ending Scott D. Wright, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN633 AIR FORCE nomination of Richard L. Allen, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN704 AIR FORCE nomination of Michael J. Silverman, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN705 AIR FORCE nomination of Maiya D. Anderson, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN706 AIR FORCE nominations (2) beginning KIMBERLY M. KITTLESON, and ending KEVIN C. PETERSON, which nominations were received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN707 AIR FORCE nominations (4) beginning CECILIA A. FLORIO, and ending JOHN M. FEJES, which nominations were received by the Senate and appeared in the Congressional Record of June 26, 2017.

IN THE ARMY

PN634 ARMY nominations (4) beginning JAMES C. BENSON, and ending JACOB S. LOFTICE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN635 ARMY nomination of Timothy D. Litka, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN636 ARMY nomination of Scott D. Blackwell, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN637 ARMY nominations (150) beginning MICHAEL A. ADAMS, and ending D012118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN638 ARMY nominations (32) beginning TODD R. ANDERSON, and ending JOHN F. YANKOV, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN639 ARMY nominations (11) beginning DOUGLAS A. ALLEN, and ending THOMAS K. SARROUF, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN640 ARMY nominations (18) beginning CHARLES E. BANE, and ending MATTHEW D. WEGNER, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN641 ARMY nomination of Daren A. Douchi, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN643 ARMY nomination of Brandon J. Baer, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN644 ARMY nomination of Barry Murray, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN645 ARMY nominations (82) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN646 ARMY nominations (109) beginning JOSEPH H. AFANADOR, and ending D013069, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN647 ARMY nominations (26) beginning BERT M. BAKER, and ending MARIA R. S. YATES, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN649 ARMY nominations (28) beginning BRECK S. BREWER, and ending DIANA W. WEBER, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN651 ARMY nominations (2) beginning DANIEL F. ALEMANY, and ending BRITTANY E. MCCROAN, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN652 ARMY nomination of Wil B. Neubauer, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN653 ARMY nomination of Mark C. Gillespie, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN708 ARMY nomination of Joseph M. O'Callaghan, Jr., which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN709 ARMY nomination of Bret P. Van Poppel, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN710 ARMY nomination of Aliya I. Wilson, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN767 ARMY nomination of William O. Murray, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN768 ARMY nomination of Patrick R. Wilde, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN769 ARMY nomination of Jeff H. McDonald, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN770 ARMY nominations (292) beginning EDWARD V. ABRAHAMSON, and ending D012929, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN771 ARMY nominations (393) beginning SCOTT J. AKERLEY, and ending D002220, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN772 ARMY nominations (497) beginning RYAN C. AGEE, and ending D011536, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN773 ARMY nominations (88) beginning ERIK C. ALFSEN, and ending D013346, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN774 ARMY nominations (19) beginning BRADFORD A. BAUMANN, and ending THOMAS B. VAUGHN, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN775 ARMY nomination of Jay A. Johannigman, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

IN THE FOREIGN SERVICE

PN578 FOREIGN SERVICE nominations (164) beginning Nicholas Raymond Abbate, and ending Elizabeth Marie Wysocki, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

PN579 FOREIGN SERVICE nominations (106) beginning Gabriela R. Arias Villela, and ending Haenim Yoo, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

PN580 FOREIGN SERVICE nominations (4) beginning Andrew Anderson-Sprecher, and ending Evan Nicholas Mangino, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

PN581 FOREIGN SERVICE nominations (4) beginning Rameeth Hundle, and ending Loren Stender, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2017.

PN730 FOREIGN SERVICE nominations (53) beginning Andrew K. Abordonado, and ending Peter B. Winter, which nominations were received by the Senate and appeared in the Congressional Record of June 29, 2017.

IN THE NAVY

PN655 NAVY nominations (44) beginning CAMERON M. BALMA, and ending SCOTT D. ZIEGENHORN, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN656 NAVY nominations (19) beginning RICHARD A. ACKERMAN, and ending PATRICIA R. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN657 NAVY nominations (28) beginning SARAH R. BOUTWELL, and ending ANDREW F. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN658 NAVY nominations (7) beginning JEREMIAH E. CHAPLIN, and ending JEANETTE SHEETS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN659 NAVY nomination of Linwood O. Lewis, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN660 NAVY nomination of Brian A. Evick, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN661 NAVY nominations (15) beginning KRISTOPHER M. BRAZIL, and ending SHEREE T. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN662 NAVY nominations (479) beginning BRYCE D. ABBOTT, and ending SHANE M.

ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN663 NAVY nominations (32) beginning JEREMIAH P. ANDERSON, and ending ASHLEY S. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN664 NAVY nominations (17) beginning STACY J. G. ARENSTEIN, and ending HENRY L. THOMASON, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN665 NAVY nominations (14) beginning KELLY S. BOWMAN, JR., and ending ROBERT H. VOHRER, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN666 NAVY nominations (10) beginning LARA R. BOLLINGER, and ending CANDICE C. TRESCH, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN667 NAVY nominations (13) beginning PATRICK P. DAVIS, and ending SEAN C. STEVENS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN668 NAVY nominations (42) beginning JEFFRY A. ALSUP, and ending TERRY N. TRAWEEK, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN711 NAVY nomination of Linda C. Seymour, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN712 NAVY nomination of Chad J. Trubilla, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN776 NAVY nominations (49) beginning PATRICK R. ADAMS, and ending JAMES T. WATTERS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN777 NAVY nomination of Randall G. Schimpt, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MEASURE READ THE FIRST TIME—H.R. 3219

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, AUGUST 1, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, August 1; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Newsom nomination, with all time during morning business, recess, adjournment, and leader remarks counting postcloture on the Newsom nomination; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

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

The Senator from Ohio.

WELLS FARGO AND FORCED ARBITRATION

Mr. BROWN. Mr. President, a number of Wall Street banks, car title lenders, big corporations, and payday loan sharks have two things in common: They have a record of ripping off consumers, and they have armies of expensive lawyers and lobbyists in Washington, in Columbus, and in State capitals all over this country who protect them from facing the consequences.

That is why it is so important that ordinary American consumers have their own cop on the beat—the Consumer Financial Protection Bureau. The recent abuses by Wells Fargo are the latest proof of how necessary the Consumer Financial Protection Bureau's work is.

Less than a year ago, we learned that Wells Fargo secretly opened millions of phony bank and credit card accounts without customers' permission. The CEO of Wells Fargo had to resign as a result. This was an outrageous abuse of American consumers. The sheer size and scope of this scam are breathtaking. In total, Wells Fargo may have opened as many as 3.5 million unauthorized accounts—meaning, it opened these accounts without the accountholders even necessarily knowing that they did it, without permission—costing customers some \$2.5 million in fees.

The abuses are bad enough. To make matters worse, Wells Fargo tried to keep this scandal hidden from the public, and it used something called the “forced arbitration clauses,” which are buried in the fine print of customers’ contracts, to deny them their day in court. There is hardly anybody in this country who has not confronted small print in a contract when signing that contract, especially with a financial institution. Customers first sued over these fake accounts back in 2013, but Wells Fargo then forced them into secret arbitration proceedings, keeping this scam under wraps and blocking consumers from obtaining any relief.

Last year, the Consumer Financial Protection Bureau and other watchdogs blew the lid off of this scandal. Customers sued once again, and, once again, the bank tried to block them from getting relief in court. This time, because of the Consumer Financial Protection Bureau, the LA Times, and others who shone a light on the scandal and on all of the bad press that went with it, Wells Fargo relented. So, after two congressional hearings and a flood of bad headlines, Wells Fargo is cutting a deal in its phony account scandal. Yet now we have learned that this is not the only scam that one of America’s largest banks has pulled.

Just last week, we learned that the bank forced unwanted insurance on 800,000 auto loan borrowers, potentially pushing tens of thousands into default and repossession, and it is still using these forced arbitration clauses in its contracts in order to cheat future consumers, including in the contracts in this auto loan scam.

The only thing more outrageous than the fact that Wells Fargo continues to cheat its customers is the fact that Members of Congress—a lot of Members of Congress in this body and down the hall—are trying to make it even harder for those customers to seek justice in their overturning the arbitration rule. They think that forced arbitration and the fine print, which most people do not read and most people do not understand if they do read it, is legitimate. No wonder so many hard-working Americans believe that the system is rigged against them in Wall Street’s favor.

These scams have caused real damage for hundreds of thousands of Americans as 275,000 Wells Fargo customers have been forced into delinquency by being charged for unnecessary insurance, and 20,000 vehicles have been unfairly repossessed because of this bank’s behavior.

Wells Fargo is not alone. Santander has used forced arbitration clauses against servicemembers. It is a Spanish company that does business in the United States and uses forced arbitration clauses against American servicemembers—again, for illegal car repossessions. In 2015, Santander used forced

arbitration to block an Army National Guard sergeant from seeking justice after the bank illegally repossessed his car while he was serving our country overseas.

I see that kind of thing happening at Wright-Patterson Air Force Base in Dayton. Air Force men and women are not always making big salaries, to put it mildly, as they are serving their country. They do not make a lot of money, and a lot of these young families struggle. Yet predators—companies like Wells Fargo and payday lenders—continue to prey on them. The Consumer Financial Protection Bureau stands with them. The CFPB is looking out for folks like the Army National Guard sergeant, like those at the Wright-Patterson Air Force Base, and like those at the Air Force bases in Springfield and Mansfield and Toledo and Youngstown.

Yet, with all of this happening, some Members of Congress, again, are doing the bidding of Wall Street lobbyists. The Bureau just finalized a new rule that limits the arbitration clauses that allow big corporations to get away with ripping off servicemembers, students, and other hard-working Americans, but the ink is barely dry on this new consumer protection, and big banks and their allies in Congress—and God knows they have a lot of allies in Congress and allies in the administration—are already trying to overturn this rule.

Last week, Republicans in the House voted to overturn this rule that ensures that all Ohioans who have been ripped off by banks or payday lenders are able to have their day in court. Despite promising during his campaign to look out for the little guy, President Trump’s Acting Comptroller of the Currency, who is also—alas—a former Wells Fargo lawyer, is trying to get the Consumer Financial Protection Bureau to back off that rule.

It is unconscionable that Washington politicians are undermining the rights of consumers to have their day in court when they are cheated by banks and payday lenders. Folks in Washington who want to dismantle the Consumer Financial Protection Bureau and gut its rules seem to have collective amnesia about the devastation that Wall Street greed has wreaked on communities across the country, but most Ohioans do not have that luxury. They are still recovering.

I and my wife, Connie, live in the city of Cleveland, with the ZIP Code 44105. At this time 10 years ago, during the first half of 2007, there were more foreclosures in that ZIP Code than in any ZIP Code in the United States of America. So I have seen the aftermath. I have seen what has happened with Wall Street greed and the kind of collective amnesia in this body whenever Wall Street wants something, whenever the payday lenders want some-

thing, whenever the big banks want something, and Congress rushes in to help them and to respond to their lobbyists and their lawyers who lobby this body.

It is pretty simple. Gutting the Consumer Financial Protection Bureau’s arbitration rule means banks get away with cheating their customers.

So I ask Senators in this body to ask themselves: Whose side are you on? Are you on the side of the payday lenders and Wells Fargo when they defraud the public or are you on the side of service men and women and the side of people who have lost their cars, which were repossessed because of the unilateral actions by this bank?

Those are the same big banks that preyed on working families before the crisis wrecked the economy and handed taxpayers the bill. Is that whose side we are on or are we on the side of consumers?

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:37 p.m., adjourned until Tuesday, August 1, 2017, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 31, 2017:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEVEN L. KWAST

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be general

GEN. PAUL J. SELVA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRUCE T. CRAWFORD

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN B. COOPER

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN B. DUNLAP III
COL. DONALD R. EMERSON

COL. DAVID FLEMING III
COL. RYAN T. PACE
COL. ANDREW M. ROMAN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. DEBORAH Y. HOWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEPHEN R. LYONS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES W. HOOPER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. EDWARD M. DALY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MICHELLE M. ROSE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DANIEL W. DWYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ROSS A. MYERS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN J. BROADMEADOW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KENNETH F. MCKENZIE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. VINCENT R. STEWART

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. HERMAN S. CLARDY III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WILLIAM C. MAYVILLE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be lieutenant general

MAJ. GEN. RICHARD D. CLARKE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. FREDERICK J. ROEGGE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DANIEL J. O'DONOHUE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL A. ROCCO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MARK A. BRILAKIS

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. JOHN D. SLOCUM

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. ANTHONY J. CARRELLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. SAM C. BARRETT

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MICHAEL N. ADAME
COL. JAIME A. AREIZAGA
COL. THOMAS G. BEHLING
COL. KAREN A. BERRY
COL. ROBYN J. BLADER
COL. DARRELL L. BUTTERS
COL. STEPHEN M. DOYLE
COL. JOHN J. DRISCOLL
COL. LARRY D. FLETCHER
COL. DAVID A. GAGNON
COL. TERRY L. GRISHAM
COL. HERMAN W. HOLT
COL. TODD H. HUBBARD
COL. JONATHAN S. HUBBARD
COL. MANLEY JAMES
COL. DAVID M. JENKINS
COL. JOHN T. KELLY
COL. STEVEN J. KREMER
COL. SCOTT M. MACLEOD
COL. SHARON A. MARTIN
COL. BRIAN R. NESVIK
COL. DONALD D. PEREZ
COL. STEPHEN M. RADULSKI
COL. CARL T. REESE
COL. ROBERT K. RYAN
COL. LAWRENCE E. SCHLOEGL
COL. GRANT C. SLAYDEN
COL. TROY J. SOUKUP
COL. BRIAN E. TATE
COL. JEFFREY M. TERRILL
COL. PATRICK C. THIBODEAU

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN C. ANDONIE
COL. JIMMIE L. COLE
COL. WILLIAM T. CONWAY
COL. JEFFREY L. COPELAND
COL. PETER B. CROSS

COL. JON M. HARRISON
COL. STEFANIE K. HORVATH
COL. LOWELL E. KRUSE
COL. HALDANE B. LAMBERTON
COL. STEPHEN F. LOGAN
COL. FRANKLIN D. POWELL
COL. CARLTON G. SMITH
COL. TIMOTHY N. THOMBLESON
COL. CYNTHIA K. TINKHAM

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. SAMUEL AGOSTOSANTIAGO
COL. HERBERT J. BROCK IV
COL. CHARLES G. CODY
COL. CHARLES T. CROSBY
COL. JAKIE R. DAVIS, JR.
COL. MARK D. DROWN
COL. CURTIS W. FAULK
COL. TIMOTHY A. GLYNN
COL. RICHARD A. GRAY
COL. GREGORY J. HADFIELD
COL. THOMAS W. HANLEY
COL. SHAWN A. HARRIS
COL. RALPH F. HEDENBERG
COL. JACKIE A. HUBER
COL. DAVID T. MANFREDI
COL. JUDITH D. MARTIN
COL. WILLIAM M. MYER
COL. RALPH R. MYERS, JR.
COL. ERIC J. OH
COL. AMOS P. PARKER, JR.
COL. JOSEPH K. PEARCE
COL. DEBRA D. RICE
COL. DOUGLAS C. ROSE, JR.
COL. MARK J. SCHINDLER
COL. FARIN D. SCHWARTZ
COL. RONALD F. TAYLOR
COL. DANIEL L. TOWNSEND
COL. WILLIAM L. ZANA

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. (LH) WILLIAM R. MERZ

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM JOHN ACKMAN AND ENDING WITH MICHAEL D. ZOLLARS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2017.

AIR FORCE NOMINATION OF LISA E. DONOVAN, TO BE MAJOR.
AIR FORCE NOMINATION OF KIRT L. STALLINGS, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL G. RHODE AND ENDING WITH SCOTT D. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

AIR FORCE NOMINATION OF RICHARD L. ALLEN, TO BE COLONEL.
AIR FORCE NOMINATION OF MICHAEL J. SILVERMAN, TO BE MAJOR.

AIR FORCE NOMINATION OF MAIYA D. ANDERSON, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH KIMBERLY M. KITTLSON AND ENDING WITH KEVIN C. PETERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 2017.

AIR FORCE NOMINATIONS BEGINNING WITH CECILIA A. FLORIO AND ENDING WITH JOHN M. FEJES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 2017.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH JAMES C. BENSON AND ENDING WITH JACOB S. LOFTICE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF TIMOTHY D. LITKA, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF SCOTT D. BLACKWELL, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHAEL A. ADAMS AND ENDING WITH D012118, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH TODD R. ANDERSON AND ENDING WITH JOHN F. YANIKOV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH DOUGLAS A. ALLEN AND ENDING WITH THOMAS K. SARROUF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH CHARLES E. BANE AND ENDING WITH MATTHEW D. WEGNER, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF DAREEN A. DOUCHI, TO BE MAJOR.

ARMY NOMINATION OF BRANDON J. BAER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF BARRY MURRAY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH FRANCIS K. AGYAPONG AND ENDING WITH SASHI A. ZICKEFOOSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH JOSEPH H. AFANADOR AND ENDING WITH D013069, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH BERT M. BAKER AND ENDING WITH MARIA R. S. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH BRECK S. BREWER AND ENDING WITH DIANA W. WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH DANIEL F. ALEMANY AND ENDING WITH BRITTANY E. MCCROAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF WIL B. NEUBAUER, TO BE COLONEL.

ARMY NOMINATION OF MARK C. GILLESPIE, TO BE COLONEL.

ARMY NOMINATION OF JOSEPH M. O'CALLAGHAN, JR., TO BE COLONEL.

ARMY NOMINATION OF BRET P. VAN POPPEL, TO BE COLONEL.

ARMY NOMINATION OF ALIYA I. WILSON, TO BE MAJOR.

ARMY NOMINATION OF WILLIAM O. MURRAY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF PATRICK R. WILDE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JEFF H. McDONALD, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH EDWARD V. ABRAHAMSON AND ENDING WITH D012929, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH SCOTT J. AKERLEY AND ENDING WITH D002220, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH RYAN C. AGEE AND ENDING WITH D011536, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH ERIK C. ALFSEN AND ENDING WITH D013346, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATIONS BEGINNING WITH BRADFORD A. BAUMANN AND ENDING WITH THOMAS B. VAUGHN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

ARMY NOMINATION OF JAY A. JOHANNIGMAN, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH CAMERON M. BALMA AND ENDING WITH SCOTT D. ZIEGENHORN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH RICHARD A. ACKERMAN AND ENDING WITH PATRICIA R. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH SARAH R. BOUTWELL AND ENDING WITH ANDREW F. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH JEREMIAH E. CHAPLIN AND ENDING WITH JEANETTE SHEETS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATION OF LINWOOD O. LEWIS, TO BE COMMANDER.

NAVY NOMINATION OF BRIAN A. EVICK, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH KRISTOPHER M. BRAZIL AND ENDING WITH SHEREE T. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH BRYCE D. ABOTT AND ENDING WITH SHANE M. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH JEREMIAH P. ANDERSON AND ENDING WITH ASHLEY S. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH STACY J. G. ARENSTEIN AND ENDING WITH HENRY L. THOMASON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH KELLY W. BOWMAN, JR. AND ENDING WITH ROBERT H. VOHRER, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH LARA R. BOLLINGER AND ENDING WITH CANDICE C. TRESCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH PATRICK P. DAVIS AND ENDING WITH SEAN C. STEVENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATIONS BEGINNING WITH JEFFRY A. ALSUP AND ENDING WITH TERRY N. TRAWEEK, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

NAVY NOMINATION OF LINDA C. SEYMOUR, TO BE CAPTAIN.

NAVY NOMINATION OF CHAD J. TRUBILLA, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH PATRICK R. ADAMS AND ENDING WITH JAMES T. WATTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

NAVY NOMINATION OF RANDALL G. SCHIMPF, TO BE LIEUTENANT COMMANDER.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH NICHOLAS RAYMOND ABBATE AND ENDING WITH ELIZABETH MARIE WYSOCKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GABRIELA R. ARIAS VILLELA AND ENDING WITH HAENIM YOO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANDREW ANDERSON-SPRECHER AND ENDING WITH EVAN NICHOLAS MANGINO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH RAMEETH HUNDLE AND ENDING WITH LOREN STENDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANDREW K. ABORDONADO AND ENDING WITH PETER B. WINTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 29, 2017.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, August 1, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 2

Time to be announced

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor, and Heather L. MacDougall, of Florida, and James J. Sullivan, Jr., of Pennsylvania, both to be a Member of the Occupational Safety and Health Review Commission.

TBA

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 154, to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief, S. 650, to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, S. 690, to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years, S. 929, to improve the HUBZone

program, S. 1038, to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts, and S. 1428, to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors.

TBA

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 374, to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products, S. 754, to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline, S. 1322, to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, S. 1425, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, S. 1532, to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking, S. 1536, to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, S. 1621, to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission, David J. Redl, of New York, to be Assistant Secretary for Communications and Information, Peter B. Davidson, of Virginia, to be General Counsel, Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, all of the Department of Commerce, Steven Gill Bradbury, of Virginia, to be General Counsel, Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, all of

the Department of Transportation, and Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board.

SH-216

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine increasing water security and drought preparedness through infrastructure, management, and innovation.

SD-366

Committee on Environment and Public Works

To hold hearings to examine the Federal Bureau of Investigation headquarters consolidation project.

SD-406

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine assessing the Colombia peace process, focusing on the way forward in United States-Colombia relations; to be immediately followed by a full committee hearing to examine the nomination of Doug Manchester, of California, to be Ambassador to the Commonwealth of The Bahamas, Department of State.

SD-419

2 p.m.

Committee on Foreign Relations

To receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives.

SVC-217

AUGUST 3

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold hearings to examine insurance fraud in America, focusing on current issues facing industry and consumers.

SR-253

Committee on Energy and Natural Resources

To hold hearings to examine Federal and nonfederal collaboration, including through the use of technology, to reduce wildland fire risk to communities and enhance firefighting safety and effectiveness.

SD-366

Committee on Finance

To hold hearings to examine the nominations of Gilbert B. Kaplan, of the District of Columbia, to be Under Secretary of Commerce for International Trade, and Matthew Bassett, of Tennessee, to be an Assistant Secretary of Health and Human Services.

SD-215

Committee on the Judiciary

Business meeting to consider S. 705, to amend the National Child Protection Act of 1993 to establish a national

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

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

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criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and the nominations of Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney Gen-

eral, Peter E. Deegan, Jr., to be United States Attorney for the Northern District of Iowa, D. Michael Dunavant, to be United States Attorney for the Western District of Tennessee, Louis V. Franklin, Sr., to be United States Attorney for the Middle District of Alabama, Marc Krickbaum, to be United

States Attorney for the Southern District of Iowa, Jessie K. Liu, of Virginia, to be United States Attorney for the District of Columbia, and Richard W. Moore, to be United States Attorney for the Southern District of Alabama, all of the Department of Justice.

SD-226

HOUSE OF REPRESENTATIVES—Tuesday, August 1, 2017

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. LONG).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 1, 2017.

I hereby appoint the Honorable BILLY LONG to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Dr. Dan C. Cummins, Skyline Wesleyan Church, San Diego, California, offered the following prayer:

Bless the Lord at all times. Let His praises continually be in our mouth. Magnify the Lord and let us exalt His name. Taste and see that the Lord is good. Blessed is the Nation that leans upon Him. They that seek the Lord shall not want any good thing. But the face of the Lord is against evil doers. The righteous cry, and the Lord hears them and delivers them from all their troubles.

Blessed is the Nation whose God is the Lord who looks from Heaven upon all the people of the Earth. No king is saved by a multitude. The horse and chariot is a vain thing for safety. Neither shall it deliver any by its strength. The eye of the Lord is upon them that fear His name. Come, ye children, hearken unto me, and let us fear the Lord together.

In Jesus' name, we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

APPOINTMENT OF INDIVIDUAL TO ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 44 U.S.C. 2702, and the order of the House of January 3, 2017, of the following individual on the part of the House to the Advisory Committee on the Records of Congress:

Ms. Lori Schwartz, Omaha, Nebraska

APPOINTMENT OF INDIVIDUAL TO THE ELECTION ASSISTANCE COMMISSION BOARD OF ADVISORS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 214(a) of the Help America Vote Act of 2002 (52 U.S.C. 20944), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Election Assistance Commission Board of Advisors:

Mr. Elliot Berke, Arlington, Virginia

APPOINTMENT OF INDIVIDUAL TO BOARD OF TRUSTEES FOR THE JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of 6 years:

Mrs. MARTHA ROBY, Montgomery, Alabama

REAPPOINTMENT OF MEMBER TO BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's reappointment, pursuant to 10 U.S.C. 4355(a), and the order of the House of January 3, 2017, of the following Member on the part of the House to the Board of Visitors to the United States Military Academy:

Mr. WOMACK, Arkansas

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 1 p.m. on Friday, August 4, 2017.

Thereupon (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Friday, August 4, 2017, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2148. A letter from the Acting Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Calendar Year 2016 reports to describe activities under the Secretary of Defense personnel management demonstration project authorities for the Department of Defense Science and Technology Reinvention Laboratories, pursuant to 10 U.S.C. 2358 note; Public Law 110-181, Sec. 1107(d); (122 Stat. 358); to the Committee on Armed Services.

2149. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral William A. Brown, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2150. A letter from the Assistant Counsel for the Division of Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final rule — Definitions and Selection Criteria that Apply to Direct Grant Programs [Docket No.: ED-2017-OIL-0032] (RIN: 1855-AA13) received July 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2151. A letter from the Executive Director and Chair of the Board of Governors, Patient-Centered Outcomes Research Institute, transmitting the 2016 Annual Report, pursuant to 42 U.S.C. 1320e(d)(10); Aug. 14, 1935, ch. 531, title XI, Sec. 1181 (as amended by Public Law 111-148, Sec. 6301(a)); (124 Stat. 734); to the Committee on Energy and Commerce.

2152. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's interim final rule — Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Comment Period [Docket No.: FDA-2011-F-0172] (RIN: 0910-AG57) received July 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2153. A letter from the Administrator, Environmental Protection Agency, transmitting a report titled, "FY 2016 Superfund

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

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

Five-Year Review Report to Congress", pursuant to Sec. 121(c) of the Comprehensive Environmental Response, Compensation and Liability Act; to the Committee on Energy and Commerce.

2154. A letter from the Division Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting the Department's final rule — Amendment of Parts 0, 1, 2, 15 and 18 of the Commission's Rules regarding Authorization of Radiofrequency Equipment [ET Docket No.: 15-170] received July 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2155. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Energy Labeling Rule (RIN: 3084-AB15) received July 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2156. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

2157. A letter from the Chief, Legal, External Affairs and Performance Branch, Office of Government Ethics, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2158. A letter from the Chief, Legal, External Affairs and Performance Branch, Office of Government Ethics, transmitting a notification of the designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2159. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance by the United States courts of appeals and district courts within the time limitations established for deciding habeas corpus death penalty petitions, pursuant to 28 U.S.C. 2266(b)(5)(A); Added by Public Law 104-132, Sec. 107(a); (110 Stat. 1225) and 28 U.S.C. 2266(c)(5); Public Law 104-132, Sec. 107(a); (110 Stat. 1226); to the Committee on the Judiciary.

2160. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9502; Directorate Identifier 2016-NM-128-AD; Amendment 39-18929; AD 2017-12-14] (RIN: 2120-AA64) received July 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2161. A letter from the Acting Chairman, Federal Maritime Commission, transmitting the FY 2016 Annual Report, pursuant to 46 U.S.C. 306(a); Public Law 109-304, Sec. 4; (120 Stat. 1489); to the Committee on Transportation and Infrastructure.

2162. A letter from the Secretary, Department of Veterans Affairs, transmitting establishment of the Creating Options for Veterans Expedited Recovery Commission, pursuant to Public Law 114-198; to the Committee on Veterans' Affairs.

2163. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a semi-annual report to Congress concerning the compliance of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan with the Act's freedom of emigration provisions, pursuant to 19 U.S.C. 2432(b); Public Law 93-618, Sec. 402(b); (88 Stat. 2056) and 19 U.S.C. 2439(b); Public Law 93-618, Sec. 409(b); (88 Stat. 2064); to the Committee on Ways and Means.

2164. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Sunset Date for Attorney Advisor Program [Docket No.: SSA-2017-0021] (RIN: 0960-A106) received July 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2165. A letter from the Acting Assistant Secretary for Legislation, Department Health and Human Services, transmitting the Department's report entitled "FY 2016 Report to Congress: Review of Medicare's Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Amendments of 1988 Validation Program", pursuant to 42 U.S.C. 139511(b); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1875(b) (as amended by Public Law 110-275, Sec. 125(b)(4)); (122 Stat. 2519); jointly to the Committees on Energy and Commerce and Ways and Means.

2166. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Attorney General's Third Quarterly Report of FY 2017 on the Uniformed Services Employment and Reemployment Rights Act of 1994, pursuant to 38 U.S.C. 4332(b)(2); Public Law 103-353, Sec. 2(a) (as added by Public Law 110-389, Sec. 312(c)); (122 Stat. 4165); jointly to the Committees on the Judiciary and Veterans' Affairs.

2167. A letter from the Secretary, Department of Commerce, transmitting the Economic Development Administration's Fiscal Year 2016 Annual Report, pursuant to 42 U.S.C. 3213; Public Law 89-136, Sec. 603 (as added by Public Law 105-393, Sec. 102(a)); (112 Stat. 3614); jointly to the Committees on Transportation and Infrastructure and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Roger Williams (Rept. 115-271). Referred to the House Calendar.

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Ben Ray Lujan (Rept. 115-272). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DESAULNIER:

H.R. 3633. A bill to amend the Internal Revenue Code of 1986 to adjust the rate of income tax of a publicly traded corporation

based on the ratio of compensation of the corporation's highest paid employee to the median compensation of all the corporation's employees; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 3634. A bill to amend title 38, United States Code, to ensure that individuals may access documentation verifying the monthly housing stipend paid to the individual under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. JENKINS of Kansas (for herself and Mr. KIND):

H.R. 3635. A bill to amend title XVIII of the Social Security Act in order to improve the process whereby medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIHUEN (for himself, Mr. TAKANO, Ms. LEE, and Ms. DELAURO):

H.R. 3636. A bill to improve quality and accountability for educator preparation programs; to the Committee on Education and the Workforce.

By Ms. KUSTER of New Hampshire:

H.R. 3637. A bill to amend the Food Security Act of 1985 to better assist producers who are voluntarily making the transition to organic production systems, and for other purposes; to the Committee on Agriculture.

By Mr. LAWSON of Florida (for himself, Mr. DIAZ-BALART, Mr. DESANTIS, Mr. RUTHERFORD, Mr. SOTO, Mr. CRIST, Ms. ROS-LEHTINEN, Ms. WILSON of Florida, Mr. DEUTCH, Mrs. MURPHY of Florida, Mr. DUNN, Ms. CASTOR of Florida, Mr. ROSS, Ms. WASSERMAN SCHULTZ, Mr. FRANCIS ROONEY of Florida, Mr. BILIRAKIS, Mrs. DEMINGS, Mr. CURBELO of Florida, Mr. THOMAS J. ROONEY of Florida, Mr. POSEY, and Mr. HASTINGS):

H.R. 3638. A bill to designate the facility of the United States Postal Service located at 1100 Kings Road in Jacksonville, Florida, as the "Rutledge Pearson Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. LOFGREN (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BEYER, Ms. BONAMICI, Mr. COSTA, Mr. FOSTER, Mr. LIPINSKI, Ms. MCCOLLUM, Mr. PANETTA, Mr. QUIGLEY, Mr. SWALWELL of California, Mr. TONKO, Ms. ROSEN, Mr. CRIST, Ms. HANABUSA, Mr. MCNERNEY, Mr. VEASEY, and Ms. SLAUGHTER):

H.R. 3639. A bill to establish a position of Science Laureate of the United States, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. RATCLIFFE:

H.R. 3640. A bill to amend title 38, United States Code, to establish within the Office of the Under Secretary for Health of the Department of Veterans Affairs the position of Chief Information Officer of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DESAULNIER:

H.R. 3633.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HIMES:

H.R. 3634.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, as this legislation provides for the general welfare of the United States.

By Ms. JENKINS of Kansas:

H.R. 3635.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. KIHUEN:

H.R. 3636.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Ms. KUSTER of New Hampshire:

H.R. 3637.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LAWSON of Florida:

H.R. 3638.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. LOFGREN:

H.R. 3639.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. RATCLIFFE:

H.R. 3640.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 392: Mr. SHUSTER and Mrs. DEMINGS.

H.R. 535: Ms. FRANKEL of Florida and Mr. SENSENBRENNER.

H.R. 592: Mr. GOTTHEIMER, Mr. COSTELLO of Pennsylvania, and Mr. COURTNEY.

H.R. 750: Ms. SEWELL of Alabama and Ms. MENG.

H.R. 785: Mr. MASSIE.

H.R. 848: Mr. HOLLINGSWORTH.

H.R. 850: Mr. ZELDIN and Mr. GRAVES of Georgia.

H.R. 858: Mr. GOMEZ.

H.R. 947: Mr. SUOZZI.

H.R. 995: Mr. BACON.

H.R. 1120: Mr. SMUCKER.

H.R. 1136: Mr. DENHAM.

H.R. 1243: Mr. GONZALEZ of Texas, Mrs. MURPHY of Florida, and Mr. LIPINSKI.

H.R. 1267: Ms. CLARKE of New York, Mr. MARSHALL, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1284: Mr. CARTER of Georgia and Mr. KHANNA.

H.R. 1421: Mr. CROWLEY.

H.R. 1452: Ms. KUSTER of New Hampshire.

H.R. 1468: Mr. REED.

H.R. 1516: Mr. SUOZZI.

H.R. 1615: Mr. AGUILAR and Mr. CONNOLLY.

H.R. 1796: Mr. TONKO.

H.R. 1828: Mr. BACON and Mr. CARTER of Georgia.

H.R. 1865: Mr. ROTHFUS.

H.R. 2011: Ms. SINEMA.

H.R. 2066: Mr. KHANNA.

H.R. 2267: Mr. RUSH, Mr. DEFazio, Mr. SWALWELL of California, Mr. DONOVAN, Ms. TSONGAS, Ms. ROSEN, Ms. SEWELL of Alabama, Mr. PALAZZO, Mr. CARDENAS, Mr. DANNY K. DAVIS of Illinois, Ms. SHEA-PORTER, Mr. HUFFMAN, Ms. STEFANIK, Mr. SOTO, Mr. COHEN, Ms. LOFGREN, Mr. HIGGINS of New York, and Mr. HURD.

H.R. 2315: Mr. ABRAHAM.

H.R. 2319: Mr. KELLY of Pennsylvania.

H.R. 2401: Ms. MCCOLLUM, Mr. BEYER, Mr. VEASEY, and Mr. QUIGLEY.

H.R. 2404: Mr. GUTIÉRREZ.

H.R. 2482: Mr. CARSON of Indiana.

H.R. 2519: Ms. ROSEN, Mr. NEWHOUSE, Mr. KENNEDY, Mr. NORMAN, Ms. GRANGER, and Mr. FASO.

H.R. 2525: Mr. COHEN.

H.R. 2740: Mr. VEASEY, Ms. BROWNLEY of California, Ms. TSONGAS, and Mr. GUTHRIE.

H.R. 2797: Mr. MCGOVERN and Mr. CARTER of Georgia.

H.R. 2840: Ms. HANABUSA.

H.R. 2851: Mr. ROTHFUS.

H.R. 2973: Mr. KIND.

H.R. 2996: Mr. HENSARLING.

H.R. 3030: Ms. LOFGREN, Mr. GONZALEZ of Texas, and Mr. DANNY K. DAVIS of Illinois.

H.R. 3117: Mr. ADERHOLT.

H.R. 3169: Mr. COFFMAN.

H.R. 3186: Ms. DELAURIO.

H.R. 3236: Mr. LAHOOD.

H.R. 3239: Mr. GOMEZ.

H.R. 3246: Mr. HIMES.

H.R. 3265: Mr. ROSS.

H.R. 3282: Mr. LABRADOR, Mr. KELLY of Pennsylvania, and Mr. GRAVES of Georgia.

H.R. 3316: Mr. TED LIEU of California and Mrs. COMSTOCK.

H.R. 3329: Mr. PALAZZO.

H.R. 3336: Mr. COHEN.

H.R. 3445: Ms. SEWELL of Alabama.

H.R. 3512: Ms. JACKSON LEE.

H.R. 3530: Mr. GARRETT.

H.R. 3559: Mr. ELLISON and Mr. POCAN.

H.R. 3564: Ms. JACKSON LEE.

H.R. 3602: Mr. PETERS and Ms. WASSERMAN SCHULTZ.

H.J. Res. 116: Mr. KHANNA and Mr. PAYNE.

H. Res. 199: Mr. THORNBERRY.

H. Res. 236: Mr. YOUNG of Iowa.

H. Res. 319: Mr. WALBERG and Mr. ROUZER.

H. Res. 449: Mr. VEASEY.

H. Res. 464: Mr. MCGOVERN.

H. Res. 488: Mr. NADLER, Ms. KAPTUR, and Mr. JOHNSON of Georgia.

H. Res. 495: Mr. YOUNG of Iowa.

SENATE—Tuesday, August 1, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Our Father, be with us not only in great moments of experience but also during mundane and common tasks of life. Through the power of Your Spirit, make our Senators mount up with wings like eagles, running without weariness and walking without fainting. Lord, give them the wisdom to be patient with others, ever lenient to their faults and ever prompt to appreciate their virtues. Rule in their hearts, keeping them from sin and sustaining their loved ones in all of their tomorrows. Surround them with the shield of Your favor, as You provide them with a future and a hope, accomplishing in their lives more than they can ask or imagine.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SASSE). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION**EXECUTIVE CALENDAR**

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

The senior assistant legislative clerk read the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The assistant Democratic leader.

HEALTHCARE

Mr. DURBIN. Mr. President, last week, on a bipartisan basis, the Senate rejected a bill that would have repealed the Affordable Care Act. This should be a turning point, not just in our healthcare debate but in the way that we move forward in the Senate.

The speech given by Senator MCCAIN when he returned to the Senate Chamber last week lasted about 15 minutes, and, in that short period of time, the senior Senator from Arizona reminded us of our historic responsibility here in the Senate and the role that we play under our Constitution as an independent branch of government, and he then exhorted us to put away the partisanship and the gamesmanship and move to what we would call regular order in the Senate: Send a bill to a committee, have the committee consider the bill, bring in experts, go through an amendment process, report it to the floor, and have another amendment process hoping that the collective wisdom of the committee and the body will result in a work product that actually achieves the goal that we set out to achieve. That is the regular order. That is what JOHN MCCAIN asked us to get back to, and now we have that chance.

On a bipartisan basis, I believe the Senate must come together and work on solutions to improve our healthcare system. First, we have to stabilize it. In just a few weeks, the major insurance companies are going to announce their premiums for the next year, and I am afraid they are going to show dramatic increases, because what the industry has told us over and over is that the one thing they can't calculate is the uncertainty of policy decisions. So as long as we have not done our job in stabilizing the healthcare system, they will either step away from risk or charge higher premiums to cover the possibilities of greater risk. That is what we face in just a few weeks and particularly if this administration—the Trump administration—follows what the President has said over and over in his tweets. We have listened to the President basically say what I consider to be an irresponsible thing: Let the healthcare system fail; then the Democrats will come on their knees and beg us to change it.

Well, if the healthcare system fails, it will not have much impact on the President and his immediate family. They will still have health insurance. But if it fails, many people will not be able to afford basic health insurance. They may lose it, and others may lose their coverage altogether. It could be a

personal disaster—a family disaster across the board. I can't believe that anyone—let alone the President—would suggest that is the best path to a constructive outcome. Responsibility suggests that there is a better way.

Thanks to the Affordable Care Act, 20 million previously uninsured Americans have gained healthcare coverage, including more than 1 million people in my State of Illinois. Thanks to the Affordable Care Act, our Nation's uninsured rate is at the lowest level in history. We cut it in half in Illinois. Thanks to the Affordable Care Act, insurance companies can no longer engage in the type of abusive conduct that was well known and well established before the passage of the Affordable Care Act.

Before the passage of that law, insurance companies decided that women, because of their gender, had a pre-existing condition and, therefore, had to pay more for health insurance than men. They used to charge older people exorbitantly more than younger people for insurance. They would deny maternity care, mental health or substance abuse care, deny insurance to people with preexisting conditions or charge them sky-high premiums. They would impose annual or lifetime caps on benefits and kick people off insurance when they got sick and needed care.

The Affordable Care Act changed each and every one of those things. Young adults, in addition, can now stay on their parents' health insurance plans up to the age of 26, and seniors with Medicare are getting free preventive care and substantial discounts on their pharmaceuticals.

The law is far from perfect. Improvements can and should be made. We have done that over the years to Social Security and Medicare. We should do it again here. Six percent of Americans and 3 percent of Illinoisans purchase their insurance in the individual market, and more than 50 percent of those people receive premium subsidies to help them pay for their monthly premiums. For these people, especially those who don't qualify for subsidies, insurance options can be limited or expensive. So while there are clear challenges, we also need to be honest about the scope of the problem and where we need to make fixes. There are ways to help.

First, the 19 States that have refused to expand their Medicaid Program should do so. If they did, 4.5 million more Americans would instantly gain access to healthcare coverage. Many of these people who would gain coverage go to work every single day—sometimes to more than one job a week—

and they don't have any healthcare benefits where they work. They have no place to turn. Medicaid can help. If Republicans are serious about wanting to provide people with access to affordable health insurance, Medicaid expansion is the most commonsense measure we can take.

Second, the administration should stop stoking uncertainty in the individual market and commit to paying cost-sharing reduction subsidies known as the CSRs. These Federal subsidies now help 7 million Americans with out-of-pocket health insurance costs. If the Trump administration sabotages the healthcare system and refuses to make these payments, premiums on these individuals would increase by 20 percent next year alone. Now, many of my Senate Republican colleagues, including HELP Committee Chairman LAMAR ALEXANDER of Tennessee, support the CSR payments. I think that is a responsible course of action. In fact, they are even included in some of the Republican healthcare repeal bills. It is time to end this "will they or won't they" game—this uncertainty—and reassure Americans and insurers that payments are going to be made. The uncertainty is going to raise the cost of health insurance for everybody. For goodness sake, let's move in the opposite direction, bring stability and bring assurances of where we are headed so that healthcare premiums can stabilize and perhaps not go up as far as they would otherwise.

Third, we should give people in the individual market more affordable options. I support offering a Medicare-like plan. If insurers choose not to participate in the individual market, why wouldn't the government step in and offer an option that individuals can decide whether they want to take it.

Finally, we have to do something about the high cost of prescription drugs. They are contributing directly to massive premium increases. The health insurance companies tell us—in Blue Cross Blue Shield's case in Illinois, they are paying more for prescription drugs in Illinois than they are paying for inpatient hospital care—that is driving premiums higher.

What have we done to deal with prescription drug costs exactly? Nothing. There is nothing in the Affordable Care Act that even monitors these costs when it comes to the public at large and very little, if anything, has been proposed or passed in Congress to deal with these out-of-control increases in prescription drug prices. I think drug companies should have to publicly justify their prices and provide ample lead time when they are going to raise these prices.

Drugs that are developed with significant Federal taxpayer dollars—and that is many of them—whether from the National Institutes of Health or the Department of Defense, should

commit to reasonable pricing in their products. If these drug companies are using taxpayer subsidized research to develop a drug, I think they have a special public responsibility when it comes to the marketing of that drug to make sure the pricing is reasonable. The taxpayers helped them to a profitable position. They shouldn't go overboard and overcharge.

Last week when Senator MCCAIN made his appeal on the Senate floor, he really called on us to work together to get something done. I have noticed that there is a bipartisan effort underway in the House. I believe we will hear one this week in the Senate. I am glad that we are heeding his advice. I agree with the Senator from Arizona that it is time for the Senate to turn to regular order, hold hearings, bring in experts, and really work together on proposals that would expand access to affordable health insurance coverage and care. Democrats stand ready to work with Republicans to do this. It is time to put ObamaCare repeal behind us. It is time to move forward on behalf of those who are counting on us.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

WORK BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, as I said yesterday, the Senate has a number of nominations to consider in the coming days.

Yesterday we voted to advance a well-qualified judicial nominee to serve on the Eleventh Circuit Court of Appeals.

Soon we will consider one of the President's nominations for the National Labor Relations Board, and we obviously need to confirm an FBI Director. I would hope, with all the threats facing us at home and abroad, our Democratic colleagues would not launch the first filibuster of a nominee to be FBI Director, especially one who was reported out of the Judiciary Committee by a vote to 20 to 0. These are just a few of the many nominees who need to be acted upon and quickly.

Up until now, our friends across the aisle have thrown up one unnecessary procedural hurdle after the next on even the most uncontroversial of nominees. As a result, I noted last month that at the pace we were going, it would take more than 11 years to confirm the remaining Presidential appointments. Well, that pace has slowed even further. Now it would take 12 years.

It is time to end this.

I look forward to our Democratic colleagues cooperating with us to do that so the Senate can spend its time considering other things that are important to our constituents. We have legislation to address over the remainder of this work period as well. Our veterans deserve the best care the country

can provide. Under the last administration's VA scandal, the veterans were let down in a big way. Congress came together in the wake of that scandal to pass the Veterans Choice Program, which allows many veterans to skip the long wait and travel times at some VA facilities and access private care.

The House recently acted to shore up this program on an overwhelmingly bipartisan basis, 414 to nothing. Now the Senate needs to act as well.

We also need to renew the FDA User Fee Program. This program is critical to speeding up the drug approval process, and that is important to everyone frustrated by the time and costs of bringing lifesaving drugs to market. Without it, the important work of ensuring that drugs and devices are safe and effective would literally come to a screeching halt. Every 5 years, these agreements need to be reviewed and reauthorized. The Senate legislation to do so was reported by the HELP Committee on a 21-to-2 bipartisan vote, and given the lifesaving developments in immunotherapy and personalized medicine on the horizon, it is more important than ever.

We have important work to do over the remainder of this work period. I hope colleagues will cooperate across the aisle in our efforts to do so.

AUTHORIZING RECORD PRODUCTION

Mr. MCCONNELL. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 237, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 237) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 237) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

EXECUTIVE CALENDAR—Continued

MEASURE PLACED ON THE CALENDAR—H.R. 3219

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, the American people are looking to Congress to turn the page on healthcare and start working on bipartisan improvements to our healthcare system. Stabilizing the individual market is the first thing we should all focus on. The repeated attempts to repeal and replace the healthcare law, as well as the administration's threat to stop making the cost-sharing payments that help keep premiums down and keep markets stable, have injected massive uncertainty into the system.

Insurers hate nothing more than uncertainty. It drives them to jack up the costs of premiums and to pull out of markets. Already, insurers in three States have issued two separate sets of proposed rates for 2018—one if the administration makes the cost-sharing payments and one if it does not. The set of proposed rates if the payments are not made is 20 percent higher in all three States. I don't know the third, but two of them are North Carolina and Pennsylvania, which are very significant States. In Idaho, the State insurance commissioner said that rates on the most popular plans would be 50 percent higher next year because of "the potential refusal by the Federal Government to fund the cost share reduction mechanism." That comes from the State insurance commissioner. I do not know if that is an elected position, but whether it is elected or appointed, my guess is that he is a Republican. They do not elect too many Democrats out there.

The administration is supposed to announce today or sometime this week its decision on whether to make the next set of payments. The ball is in the

President's court. He can make the payments as the law requires and needs or he can sabotage our healthcare system and impose a Trump premium tax of 20 percent higher premiums on the American people next year by not extending the cost-sharing program.

Why would he do this? Why would he raise people's rates? His only stated reason is petty, is childish, is un-Presidential. He will get back at people because his hope to repeal and replace was rejected. You do not hurt innocent people when you lose politically. That is not Presidential. That is not, frankly, what an adult does. The ball is in the President's court, as I said, and let's hope he does the right thing.

President Trump has already made it harder for Americans to afford insurance next year by publicly rooting for our Nation's healthcare system to collapse, injecting a baseline of uncertainty into the system. President Trump would make things a whole lot worse by not making the next set of payments—20 percent higher premiums, more bare counties, even more market instability.

The American people need a President who puts their interests first, not someone who plays political games with their healthcare. The American people can ill afford a Trump premium tax this year, and it is completely avoidable. All the President has to do is to make the payments and carry out the law as he is supposed to. Afterward, Congress should move to guarantee these payments permanently or at least for a significant period of time.

This uncertainty caused by the President's threats has been the most destabilizing factor in the individual market. That is not according to CHUCK SCHUMER or any Democrat; it is according to the insurers' largest trade group, AHIP. The President has proved that he cannot be trusted to faithfully execute the procedures that keep our healthcare system on track.

The only good news here is that there are moves by people on both sides of the aisle in this Senate to take some of this uncertainty off the table by guaranteeing these payments in the future.

My good friends, the chairman of the HELP Committee, the senior Senator from Tennessee, LAMAR ALEXANDER, and the ranking Democratic member, Senator PATTY MURRAY, have an ability to work together on many issues. I know they are meeting almost as we speak—in 5 minutes—to discuss how we can move forward. I spoke to Senator ALEXANDER in the gym, where the Presiding Officer, I want to tell his constituents, was exercising and staying fit, too, and he seemed very eager to try to work together to stabilize the system.

TAX REFORM

Mr. President, on another matter—taxes—it is clear that our economy would benefit from a bipartisan pack-

age of changes to our Tax Code that would focus laser-like on increasing wages for working families, improving middle-class job growth, and promoting domestic investment, while modernizing our outdated business and international tax system.

From what we have heard from the White House so far, its plan would not do any of that. We Democrats are open to a bipartisan discussion on those issues, but we also believe that, in an economy in which wealth is seemingly funneled to the already wealthy, it is working Americans who deserve tax relief, not those at the very top. The wealthiest Americans have seen outsized benefits from recent economic gains. Now is not the time to shower millionaires and billionaires with another tax break while working Americans continue to struggle to make ends meet.

Today, 45 Members of the Democratic caucus sent a letter to our Republican friends, writing that we are open to bipartisan discussions on tax reform but that we will not support any effort to rewrite the Tax Code to give another tax break to the top 1 percent or add even more to the deficit and the debt.

Here are our three principles outlined in the letter:

First, no new tax breaks for the top 1 percent.

Second, it must not increase the debt and must be fiscally responsible.

Third, we must use a regular order process that will ensure true bipartisan input in the product, not the reconciliation process that was used in healthcare, which excluded the Democrats from the get-go and, in part, led to the failure of the Republicans to pass repeal or repeal and replace. Ramming tax cuts through under reconciliation—the very same partisan process that failed for healthcare—is the wrong way to do business for this country.

Again, the Democrats are open to a bipartisan discussion on tax reform, but it has to be truly bipartisan, not under reconciliation, and tax reform cannot be a cover story for delivering tax cuts to the wealthiest or result in a ballooning deficit and debt.

CHINA AND NORTH KOREA

Mr. President, finally, on the matter of China and North Korea, under President Trump, North Korea continues to ramp up its aggression; yet China has not taken any significant steps to bring to an end its threatening and destabilizing behavior.

President Trump has staked his administration's approach to North Korea on China doing more, but right now 90 percent of North Korea's foreign trade is with China, and 95 percent of its foreign direct investment comes from China.

Even as the U.N. Security Council and the U.S. Congress have again sanctioned North Korea, China's trade with this rogue nation has risen more than

30 percent over the past year, according to some reports. Even after the recent ICBM tests—clear violations of international resolutions—China and Russia have worked behind the scenes to water down and weaken additional U.N. Security Council sanctions resolutions.

President Trump has talked about his “wonderful relationship” with President Xi, but this is not the behavior we should expect from a partner that is serious about the crisis on the Korean Peninsula.

The bottom line is simple. China could put pressure on North Korea right now, but they are taking a pass, as they have for over a decade.

President Trump began the year by offering a “better trade deal” to China if they put pressure on North Korea. That clearly hasn’t happened. The soft-touch approach has gotten us nowhere, as usual, with China; they only understand strength. China continues to do the bare minimum as North Korea becomes more and more bellicose.

So, today, I am urging President Trump to use his authority over the Committee on Foreign Investment in the United States, known as CFIUS, and instruct the Treasury Department to suspend the approval of mergers and acquisitions of U.S. assets by Chinese companies until China works to bridle its neighbor’s aggression.

China and its surrogates must face economic pressure if they are not going to help deter North Korea. This is an important tool in our country’s toolbox, and the President ought to use it.

I urge President Trump to take a tougher line and suspend the approval of all mergers and acquisitions in the United States by Chinese companies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NORTH KOREA

Mr. GARDNER. Mr. President, I rise today to speak about North Korea, the most urgent national security challenge for the United States and our allies in East Asia.

Secretary Mattis has said North Korea is “the most urgent and dangerous threat to peace and security.” Admiral Gortney, the previous commander of U.S. Northern Command, stated that the Korean Peninsula is at its most unstable point since 1953, when the armistice was signed.

Last year alone, North Korea conducted two nuclear tests and a staggering 24 ballistic missile launches. This year, Pyongyang already launched 18 missiles, including the two recent

tests of intercontinental ballistic missiles that are reportedly capable of reaching the U.S. homeland.

President Trump has said that the United States will not allow this to happen, and I am encouraged by the President’s resolve. Patience is not an option with the U.S. homeland in the nuclear shadow of Kim Jong Un. Our North Korea policy of decades of bipartisan failure must turn to one of immediate bipartisan success, with pressure and global cooperation resulting in the peaceful denuclearization of the regime.

As Vice President PENCE stated during his recent visit to South Korea:

Since 1992, the United States and our allies have stood together for a denuclearized Korean Peninsula. We hope to achieve this objective through peaceable means. But all options are on the table.

But time is not on our side. I believe U.S. policy toward North Korea should be straightforward. The United States should deploy every economic, diplomatic, and, if necessary, military tool at our disposal to deter Pyongyang and to protect our allies.

However, the road to peacefully stopping Pyongyang undoubtedly lies through Beijing. China is the only country that holds the diplomatic and economic leverage necessary to put the real squeeze on the North Korean regime.

According to the South Korean state trade agency, China accounts for 90 percent of North Korea’s trade, including virtually all of North Korea’s exports. From 2000 to 2015, trade volume between China and North Korea has climbed more than tenfold, rising from \$488 million in 2000 to \$5.4 billion in 2015. Beijing is the reason the regime acts so boldly and with relatively few consequences.

China must now move beyond a mere articulation of concern and lay out a transparent path of focused pressure to denuclearize North Korea. A global power that borders this regime cannot simply throw up its hands and absolve itself of responsibility.

The administration is right to pursue a policy of “maximum pressure” toward North Korea, and we have a robust toolbox already available to ramp up the sanctions track—a track that has hardly been utilized to its fullest extent and a track made even more complete last week with additional sanctions on North Korea.

Last Congress, I led the North Korea Sanctions and Policy Enhancement Act, which passed the Senate by a vote of 96 to 0. This legislation was the first stand-alone legislation in Congress regarding North Korea to impose mandatory sanctions on the regime’s proliferation activities, human rights violations, and malicious cyber behavior.

A recent analysis from the Foundation for the Defense of Democracies says:

North Korea sanctions have more than doubled since the North Korea Sanctions and Policy Enhancement Act came into effect on February 18, 2016. Prior to that date, North Korea ranked eighth, behind Ukraine/Russia, Iran, Iraq, the Balkans, Syria, Sudan, and Zimbabwe.

Even with the 130-percent sanctions increase after the North Korea Sanctions and Policy Enhancement Act, North Korea is today still only the fifth most sanctioned country by the United States. North Korea is far from being sanctioned out.

So while Congress has clearly moved from the Obama administration inaction to some action, the Trump administration has the opportunity to use these authorities to build maximum leverage with not only Pyongyang but also with Beijing. I am encouraged by the actions the administration took last month to finally designate a Chinese financial institution, but this should be just the beginning. The administration, with congressional support, should now make clear to any entity doing business with North Korea that they will not be able to do business with the United States or have access to the U.S. financial system.

A report released last month by an independent organization known as C4ADS identified over 5,000 Chinese companies that are doing business with North Korea. These Chinese companies are responsible for \$7 billion in trade with North Korea. Moreover, the C4ADS report found that only 10 of the 5,000-plus companies control 30 percent of Chinese exports to North Korea. So of 30 percent of Chinese exports, 10 companies are responsible for that number in 2016 alone. One of those ten companies alone controlled nearly 10 percent of all imports from North Korea. Some of these companies were even found to have satellite offices in the United States.

According to recent disclosures, from 2009 to 2017, North Korea used Chinese banks to process at least \$2.2 billion in transactions through the U.S. financial system. This must stop now. The United States should not be afraid of a diplomatic confrontation with Beijing for simply enforcing existing U.S. and international law. In fact, it should be more afraid of Congress if it does not. As for any prospect of engagement, we should continue to let Beijing know in no uncertain terms that the United States will not negotiate with Pyongyang at the expense of U.S. national security and that of our allies.

Instead of working with the United States and the international community to disarm the madman in Pyongyang, Beijing has called on the United States and South Korea to halt our military exercises in exchange for vague promises of North Korea suspending its missile and nuclear activities. That is a bad deal, and the Trump administration was right to reject it.

Moreover, before any talks in any format, the United States and our partners must demand that Pyongyang first meet the denuclearization commitments it had already agreed to in the past and subsequently chose to brazenly violate.

President Trump should continue to impress to President Xi that a denuclearized Korean Peninsula is in both nations' fundamental long-term interests. As Admiral Harry Harris rightfully noted, "we want to bring Kim Jung Un to his senses, not to his knees." But to achieve this goal, Beijing must be made to choose whether it wants to work with the United States as a responsible global leader to stop Pyongyang or bear the consequences of keeping him in power.

Two weeks ago I introduced legislation with a bipartisan group of cosponsors called the North Korean Enablers Accountability Act. This legislation takes the first steps toward imposing a total economic embargo on North Korea, including a ban on any entity that does business with North Korea or its enablers from using the U.S. financial system and imposing U.S. sanctions on all those participating in North Korean labor trafficking abuses.

My legislation specifically singles out those 10 largest Chinese importers of North Korean goods and sends a very clear message: You can either do business with this outlaw regime or do business with the world's largest economy. I urge my colleagues to support this legislation and our continued efforts to stop Pyongyang's further development of nuclear weapons and intercontinental ballistic missiles to bring peace to the peninsula and to denuclearize peacefully the North Korean regime.

In order to put real pressure, this administration must act, and it must act on the regime and its enablers wherever they are based.

I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The deputy majority leader is recognized.

WORK BEFORE THE SENATE

Mr. CORNYN. Madam President, it is no secret that last week's vote on repealing and replacing the provisions of ObamaCare proved a disappointment to many of us. I have found, though, in my time here in the Senate that so often we agree on the goal we want to achieve, but we disagree on the means to achieve that goal.

Some people see the private sector and competition and markets as the best place to regulate economic activity. Other people look at the government as the source of actions that do things like provide access to healthcare. The truth is, in our complicated healthcare delivery system, everybody plays a role one way or the other.

We know that government plays an outsized role already, because we have

Medicare, Medicaid, veterans health programs, and the like—the Children's Health Insurance Program, which we will have to take up and reauthorize before the end of September. But there does exist a very important private marketplace for health insurance, and, frankly, many times I think the government makes it harder, not easier, for the private marketplace to offer people a variety of products that they actually like, want to buy, and can afford.

But it is evident that there is a lot of passion about this issue, and that is not going to go away. Certainly, what is not going to go away is the need that consumers across this country of ours have for lower premiums, increased access, and a marketplace that actually functions, where people can buy an insurance product they want to buy, and, of course, there is always the issue of quality of care.

Some people think that maybe Medicaid is the ultimate answer. The fact of the matter is that Medicaid plays a very important role as a safety net for low-income Americans, but most of the medical studies that have been done indicate that medical outcomes under Medicaid are no better than those for those people who don't have insurance at all, and the number of people who go to the emergency room includes many people who have Medicaid but have a hard time finding a doctor who will treat them because Medicaid pays doctors at such a low rate that only about one-third of the doctors, especially in my State of Texas, will see a new Medicaid patient. As one of our colleagues has suggested, it is kind of like telling people: Here is a bus ticket. But there is no bus. There is no way to get there. That is hardly what I would call access to quality care.

I know our work is not done. Now I and others turn to our colleagues across the aisle who fought us every step of the way in trying to achieve progress on healthcare reform and ask them what their suggestions are. Democrats need to be constructive rather than continuing to bury their heads in the sand about the fundamental problems with the Affordable Care Act.

My firm belief is that these problems are structural in nature. They are not something that can be solved simply by throwing more money at the problem, particularly when insurance companies would love to have us do exactly that. That is the way they do business. They are profit-oriented companies. I don't begrudge them that.

It is simply not in our best interest, I believe, to just throw billions of dollars at insurance companies in a bailout without reforming the fundamental structure by which healthcare is delivered. I don't think we can turn to the taxpayers and say that it is their obligation to bail out insurance companies,

particularly when they have seen their premiums already triple under ObamaCare.

We can't afford to do what the Senator from Vermont wants to do, which is enact a costly single-payer system, which would literally bankrupt our country.

With every day that passes, ObamaCare keeps getting worse, but we have no choice but to keep working to find new ways forward. That will include discussions and efforts to keep our promise and fix the mess that has been left to us to face.

There is a lot the American people expect of us. With fragile majorities in the Senate, we have seen that we are forced to work together to try to solve these problems. I think, frankly, bipartisan solutions tend to be more durable.

As we move forward to that work and turn to legislative priorities such as breaking the blockade on nominations, tax reform, getting our economy growing again, getting people back to work—because the economy is growing and they get good, well-paying jobs—and doing things such as rebuilding our infrastructure, something we know is important to our economic future, we will continue this week focusing on something that, frankly, we should have done months ago, which is seeing that more of President Trump's nominees are confirmed.

Of course, we know the approach of the Democratic leader from New York has been to obstruct, block, and slow down as many of these nominations as he can. For example, our Senate colleagues on the Democratic side have allowed only 10 percent of President Trump's confirmations to go by a voice vote, which is a customary courtesy when there is no controversy associated with the nomination. President Obama's confirmations went through with 90 percent of them by voice vote because they weren't truly controversial. What we have seen happen this year is to burn the clock and delay and obstruct and foot-drag as much as possible in order to deny the President his own team.

I realize many people were disappointed on that side of the aisle when President Trump was elected. He was elected President of the United States, and he deserves to have his team in place—particularly when they are not controversial nominees—rather than to deny him the opportunities to staff up and do the job the American people elected him to do.

This obstruction is felt particularly acutely at the Department of Defense. You would think that if there is one thing that is bipartisan or nonpartisan, it would be our national security. In fact, only seven of President Trump's nominations for the Pentagon have been confirmed. Two of the remaining nominees waiting for confirmation

have been waiting for 2 months after they have been unanimously approved by the Armed Services Committee—2 months of delay for no purpose whatsoever with noncontroversial nominees.

The minority leader is blocking these nominees, but his ranking member on the Senate Armed Services Committee, along with all other Democrats on the Armed Services Committee, unanimously voted to approve the nominees and vote them out of committee.

It should not take 2 months to fill these critical national security roles, especially for nominees who aren't controversial. Each day that our Democratic colleagues delay the process, they are hindering our readiness and putting American lives at risk.

This comes at a time when we are engaged in fights around the globe, at a time the vast array of threats around the globe are more diverse and, frankly, more dangerous than they have been in a long, long time. All we need to do is to look at what is happening in North Korea.

It is especially disgraceful for those men and women who put their lives in harm's way, who wake up every day and risk their lives to defend the country, and who proudly wear the uniform of the U.S. military. This is an offense against them. It is insulting. They deserve better than this from our Senate Democratic colleagues.

I hope the Senator from New York, the Democratic leader, will stick to what he said last week and drop the needless blockade against the President's nominees. The President won the election and is expected to appoint a Cabinet of qualified individuals to guide our country and carry out his policies. Whether you voted for President Trump or against President Trump, he did win the election, and we should move forward with a fully staffed executive branch.

Americans also deserve to keep more of their hard-earned paychecks in their pockets. We know that businesses, particularly small businesses that are the primary engine of job creation in the country, have been subjected to a tax code that is enormously complicated, confusing, and that discourages economic growth.

Why in the world would we want to do that to ourselves? Why would we want to tolerate a tax code that is so complicated, that is anti-growth, and that discourages job creation? We shouldn't.

With this new administration, we are committed to overhauling our outdated Tax Code to make it simpler and fairer, one that will encourage businesses to create jobs and bring profits back to our shore. Members of both Chambers—the House and Senate—have been hard at work on a solution that will provide that sort of relief and protect jobs and put Americans first, not government.

I look forward to the debate and the fight for historic tax reform in the

coming months. I want to particularly commend my friend and colleague in the House of Representatives, a fellow Texan, KEVIN BRADY, chairman of the House Ways and Means Committee, for his great work in that body, together with our chairman in the Senate, Senator HATCH, chairman of the Senate Finance Committee. That is the committee of jurisdiction where we are going to have hearings and a markup this fall.

Finally, I wish to address another area where Congress ought to be able to work together on a bipartisan basis, and that is strengthening our Nation's infrastructure. It is absolutely imperative we build on the success of the FAST Act, the first multiyear surface transportation bill signed into law in more than a decade.

While this piece of legislation was critical to providing States and communities with the certainty they need, we must continue to invest in our Nation's bridges, roadways, ports, and other critical infrastructure.

I look forward to working with the administration and our colleagues in the Senate and in the House on legislation that will strengthen our Nation's infrastructure and do so in a fiscally responsible manner.

Finally, I hope to pass the bipartisan legislation that I have introduced to combat domestic human trafficking with my Democratic colleague, the Senator from Minnesota, this week. This has long been a priority of mine. The Abolish Human Trafficking Act is focused on getting victims of this heinous crime the help they need to rebuild their lives. In fact, as you talk to faith-based organizations and other people who are trying to help the victims of human trafficking, many times they will tell you the single thing these victims need the most is simply a safe place to live and heal and recover. That is what the Abolish Human Trafficking Act is focused on.

This bill reauthorizes the Justice Department's Domestic Trafficking Victims' Fund, which was established in the Justice for Victims of Trafficking Act, a bill that I authored and that was signed into law last Congress.

The Domestic Trafficking Victims' Fund provides critical resources to connect victims with the services they need so they can recover and begin to heal. Part of that fund is financed through fines collected on the convicted traffickers themselves. It is a clear way we can use these fines for good. Last year, the fund provided about \$5 million in victim services. By reauthorizing it, we can continue to serve even more people, more victims.

This bill also empowers victims by permanently reauthorizing the Advisory Council on Human Trafficking, survivors who annually advise the government on ways to combat this crime and lend a hand to victims. While this

bill certainly focuses on human trafficking victims, we recognize that these victims may not have survived this form of modern-day slavery without the dedication of law enforcement officials fighting for these survivors every day. That is why our legislation also supports local and State law enforcement agencies, so they are able to carry out not only the ability to track down the perpetrators and convict them but also to receive additional training to help equip them on how best to serve the victims.

Ending this terrible crime is a cause every Member in this Chamber should be able to get behind. I look forward to passing the Abolish Human Trafficking Act with bipartisan support, hopefully, later this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Madam President, President Trump has been in office for just a little over 6 months. We had an election. The American people said they preferred the Republican vision for the direction this country should go, but it just seems today the Democrats in the Senate think the inauguration never happened.

For more than 6 months, Democrats have engaged in a historic effort to obstruct the work of the Trump administration and the U.S. Government. Normally, on inauguration day, the President gets a substantial number of people confirmed to his Cabinet. The idea is to let the President get his team in place so then they can go about hitting the ground running.

President Obama had six of his Cabinet Secretaries confirmed on Inauguration Day in 2009. All of them were confirmed by voice vote. They didn't even have to do a rollcall. People agreed, in a bipartisan way, to let the President have his nominees. Republicans in the Senate did nothing to try to block any of those Cabinet Secretaries for President Obama. We understood it is best to give the new President a chance and for all of us to work together when we can. President George Bush had seven people nominated and confirmed on his first day in office. That is the way it usually worked but not anymore.

Now, Democrats aren't interested in giving a Republican President a chance. They weren't interested in working together. Last January, President Trump only had two people confirmed to his Cabinet on inauguration day. There were two people ready to get to work on the day he took office, the Secretary of Defense and the Secretary of Homeland Security. These

were the only two jobs the Democrats let the President fill. By the end of January in 2009, President Obama had 10 of his Cabinet Secretaries in place. His Cabinet was almost entirely set by the end of the month that he took office, January 2009, but because of ongoing obstruction by Democrats in the Senate, President Trump still only had three Cabinet Secretaries in their jobs by the end of January. That is an incredible level of obstruction when you compare it to what has happened historically.

It didn't stop with members of the Cabinet, and it didn't just end in January. Democrats have continued to make the Senate jump through procedural hoops. In President Obama's first 6 months of office, 206 people were confirmed to serve in his administration. In President Trump's first 6 months, Democrats continued to block the way, allowing us to approve only 55 nominees for those first 6 months. So President Obama had nearly four confirmations for every one of President Trump's over the same period of time. The difference is stark and the reason is simple: Democrats have been putting up roadblocks, one after another, on even the most noncontroversial of nominees. It is not how things worked in the past in previous administrations. Many of these nominees for important jobs would get approved by what we call in the Senate unanimous consent or by a voice vote.

Republicans have been willing to let a lot of Democrats take their jobs without wasting time on rollcall votes and running out the clock. In President Obama's first 6 months in office, Republicans allowed 182 of his nominees to be confirmed by unanimous consent or voice vote. That is almost 90 percent of the jobs filled in those first 6 months by unanimous consent—general agreement—but in the same time, the Democrats only allowed five of President Trump's nominees to get through without a rollcall vote. That is the level of Democratic obstructionism.

They have been blocking judges, Cabinet Secretaries, and other high-ranking officials. Many of these nominees even had Democratic support. It is interesting. Democrats have supported many of these so they weren't controversial at all. Democrats in the Senate forced us to file cloture 34 times on people nominated to fill important jobs in the U.S. Government. We had to force the Democrats to act.

In President Obama's first 6 months, there were only eight cloture votes. There is no way Democrats can argue that they had principled objections to these 34 nominees where we had to file cloture on their nominations. The only explanation is that they did not want the President to have his team in place. When you take a look at these 34 people whom we had to go ahead and file cloture on, half of them ended up

getting 60 or more votes for their confirmation so they had support by Democrats as well as the Republicans. There was no reason—no need to slow them down other than obstruction of the President. One nominee whom we had to file cloture on and go all the way through the process even received a unanimous confirmation vote—a rollcall vote in the U.S. Senate—100 to 0. Yet the Democratic leader made us file a motion to proceed and get a cloture vote on this individual whom then they approved 100 to 0.

Why the need to go through this? Democrats blocked him as long as they could. Yet not a single Democrat then stood to vote against him when his name was called for a rollcall vote. So why are Democrats blocking votes on people whom they then intend to support and do support with their votes? They are just trying to slow things down. The Democratic leader actually admitted that was his plan during the debate over confirming the No. 2 person at the Pentagon. It is someone whom the Senate actually confirmed with 92 votes in his favor. Yet they slowed him down. Then he received 92 votes.

Republicans wanted to speed up the process a little. Senator SCHUMER objected. Did he have a problem with the nominee's qualifications? No. The Democratic leader said on the floor: "We would be happy to consider the nominee in regular order, and maybe once things change a little bit in healthcare, we can."

It had nothing to do with the person who was nominated, nothing to do with anything, according to Senator SCHUMER, other than the fact that we were discussing healthcare in this country. It had nothing to do with the importance of the position that was going to be filled in the Pentagon. It was all because Democrats were trying to stall the debate over healthcare reform. There are the numbers: nominees confirmed in the first 6 months for Obama, 206; President Trump, 25.

Republicans are trying to keep the Federal Government functioning by filling these jobs that had been empty. Healthcare is a very separate thing. Both of these are important. The only thing they have in common is the Democrats have been playing politics with both of them. It is not normal. It is not acceptable. The Democrats' blockade against President Trump's nominees has caused what I believe has been a dangerous backlog. We still have 84 people who have been nominated by the President for positions in the government who have cleared the committees and are now just waiting for a vote on the Senate floor—slowed down by Democratic obstruction.

Democrats are trying their best to drag this out, it seems to me, as long as they possibly can. The Senate rules say that means up to 30 hours of debate

once we vote to move forward on a nomination. Maybe that is too long. Senator RON JOHNSON wrote an op-ed in the Washington Post over the weekend with the headline: "Let's break this Senate logjam." He suggests we cut the time back from 30 hours of debate to 2 hours of debate. That would certainly speed things up, and maybe that is the step we are going to have to take if this level of obstruction continues.

Whatever we do, we cannot allow this logjam to continue. These are important jobs—important positions. The American people deserve to have someone doing their work.

Last Friday, after the healthcare vote, Senator SCHUMER called for us to work together. He said: "There are things we can do rather quickly, including moving a whole lot of nominations." I am going to hold the Democratic leader to his word on this. Let him show that he meant what he said. We should be able to clear the decks of these 84 nominees who have come through the Senate committee, who have been approved by the committee and are waiting here to be confirmed. We should do it by unanimous consent. If Democrats object to one or two of them, let's have a rollcall vote so we can get it on the record. It is time to stop this mindless obstruction that serves no purpose except to delay.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

(Mr. BARRASSO assumed the Chair.)

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

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

Mr. SHELBY. Mr. President, I rise today in support of Kevin Newsom, formerly Alabama's solicitor general and currently the President's nominee for the U.S. Court of Appeals for the Eleventh Circuit.

He is someone whom the Presiding Officer knows well, having himself been the solicitor general for the State of Texas before he became a U.S. Senator.

I believe Kevin Newsom to be an exceptional choice for this high honor. I have the utmost regard for his intellect and integrity.

Kevin grew up in Birmingham, AL. He graduated first in his class from Samford University in Birmingham and went on to graduate with highest honors from Harvard Law School, as the Presiding Officer did.

One month prior to Harvard Law School, Kevin married his wife Deborah. They went on to have two sons, Chapman and Marshall James, who are now 12 and 14 years old respectively.

Kevin is no stranger to the courtroom. He began his legal career as a law clerk on the Ninth Circuit Court of Appeals for Judge O'Scannlain, as well as U.S. Supreme Court Justice David Souter. He has argued four cases before the U.S. Supreme Court.

In 2011 and again in 2014, Kevin was appointed to the Advisory Committee on Appellate Rules by Chief Justice John Roberts. This is a signal honor, as the Presiding Officer knows. He is one of only 3 private practitioners on the 10-person committee.

Currently, Kevin serves as the chairman of his firm's appellate group and has been recognized by several national publications and organizations for his leadership in the legal field.

As the former solicitor general of Alabama, Kevin has proved to be an exceptionally skilled attorney. He understands and respects the law, and I believe he will be an asset to our Nation's judicial system as a Federal judge on the Eleventh Circuit. Moreover, the American Bar Association unanimously gave Kevin a "well qualified" rating to serve on the Eleventh Circuit—the highest possible recommendation they are able to give.

I am confident that Kevin Newsom will serve honorably and apply the law with impartiality and fairness, which I believe is required of all judges. I believe that President Trump has made the right decision in selecting Kevin Newsom to sit on the Eleventh Circuit. I am hopeful that later today my colleagues on both sides of the aisle will vote to confirm Kevin Newsom without any reservations.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RETURN OF PAPERS—H.J. RES. 76

Mr. McCONNELL. Mr. President, I ask unanimous consent that the papers with respect to H.J. Res. 76 be returned to the House of Representatives at their request.

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

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 2:15 p.m. today, the Senate proceed to the consideration of Calendar No. 178, the nomination of Christopher Wray to be Director of the FBI. I further ask that there be 4 hours of debate on the nomination, equally divided in the usual form; that following the use or yielding back of time, the Senate vote on confirmation of the nomination with no intervening action or debate; that if confirmed, the

President be immediately notified of the Senate's action. I further ask that following disposition of the Wray nomination, all postcloture time on the Newsom nomination be considered expired.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation for a term of ten years.

The PRESIDING OFFICER. There will now be 4 hours of debate equally divided in the usual form.

The President pro tempore, the Senator from Utah, is recognized.

INTERNATIONAL COMMUNICATIONS PRIVACY ACT

Mr. HATCH. Mr. President, I represent a generation of lawmakers brought up on the principles of bipartisanship and compromise, and I believe these very virtues are the key to my success as a legislator. By putting these principles in practice as chairman of the Finance Committee, I was able to pass more than 40 bills into law during the last Congress, and by working with my friends across the aisle over many decades of public service, I have been able to pass more legislation than anyone alive today.

I draw from these personal experiences to illustrate a simple point: In an era of endless gridlock and increasing polarization, there is no alternative to civility and healthy debate. We would do well to remember this in light of the frustrations we have all felt over the past several months.

The Senate is capable of so much more than it is today. I know because I have seen the Senate at its best, and I have seen the Senate when regular order was the norm, when legislation was debated in committee, and when Members worked constructively with one another for the good of the country. I have seen the Senate when it truly lived up to its reputation as the world's greatest deliberative body.

I believe we can again see this body at its best, but restoring the Senate to its proper function requires real change on all sides. It begins by recognizing

that all of us here, Democrats and Republicans alike, are to some extent culpable for the current dysfunction. If we want to break free of the current gridlock and if we want to show the American people we are serious about legislating, then we have to be honest with ourselves, and we have to recognize that laying all the blame on the other side is as counterproductive as it is disingenuous.

Most importantly, we must be willing to work in good faith with Members of the opposite party. All too often, we miss the opportunity to effect meaningful change by hiding behind partisan differences. We must take the opposite course by renewing our efforts to reach across the aisle to overcome division and forge consensus. There is no better template for effective, bipartisan legislating.

This is the model I have followed for decades for the betterment of Utah and the Nation, and it is the model I have followed most recently in working with my dear friend Senator COONS to introduce the International Communications Privacy Act, or what we affectionately refer to as ICPA.

ICPA is more than just a common-sense proposal that updates law enforcement for the modern age; it is a symbol of what our two parties can accomplish when we lay aside petty differences and come together for the good of our Nation. In crafting this proposal, Senator COONS and I took great pains to strengthen international data privacy protections while also enhancing law enforcement's ability to access data across borders.

This issue has long been a priority of mine. I have spoken about it at length both here on the Senate floor and in other venues and have introduced legislation on the subject over multiple Congresses. Most recently, I came to the Senate floor to explain how the rise of cloud and remote network computing has transformed the way we store data and to describe the implications of that transformation for our data privacy laws.

Until relatively recently, most electronic data was housed in personal computers or on servers located in offices or homes. This meant that in order to access data, a person could simply go to the relevant location and retrieve it. That is no longer the case. Nowadays, much of our data is stored not on home or office computers but in the cloud—a network of remote servers spread throughout the world that allows us to access data from literally anywhere. Data pertaining to a single individual or even to a single document may be stored at multiple sites spread across countries or even continents.

This has profound implications for data privacy. To begin with, our privacy laws require government officials

to obtain a warrant before they can access many types of electronic communications. Warrants, however, traditionally have stopped at the warrant's edge. This means that if a law enforcement agent is investigating a crime here in the United States but a key piece of information is stored on a remote server outside the United States, the agent may have significant difficulty obtaining the information. Without a warrant or the ability to get a warrant, the agent may have to use diplomatic channels to obtain the information—a process that can be extremely slow and cumbersome.

Our privacy laws also prohibit disclosure to foreign entities. This means that when a foreign government is investigating a crime within its borders and a key piece of information is stored in the United States, the foreign government must likewise work through diplomatic channels to obtain the information.

The growing prevalence of cloud and remote network computing has put law enforcement into increasing conflict with these sorts of restrictions. Crime knows no borders. A child pornographer in Bangalore may post photos of an American victim on a British server which can be accessed worldwide. A U.S. official investigating the crime may need information stored on the British server in order to track down the culprit. If the server was in the United States, the official could simply issue a warrant. But that tool isn't available in this scenario because the server is overseas.

Moreover, the United Kingdom may have a statute, similar to our own law, that prohibits British service providers from disclosing communications to foreign entities. Diplomatic channels exist for sharing such data, but these channels are exceptionally slow and can take months or even years to process requests. In the meantime, crimes go unpunished and perpetrators disappear.

This state of affairs is simply not tenable. We cannot allow outdated laws to hamstring law enforcement efforts in this way. At the same time, we must adequately protect Americans' privacy against unwarranted government intrusion.

Some have suggested that the answer is to simply extend the reach of U.S. warrants worldwide. This, however, is not a viable solution as foreign disclosure laws can and do conflict with U.S. laws. Extending the reach of U.S. warrants without reasonable limits would thus place service providers in the impossible position of having to choose which country's laws to violate—ours or the foreign jurisdiction's.

What we need is a sensible regime with clear rules that determine access based on factors that matter to the person whose data is being sought. At the same time, we need to take proper

account of the laws and interests of other countries, especially our allies.

We ought to avoid, wherever possible, trampling on other nations' sovereignty or ignoring their own citizens' legitimate claims to privacy. Accordingly, ICPA sets clear rules for when and how U.S. law enforcement can access electronic data based on the location and nationality of the person whose data is being sought.

Here is what the bill says:

If a person is a U.S. national or is located in the United States, law enforcement may compel disclosure, regardless of where the data is stored, provided the data is accessible from a U.S. computer and law enforcement uses proper criminal process.

If a person is not a U.S. national, however, and is not located in the United States, then different rules apply. These rules are founded on three principles: respect, comity, and reciprocity.

First, respect. If U.S. law enforcement wishes to access data belonging to a non-U.S. national located outside the United States, then U.S. law enforcement must first notify the person's country of citizenship and provide that country an opportunity to object. This shows respect to the other country and gives it an opportunity to assert the privacy rights of its citizen.

Second, comity. If, after receiving notice, the other country lodges an objection, a U.S. court undertakes a comity analysis to determine whose interests should rightly prevail—the U.S. interests in obtaining the data or the foreign interests in safeguarding the privacy of its citizen. As a part of this analysis, the court considers such factors as the location of the crime, the seriousness of the crime, the importance of the data to the investigation, and the possibility of accessing the data through other means.

Third, reciprocity. In order to receive notice and an opportunity to object, the other country must provide reciprocal rights to the United States. This ensures that the U.S. provides its own citizens an equal or greater level of protection against foreign requests for data. It also offers incentives to foreign governments to properly safeguard the data of U.S. citizens within their borders.

Up to this point, I have been focusing on requests by U.S. law enforcement for data stored outside the United States, but there is another side to the problem, and that is what happens when foreign law enforcement requests data stored inside the United States.

As I have mentioned, our privacy laws prohibit disclosure to foreign entities. Suppose a British subject committed a crime in Britain but data relevant to the investigation is stored in the United States. Even if British law provides for extraterritorial process, a UK official investigating the crime will

be unable to obtain the data because U.S. law prevents disclosure to foreign officials. As with U.S. requests for data in other countries, diplomatic channels exist for sharing such data, but these channels are slow and extremely cumbersome.

Accordingly, for the past several months, I have been working with Senator GRAHAM and others to find a solution for this second part of the problem. Senator GRAHAM, together with Senator WHITEHOUSE, convened a hearing in May of this year that I believe highlighted the need for action. I have also met with Ambassadors and other high-ranking foreign officials who have impressed upon me the challenges they are facing under existing U.S. law.

I think we need to address this second side of the problem—foreign requests for data in the United States—as well. We need to address it in conjunction with the first side—U.S. requests for data in other countries.

It will not do to give foreign authorities readier access to data stored in the United States without likewise clarifying U.S. law enforcement's ability to obtain data stored abroad. Similarly, it is inconceivable to me that we would open our doors to foreign law enforcement requests while telling U.S. law enforcement that data in other countries is off-limits. Surely, we should not prefer foreign criminal investigations over domestic ones.

I believe these two issues—ICPA and the bilateral United States-United Kingdom agreement—are inextricably linked. I have worked in good faith with Senator GRAHAM and with Senator WHITEHOUSE to find a path forward on these issues. It is my firm belief that we need to move these two issues together. Everyone has a vested interest in privacy, and everyone has a vested interest in bringing criminals to justice. We are going to work together on this.

In closing, I would emphasize one additional point. The question of whether, when, and under what circumstances the United States should authorize law enforcement access to data stored abroad is a question for Congress. There have been suggestions in some corridors that this is a question for the courts to decide. I emphatically reject that question. This is a policy question for Congress.

We should not defer to the courts' interpretation of a statute that was passed 30 years ago with no thought or comprehension of the situation we face today. Subject to constitutional constraints, it is Congress's job to set the bounds of government's investigatory powers. We decide what government officials can and cannot do. We should not pass the buck to the judiciary merely because this is a complicated issue. We shouldn't do that.

The International Communications Privacy Act provides critical guidance

to law enforcement while respecting the laws and interests of our allies. It brings a set of simple, straightforward rules to a chaotic area of the law and creates an example for other countries to follow. It is a balanced approach and a smart approach, and it deserves this body's full-throated support.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TAX REFORM

Mr. THUNE. Mr. President, when polls ask Americans what issues are most important to them, one topic seems to score high every time: jobs and the economy. It is not surprising. The American people have had a rough time over the past few years.

The Obama years were characterized by long-term economic stagnation. Jobs and opportunities were few and far between. Wage growth was almost nonexistent, and yearly economic growth alternated between weak and woeful.

During the last year of the Obama administration—years, I might add, after the recession ended—economic growth averaged a dismal 1.5 percent. That is barely half of the growth needed for a healthy economy.

There have been some encouraging signs over the past few months. Economic growth for the second quarter of 2017 was stronger. We still have a way to go to get to where we need to be. Things still need to get better and better faster.

Another thing is, we want things to get better for the long term. During the Obama administration, there were periods of reasonable economic growth, but they were quickly followed by weak periods. That is not good enough. We need to put our economy on a strong, healthy footing for the long term.

How do we do this? How do we get back on the path to long-term economic health? One important thing we can do is reform our outdated, inefficient, and growth-stifling Tax Code.

The Tax Code might not be the first thing people think of when they think of economic growth, but it actually plays a huge role in every aspect of our economy. It helps determine how much money you have left over to save or invest or whether you can afford a car or a house. When it comes to businesses, it can be the key to determining whether a young business gets off the ground or an existing business has the money to grow and to hire new workers.

Unfortunately, our current Tax Code is not helping our economy. Too often,

American families find their opportunities limited by the size of the tax bill they owe to Uncle Sam. Large and small businesses alike find themselves struggling under heavy tax burdens that compromise their ability to grow and compete.

What does tax reform need to look like? On the individual side, of course, we need to lower income tax rates to put more money in Americans' pockets. American families should be the ones deciding how to spend their earnings and not Washington bureaucrats.

On the business side, there are two important things we can do that will have long-term benefits for economic growth: first, lower tax rates for all types of businesses—sole proprietorships, S corporations, limited liability companies, and corporations; and, second, accelerate the rate at which businesses can recover their investment costs to free up money for them to reinvest in their businesses, create new jobs, and increase wages.

When it comes to lowering business tax rates, there are several things we need to do. For starters, we need to lower our Nation's corporate tax rate. The United States has the highest corporate tax rate in the developed world. That puts American businesses at a competitive disadvantage in the global economy.

When American businesses are taxed at a far higher rate than their foreign competitors, it is likely to be the foreign, rather than the American, companies that expand and thrive.

It is not just our high corporate tax rate that puts American businesses at a competitive disadvantage. It is also our outdated worldwide tax system. If we want American businesses to stay competitive in the global economy, we need to move from a worldwide tax system to a territorial tax system.

The chairman of the Senate Finance Committee, Senator ORRIN HATCH, delivered a speech the other day explaining exactly why we need to move to a territorial system. I highly recommend reading his full speech, but I am going to take just a moment to highlight some of the points he made in that speech.

What does it mean to have a worldwide tax system? Under a worldwide tax system, American companies pay U.S. taxes on the profit they make here at home, as well as any profit they make abroad, once they bring that money back here home to the United States.

The problem with this is twofold. First, these companies are already paying taxes to foreign governments on the money they make abroad. While the current Tax Code gives them some credit for those foreign tax payments, they can still end up paying some U.S. taxes when they bring that money home, meaning they are being taxed twice on those profits.

This discourages companies from bringing their profits home to invest in their domestic operations in the United States. If the tax burden for bringing that money home is too great, they have a strong incentive to leave that money abroad and invest it in foreign workers and foreign economies.

The other problem is, most other major world economies have shifted from a worldwide tax system to a territorial tax system. In a territorial tax system, you pay taxes on the money you earn where you make it and only there. You aren't taxed again when you bring money back to your home country.

Most of American companies' foreign competitors have been operating under a territorial tax system for years so they are paying a lot less in taxes than American companies are. That leaves American companies at a competitive disadvantage.

These foreign companies can underbid American companies for new business simply because they don't have to add as much in taxes into the price of their products or services. By moving to a territorial tax system in the United States—a move that is supported, by the way, by Members of both parties—we can put American companies on an even footing with their global competitors.

With a territorial tax system and a lower corporate tax rate, we can provide a strong reason for companies to keep their operations in the United States and to bring their profits back home, instead of incentivizing companies to send their operations overseas the way they do now.

Improving the competitiveness of American companies and giving them a reason to invest their profits back home will have huge economic benefits, not only for American companies who are competing in the global marketplace but also for all the small- and medium-sized companies that form the supply chain here in the United States.

For every American company that operates in countries around the world, there are countless companies here at home that supply the raw material for the products that are sold abroad—businesses that handle the packaging and the shipping of those products and enterprises that supply support services like accounting and legal and payroll services.

The list goes on. America's global companies rely on a web of supporting businesses that spans the entire United States. As a result, when American companies are successful, so is the American economy.

Obviously, lowering corporate tax rates and moving to a territorial tax system will have the most impact on American companies with an international footprint. Tax reform also has to focus on that other engine of economic growth; that is, the American small business.

Like bigger businesses, small businesses currently face high tax rates, at times even exceeding those paid by large corporations. Lowering tax rates for small businesses has to be a part of any tax reform bill.

A dollar saved in lower tax rates is a dollar a small business owner can put back into the business to expand, to add another worker, or to give employees a raise. The other thing we can do for small businesses is to allow them to recover their investments in inventory, machinery, and the like faster.

Under current law, small- and medium-sized corporations are often required to use a method of accounting known as accrual accounting. Basically, what that means is, a business has to pay tax on income before it receives the cash and cannot deduct all of its expenses when it pays the invoice.

For investments in equipment and facilities, the delay in recovering the cost of the investment can be even longer. For instance, right now, the cost of a computer is recovered over 5 years; tractors, over 7 years; and commercial buildings, over 39 years.

For many businesses, this means it can be many years before that substantial investment can be fully deducted. That can leave a business extremely cash poor. Cash-poor businesses don't expand, they don't hire new workers, and they don't increase wages.

Boosting small businesses' available cash by allowing them to recover their investments faster is one of the most important things we can do to help small businesses thrive.

I have actually introduced legislation that would do just that. My bill, which is called the INVEST Act, focuses on allowing new businesses to recover their startup costs more quickly and allowing existing small- and medium-sized businesses and farms and ranches to recover their investments faster, and in some cases deducting the acquisition costs immediately.

All of the tax reform priorities I have discussed today, and more, will be part of the final tax reform package that we develop in the U.S. Senate.

Members of the tax-writing committees, in both the Senate and the House, have spent years working out the best approach to tax reform. Both committees have redoubled their efforts this year, even as the Senate and the House took up a variety of different priorities.

Last week, leaders from the Senate, the House, and the administration announced that the Senate Finance Committee, of which I am a member, and the House Ways and Means Committee would begin putting together a final version of a tax reform package. Our goal is for the Senate and House to take up and pass the legislation sometime this fall.

I am looking forward to working with Chairman HATCH and all of my

colleagues in the Senate Finance Committee to put together that final bill, because American families and businesses are counting on us to enact a tax system that works for them and not against them. That is what we intend to give them.

I yield the floor.

Mr. President, I ask unanimous consent that quorum calls during consideration of the Wray nomination be charged equally to both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. Mr. President, I rise today to recognize the 10th anniversary of the collapse of the I-35W bridge and to pay tribute to those who lost their lives on that tragic summer day, as well as all the first responders, healthcare workers, and ordinary citizens who did extraordinary things on this day 10 years ago.

First, I want to acknowledge one other topic; that is, this evening we will be voting on the nomination of Christopher Wray to serve as the FBI Director. I was proud to join all of my colleagues on the Judiciary Committee—now, it is not an ordinary thing to have happen on its own that we all agree on something—from both sides of the aisle to support Mr. Wray's nomination in committee on July 20 with a unanimous vote of support.

In his hearing, Mr. Wray showed that he has integrity, that he will follow the law, and that he believes in the importance of an independent FBI. Senators on both sides of the aisle asked him strong and tough questions. Given this important time in our Nation's history for law enforcement and for the FBI, I don't think you would expect anything less.

Mr. Wray handled the questions well. He was knowledgeable, but most importantly for me, he showed respect for the agents, and he showed respect for his predecessors, both Mr. Mueller and Mr. Comey. He showed respect for the law, and he understood the somber time in which he comes in to take this job.

In particular, Mr. Wray said that if he were asked to do something illegal or unethical, he would urge the President not to proceed with such a course of action, and he would resign if necessary. Mr. Wray also responded to Senator GRAHAM that he did not consider Special Counsel Mueller to be on a witch hunt, and he agreed that any-

one running for elected office should notify the FBI if a foreign government offers assistance on a political campaign.

Mr. Wray also agreed with the concerns I raised that are posed by organized criminals, including those from foreign governments or who work for foreign governments, hiding their money in shell companies. He said that we had to "follow the money." With news reports that the eighth person in the meeting with Donald Trump, Jr., Paul Manafort, and a lawyer connected to the Russian Government was a Russian who has been linked to money laundering, this issue is as important as ever.

In addition, Mr. Wray pledged to continue the FBI's efforts to work with the Election Assistance Commission and to address cyber security threats to our election infrastructure, so it is not just investigating things backward. A lot of what fighting crime is about—and I certainly knew this in my time as county attorney in Hennepin County—is making sure you protect people going forward. The FBI has enormous responsibilities going forward with cyber security, not only for our elections but for our government and also for business and for individual citizens.

Importantly, Mr. Wray promised to be responsive to requests from the Judiciary Committee as it carries out its oversight responsibilities. Those were questions posed to him by the committee's chairman, Senator GRASSLEY.

This is a tough time to take this tough job. The previous FBI Director, as we know, was fired because of the Russia investigation. The former Acting Attorney General was fired, and we have had a slew of other firings throughout the government over the last few months.

Well, I believe Christopher Wray is someone who will come in there with the integrity that is needed to do the job for those brave agents who go to work every day, not wearing a political button. They just go to do their work to protect us. I also believe he is the right choice at this time for our country.

I am very proud of the work the FBI in Minnesota has done, especially in the past year, with the stabbing we had at the shopping mall. The police chief there often talks about how there was so much going on at that moment, and the FBI was able to come in and help with that investigation in a significant way, so the police chief could not only work on the investigation with his officers but also calm the community, work with them, and do the other work that had to be done in the aftermath of that tragic stabbing.

That is just one example of our FBI in Minnesota, but I think every Member in this Chamber has examples in their own communities, and that is why it is important to have someone of

the caliber of Christopher Wray take charge. I look forward to voting for his confirmation this evening.

I-35W BRIDGE COLLAPSE ANNIVERSARY

Mr. President, I am here today to talk about the I-35W bridge, and, as I said earlier, this was a tragedy that captivated not only my State but the country and the world. It was 10 years ago to the day that the I-35W bridge collapsed into the Mississippi River, taking the lives of 13 people and injuring over 100. I will never forget the shock and horror of that day. Everyone in my State remembers where they were when they heard that the bridge had collapsed.

As I said that day, a bridge just shouldn't fall down in the middle of America—not an eight-lane highway, not a bridge just a few blocks from my house that I drive over every single day with my family. But it happened, and when something like that happens, a lot of it has to do with, yes, what caused it—you want to know that—but also you want to know how the community responded, and that gets to the part that I really wanted to focus on today.

In the minutes and the hours following the disaster, the response of Minnesota's firefighters, police, hospital personnel, emergency personnel, and ordinary citizens was nothing short of heroic. People did not run away from that disaster. They ran toward it.

Everyone remembers the video of the off-duty firefighter diving in, over and over again, looking for survivors, or they remember that school bus precariously hanging on the edge of that broken-down bridge, where ordinary people had come to help on this broken bridge as the school bus rested on the side, ready to fall. To get the kids off the bridge—they were just going to a summer camp and coming home for the day—the driver was helping them out one by one by one, not leaving that bus until every single kid got off the bus. During the first 2 hours after the bridge fell down, the Minneapolis Emergency Communications Center received and processed over 500 calls, 51 of which came directly from the scene of the disaster.

The eyes of the Nation were on our State, and what they saw that day was the very best of Minnesota. That tremendous spirit of community is what carried us through the dark days after the bridge collapsed. I remember going there with then-Senator Coleman the next morning with the Transportation Secretary. There were already, literally, billboards the morning after, directing people where to go because this involved a major highway and telling them what buses would be working and which way they should go. That is a community responding.

Senator Coleman and I pledged that day that we would work with Congress-

man Oberstar, who was a major force—who sadly is no longer with us—on the House Transportation Committee and then, of course, with Congressman ELLISON, who is the Congressman for that district.

Senator Coleman and I pledged to get the money, and we secured \$250 million in emergency bridge reconstruction funding in just the first few days. It was a bipartisan effort, and I was proud to have the support of so many people in this Chamber. As a result of that—and maybe this is a lesson in light of what we heard in Senator MCCAIN's beautiful speech and in light of what we know we still need to be doing with infrastructure in this country—with President Bush's help and with bipartisan support, we rebuilt that huge bridge in Minnesota in a little over a year. Literally 13 months later, I was driving over that bridge to my house.

It is a shining example of what we can accomplish when we put politics aside to get big things done. I believe the I-35W bridge can and should be a model, not just of a tragic disaster and of our declining infrastructure, which it certainly is, but also a model of how we can fix things—a Republican Senator working with a Democratic Senator, and we got it done.

We have made some progress in this Chamber when it comes to infrastructure. In 2015, Democrats and Republicans worked together to pass the Fixing America's Surface Transportation Act or FAST Act, led by Senator MCCONNELL, the leader, with Senator Boxer. They don't agree on much, but they worked hard to get that bill done. I have always loved that it was called the FAST Act. It is kind of a scary thing to name a bill in Congress these days, but they named it that, and it got done. It was a long-term reauthorization bill that increased transportation funding from existing revenue streams and helped provide certainty for local governments planning critical projects.

Under the FAST Act, Minnesota is scheduled to receive more than \$4 billion in funding over 5 years, which will help to ensure that our infrastructure is safe and efficient, and by the last year, it will be an increase of about \$100 million just for our State over what we were getting the year before we passed the FAST Act. But we still need to do more.

This year, the American Society of Civil Engineers, which every so often comes out with grades of the Nation's infrastructure, gave America's infrastructure a grade of D-plus. While other countries are running ahead with infrastructure investments, we are still standing still. Even with the FAST Act, it doesn't propel us into the future, where we want to be. As we know—and as the Presiding Officer knows from his own State of North Dakota—we are an export State; we are

an export country. We have to bring goods to market, and we have to bring goods into the United States. We also have to bring people to their jobs, and we can't do that if we have infrastructure—roads, bridges, rails, locks, and dams—that was set up for the last century. Standing still means falling behind in this global economy. In Minnesota, we know the cost of neglecting our roads and bridges. Our country needs to build roads, bridges, airports, locks, dams, and rails that work.

While safety should always be our first priority, it shouldn't be our only expectation. Our infrastructure should help farmers from the Presiding Officer's home State of North Dakota and my State of Minnesota to get crops to market quickly. Small businesses have to grow, and workers have to get to their jobs.

Let's not forget about updating our energy grid, repairing and replacing our water infrastructure and sewers, and making sure all Americans have access to broadband—not just low-speed broadband but high-speed broadband. I don't want to hear about another farmer going to the McDonald's parking lot to do his business or a doctor in northern Minnesota going to look at his x rays. If he couldn't use the hospital, he couldn't look at x rays at home or anywhere except another coffee store parking lot. That makes no sense.

If our deteriorating infrastructure goes unaddressed, it will cost our economy nearly \$4 trillion by 2025, leading to a loss of over 2 million jobs. If we address it, we can create millions of jobs.

Here are some ideas. Senators MARK WARNER of Virginia and ROY BLUNT of Missouri have a bipartisan bill that I am part of that would establish an infrastructure financing authority to complement existing funding and expand overall infrastructure investments by providing new incentives to increase private sector spending. Another idea is to reform our Tax Code—and we have to do a lot of work on that—to simplify it and to create incentives for businesses to invest right here in America. We can also provide incentives to bring back trillions of dollars of foreign earnings. But if we do that, we have to make sure a chunk of it goes into infrastructure.

Of course, these tools should supplement and not replace direct Federal funding because, especially when it comes to rural America, we are not going to see the same kind of public-private partnership that you might in other, more populated areas of the country. So it has to be a combination of funding sources to make this work for every State, especially for rural America.

I am committed to moving forward in a bipartisan way to address our infrastructure needs and to prevent another

tragedy like the collapse of the I-35W bridge. It is time to work together to make this happen. I actually believe the Senate is a place where we can make this happen. We showed the ability to get through a major infrastructure bill just 2 years ago, and we can do it again.

Today, on this 10th anniversary, we honor the victims, and their families, of that I-35W bridge collapse. We recognize the bravery of the first responders, who were incredible, and the 911 operators, who did their duty and answered those calls and got the help where they were supposed to go, and the doctors, nurses, ER people, ambulance workers, and everyone else.

Today, we also—and I can't think of a better time, when we are going through a difficult period, as we are in our country—remember the actions of ordinary citizens who could have just said: Oh, this looks scary; I am going home. They didn't do that. They didn't run away from the disaster; they ran toward it. Ordinary citizens did extraordinary things. Why? Because they cared about their fellow citizens. Because they knew that while maybe they had crossed over that bridge 5 minutes before it collapsed and could see it in their rearview mirror, or maybe they were approaching the bridge and actually saw it collapse—if it weren't for a 5-minute or 1-minute or 30-second difference, it would have been them on that bridge, and they knew that, and that is why they helped.

That is what America is really all about. It is not just a lottery where only certain people win and certain people lose. You have to put yourselves in the shoes of other people and think, we are all on one team. That is what this democracy is about, and that is what we saw on this day 10 years ago, August 1, in Minnesota.

Thank you, Mr. President.

I yield the floor.

Mr. DURBIN. Mr. President, I will support the nomination of Christopher Wray to be the next Director of the Federal Bureau of Investigation.

I met with Mr. Wray prior to his hearing, and I have carefully reviewed his record and listened to his hearing testimony. I believe he is well qualified and that he is sensitive to the fact that the FBI Director needs to be independent from this President and this Administration.

We are at a perilous moment in our history. Director Comey was fired by President Trump after he refused to pledge his loyalty to President Trump and after he publicly acknowledged that the FBI was investigating links between the Trump campaign and Russia. In the 109-year history of the FBI, only one FBI Director had ever been fired before. That director, William Sessions, was dismissed for serious ethical violations—not because the FBI

was investigating the administration. Not since Watergate and the Saturday Night Massacre of October 20, 1973, has a President dismissed the head of an ongoing investigation into his administration.

From his own statements to NBC News and to Russian officials in the Oval Office, we know that President Trump wanted FBI Director Comey gone because of the Russia investigation. Let's be clear—Russia attacked our democracy last year. Almost every day, there is a new revelation about Russian contacts with the Trump campaign and administration. We owe it to the American people to get to the bottom of what happened.

Fortunately, we now have a special counsel, Bob Mueller, who is investigating whether any crimes were committed. We also need to make sure no foreign adversary can interfere with our elections again. It is imperative that the next FBI Director allow Special Counsel Mueller to conduct his investigation without interference and that the FBI provide Mueller with access to the information and resources he needs.

It is also imperative that we have an FBI Director who will carry out the functions of the office with independence, integrity, and a firm commitment to the rule of law.

I appreciate that Mr. Wray shares my view that the FBI Director should avoid meeting with President Trump one-on-one and that the FBI Director would be well-advised to make contemporaneous written records of any substantive conversations with President Trump.

Mr. Wray also told me he has no reason to doubt the intelligence community's conclusion that Russia interfered in our election. I look forward to hearing more from Mr. Wray on this subject after he is confirmed and has reviewed the classified intelligence.

He also committed to work with me to address the scourge of illicit gun trafficking coming into the city of Chicago and to work with me on efforts to reduce youth exposure to violent trauma.

I asked Mr. Wray about the criminal division's involvement in a 2004 memo by the DOJ Office of Legal Counsel on torture. He said he was not involved in reviewing or approving this memo or any CIA interrogation techniques and that he agrees with former FBI Director Mueller that interrogation techniques such as painful stress positions and waterboarding are "abusive under all circumstances." I appreciate his commitment to ensuring that FBI personnel never use or participate in abusive interrogation techniques. Mr. Wray also committed to me that, if confirmed, he would review the Senate Intelligence Committee's torture report, and I look forward to hearing his reflections on it.

Mr. Wray told me that he agrees with former Director Comey that Federal courts and Federal prosecutors are effective in prosecuting terrorists and obtaining valuable intelligence, which is clear when you compare our courts' record in convicting more than 500 terrorists since 9/11. In contrast, military commissions have only produced eight convictions, four of which have been overturned.

I appreciate Mr. Wray's commitment to "seek to maintain and build trust with all Americans, including Muslim Americans."

The next FBI Director will be under incredible scrutiny. We need an FBI Director who will face that pressure with integrity, independence, and a firm commitment to the rule of law. He may also have to stand up to this President if the interests of justice call for it. I believe Mr. Wray can do that, so I will support his nomination, and I hope I will be joined by my colleagues in closely monitoring the FBI to ensure Mr. Wray is effectively serving the American people and the rule of law.

Mr. LEAHY. Mr. President, I supported Christopher Wray's nomination in the Judiciary Committee to be the next Director of the Federal Bureau of Investigation. I did so because I believe he is qualified and—critically—I believe he will stand up for the independence of the FBI. Such independence has never been more at risk. We need a new FBI Director now because the President fired the last one, Director James Comey. The President's reason for doing so was disturbing: to take pressure off of the FBI's investigation into Russian interference in our democracy and connections between the Kremlin and the President's campaign and administration. This came after the President first sought Director Comey's loyalty, then pressured him to terminate the ongoing investigation into Michael Flynn, and then misled the Nation as to the reason for Director Comey's firing.

Time and again, this White House has shown it does not respect boundaries between politics and law enforcement or understand that an official's loyalty is to the Constitution, not the President. The President routinely attacks the Attorney General, Deputy Attorney General, special counsel, Acting FBI Director, former FBI Director, and countless others. Each attack seems more outrageous than the last. Attorney General Sessions was required by Justice Department regulations to recuse himself from the Russia investigation. It was not discretionary. The President launched a weeklong Twitter tirade against him anyway, stating he would have never hired the Attorney General had he known he would recuse himself. In other words, the President would not have hired our Nation's top law enforcement official had the President known he would actually follow the law.

Make no mistake, whether he asks for it or not, the President will demand loyalty from Mr. Wray. He has shown there are consequences for those who dare to maintain independence and follow the rules. Through Twitter attacks and firing top officials, the President is attempting to intimidate and improperly influence the behavior of our Nation's top law enforcement officials.

This is not normal. We should not treat it as such, nor should these officials be solely responsible for protecting the independence of our law enforcement institutions. All of us, Republican and Democrat, must stand up to a President who seems to only stand for himself and whose relentless attacks on the rule of law harm the entire Nation.

The next FBI Director will face many tests of integrity. He will be forced to make decisions, as Director Comey was, that will test his commitment to the rule of law. I believed Mr. Wray when he testified in response to my question that he would sooner resign than follow an unlawful or unethical order from the White House. While he served as the head of the Justice Department's criminal division in 2004, the White House attempted to authorize a warrantless surveillance program over the Attorney General's objections. Mr. Wray offered to resign in solidarity with then-FBI Director Robert Mueller and then-Deputy Attorney General Comey. He takes his integrity and the integrity of our Nation's law enforcement agencies seriously.

I expect Mr. Wray will tenaciously guard the independence of the FBI, and I will vote to confirm his nomination today.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I know that later this afternoon, we are going to vote on the nomination of Christopher Wray. I am proud to support him, as I was during the Judiciary Committee, voting for him, as did every other member of the Judiciary Committee. The reason is quite simply that he is a professional, as nonpolitically associated as anyone can be going into this position.

Like the FBI itself, he is known for his independence and integrity. There are two qualities needed today for the FBI and its Director, and those are independence and integrity. The FBI is one of the most important law enforcement agencies and certainly one of the most important in the country.

The FBI Director doesn't serve the President. He serves the Constitution and the people of the United States. He must be independent of political interference, and his or her integrity must be unquestioned. The FBI deserves a leader with the integrity and strength necessary for that solemn mission, and Mr. Wray has shown himself to be that kind of leader. Those qualities are es-

pecially important because never before have the rule of law and our law enforcement been so threatened by political interference, and it begins at the very top.

The reason Christopher Wray has been nominated to serve as FBI Director is that the vacancy was created by the firing of Jim Comey for reasons that have led to an aspect of the ongoing investigation by the special counsel.

The reason that position is vacant is because 3 months ago Jim Comey was fired by the President because of "the Russia thing." The Russia thing was very much on the President's mind, more so than any of the reasons given in the memos done by Attorney General Sessions and Deputy Attorney General Rod Rosenstein, according to the President himself.

"The Russia thing" is the FBI and special counsel investigation into whether the Trump campaign colluded with the Russian Government to influence our election.

There is no question that there was a campaign of interference and meddling through cyber attacks, disinformation, propaganda, and other means, and there is no question that the Russians will do it again unless they are made to pay a price. Others may well collude or conspire with them—Americans—unless they are compelled to pay a price.

We have only to look at the morning headlines to see how far-reaching and significant this investigation may be. The news that the President himself wrote a statement to be issued in the name of his son about a meeting with the Russian who promised "dirt" on Hillary Clinton and directly misled about that meeting shows what is at stake.

The misleading words put into the President's son's mouth by Donald Trump himself are potential pieces of evidence relating to criminal intent fitting the mosaic that the special counsel has assembled. They add weight and color to that mosaic; they are not alone proof.

The report today is proof that certainly describes a pattern of conduct—pieces of a pattern that fit together into a mosaic providing evidence of intent concerning potential obstruction of justice.

So the likelihood of a threat is increasing—the threat of political interference, the threat of firing Bob Mueller, the threat that Attorney General Jeff Sessions may be used as a vehicle to lead to Bob Mueller's firing.

Even before Jim Comey's dismissal, I called for an independent special prosecutor at the Department of Justice. In fact, I was the only member of the Judiciary Committee to vote against Rod Rosenstein's nomination as Deputy Attorney General because he failed to commit to appoint a special prosecutor, and I believed a special pros-

ecutor was necessary not only to determine the full extent of Russia's meddling in our democracy but also to protect that investigation from the President's efforts to shut it down. This belief was brought into stark relief by Jim Comey's firing, and it precipitated the appointment of Bob Mueller.

The firing of Special Counsel Mueller would precipitate a firestorm on both sides of the aisle. It would put the President over a precipice that likely could lead to the most drastic action possible in this democracy. That precipice can be avoided, and Congress must play a role in avoiding it. We are in talks across the aisle about action that can be taken to provide a check and a firewall against that kind of firing—drastic action that would put the President over that precipice politically and morally and legally. Also, my hope is that the new Chief of Staff, General Kelly, will add a voice of reason and wisdom, perhaps, to check some of the more rash and impulsive action that might otherwise be taken by the President.

The special counsel was given a clear mandate to follow the evidence wherever it may lead. I believe that Special Counsel Mueller has the guts and backbone, as well as the expertise, to uncover the truth, to follow that evidence, and to bring charges if they are appropriate and necessary, if he is assured the resources and independence to do the job.

That is why Christopher Wray's nomination is so critically important. He will be a key decision maker in providing those resources and investigative agents necessary to do the legwork and the review of documents and other hard work—challenging work—that is necessary so that the special counsel may have the facts and the evidence. The FBI Director is also going to be important in assuring the independence of that special counsel. As an ally and a source of support, the FBI Director will be critical.

The most important priority, in fact, for Christopher Wray will be to protect the independence and integrity of that special counsel investigation just as he must protect the FBI's, because they are intertwined and identified at the core. They involve the rule of law—the essence of our democracy—and the belief and trust that wrongdoing will be investigated and prosecuted no matter how powerful the target and no matter how wealthy or powerful the wrongdoer. That investigation has expanded appropriately to include financial dealings on the part of the President of the United States. Any attempt by the President to set limits on that investigation is inappropriate and potentially illegal and further evidence of criminal intent.

In short, the mandate for both Director Wray and Special Counsel Mueller must be unconditional. There must be

no limits set by political interference. The nominee whom we vote to confirm today must sustain and secure that ongoing independent investigation from any interference no matter how powerful the source, including the President of the United States. No one can set limits, because no one is above the law, and the special counsel must have the freedom to decide where the investigation will lead because he will follow the facts where they lead.

The FBI Director has a broad and inclusive mandate. In addition to protecting the United States against corruption and wrongdoing involving misuse and abuse of power, he must also protect the United States against terrorism and foreign intelligence threats. He is charged with providing leadership services to State, Federal, and municipal agencies and partners, and he is responsible for protecting civil rights.

On Friday, July 28, 2017, President Trump gave a speech in Selden, NY, in effect encouraging law enforcement to use or misuse excessive force. More specifically, he directed law enforcement not to be “too nice,” and he described, graphically, how officers should potentially allow arrestees to be banged on the head or otherwise mistreated. With his comments, President Trump did a disservice to countless law enforcement officers who work hard to keep our neighborhoods safe while maintaining good relationships with the communities they serve.

I will be joining with colleagues and working with the very distinguished senior Senator of California, who has joined us on the floor, in asking that our law enforcement leadership take action to express its disapproval of that kind of misconduct, and my hope is that, specifically, the Department of Justice will express its disapproval of such misconduct.

The FBI has a special obligation to condemn such violations of standards and laws, and I hope that the new Director, Mr. Wray, will join dozens of law enforcement leaders across the country in making clear that the President's remarks have no place at the FBI. I believe that Christopher Wray has the experience and credibility and the expertise to lead the FBI in that effort, as well as in protecting the special counsel.

Based on his career and his testimony before the Judiciary Committee, I believe that he will bring that leadership to the FBI. I regret that he will be the FBI Director only because it is the result of an abusive and improper firing of James Comey. The special counsel's investigation of that firing as a potential obstruction of justice is well warranted, and I know that Mr. Wray will do everything possible to enable it to be fair and effective, comprehensive and thorough, and to do justice. He will help the special counsel to do justice just as he will help prosecutors and law

enforcement agencies across the country to do justice. The future of the FBI and our Nation are truly at stake.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from Connecticut for his remarks, and I would like to make a few remarks with respect to my position as ranking member on the Judiciary Committee.

As has been well described, shortly, we will vote on the nomination of Christopher Wray to be the next Director of the Federal Bureau of Investigation. The Judiciary Committee has reviewed his record and held a full and complete hearing. His nomination was sent to the floor for consideration by a vote of 20 to 0—a very good vote. I am very satisfied that Mr. Wray has the qualifications and independence necessary to lead the FBI, so I will support Mr. Wray's nomination to be FBI Director.

I wish to begin by saying just a few words about what I think, after 24 years in this place, is necessary in going forward.

First, it is really important that we have a strong FBI Director. There can be no manipulation.

Second, Special Counsel Robert Mueller must be allowed to proceed with his investigation undisturbed.

Third, the FBI Director must manage and speak for the FBI on the basis of the Constitution and the laws of the United States, not at the dictates or requests or statements of any politically elected person in this country.

Fourth, the FBI Director must be independent from the White House and any political figure.

This is what the FBI and the American people need now.

As you and I know, the FBI is a critically important law enforcement agency. It must be able to move forward with its work and with its senior leadership in place. As I noted at Mr. Wray's hearing and just noted again, the FBI must be an independent law enforcement organization that is free from political influence.

During his hearing and in his written responses to followup questions, Mr. Wray stated that the FBI Director must maintain “strict independence,” and he committed to doing the job “by the book” and “without regard to any partisan political influence.” He also testified that his loyalty is to the Constitution and the rule of law, not to any ideology or any individual, including the President. He was believable to all of us in those statements.

Mr. Wray also testified that he would resist any efforts to interfere with FBI investigations and that he would not “pull any punches.” When asked what he would do if the President asked him to do something unlawful or unethical,

Mr. Wray replied that he would first try to talk him out of it and that, if that failed, he would resign.

These commitments are important. Especially at this moment in history, we need an FBI Director who has the strength and fortitude to stand up and do what is right by the law when tested.

Mr. Wray has received bipartisan support from more than 100 former U.S. attorneys, who enthusiastically endorsed his nomination and stated their belief that Mr. Wray “is a strong and effective leader with unassailable integrity, judgment and courage.” According to this group, which included former Bush administration Justice Department officials like Larry Thompson and Ken Wainstein, as well as Eric Holder and Sally Yates, Mr. Wray will discharge the duties of FBI Director “with honor, independence, and a tireless commitment to the rule of law.”

Earlier this year, when we considered other nominees for the Justice Department, I pointed out that we need leaders with steel spines, not weak knees. I believe that Mr. Wray will be such a leader.

The issue of torture is very important to me. On this issue, I was encouraged by Mr. Wray's acknowledgment that torture is wrong, unacceptable, illegal, and ineffective. He testified under oath that he did not participate in the drafting of the so-called torture memos that were issued by the Office of Legal Counsel some time ago. Mr. Wray has further testified that interrogation techniques, such as waterboarding, painful stress positions, threatening detainees with dogs, forced nudity, and mock execution, are “abusive under all circumstances.”

Importantly, for me, he has committed that the FBI, under his leadership, will never engage in such techniques or other forms of torture and that it will adhere to the policy of using the Informed Interrogation Approach as outlined in the Army Field Manual, which, thanks to JOHN MCCAIN, was added as a new law to last year's military authorization bill. Mr. Wray also committed to me that he will read the Senate Intelligence Committee's report on the CIA's detention and interrogation program under a former administration.

On the issue of torture, as well as his independence and integrity, I take Mr. Wray at his word. As we discussed when Mr. Wray and I met in my office, I believe the next FBI Director's independence, integrity, and commitment to the rule of law, sadly, will likely be tested by this administration.

One early test may come in relation to the investigations being conducted

by Special Counsel Mueller, this committee, and other committees in Congress. Mr. Wray has committed to supporting and protecting the investigation being conducted by Special Counsel Mueller, and I trust Mr. Wray will keep the Judiciary Committee of our House informed of any attempts to interfere with that investigation.

Now, he has a tough job ahead of him. The FBI is our premier law enforcement agency. It faces new criminal terrorism threats every day. I remember FBI Director Comey telling us the FBI had a counterterrorism investigation going on in virtually every State in the Union. That was last year, but I assume many are still going on. On top of that, his predecessor was, as we all know, suddenly fired by the President for reasons that are questionable, and that is the subject of ongoing investigations. Lately, we have seen the President attempt to bully his own Attorney General, but even in the light of these challenging circumstances, I believe Mr. Wray is up to the task.

Based on his testimony and the commitments he has made to me and other members of our Judiciary Committee, I believe we on the committee will all vote to support his nomination, and, if he is confirmed, I commit to working with him to support the FBI, its mission, and the some 30-plus thousand FBI agents and employees who work every day to help protect our Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank the Senator from California for her fine remarks on Mr. Wray. I am here for the same reason she is, and I thank her for also facilitating getting this through the committee in a very quick way.

Thank you.

Mrs. FEINSTEIN. Thank you.

Mr. GRASSLEY. Mr. President, I am pleased to support the nomination of Christopher Wray to be Director of the FBI. Mr. Wray possesses the skill, the character, and the unwavering commitment to impartial enforcement of the law we need in an FBI Director. Based on the unanimous vote Mr. Wray received from the Judiciary Committee, I am confident my colleagues believe this as well.

Mr. Wray has an accomplished record as a lawyer. He was a Federal prosecutor for a number of years and went on to serve in various senior roles at the Department of Justice, including leading the criminal division at the Department.

Mr. Wray earned the Department's highest award for public service and leadership. His prior record of service demonstrates his competence in leading within the Federal Government and demonstrates he will be able to lead effectively at the FBI. He has shown he

has the expertise needed to address the wide range of policy issues currently facing the FBI.

Of course, my colleagues and I asked Mr. Wray about his positions on many such issues during his hearing. He answered those questions very well, but the most important thing we wanted to learn from him had to do with his view of the job and where his loyalties lie.

As all of us in this body know, when we take the oath of office, we affirm that we will support and defend the Constitution of the United States. We don't pledge support to any member of the government or even to a political party. We pledge our loyalty to the Constitution and to the rule of law.

Many Members asked Mr. Wray very pointed questions about loyalty during his hearing. I was impressed with his plainspoken, candid answers, and I take him at his word when he says that his "loyalty is to the Constitution and the rule of law" and when he says that he will "never allow the FBI's work to be driven by anything other than the facts, the law, and the impartial pursuit of justice. Period—full stop."

Now, if he is confirmed, Mr. Wray will step into this role at a crucial moment, not only in the history of the FBI but in the history of this Nation. As we know, multiple investigations are underway, including by this body, to clearly lay out Russia's activities that attempted to influence the 2016 election. These are important and sensitive investigations, and they cannot be inappropriately influenced by people in powerful positions in any way whatsoever. This applies to the FBI Director.

Mr. Wray was asked very directly what he would do if presented with the opportunity to influence these investigations in any way. He told the committee that he will not condone tampering with investigations and that he would resign rather than be unduly influenced in any manner.

Mr. Wray's record of service and his reputation give us no reason to doubt him. He was forthright when he was asked specific questions about the events leading up to his being offered the job of FBI Director by President Trump. He made no loyalty pledges then, and I expect him never to make such a pledge moving forward.

Mr. Wray will also face the challenge of running the FBI, motivating its staff, and ensuring that the FBI operates effectively and efficiently. My colleagues know I haven't been pleased with how the FBI has—or has not—replied to the Judiciary Committee's inquiries and requests for information, and this doesn't apply just to this Senator but all the Senators on the committee, and it doesn't matter whether Republican or Democratic. They are entitled to ask questions, and they ought to get answers. That is the constitutional responsibility of oversight that all 535 Members of Congress have.

Not being satisfied with the FBI in the past, I asked Mr. Wray directly about the FBI's responsiveness to Members of this body. He promised me, and in turn other Members of this body, that he will prioritize responsiveness and transparency to this body. This will allow us to do our vitally important job of oversight over the Nation's top law enforcement agency. I am glad Mr. Wray is ready to work in partnership with the Senate to help us perform our role very effectively.

I expect to see improved responsiveness from Mr. Wray to our letters and to see enhanced protection for whistleblowers within the FBI who come forward—and they do that at great risk to themselves—to let this body know where abuses of power are going unnoticed. We owe it to these brave people we call whistleblowers, but they are patriotic people, to give them the protection they deserve. The culture for giving this protection starts at the top with the new FBI Director, Mr. Wray.

As I mentioned before, Mr. Wray was voted out of our committee unanimously. The fact that all of my colleagues—Democratic and Republican—trusted Mr. Wray with their "yea" vote says what we need to know about Mr. Wray's ability to perform the important role of FBI Director and to do it with integrity, with competence, with professionalism, and the utmost respect for the Constitution and the rule of law. We can't ask for Mr. Wray to do anything more than that.

I urge my colleagues to join me in voting to confirm Christopher Wray as the next Director of the FBI.

Mr. President, I yield the floor.

The PRESIDING OFFICER. (Mr. LANKFORD). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I have a rare privilege and honor right now. A lot of times, the Presiding Officer and I come to the well to make speeches that we have to, that we ought to, or that somebody wanted us to. Rarely do we have the opportunity to come to the well of the Senate and speak about an individual from our own State whom we know personally who is impeccable in their reputation, has served America in many ways, and has now been appointed to a job that is essential to the health, safety, and welfare of the American people. I speak of Christopher Wray of Georgia.

Christopher Wray is my friend. Christopher Wray worked for the law firm of King & Spalding, the same one Griffin Bell, Larry Thompson, and Sam Nunn worked for—a great law firm with a tie to our government and our country.

At a time for an appointment to be the great one, this is the time. We know there have been issues from time to time with the FBI. We all know we are looking for somebody who can do the job and do it well, in a fair and impartial way, without any question of impropriety. Christopher Wray is exactly that type of person.

He is the person who helped convict Zacarias Moussaoui and coordinated with local law enforcement in the prosecution of the Washington, DC, snipers who terrorized our city for so long. He is a dedicated and committed prosecutor.

He has been selected many times to work for the Department of Justice. He went to the Department of Justice under Larry Thompson as an assistant. He worked there at the same time as Griffin Bell. He also worked during many of the investigations into the terrorists who attacked America. He is the right man at the right time in the right place.

So if ever there were a time—

Mr. SCHUMER. Mr. President, will my colleague yield for a brief moment?

Mr. ISAKSON. I am happy to yield to the minority leader.

Mr. SCHUMER. Mr. President, I will have a statement in support of Mr. Wray after the Senator from Georgia finishes speaking.

Mr. ISAKSON. Put an exclamation point after that.

Mr. SCHUMER. I am in full support of Mr. Wray, and I thank my colleague for the courtesy.

I yield the floor.

Mr. ISAKSON. Mr. President, I know when it is a good time for me to shut up. When the minority leader has come to the floor to endorse the guy I am talking about, the last thing I want to do is wear it out.

Let me end my remarks by saying that Christopher Wray is the type of person CHUCK SCHUMER wants, the type of person I want, and the type of person we are looking for as the chief law enforcement officer of our country. He will make himself proud, he will make our State proud, and he will do the right thing at the right time in all places for the people of the United States of America.

I urge every Member of the Senate to heartily vote in support of Christopher Wray to be Director of the Federal Bureau of Investigation for the United States of America.

I yield back.

Mr. SCHUMER. Mr. President, shortly we will take a vote on the nomination of Christopher Wray to be the next FBI Director.

The job of FBI Director has always been a crucial one. The responsibility is great and so are the expectations, and the demands facing our next FBI Director are perhaps greater than any time in our history.

This is a serious time for the FBI, and for the Nation. The firing of Director Comey, the shifting explanations from the White House as to why Mr. Comey was fired, and the disdain this White House has shown for the rule of law mean that now, more than ever, the Senate has an obligation to critically evaluate any potential FBI Director.

Now more than ever, we need an FBI Director who is independent, impartial,

fearless, and has the strength of will to occupy a job that has been put under enormous political strain by the White House.

No doubt, Christopher Wray has been put up for a tough job. In considering his nomination, it was important to me to take the measure of the man and determine whether he was up to the challenge. I met with him privately for an hour, and I closely studied his record and his performance in his hearings.

Based on his career in public service and the commitments he made to me in our meeting and to the Judiciary Committee in his confirmation hearing, I believe that Christopher Wray deserves the approval of the Senate.

He committed to informing the Judiciary Committee of any attempts to interfere with Special Counsel Mueller's Russia probe and said he would consider any attempted interference to be unacceptable and inappropriate.

He committed to impartiality and independence, pledging that the FBI will follow the facts, the laws, and the Constitution, without regard to partisan political influence.

After a sterling career at the Justice Department, and based on the recommendation of hundreds of U.S. Attorneys who have validated his integrity, there is no reason not to believe that Mr. Wray will live up to these commitments as Director of the FBI.

I will vote yes on his nomination, and I urge my colleagues to do the same.

Thank you.

Mr. ISAKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. ISAKSON. Mr. President, I yield back all time on our side and their side as well.

The PRESIDING OFFICER. All time is yielded back.

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

Mr. ISAKSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 181 Ex.]

YEAS—92

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

NAYS—5

Gillibrand	Merkley	Wyden
Markey	Warren	

NOT VOTING—3

Burr	Franken	McCain

The nomination was confirmed.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Newsom nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 182 Ex.]

YEAS—66

Alexander	Casey	Cotton
Barrasso	Cassidy	Crapo
Blumenthal	Cochran	Cruz
Blunt	Collins	Daines
Boozman	Corker	Donnelly
Capito	Cornyn	Enzi

Ernst	Klobuchar	Bounds
Feinstein	Lankford	Rubio
Fischer	Leahy	Sasse
Flake	Lee	Scott
Gardner	McCaskill	Shaheen
Graham	McConnell	Shelby
Grassley	Moran	Stabenow
Hassan	Murkowski	Strange
Hatch	Murphy	Sullivan
Heitkamp	Nelson	Tester
Heller	Paul	Thune
Hoeven	Perdue	Tillis
Inhofe	Peters	Toomey
Isakson	Portman	Warner
Johnson	Risch	Wicker
Kennedy	Roberts	Young

NAYS—31

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Udall
Cardin	King	Van Hollen
Carper	Manchin	Warren
Coons	Markey	Whitehouse
Cortez Masto	Menendez	Wyden
Duckworth	Merkley	
Durbin	Murray	

NOT VOTING—3

Burr	Franken	McCain

The nomination was confirmed.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I ask unanimous consent that with respect to the Wray and Newsom nominations, the motions to reconsider be considered made and laid upon the table en bloc and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

The Senator from Rhode Island.

ORDER OF BUSINESS

Mr. WHITEHOUSE. Mr. President, I think we are waiting for Senator GRASSLEY to come, and then we will be ready to proceed.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate the indulgence of my colleagues from Iowa and Rhode Island.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 1693 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PORTMAN. I thank my colleague from Iowa.

I yield back my time.

The PRESIDING OFFICER. The Senator from Iowa.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION REAUTHORIZATION ACT OF 2017

Mr. GRASSLEY. Mr. President, I rise to speak about the Juvenile Justice and Delinquency Prevention Reauthorization Act.

I will make some short comments, and then I would like to defer to Senator WHITEHOUSE, and then I would propose a unanimous consent request.

I think we will soon be able to pass the Juvenile Justice and Delinquency Prevention Reauthorization Act. I reintroduced this measure this year with Senator WHITEHOUSE.

The bill before us is almost the same as the one the Judiciary Committee cleared by voice vote in the 114th Congress, and it is very similar to the one we hotlined last year. We hotlined it in April, and all the Members of this Chamber had several months to review it. We had one objection, and we cleared it earlier this week.

The bill would extend a Federal law known as the Juvenile Justice Delinquency Prevention Act for 5 more years. The centerpiece of this 1974 legislation, which Congress last extended 15 years ago, in 2002, is its core protections for youth. These core protections call for juveniles to be kept out of adult facilities, except in very rare instances. They ensure that juveniles will be kept separated from adult inmates whenever they are housed in adult facilities. They call for reducing disproportionate minority contact in State juvenile justice systems.

States adhering to these requirements receive yearly formula grants to support their juvenile justice systems.

This bill would promote greater accountability in government spending. The Judiciary Committee, which I chair, heard from multiple whistleblowers that reforms are urgently needed to restore the integrity of the formula grant programs that are the centerpiece of our current juvenile justice law. The Justice Department's Office of Juvenile Justice and Delinquency Prevention administers this formula grant program. This program would be continued for 5 more years under the bill, but the Justice Department would have to do more oversight if this bill is enacted.

This bill also calls for evidence-based programs to be accorded priority in funding. The goal is to ensure that scarce Federal resources for juvenile justice will be devoted mostly to the programs that research shows have the greatest merit and will yield the best results for these young people.

Finally, I want to take this opportunity to thank our many cosponsors. This bill is truly a bipartisan effort, and many Senators contributed provisions to strengthen this bill since we introduced it last April. The bill reflects the latest scientific research on what works best with at-risk adolescents.

At this point, I would ask that the Presiding Officer turn the floor over to Senator WHITEHOUSE. I want to thank Senator WHITEHOUSE for being so persistent in this effort, as well. I thank him for his great help.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Thank you, Mr. President, and thank you, Mr. Chairman.

Chairman GRASSLEY has been a wonderful colleague in this effort. It is the culmination of years of work, including multiple committee hearings, briefings at home in Rhode Island and elsewhere, and really working the regular order of the Senate to get this done. Chairman GRASSLEY has been both patient and persistent, and I really appreciate his leadership.

I also thank our ranking member on the Judiciary Committee, Senator FEINSTEIN, for her work. I thank Senator RAND PAUL. He would have liked to have seen a stronger bill, but it simply—as would we have, by the way. He held on for a while, hoping we could strengthen it, but it turned out there was objection to that—and he was gracious about yielding—and now we are able to move forward bipartisanship and unanimously.

The history of the Juvenile Justice and Delinquency Prevention Act is a noble history. It is because of this law that children aren't locked up in adult prisons any longer. It is because of this law that children don't get placed in solitary confinement for extended periods or shackled when they are arrested for things like running away from home or not coming to school, but it had been a while since this bill was updated.

The last time it was reauthorized was 13 years ago, and we have learned a lot about adolescent development and the best practices for dealing with children in those 13 years. So we are moving forward today.

I look forward to working with my chairman on the broad-based criminal justice reform that he is championing in the committee, but there is no reason we shouldn't go forward with getting juvenile justice right while we move on to other areas.

I particularly want to thank him and recognize the groups involved for the patient work that was done over many years with all sorts of interested groups. We had to make this right. We wanted to minimize conflict. We wanted to maximize what we were able to accomplish, and the result is, we have over 150 organizations that have endorsed this legislation, from the ACLU to the national association that supports probation and parole officers, from Boys Town to the National Association of Counties and the National Center for Victims of Crime.

The bill focuses the way it should, on evidence-based and trauma-informed

programs that have emerged in the last 13 years. It focuses on protecting juveniles who are held in adult facilities, making sure they are fully separated in sight and sound from adult inmates. It limits the narrow circumstances under which they may be confined in isolation, and it requires data-driven approaches to reduce ethnic and racial disparities.

We recognize that kids now are much more vulnerable to substance abuse issues and that they, too, face mental health challenges, and we try to bring this bill together so States have to provide appropriate treatment and recognition when the cause of what is going on in that child's life is substance abuse or a mental health challenge.

We make it a good deal harder to incarcerate for the status offenses. A status offense is an offense that wouldn't even be an offense if an adult did it. It is only because you are a child that it is even an offense at all—skipping school or running away from home and so forth. There are better ways to deal with those children than incarcerating them, and we steer in this direction, promoting the community-based alternatives to the tension.

For instance, we have community courts in Rhode Island that work really well, where the family is engaged, the child is engaged, and the community is engaged. They really learn a lesson from what they did. They have to do something helpful in order to kind of remediate themselves with their community. It has been very successful. So there are real things that can be done. Of course, separating a child from their family in order to try to improve their situation is usually something that backfires. You need to have the family engaged.

Consistent with Senator PORTMAN's remarks, we also recognize that very often some of the times that children get in trouble is because they have been traumatized. They have been either the victim of violence themselves or witnessed violence in ways that have created trauma and, in many cases, are sadly the victims of child sex trafficking.

So we focus on States identifying and responding to those particular children to make sure, if that is what is behind what is going on, that those needs are met—simple things. We banned the use of shackles on girls once they are pregnant. It shouldn't be asking too much, and it is about time we stopped shackling girls, particularly pregnant girls.

Last, something near and dear to my chairman's heart, it improves the accountability and the oversight of the Federal grants program. I know that has been a goal he has pursued for a long time. The chairman is one of the most determined Members of the Senate when it comes to transparency and accountability, and so I am very

pleased to be his partner in that particular piece of the bill.

With that, I yield the floor back to Chairman GRASSLEY so he may take us through the formal steps of passing this law. It is a very happy moment for me, and I extend my appreciation to Chairman GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, once again, thanks to Senator WHITEHOUSE for his cooperation and working so hard over the course of the last two Congresses to get this done.

I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 860 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (S. 860) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Grassley amendment at the desk be considered and agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 741) was agreed to, as follows:

(Purpose: To improve the bill)

Beginning on page 40, strike line 23 and all that follows through page 41, line 23.

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

Mr. GRASSLEY. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there any further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 860), as amended, was passed, as follows:

S. 860

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

Sec. 101. Purposes.

Sec. 102. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.

Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.

Sec. 203. Annual report.

Sec. 204. Allocation of funds.

Sec. 205. State plans.

Sec. 206. Reallocation of grant funds.

Sec. 207. Authority to make grants.

Sec. 208. Eligibility of States.

Sec. 209. Grants to Indian tribes.

Sec. 210. Research and evaluation; statistical analyses; information dissemination.

Sec. 211. Training and technical assistance.

Sec. 212. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Definitions.

Sec. 302. Grants for delinquency prevention programs.

Sec. 303. Technical and conforming amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Evaluation by Government Accountability Office.

Sec. 402. Authorization of appropriations.

Sec. 403. Accountability and oversight.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

Sec. 501. Grant eligibility.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

SEC. 101. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended—

(1) in paragraph (1), by inserting ", tribal," after "State";

(2) in paragraph (2)—

(A) by inserting ", tribal," after "State"; and

(B) by striking "and" at the end;

(3) by amending paragraph (3) to read as follows:

"(3) to assist State, tribal, and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and"; and

(4) by adding at the end the following:

"(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system.".

SEC. 102. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (8)—

(A) in subparagraph (B)(ii), by adding "or" at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) by amending paragraph (18) to read as follows:

"(18) the term 'Indian tribe' means a federally recognized Indian tribe or an Alaskan Native organization that has a law enforcement function, as determined by the Secretary of the Interior in consultation with the Attorney General;".

(3) by amending paragraph (22) to read as follows:

"(22) the term 'jail or lockup for adults' means a secure facility that is used by a

State, unit of local government, or law enforcement authority to detain or confine adult inmates;”;

(4) by amending paragraph (25) to read as follows:

“(25) the term ‘sight or sound contact’ means any physical, clear visual, or verbal contact that is not brief and inadvertent;”;

(5) by amending paragraph (26) to read as follows:

“(26) the term ‘adult inmate’—

“(A) means an individual who—

“(i) has reached the age of full criminal responsibility under applicable State law; and

“(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense; and

“(B) does not include an individual who—

“(i) at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

“(ii) was committed to the care and custody or supervision, including post-placement or parole supervision, of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law;”;

(6) in paragraph (28), by striking “and” at the end;

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

“(30) the term ‘core requirements’—

“(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a); and

“(B) does not include the data collection requirements described in subparagraphs (A) through (K) of section 207(1);

“(31) the term ‘chemical agent’ means a spray or injection used to temporarily incapacitate a person, including oleoresin capscicum spray, tear gas, and 2-chlorobenzalmalononitrile gas;

“(32) the term ‘isolation’—

“(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and

“(B) does not include—

“(i) confinement during regularly scheduled sleeping hours;

“(ii) separation based on a treatment program approved by a licensed medical or mental health professional;

“(iii) confinement or separation that is requested by the youth; or

“(iv) the separation of the youth from a group in a nonlocked setting for the limited purpose of calming;

“(33) the term ‘restraints’ has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 290ii);

“(34) the term ‘evidence-based’ means a program or practice that—

“(A) is demonstrated to be effective when implemented with fidelity;

“(B) is based on a clearly articulated and empirically supported theory;

“(C) has measurable outcomes relevant to juvenile justice, including a detailed description of the outcomes produced in a particular population, whether urban or rural; and

“(D) has been scientifically tested and proven effective through randomized control studies or comparison group studies and with the ability to replicate and scale;

“(35) the term ‘promising’ means a program or practice that—

“(A) is demonstrated to be effective based on positive outcomes relevant to juvenile justice from one or more objective, independent, and scientifically valid evaluations,

as documented in writing to the Administrator; and

“(B) will be evaluated through a well-designed and rigorous study, as described in paragraph (34)(D);

“(36) the term ‘dangerous practice’ means an act, procedure, or program that creates an unreasonable risk of physical injury, pain, or psychological harm to a juvenile subjected to the act, procedure, or program;

“(37) the term ‘screening’ means a brief process—

“(A) designed to identify youth who may have mental health, behavioral health, substance abuse, or other needs requiring immediate attention, intervention, and further evaluation; and

“(B) the purpose of which is to quickly identify a youth with possible mental health, behavioral health, substance abuse, or other needs in need of further assessment;

“(38) the term ‘assessment’ includes, at a minimum, an interview and review of available records and other pertinent information—

“(A) by an appropriately trained professional who is licensed or certified by the applicable State in the mental health, behavioral health, or substance abuse fields; and

“(B) which is designed to identify significant mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth’s confinement;

“(39) for purposes of section 223(a)(15), the term ‘contact’ means the points at which a youth and the juvenile justice system or criminal justice system officially intersect, including interactions with a juvenile justice, juvenile court, or law enforcement official;

“(40) the term ‘trauma-informed’ means—

“(A) understanding the impact that exposure to violence and trauma have on a youth’s physical, psychological, and psychosocial development;

“(B) recognizing when a youth has been exposed to violence and trauma and is in need of help to recover from the adverse impacts of trauma; and

“(C) responding in ways that resist re-traumatization;

“(41) the term ‘racial and ethnic disparity’ means minority youth populations are involved at a decision point in the juvenile justice system at higher rates, incrementally or cumulatively, than non-minority youth at that decision point;

“(42) the term ‘status offender’ means a juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult;

“(43) the term ‘rural’ means an area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget;

“(44) the term ‘internal controls’ means a process implemented to provide reasonable assurance regarding the achievement of objectives in—

“(A) effectiveness and efficiency of operations, such as grant management practices;

“(B) reliability of reporting for internal and external use; and

“(C) compliance with applicable laws and regulations, as well as recommendations of the Office of Inspector General and the Government Accountability Office; and

“(45) the term ‘tribal government’ means the governing body of an Indian tribe.”.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking “a long-term plan, and implement” and inserting the following: “a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents, and shall implement”; and

(ii) by striking “research, and improvement of the juvenile justice system in the United States” and inserting “and research”; and

(B) in paragraph (2)(B), by striking “Federal Register” and all that follows and inserting “Federal Register during the 30-day period ending on October 1 of each year.”; and

(2) in subsection (b)—

(A) by striking paragraph (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(C) by inserting after paragraph (4), the following:

“(5) not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, in consultation with Indian tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention to collaborate with representatives of Indian tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian tribes;”;

(D) in paragraph (6), as so redesignated, by adding “and” at the end; and

(E) in paragraph (7), as so redesignated—

(i) by striking “monitoring”;;

(ii) by striking “section 223(a)(15)” and inserting “section 223(a)(16)”; and

(iii) by striking “to review the adequacy of such systems; and” and inserting “for monitoring compliance.”.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is amended—

(1) in subsection (a)

(A) in paragraph (1)—

(i) by inserting “the Administrator of the Substance Abuse and Mental Health Services Administration, the Secretary of the Interior,” after “the Secretary of Health and Human Services;”;

(ii) by striking “Commissioner of Immigration and Naturalization” and inserting “Assistant Secretary for Immigration and Customs Enforcement”; and

(B) in paragraph (2), by striking “United States” and inserting “Federal Government”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section 223(a) of this title” and inserting “the core requirements”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, on an annual basis” after “collectively”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) not later than 120 days after the completion of the last meeting of the Council

during any fiscal year, submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate a report that—

“(i) contains the recommendations described in subparagraph (A);

“(ii) includes a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Council to conduct operations in accordance with this section;

“(iii) is published on the websites of the Office of Juvenile Justice and Delinquency Prevention, the Council, and the Department of Justice; and

“(iv) is in addition to the annual report required under section 207.”.

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in the matter preceding paragraph (1), by striking “a fiscal year” and inserting “each fiscal year”;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking “and gender” and inserting “, gender, and ethnicity, as such term is defined by the Bureau of the Census.”;

(B) in subparagraph (E), by striking “and” at the end;

(C) in subparagraph (F)—

(i) by inserting “and other” before “disabilities.”; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(G) a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;

“(H) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;

“(I) the number of juveniles released from custody and the type of living arrangement to which they are released;

“(J) the number of juveniles whose offense originated on school grounds, during school-sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and

“(K) the number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local government who report being pregnant.”; and

(3) by adding at the end the following:

“(5) A description of the criteria used to determine what programs qualify as evidence-based and promising programs under this title and title V and a comprehensive list of those programs the Administrator has determined meet such criteria in both rural and urban areas.

“(6) A description of funding provided to Indian tribes under this Act or for a juvenile delinquency or prevention program under the Tribal Law and Order Act of 2010 (Public Law 111–211; 124 Stat. 2261), including direct Federal grants and funding provided to Indian tribes through a State or unit of local government.

“(7) An analysis and evaluation of the internal controls at the Office of Juvenile Justice and Delinquency Prevention to deter-

mine if grantees are following the requirements of the Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial action the Office of Juvenile Justice and Delinquency Prevention has taken to recover any grant funds that are expended in violation of the grant programs, including instances—

“(A) in which supporting documentation was not provided for cost reports;

“(B) where unauthorized expenditures occurred; or

“(C) where subrecipients of grant funds were not compliant with program requirements.

“(8) An analysis and evaluation of the total amount of payments made to grantees that the Office of Juvenile Justice and Delinquency Prevention recouped from grantees that were found to be in violation of policies and procedures of the Office of Juvenile Justice and Delinquency Prevention grant programs, including—

“(A) the full name and location of the grantee;

“(B) the violation of the program found;

“(C) the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention; and

“(D) the actual amount recouped by the Office of Juvenile Justice and Delinquency Prevention.”.

SEC. 204. ALLOCATION OF FUNDS.

(a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2 percent” and inserting “5 percent”.

(b) OTHER ALLOCATIONS.—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “age eighteen” and inserting “18 years of age, based on the most recent data available from the Bureau of the Census”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2)(A) If the aggregate amount appropriated for a fiscal year to carry out this title is less than \$75,000,000, then—

“(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$400,000; and

“(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$75,000.

“(B) If the aggregate amount appropriated for a fiscal year to carry out this title is not less than \$75,000,000, then—

“(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$600,000; and

“(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$100,000.”;

(2) in subsection (c), by striking “efficient administration, including monitoring, evaluation, and one full-time staff position” and inserting “effective and efficient administration of funds, including the designation of not less than 1 individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the State is in compliance with such requirements”; and

(3) in subsection (d), by striking “5 percent of the minimum” and inserting “not more than 5 percent of the”.

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “and shall describe the status of compliance with State plan requirements.” and inserting “and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State’s publicly available website.”;

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting “adolescent development,” after “concerning”;

(II) in clause (ii)—

(aa) in subclause (II), by striking “counsel for children and youth” and inserting “publicly supported court-appointed legal counsel for juveniles charged with an act of juvenile delinquency or a status offense, consistent with other Federal law”;

(bb) in subclause (III), by striking “mental health, education, special education” and inserting “child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities”;

(cc) in subclause (V), by striking “delinquents or potential delinquents” and inserting “delinquent youth or youth at risk of delinquency”;

(dd) in subclause (VI), by striking “youth workers involved with” and inserting “representatives of”;

(ee) in subclause (VII), by striking “and” at the end;

(ff) by striking subclause (VIII) and inserting the following:

“(VIII) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in juvenile delinquents and those at-risk of delinquency;

“(IX) representatives of victim or witness advocacy groups, including at least 1 individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma; and

“(X) for a State in which one or more Indian tribes are located, an Indian tribal representative or, if such Indian tribal representative is unavailable, other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities.”;

(III) in clause (iv), by striking “24 at the time of appointment” and inserting “28 at the time of initial appointment”; and

(IV) in clause (v) by inserting “or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system” after “juvenile justice system”;

(ii) in subparagraph (C), by striking “30 days” and inserting “45 days”; and

(iii) in subparagraph (D)(ii), by striking “at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13)” and inserting “at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements”; and

(iv) in subparagraph (E)—

(I) in clause (i), by adding “and” at the end; and

(II) in clause (ii), by striking the period at the end and inserting a semicolon;

(C) in paragraph (5)(C), by striking “Indian tribes” and all that follows through “applicable to the detention and confinement of juveniles” and inserting “Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles”;

(D) in paragraph (7)—

(i) in subparagraph (A), by striking “performs law enforcement functions” and inserting “has jurisdiction”; and

(ii) in subparagraph (B)—

(I) in clause (iii), by striking “and” at the end; and

(II) by striking clause (iv) and inserting the following:

“(iv) a plan to provide alternatives to detention for status offenders, juveniles who have been induced to perform commercial sex acts, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;

“(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

“(vi) a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement;

“(vii) a plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system;

“(viii) a plan to promote evidence-based and trauma-informed programs and practices; and

“(ix) not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, a plan, which shall be implemented not later than 2 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, to—

“(I) eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; and

“(II) eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless—

“(aa) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or

“(bb) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method;”;

(E) in paragraph (8), by striking “existing” and inserting “evidence-based and promising”;

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by inserting “, with priority in funding given to entities meeting the criteria for evidence-based or promising programs” after “used for”;

(ii) in subparagraph (A)(i), by inserting “status offenders and other” before “youth who need”;

(iii) in subparagraph (B)(i)—

(I) by striking “parents and other family members” and inserting “status offenders, other youth, and the parents and other family members of such offenders and youth”; and

(II) by striking “be retained” and inserting “remain”;

(iv) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking “delinquent” and inserting “at-risk or delinquent youth”; and

(II) in clause (i), by inserting “, including for truancy prevention and reduction” before the semicolon;

(v) by redesignating subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively;

(vi) in subparagraph (F), in the matter preceding clause (i), by striking “expanding” and inserting “programs to expand”;

(vii) by inserting after subparagraph (F), the following:

“(G) expanding access to publicly supported, court-appointed legal counsel and enhancing capacity for the competent representation of every child, consistent with other Federal law;”;

(viii) in subparagraph (H), as so redesignated, by striking “State,” each place the term appears and inserting “State, tribal,”;

(ix) in subparagraph (M), as so redesignated—

(I) in clause (i)—

(aa) by inserting “pre-adjudication and” before “post-adjudication”;

(bb) by striking “restraints” and inserting “alternatives”; and

(cc) by inserting “specialized or problem-solving courts,” after “(including”; and

(II) in clause (ii)—

(aa) by striking “by the provision by the Administrator”; and

(bb) by striking “to States”;

(x) in subparagraph (N), as redesignated—

(I) by inserting “and reduce the risk of recidivism” after “families”; and

(II) by striking “so that juveniles may be retained in their homes”;

(xi) in subparagraph (S), as so redesignated, by striking “and” at the end;

(xii) in subparagraph (T), as so redesignated—

(I) by inserting “or co-occurring disorder” after “mental health”;

(II) by inserting “court-involved or” before “incarcerated”;

(III) by striking “suspected to be”;

(IV) by striking “and discharge plans” and inserting “provision of treatment, and development of discharge plans”; and

(V) by striking the period at the end and inserting a semicolon; and

(xiii) by inserting after subparagraph (T) the following:

“(U) programs and projects designed to inform juveniles of the opportunity and process for expunging juvenile records and to assist juveniles in pursuing juvenile record expungements for both adjudications and arrests not followed by adjudications;

“(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian tribe; and

“(W) monitoring for compliance with the core requirements and providing training

and technical assistance on the core requirements to secure facilities;”;

(G) by striking paragraph (11) and inserting the following:

“(11)(A) in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if—

“(i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding—

“(I) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

“(II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and

“(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or

“(ii) the juvenile—

“(I) is not charged with any offense; and

“(II)(aa) is an alien; or

“(bb) is alleged to be dependent, neglected, or abused; and

“(B) require that—

“(i) not later than 3 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

“(I) shall not have sight or sound contact with adult inmates; and

“(II) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

“(ii) in determining under subparagraph (A) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight or sound contact with adult inmates, a court shall consider—

“(I) the age of the juvenile;

“(II) the physical and mental maturity of the juvenile;

“(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(IV) the nature and circumstances of the alleged offense;

“(V) the juvenile’s history of prior delinquent acts;

“(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

“(VII) any other relevant factor; and

“(iii) if a court determines under subparagraph (A) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

“(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

“(II) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation;”.

(H) in paragraph (12)(A), by striking “contact” and inserting “sight or sound contact”;

(I) in paragraph (13), by striking “contact” each place it appears and inserting “sight or sound contact”;

(J) by striking paragraphs (22) and (27);

(K) by redesignating paragraph (28) as paragraph (27);

(L) by redesignating paragraphs (15) through (21) as paragraphs (16) through (22), respectively;

(M) by inserting after paragraph (14) the following:

“(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

“(A) establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian tribes to reduce racial and ethnic disparities;

“(B) identifying and analyzing key decision points in State, local, or tribal juvenile justice systems to determine which points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and

“(C) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B);”;

(N) in paragraph (15), as so redesignated—

(i) by striking “adequate system” and inserting “effective system”;

(ii) by inserting “lock-ups,” after “monitoring jails.”;

(iii) by inserting “and” after “detention facilities.”;

(iv) by striking “, and non-secure facilities”;

(v) by striking “insure” and inserting “ensure”;

(vi) by striking “requirements of paragraph (11),” and all that follows through “monitoring to the Administrator” and inserting “core requirements are met, and for annual reporting to the Administrator”;

(vii) by striking “, in the opinion of the Administrator.”;

(O) in paragraph (16), as so redesignated, by inserting “ethnicity,” after “race.”;

(P) in paragraph (21), as so redesignated, by striking “local,” each place the term appears and inserting “local, tribal.”;

(Q) in paragraph (23)—

(i) in subparagraphs (A), (B), and (C), by striking “juvenile” each place it appears and inserting “status offender”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C)—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by adding “and” at the end; and

(III) by adding at the end the following:

“(iii) if such court determines the status offender should be placed in a secure detention facility or correctional facility for violating such order—

“(I) the court shall issue a written order that—

“(aa) identifies the valid court order that has been violated;

“(bb) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order;

“(cc) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile;

“(dd) specifies the length of time, not to exceed 7 days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender’s release from such facility; and

“(ee) may not be renewed or extended; and

“(II) the court may not issue a second or subsequent order described in subclause (I) relating to a status offender, unless the status offender violates a valid court order after the date on which the court issues an order described in subclause (I);”;

(iv) by adding at the end the following:

“(D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter; and”

(R) in paragraph (26)—

(i) by inserting “and in accordance with confidentiality concerns,” after “maximum extent practicable.”; and

(ii) by striking the semicolon at the end and inserting the following: “, so as to provide for—

“(A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and

“(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect;”;

(S) in paragraph (27), as so redesignated, by striking the period at the end and inserting a semicolon; and

(T) by adding at the end the following:

“(28) provide for the coordinated use of funds provided under this Act with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

“(29) describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques;

“(30) describe—

“(A) the evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who—

“(i) request a screening;

“(ii) show signs of needing a screening; or

“(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

“(B) how the State will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment;

“(31) describe how reentry planning by the State for juveniles will include—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juveniles;

“(ii) the living arrangement to which the juveniles are to be discharged; and

“(iii) any other plans developed for the juveniles based on an individualized assessment; and

“(B) review processes;

“(32) provide that the agency of the State receiving funds under this Act collaborate with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

“(B) the credits of adjudicated juveniles are transferred; and

“(C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

“(33) describe policies and procedures to—

“(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

“(B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.”;

(2) in subsection (d)—

(A) by striking “described in paragraphs (11), (12), (13), and (21) of subsection (a)” and inserting “described in the core requirements”;

(B) by striking “the requirements under paragraphs (11), (12), (13), and (21) of subsection (a)” and inserting “the core requirements”;

(3) in subsection (f)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (E) and subparagraphs (A) through (D), respectively; and

(4) by adding at the end the following:

“(g) COMPLIANCE DETERMINATION.—

“(1) IN GENERAL.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this Act is in compliance or out of compliance with respect to each of the core requirements.

“(2) REPORTING.—The Administrator shall—

“(A) issue an annual public report—

“(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

“(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

“(B) make the report described in subparagraph (A) available on a publicly available website.

“(3) DETERMINATIONS REQUIRED.—The Administrator may not—

“(A) determine that a State is ‘not out of compliance’, or issue any other determination not described in paragraph (1), with respect to any core requirement; or

“(B) otherwise fail to make the compliance determinations required under paragraph (1).”.

SEC. 206. REALLOCATION OF GRANT FUNDS.

Section 223(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(c)) is amended to read as follows: “(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

“(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

“(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

“(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such paragraph with respect to which the State is in noncompliance; or

“(ii) the Administrator determines that the State—

“(I) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

“(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

“(A) 50 percent of the unallocated funds shall be reallocated under section 222 to States that have not failed to comply with the core requirements; and

“(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements.”.

SEC. 207. AUTHORITY TO MAKE GRANTS.

Section 241(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(a)) is amended—

(1) in paragraph (1), by inserting “status offenders,” before “juvenile offenders, and juveniles”; and

(2) in paragraph (2)(A), by inserting before the semicolon at the end the following: “, including for truancy prevention and reduction and social and independent living skills development”;

(3) in paragraph (4), by striking “State,” each place the term appears and inserting “State, tribal,”;

(4) in paragraph (5), by striking “juvenile offenders and juveniles” and inserting “status offenders, juvenile offenders, and juveniles”; and

(5) in paragraph (10), by inserting “, including juveniles with disabilities” before the semicolon.

SEC. 208. ELIGIBILITY OF STATES.

Section 243(a)(1)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5653(a)(1)(A)) is amended by striking “5” and inserting “10”.

SEC. 209. GRANTS TO INDIAN TRIBES.

Section 246(a)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5656(a)(2)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(3) in subparagraph (B)(ii), as redesignated, by striking “subparagraph (B)” and inserting “subparagraph (A)”.

SEC. 210. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may” and inserting “shall”;

(ii) in subparagraph (A), by striking “plan and identify” and inserting “annually publish a plan to identify”; and

(iii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

“(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the juvenile justice and criminal justice systems;”; and

(II) by striking clause (vii) and inserting the following:

“(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement when held in the custody of secure detention and corrections facilities, including an examination of the effects of confinement;”; and

(III) by redesignating clauses (ix), (x), and (xi) as clauses (xv), (xvi), and (xvii), respectively; and

(IV) by inserting after clause (viii) the following:

“(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices; and

“(x) methods to improve the recruitment, selection, training, and retention of professional personnel who are focused on the prevention, identification, and treatment of delinquency; and

“(xi) methods to improve the identification and response to victims of domestic child sex trafficking within the juvenile justice system; and

“(xii) identifying positive outcome measures, such as attainment of employment and educational degrees, that States and units of local government should use to evaluate the success of programs aimed at reducing recidivism of youth who have come in contact with the juvenile justice system or criminal justice system; and

“(xiii) evaluating the impact and outcomes of the prosecution and sentencing of juveniles as adults; and

“(xiv) successful and cost-effective efforts by States and units of local government to reduce recidivism through policies that provide for consideration of appropriate alternative sanctions to incarceration of youth facing nonviolent charges, while ensuring that public safety is preserved;”; and

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by striking “date of enactment of this paragraph, the” and inserting “date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, the”; and

(ii) in subparagraph (D), by inserting “and Indian tribes” after “State”; and

(iii) in subparagraph (F), by striking “and” at the end;

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

(v) by adding at the end the following:

“(H) a description of the best practices in discharge planning; and

“(I) an assessment of living arrangements for juveniles who, upon release from confine-

ment in a State correctional facility, cannot return to the residence they occupied prior to such confinement.”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “may” and inserting “shall”; and

(3) by adding at the end the following:

“(f) NATIONAL RECIDIVISM MEASURE.—The Administrator, in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

“(1) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis; and

“(2) establish a common national juvenile recidivism measurement system; and

“(3) make cumulative juvenile recidivism data that is collected from States available to the public.

“(g) GAO REVIEW.—Not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, the Comptroller General of the United States shall conduct a review of available research conducted by the Attorney General, the Secretary of the Interior, and other Federal entities relating to Indian youth who may come into contact with the juvenile justice system, which shall include—

“(1) an examination of the extent of Indian youth involvement in the juvenile justice system, including the number of Indian youth in Federal, State, or tribal custody or detention for offenses committed while under the age of 18; and

“(2) a description of the unique barriers faced by Indian tribes in providing adequate services to rehabilitate youth who have been adjudicated as delinquent; and

“(3) recommendations to improve effectiveness of prevention and treatment services for Indian youth who may come into contact with the juvenile justice system.”.

SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5662) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and carry out projects”; and

(ii) by striking “and” after the semicolon;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period and inserting “; and”;

(D) by adding at the end the following:

“(3) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this Act.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and implement projects”; and

(ii) by inserting “, including compliance with the core requirements” after “this title”; and

(iii) by striking “and” at the end;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments to the core requirements and State Plans made by the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, including training and technical assistance and, when appropriate, pilot or demonstration projects intended to develop and replicate best practices for achieving sight and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

“(4) shall provide technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.”;

(3) in subsection (c)—

(A) by inserting “prosecutors,” after “public defenders,”; and

(B) by inserting “status offenders and” after “needs of”; and

(4) by adding at the end the following:

“(d) TECHNICAL ASSISTANCE TO STATES REGARDING LEGAL REPRESENTATION OF CHILDREN.—In consultation with experts in the field of juvenile defense, the Administrator shall—

“(1) develop and issue standards of practice for attorneys representing children; and

“(2) ensure that the standards issued under paragraph (1) are adapted for use in States.

“(e) TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government to—

“(1) promote methods for improving conditions of juvenile confinement, including methods that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation; and

“(2) encourage alternative behavior management techniques based on positive youth development approaches.

“(f) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT INCLUDING HOME-BASED OR COMMUNITY-BASED CARE.—The Administrator shall provide training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition and management of cases for youth who enter the juvenile justice system about the appropriate services and placement for youth with mental health or substance abuse needs, including—

“(1) juvenile justice intake personnel;

“(2) probation officers;

“(3) juvenile court judges and court services personnel;

“(4) prosecutors and court-appointed counsel; and

“(5) family members of juveniles and family advocates.

“(g) GRANTS FOR JUVENILE COURT JUDGES AND PERSONNEL.—The Attorney General, acting through the Office of Juvenile Justice

and Delinquency Prevention and the Office of Justice Programs, shall make grants to improve training, education, technical assistance, evaluation, and research to enhance the capacity of State and local courts, judges, and related judicial personnel to—

“(1) improve the lives of children currently involved in or at risk of being involved in the juvenile court system; and

“(2) carry out the requirements of this Act.

“(h) FREE AND REDUCED PRICE SCHOOL LUNCHES FOR INCARCERATED JUVENILES.—The Attorney General, in consultation with the Secretary of Agriculture, shall provide guidance to States relating to existing options for school food authorities in the States to apply for reimbursement for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) for juveniles who are incarcerated and would, if not incarcerated, be eligible for free or reduced price lunches under that Act.”.

SEC. 212. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) in subsection (d)—

(A) by inserting “(1)” before “The Administrator”;

(B) by striking “, after appropriate consultation with representatives of States and units of local government,”;

(C) by inserting “guidance,” after “regulations,”; and

(D) by adding at the end the following: “In developing guidance and procedures, the Administrator shall consult with representatives of States and units of local government, including those individuals responsible for administration of this Act and compliance with the core requirements.

“(2) The Administrator shall ensure that—

“(A) reporting, compliance reporting, State plan requirements, and other similar documentation as may be required from States is requested in a manner that encourages efficiency and reduces the duplication of reporting efforts; and

“(B) States meeting all the core requirements are encouraged to experiment with offering innovative, data-driven programs designed to further improve the juvenile justice system.”; and

(2) in subsection (e), by striking “requirements described in paragraphs (11), (12), and (13) of section 223(a)” and inserting “core requirements”.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

SEC. 301. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781) is amended—

(1) in the section heading, by striking “DEFINITION” and inserting “DEFINITIONS”; and

(2) by striking “this title, the term” and inserting the following: “this title—

“(1) the term ‘mentoring’ means matching 1 adult with one or more youths for the purpose of providing guidance, support, and encouragement through regularly scheduled meetings for not less than 9 months; and

“(2) the term”.

SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504(a) of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5783(a)) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(9) mentoring, parent training and support, or in-home family services programs, if such programs are evidence-based or promising.”.

SEC. 303. TECHNICAL AND CONFORMING AMENDMENT.

The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking title V, as added by the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415; 88 Stat. 1133) (relating to miscellaneous and conforming amendments).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as “the agency”), its functions, its programs, and its grants;

(2) conduct a comprehensive audit and evaluation of a selected, sample of grantees (as determined by the Comptroller General) that receive Federal funds under grant programs administered by the agency including a review of internal controls (as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), as amended by this Act) to prevent fraud, waste, and abuse of funds by grantees; and

(3) submit a report in accordance with subsection (d).

(b) CONSIDERATIONS FOR EVALUATION.—In conducting the analysis and evaluation under subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

(1) the outcome and results of the programs carried out by the agency and those programs administered through grants by the agency;

(2) the extent to which the agency has complied with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285);

(3) the extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies;

(4) the potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating those programs;

(5) whether less restrictive or alternative methods exist to carry out the functions of the agency and whether current functions or operations are impeded or enhanced by existing statutes, rules, and procedures;

(6) the number and types of beneficiaries or persons served by programs carried out by the agency;

(7) the manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency;

(8) the extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the Freedom of Information Act);

(9) whether greater oversight is needed of programs developed with grants made by the agency; and

(10) the extent to which changes are necessary in the authorizing statutes of the agency in order for the functions of the agency to be performed in a more efficient and effective manner.

(c) **CONSIDERATIONS FOR AUDITS.**—In conducting the audit and evaluation under subsection (a)(2), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

(1) whether grantees timely file Financial Status Reports;

(2) whether grantees have sufficient internal controls to ensure adequate oversight of grant fund received;

(3) whether disbursements were accompanied with adequate supporting documentation (including invoices and receipts);

(4) whether expenditures were authorized;

(5) whether subrecipients of grant funds were complying with program requirements;

(6) whether salaries and fringe benefits of personnel were adequately supported by documentation;

(7) whether contracts were bid in accordance with program guidelines; and

(8) whether grant funds were spent in accordance with program goals and guidelines.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) submit a report regarding the evaluation conducted under subsection (a) and audit under subsection (b), to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

(B) make the report described in subparagraph (A) available to the public.

(2) **CONTENTS.**—The report submitted in accordance with paragraph (1) shall include all audit findings determined by the selected, statistically significant sample of grantees as required by subsection (a)(2) and shall include the name and location of any selected grantee as well as any findings required by subsection (a)(2).

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by adding at the end the following:

“TITLE VI—AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT

“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

“(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this Act—

“(1) \$160,000,000 for fiscal year 2017;

“(2) \$162,400,000 for fiscal year 2018;

“(3) \$164,836,000 for fiscal year 2019;

“(4) \$167,308,540 for fiscal year 2020; and

“(5) \$169,818,168 for fiscal year 2021.

“(b) **MENTORING PROGRAMS.**—Not more than 20 percent of the amount authorized to be appropriated under subsection (a) for a fiscal year may be used for mentoring programs.”

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking—

(1) section 299 (42 U.S.C. 5671);

(2) section 388 (42 U.S.C. 5751);

(3) section 408 (42 U.S.C. 5777); and

(4) section 505 (42 U.S.C. 5784).

SEC. 403. ACCOUNTABILITY AND OVERSIGHT.

(a) **IN GENERAL.**—Title VI of the Juvenile Justice and Delinquency Prevention Act of 1974, as added by this Act, is amended by adding at the end the following:

“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.

“(a) **SENSE OF CONGRESS.**—It is the sense of Congress that, in order to ensure that at-risk youth and youth who come into contact with the juvenile justice system or the criminal justice system are treated fairly and the outcome of that contact is beneficial to the Nation—

“(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, must restore meaningful enforcement of the core requirements in this Act;

“(2) the Attorney General should, not later than 90 days after the date of enactment of this Act, issue a proposed rule to update existing Federal regulations used to make State compliance determinations and provide participating States with technical assistance to develop more effective and comprehensive data collection systems; and

“(3) States, which are entrusted with a fiscal stewardship role if they accept funds under this Act, must exercise vigilant oversight to ensure full compliance with the core requirements for juveniles provided for in this Act.

“(b) **ACCOUNTABILITY.**—

“(1) **AGENCY PROGRAM REVIEW.**—

“(A) **PROGRAMMATIC AND FINANCIAL ASSESSMENT.**—

“(i) **IN GENERAL.**—Not later than 60 days after the date of enactment of this section, the Director of the Office of Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice (referred to in this section as the ‘Director’) shall—

“(I) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the ‘agency’) to determine if States and Indian tribes receiving grants are following the requirements of the agency grant programs and what remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

“(aa) supporting documentation was not provided for cost reports;

“(bb) unauthorized expenditures occurred; and

“(cc) subrecipients of grant funds were not compliance with program requirements;

“(II) conduct a comprehensive audit and evaluation of a selected statistically significant sample of States and Indian tribes (as determined by the Director) that have received Federal funds under this Act, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees;

“(III) submit a report in accordance with clause (iv).

“(ii) **CONSIDERATIONS FOR EVALUATIONS.**—In conducting the analysis and evaluation under clause (i)(I), and in order to document the efficiency and public benefit of this Act, excluding the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, the Director shall take into consideration the extent to which—

“(I) greater oversight is needed of programs developed with grants made by the agency;

“(II) changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner; and

“(III) the agency has implemented recommendations issued by the Comptroller General or Office of Inspector General relating to the grant making and grant monitoring responsibilities of the agency.

“(iii) **CONSIDERATIONS FOR AUDITS.**—In conducting the audit and evaluation under clause (i)(II), and in order to document the efficiency and public benefit of this Act, excluding the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, the Director shall take into consideration—

“(I) whether grantees timely file Financial Status Reports;

“(II) whether grantees have sufficient internal controls to ensure adequate oversight of grant funds received;

“(III) whether grantees' assertions of compliance with the core requirements were accompanied with adequate supporting documentation;

“(IV) whether expenditures were authorized;

“(V) whether subrecipients of grant funds were complying with program requirements; and

“(VI) whether grant funds were spent in accordance with the program goals and guidelines.

“(iv) **REPORT.**—The Director shall submit to Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate and shall make such report available to the public online, not later than 1 year after the date of enactment of this section.

“(B) **ANALYSIS OF INTERNAL CONTROLS.**—

“(i) **IN GENERAL.**—Not later than 30 days after the date of enactment of this section, the Administrator shall initiate a comprehensive analysis and evaluation of the internal controls of the agency to determine whether, and to what extent, States and Indian tribes that receive grants under this Act are following the requirements of the grant programs authorized under this Act.

“(ii) **REPORT.**—Not later than 180 days after the date of enactment of this section, the Administrator shall submit to Congress a report containing—

“(I) the findings of the analysis and evaluation conducted under clause (i);

“(II) a description of remedial actions, if any, that will be taken by the Administrator to enhance the internal controls of the agency and recoup funds that may have been expended in violation of law, regulations, or program requirements issued under this Act; and

“(III) a description of—

“(aa) the analysis conducted under clause (i);

“(bb) whether the funds awarded under this Act have been used in accordance with law, regulations, program guidance, and applicable plans; and

“(cc) the extent to which funds awarded to States and Indian tribes under this Act enhanced the ability of grantees to fulfill the core requirements.

“(C) **REPORT BY THE ATTORNEY GENERAL.**—Not later than 180 days after the date of enactment of this section, the Attorney General shall submit to the appropriate committees of Congress a report on the estimated amount of grant funds disbursed by the agency since fiscal year 2010 that did not meet the requirements for awards of formula grants to States under this Act.

“(2) **OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.**—

“(A) IN GENERAL.—In order to ensure the effective and appropriate use of grants administered under this Act and to prevent waste, fraud, and abuse of funds by grantees, the Inspector General of the Department of Justice each year shall periodically conduct audits of States and Indian tribes that receive grants under this Act.

“(B) DETERMINING SAMPLES.—The sample selected for audits under subparagraph (A) shall be—

“(i) of an appropriate size to—

“(I) assess the grant programs authorized under this Act; and

“(II) act as a deterrent to financial mismanagement; and

“(ii) selected based on—

“(I) the size of the grants awarded to the recipient;

“(II) the past grant management performance of the recipient;

“(III) concerns identified by the Administrator, including referrals from the Administrator; and

“(IV) such other factors as determined by the Inspector General of the Department of Justice.

“(C) PUBLIC AVAILABILITY ON WEBSITE.—The Attorney General shall make the summary of each review conducted under this section available on the website of the Department of Justice, subject to redaction as the Attorney General determines necessary to protect classified and other sensitive information.

“(D) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the 12-month period beginning on the date on which the audit report is issued.

“(E) PRIORITY.—In awarding grants under this Act, the Administrator shall give priority to a State or Indian tribe that did not have an unresolved audit finding during the 3 fiscal years prior to the date on which the eligible entity submits an application for a grant under this Act.

“(F) REIMBURSEMENT.—If a State or Indian tribe is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (I), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the General Fund under clause (i) from the grantee that was erroneously awarded grant funds.

“(G) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General—

“(i) that the audited State or Indian tribe has used grant funds for an unauthorized expenditure or otherwise unallowable cost; and

“(ii) that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

“(3) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this Act to a nonprofit organiza-

tion that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—

“(i) IN GENERAL.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensation, including—

“(I) the independent persons involved in reviewing and approving such compensation;

“(II) the comparability data used; and

“(III) contemporaneous substantiation of the deliberation and decision.

“(ii) PUBLIC INSPECTION UPON REQUEST.—Upon request, the Administrator shall make the information disclosed under clause (i) available for public inspection.

“(4) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(5) PROHIBITION ON LOBBYING ACTIVITY.—

“(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any recipient of a grant made using such amounts to—

“(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

“(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

“(B) PENALTY.—If the Attorney General determines that any recipient of a grant made using amounts authorized to be appropriated under this Act has violated subparagraph (A), the Attorney General shall—

“(i) require the grant recipient to repay the grant in full; and

“(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

“(6) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(A) all audits issued by the Office of the Inspector General of the Department of Jus-

tice under paragraph (2) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(B) all mandatory exclusions required under paragraph (2)(I) have been issued;

“(C) all reimbursements required under paragraph (2)(K)(i) have been made; and

“(D) includes a list of any grant recipients excluded under paragraph (2)(I) during the preceding fiscal year.

“(c) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

“(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Attorney General awarded the duplicative grant.

“(d) COMPLIANCE WITH AUDITING STANDARDS.—The Administrator shall comply with the Generally Accepted Government Auditing Standards, published by the General Accountability Office (commonly known as the ‘Yellow Book’), in the conduct of fiscal, compliance, and programmatic audits of States.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking section 407 (42 U.S.C. 5776a).

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

(3) SAVINGS CLAUSE.—In the case of an entity that is barred from receiving grant funds under paragraph (2) or (7)(B)(ii) of section 407 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5776a), the amendment made by paragraph (1) of this subsection shall not affect the applicability to the entity, or to the Attorney General with respect to the entity, of paragraph (2), (3), or (7) of such section 407, as in effect on the day before the effective date under paragraph (2) of this subsection.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

SEC. 501. GRANT ELIGIBILITY.

Section 1802(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ee-2(a)) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(3) assurances that the State agrees to comply with the core requirements, as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), applicable to the detention and confinement of juveniles.”.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Rhode Island for his courtesy in allowing me to go next.

HEALTHCARE

Mr. ALEXANDER. Mr. President, this afternoon, Senator MURRAY, the Senator from Washington State who is the ranking member of the Senate Committee on Health, Education, Labor, and Pensions, and I, the chairman of the committee, made a joint bipartisan announcement that the Senate's HELP Committee will hold hearings beginning the week of September 4 on the actions Congress should take to stabilize and strengthen the individual health insurance market so Americans will be able to buy insurance at affordable prices in the year 2018. We will hear from State insurance commissioners, from patients, from Governors, from healthcare experts, and insurance companies. Committee staff will begin work this week, working with all committee members to prepare for these hearings and discussions. That was the announcement Senator MURRAY and I made today.

Now, in my own words, the reason for these hearings is that unless Congress acts by September 27, when insurance companies must sign contracts with the Federal Government to sell insurance on the Federal exchange next year, millions of Americans with government subsidies in up to half of our States may find themselves with zero options for buying health insurance on the exchanges next year, 2018. Many others without government subsidies will find themselves unable to afford health insurance because of rising premiums, copays, and deductibles.

There are a number of issues with the American healthcare system, but if your house is on fire, you want to put out the fire. The fire, in this case, is the individual health insurance market. Both Republicans and Democrats agree on this.

Our committee, the HELP Committee, had one hearing on the subject on February 1 and will work intensively between now and the end of September in order to finish our work in time to have an effect on health insurance policies next year, sold in 2018.

I am consulting with Senator MURRAY to try to make these hearings as bipartisan as possible and to involve as many committee members as possible. I will be consulting with Senator HATCH and Senator WYDEN so the Finance Committee is aware of any matters we discuss that might be within its jurisdiction. A number of Senators, both Democratic and Republican, have approached Senator MURRAY and me and said they would like to be in-

involved. We are going to find a way for them to be involved and update them on our progress.

In these discussions—the ones I am describing—we are dealing with a small segment of the total health insurance market. Only about 6 percent of insured Americans buy their insurance in the individual market. Only about 4 percent of insured Americans buy their insurance on the Affordable Care Act exchanges. While these percentages are small, they represent large numbers of Americans, including many of our most vulnerable Americans. We are talking about roughly 18 million Americans in the individual market. About 11 million of them buy their insurance on the Affordable Care Act exchanges. About 9 million of these 11 million have Affordable Care Act subsidies, and unless we act, many of them may not have policies available to buy in 2018 because insurance companies will pull out of the collapsing markets. It would be like having a bus ticket and no bus coming through town.

Just as important, unless we act, costs could rise, once again, even making healthcare unaffordable for the additional 9 million Americans in the individual market who receive no government support to help buy insurance, roughly 2 million of them who buy their health insurance on the exchanges but who don't qualify for a subsidy, and roughly 7 million who buy their insurance outside of the exchanges. This means they have no government help paying for their premiums, their copays, and their deductibles.

As we prepare for these discussions, I have urged again that President Trump temporarily continue the cost-reduction payments through September so Congress can work on a short-term solution for stabilizing the individual markets in 2018. These cost-sharing reduction subsidies reduce copays, reduce deductibles, and reduce other out-of-pocket costs to help low-income Americans buy their health insurance on the exchanges. We are talking about those who make under 250 percent of the poverty level or roughly \$30,000 for an individual or \$60,000 for a family of four. Without payment of these cost-sharing reductions, Americans will be hurt. Up to half the States will likely have bare counties, with zero insurance providers offering insurance on the exchanges, and insurance premiums will increase by roughly 20 percent, according to the American Health Insurance Plans.

In my opinion, any solution that Congress passes for a 2018 stabilization package would need to be small, bipartisan, and balanced. It should include funding for the cost-sharing reductions, but it also should include greater flexibility for States in approving health insurance policies which should reduce costs.

Now, it is reasonable to expect that if the President were to approve continu-

ation of cost-sharing subsidies for August and September and if Congress, in September, should pass a bipartisan stabilization bill that includes cost-sharing for 1 year—that is 2018—it is reasonable to expect that the insurance companies in 2018 would lower their rates. They have told us—in fact, Oliver Wyman, an independent observer of healthcare, has told us that lack of funding for cost-sharing reductions would add 11 to 20 percent to premiums in 2018.

So if the President, over the next 2 months, and the Congress, over the next year, take steps to provide certainty that there will be cost-sharing subsidies, that should allow insurance companies to lower the premiums they have projected they will charge in 2018. In fact, many insurance companies have priced their rates for 2018 at two different levels—one with cost-sharing and one without cost-sharing. So it is important not only that the President improve temporary cost-sharing for August and September but that we, the Congress, in a bipartisan way, find a way to approve it for at least 1 year so we can keep the premiums down.

Now, this is only one step in what we want to do about health insurance and about the larger question of healthcare costs so we will proceed step by step. A subsequent step will be to try to find a way to create a long-term, more robust individual insurance market, but for the short-term, our proposal is that by mid-September, we will see if we can agree on a way to stabilize the individual insurance market to keep premiums down and make affordable insurance available to all Americans.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am here to speak about something else, but let me take just a moment and thank my chairman for what he has done. I had the experience of serving on the HELP Committee with Chairman ALEXANDER and Ranking Member MURRAY when we did the Education bill last year.

Education is nearly as fraught a topic politically around here as healthcare is, and what we saw in a thoughtful, regular-order process that was developed under Chairman ALEXANDER's leadership was a very considerable piece of work with real effect.

Sometimes we agree on something on both sides of the aisle in this body because there is nothing to it. It is "National Peaches Week" or something, and everyone votes for that. But when it is something big and something consequential, that is where difficulties begin to emerge, and what the chairman was able to work in the committee was something big and something consequential on healthcare. To the end of my days in the Senate, I am

going to remember that closing vote, when the clerk of the committee called the roll, and every single member of the HELP Committee voted in favor of the measure. It came out of the committee unanimously, and with that burst of energy, it came through the floor fine, and it passed the House without too many changes. It was just a remarkable piece of work. So I have seen what the HELP Committee can do under Chairman ALEXANDER and Ranking Member MURRAY, and I am filled with confidence that the process can be terrific there, and I am filled with goodwill toward a successful outcome.

I just think what the chairman has said is terrific, and I wanted to say a few words of appreciation.

Mr. President, I ask unanimous consent to speak for up to 17 minutes in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, what I would like to speak about is a new form of fossil fuel-funded climate denial spin that has just entered the climate debate. They are always up to something, and here is their latest. The Trump administration's two great scientists, Scott Pruitt and Rick Perry, the Frick and Frack of climate denial, have called for a science showdown, where climate denial and climate science can have it out for once and for all—red team versus blue team. “Fossil fuel man” Pruitt has even called for the showdown to be peer reviewed. Well, what is comical about that is that climate science has been peer reviewed all along. That is how it gets to be science—by going through and surviving the process of peer review by other scientists.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter to Administrator Pruitt from a wide range of scientific organizations pointing out to him this very fact, that climate science is called climate science because it has been through scientific peer review.

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

JULY 31, 2017.

Hon. SCOTT PRUITT,
Administrator, U.S. Environmental Protection
Agency, Washington, DC.

DEAR ADMINISTRATOR PRUITT: As leaders of professional scientific societies with our collective membership of hundreds of thousands of scientists, we are writing in response to reports that you are working to develop a “red team/blue team” process that challenges climate science.

We write to remind you of the ongoing research, testing, evaluations, and debates that happen on a regular basis in every scientific discipline. The peer review process itself is a constant means of scientists putting forth research results, getting challenged, and revising them based on evidence.

Indeed, science is a multi-dimensional, competitive “red team/blue team” process whereby scientists and scientific teams are constantly challenging one another's findings for robustness. The current scientific understanding of climate change is based on decades of such work, along with overarching, carefully evaluated assessments within the United States and internationally.

As a reflection of that work, 31 scientific societies last year released a letter, updated from 2009, to reflect the current scientific consensus on climate change. We urge you to give its text consideration, along with America's Climate Choices, the work of our premier United States scientific body, the National Academy of Sciences.

Of course, climate science, like all sciences, is an ever-changing discipline: our knowledge is always advancing. Robust discussion about data interpretation, methodology, and findings are part of daily scientific discourse. That is how science progresses. However, the integrity of the scientific process cannot thrive when policymakers—regardless of party affiliation—use policy disagreements as a pretext to challenge scientific conclusions.

Given your interest in the state of climate science, we would welcome the opportunity to meet with you to better understand your perspective and rationale for the proposed activity; and to discuss climate science, including which areas are at the frontiers of scientific knowledge and which are well-established because of thousands of studies from multiple lines of evidence.

We look forward to hearing from you, and your office may contact Lexi Shultz, Kasey White, or Joanne Carney to coordinate a meeting.

Sincerely,

Rush D. Holt, Ph.D., Chief Executive Officer, American Association for the Advancement of Sciences; Robert Gropp, Ph.D., Co-Executive Director, American Institute of Biological Sciences; Chris McEntee, Executive Director and CEO, American Geophysical Union; Ellen Bergfeld, Ph.D., Chief Executive Officer, American Society of Agronomy, Crop Science Society of America, Soil Science Society of America; Brian Crother, Ph.D., President Elect, American Society of Ichthyologists and Herpetologists; Crispin B. Taylor, Ph.D., Chief Executive Officer, American Society of Plant Biologists; Barry D. Nussbaum, Ph.D., President, American Statistical Association; Olin E. Rhodes, Jr., Ph.D., President, Association of Ecosystem Research Centers.

Linda Duguay, Ph.D., President, Association for the Sciences of Limnology and Oceanography; Robin L. Chazdon, Ph.D., Executive Director, Association for Tropical Biology and Conservation; Katherine S. McCarter, Executive Director, Ecological Society of America; David Gammel, Executive Director, Entomological Society of America; Vicki McConnell, Ph.D., Executive Director, Geological Society of America; Paul Foster, Ph.D., President, Organization of Biological Field Stations; Raymond Mejia, Society for Mathematical Biology; Luke Harmon, Ph.D., President, Society of Systematic Biologists.

Mr. WHITEHOUSE. Climate denial, on the other hand, avoids peer review as if it were Kryptonite, so this call for peer review of the contest between cli-

mate science and climate denial is almost comical, except for the evil intent behind it and, of course, the stakes. How very risky and dangerous continuing to get this climate issue wrong is for our country.

Mr. President, I ask unanimous consent to have printed in the RECORD an op-ed written by John Holdren, until recently the President's climate adviser, called “The perversity of ‘red-teaming’ climate science.”

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

[From bostonglobe.com, July 25, 2017]

THE PERVERSITY OF ‘RED-TEAMING’ CLIMATE SCIENCE

(By John P. Holdren)

EPA administrator Scott Pruitt is reportedly giving serious consideration to investing the taxpayers' money in a “red team-blue team” effort to determine whether current scientific understandings about climate change are actually right. The idea is that a “red team” made up of officials from government agencies with responsibilities related to climate would try to poke holes in mainstream climate science, while a similarly constituted “blue team” would have the task of defending the mainstream consensus against this critique. Supposedly, this process would shed new light on what is known and what is not about human influence on the global climate. But the argument that such a process would be helpful is some combination of naive and disingenuous.

All of science works through the continuous application of the skeptical scrutiny of key findings by essentially everybody working in a given field. This happens in part through the peer-review process that findings must survive before being published in a scientific journal. It happens far more widely through the scrutiny of the wider community of experts in any given field once the findings have been published. That scrutiny is intense, not least because scientists make their reputations in substantial part by providing corrections and refinements to the published findings of others. This is the essence of the cumulative and self-correcting nature of the scientific enterprise as a whole.

Precisely because climate science has policy implications that appear to challenge the status quo in global energy supply, moreover, the degree of professional skeptical scrutiny to which key climate-science findings have been subjected has far exceeded even the already pervasive and rigorous norm. Climate science has been repeatedly “red-teamed,” both by groups of avowed contrarians sponsored by right-wing groups and by the most qualified parts of the world's scientific community. The right wing's “red team” efforts have consistently been characterized by brazen cherry-picking, misrepresentation of the findings of others, recycling of long-discredited hypotheses, and invention of new ones destined to be discredited. Almost none of this material has survived peer review to be published in the respectable professional literature.

Of course, the Intergovernmental Panel on Climate Change itself, which works under the auspices of the UN Framework Convention on Climate Change, can be regarded as a “red team-blue team” operation, in which every conclusion must pass muster with a huge team of expert authors and reviewers from a wide variety of disciplines and nations (including from Saudi Arabia and other

major oil producers inclined to be skeptical). The IPCC has produced five massive assessments of climate science (in 1990, 1995, 2001, 2007, and 2013–14), each more emphatic than the last in its conclusions that human-produced greenhouses gases are changing global climate with ongoing and growing impacts on human well-being.

Climate-change science has likewise been reviewed regularly by committees of the US National Academy of Sciences, the United Kingdom's Royal Society, the World Meteorological Organization, the American Geophysical Union, and many other reputable bodies, all of which have contributed to and confirmed the overwhelming consensus of knowledgeable scientists on the five key points that really matter for policy: (1) The Earth's climate is changing in ways not explainable by the known natural influences; (2) the dominant cause is the build-up of greenhouse gases in the atmosphere that has resulted from burning coal, oil, and natural gas, and from land-use change; (3) significant harm to humans and ecosystems from these changes is already occurring; (4) the harm will continue to grow for decades because of inertia in the climate system and society's energy system; and (5) the future harm will be much smaller if the world's nations take concerted, aggressive evasive action than if they do not.

What, then, could explain the interest in a new "red team-blue team" effort on climate science organized by the federal government? Some proponents may believe, naively, that such a rag-tag process could unearth flaws in mainstream climate science that the rigorous, decades-long scrutiny of the global climate-science community, through multiple layers of formal and informal expert peer review, has somehow missed. But I suspect that most of the advocates of the scheme are disingenuous, aiming to get hand-picked non-experts from federal agencies to dispute the key findings of mainstream climate science and then assert that the verdict of this kangaroo court has equal standing with the findings of the most competent bodies in the national and international scientific communities. The purpose of that, of course, would be to create a sense of continuing uncertainty about the science of climate change, as an underpinning of the Trump administration's case for not addressing it. Sad.

Mr. WHITEHOUSE. Mr. President, let's go back to the basics here. The basic fact is that the scientific truth of climate change threatens the business model of enormous industries that spew carbon dioxide, and it challenges the ideology of rightwing fanatics who spew hatred of government. That is what the background is to all of this, and there has been a scheme for years to protect the industry's business model and the ideology of its associated cohort of fanatics. That scheme from the industry and the rightwing fanatics has been to attack climate science. They have been at it for years.

If you are a huge polluting industry or a rightwing fanatic, how do you go about attacking science? Well, you can't win a real attack on the science, precisely because the polluter nonsense could not make it through peer review. Peer review is the most basic test to enter scientific debate, but they fail at peer review because their argument is

bogus, phony, and it is a front. So the scheme has always been to avoid peer review because it is a test they would fail.

If you are going to fail the peer review test, what do you do? Instead of a direct attack through peer review journals, they attack science from the side. They create a phony parallel science, a simulacrum of science that doesn't have to face peer review. Their phony science doesn't even have to be true. In fact, they don't care whether it is true; indeed, I contend that some of them know it is not true and are engaged in deliberate, knowing fraud. But, in any event, getting to the truth is not the point of this phony parallel science. The goal is political, not scientific.

What they want is for government—us—to let them keep polluting. Polluting with their product makes them big, big money, and they don't want to stop. So the goal is not to enter the scientific debate on scientific terms. This is no quest for truth; this is a quest to influence public opinion. So the polluter nonsense doesn't have to be true; it just has to sound legitimate enough to influence an uninformed public. The goal is to fool the public and mess with politics. That is how they keep the political pressure off having to clean up their act. Their battlefield is the public mind, and their goal is to pollute the public mind with false doubts about the real science.

The climate denial apparatus that Pruitt and Perry serve just needs to create the illusion that there is still scientific doubt, and it just has to create that illusion in the minds of a non-scientific audience—the average voter, people who don't know any better and shouldn't be expected to. To do this, they have set up an elaborate con game to help them foment this illusion that there is a real contest here.

Their first trick, of course, is to hide the hand of the funders who back this scheme behind innocent or respectable-sounding names. If people saw the hand of ExxonMobil or Koch Industries behind this scheme, well, the jig would be up, so they have to back front groups—dozens, indeed, of front groups. The front groups take nice, cozy words like "heritage" and "heartland" and "prosperity," and they stick them on the front of the front group.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "EPA is asking a climate denier think tank for help recruiting its 'red team'" in this effort at the conclusion of my remarks.

This article points out that they are actually recruiting one of these phony front groups, the Heartland Institute, comparing climate scientists to the Unabomber, so you know that is going to be a fair contest between climate science and climate deniers when the group involved is a fossil-funded group that has compared climate scientists

to the Unabomber. Of course you want them in the debate, don't you? It is laughable, except for the fact that it is really not.

The other thing these groups do is they go down the shelves of American history and they grab the names of heroes and they slap these great names onto other phony front groups. Even the great GEN George C. Marshall has had his name slapped on a front group.

I am a big fan of General Marshall. He is a hero of mine. Winston Churchill called him "the organizer of victory" in World War II. The Marshall plan saved Europe after that war. He won a Nobel Prize, deservedly. But in General Marshall's life of dedicated service to our country, he had his share of sorrows, and one of those sorrows was that he had no children. So today, there are no living children or grandchildren to defend his name. Any rascal can put General Marshall's name on a bogus enterprise, and these rascals did. It is beyond low.

So that is the first trick: Hide the polluters' hand behind an innocent or respectable-sounding name.

The second trick is camouflage. They ape real science by setting up groups with names that sound like scientific organizations. So when the United Nations convenes the real Intergovernmental Panel on Climate Change, they put up a Nongovernmental International Panel on Climate Change.

They ape scientific activities. If scientific organizations have conferences, they have conferences. If scientific organizations have colloquiums, they have colloquiums. If scientific organizations publish findings, they publish findings. The difference is, it is all phony. None of it is peer reviewed. It is not real science; it is a masquerade designed to give the appearance of science without any of the rigor of peer review and the other attributes of real science.

They even ape the publications of real science. I don't have the chart with me, but there is a publication by the legitimate U.S. Global Change Research Program that is entitled "Global Climate Change Impacts in the United States." That is for real. It is real science. Then there is a look-alike publication called "Addendum: Global Climate Change Impacts in the United States," which was cooked up by the Koch brothers-backed CATO Institute—same print, same text, same color. It virtually is a masquerade of the real item.

The first thing is to hide industry's hand behind the front group, and the second is to mask propaganda activities in camouflage that resembles actual scientific activity without having to pass any tests of scientific activity.

The last thing is to run the operation like a marketing campaign, since, well, that is what it is. You wouldn't market

soap in peer-reviewed scientific journals, would you? First of all, the journals wouldn't publish it. Secondly, that is not your audience anyway. It is the same here. It doesn't do these scoundrels any good to be publishing in peer-reviewed scientific journals, even if they could get their nonsense published there. The people who read scientific journals know better. That is not their audience, and they know that they will lose in front of a scientific audience. They would shrivel up like the Wicked Witch. So they want to go right to the public with Madison Avenue-quality salesmanship and glossy messaging, marketing their dressed-up climate denial nonsense like you would market a new soap or spaghetti sauce. Go straight to TV, straight to talk radio, straight into the political debate.

The notion that the climate denial crowd now wants a scientific showdown—some “high noon” for climate denial—is ridiculous. First, they do not. We know they do not. They have been dodging away from peer review for years. They want peer review like the Wicked Witch wanted water.

So what are they up to?

Their gambit is yet another climate denial rhetorical trick to misdirect people to the thought that maybe climate science has not been peer reviewed either.

Climate science is nothing but peer reviewed—that is how it gets to be science—but this bit of trickery sets up in the unknowing person's mind the thought that climate science might not be peer reviewed. If our Frick and Frack of climate denial, Pruitt and Perry, had said outright that climate science is not peer reviewed, that would be a flat lie, and they would be caught out. Instead, they performed this rhetorical bank shot just to lay that suggestion out there, knowing perfectly well that it is false. It is a little like the old “when did you stop beating your wife?” trick. It lays out a false predicate by insinuation where the fact, itself, could not be properly asserted.

The purpose here, like the purpose of all climate denial schemes, is to buy more time for the polluters. Think how long this imaginary process of preparing for climate denial “high noon” will take. Oh, they could spin this out for years.

One thing you can bet is that game day will never come, but in the meantime, they have the craftily embedded lie out there that climate denial and climate science stand on an equal footing and just await peer review to decide between them, and now that lie can just hang out there, leaking its poison into the public debate.

I have to ask: Who thinks this stuff up? They have made a new art form out of propaganda. Think what a schemer you have to be to think this stuff up. That is the kind of people we are deal-

ing with here, and in this bizarre world, Frick and Frack hold high office.

The problem is that there actually is a judge here. A real “high noon” will actually come. As the old saying goes, time will tell. When it comes to climate change, the laws of physics and chemistry and biology are at work. The things that CO₂ concentrations do in the atmosphere are going to happen no matter what we say or believe about them. The laws of physics do not depend on political beliefs. The chemistry of what happens when seawater is exposed to more and more CO₂ is going to happen, and it will follow the laws of chemistry, not our opinions or beliefs.

What we humans say or what we believe or what we have been conned into believing by the climate denial scheme will not matter at all. Our views—our opinions—are not part of the equation. Fill one room with climate deniers and fill another room with climate scientists, and the same chemistry experiment will have the same results in both rooms. Chemistry does not care about our opinions.

The way trees and animals and fish and insects and viruses and bacteria react to new temperatures and new levels of acidity and new environments we have no say in. The fossil fuel industry can cow westerners into silence or even con them into believing the industry's climate denial nonsense, and the bark beetle will not care. It will not even know that the con game is being run. The bark beetle will just keep eating its way up the warming latitudes and altitudes and killing pine forests by the hundreds of square miles.

What science does for us is give us the ability, as humans, to understand the laws of science so that we can predict what will and will not happen. Science provides mankind with headlights so that we can look ahead and see what the future portends, but turning off those headlights by denying the science or trying to distract the driver so that we are not even looking out the windshield will not change what is ahead. Whatever is coming at us is still coming at us. We just will not see it in time to steer around it in order to minimize the collision or slow down and soften the impact. We will not have time because we will have given that time to the polluters. Time is what they want—more time for the polluters to make big money.

All of this lying, all of this science denial is actually, truly, an evil thing, and the cleverer it gets with these bank shot, faux “high noon” showdown, tricky lies, actually, the more evil it is. The people who are behind this are doing a very grievous wrong. They are dishonorable, dishonest, and disgraceful. Time will tell us just how wicked they are.

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

[From ThinkProgress, July 25, 2017]

EPA IS ASKING A CLIMATE DENIER THINK TANK FOR HELP RECRUITING ITS ‘RED TEAM’

(By Erin Auel)

The Environmental Protection Agency has asked the Heartland Institute, a D.C.-based rightwing think tank that denies the human causes of climate change, to help identify scientists to join the agency's so-called red team-blue team effort to “debate” the science of climate change, according to the Washington Examiner.

The move is part of EPA Administrator Scott Pruitt's efforts to undercut established climate science within the agency. In an interview with Reuters earlier this month, Pruitt suggested the possibility of creating a red team to provide “a robust discussion” on climate science and determine whether humans “are contributing to [warming].”

The Heartland Institute offers a model of what the EPA red team might look like. Their contrarian Nongovernmental International Panel on Climate Change—often referred to as a red team—publishes regular volumes of a report called “Climate Change Reconsidered.”

Heartland communications director Jim Lakely told the Washington Examiner the red team exercises to critique climate science are necessary “to critically examine what has become alarmist dogma rather than a sober evaluation of climate science for many years.” But, as many scientists and experts have noted, the peer review process for scientific publications already requires and facilitates rigorous examination.

For years, the Heartland Institute has spread misinformation about climate change and attacked the credibility of climate scientists. In 2012, the group launched a billboard campaign with the photographs of Ted Kaczynski (the Unabomber), Charles Manson, and Osama bin Laden, saying those men “still believe in global warming.” Heartland's website at the time declared “the most prominent advocates of global warming aren't scientists. They are murderers, tyrants, and madmen.”

More recently, the group announced plans to send a report titled “Why Scientists Disagree About Global Warming” to every K-12 teacher and college professor in America. The report incorrectly denies humans' contributions to rising global temperatures.

Pruitt has adopted much of the misinformation that Heartland promotes. Since being confirmed, Pruitt has continued to question the science behind climate change and repeated climate denier talking points claiming that humans are not the main contributors to a warming planet.

And Heartland experts have already had an active role in Trump's administration. Dan Simmons, currently an assistant to Energy Secretary Rick Perry, is still listed as an author on Heartland's website. Myron Ebell, a noted climate denier, led Trump's EPA transition team and has written several pieces opposing climate policy for Heartland.

Heartland has received funding from several fossil fuel companies, though it no longer publicly discloses its funders. In 2012, leaked documents from the group showed the group received contributions from the Charles G. Koch Charitable Foundation and the U.S. Chamber of Commerce, among others. It has also received funding from ExxonMobil to support work to refute the human causes of climate change.

Last month, Heartland announced former Kansas congressman Tim Huelskamp will become president of the organization. During his political career, Huelskamp's top donor

was Koch Industries, and he received more than \$250,000 in campaign contributions from the oil and gas industry. Koch Industries and the Koch family foundations have been one of the biggest funders of organizations that deny humans' role in causing climate change and oppose policies to reduce greenhouse gas emissions.

It remains to be seen who will staff the EPA's red team. NYU professor Steve Koonin, a scientist who formerly worked with both BP and the Obama administration, is reportedly the top contender. In 2014, Koonin wrote a Wall Street Journal op-ed detailing the ways in which climate science is not settled, which included the extent to which humans are causing climate change, a now-frequent talking point among Trump administration officials.

In April, Koonin published another op-ed in the Wall Street Journal, suggesting that a Red Team/Blue Team would be "a step toward resolving . . . differing perceptions of climate science."

Mr. WHITEHOUSE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

FDA REAUTHORIZATION ACT OF 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 174, H.R. 2430.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 174, H.R. 2430, a bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 174, H.R. 2430, an act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

Mitch McConnell, Steve Daines, Mike Crapo, James M. Inhofe, Lamar Alexander, Pat Roberts, Thom Tillis, Orrin G. Hatch, John Cornyn, Cory Gardner, Roy Blunt, James E. Risch, Roger F. Wicker, Tim Scott, John Thune, Mike Rounds, John Hoeven.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived with respect to the cloture motion.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 61, 63, 162, 174, 194, 246, 248, and 249.

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

The clerk will report the nominations.

The legislative clerk read the nominations of Elaine McCusker, of Virginia, to be a Principal Deputy Under Secretary of Defense; Robert Daigle, of Virginia, to be Director of Cost Assessment and Program Evaluation, Department of Defense; Robert R. Hood, of Georgia, to be an Assistant Secretary of Defense; Richard V. Spencer, of Wyoming, to be Secretary of the Navy; Ryan McCarthy, of Illinois, to be Under Secretary of the Army; Lucian Niemeyer, of Pennsylvania, to be an Assistant Secretary of Defense; Matthew P. Donovan, of Virginia, to be Under Secretary of the Air Force; and Ellen M. Lord, of Rhode Island, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the McCusker, Daigle, Hood, Spencer, McCarthy, Niemeyer, Donovan, and Lord nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, for the information of Senators, the Senate just confirmed eight nominees for the Defense Department.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FDA REAUTHORIZATION ACT OF 2017—MOTION TO PROCEED—Continued

CLIMATE DISRUPTION

Mr. MERKLEY. Mr. President, climate disruption is a seminal challenge of our generation. It affects everything from our farms to our forests to our fishing. We see the impact in disappearing glaciers, melting permafrost, shrinking ice sheets, raging forest fires, dying coral reefs, migrating animals and insects, and more powerful storms.

The world is changing right in front of us. It is appropriate to call this climate disruption because our climate is broken, and it is affecting so many things that we value. In response, communities across the globe are transforming their energy economies—from increasing the energy efficiency of buildings, vehicles, and appliances to replacing a carbon-polluting fossil-fuel-energy economy with a renewable and clean-energy economy.

How much do you know about the changes under way? Let's find out. Welcome to episode 4 of the Senate Climate Disruption Quiz.

Here we go. First question: Atmospheric carbon dioxide is at its highest level in at least how many years? Is it 88 years? Is it the highest level in the last 8,000 years? Is it the highest level in the last 800,000 years, or is it the highest level in the last 80 million years?

Think about your answer.

The correct answer is C, 800,000 years.

In September 2016, we reached a historic milestone. The carbon dioxide readings for the planet reached 400 parts per million. For perspective, before the industrial revolution, before we started burning fossil fuels in massive quantities, that number was about 280 parts per million.

Here is something that is even scarier. The rate is going up faster and faster. In 1965 and 1975, it was going up at about 1 part per million per year. Then, a couple of decades later, it was 2 parts per million per year, and the last 2 years, it has gone up at a rate of 3 parts per million per year.

As the human civilization, we have to turn this around. We have to not only slow it down, but we have to turn it around and lower those levels of carbon dioxide if we are going to save our blue-green planet.

Question No. 2, which Governor announced that he or she will hold a global climate summit here in America next year?

Is the answer Jerry Brown? Is the answer Governor Rick Snyder of Michigan, Governor Susana Martinez of New Mexico, or Governor Rick Scott of Florida?

The answer—now that you have decided which one you think is right—is A, Governor Jerry Brown of California. He announced on July 6 that he will bring together entrepreneurs, mathematicians, professors, climate experts, and others from around the world in September 2018 for a summit to “combat the existential threat of climate change.”

This meeting is being viewed as a very significant undertaking to keep the conversation going forward, because in the absence of the United States being deeply involved in the Paris Agreement, the United States has to be involved in many other ways. This issue is too big, and the challenge is too great for us to be sitting it out.

Let's turn to question No. 3. The world's first floating wind farm is being constructed off the coast of which country? Is it Germany? Is it off the coast of the United States? Is it Scotland? Or is it France?

I might point out that, when we see a floating wind farm, we are talking about a wind farm in which the sea floor is deep enough that it can't be anchored; that is, the turbine cannot be anchored on the sea floor. There is a hint, a little clue.

Do you have your answer?

The correct answer is C, Scotland.

The Peterhead wind farm, off the coast of Scotland, is using revolutionary technology to harvest wind power in waters that are too deep for wind turbines to be anchored on the seabed.

The wind farm's first turbine was just towed into place. Once finished, it will include five 6-megawatt turbines. By the way, those are much larger turbines than the ones we have on land in the United States. The blades will be 246 feet long. Together, the group of turbines will be able to power 20,000 homes by the end of the installation.

Maybe we will see some of those appearing off the coast of the United States in the future.

Let's turn to question No. 4. Glacier National Park in 1910 had 150 glaciers. How many are there today? Are there 200? Are there 150? Are there 25? Or are there 10?

What is the answer?

The answer is C, 25.

Here we are in just a century, and we have gone from 150 glaciers in Glacier National Park to only 25 left. According to Dan Fagre, a USGS research ecologist, “within 20 years, the bulk of the remaining glaciers will be too small to be considered active glaciers.”

When these glaciers are gone, it will have a significant impact on Montana and its economy. They typically put off a significant amount of water in late August and early September. They feed streams that would otherwise dry up. They provide cool water that plays a critical role in the life cycles of both insects and fish. If you are planning to

see the glaciers in Glacier National Park, go soon.

Let's turn to question No. 5. Tesla, the electric car company, is set to install the world's largest grid-scale battery in which country? Are they going to install that battery in China, in Australia, in Mexico, or in Spain?

If you had time to ponder the question and develop your answer, the answer is not China, which you might expect because China is so large and is so engaged in renewable energy today, nor is it Mexico or Spain. It is Australia.

Australia has embraced renewable energy. In 2016, renewable sources produced more than 17 percent of the country's electricity. South Australia has raced ahead of the rest of the country in embracing renewables, particularly wind power.

Until now, it has not been able to adequately store the energy generated by the region's wind farms. Later this year, Tesla will install the world's largest lithium-ion grid-scale battery and pair it with one of the wind farms, in a major leap forward for large-scale renewable energy use.

The idea is that the 129-megawatt-hour battery, which is capable of putting out 100 megawatts of power at a time, will help stabilize South Australia's electrical grid and provide backup power if there is a shortfall.

More and more, as we have wind on the grid and as we have solar power on the grid, batteries are being turned to as a strategy to even out the flow of electricity.

There you have it, folks. Five questions in episode 4 of the Senate Climate Disruption Quiz. They are questions ripped right from the headlines. Facts on the ground are changing fast, as climate disruption increases and communities across the globe are responding. We are racing the clock. There is no time to spare.

Stay engaged in the fight to save our beautiful blue-green planet. In the near future, I will bring you episode 5 of the Senate Climate Disruption Quiz.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30

calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-29, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of the Republic of Iraq for defense articles and services estimated to cost \$150 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,
Acting Director.

Enclosures.

TRANSMITTAL NO. 17-29

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Republic of Iraq.

(ii) Total Estimated Value:
Major Defense Equipment* \$0 million.
Other \$150 million.
Total \$150 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE:

Follow-On Technical Support (FOTS) for various U.S.-origin navy vessels and a ship repair facility in Iraq to include procurement of spare and repair parts, support and test equipment, publications and technical documentation, personnel training equipment, engineering and logistics support services and other related elements of logistics and program support.

(iv) Military Department: Navy (XX-P-GAS).

(v) Prior Related Cases, if any: GAL, 20 May 14; GAM, 20 May 14; GAO, 3 Nov 16.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: August 1, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Iraq—Follow-On Technical Support (FOTS) for U.S. Origin Navy Vessels and a Ship Repair Facility

The Government of Iraq has requested a possible sale of Follow-On Technical Support

(FOTS) for various U.S.-origin navy vessels and a ship repair facility in Iraq to include procurement of spare and repair parts, support and test equipment, publications and technical documentation, personnel training equipment, engineering and logistics support services, and other related elements of logistics and program support. The estimated total program value is \$150 million.

The proposed sale will contribute to the foreign policy and national security of the United States by helping to provide for a stable, sovereign, and democratic Iraq, capable of combating terrorism and protecting its people and sovereignty.

Iraq intends to use this maintenance support to ensure the Navy is fully-operationally capable of providing coastal defense and security. The various vessels to be supported are: patrol boats, offshore support vessels, fast assault boats, and Rigid Hull Inflatable Boats. The proposed sale of Follow-On Technical Support will increase the Iraq Navy's material and operational readiness. Iraq will have no difficulty absorbing this support into its armed forces.

The proposed sale of this support will not alter the basic military balance in the region.

The prime contractor will be Swiftships, LLC, Morgan City, LA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require annual trips to Iraq and in-country presence involving U.S. Government and contractor representatives for technical reviews, support and oversight for approximately three years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

100TH ANNIVERSARY OF HALEY'S METAL SHOP, INC.

Mr. KING. Mr. President, today I wish to commemorate the 100th anniversary of Haley's Metal Shop, Inc., in Biddeford, ME. Spanning five generations, Haley's Metal Shop has successfully persisted through challenging economic swings and rapid technological advancements. In their 100 years of operation, Haley's Metal Shop has been an exemplary family-run small business. As such, I am proud to celebrate their 100 years of service in the Biddeford community and the State of Maine.

Haley's Metal Shop began in 1917 when Robert Jordan founded his tin-smith business in Biddeford. Jordan trained his son-in-law, Joe Haley, in the trade, and together, they formed Jordan and Haley. When Jordan retired in the 1950s, Joe Haley took on his son, Tom. Joe and Tom expanded the business's scope to incorporate new innovations, like air conditioning, and changed the company name to Haley's Metal Work, Inc. When Joe's children, Joyce and Brian, came of age, they elected to join the family business too. The brother and sister made advancements in both the technical and administrative branches of their business. Today Brian, and son Matthew continue the five-generation family tradition of running the business together.

Over the past 100 years, Haley's Metal Shop has grown and modernized to specialize in customized temperature regulation systems, including HVAC, central air, and geothermal heat and cooling, in addition to metal fabrication and sheet metal installations. In the State of Maine, where winter temperatures make home heating especially critical, Haley's Metal Shop's 24-hour emergency service helps keep the heat on in Maine homes.

I applaud Haley's Metal Shop for its emphasis on employee development and supporting local communities. Haley's Metal Shop employs over 40 people, including four father-son pairs. They support their staff by providing on-the-job training to help employees develop new and important skills in this technical field. Haley's Metal Shop has made it their commitment to give back to the community by contributing to various organizations over the years, such as the United Way of York County, Biddeford's Community Bike Center, the Maine Cancer Foundation, and the Biddeford Free Clinic, among others. These commendable efforts both in the shop and in the community help make Haley's Metal Shop a great part of Biddeford and of Maine.

I am pleased to join the Biddeford community in congratulating the Haley family and the dedicated employees of Haley's Metal Shop for this remarkable centennial achievement. I look forward to following their continued growth, and I thank them for their innovation, entrepreneurship, and hard work serving communities in the State of Maine.

TRIBUTE TO LIEUTENANT COLONEL DANIEL S. ARTINO

Mr. COCHRAN. Mr. President, I am pleased to commend LTC Daniel S. Artino for his dedication to duty and service as an Army legislative fellow and congressional budget liaison for the Assistant Secretary of the Army. Dan was recently selected to command an Apache battalion and will soon depart for Fort Bliss, TX.

A native of Stow, OH, Dan was commissioned as an aviation officer after his graduation from the U.S. Military Academy, where he earned a bachelor of science degree in international relations. He also earned a master's degree in legislative affairs from George Washington University.

Dan has served in a broad range of assignments during his Army career. He has led troops as an attack platoon leader, a headquarters company commander, and as the commander of an attack reconnaissance company flying Apache helicopters. He has served overseas in Germany and deployed several times into combat in support of operations in Iraq and Afghanistan. Dan's leadership has been felt from the platoon to the brigade level.

In 2015, Dan was selected to be an Army congressional fellow, and my office was fortunate to host him. For the next year, Dan served the State of Mississippi and the Nation admirably. In his subsequent role as congressional budget liaison, Dan ensured the Army's budget positions were well represented to the Senate and House Committees on Appropriations.

I have enjoyed the benefit of Dan's counsel over the past 3 years. It is a pleasure to recognize and commend Dan for his service to this country and to wish him and his wife, Cathy, all the best as they continue their journey in the U.S. Army.

ADDITIONAL STATEMENTS

TRIBUTE TO DAVID HOLLISTER

• Ms. STABENOW. Mr. President, today I wish to pay special tribute to my longtime friend and former legislative colleague, David Hollister. On August 14, 2017, the city of Lansing will be renaming their city hall the "David C. Hollister City Hall," a very fitting tribute to this dedicated public servant.

Over the years, Dave Hollister has been a mentor, a colleague, and a friend to me. I first met Dave when I was a student at Michigan State University, working at the Cristo Rey Community Center in Lansing. As a teacher, he encouraged my first run for office: the Ingham County Board of Commissioners. I later served with him for over a decade in the Michigan House of Representatives and have worked closely with him over the years in his various public service roles.

In today's divisive political climate, Dave Hollister represents the very best of public service. He has selflessly served in State and local government. Without acclaim, he has worked tirelessly to do what is right for people. Able to bring people together to forge solutions on the most difficult problems, he is a community organizer in the truest sense of the word.

Naming the Lansing City Hall after Dave Hollister is not only a fitting tribute to him, but a tribute to the kind of public service his life represents.

After serving in the Michigan House of Representatives, Dave was elected mayor of the city of Lansing in 1993. While mayor, he inspired and led what is known as the "Lansing Works! Keep GM!" movement. Dave brought together community leaders in government, business, and labor and convinced General Motors to stay and invest over \$1 billion in the Lansing area. This effort saved thousands of jobs and prevented a crisis in the region. Dave's leadership serves as a model of teamwork for leaders and communities across our country.

Keeping General Motors in Lansing is just one example of Dave's leadership. After serving as mayor, he was appointed director of the Michigan Department of Labor and Economic Growth in 2003. Subsequently, Dave served as president and CEO of Prima Civitas, a nonprofit economic and community development organization based in East Lansing. Congratulations to my dear friend, David Hollister, on receiving this special distinction from the city of Lansing. It is my hope that the newly renamed city hall will serve as a lasting testament to your brand of public service to the people of the city of Lansing and the great State of Michigan.●

TRIBUTE TO TAYLIN ALBRECHT

● Mr. ROUNDS. Mr. President, today I recognize Taylin Albrecht, an intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Taylin is a graduate of DeSmet High School in DeSmet, SD. Currently, she is attending South Dakota State University in Brookings, SD, she studies human development and family studies. Taylin is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Taylin for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO GERALD FRAAS

● Mr. ROUNDS. Mr. President, today I recognize Gerald Fraas, an intern in my Washington, DC, office, for all the hard work he has done for me, my staff, and the State of South Dakota.

Gerald is a graduate of West Central High School in Hartford, SD. Currently, he is attending the University of Alabama in Tuscaloosa, AL, where he studies political science and economics. Gerald is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Gerald for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MATTHEW KRALL

● Mr. ROUNDS. Mr. President, today I recognize Matthew Krall, an intern in my Washington, DC, office, for all the hard work he has done for me, my staff, and the State of South Dakota.

Matthew is a graduate of Mitchell High School in Mitchell, SD. Currently, he is attending Dakota Wesleyan University in Mitchell, SD,

where he studies history and political science. Matthew is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Matthew for all of the fine work he has done and wish him continued success in the years to come.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2443. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to compliance by the United States courts of appeals and district courts with the time limitations established for deciding habeas corpus death penalty petitions; to the Committee on the Judiciary.

EC-2444. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Changes to Trademark Trial and Appeal Board Rules of Practice; Clarification" (RIN0651-AD22) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on the Judiciary.

EC-2445. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "The Residential Substance Abuse Treatment (RSAT) Study"; to the Committee on the Judiciary.

EC-2446. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2017"; to the Committee on Veterans' Affairs.

EC-2447. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "2017 Annual Report: The U.S. Department of Transportation's (DOT) Status of Actions Addressing the Safety Issue Areas on the National Transportation Safety Board's (NTSB) Most Wanted List"; to the Committee on Commerce, Science, and Transportation.

EC-2448. A communication from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network" (PS Docket No. 16-269) (FCC 17-75))

received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2449. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program; and Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities" ((CG Docket No. 10-51 and CG Docket No. 03-123) (FCC 17-86)) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2450. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010" (MB Docket No. 11-43) (FCC 17-88)) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2451. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010" (MB Docket No. 11-43) (FCC 17-88)) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2452. A communication from the Acting Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Publication Requirements for Agricultural Products; and Rail Transportation of Grain, Rate Regulation Review" (RIN2140-AB35 and RIN2140-AB16) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2453. A communication from the Deputy Chief of the Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 0, 1, 2, 15 and 18 of the Commission's Rules regarding Authorization of Radiofrequency Equipment" ((FCC 17-93) (ET Docket No. 15-170)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-78. A joint resolution adopted by the Legislature of the State of Alaska making application to the United States Congress to call a convention of the state to propose a countermand amendment to the United States Constitution as provided under Article V; and urging the legislatures of the

other 49 states to make the same application; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 14

Whereas the state's sovereignty has been infringed upon by the federal government, including by the federal government's recent denial of and refusal to work with state officials on the construction of a lifesaving road from King Cove to Cold Bay; and

Whereas the state's access to a fair permitting process for projects that will develop the state's natural resources and provide revenue streams to the state, including oil exploration in the Arctic National Wildlife Refuge and large-scale mining projects throughout the state, has been continually denied by the United States Environmental Protection Agency and other agencies of the federal government; and

Whereas the United States Congress has, at times, exceeded its delegated powers, the President of the United States has, at times, exceeded the constitutional authority of the office of the President of the United States and the federal courts have, at times, exceeded their authority by issuing decisions on public policy matters reserved to the states in violation of the principles of federalism and separation of powers, all of which have, adversely affected the state and its people; and

Whereas under the authority of art. V, Constitution of the United States; the several states should apply to the United States Congress to call a convention of the states to amend the United States Constitution and adopt a countermand amendment to authorize the states, upon a vote of three-fifths of the state legislatures, to nullify and repeal a federal statute, executive order, judicial decision, regulatory decision by a federal government agency, or government mandate imposed on the states by law that adversely affects the interests of the states, in order to properly exercise the states' constitutional authority to check federal power, preserve state sovereignty, and protect the rights of the states and the people; and

Whereas the states have the authority to define and limit the agenda of a convention to a single-issue "countermand amendment convention" called for by the states as provided under art. V, Constitution of the United States; and

Whereas the delegates sent by the states to a countermand amendment convention shall have the limited authority to deliberate on and decide whether the countermand amendment, as preapproved by suite legislatures, should be sent back to the state legislatures for ratification; be it

Resolved, That, under art. V, Constitution of the United States, the Alaska State Legislature directs the United States Congress to call a single-issue convention of the states, called a "countermand amendment convention," for the sole purpose of deciding whether the proposed countermand amendment should be sent back to the state legislatures for ratification; and be it further

Resolved, That this application constitutes a continuing application in accordance with art. V, Constitution of the United States, until at least two-thirds of the legislatures of the several states have applied for a similar convention of the states; and be it further

Resolved, That the Alaska State Legislature urges the legislatures of the other 49 states to apply to the United States Congress to call a single-issue countermand convention of the states under art. V, Constitution of the United States.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of

the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the other 49 states.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 504. A bill to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program (Rept. No. 115-140).

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

S. 81. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes (Rept. No. 115-141).

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

S. 1311. A bill to provide assistance in abolishing human trafficking in the United States.

S. 1312. A bill to prioritize the fight against human trafficking in the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. GARDNER (for himself and Ms. HASSAN):

S. 1682. A bill to facilitate a national pipeline of spectrum for commercial use, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DONNELLY:

S. 1683. A bill to amend the Federal Election Campaign Act of 1971 to reduce the number of members of the Federal Election Commission from 6 to 5, to revise the method of selection and terms of service of members of the Commission, to distribute the powers of the Commission between the Chair and the remaining members, and for other purposes; to the Committee on Rules and Administration.

By Ms. HIRONO:

S. 1684. A bill to establish a position of Science Laureate of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT (for himself and Mr. WARNER):

S. 1685. A bill to require Fannie Mae and Freddie Mac to establish procedures for considering certain credit scores in making a determination whether to purchase a residential mortgage, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASSIDY (for himself and Mr. KENNEDY):

S. 1686. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide for management of red snapper in the Gulf of Mexico, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY:

S. 1687. A bill to establish the Financing Energy Efficient Manufacturing Program at the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Ms. DUCKWORTH, Mr. FRANKEN, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Mr. LEAHY, Mr. MANCHIN, Mrs. MCCASKILL, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WYDEN, Mrs. GILLIBRAND, and Mr. WHITEHOUSE):

S. 1688. A bill to amend title XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program; to the Committee on Finance.

By Mr. BOOKER:

S. 1689. A bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marihuana, and for other purposes; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Mrs. MURRAY, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. CASEY):

S. 1690. A bill to amend the Higher Education Act of 1965 to provide greater support to students with dependents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. GARDNER, Mr. WYDEN, and Mr. DAINES):

S. 1691. A bill to provide minimal cybersecurity operational standards for Internet-connected devices purchased by Federal agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COONS (for himself, Mrs. CAPITO, Mr. COTTON, Mr. CASSIDY, Mrs. SHAHEEN, and Ms. WARREN):

S. 1692. A bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself, Mr. BLUMENTHAL, Mr. MCCAIN, Mrs. MCCASKILL, Mr. CORNYN, Ms. HEITKAMP, Mr. BLUNT, Mrs. CAPITO, Mr. CASEY, Ms. COLLINS, Mr. CORKER, Mr. CRUZ, Mr. FLAKE, Mr. GRAHAM, Mr. ISAKSON, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEE, Mr. NELSON, Mr. RUBIO, Mr. BROWN, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. HOEVEN, and Mr. COCHRAN):

S. 1693. A bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement

against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself, Mr. CASEY, and Mr. COONS):

S. 1694. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL (for himself and Mr. DURBIN):

S. 1695. A bill to establish centers of excellence for innovative stormwater control infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. UDALL:

S. 1696. A bill to amend the Energy Policy Act of 2005 to provide for a smart energy and water efficiency management pilot program; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mr. MANCHIN, Mr. CORKER, Mr. BLUNT, Mr. COTTON, Mr. KENNEDY, Mr. RISCH, Mr. ROUNDS, Mr. RUBIO, Mr. YOUNG, Mr. CRAPO, Mr. SHELBY, and Mr. CRUZ):

S. 1697. A bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 1698. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of contributions to Alaska Native Settlement Trusts, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. DURBIN, Mr. UDALL, Mr. MERKLEY, and Mrs. MURRAY):

S. 1699. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. BLUNT, Mr. ISAKSON, Mr. RISCH, Mr. GRASSLEY, and Mr. RUBIO):

S.J. Res. 48. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 237. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 238. A resolution recognizing the 10th anniversary and honoring the victims of the collapse of the Interstate 35W Mississippi River bridge; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. Res. 239. A resolution congratulating the Pittsburgh Penguins for winning the 2017 Stanley Cup hockey championship; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 240. A resolution congratulating the University of Florida baseball team for winning the 2017 National Collegiate Athletic Association College World Series; considered and agreed to.

By Ms. COLLINS (for herself, Mr. MANCHIN, Ms. MURKOWSKI, Mr. TESTER, Ms. WARREN, Mr. MARKEY, Ms. BALDWIN, Mr. COCHRAN, Mrs. SHAHEEN, Mr. PETERS, Mrs. CAPITO, Mr. BOOZMAN, Mr. FRANKEN, Mr. MERKLEY, Mr. HATCH, Mr. KENNEDY, Mrs. ERNST, Mr. INHOFE, Mr. THUNE, Mr. MORAN, Mr. DAINES, Mr. ROUNDS, Mr. ISAKSON, Mr. RUBIO, Mr. RISCH, Mr. BOOKER, Mr. YOUNG, Mr. VAN HOLLEN, Mr. HELLER, Mr. NELSON, Mr. DONNELLY, and Mrs. FEINSTEIN):

S. Res. 241. A resolution supporting the goals and ideals of National Purple Heart Recognition Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 104

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 104, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 114

At the request of Mr. HELLER, the names of the Senator from Maine (Mr. KING) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 114, to authorize appropriations and to appropriate amounts for the Veterans Choice Program of the Department of Veterans Affairs, to improve hiring authorities of the Department, to authorize major medical facility leases, and for other purposes.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 256

At the request of Ms. HEITKAMP, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 256, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 322

At the request of Mr. PETERS, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 322, a bill to protect

victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 364

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 364, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 445

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 690

At the request of Mr. CARDIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 697

At the request of Mr. DAINES, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes.

S. 705

At the request of Mr. HATCH, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 705, a bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

S. 720

At the request of Mrs. GILLIBRAND, her name was withdrawn as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 720, *supra*.

S. 796

At the request of Mr. WARNER, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 929

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 929, a bill to improve the HUBZone program.

S. 1038

At the request of Mrs. ERNST, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1038, a bill to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts.

S. 1118

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1118, a bill to reauthorize the North Korea Human Rights Act of 2004, and for other purposes.

S. 1196

At the request of Mr. SULLIVAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1196, a bill to expand the capacity and capability of the ballistic missile defense system of the United States, and for other purposes.

S. 1270

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1270, a bill to direct the Director of the Office of Science and Technology Policy to carry out programs and activities to ensure that Federal science agencies and institutions of higher education receiving Federal research and development funding are fully engaging their entire talent pool, and for other purposes.

S. 1428

At the request of Mr. RISCH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1428, a bill to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

S. 1522

At the request of Mr. HEINRICH, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1522, a bill to establish an Every Kid Outdoors program, and for other purposes.

S. 1586

At the request of Mr. PETERS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1586, a bill to require the Under Secretary for Oceans and Atmos-

phere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes.

S. 1595

At the request of Mr. RUBIO, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1598

At the request of Mr. TESTER, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1652

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1652, a bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes.

S. 1674

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1674, a bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes.

S. RES. 220

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 220, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights for adhering to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 233

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. Res. 233, a resolution designating August 16, 2017, as "National Airborne Day".

AMENDMENT NO. 436

At the request of Mr. ROUNDS, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of amendment No. 436 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart-

ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 448

At the request of Mr. TESTER, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of amendment No. 448 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 681

At the request of Mr. JOHNSON, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 681 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOKER:

S. 1689. A bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Madam President, I rise to talk about the Marijuana Justice Act—a bill I introduced today that would end the Federal prohibition on marijuana and start to end the War on Drugs. For far too long we have approached drug use and addiction as something we can jail ourselves out of. It is beyond clear that approach has failed. It is time we start to address the persistent and systemic racial bias that has plagued our criminal justice system and adopt policies that will move us forward, not backward. It is time to de-schedule marijuana.

Since 2001, arrests for marijuana have increased across the Country and now account for over 50 percent of all drug arrests in the United States. The ACLU conducted a thorough study of over 8 million marijuana arrests between 2001 and 2010. It found that 88 percent of those were for marijuana possession. Alarming, the study also found that African Americans are 3.73 times more likely to be arrested for marijuana possession than their white peers, even though they use marijuana at similar rates.

Over the last five years, States have begun to legalize marijuana in an effort to push back on the failed War on Drugs and combat the illicit drug market. Currently, eight States and the

District of Columbia have legalized marijuana and more States are taking up measures to follow suit. We know from the experiences of States that have already legalized marijuana that we will gain far more than we lose—these States have seen increased revenues and decreased rates of serious crime, and a reallocation of resources toward more productive uses. In Colorado, arrest rates have decreased and State revenues have increased. Washington saw a 10 percent decrease in violent crime over the three-year period following legalization.

However, the Federal government still treats marijuana as an illegal substance. It is time for the Federal government to end the Federal prohibition of marijuana.

Today, I introduced the Marijuana Justice Act, a bill that would remove marijuana from the list of controlled substances, thereby ending the Federal prohibition. The bill would also automatically expunge records for people who were convicted of Federal marijuana use and possession offenses. We must help people with criminal records get back up on their feet and obtain jobs, and expunging their records is an important step in that process.

The legislation would allow individuals currently serving time in Federal prison for marijuana offenses to petition a court for a resentencing. One of the greatest tragedies from the Fair Sentencing Act was that it did not provide retroactive relief to individuals serving time under the old crack and powder cocaine sentencing laws. The Marijuana Justice Act would allow people currently serving time for a marijuana offense to seek immediate relief.

The bill would also use Federal funds to encourage States where marijuana is illegal to legalize the drug if they disproportionately arrest or incarcerate low income individuals or people of color. Too often drug laws are enforced disproportionately against minorities and the poor. This is unacceptable and belies our values.

Finally, the Marijuana Justice Act would establish a community reinvestment fund, which would invest money in communities most affected by the War on Drugs. Building new libraries, supporting job training, and investing in community centers will improve public safety and is the right thing to do after decades of failed drug policies.

The Marijuana Justice Act is a serious step in acknowledging, that after 40 years, it is time to end the War on Drugs. It is time to stop our backward thinking, which has only led to backward results. It is time to lead with our hearts, our heads, and with policy that actually works.

By Mr. PORTMAN (for himself,
Mr. BLUMENTHAL, Mr. MCCAIN,
Mrs. MCCASKILL, Mr. CORNYN,

Ms. HEITKAMP, Mr. BLUNT, Mrs. CAPITO, Mr. CASEY, Ms. COLLINS, Mr. CORKER, Mr. CRUZ, Mr. FLAKE, Mr. GRAHAM, Mr. ISAKSON, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEE, Mr. NELSON, Mr. RUBIO, Mr. BROWN, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. HOEVEN, and Mr. COCHRAN):

S. 1693. A bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking; to the Committee on Commerce, Science, and Transportation.

Mr. PORTMAN. Mr. President, I would like to talk today about the criminal act of sex trafficking.

Today we introduced legislation that is incredibly important to combating sex trafficking. The Senate also passed a resolution today by unanimous consent to provide information to the Justice Department that comes out of an investigation that we did in the U.S. Senate regarding sex trafficking. This is an important day in pushing back.

Let me talk about this for a second in personal terms. Imagine, if you will, that your daughter is missing. You do everything you can do to find her. Finally, you see her picture on the internet, and she is being sold for sex. That may sound like a horror movie to you, but it is very real. Unfortunately, it is happening across our country.

Families in Ohio and in your State have experienced this nightmare situation. Let me tell you about Kubiiki Pride. Kubiiki Pride gave powerful testimony before the Permanent Subcommittee on Investigations in the Senate. Ms. Pride said her daughter had been missing for 9 months when she found her picture on the top website for commercial sex activity—backpage.com. She was actually glad to have found her daughter. So she called backpage.com and said: That is my daughter. She has been missing for 9 months. She is 14 years old. Thank you for taking down the ad.

Backpage.com said to her: Did you pay for the ad?

She said: No. It is my 14-year-old daughter.

They said: We are not going to take down the ad. You didn't pay for it.

Imagine if this were your daughter. Imagine how you would feel.

These traffickers are using the internet to sell girls and women. Congress has a responsibility to act. We have a responsibility to act because human trafficking is now becoming a national crisis.

Human trafficking, including sex trafficking, is a \$150 billion-a-year industry. That makes it the second biggest criminal enterprise in the world, only behind the drug trade. And this ruthless, corrupt industry is growing

significantly. Why? Because of the internet in the digital age. Victims of sex trafficking told me: ROB, this has gone from the street corner to the smart phone.

Since 2007, the Polaris Project—a leading anti-trafficking advocacy group—received 33,000 reports of human trafficking through its various hotlines.

By the way, Polaris endorsed our legislation, which I appreciate.

In 2016 alone, Polaris-operated hotlines received 8,000 reports of human trafficking. Almost 25 percent of trafficking incidents reported to Polaris in the past decade happened just last year. Human trafficking reports through these hotlines went up dramatically—35 percent—between 2015 and 2016. There is no reason to believe this trend will reverse unless we act.

This is a 21st-century epidemic. The National Center for Missing and Exploited Children noted an 846 percent increase in reports of suspected child sex trafficking through its CyberTipline from 2010 to 2015. In just 5 years, that is an increase of over 800 percent. They found this dramatic spike to be “directly correlated to the increased use of the internet to sell children for sex.” That is what is going on.

How is this happening? People are being bought and sold on public domains accessible from a simple search. And the majority of online sex trafficking can be traced to one website called backpage.com. The National Center for Missing and Exploited Children said 73 percent—three-quarters of all suspected sex trafficking it receives from the general public through its CyberTipline comes from this one website.

According to leading anti-traffic organizations, including Shared Hope International, service providers working with child sex trafficking victims have reported that between 80 percent and 100 percent of the victims they help were bought and sold on backpage.com.

My experience in Ohio is similar to that. I will tell you anecdotally, as I talked to women and girls who had been victims of sex trafficking, almost all of them tell me they have been sold on backpage. By the way, almost all of them tell me that they had become addicted in the process to an opioid, heroin, or prescription drugs and that is used to keep their dependency on their trafficker.

In January of this year, a nearly 2-year investigation by the Senate Permanent Subcommittee on Investigations produced a report finding backpage to be more deeply complicit in illegal online sex trafficking than anyone imagined. Everyone already knew sex trafficking was taking place on this website. It is there. But our report found that backpage actively and

knowingly facilitated the criminal sex trafficking of women and children; then it covered up evidence of these crimes to increase its own profits. This is the information we have now provided to the Department of Justice.

We also know from a recent Washington Post report that, despite its claims, backpage aggressively solicited and created sex-related ads to lure customers to its website. It claims it “leads the industry” in its screening of illegal activity, including sex ads for children, but that isn’t true. To the contrary, it appears the industry backpage leads is online sex trafficking, valuing its profits more than the rights of vulnerable women and young children. They have known their site has been used for illegal sex trafficking for years, but instead of putting a stop to it, the company has actively facilitated these crimes.

That is why Congress has to act. Last month, I, along with Senators McCASKILL and CARPER, launched a criminal review of backpage.com. Today, the Senate passed a resolution releasing materials from our 18-month investigation to the Department. I hope the Department of Justice will join in this fight against backpage, but I believe achieving justice for these victims requires a legislative fix once and for all.

There is a recent documentary, and I would encourage you to look at it. It is powerful and tough, but it is important. It is called “I am Jane Doe.” It chronicles the cases of three young girls who were sex trafficking victims bought and sold on backpage. In 2014, these girls brought cases against backpage, accusing them of knowingly assisting in their trafficking. The ads on backpage for each of these girls explicitly promoted their youth. These were underage girls.

The court found that the victims made a strong case that backpage tailored its site to make underage sex trafficking easier, but the court ruled that third-party websites facilitating sex trafficking are immune from charges brought on by victims, no matter how complicit the website was in the crime, citing the blanket immunity granted by a 1996 law called the Communications Decency Act, or CDA.

Around the same time in Massachusetts, three young victims sued backpage after they were bought and sold on their website for sex. They, too, argued that backpage made sex trafficking easier. This case reached the First Circuit Court of Appeals, but backpage was once again spared of any legal ramifications because of the Communications Decency Act, specifically section 230 of that law—the clause courts credit to giving third-party providers blanket immunity from crimes committed through their website.

Despite its ruling, the court recognized the immoral nature of backpage appearing to profit from online pros-

titution but maintained they couldn’t do anything about it because the law protected these acts. The court opinion stated that in order to fix the problem, “the remedy is through legislation, not litigation.” That is who we are. We are the legislators. The court of appeals said: Congress, do your job.

Numerous judicial decisions have suggested that Congress must act, before the courts, to bring justice to the victims and families of online sex trafficking. That is my intention in introducing this legislation today.

I believe that we need to have free internet. All of us do. I believe that the Communications Decency Act is a well-intentioned law that has an important purpose. But the law was not intended to protect those who willingly facilitate illegal conduct, such as sex trafficking, and it wasn’t intended to protect backpage.com. That is why today I, along with a number of my colleagues from both sides of the aisle, have introduced this bill called the Stop Enabling Sex Traffickers Act. It clarifies section 230 of the Communications Decency Act to ensure that websites that knowingly facilitate sex trafficking can be held liable and the victims can get justice. It is very narrow. You have to knowingly be involved in supporting, assisting, and facilitating sex trafficking. This will not be a broad net.

The Stop Enabling Sex Traffickers Act puts in place three narrowly crafted and commonsense reforms.

First, it allows victims to seek justice against websites that knowingly facilitate crimes against them.

Second, it eliminates the Federal liability protections for websites that assist, support, or facilitate a violation of Federal sex trafficking laws—laws already on the books.

Finally, it will enable State law enforcement—not just the Department of Justice—to take legal action if these businesses violate Federal sex trafficking laws. Forty-seven attorneys general asked for this.

The internet revolutionized illegal sex trafficking, and Federal law has not kept pace. It is time for this 21-year-old law to be brought into this century. The Stop Enabling Sex Traffickers Act is legislation our courts have been calling for, our attorneys general have been calling for, and most importantly, what victims and their families have been insisting that we do.

Again, this law was never intended to protect sex traffickers who prey on the most innocent and vulnerable among us. This narrowly crafted bill gives law enforcement the tools they need to go after criminals who traffic women and children online for sex.

There are some groups who have been critical of this effort to hold backpage accountable and stop this online exploitation. They have suggested that this bipartisan bill could impact main-

stream websites and service providers—the good actors out there. That is false. Our bill does not amend, and thus preserves, the Communications Decency Act’s Good Samaritan provision. This provision protects good actors who proactively block and screen for offensive material and thus shields them from any frivolous lawsuits. That is in the legislation and needs to be in there.

This bipartisan legislation preserves internet freedom, while holding those who actively facilitate online sex trafficking accountable.

I recently visited the Ranch of Opportunity in Washington Court House, OH. This is a place of hope for girls between ages 13 and 18 to find healing and recovery during a residential treatment program. Most of the girls at the ranch, I am told, have been victims of sex trafficking. As I heard heartbreaking stories from these girls who have had their most basic human rights stripped from them, backpage came up. As I said earlier, it almost always does. We can never take back the horrors they had to endure. What we can do and what this legislation will do is bring justice to these victims and their families.

I am proud to stand with my 20, now 25, bipartisan colleagues, as well as 18 anti-human trafficking advocacy groups and law enforcement organizations around this country, to support this legislation as we fight against this abhorrent evil.

In a letter of support, the president and CEO of the National Center for Missing and Exploited Children said: “This bill will help ensure justice for child sex trafficking victims and clarify remedies available to civil attorneys and State attorneys general to assist victims in holding everyone responsible who participated in their trafficking.”

That is what it is about. It is about securing justice for those who have had their most basic human rights taken away, and it is about protecting vulnerable women and children. Victims of sex trafficking know evil far worse than many of us can ever imagine. The trauma they go through is unbelievable. We owe it to them to fix flaws in the justice system that allow people complicit in these crimes to profit from human misery and suffering. The Stop Enabling Sex Traffickers Act will do that.

Thank you, Mr. President.

By Mr. REED (for himself, Mr. CASEY, and Mr. COONS):

S. 1694. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, we know that the quality of teachers and principals are two of the most important in-school factors related to student

achievement. Yet the pipeline into the profession has been neglected. If we want to improve our schools, it is essential that we invest in the professional preparation of teachers, principals, and other educators. As such, today, I am reintroducing the Educator Preparation Reform Act with my colleagues Senators CASEY and COONS to ensure that the Federal government continues to be a partner in addressing this critical national need.

Today, we are facing a crisis in education. According to a research brief from the Learning Policy Institute, we have seen dramatic declines in enrollment in teacher preparation programs—an estimated 35 percent decline between 2009 and 2014. We also continue to see high rates of attrition among educators. If these trends continue, there will be an estimated gap of more than 100,000 between the number of teaching positions open and the number of teachers available to be hired annually through 2025.

The impact of these shortages falls the hardest on our most vulnerable students in our highest need communities. Rhode Island is no exception. Providence, our largest school district, is facing an acute shortage of teachers certified to teach English language learners. My home State has also reported shortages in special education, science, math, and school nurses.

We cannot solve this problem without improving both teacher and principal preparation. We need to make sure that our educator preparation programs are worthy of the professionals entering the field and the students they will serve. That is why it is more urgent than ever that we enact the Educator Preparation Reform Act.

Our legislation builds on the success of the Teacher Quality Partnership Program, which I helped author in the 1998 reauthorization of the Higher Education Act. It continues the partnership between high need school districts, institutions of higher education, and educator preparation programs to reform pre-service programs based on the unique needs of the partners. Among the key changes are specific attention and emphasis on principals and the addition of a residency program for new principals. Improving instruction is a team effort, with principals at the helm. This bill better connects teacher preparation with principal preparation. The Educator Preparation Reform Act will also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals.

The bill streamlines the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention

in the field of teaching, and teacher performance, including student-learning outcomes. All programs—whether traditional or alternative routes to certification—will report on the same measures.

Under our legislation, States will be required to identify at-risk and low-performing programs and provide them with technical assistance and a timeline for improvement. States would be encouraged to close programs that do not improve.

We have been fortunate to work with many stakeholders on this legislation. Organizations that have endorsed the Educator Preparation Reform Act include: the American Association of Colleges for Teacher Education, American Association of State Colleges and Universities, Association of Jesuit Colleges and Universities, Council for Christian Colleges and Universities, Higher Education Consortium for Special Education, Hispanic Association of Colleges and Universities, National Association of Elementary School Principals, National Association of Secondary School Principals, National Association of State Directors of Special Education, National Disability Rights Network, National Network of State Teachers of the Year, Public Advocacy for Kids, Rural School and Community Trust, and the Teacher Education Division of the Council for Exceptional Children.

I look forward to working to incorporate this legislation into the upcoming reauthorization of the Higher Education Act. I urge my colleagues to join us in this effort and support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 237—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution on documentary production by the Permanent Subcommittee on Investigations, and ask for its immediate consideration.

Mr. President, earlier this year the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs completed an investigation into internet sex trafficking. After completing that investigation, the Subcommittee referred its staff reports and findings to the United States De-

partment of Justice for additional investigation. The Subcommittee has received a request from the Department seeking access to records that the Subcommittee obtained during the investigation.

In keeping with the Senate's practice under its rules, this resolution would authorize the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations, acting jointly, to provide records, obtained by the Subcommittee in the course of its investigation, in response to this request and requests from other Federal or State government entities and officials with a legitimate need for the records.

Mr. President, I ask unanimous consent that the material of the bill be printed in the RECORD.

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

S. RES. 237

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted an investigation into Internet sex trafficking;

Whereas, the Subcommittee has received a request from a federal law enforcement agency for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal or state governments, records of the Subcommittee's investigation into Internet sex trafficking.

SENATE RESOLUTION 238—RECOGNIZING THE 10TH ANNIVERSARY AND HONORING THE VICTIMS OF THE COLLAPSE OF THE INTERSTATE 35W MISSISSIPPI RIVER BRIDGE

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 238

Whereas, on August 1, 2007, the Interstate 35W Mississippi River bridge (referred to in this preamble as the "I-35W bridge") collapsed, killing 13 people and injuring 145 people;

Whereas the I-35W bridge was one of the busiest bridges in the State of Minnesota, carrying more than 140,000 vehicles each day;

Whereas first responders and commuters collectively responded quickly and effectively to provide help and ensure safety;

Whereas, during the first 2 hours after the I-35W bridge collapsed, the Minneapolis Emergency Communications Center received and processed more than 500 calls, 51 of which came directly from the scene of the disaster;

Whereas, after the collapse, there was a bipartisan effort to pass legislation that provided emergency funding to replace the I-35W bridge;

Whereas construction of the Interstate 35W Saint Anthony Falls bridge (referred to in this preamble as the "new I-35W bridge") to replace the I-35W bridge began on November 1, 2007;

Whereas the new I-35W bridge opened to traffic on September 18, 2008, which was 3 months ahead of schedule;

Whereas residents, businesses, community members, and local government officials contributed to the design of the new I-35W bridge;

Whereas the new I-35W bridge—

- (1) has a 100-year lifespan;
- (2) is 189 feet wide; and
- (3) accommodates 10 lanes of traffic;

Whereas the new I-35W bridge won the America's Transportation Awards Grand Prize on October 30, 2009; and

Whereas, on September 11, 2009, the new I-35W bridge was named one of the 10 best transportation projects in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 10th anniversary of the tragic Interstate 35W Mississippi River bridge collapse;

(2) honors the victims of the bridge collapse and their families;

(3) commemorates the bravery and commitment of the public safety personnel that effectively responded to the collapse; and

(4) acknowledges the successful community-wide effort to design, plan, and construct the Interstate 35W Saint Anthony Falls bridge.

SENATE RESOLUTION 239—CONGRATULATING THE PITTSBURGH PENGUINS FOR WINNING THE 2017 STANLEY CUP HOCKEY CHAMPIONSHIP

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 239

Whereas on June 11, 2017, the Pittsburgh Penguins won the 2017 Stanley Cup hockey championship;

Whereas the Penguins, in their 50th year playing in the National Hockey League (referred to in this preamble as "NHL"), won their fifth Stanley Cup;

Whereas the Penguins defeated the Western Conference Champion Nashville Predators in the Stanley Cup Finals, clinching the series with 4 wins and 2 losses;

Whereas the Penguins are the only NHL team to win back-to-back Stanley Cup championships since the NHL instituted salary caps in 2005 and the first team to do so since 1998;

Whereas the Penguins endured 3 tough opponents en route to the championship, defeating the Columbus Blue Jackets, the Washington Capitals, and the Ottawa Senators to clinch the Eastern Conference title and win their sixth Prince of Wales Trophy;

Whereas the city of Pittsburgh is fittingly nicknamed "The City of Champions", highlighting the success of Pittsburgh professional sports teams, which have tallied 16 championships;

Whereas NHL Hall of Famer Mario Lemieux and Ron Burkle have jointly owned the team for 18 years, saving the Penguins from relocation and maintaining the team for the city of Pittsburgh;

Whereas longtime Penguins radio announcer Mike Lange is beloved by loyal fans of the team for such expressions as "Lord Stanley, Lord Stanley, get me the brandy";

Whereas Penguins Captain Sidney Crosby, who has shown immense leadership, commitment to the team, and unparalleled skill throughout his outstanding career, was awarded the Conn Smythe Trophy as the 2017 NHL Playoffs Most Valuable Player, his second Conn Smythe Trophy in 2 years;

Whereas goaltender Matt Murray dazzled throughout the playoffs, becoming the first goaltender to win 2 Stanley Cups as a rookie, shutting out the Nashville Predators for the final 126 minutes, 52 seconds, and setting a rookie record with 2 shutouts in the Final series;

Whereas goaltender Marc-Andre Fleury contributed to the defensive prowess of the team throughout the Stanley Cup Playoffs, playing in 15 games, including a memorable shutout performance in Game 7 of the Eastern Conference Second Round; and

Whereas the entire Penguins roster contributed to the Stanley Cup victory, including Josh Archibald, Nick Bonino, Sidney Crosby, Matt Cullen, Jean-Sebastien Dea, Jake Guentzel, Carl Hagelin, Patric Hornqvist, Phil Kessel, Tom Kuhnhackl, Chris Kunitz, Evgeni Malkin, Kevin Porter, Carter Rowney, Bryan Rust, Tom Sestito, Conor Sheary, Dominik Simon, Daniel Sprong, Oskar Sundqvist, Garrett Wilson, Scott Wilson, Ian Cole, Frank Corrado, Trevor Daley, Brian Dumoulin, Cameron Gaunce, Ron Hainsey, Kris Letang, Olli Maatta, Derrick Pouliot, Chad Ruhwedel, Justin Schultz, Mark Streit, David Warsofsky, Marc-Andre Fleury, Tristan Jarry, Sean Maguire, and Matt Murray: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pittsburgh Penguins and the loyal fans of the Penguins for becoming the 2017 National Hockey League Stanley Cup champions; and

(2) respectfully directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the co-owners of the Pittsburgh Penguins, Mario Lemieux and Ron Burkle; jointly

(B) the President of the Pittsburgh Penguins, David Morehouse; and

(C) the Head Coach of the Pittsburgh Penguins, Mike Sullivan.

SENATE RESOLUTION 240—CONGRATULATING THE UNIVERSITY OF FLORIDA BASEBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION COLLEGE WORLD SERIES

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 240

Whereas, on June 27, 2017, the University of Florida Gators won the 2017 National Col-

legiate Athletic Association College World Series after sweeping the Louisiana State University Tigers 2-0 in the series in Omaha, Nebraska;

Whereas the University of Florida baseball team has competed in 11 College World Series tournaments;

Whereas, in winning the 2017 College World Series, the University of Florida baseball team secured the first national championship in baseball and the 39th national championship in a team sport for the University of Florida since the founding of the institution in 1853;

Whereas Head Coach Kevin O'Sullivan won his first national title as Head Coach in his tenth season at the University of Florida;

Whereas pitcher Alex Faedo was named Most Outstanding Player of the 2017 College World Series;

Whereas outfielder Alex Langworthy, pitcher Alex Faedo, and pitcher Brady Singer were named to the 2017 College World Series All-Tournament Team; and

Whereas the University of Florida is only the sixth school to win a national championship in baseball, football, and basketball; and

Whereas the University of Florida Gators baseball team is the 2017 Division I National Champion: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Florida for winning the 2017 National Collegiate Athletic Association College World Series;

(2) recognizes the achievement and dedication of all players, coaches, and support staff who contributed to winning the national championship;

(3) congratulates the citizens of Florida, the University of Florida, and Florida Gators fans everywhere; and

(4) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Dr. W. Kent Fuchs, President of the University of Florida;

(B) Scott Stricklin, Director of Athletics at the University of Florida; and

(C) Kevin O'Sullivan, Head Coach of the University of Florida baseball team.

SENATE RESOLUTION 241—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PURPLE HEART RECOGNITION DAY

Ms. COLLINS (for herself, Mr. MANCHIN, Ms. MURKOWSKI, Mr. TESTER, Ms. WARREN, Mr. MARKEY, Ms. BALDWIN, Mr. COCHRAN, Mrs. SHAHEEN, Mr. PETERS, Mrs. CAPITO, Mr. BOOZMAN, Mr. FRANKEN, Mr. MERKLEY, Mr. HATCH, Mr. KENNEDY, Mrs. ERNST, Mr. INHOFE, Mr. THUNE, Mr. MORAN, Mr. DAINES, Mr. ROUNDS, Mr. ISAKSON, Mr. RUBIO, Mr. RISCH, Mr. BOOKER, Mr. YOUNG, Mr. VAN HOLLEN, Mr. HELLER, Mr. NELSON, Mr. DONNELLY, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

Ms. COLLINS. Mr. President, I rise to introduce a resolution supporting the goals and ideals of National Purple Heart Recognition Day. I am pleased to have been joined in sponsoring this resolution by the senior Senator from West Virginia, Senator Manchin, and 25 of our Senate colleagues.

The Purple Heart's history goes as far back as the founding of our Nation.

General George Washington established what is now known as the Purple Heart Medal when he issued an order establishing the Military Badge of Merit on August 7, 1782. General Washington wished for the award to be used to recognize meritorious action performed by members of the Continental Army, and it took the form of a purple heart.

The Military Badge of Merit was discontinued after the Revolution and was not revived until 1932, when the Purple Heart medal was authorized as its official successor decoration. On February 22, 1932, the 200th Anniversary of the birth of George Washington, then-Army Chief of Staff General Douglas MacArthur resurrected the award, and it was redesignated as the Purple Heart. Quite appropriately, this reestablished Purple Heart Medal exhibits the bust and profile of George Washington.

It is around this time that the Purple Heart became synonymous with those unfortunate heroes who were killed or wounded in combat. Since 1932, the U.S. Military has awarded more than 1.8 million Purple Hearts.

Mr. President, just as the Purple Heart Medal has held a special meaning to its millions of recipients and their families, it also has special significance to my family. My father is a World War II veteran who was wounded twice during the Battle of the Bulge in Europe. He earned two Purple Hearts and the Bronze Star, and it was from him that I first learned to honor and respect our veterans.

The Purple Heart is a reminder that freedom is a gift purchased at the greatest possible price, and it is for that reason that I introduce this resolution. It is vitally important for all Americans to learn the history of this important military award, and understand and honor the sacrifices of the many men and women in uniform who have earned the Purple Heart. I am grateful to all of my colleagues who joined me in supporting this resolution.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. RES. 241

Whereas, on August 7, 1782, during the Revolutionary War, General George Washington established what is now known as the Purple Heart Medal when he issued an order establishing the Badge of Military Merit;

Whereas the Badge of Military Merit was designed in the shape of a heart in purple cloth or silk;

Whereas, while the award of the Badge of Military Merit ceased with the end of the Revolutionary War, the Purple Heart Medal was authorized in 1932 as the official successor decoration to the Badge of Military Merit;

Whereas the Purple Heart Medal is the oldest United States military decoration in present use;

Whereas the Purple Heart Medal is awarded in the name of the President of the United States to recognize members of the Armed Forces who are killed or wounded in action against an enemy of the United States or are killed or wounded while held as prisoners of war;

Whereas the Purple Heart Medal has been awarded to an estimated 1,800,000 recipients; and

Whereas August 7, 2017, is an appropriate day to celebrate as National Purple Heart Recognition Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Purple Heart Recognition Day; and

(2) encourages all people of the United States—

(A) to learn about the history of the Purple Heart Medal;

(B) to honor recipients of the Purple Heart Medal; and

(C) to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart Medal.

AMENDMENTS SUBMITTED AND PROPOSED

SA 741. Mr. GRASSLEY proposed an amendment to the bill S. 860, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

SA 742. Mr. PORTMAN (for Mr. GRASSLEY) proposed an amendment to the bill S. 178, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

SA 743. Mr. PORTMAN (for Mr. RUBIO) proposed an amendment to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

SA 744. Mr. PORTMAN (for Ms. MURKOWSKI (for herself and Ms. CANTWELL)) proposed an amendment to the bill H.R. 339, to amend Public Law 94-241 with respect to the Northern Mariana Islands.

SA 745. Mr. PORTMAN (for Mr. ISAKSON (for himself, Mr. BLUMENTHAL, Mr. TESTER, Mrs. MURRAY, Mr. HELLER, Ms. HASSAN, Mr. NELSON, Mr. KING, Mr. DURBIN, Mr. UDALL, Mr. HEINRICH, Mr. DONNELLY, Mrs. MCCASKILL, and Mr. BROWN)) proposed an amendment to the bill H.R. 2288, to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

SA 746. Mr. PORTMAN (for Mr. JOHNSON) proposed an amendment to the bill S. 582, to reauthorize the Office of Special Counsel, and for other purposes.

TEXT OF AMENDMENTS

SA 741. Mr. GRASSLEY proposed an amendment to the bill S. 860, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; as follows:

Beginning on page 40, strike line 23 and all that follows through page 41, line 23.

SA 742. Mr. PORTMAN (for Mr. GRASSLEY) proposed an amendment to the bill S. 178, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases; as follows:

On page 12, line 3, strike "individual" and insert "individually".

Beginning on page 23, strike line 15 and all that follows through page 24, line 15 and insert the following:

(1) Federal Government efforts to monitor—

(A) the exploitation of older adults of the United States in global drug trafficking schemes and other international criminal enterprises;

(B) the extent to which exploitation of older adults of the United States by international criminal enterprises has resulted in the incarceration of these citizens of the United States in foreign countries; and

(C) the total annual number of elder abuse cases pending in the United States; and

(2) the results of intervention by the United States with foreign officials on behalf of citizens of the United States who are elder abuse victims in international criminal enterprises.

SA 743. Mr. PORTMAN (for Mr. RUBIO) proposed an amendment to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; as follows:

On page 8, line 20, strike ";" and insert a semicolon.

On page 8, line 23, strike the period at the end and insert ";" and ".".

On page 8, between lines 23 and 24, insert the following:

"(E) promote United States values, especially respect for all persons and freedoms of religion, speech, and the press.

On page 12, line 14, strike ";" and insert a semicolon.

On page 12, strike line 17 and insert "educational systems; and".

On page 12, between lines 17 and 18, insert the following:

"(C) there is the greatest opportunity to reduce childhood and adolescence exposure to or engagement in violent extremism or extremist ideologies."

SA 744. Mr. PORTMAN (for Ms. MURKOWSKI (for herself and Ms. CANTWELL)) proposed an amendment to the bill H.R. 339, to amend Public Law 94-241 with respect to the Northern Mariana Islands; as follows:

Beginning on page 2, strike line 19, and all that follows through the end and insert the following:

(B) by striking "ending on December 31, 2019." and inserting "ending on December 31, 2019, except that for fiscal year 2017 an additional 350 permits shall be made available for extension of existing permits, expiring after the date of enactment of the Northern Mariana Islands Economic Expansion Act through September 30, 2017, of which no

fewer than 60 shall be reserved for healthcare practitioners and technical operations (as that term is defined by the Department of Labor as Standard Occupational Classification Group 29-0000 or any successor provision), and no fewer than 10 shall be reserved for plant and system operators (as that term is defined by the Department of Labor as Standard Occupational Classification Group 51-8000 or any successor provision).”.

SA 745. Mr. PORTMAN (for Mr. ISAKSON (for himself, Mr. BLUMENTHAL, Mr. TESTER, Mrs. MURRAY, Mr. HELLER, Ms. HASSAN, Mr. NELSON, Mr. KING, Mr. DURBIN, Mr. UDALL, Mr. HEINRICH, Mr. DONNELLY, Mrs. MCCASKILL, and Mr. BROWN)) proposed an amendment to the bill H.R. 2288, to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Appeals Improvement and Modernization Act of 2017”.

SEC. 2. REFORM OF RIGHTS AND PROCESSES RELATING TO APPEALS OF DECISIONS REGARDING CLAIMS FOR BENEFITS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

(a) **DEFINITIONS.**—Section 101 of title 38, United States Code, is amended by adding at the end the following new paragraphs:

“(34) The term ‘agency of original jurisdiction’ means the activity which entered the original determination with regard to a claim for benefits under laws administered by the Secretary.

“(35) The term ‘relevant evidence’ means evidence that tends to prove or disprove a matter in issue.

“(36) The term ‘supplemental claim’ means a claim for benefits under laws administered by the Secretary filed by a claimant who had previously filed a claim for the same or similar benefits on the same or similar basis.”.

(b) **NOTICE REGARDING CLAIMS.**—Section 5103(a) of such title is amended—

(1) in paragraph (1), in the first sentence, by striking “The” and inserting “Except as provided in paragraph (3), the”;

(2) in paragraph (2)(B)(i) by striking “, a claim for reopening a prior decision on a claim, or a claim for an increase in benefits;” and inserting “or a supplemental claim;”;

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

“(3) The requirement to provide notice under paragraph (1) shall not apply with respect to a supplemental claim that is filed within the timeframe set forth in subparagraphs (B) and (D) of section 5110(a)(2) of this title.”.

(c) **MODIFICATION OF RULE REGARDING DISALLOWED CLAIMS.**—Section 5103A(f) of such title is amended—

(1) by striking “reopen” and inserting “re-adjudicate”; and

(2) by striking “material” and inserting “relevant”.

(d) **MODIFICATION OF DUTY TO ASSIST CLAIMANTS.**—Section 5103A of such title is amended—

(1) by redesignating subsections (e) through (g) as subsections (g) through (i), respectively; and

(2) by inserting after subsection (d) the following new subsections:

“(e) **APPLICABILITY OF DUTY TO ASSIST.**—(1) The Secretary’s duty to assist under this section shall apply only to a claim, or supplemental claim, for a benefit under a law administered by the Secretary until the time that a claimant is provided notice of the agency of original jurisdiction’s decision with respect to such claim, or supplemental claim, under section 5104 of this title.

“(2) The Secretary’s duty to assist under this section shall not apply to higher-level review by the agency of original jurisdiction, pursuant to section 5104B of this title, or to review on appeal by the Board of Veterans’ Appeals.

“(f) **CORRECTION OF DUTY TO ASSIST ERRORS.**—(1) If, during review of the agency of original jurisdiction decision under section 5104B of this title, the higher-level adjudicator identifies or learns of an error on the part of the agency of original jurisdiction to satisfy its duties under this section, and that error occurred prior to the agency of original jurisdiction decision being reviewed, unless the Secretary may award the maximum benefit in accordance with this title based on the evidence of record, the higher-level adjudicator shall return the claim for correction of such error and readjudication.

“(2)(A) If the Board of Veterans’ Appeals, during review on appeal of an agency of original jurisdiction decision, identifies or learns of an error on the part of the agency of original jurisdiction to satisfy its duties under this section, and that error occurred prior to the agency of original jurisdiction decision on appeal, unless the Secretary may award the maximum benefit in accordance with this title based on the evidence of record, the Board shall remand the claim to the agency of original jurisdiction for correction of such error and readjudication.

“(B) Remand for correction of such error may include directing the agency of original jurisdiction to obtain an advisory medical opinion under section 5109 of this title.

“(3) Nothing in this subsection shall be construed to imply that the Secretary, during the consideration of a claim, does not have a duty to correct an error described in paragraph (1) or (2) that was erroneously not identified during higher-level review or during review on appeal with respect to the claim.”.

(g) **DECISIONS AND NOTICES OF DECISIONS.**—Subsection (b) of section 5104 of such title is amended to read as follows:

“(b) Each notice provided under subsection (a) shall also include all of the following:

“(1) Identification of the issues adjudicated.

“(2) A summary of the evidence considered by the Secretary.

“(3) A summary of the applicable laws and regulations.

“(4) Identification of findings favorable to the claimant.

“(5) In the case of a denial, identification of elements not satisfied leading to the denial.

“(6) An explanation of how to obtain or access evidence used in making the decision.

“(7) If applicable, identification of the criteria that must be satisfied to grant service connection or the next higher level of compensation.”.

(f) **BINDING NATURE OF FAVORABLE FINDINGS.**—

(1) **IN GENERAL.**—Chapter 51 of such title is amended by inserting after section 5104 the following new section:

“§ 5104A. Binding nature of favorable findings

“Any finding favorable to the claimant as described in section 5104(b)(4) of this title

shall be binding on all subsequent adjudicators within the Department, unless clear and convincing evidence is shown to the contrary to rebut such favorable finding.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title is amended by inserting after the item relating to section 5104 the following new item:

“5104A. Binding nature of favorable findings.”.

(g) **HIGHER-LEVEL REVIEW BY AGENCY OF ORIGINAL JURISDICTION.**—

(1) **IN GENERAL.**—Chapter 51 of such title, as amended by subsection (f), is further amended by inserting after section 5104A, as added by such subsection, the following new section:

“§ 5104B. Higher-level review by the agency of original jurisdiction

“(a) **IN GENERAL.**—(1) A claimant may request a review of the decision of the agency of original jurisdiction by a higher-level adjudicator within the agency of original jurisdiction.

“(2) The Secretary shall approve each request for review under paragraph (1).

“(b) **TIME AND MANNER OF REQUEST.**—(1) A request for higher-level review by the agency of original jurisdiction shall be—

“(A) in writing in such form as the Secretary may prescribe; and

“(B) made within one year of the notice of the agency of original jurisdiction’s decision.

“(2) Such request may specifically indicate whether such review is requested by a higher-level adjudicator at the same office within the agency of original jurisdiction or by an adjudicator at a different office of the agency of original jurisdiction. The Secretary shall not deny such request for review by an adjudicator at a different office of the agency of original jurisdiction without good cause.

“(c) **DECISION.**—Notice of a higher-level review decision under this section shall be provided in writing and shall include a general statement—

“(1) reflecting whether evidence was not considered pursuant to subsection (d); and

“(2) noting the options available to the claimant to have the evidence described in paragraph (1), if any, considered by the Department.

“(d) **EVIDENTIARY RECORD FOR REVIEW.**—The evidentiary record before the higher-level adjudicator shall be limited to the evidence of record in the agency of original jurisdiction decision being reviewed.

“(e) **DE NOVO REVIEW.**—A review of the decision of the agency of original jurisdiction by a higher-level adjudicator within the agency of original jurisdiction shall be de novo.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title, as amended by subsection (f), is further amended by inserting after the item relating to section 5104A, as added by such subsection, the following new item:

“5104B. Higher-level review by the agency of original jurisdiction.”.

(h) **OPTIONS FOLLOWING DECISION BY AGENCY OF ORIGINAL JURISDICTION.**—

(1) **IN GENERAL.**—Chapter 51 of such title, as amended by subsection (g), is further amended by inserting after section 5104B, as added by such subsection, the following new section:

“§ 5104C. Options following decision by agency of original jurisdiction

“(a) **WITHIN ONE YEAR OF DECISION.**—(1) Subject to paragraph (2), in any case in

which the Secretary renders a decision on a claim, the claimant may take any of the following actions on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision with respect to that claim:

“(A) File a request for higher-level review under section 5104B of this title.

“(B) File a supplemental claim under section 5108 of this title.

“(C) File a notice of disagreement under section 7105 of this title.

“(2)(A) Once a claimant takes an action set forth in paragraph (1), the claimant may not take another action set forth in that paragraph with respect to the same claim or same issue contained within the claim until—

“(i) the higher-level review, supplemental claim, or notice of disagreement is adjudicated; or

“(ii) the request for higher-level review, supplemental claim, or notice of disagreement is withdrawn.

“(B) Nothing in this subsection shall prohibit a claimant from taking any of the actions set forth in paragraph (1) in succession with respect to a claim or an issue contained within the claim.

“(C) Nothing in this subsection shall prohibit a claimant from taking different actions set forth in paragraph (1) with respect to different claims or different issues contained within a claim.

“(D) The Secretary may, as the Secretary considers appropriate, develop and implement a policy for claimants who—

“(i) take an action under paragraph (1);

“(ii) wish to withdraw the action before the higher-level review, supplemental claim, or notice of disagreement is adjudicated; and

“(iii) in lieu of such action take a different action under paragraph (1).

“(b) MORE THAN ONE YEAR AFTER DECISION.—In any case in which the Secretary renders a decision on a claim and more than one year has passed since the date on which the agency of original jurisdiction issues a decision with respect to that claim, the claimant may file a supplemental claim under section 5108 of this title.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 51 of such title, as amended by subsection (g), is further amended by inserting after the item relating to section 5104B, as added by such subsection, the following new item:

“5104C. Options following decision by agency of original jurisdiction.”

(i) SUPPLEMENTAL CLAIMS.—

(1) IN GENERAL.—Section 5108 of such title is amended to read as follows:

“§ 5108. Supplemental claims

“(a) IN GENERAL.—If new and relevant evidence is presented or secured with respect to a supplemental claim, the Secretary shall readjudicate the claim taking into consideration all of the evidence of record.

“(b) DUTY TO ASSIST.—(1) If a claimant, in connection with a supplemental claim, reasonably identifies existing records, whether or not in the custody of a Federal department or agency, the Secretary shall assist the claimant in obtaining the records in accordance with section 5103A of this title.

“(2) Assistance under paragraph (1) shall not be predicated upon a finding that new and relevant evidence has been presented or secured.”

(2) RULE OF CONSTRUCTION.—Section 5108 of such title, as amended by paragraph (1), shall not be construed to impose a higher evidentiary threshold than the new and material evidence standard that was in effect pur-

suant to such section on the day before the date of the enactment of this Act.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 51 of such title is amended by striking the item relating to section 5108 and inserting the following new item:

“5108. Supplemental claims.”

(j) REMAND TO OBTAIN ADVISORY MEDICAL OPINION.—Section 5109 of such title is amended by adding at the end the following new subsection:

“(d)(1) The Board of Veterans’ Appeals shall remand a claim to direct the agency of original jurisdiction to obtain an advisory medical opinion from an independent medical expert under this section if the Board finds that the Veterans Benefits Administration should have exercised its discretion to obtain such an opinion.

“(2) The Board’s remand instructions shall include the questions to be posed to the independent medical expert providing the advisory medical opinion.”

(k) RESTATEMENT OF REQUIREMENT FOR EXPEDITED TREATMENT OF RETURNED AND REMANDED CLAIMS.—

(1) IN GENERAL.—Section 5109B of such title is amended to read as follows:

“§ 5109B. Expedited treatment of returned and remanded claims

“The Secretary shall take such actions as may be necessary to provide for the expeditious treatment by the Veterans Benefits Administration of any claim that is returned by a higher-level adjudicator under section 5104B of this title or remanded by the Board of Veterans’ Appeals.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 51 of such title is amended by striking the item relating to section 5109B and inserting the following new item:

“5109B. Expedited treatment of returned and remanded claims.”

(1) EFFECTIVE DATES OF AWARDS.—Section 5110 of title 38, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a)(1) Unless specifically provided otherwise in this chapter, the effective date of an award based on an initial claim, or a supplemental claim, of compensation, dependency and indemnity compensation, or pension, shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of application therefor.

“(2) For purposes of determining the effective date of an award under this section, the date of application shall be considered the date of the filing of the initial application for a benefit if the claim is continuously pursued by filing any of the following, either alone or in succession:

“(A) A request for higher-level review under section 5104B of this title on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision.

“(B) A supplemental claim under section 5108 of this title on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision.

“(C) A notice of disagreement on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision.

“(D) A supplemental claim under section 5108 of this title on or before the date that is one year after the date on which the Board of Veterans’ Appeals issues a decision.

“(E) A supplemental claim under section 5108 of this title on or before the date that is

one year after the date on which the Court of Appeals for Veterans Claims issues a decision.

“(3) Except as otherwise provided in this section, for supplemental claims received more than one year after the date on which the agency of original jurisdiction issued a decision or the Board of Veterans’ Appeals issued a decision, the effective date shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of the supplemental claim.”; and

(2) in subsection (i), in the first sentence—

(A) by striking “reopened” and inserting “readjudicated”;

(B) by striking “material” and inserting “relevant”; and

(C) by striking “reopening” and inserting “readjudication”.

(m) DEFINITION OF AWARD OR INCREASED AWARD FOR PURPOSES OF PROVISIONS RELATING TO COMMENCEMENT OF PERIOD OF PAYMENT.—Section 5111(d)(1) of such title is amended by striking “or reopened award” and inserting “award or award based on a supplemental claim”.

(n) MODIFICATION OF LIMITATION ON FEES ALLOWABLE FOR REPRESENTATION.—Section 5904(c) of such title is amended, in paragraphs (1) and (2), by striking “notice of disagreement is filed” both places it appears and inserting “claimant is provided notice of the agency of original jurisdiction’s initial decision under section 5104 of this title”.

(o) CLARIFICATION OF BOARD OF VETERANS’ APPEALS REFERRAL REQUIREMENTS AFTER ORDER FOR RECONSIDERATION OF DECISIONS.—Section 7103(b)(1) of title 38, United States Code, is amended by striking “heard” both places it appears and inserting “decided”.

(p) CONFORMING AMENDMENT RELATING TO READJUDICATION.—Section 7104(b) of such title is amended by striking “reopened” and inserting “readjudicated”.

(q) MODIFICATION OF PROCEDURES FOR APPEALS TO BOARD OF VETERANS’ APPEALS.—

(1) IN GENERAL.—Section 7105 of title 38, United States Code, is amended—

(A) in subsection (a), by striking the first sentence and inserting “Appellate review shall be initiated by the filing of a notice of disagreement in the form prescribed by the Secretary.”;

(B) by amending subsection (b) to read as follows:

“(b)(1)(A) Except in the case of simultaneously contested claims, a notice of disagreement shall be filed within one year from the date of the mailing of notice of the decision of the agency of original jurisdiction pursuant to section 5104, 5104B, or 5108 of this title.

“(B) A notice of disagreement postmarked before the expiration of the one-year period shall be accepted as timely filed.

“(C) A question as to timeliness or adequacy of the notice of disagreement shall be decided by the Board.

“(2)(A) Notices of disagreement shall be in writing, shall identify the specific determination with which the claimant disagrees, and may be filed by the claimant, the claimant’s legal guardian, or such accredited representative, attorney, or authorized agent as may be selected by the claimant or legal guardian.

“(B) Not more than one recognized organization, attorney, or agent may be recognized at any one time in the prosecution of a claim.

“(C) Notices of disagreement shall be filed with the Board.

“(3) The notice of disagreement shall indicate whether the claimant requests—

“(A) a hearing before the Board, which shall include an opportunity to submit evidence in accordance with section 7113(b) of this title;

“(B) an opportunity to submit additional evidence without a hearing before the Board, which shall include an opportunity to submit evidence in accordance with section 7113(c) of this title; or

“(C) a review by the Board without a hearing or the submittal of additional evidence.

“(4) The Secretary shall develop a policy to permit a claimant to modify the information identified in the notice of disagreement after the notice of disagreement has been filed under this section pursuant to such requirements as the Secretary may prescribe.”;

(C) by amending subsection (c) to read as follows:

“(c) If no notice of disagreement is filed in accordance with this chapter within the prescribed period, the action or decision of the agency of original jurisdiction shall become final and the claim shall not thereafter be readjudicated or allowed, except—

“(1) in the case of a readjudication or allowance pursuant to a higher-level review that was requested in accordance with section 5104B of this title;

“(2) as may otherwise be provided by section 5108 of this title; or

“(3) as may otherwise be provided in such regulations as are consistent with this title.”;

(D) by striking subsection (d) and inserting the following new subsection (d):

“(d) The Board may dismiss any appeal which fails to identify the specific determination with which the claimant disagrees.”;

(E) by striking subsection (e); and

(F) in the section heading, by striking “**notice of disagreement and**”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 7105 and inserting the following new item:

“7105. Filing of appeal.”.

(r) MODIFICATION OF PROCEDURES AND REQUIREMENTS FOR SIMULTANEOUSLY CONTESTED CLAIMS.—Subsection (b) of section 7105A of such title is amended to read as follows:

“(b)(1) The substance of the notice of disagreement shall be communicated to the other party or parties in interest and a period of thirty days shall be allowed for filing a brief or argument in response thereto.

“(2) Such notice shall be forwarded to the last known address of record of the parties concerned, and such action shall constitute sufficient evidence of notice.”.

(s) REPEAL OF PROCEDURES FOR ADMINISTRATIVE APPEALS.—

(1) IN GENERAL.—Chapter 71 of such title is amended by striking section 7106.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 7106.

(t) MODIFICATIONS RELATING TO APPEALS: DOCKETS; HEARINGS.—Section 7107 of such title is amended to read as follows:

“§ 7107. Appeals: dockets; hearings

“(a) DOCKETS.—(1) Subject to paragraph (2), the Board shall maintain at least two separate dockets.

“(2) The Board may not maintain more than two separate dockets unless the Board notifies the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives of any additional docket, including a justification for maintaining such additional docket.

“(3)(A) The Board may assign to each docket maintained under paragraph (1) such cases as the Board considers appropriate, except that cases described in clause (i) of subparagraph (B) may not be assigned to any docket to which cases described in clause (ii) of such paragraph are assigned.

“(B) Cases described in this paragraph are the following:

“(i) Cases in which no Board hearing is requested.

“(ii) Cases in which a Board hearing is requested in the notice of disagreement.

“(4) Except as provided in subsection (b), each case before the Board will be decided in regular order according to its respective place on the docket to which it is assigned by the Board.

“(b) ADVANCEMENT ON THE DOCKET.—(1) A case on one of the dockets of the Board maintained under subsection (a) may, for cause shown, be advanced on motion for earlier consideration and determination.

“(2) Any such motion shall set forth succinctly the grounds upon which the motion is based.

“(3) Such a motion may be granted only—

“(A) if the case involves interpretation of law of general application affecting other claims;

“(B) if the appellant is seriously ill or is under severe financial hardship; or

“(C) for other sufficient cause shown.

“(c) MANNER AND SCHEDULING OF HEARINGS FOR CASES ON A DOCKET THAT MAY INCLUDE A HEARING.—(1) For cases on a docket maintained by the Board under subsection (a) that may include a hearing, in which a hearing is requested in the notice of disagreement, the Board shall notify the appellant whether a Board hearing will be held—

“(A) at its principal location; or

“(B) by picture and voice transmission at a facility of the Department where the Secretary has provided suitable facilities and equipment to conduct such hearings.

“(2)(A) Upon notification of a Board hearing at the Board's principal location as described in subparagraph (A) of paragraph (1), the appellant may alternatively request a hearing as described in subparagraph (B) of such paragraph. If so requested, the Board shall grant such request.

“(B) Upon notification of a Board hearing by picture and voice transmission as described in subparagraph (B) of paragraph (1), the appellant may alternatively request a hearing as described in subparagraph (A) of such paragraph. If so requested, the Board shall grant such request.

“(d) SCREENING OF CASES.—Nothing in this section shall be construed to preclude the screening of cases for purposes of—

“(1) determining the adequacy of the record for decisional purposes; or

“(2) the development, or attempted development, of a record found to be inadequate for decisional purposes.

“(e) POLICY ON CHANGING DOCKETS.—The Secretary shall develop and implement a policy allowing an appellant to move the appellant's case from one docket to another docket.”.

(u) REPEAL OF CERTAIN AUTHORITY FOR INDEPENDENT MEDICAL OPINIONS.—

(1) IN GENERAL.—Section 7109 of such title is repealed.

(2) CONFORMING AMENDMENT.—Section 5701(b)(1) of such title is amended by striking “or 7109”.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 7109.

(v) CLARIFICATION OF PROCEDURES FOR REVIEW OF DECISIONS ON GROUNDS OF CLEAR AND UNMISTAKABLE ERROR.—Section 7111(e) of such title is amended by striking “, without referral to any adjudicative or hearing official acting on behalf of the Secretary”.

(w) EVIDENTIARY RECORD BEFORE BOARD OF VETERANS' APPEALS.—

(1) IN GENERAL.—Chapter 71 of such title is amended by adding at the end the following new section:

“§ 7113. Evidentiary record before the Board of Veterans' Appeals

“(a) CASES WITH NO REQUEST FOR A HEARING OR ADDITIONAL EVIDENCE.—For cases in which a hearing before the Board of Veterans' Appeals is not requested in the notice of disagreement and no request was made to submit evidence, the evidentiary record before the Board shall be limited to the evidence of record at the time of the decision of the agency of original jurisdiction on appeal.

“(b) CASES WITH A REQUEST FOR A HEARING.—(1) Except as provided in paragraph (2), for cases in which a hearing is requested in the notice of disagreement, the evidentiary record before the Board shall be limited to the evidence of record at the time of the decision of the agency of original jurisdiction on appeal.

“(2) The evidentiary record before the Board for cases described in paragraph (1) shall include each of the following, which the Board shall consider in the first instance:

“(A) Evidence submitted by the appellant and his or her representative, if any, at the Board hearing.

“(B) Evidence submitted by the appellant and his or her representative, if any, within 90 days following the Board hearing.

“(c) CASES WITH NO REQUEST FOR A HEARING AND WITH A REQUEST FOR ADDITIONAL EVIDENCE.—(1) Except as provided in paragraph (2), for cases in which a hearing is not requested in the notice of disagreement but an opportunity to submit evidence is requested, the evidentiary record before the Board shall be limited to the evidence considered by the agency of original jurisdiction in the decision on appeal.

“(2) The evidentiary record before the Board for cases described in paragraph (1) shall include each of the following, which the Board shall consider in the first instance:

“(A) Evidence submitted by the appellant and his or her representative, if any, with the notice of disagreement.

“(B) Evidence submitted by the appellant and his or her representative, if any, within 90 days following receipt of the notice of disagreement.”.

(2) NOTIFICATION WHEN EVIDENCE NOT CONSIDERED.—Section 7104(d) of such title is amended—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph (2):

“(2) a general statement—

“(A) reflecting whether evidence was not considered in making the decision because the evidence was received at a time when not permitted under section 7113 of this title; and

“(B) noting such options as may be available for having the evidence considered by the Department; and”.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by inserting after the item relating to section 7112 the following new item:

“7113. Evidentiary record before the Board of Veterans’ Appeals.”.

(x) **APPLICABILITY.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the amendments made by this section shall apply to all claims for which notice of a decision under section 5104 of title 38, United States Code, is provided by the Secretary of Veterans Affairs on or after the later of—

(A) the date that is 540 days after the date of the enactment of this Act; and

(B) the date that is 30 days after the date on which the Secretary of Veterans Affairs submits to the appropriate committees of Congress—

(i) a certification that the Secretary confirms, without delegation, that the Department of Veterans Affairs has the resources, personnel, office space, procedures, and information technology required—

(I) to carry out the new appeals system;

(II) to timely address appeals under the new appeals system; and

(III) to timely address appeals of decisions on legacy claims; and

(ii) a summary of the expectations for performance outcomes that the Secretary used in making the certification under clause (i)(III) and a comparison of such expected performance outcomes with actual performance outcomes with respect to appeals of legacy claims before the effective date of the new appeals system.

(2) **COLLABORATION.**—In determining whether and when to make a certification under paragraph (1)(B), the Secretary shall collaborate with, partner with, and give weight to the advice of veterans service organizations and such other stakeholders as the Secretary considers appropriate.

(3) **EARLY APPLICABILITY.**—The Secretary may apply the new appeals system to a claim with respect to which the claimant—

(A) receives a notice of a decision under section 5104 of such title after the date of the enactment of this Act and before the applicability date set forth in paragraph (1); and

(B) elects to subject the claim to the new appeals system.

(4) **PHASED ROLLOUT.**—The Secretary may begin implementation of the new appeals system in phases, with the first phase of such phased implementation beginning on the applicability date set forth in paragraph (1).

(5) **TREATMENT OF LEGACY CLAIMS.**—With respect to legacy claims, upon the issuance to a claimant of a statement of the case or supplemental statement of the case occurring on or after the applicability date specified in paragraph (1), a claimant may elect to participate in the new appeals system.

(6) **PUBLICATION OF APPLICABILITY DATE.**—Not later than the date on which the new appeals system goes into effect (or the first phase of the new appeals system goes into effect under paragraph (4), as the case may be), the Secretary shall publish in the Federal Register such date.

(7) **DEFINITIONS.**—In this subsection:

(A) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(i) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(ii) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

(B) **VETERANS SERVICE ORGANIZATION.**—The term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(y) **RULE OF CONSTRUCTION.**—Nothing in this section or any of the amendments made by this section shall be construed to limit the ability of a claimant to request a revision of a decision under section 5109A or 7111 of title 38, United States Code.

SEC. 3. COMPREHENSIVE PLAN FOR PROCESSING OF LEGACY APPEALS AND IMPLEMENTING NEW APPEALS SYSTEM.

(a) **PLAN REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress and the Comptroller General of the United States a comprehensive plan for—

(1) the processing of appeals of decisions on legacy claims that the Secretary considers pending;

(2) implementing the new appeals system;

(3) timely processing, under the new appeals system, of—

(A) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i);

(B) requests for higher-level review under section 5104B of such title, as added by section 2(g); and

(C) appeals on any docket maintained under section 7107 of such title, as amended by section 2(t); and

(4) monitoring the implementation of the new appeals system, including metrics and goals—

(A) to track the progress of the implementation;

(B) to evaluate the efficiency and effectiveness of the implementation; and

(C) to identify potential issues relating to the implementation.

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

(1) Delineation of the total resource requirements of the Veterans Benefits Administration and the Board of Veterans’ Appeals, disaggregated by resources required to implement and administer the new appeals system and resources required to address the appeals of decisions on legacy claims.

(2) Delineation of the personnel requirements of the Administration and the Board, including staffing levels during the—

(A) period in which the Administration and the Board are concurrently processing—

(i) appeals of decisions on legacy claims; and

(ii) appeals of decisions on non-legacy claims under the new appeals system; and

(B) the period during which the Administration and the Board are no longer processing any appeals of decisions on legacy claims.

(3) Identification of the legal authorities under which the Administration or the Board may—

(A) hire additional employees to conduct the concurrent processing described in paragraph (2)(A); and

(B) remove employees who are no longer required by the Administration or the Board once the Administration and the Board are no longer processing any appeals of decisions on legacy claims.

(4) An estimate of the amount of time the Administration and the Board will require to hire additional employees as described in paragraph (3)(A) once funding has been made available for such purpose, including a comparison of such estimate and the historical average time required by the Administration and the Board to hire additional employees.

(5) A description of the amount of training and experience that will be required of individuals conducting higher-level reviews

under section 5104B of title 38, United States Code, as added by section 2(g).

(6) An estimate of the percentage of higher-level adjudicators who will be employees of the Department of Veterans Affairs who were Decision Review Officers on the day before the new appeals system takes effect or had experience, as of such date, comparable to that of one who was a Decision Review Officer.

(7) A description of the functions that will be performed after the date on which the new appeals system takes effect by Decision Review Officers who were Decision Review Officers on the day before the date the new appeals system takes effect.

(8) Identification of and a timeline for—

(A) any training that may be required as a result of hiring new employees to carry out the new appeals system or to process appeals of decisions on legacy claims; and

(B) any retraining of existing employees that may be required to carry out such system or to process such claims.

(9) Identification of the costs to the Department of Veterans Affairs of the training identified under paragraph (8) and any additional training staff and any additional training facilities that will be required to provide such training.

(10) A description of the modifications to the information technology systems of the Administration and the Board that the Administration and the Board require to carry out the new appeals system, including cost estimates and a timeline for making the modifications.

(11) An estimate of the office space the Administration and the Board will require during each of the periods described in paragraph (2), including—

(A) an estimate of the amount of time the Administration and the Board will require to acquire any additional office space to carry out processing of appeals of decisions on legacy claims and processing of appeals under the new appeals system;

(B) a comparison of the estimate under subparagraph (A) and the historical average time required by the Administration and the Board to acquire new office space; and

(C) a plan for using telework to accommodate staff exceeding available office space, including how the Administration and the Board will provide training and oversight with respect to such teleworking.

(12) Projections for the productivity of individual employees at the Administration and the Board in carrying out tasks relating to the processing of appeals of decisions on legacy claims and appeals under the new appeals system, taking into account the experience level of new employees and the enhanced notice requirements under section 5104(b) of title 38, United States Code, as amended by section 2(e).

(13) An outline of the outreach the Secretary expects to conduct to inform veterans, families of veterans, survivors of veterans, veterans service organizations, military service organizations, congressional caseworkers, advocates for veterans, and such other stakeholders as the Secretary considers appropriate about the new appeals system, including—

(A) a description of the resources required to conduct such outreach; and

(B) timelines for conducting such outreach.

(14) Timelines for updating any policy guidance, Internet websites, and official forms that may be necessary to carry out the new appeals system, including—

(A) identification of which offices and entities will be involved in efforts relating to such updating; and

(B) historical information about how long similar update efforts have taken.

(15) A timeline, including interim milestones, for promulgating such regulations as may be necessary to carry out the new appeals system and a comparison with historical averages for time required to promulgate regulations of similar complexity and scope.

(16) An outline of the circumstances under which claimants with pending appeals of decisions on legacy claims would be authorized to have their appeals reviewed under the new appeals system.

(17) A delineation of the key goals and milestones for reducing the number of pending appeals that are not processed under the new appeals system, including the expected number of appeals, remands, and hearing requests at the Administration and the Board each year, beginning with the one year period beginning on the date of the enactment of this Act, until there are no longer any appeals pending before the Administration or the Board for a decision on a legacy claim.

(18) A description of each risk factor associated with each element of the plan and a contingency plan to minimize each such risk.

(C) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 90 days after the Comptroller General of the United States receives the plan required by subsection (a), the Comptroller General shall—

(A) assess such plan; and

(B) notify the appropriate committees of Congress of the findings of the Comptroller General with respect to the assessment conducted under subparagraph (A).

(2) ELEMENTS.—The assessment conducted under paragraph (1)(A) shall include the following:

(A) An assessment of whether the plan comports with sound planning practices.

(B) Identification of any gaps in the plan.

(C) Formulation of such recommendations as the Comptroller General considers appropriate.

(d) PERIODIC PROGRESS REPORTS.—Not later than 90 days after the date on which the Secretary submits the plan under subsection (a), not less frequently than once every 90 days thereafter until the applicability date set forth in section 2(x)(1), and not less frequently than once every 180 days thereafter for the seven-year period following such applicability date, the Secretary shall submit to the appropriate committees of Congress and the Comptroller General a report on the progress of the Secretary in carrying out the plan and what steps, if any, the Secretary has taken to address any recommendations formulated by the Comptroller General pursuant to subsection (c)(2)(C).

(e) PUBLICATION.—The Secretary shall make available to the public on an Internet website of the Department of Veterans Affairs—

(1) the plan required by subsection (a); and

(2) the periodic progress reports required by subsection (d).

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 4. PROGRAMS TO TEST ASSUMPTIONS RELIED ON IN DEVELOPMENT OF COMPREHENSIVE PLAN FOR PROCESSING OF LEGACY APPEALS AND SUPPORTING NEW APPEALS SYSTEM.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may carry out such programs as the Secretary considers appropriate to test any assumptions relied upon in developing the comprehensive plan required by section 3(a) and to test the feasibility and advisability of any facet of the new appeals system.

(2) REPORTING REQUIRED.—Whenever the Secretary determines, based on the conduct of a program under paragraph (1), that legislative changes to the new appeals system are necessary, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives notice of such determination.

(b) DEPARTMENT OF VETERANS AFFAIRS PROGRAM ON FULLY DEVELOPED APPEALS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may, under subsection (a)(1), carry out a program to provide the option of an alternative appeals process that shall more quickly determine such appeals in accordance with this subsection.

(2) ELECTION.—

(A) FILING.—In accordance with subparagraph (B), a claimant may elect to file a fully developed appeal under the program by filing with the Secretary all of the following:

(i) The notice of disagreement under chapter 71 of title 38, United States Code, along with the written election of the claimant to have the appeal determined under the program.

(ii) All evidence that the claimant believes is needed for the appeal as of the date of the filing.

(iii) A statement of the argument in support of the claim, if any.

(B) TIMING.—A claimant shall make an election under subparagraph (A) as part of the notice of disagreement filed by the claimant in accordance with subparagraph (A)(i).

(C) TRIAGE.—The Secretary shall, upon expiration of the period specified in paragraph (3)(C)(iii), ensure that an assessment is undertaken of whether an appeal filed under subparagraph (A) of this paragraph satisfies the requirements for appeal under the program and provide appropriate notification to the claimant of the results of that assessment.

(D) REVERSION.—

(i) ELECTED REVERSION.—At any time, a claimant who makes an election under subparagraph (A) may elect to revert to the standard appeals process. Such a reversion shall be final.

(ii) AUTOMATIC REVERSION.—A claimant described in clause (i), or a claimant who makes an election under subparagraph (A) but is later determined to be ineligible for the program under paragraph (1), shall revert to the standard appeals process without any penalty to the claimant other than the loss of the docket number associated with the fully developed appeal.

(E) OUTREACH.—In providing claimants with notices of the determination of a claim during the period in which the program under paragraph (1) is carried out, the Secretary shall conduct outreach as follows:

(i) The Secretary shall provide to the claimant (and to the representative of record of the claimant, if any) information regarding—

(I) the program, including the advantages and disadvantages of the program;

(II) how to make an election under subparagraph (A);

(III) the limitation on the use of new evidence described in subparagraph (C) of paragraph (3) and the development of information under subparagraph (D) of such paragraph;

(IV) the ability of the claimant to seek advice and education regarding such process from veterans service organizations, attorneys, and claims agents recognized under chapter 59 of title 38, United States Code; and

(V) the circumstances under which the appeal will automatically revert to the standard appeals process, including by making a request for a hearing.

(ii) The Secretary shall collaborate, partner with, and give weight to the advice of the three veterans service organizations with the most members and such other stakeholders as the Secretary considers appropriate to publish on the Internet website of the Department of Veterans Affairs an online tutorial explaining the advantages and disadvantages of the program.

(3) TREATMENT BY DEPARTMENT AND BOARD.—

(A) PROCESS.—Upon the election of a claimant to file a fully developed appeal pursuant to paragraph (2)(A), the Secretary shall—

(i) not provide the claimant with a statement of the case nor require the claimant to file a substantive appeal; and

(ii) transfer jurisdiction over the fully developed appeal directly to the Board of Veterans’ Appeals.

(B) DOCKET.—

(i) IN GENERAL.—The Board of Veterans’ Appeals shall—

(I) maintain fully developed appeals on a separate docket than standard appeals;

(II) decide fully developed appeals in the order that the fully developed appeals are received on the fully developed appeal docket;

(III) except as provided by clause (ii), decide not more than one fully developed appeal for each four standard appeals decided; and

(IV) to the extent practicable, decide each fully developed appeal by the date that is one year following the date on which the claimant files the notice of disagreement.

(ii) ADJUSTMENT.—Beginning one year after the date on which the program commences, the Board may adjust the number of standard appeals decided for each fully developed appeal under clause (i)(III) if the Board determines that such adjustment is fair for both standard appeals and fully developed appeals.

(C) LIMITATION ON USE OF NEW EVIDENCE.—

(i) IN GENERAL.—Except as provided by clauses (ii) and (iii)—

(I) a claimant may not submit or identify to the Board of Veterans’ Appeals any new evidence relating to a fully developed appeal after filing such appeal unless the claimant reverts to the standard appeals process pursuant to paragraph (2)(D); and

(II) if a claimant submits or identifies any such new evidence, such submission or identification shall be deemed to be an election to make such a reversion pursuant to paragraph (2)(D).

(ii) EVIDENCE GATHERED BY BOARD.—Clause (i) shall not apply to evidence developed pursuant to subparagraphs (D) and (E). The Board shall consider such evidence in the first instance without consideration by the Veterans Benefits Administration.

(iii) REPRESENTATIVE OF RECORD.—The representative of record of a claimant for appeals purposes, if any, shall be provided an opportunity to review the fully developed appeal of the claimant and submit any additional arguments or evidence that the representative determines necessary during a period specified by the Board for purposes of this subparagraph.

(D) PROHIBITION ON REMAND FOR ADDITIONAL DEVELOPMENT.—If the Board of Veterans' Appeals determines that a fully developed appeal requires Federal records, independent medical opinions, or new medical examinations, the Board shall—

(i) in accordance with subparagraph (E), take such actions as may be necessary to develop such records, opinions, or examinations in accordance with section 5103A of title 38, United States Code;

(ii) retain jurisdiction of the fully developed appeal without requiring a determination by the Veterans Benefits Administration based on such records, opinions, or examinations;

(iii) ensure the claimant, and the representative of record of a claimant, if any, receives a copy of such records, opinions, or examinations; and

(iv) provide the claimant a period of 90 days after the date of mailing such records, opinions, or examinations during which the claimant may provide the Board any additional evidence without requiring the claimant to make a reversion pursuant to paragraph (2)(D).

(E) DEVELOPMENT UNIT.—

(i) ESTABLISHMENT.—The Board of Veterans' Appeals shall establish an office to develop Federal records, independent medical opinions, and new medical examinations pursuant to subparagraph (D)(i) that the Board determines necessary to decide a fully developed appeal.

(ii) REQUIREMENTS.—The Secretary shall—

(I) ensure that the Veterans Benefits Administration cooperates with the Board of Veterans' Appeals in carrying out clause (i); and

(II) transfer employees of the Veterans Benefits Administration who, prior to the enactment of this Act, were responsible for processing claims remanded by the Board of Veterans' Appeals to positions within the office of the Board established under clause (i) in a number the Secretary determines sufficient to carry out such subparagraph.

(F) HEARINGS.—Notwithstanding section 7107 of title 38, United States Code, the Secretary may not provide hearings with respect to fully developed appeals under the program. If a claimant requests to hold a hearing pursuant to such section 7107, such request shall be deemed to be an election to revert to the standard appeals process pursuant to paragraph (2)(D).

(4) DURATION; APPLICABILITY.—

(A) DURATION.—Subject to subsection (c), the Secretary may carry out the program during such period as the Secretary considers appropriate.

(B) APPLICABILITY.—This section shall apply only to fully developed appeals that are filed during the period in which the program is carried out pursuant to subparagraph (A).

(5) DEFINITIONS.—In this subsection:

(A) COMPENSATION.—The term “compensation” has the meaning given that term in section 101 of title 38, United States Code.

(B) FULLY DEVELOPED APPEAL.—The term “fully developed appeal” means an appeal of a claim for disability compensation that is—

(i) filed by a claimant in accordance with paragraph (2)(A); and

(ii) considered in accordance with this subsection.

(C) STANDARD APPEAL.—The term “standard appeal” means an appeal of a claim for disability compensation that is not a fully developed appeal.

(c) TERMINATION OF AUTHORITY.—The Secretary of Veterans Affairs may not carry out a program under this section after the applicability date set forth in section 2(x)(1).

SEC. 5. PERIODIC PUBLICATION OF METRICS RELATING TO PROCESSING OF APPEALS BY DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall periodically publish on an Internet website of the Department of Veterans Affairs the following:

(1) With respect to the processing by the Secretary of appeals under the new appeals system of decisions regarding claims for benefits under laws administered by the Secretary, the following:

(A) For the Veterans Benefits Administration and, to the extent practicable, each regional office of the Department of Veterans Affairs, the number of—

(i) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i), that are pending; and

(ii) requests for higher-level review under section 5104B of such title, as added by section 2(g), that are pending.

(B) The number of appeals on any docket maintained under section 7107 of such title, as amended by section 2(t), that are pending.

(C) The average duration for processing claims and supplemental claims, disaggregated by regional office.

(D) The average duration for processing requests for higher-level review under section 5104B of such title, as added by section 2(g), disaggregated by regional office.

(E) The average number of days that appeals are pending on a docket of the Board of Veterans' Appeals maintained pursuant to section 7107 of such title, as amended by section 2(t), disaggregated by—

(i) appeals that include a request for a hearing;

(ii) appeals that do not include a request for a hearing and do include submittal of evidence; and

(iii) appeals that do not include a request for a hearing and do not include submittal of evidence.

(F) With respect to the policy developed and implemented under section 7107(e) of such title, as amended by section 2(t)—

(i) the number of cases moved from one docket to another pursuant to such policy;

(ii) the average time cases were pending prior to moving from one docket to another; and

(iii) the average time to adjudicate the cases after so moving.

(G) The total number of remands to obtain advisory medical opinions under section 5109(d) of title 38, United States Code, as added by section 2(j).

(H) The average number of days between the date on which the Board remands a claim to obtain an advisory medical opinion under section 5109(d) of such title, as so added, and the date on which the advisory medical opinion is obtained.

(I) The average number of days between the date on which the Board remands a claim to obtain an advisory medical opinion under section 5109(d) of such title, as so added, and the date on which the agency of original jurisdiction issues a decision taking that advisory opinion into account.

(J) The number of appeals that are granted, the number of appeals that are remanded,

and the number of appeals that are denied by the Board disaggregated by docket.

(K) The number of claimants each year that take action within the period set forth in section 5110(a)(2) of such title, as added by section 2(l), to protect their effective date under such section 5110(a)(2), disaggregated by the status of the claimants taking the actions, such as whether the claimant is represented by a veterans service organization, the claimant is represented by an attorney, or the claimant is taking such action pro se.

(L) The total number of times on average each claimant files under section 5110(a)(2) of such title, as so added, to protect their effective date under such section, disaggregated by the subparagraph of such section under which they file.

(M) The average duration, from the filing of an initial claim until the claim is resolved and claimants no longer take any action to protect their effective date under section 5110(a)(2) of such title, as so added—

(i) of claims under the new appeals system, excluding legacy claims that opt in to the new appeals system; and

(ii) of legacy claims that opt in to the new appeals system.

(N) How frequently an action taken within one year to protect an effective date under section 5110(a)(2) of such title, as so added, leads to additional grant of benefits, disaggregated by action taken.

(O) The average of how long it takes to complete each segment of the claims process while claimants are protecting the effective date under such section, disaggregated by the time waiting for the claimant to take an action and the time waiting for the Secretary to take an action.

(P) The number and the average amount of retroactive awards of benefits from the Secretary as a result of protected effective dates under such section, disaggregated by action taken.

(Q) The average number of times claimants submit to the Secretary different claims with respect to the same condition, such as an initial claim and a supplemental claim.

(R) The number of cases each year in which a claimant inappropriately tried to take simultaneous actions, such as filing a supplemental claim while a higher-level review is pending, what actions the Secretary took in response, and how long it took on average to take those actions.

(S) In the case that the Secretary develops and implements a policy under section 5104C(a)(2)(D) of such title, as amended by section 2(h)(1), the number of actions withdrawn and new actions taken pursuant to such policy.

(T) The number of times the Secretary received evidence relating to an appeal or higher-level review at a time not authorized under the new appeals system, disaggregated by actions taken by the Secretary to deal with the evidence and how long on average it took to take those actions.

(U) The number of errors committed by the Secretary in carrying out the Secretary's duty to assist under section 5103A of title 38, United States Code, that were identified by higher-level review and by the Board, disaggregated by type of error, such as errors relating to private records and inadequate examinations, and a comparison with errors committed by the Secretary in carrying out such duty with respect to appeals of decisions on legacy claims.

(V) An assessment of the productivity of employees at the regional offices and at the Board, disaggregated by level of experience of the employees.

(W) The percentage of cases that are decided within the goals established by the Secretary for deciding cases, disaggregated by cases that involve a supplemental claim, cases that involve higher-level review, and by docket maintained under section 7107(a) of such title, as amended by section 2(t), or in the case that the Secretary has not established goals for deciding cases, the percentage of cases which are decided within one year, two years, three years, and more than three years, disaggregated by docket.

(X) Of the cases that involve higher-level review, the percentage of decisions that are overturned in whole or in part by the higher-level adjudicator, that are upheld by the higher-level adjudicator, and that are returned for correction of an error.

(Y) The frequency by which the Secretary readjudicates a claim pursuant to section 5108 of such title, as amended by section 2(i), and the frequency by which readjudication pursuant to section 5108 of such title, as so amended, results in an award of benefits.

(Z) In any case in which the Board decides to screen cases for a purpose described in section 7107(d) of such title, as amended by section 2(t)(1)—

(i) a description of the way in which the cases are screened and the purposes for which they are screened;

(ii) a description of the effect such screening has had on—

(I) the timeliness of the issuance of decisions of the Board; and

(II) the inventory of cases before the Board; and

(iii) the type and frequency of development errors detected through such screening.

(2) With respect to the processing by the Secretary of appeals of decisions on legacy claims, the following:

(A) The average duration of each segment of the appeals process, disaggregated by periods in which the Secretary is waiting for a claimant to take an action and periods in which the claimant is waiting for the Secretary to take an action.

(B) The frequency by which appeals lead to additional grant of benefits by the Secretary, disaggregated by whether the additional benefits are a result of additional evidence added after the initial decision.

(C) The number and average amount of retroactive awards of benefits resulting from an appeal.

(D) The average duration from filing a legacy claim with the Secretary until all appeals and remands relating to such legacy claim are completed.

(E) The average number of times claimants submit to the Secretary different claims with respect to the same condition, such as an initial claim, new and material evidence, or a claim for an increase in benefits.

(F) An assessment of the productivity of employees at the regional offices and at the Board, disaggregated by level of experience of the employees.

(G) The average number of days the duration of an appeal is extended because the Secretary secured or attempted to secure an advisory medical opinion under section 5109 of title 38, United States Code, or section 7109 of such title (as in effect on the day before the date of the enactment of this Act).

(H) The frequency by which claims are reopened pursuant to section 5108 of such title and the frequency by which such reopening results in an award of benefits.

(3) With respect to the processing by the Secretary of appeals of decisions on legacy claims that opt in to the new appeals system, the following:

(A) The cumulative number of such legacy claims.

(B) The portion of work in the new appeals system attributable to appeals of decisions on such legacy claims.

(C) The average period such legacy claims were pending before opting in to the new appeals system and the average period required to adjudicate such legacy claims on average after opting in—

(i) with respect to claims at a regional office of the Department of Veterans Affairs, disaggregated by—

(I) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i); and

(II) requests for higher-level review under section 5104B of such title, as added by section 2(g); and

(ii) with respect to appeals, disaggregated by docket of the Board maintained under section 7107 of such title, as amended by section 2(t).

SEC. 6. DEFINITIONS.

In this Act:

(1) CLAIMANT.—The term “claimant” has the meaning given such term in section 5100 of title 38, United States Code.

(2) LEGACY CLAIMS.—The term “legacy claim” means a claim—

(A) that was submitted to the Secretary of Veterans Affairs for a benefit under a law administered by the Secretary; and

(B) for which notice of a decision under section 5104 of title 38, United States Code, was provided by the Secretary before the date set forth in section 2(x).

(3) OPT IN.—The term “opt in” means, with respect to a legacy claim of a claimant, that the claimant elects to subject the claim to the new appeals system pursuant to—

(A) section 2(x)(3); or

(B) such other mechanism as the Secretary may prescribe for purposes of carrying out this Act and the amendments made by this Act.

(4) NEW APPEALS SYSTEM.—The term “new appeals system” means the set of processes and mechanisms by which the Secretary processes, pursuant to the authorities and requirements modified by section 2, claims for benefits under laws administered by the Secretary.

SA 746. Mr. PORTMAN (for Mr. JOHNSON) proposed an amendment to the bill S. 582, to reauthorize the Office of Special Counsel, and for other purposes; as follows:

On page 3, strike lines 10 through 23 and insert the following:

“(i) An Inspector General may withhold from the Special Counsel material described in subparagraph (A) if the Inspector General determines that the material contains information derived from, or pertaining to, intelligence activities.

“(ii) The Attorney General or an Inspector General may withhold from the Special Counsel material described in subparagraph (A) if—

“(I)(aa) disclosing the material could reasonably be expected to interfere with a criminal investigation or prosecution that is ongoing as of the date on which the Special Counsel submits a request for the material; or

“(bb) the material—

“(AA) may not be disclosed pursuant to a court order; or

“(BB) has been filed under seal under section 3730 of title 31; and

“(II) the Attorney General or the Inspector General, as applicable, submits to the Spe-

cial Counsel a written report that describes—

“(aa) the material being withheld; and

“(bb) the reason that the material is being withheld.

On page 33, after line 8, add the following:

SEC. 14. TECHNICAL AMENDMENT.

Section 1214(b)(1)(B)(ii) of title 5, United States Code, as amended by section 1 of the Act entitled “An Act to amend section 1214 of title 5, United States Code, to provide for stays during a period that the Merit Systems Protection Board lacks a quorum.” (S. 1083, 115th Congress, 1st Session), is amended by striking “who was appointed, by and with the advice and consent of the Senate,”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BARRASSO. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled “Nomination Hearing” on Tuesday, August 1, 2017, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, August 1, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “America's Affordable Housing Crisis: Challenges and Solutions.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, August 1, 2017 at 11 a.m., to hold a hearing entitled “Nominations.”

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, August 1, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold Subcommittee Hearing on “Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act: NOAA and Council Perspectives.”

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

The Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on August 1, 2017, at 10 a.m. in room 406 of the Dirksen Senate office

building, to conduct a hearing entitled, "Oversight of the U.S. Environmental Protection Agency's Superfund Program."

ORDER OF BUSINESS

Mr. PORTMAN. Mr. President, we have some work to do this evening.

POWER AND SECURITY SYSTEMS (PASS) ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 95, S. 190.

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

The legislative clerk read as follows:

A bill (S. 190) to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 190) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 190

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Power And Security Systems (PASS) Act".

SEC. 2. EXTENSION OF NONAPPLICATION OF NO-LOAD MODE ENERGY EFFICIENCY STANDARD TO CERTAIN SECURITY OR LIFE SAFETY ALARM OR SURVEILLANCE SYSTEMS.

(a) Section 325(u)(3)(D)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)(3)(D)(ii)) is amended—

(1) by striking "2015" each place it appears and inserting "2021"; and

(2) by striking "2017" and inserting "2023".

(b) Section 325(u)(3)(E) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)(3)(E)) is amended—

(1) in clause (ii), by striking "July 1, 2017," and inserting "the effective date of the amendment under subparagraph (D)(ii)"; and

(2) by adding at the end the following:

"(iv) TREATMENT IN RULE.—In the rule under subparagraph (D)(ii) and subsequent amendments the Secretary may treat some or all external power supplies designed to be connected to a security or life safety alarm or surveillance system as a separate product class or may extend the nonapplication under clause (ii)."

ELDER ABUSE PREVENTION AND PROSECUTION ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 23, S. 178.

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

The legislative clerk read as follows:

A bill (S. 178) to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

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

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Grassley amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 742) was agreed to, as follows:

(Purpose: To improve the bill)

On page 12, line 3, strike "individual" and insert "individually".

Beginning on page 23, strike line 15 and all that follows through page 24, line 15 and insert the following:

(1) Federal Government efforts to monitor—

(A) the exploitation of older adults of the United States in global drug trafficking schemes and other international criminal enterprises;

(B) the extent to which exploitation of older adults of the United States by international criminal enterprises has resulted in the incarceration of these citizens of the United States in foreign countries; and

(C) the total annual number of elder abuse cases pending in the United States; and

(2) the results of intervention by the United States with foreign officials on behalf of citizens of the United States who are elder abuse victims in international criminal enterprises.

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

Mr. PORTMAN. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 178), as amended, was passed, as follows:

S. 178

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Elder Abuse Prevention and Prosecution Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—SUPPORTING FEDERAL CASES INVOLVING ELDER JUSTICE

Sec. 101. Supporting Federal cases involving elder justice.

TITLE II—IMPROVED DATA COLLECTION AND FEDERAL COORDINATION

Sec. 201. Establishment of best practices for local, State, and Federal data collection.

Sec. 202. Effective interagency coordination and Federal data collection.

TITLE III—ENHANCED VICTIM ASSISTANCE TO ELDER ABUSE SURVIVORS

Sec. 301. Sense of the Senate.

Sec. 302. Report.

TITLE IV—ROBERT MATAVA ELDER ABUSE PROSECUTION ACT OF 2017

Sec. 401. Short title.

Sec. 402. Enhanced penalty for telemarketing and email marketing fraud directed at elders.

Sec. 403. Training and technical assistance for States.

Sec. 404. Interstate initiatives.

TITLE V—MISCELLANEOUS

Sec. 501. Court-appointed guardianship oversight activities under the Elder Justice Act of 2009.

Sec. 502. GAO reports.

Sec. 503. Outreach to State and local law enforcement agencies.

Sec. 504. Model power of attorney legislation.

Sec. 505. Best practices and model legislation for guardianship proceedings.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms "abuse", "adult protective services", "elder", "elder justice", "exploitation", "law enforcement", and "neglect" have the meanings given those terms in section 2011 of the Social Security Act (42 U.S.C. 1397j);

(2) the term "elder abuse" includes abuse, neglect, and exploitation of an elder; and

(3) the term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

TITLE I—SUPPORTING FEDERAL CASES INVOLVING ELDER JUSTICE

SEC. 101. SUPPORTING FEDERAL CASES INVOLVING ELDER JUSTICE.

(a) SUPPORT AND ASSISTANCE.—

(1) ELDER JUSTICE COORDINATORS.—The Attorney General shall designate in each Federal judicial district not less than one Assistant United States Attorney to serve as the Elder Justice Coordinator for the district, who, in addition to any other responsibilities, shall be responsible for—

(A) serving as the legal counsel for the Federal judicial district on matters relating to elder abuse;

(B) prosecuting, or assisting in the prosecution of, elder abuse cases;

(C) conducting public outreach and awareness activities relating to elder abuse; and

(D) ensuring the collection of data required to be collected under section 202.

(2) INVESTIGATIVE SUPPORT.—The Attorney General, in consultation with the Director of the Federal Bureau of Investigation, shall, with respect to crimes relating to elder abuse, ensure the implementation of a regular and comprehensive training program to train agents of the Federal Bureau of Investigation in the investigation and prosecution of such crimes and the enforcement of laws related to elder abuse, which shall include—

(A) specialized strategies for communicating with and assisting elder abuse victims; and

(B) relevant forensic training relating to elder abuse.

(3) RESOURCE GROUP.—The Attorney General, through the Executive Office for United States Attorneys, shall ensure the operation of a resource group to facilitate the sharing of knowledge, experience, sample pleadings

and other case documents, training materials, and any other resources to assist prosecutors throughout the United States in pursuing cases relating to elder abuse.

(4) **DESIGNATED ELDER JUSTICE WORKING GROUP OR SUBCOMMITTEE TO THE ATTORNEY GENERAL'S ADVISORY COMMITTEE OF UNITED STATES ATTORNEYS.**—Not later than 60 days after the date of enactment of this Act, the Attorney General, in consultation with the Director of the Executive Office for United States Attorneys, shall establish a subcommittee or working group to the Attorney General's Advisory Committee of United States Attorneys, as established under section 0.10 of title 28, Code of Federal Regulations, or any successor thereto, for the purposes of advising the Attorney General on policies of the Department of Justice relating to elder abuse.

(b) **DEPARTMENT OF JUSTICE ELDER JUSTICE COORDINATOR.**—Not later than 60 days after the date of enactment of this Act, the Attorney General shall designate an Elder Justice Coordinator within the Department of Justice who, in addition to any other responsibilities, shall be responsible for—

(1) coordinating and supporting the law enforcement efforts and policy activities for the Department of Justice on elder justice issues;

(2) evaluating training models to determine best practices and creating or compiling and making publicly available replication guides and training materials for law enforcement officers, prosecutors, judges, emergency responders, individuals working in victim services, adult protective services, social services, and public safety, medical personnel, mental health personnel, financial services personnel, and any other individuals whose work may bring them in contact with elder abuse regarding how to—

(A) conduct investigations in elder abuse cases;

(B) address evidentiary issues and other legal issues; and

(C) appropriately assess, respond to, and interact with victims and witnesses in elder abuse cases, including in administrative, civil, and criminal judicial proceedings; and

(3) carrying out such other duties as the Attorney General determines necessary in connection with enhancing the understanding, prevention, and detection of, and response to, elder abuse.

(c) **FEDERAL TRADE COMMISSION.**—

(1) **FEDERAL TRADE COMMISSION ELDER JUSTICE COORDINATOR.**—Not later than 60 days after the date of enactment of this Act, the Chairman of the Federal Trade Commission shall designate within the Bureau of Consumer Protection of the Federal Trade Commission an Elder Justice Coordinator who, in addition to any other responsibilities, shall be responsible for—

(A) coordinating and supporting the enforcement and consumer education efforts and policy activities of the Federal Trade Commission on elder justice issues; and

(B) serving as, or ensuring the availability of, a central point of contact for individuals, units of local government, States, and other Federal agencies on matters relating to the enforcement and consumer education efforts and policy activities of the Federal Trade Commission on elder justice issues.

(2) **REPORTS TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, and once every year thereafter, the Chairman of the Federal Trade Commission and the Attorney General shall each submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of

the House of Representatives a report detailing the enforcement actions taken by the Federal Trade Commission and the Department of Justice, respectively, over the preceding year in each case in which not less than one victim was an elder or that involved a financial scheme or scam that was either targeted directly toward or largely affected elders, including—

(A) the name of the district where the case originated;

(B) the style of the case, including the case name and number;

(C) a description of the scheme or scam; and

(D) the outcome of the case.

(d) **USE OF APPROPRIATED FUNDS.**—No additional funds are authorized to be appropriated to carry out this section.

TITLE II—IMPROVED DATA COLLECTION AND FEDERAL COORDINATION

SEC. 201. ESTABLISHMENT OF BEST PRACTICES FOR LOCAL, STATE, AND FEDERAL DATA COLLECTION.

(a) **IN GENERAL.**—The Attorney General, in consultation with Federal, State, and local law enforcement agencies, shall—

(1) establish best practices for data collection to focus on elder abuse; and

(2) provide technical assistance to State, local, and tribal governments in adopting the best practices established under paragraph (1).

(b) **DEADLINE.**—Not later than 1 year after the date of enactment of this Act, the Attorney General shall publish the best practices established under subsection (a)(1) on the website of the Department of Justice in a publicly accessible manner.

(c) **LIMITATION.**—Nothing in this section shall be construed to require or obligate compliance with the best practices established under subsection (a)(1).

SEC. 202. EFFECTIVE INTERAGENCY COORDINATION AND FEDERAL DATA COLLECTION.

(a) **IN GENERAL.**—The Attorney General, in consultation with the Secretary of Health and Human Services shall, on an annual basis—

(1) collect from Federal law enforcement agencies, other agencies as appropriate, and Federal prosecutors' offices statistical data related to elder abuse cases, including cases or investigations where one or more victims were elders, or the case or investigation involved a financial scheme or scam that was either targeted directly toward or largely affected elders; and

(2) publish on the website of the Department of Justice in a publicly accessible manner—

(A) a summary of the data collected under paragraph (1); and

(B) recommendations for collecting additional data relating to elder abuse, including recommendations for ways to improve data reporting across Federal, State, and local agencies.

(b) **REQUIREMENT.**—The data collected under subsection (a)(1) shall include—

(1) the total number of investigations initiated by Federal law enforcement agencies, other agencies as appropriate, and Federal prosecutors' offices related to elder abuse;

(2) the total number and types of elder abuse cases filed in Federal courts; and

(3) for each case described in paragraph (2)—

(A) the name of the district where the case originated;

(B) the style of the case, including the case name and number;

(C) a description of the act or acts giving rise to the elder abuse;

(D) in the case of a scheme or scam, a description of such scheme or scam giving rise to the elder abuse;

(E) information about each alleged perpetrator of the elder abuse; and

(F) the outcome of the case.

(c) **HHS REQUIREMENT.**—The Secretary of Health and Human Services shall, on an annual basis, provide to the Attorney General statistical data collected by the Secretary relating to elder abuse cases investigated by adult protective services, which shall be included in the summary published under subsection (a)(2).

(d) **PROHIBITION ON INDIVIDUAL DATA.**—None of the information reported under this section shall include specific individually identifiable data.

TITLE III—ENHANCED VICTIM ASSISTANCE TO ELDER ABUSE SURVIVORS

SEC. 301. SENSE OF THE SENATE.

(a) **FINDINGS.**—The Senate finds the following:

(1) The vast majority of cases of abuse, neglect, and exploitation of older adults in the United States go unidentified and unreported.

(2) Not less than \$2,900,000,000 is taken from older adults each year due to financial abuse and exploitation.

(3) Elder abuse, neglect, and exploitation have no boundaries and cross all racial, social, class, gender, and geographic lines.

(4) Older adults who are abused are 3 times more likely to die earlier than older adults of the same age who are not abused.

(5) Up to half of all older adults with dementia will experience abuse.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) elder abuse involves the exploitation of potentially vulnerable individuals with devastating physical, mental, emotional, and financial consequences to the victims and their loved ones;

(2) to combat this affront to America's older adults, we must do everything possible to both support victims of elder abuse and prevent the abuse from occurring in the first place; and

(3) the Senate supports a multipronged approach to prevent elder abuse and exploitation, protect the victims of elder abuse and exploitation from further harm, and bring the perpetrators of such crimes to justice.

SEC. 302. REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date on which the collection of statistical data under section 202(a)(1) begins and once each year thereafter, the Director of the Office for Victims of Crime shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that addresses, to the extent data are available, the nature, extent, and amount of funding under the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) for victims of crime who are elders.

(b) **CONTENTS.**—The report required under subsection (a) shall include—

(1) an analysis of victims' assistance, victims' compensation, and discretionary grants under which elder abuse victims (including elder victims of financial abuse, financial exploitation, and fraud) received assistance; and

(2) recommendations for improving services for victims of elder abuse.

TITLE IV—ROBERT MATAVA ELDER ABUSE PROSECUTION ACT OF 2017

SEC. 401. SHORT TITLE.

This title may be cited as the “Robert Matava Elder Abuse Prosecution Act of 2017”.

SEC. 402. ENHANCED PENALTY FOR TELE- MARKETING AND EMAIL MARKETING FRAUD DIRECTED AT ELDERS.

(a) IN GENERAL.—Chapter 113A of title 18, United States Code, is amended—

(1) in the chapter heading, by inserting “**AND EMAIL MARKETING**” after “**TELE-MARKETING**”;

(2) by striking section 2325 and inserting the following:

“§ 2325. Definition

“In this chapter, the term ‘telemarketing or email marketing’—

“(1) means a plan, program, promotion, or campaign that is conducted to induce—

“(A) purchases of goods or services;

“(B) participation in a contest or sweepstakes;

“(C) a charitable contribution, donation, or gift of money or any other thing of value;

“(D) investment for financial profit;

“(E) participation in a business opportunity;

“(F) commitment to a loan; or

“(G) participation in a fraudulent medical study, research study, or pilot study,

by use of one or more interstate telephone calls, emails, text messages, or electronic instant messages initiated either by a person who is conducting the plan, program, promotion, or campaign or by a prospective purchaser or contest or sweepstakes participant or charitable contributor, donor, or investor; and

“(2) does not include the solicitation through the posting, publication, or mailing of a catalog or brochure that—

“(A) contains a written description or illustration of the goods, services, or other opportunities being offered;

“(B) includes the business address of the solicitor;

“(C) includes multiple pages of written material or illustration; and

“(D) has been issued not less frequently than once a year,

if the person making the solicitation does not solicit customers by telephone, email, text message, or electronic instant message, but only receives interstate telephone calls, emails, text messages, or electronic instant messages initiated by customers in response to the written materials, whether in hard copy or digital format, and in response to those interstate telephone calls, emails, text messages, or electronic instant messages does not conduct further solicitation.”;

(3) in section 2326, in the matter preceding paragraph (1)—

(A) by striking “or 1344” and inserting “1344, or 1347 or section 1128B of the Social Security Act (42 U.S.C. 1320a-7b)”;

(B) by inserting “or email marketing” after “telemarketing”; and

(4) by adding at the end the following:

“§ 2328. Mandatory forfeiture

“(a) IN GENERAL.—The court, in imposing sentence on a person who is convicted of any offense for which an enhanced penalty is provided under section 2326, shall order that the defendant forfeit to the United States—

“(1) any property, real or personal, constituting or traceable to gross proceeds obtained from such offense; and

“(2) any equipment, software, or other technology used or intended to be used to

commit or to facilitate the commission of such offense.

“(b) PROCEDURES.—The procedures set forth in section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) of that section, and in Rule 32.2 of the Federal Rules of Criminal Procedure, shall apply to all stages of a criminal forfeiture proceeding under this section.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of chapters at the beginning of part I of title 18, United States Code, is amended by striking the item relating to chapter 113A and inserting the following:

“113A. Telemarketing and email marketing fraud 2325”.

(2) The table of sections for chapter 113A of title 18, United States Code, is amended by inserting after the item relating to section 2327 the following:

“2328. Mandatory forfeiture.”.

SEC. 403. TRAINING AND TECHNICAL ASSISTANCE FOR STATES.

The Attorney General, in consultation with the Secretary of Health and Human Services and in coordination with the Elder Justice Coordinating Council (established under section 2021 of the Social Security Act (42 U.S.C. 1397k)), shall create, compile, evaluate, and disseminate materials and information, and provide the necessary training and technical assistance, to assist States and units of local government in—

(1) investigating, prosecuting, pursuing, preventing, understanding, and mitigating the impact of—

(A) physical, sexual, and psychological abuse of elders;

(B) exploitation of elders, including financial abuse and scams targeting elders; and

(C) neglect of elders; and

(2) assessing, addressing, and mitigating the physical and psychological trauma to victims of elder abuse.

SEC. 404. INTERSTATE INITIATIVES.

(a) INTERSTATE AGREEMENTS AND COMPACTS.—The consent of Congress is given to any two or more States (acting through State agencies with jurisdiction over adult protective services) to enter into agreements or compacts for cooperative effort and mutual assistance—

(1) in promoting the safety and well-being of elders; and

(2) in enforcing their respective laws and policies to promote such safety and well-being.

(b) RECOMMENDATIONS ON INTERSTATE COMMUNICATION.—The Executive Director of the State Justice Institute, in consultation with State or local adult protective services, aging, social, and human services and law enforcement agencies, nationally recognized nonprofit associations with expertise in data sharing among criminal justice agencies and familiarity with the issues raised in elder abuse cases, and the Secretary of Health and Human Services, shall submit to Congress legislative proposals relating to the facilitation of interstate agreements and compacts.

TITLE V—MISCELLANEOUS

SEC. 501. COURT-APPOINTED GUARDIANSHIP OVERSIGHT ACTIVITIES UNDER THE ELDER JUSTICE ACT OF 2009.

Section 2042(c) of the Social Security Act (42 U.S.C. 1397m-1(c)) is amended—

(1) in paragraph (1), by inserting “(and, in the case of demonstration programs described in paragraph (2)(E), to the highest courts of States)” after “States”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “(and the highest courts of

States, in the case of demonstration programs described in subparagraph (E))” after “local units of government”;

(B) in subparagraph (D), by striking “or” after the semicolon;

(C) by redesignating subparagraph (E) as subparagraph (F); and

(D) by inserting after subparagraph (D), the following new subparagraph:

“(E) subject to paragraph (3), programs to assess the fairness, effectiveness, timeliness, safety, integrity, and accessibility of adult guardianship and conservatorship proceedings, including the appointment and the monitoring of the performance of court-appointed guardians and conservators, and to implement changes deemed necessary as a result of the assessments such as mandating background checks for all potential guardians and conservators, and implementing systems to enable the annual accountings and other required conservatorship and guardianship filings to be completed, filed, and reviewed electronically in order to simplify the filing process for conservators and guardians and better enable courts to identify discrepancies and detect fraud and the exploitation of protected persons; or”;

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(4) by inserting after paragraph (2), the following new paragraph:

“(3) REQUIREMENTS FOR COURT-APPOINTED GUARDIANSHIP OVERSIGHT DEMONSTRATION PROGRAMS.—

“(A) AWARD OF GRANTS.—In awarding grants to the highest courts of States for demonstration programs described in paragraph (2)(E), the Secretary shall consider the recommendations of the Attorney General and the State Justice Institute, as established by section 203 of the State Justice Institute Act of 1984 (42 U.S.C. 10702).

“(B) COLLABORATION.—The highest court of a State awarded a grant to conduct a demonstration program described in paragraph (2)(E) shall collaborate with the State Unit on Aging for the State and the Adult Protective Services agency for the State in conducting the demonstration program.”;

(5) in paragraph (4) (as redesignated by paragraph (3) of this section), by inserting “(and, in the case of demonstration programs described in paragraph (2)(E), the highest court of a State)” after “a State”;

(6) in paragraph (5) (as so redesignated), by inserting “(or, in the case of demonstration programs described in paragraph (2)(E), the highest court of a State)” after “State” each place it appears.

SEC. 502. GAO REPORTS.

(a) ELDER JUSTICE RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall review existing Federal programs and initiatives in the Federal criminal justice system relevant to elder justice and shall submit to Congress—

(1) a report on such programs and initiatives; and

(2) any recommendations the Comptroller General determines are appropriate to improve elder justice in the United States.

(b) REPORT ON ELDER ABUSE AND INTERNATIONAL CRIMINAL ENTERPRISES.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) Federal Government efforts to monitor—

(A) the exploitation of older adults of the United States in global drug trafficking

schemes and other international criminal enterprises;

(B) the extent to which exploitation of older adults of the United States by international criminal enterprises has resulted in the incarceration of these citizens of the United States in foreign countries; and

(C) the total annual number of elder abuse cases pending in the United States; and

(2) the results of intervention by the United States with foreign officials on behalf of citizens of the United States who are elder abuse victims in international criminal enterprises.

SEC. 503. OUTREACH TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

The Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on efforts by the Department of Justice to conduct outreach to State and local law enforcement agencies on the process for collaborating with the Federal Government for the purpose of investigating and prosecuting interstate and international elder financial exploitation cases.

SEC. 504. MODEL POWER OF ATTORNEY LEGISLATION.

The Attorney General shall publish model power of attorney legislation for the purpose of preventing elder abuse.

SEC. 505. BEST PRACTICES AND MODEL LEGISLATION FOR GUARDIANSHIP PROCEEDINGS.

The Attorney General shall publish best practices for improving guardianship proceedings and model legislation relating to guardianship proceedings for the purpose of preventing elder abuse.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 116, H.R. 601.

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

The legislative clerk read as follows:

A bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Reinforcing Education Accountability in Development Act” or the “READ Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Assistance to promote sustainable, quality basic education.

Sec. 4. Comprehensive integrated United States strategy to promote basic education.

Sec. 5. Improving coordination and oversight.

Sec. 6. Monitoring and evaluation of programs.

Sec. 7. Transparency and reporting to Congress.

SEC. 2. DEFINITIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this Act, the term “appropriate congressional committees” means—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Foreign Relations of the Senate;

(3) the Committee on Appropriations of the House of Representatives; and

(4) the Committee on Foreign Affairs of the House of Representatives.

(b) OTHER DEFINITIONS.—In this Act, the terms “basic education”, “marginalized children and vulnerable groups”, “national education plan”, “partner country”, and “relevant Executive branch agencies and officials” have the meanings given such terms in section 105(c) of the Foreign Assistance Act of 1961, as added by section 3.

SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.

Section 105 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c) is amended by adding at the end the following:

“(C) ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.—

“(1) DEFINITIONS.—In this subsection:

“(A) BASIC EDUCATION.—The term ‘basic education’ includes—

“(i) measurable improvements in literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

“(ii) workforce development, vocational training, and digital literacy informed by real market needs and opportunities and that results in measurable improvements in employment;

“(iii) programs and activities designed to demonstrably improve—

“(I) early childhood, preprimary education, primary education, and secondary education, which can be delivered in formal or non-formal education settings; and

“(II) learning for out-of-school youth and adults; and

“(iv) capacity building for teachers, administrators, counselors, and youth workers that results in measurable improvements in student literacy, numeracy, or employment.

“(B) COMMUNITIES OF LEARNING.—The term ‘communities of learning’ means a holistic approach to education and community engagement in which schools act as the primary resource center for delivery of a service to the community at large, leveraging and maximizing the impact of other development efforts and reducing duplication and waste.

“(C) GENDER PARITY IN BASIC EDUCATION.—The term ‘gender parity in basic education’ means that girls and boys have equal access to quality basic education.

“(D) MARGINALIZED CHILDREN AND VULNERABLE GROUPS.—The term ‘marginalized children and vulnerable groups’ includes girls, children affected by or emerging from armed conflict or humanitarian crises, children with disabilities, children in remote or rural areas (including those who lack access to safe water and sanitation), religious or ethnic minorities, indigenous peoples, orphans and children affected by HIV/AIDS, child laborers, married adolescents, and victims of trafficking.

“(E) NATIONAL EDUCATION PLAN.—The term ‘national education plan’ means a comprehensive national education plan developed by partner country governments in consultation with other stakeholders as a means for wide-scale improvement of the country’s education system, including explicit, credible strategies informed by effective practices and standards to achieve quality universal basic education.

“(F) NONFORMAL EDUCATION.—The term ‘nonformal education’ means organized educational activities outside the established formal system, whether operating separately or as an important feature of a broader activity, that are intended to provide students with measurable improvements in literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce.

“(G) PARTNER COUNTRY.—The term ‘partner country’ means a developing country that participates in or benefits from basic education programs under this subsection pursuant to the prioritization criteria described in paragraph (4), including level of need, opportunity for impact, and the availability of resources.

“(H) RELEVANT EXECUTIVE BRANCH AGENCIES AND OFFICIALS.—The term ‘relevant Executive branch agencies and officials’ means the Department of State, the United States Agency for International Development, the Department of the Treasury, the Department of Labor, the Department of Education, the Department of Agriculture, and the Department of Defense, the Chief Executive Officer of the Millennium Challenge Corporation, the National Security Advisor, and the Director of the Peace Corps.

“(I) SUSTAINABILITY.—The term ‘sustainability’ means, with respect to any basic education program that receives funding pursuant to this section, the ability of a service delivery system, community, partner, or beneficiary to maintain, over time, such basic education program without the use of foreign assistance.

“(2) POLICY.—In carrying out this section, it shall be the policy of the United States to work with partner countries, as appropriate, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents, to promote sustainable, quality basic education through programs and activities that—

“(A) take into consideration and help respond to the needs, capacities, and commitment of developing countries to achieve measurable improvements in literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

“(B) strengthen educational systems, promote communities of learning, as appropriate, expand access to safe learning environments, including by breaking down specific barriers to basic education for women

and girls, ensure continuity of education, including in conflict settings, measurably improve teacher skills and learning outcomes, and support the engagement of parents in the education of their children to help partner countries ensure that all children, including marginalized children and other vulnerable groups, have access to and benefit from quality basic education;

“(C) promote education as a foundation for sustained economic growth and development within a comprehensive assistance strategy that places partner countries on a trajectory toward graduation from assistance provided under this section with clearly defined benchmarks of success that are used as requirements for related procurement vehicles, such as grants, contracts, and cooperative agreements; and

“(D) monitor and evaluate the effectiveness and quality of basic education programs in partner countries.

“(3) PRINCIPLES.—In carrying out the policy referred to in paragraph (2), the United States shall be guided by the following principles of aid effectiveness:

“(A) ALIGNMENT.—Assistance provided under this section to support programs and activities under this subsection shall be aligned with and advance United States foreign policy and economic interests.

“(B) COUNTRY OWNERSHIP.—To the greatest extent practicable, assistance provided under this section to support programs and activities under this subsection should be aligned with and support the national education plans and country development strategies of partner countries, including activities that are appropriate for and meet the needs of local and indigenous cultures.

“(C) COORDINATION.—

“(i) IN GENERAL.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and leverage the unique capabilities and resources of local and national governments in partner countries, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents.

“(ii) MULTILATERAL PROGRAMS AND INITIATIVES.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and support proven multilateral education programs and financing mechanisms, which may include the Global Partnership for Education, that demonstrate commitment to efficiency, effectiveness, transparency, and accountability.

“(D) EFFICIENCY.—The President shall seek to improve the efficiency and effectiveness of assistance provided under this section to support programs and activities under this subsection by coordinating the related efforts of relevant Executive branch agencies and officials.

“(E) EFFECTIVENESS.—Programs and activities supported under this subsection—

“(i) shall be consistent with the policies and principles set forth in this subsection;

“(ii) shall be designed to achieve specific, measurable goals and objectives that are directly related to the provision of basic education (as defined in this section); and

“(iii) shall include appropriate targets, metrics, and indicators that—

“(I) move a country along the path to graduation from assistance provided under this subsection; and

“(II) can be applied with reasonable consistency across such programs and activities to measure progress and outcomes.

“(F) TRANSPARENCY AND ACCOUNTABILITY.—Programs and activities supported under this subsection shall be subject to rigorous monitoring and evaluation, which may include impact evaluations, the results of which shall be made publically available in a fully searchable, electronic format.

“(4) PRIORITY AND OTHER REQUIREMENTS.—The President shall ensure that assistance provided under this section to support programs and activities under this subsection is aligned with the foreign policy and economic interests of the United States and, subject to such alignment, priority is given to developing countries in which—

“(A) there is the greatest need and opportunity to expand access to basic education and to improve learning outcomes, including for marginalized and vulnerable groups, particularly women and girls to ensure gender parity in basic education, or populations affected by conflict or crisis; and

“(B) such assistance can produce a substantial, measurable impact on children and educational systems.”.

SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES STRATEGY TO PROMOTE BASIC EDUCATION.

(a) STRATEGY REQUIRED.—[Not later than October 1, 2017, the President shall submit to the appropriate congressional committees a comprehensive United States strategy to be carried out during fiscal years 2018 through 2022 to promote quality basic education in partner countries by—] *Not later than one year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a comprehensive United States strategy to be carried out during the following five fiscal years to promote quality basic education in partner countries by—*

(1) seeking to equitably expand access to basic education for all children, particularly marginalized children and vulnerable groups; and

(2) measurably improving the quality of basic education and learning outcomes.

(b) REQUIREMENT TO CONSULT.—In developing the strategy required under subsection (a), the President shall consult with—

(1) the appropriate congressional committees;

(2) relevant Executive branch agencies and officials;

(3) partner country governments; and

(4) local and international nongovernmental organizations, including faith-based organizations and organizations representing students, teachers, and parents, and other development partners engaged in basic education assistance programs in developing countries.

(c) PUBLIC COMMENT.—The President shall provide an opportunity for public comment on the strategy required under subsection (a).

(d) ELEMENTS.—The strategy required under subsection (a)—

(1) shall be developed and implemented consistent with the principles set forth in section 105(c) of the Foreign Assistance Act of 1961, as added by section 3; and

(2) shall seek—

(A) to prioritize assistance provided under this subsection to countries that are partners of the United States and whose populations are most in need of improved basic education, as determined by indicators such as literacy and numeracy rates;

(B) to build the capacity of relevant actors in partner countries, including in government and in civil society, to develop and implement national education plans that measurably improve basic education;

(C) to identify and replicate successful interventions that improve access to and quality of basic education in conflict settings and in partner countries;

(D) to project general levels of resources needed to achieve stated program objectives;

(E) to develop means to track implementation in partner countries and ensure that such countries are expending appropriate domestic resources and instituting any relevant legal, regulatory, or institutional reforms needed to achieve stated program objectives;

(F) to leverage United States capabilities, including through technical assistance, training, and research; and

(G) to improve coordination and reduce duplication among relevant Executive branch agencies and officials, other donors, multilateral institutions, nongovernmental organizations, and governments in partner countries.

SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.

(a) SENIOR COORDINATOR OF UNITED STATES INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There is established within the United States Agency for International Development a Senior Coordinator of United States International Basic Education Assistance (referred to in this section as the “Senior Coordinator”). The Senior Coordinator shall be appointed by the President, shall be a current USAID employee serving in a career or noncareer position in the Senior Executive Service or at the level of a Deputy Assistant Administrator or higher, and shall serve concurrently as the Senior Coordinator.

(b) DUTIES.—

(1) IN GENERAL.—The Senior Coordinator shall have primary responsibility for the oversight and coordination of all resources and activities of the United States Government relating to the promotion of international basic education programs and activities.

(2) SPECIFIC DUTIES.—The Senior Coordinator shall—

(A) facilitate program and policy coordination of international basic education programs and activities among relevant Executive branch agencies and officials, partner governments, multilateral institutions, the private sector, and nongovernmental and civil society organizations;

(B) develop and revise the strategy required under section 4;

(C) monitor, evaluate, and report on activities undertaken pursuant to the strategy required under section 4; and

(D) establish due diligence criteria for all recipients of funds provided by the United States to carry out activities under this Act and the amendments made by this Act.

(c) OFFSET.—In order to eliminate duplication of effort and activities and to offset any costs incurred by the United States Agency for International Development in appointing the Senior Coordinator under subsection (a), the President shall, after consulting with appropriate congressional committees, eliminate a position within the United States Agency for International Development (unless otherwise authorized or required by law) that the President determines to be necessary to fully offset such costs and eliminate duplication.

SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.

The President shall seek to ensure that programs carried out under the strategy required under section 4 shall—

(1) apply rigorous monitoring and evaluation methodologies to determine if programs

and activities provided under this subsection accomplish measurable improvements in literacy, numeracy, or other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

(2) include methodological guidance in the implementation plan and support systemic data collection using internationally comparable indicators, norms, and methodologies, to the extent practicable and appropriate;

(3) disaggregate all data collected and reported by age, gender, marital status, disability, and location, to the extent practicable and appropriate;

(4) include funding for both short- and long-term monitoring and evaluation to enable assessment of the sustainability and scalability of assistance programs; and

(5) support the increased use and public availability of education data for improved decision making, program effectiveness, and monitoring of global progress.

SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.

(a) ANNUAL REPORT ON THE IMPLEMENTATION OF STRATEGY.—[Not later than each March 31 immediately following a fiscal year during which the strategy developed pursuant to section 4(a) was carried out, the President shall—] *Not later than 180 days after the end of each fiscal year during which the strategy developed pursuant to section 4(a) is carried out, the President shall—*

(1) submit a report to the appropriate congressional committees that describes the implementation of such strategy; and

(2) make the report described in paragraph (1) available to the public.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include—

(1) a description of the efforts made by relevant Executive branch agencies and officials to implement the strategy developed pursuant to section 4, with a particular focus on the activities carried out under the strategy;

(2) a description of the extent to which each partner country selected to receive assistance for basic education meets the priority criteria specified in section 105(c) of the Foreign Assistance Act, as added by section 3; and

(3) a description of the progress achieved over the reporting period toward meeting the goals, objectives, benchmarks, and timeframes specified in the strategy developed pursuant to section 4 at the program level, as developed pursuant to monitoring and evaluation specified in section 6, with particular emphasis on whether there are demonstrable student improvements in literacy, numeracy, or other basic skills development that prepare an individual to be an active, productive member of society and the workforce.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the Rubio amendment at the desk be agreed to, and the bill, as amended, be considered read a third time.

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

The committee-reported amendments were agreed to.

The amendment (No. 743) was agreed to, as follows:

(Purpose: To add provisions regarding the promotion of United States values and the reduction of childhood exposure to extremist ideologies)

On page 8, line 20, strike “; and” and insert a semicolon.

On page 8, line 23, strike the period at the end and insert “; and”.

On page 8, between lines 23 and 24, insert the following:

“(E) promote United States values, especially respect for all persons and freedoms of religion, speech, and the press.

On page 12, line 14, strike “; and” and insert a semicolon.

On page 12, strike line 17 and insert “educational systems; and”.

On page 12, between lines 17 and 18, insert the following:

“(C) there is the greatest opportunity to reduce childhood and adolescence exposure to or engagement in violent extremism or extremist ideologies.”.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. PORTMAN. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 601), as amended, was passed.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

Mr. PORTMAN. Mr. President, I ask the Chair to lay before the Senate the message to accompany S. 114.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 114) entitled “An Act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs.”, do pass with amendments.

Mr. PORTMAN. I move to concur in the House amendments, and I know of no further debate.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to concur.

The motion was agreed to.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

NORTHERN MARIANA ISLANDS ECONOMIC EXPANSION ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of H.R. 339 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 339) to amend Public Law 94-241 with respect to the Northern Mariana Islands.

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

Mr. PORTMAN. I ask unanimous consent that the Murkowski-Cantwell amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 744) was agreed to, as follows:

(Purpose: To permit the extension of 350 non-immigrant permits for workers in the Commonwealth of the Northern Mariana Islands)

Beginning on page 2, strike line 19, and all that follows through the end and insert the following:

(B) by striking “‘ending on December 31, 2019.’” and inserting “‘ending on December 31, 2019, except that for fiscal year 2017 an additional 350 permits shall be made available for extension of existing permits, expiring after the date of enactment of the Northern Mariana Islands Economic Expansion Act through September 30, 2017, of which no fewer than 60 shall be reserved for healthcare practitioners and technical operations (as that term is defined by the Department of Labor as Standard Occupational Classification Group 29-0000 or any successor provision), and no fewer than 10 shall be reserved for plant and system operators (as that term is defined by the Department of Labor as Standard Occupational Classification Group 51-8000 or any successor provision).’”.

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

The bill was read the third time.

The bill (H.R. 339), as amended, was passed.

SERGEANT JOSEPH GEORGE KUSICK VA COMMUNITY LIVING CENTER

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2210, which was received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 2210) to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the “Sergeant Joseph George Kusick VA Community Living Center.”.

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

Mr. PORTMAN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2210) was ordered to a third reading, was read the third time, and passed.

VETERANS APPEALS IMPROVEMENT AND MODERNIZATION ACT OF 2017

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 2288 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2288) to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

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

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Isakson substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 745) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

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

The bill was read the third time.

The bill (H.R. 2288), as amended, was passed.

OFFICE OF SPECIAL COUNSEL REAUTHORIZATION ACT OF 2017

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 93, S. 582.

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

The legislative clerk read as follows:

A bill (S. 582) to reauthorize the Office of Special Counsel, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface back-

ets and the parts of the bill intended to be inserted are shown in italics.)

S. 582

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Office of Special Counsel Reauthorization Act of 2017".

SEC. 2. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

"(5)(A) Except as provided in subparagraph (B), the Special Counsel, in carrying out this subchapter, is authorized to—

"(i) have timely access to all records, data, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency that relate to an investigation, review, or inquiry conducted under—

"(I) section 1213, 1214, 1215, or 1216 of this title; or

"(II) section 4324(a) of title 38;

"(ii) request from any agency the information or assistance that may be necessary for the Special Counsel to carry out the duties and responsibilities of the Special Counsel under this subchapter; and

"(iii) require, during an investigation, review, or inquiry of an agency, the agency to provide to the Special Counsel any record or other information that relates to an investigation, review, or inquiry conducted under—

"(I) section 1213, 1214, 1215, or 1216 of this title; or

"(II) section 4324(a) of title 38.

"(B)(i) The authorization of the Special Counsel under subparagraph (A) shall not apply with respect to any entity that is an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), unless the Special Counsel is investigating, or otherwise carrying out activities relating to the enforcement of, an action under subchapter III of chapter 73.

"(ii) The Attorney General or an Inspector General may withhold from the Special Counsel material described in subparagraph (A) if—

"(I) disclosing the material could reasonably be expected to interfere with a criminal investigation or prosecution that is ongoing as of the date on which the Special Counsel submits a request for the material; and

"(II) the Attorney General or the Inspector General, as applicable, submits to the Special Counsel a written report that describes—

"(aa) the material being withheld; and

"(bb) the reason that the material is being withheld.

"(C)(i) A claim of common law privilege by an agency, or an officer or employee of an agency, shall not prevent the Special Counsel from obtaining any material described in subparagraph (A)(i) with respect to the agency.

"(ii) The submission of material described in subparagraph (A)(i) by an agency to the Special Counsel may not be deemed to waive any assertion of privilege by the agency against a non-Federal entity or against an individual in any other proceeding.

"(iii) With respect to any record or other information made available to the Special Counsel by an agency under subparagraph (A), the Special Counsel may only disclose

the record or information for a purpose that is in furtherance of any authority provided to the Special Counsel in this subchapter.

"(6) The Special Counsel shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and each committee of Congress with jurisdiction over the applicable agency a report regarding any case of contumacy or failure to comply with a request submitted by the Special Counsel under paragraph (5)(A)."

SEC. 3. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) AGENCY RESPONSIBILITIES.—Section 2302 of title 5, United States Code, is amended by striking subsection (c) and inserting the following:

"(c)(1) In this subsection—

"(A) the term 'new employee' means an individual—

"(i) appointed to a position as an employee on or after the date of enactment of the Office of Special Counsel Reauthorization Act of 2017; and

"(ii) who has not previously served as an employee; and

"(B) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of subsection (b).

"(2) The head of each agency shall be responsible for—

"(A) preventing prohibited personnel practices;

"(B) complying with and enforcing applicable civil service laws, rules, and regulations, and other aspects of personnel management; and

"(C) ensuring, in consultation with the Special Counsel and the Inspector General of the agency, that employees of the agency are informed of the rights and remedies available to the employees under this chapter and chapter 12, including—

"(i) information with respect to whistleblower protections available to new employees during a probationary period;

"(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with respect to whistleblower protections; and

"(iii) the means by which, with respect to information that is otherwise required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, an employee may make a lawful disclosure of the information to—

"(I) the Special Counsel;

"(II) the Inspector General of an agency;

"(III) Congress; or

"(IV) another employee of the agency who is designated to receive such a disclosure.

"(3) The head of each agency shall ensure that the information described in paragraph (2) is provided to each new employee of the agency not later than 180 days after the date on which the new employee is appointed.

"(4) The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency and on any online portal that is made available only to employees of the agency, if such portal exists.

"(5) Any employee to whom the head of an agency delegates authority for any aspect of personnel management shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (2)."

(b) TRAINING FOR SUPERVISORS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” means any entity the employees of which are covered by paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, without regard to whether any other provision of that title is applicable to the entity; and

(B) the term “whistleblower protections” has the meaning given the term in section 2302(c)(1)(B) of title 5, United States Code, as amended by subsection (a).

(2) TRAINING REQUIRED.—The head of each agency, in consultation with the Special Counsel and the Inspector General of that agency (or, in the case of an agency that does not have an Inspector General, the senior ethics official of that agency), shall provide the training described in paragraph (3).

(3) TRAINING DESCRIBED.—The training described in this paragraph shall—

(A) cover the manner in which the agency shall respond to a complaint alleging a violation of whistleblower protections that are available to employees of the agency; and

(B) be provided—

(i) to each employee of the agency who—

(I) is appointed to a supervisory position in the agency; and

(II) before the appointment described in subclause (I), had not served in a supervisory position in the agency; and

(ii) on an annual basis to all employees of the agency who serve in supervisory positions in the agency.

(c) INFORMATION ON APPEAL RIGHTS.—

(1) IN GENERAL.—Any notice provided to an employee under section 7503(b)(1), section 7513(b)(1), or section 7543(b)(1) of title 5, United States Code, shall include detailed information with respect to—

(A) the right of the employee to appeal an action brought under the applicable section;

(B) the forums in which the employee may file an appeal described in subparagraph (A); and

(C) any limitations on the rights of the employee that would apply because of the forum in which the employee decides to file an appeal.

(2) DEVELOPMENT OF INFORMATION.—The information described in paragraph (1) shall be developed by the Director of the Office of Personnel Management, in consultation with the Special Counsel, the Merit Systems Protection Board, and the Equal Employment Opportunity Commission.

SEC. 4. ADDITIONAL WHISTLEBLOWER PROVISIONS.

(a) PROHIBITED PERSONNEL PRACTICES.—Section 2302 of title 5, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (9)—

(i) in subparagraph (C), by inserting “(or any other component responsible for internal investigation or review)” after “Inspector General”; and

(ii) in subparagraph (D), by inserting “, rule, or regulation” after “law”;

(B) in paragraph (12), by striking “or” at the end;

(C) in paragraph (13), by striking the period at the end and inserting “; or”; and

(D) by inserting after paragraph (13) the following:

“(14) access the medical record of another employee or an applicant for employment as a part of, or otherwise in furtherance of, any conduct described in paragraphs (1) through (13).”; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (E), by striking “or” at the end;

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by inserting after subparagraph (E) the following:

“(F) the disclosure was made before the date on which the individual was appointed or applied for appointment to a position; or”;

and

(B) by striking paragraph (2) and inserting the following:

“(2) If a disclosure is made during the normal course of duties of an employee, the principal job function of whom is to regularly investigate and disclose wrongdoing (in this paragraph referred to as the ‘disclosing employee’), the disclosure shall not be excluded from subsection (b)(8) if the disclosing employee demonstrates that an employee who has the authority to take, direct other individuals to take, recommend, or approve any personnel action with respect to the disclosing employee took, failed to take, or threatened to take or fail to take a personnel action with respect to the disclosing employee in reprisal for the disclosure made by the disclosing employee.”.

(b) EXPLANATIONS FOR FAILURE TO TAKE ACTION.—Section 1213 of title 5, United States Code, is amended—

(1) in subsection (b), by striking “15 days” and inserting “45 days”; and

(2) in subsection (e)—

(A) in paragraph (1), by striking “Any such report” and inserting “Any report required under subsection (c) or paragraph (5) of this subsection”;

(B) by striking paragraph (2) and inserting the following:

“(2) Upon receipt of any report that the head of an agency is required to submit under subsection (c), the Special Counsel shall review the report and determine whether—

“(A) the findings of the head of the agency appear reasonable; and

“(B) if the Special Counsel requires the head of the agency to submit a supplemental report under paragraph (5), the reports submitted by the head of the agency collectively contain the information required under subsection (d).”;

(C) in paragraph (3), by striking “agency report received pursuant to subsection (c) of this section” and inserting “report submitted to the Special Counsel by the head of an agency under subsection (c) or paragraph (5) of this subsection”; and

(D) by adding at the end the following:

“(5) If, after conducting a review of a report under paragraph (2), the Special Counsel concludes that the Special Counsel requires additional information or documentation to determine whether the report submitted by the head of an agency is reasonable and sufficient, the Special Counsel may request that the head of the agency submit a supplemental report—

“(A) containing the additional information or documentation identified by the Special Counsel; and

“(B) that the head of the agency shall submit to the Special Counsel within a period of time specified by the Special Counsel.”.

(c) TRANSFER REQUESTS DURING STAYS.—

(1) PRIORITY GRANTED.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Board grants a stay under subparagraph (A), the head of the agency employing the employee who is the subject of the action shall give priority to a request for a transfer submitted by the employee.”.

(2) PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(k) If the Board grants a stay under subsection (c) and the employee who is the subject of the action is in probationary status, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(d) RETALIATORY INVESTIGATIONS.—Section 1214 of title 5, United States Code, is amended by adding at the end the following:

“(i) The Special Counsel may petition the Board to order corrective action, including fees, costs, or damages reasonably incurred by an employee due to an investigation of the employee by an agency, if the investigation by an agency was commenced, expanded, or extended in retaliation for a disclosure or protected activity described in section 2302(b)(8) or subparagraph (A)(i), (B), (C), or (D) of section 2302(b)(9), [even if no] without regard to whether a personnel action, as defined in section 2302(a)(2)(A), is taken [or not taken.]”.

SEC. 5. SUICIDE BY EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term “agency” means any entity the employees of which are covered by paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, without regard to whether any other provision of that title is applicable to the entity; and

(2) the term “personnel action” has the meaning given the term in section 2302(a)(2)(A) of title 5, United States Code.

(b) REFERRAL.—

(1) IN GENERAL.—The head of an agency shall refer to the Special Counsel, along with any information known to the agency regarding the circumstances described in paragraph (2), any instance in which the head of the agency has information indicating that an employee of the agency committed suicide.

(2) INFORMATION.—The circumstances described in this paragraph are as follows:

(A) Before the death of an employee described in paragraph (1), the employee made a disclosure of information that reasonably evidences—

(i) a violation of a law, rule, or regulation;

(ii) gross mismanagement;

(iii) a gross waste of funds;

(iv) an abuse of authority; or

(v) a substantial and specific danger to public health or safety.

(B) After a disclosure described in subparagraph (A), a personnel action was taken with respect to the employee who made the disclosure.

(c) OFFICE OF SPECIAL COUNSEL REVIEW.—Upon receiving a referral under subsection (b)(1), the Special Counsel shall—

(1) examine whether a personnel action was taken with respect to an employee because of a disclosure described in subsection (b)(2)(A); and

(2) take any action that the Special Counsel determines is appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. 6. PROTECTION OF WHISTLEBLOWERS AS CRITERIA IN PERFORMANCE APPRAISALS.

(a) ESTABLISHMENT OF SYSTEMS.—Section 4302 of title 5, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b)(1) The head of each agency, in consultation with the Director of the Office of Personnel Management and the Special Counsel, shall develop criteria that—

“(A) the head of the agency shall use as a critical element for establishing the job requirements of a supervisory employee; and

“(B) promote the protection of whistleblowers.

“(2) The criteria required under paragraph (1) shall include—

“(A) principles for the protection of whistleblowers, such as the degree to which supervisory employees—

“(i) respond constructively when employees of the agency make disclosures described in subparagraph (A) or (B) of section 2302(b)(8);

“(ii) take responsible actions to resolve the disclosures described in clause (i); and

“(iii) foster an environment in which employees of the agency feel comfortable making disclosures described in [subparagraph (A)] clause (i) to supervisory employees or other appropriate authorities; and

“(B) for each supervisory employee—

“(i) whether the agency entered into an agreement with an individual who alleged that the supervisory employee committed a prohibited personnel practice; and

“(ii) if the agency entered into an agreement described in clause (i), the number of instances in which the agency entered into such an agreement with respect to the supervisory employee.

“(3) In this subsection—

“(A) the term ‘agency’ means any entity the employees of which are covered by paragraphs (8) and (9) of section 2302(b), without regard to whether any other provision of this section is applicable to the entity;

“(B) the term ‘prohibited personnel practice’ has the meaning given the term in section 2302(a)(1);

“(C) the term ‘supervisory employee’ means an employee who would be a supervisor, as defined in section 7103(a), if the agency employing the employee was an agency for purposes of chapter 71; and

“(D) the term ‘whistleblower’ means an employee who makes a disclosure described in section 2302(b)(8).”.

(b) **CRITERIA FOR PERFORMANCE APPRAISALS.**—Section 4313 of title 5, United States Code, is amended—

(1) in paragraph (4), by striking “and” at the end;

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

(3) by adding at the end the following:

“(6) protecting whistleblowers, as described in section 4302(b)(2).”.

(c) **ANNUAL REPORT TO CONGRESS ON UNACCEPTABLE PERFORMANCE IN WHISTLEBLOWER PROTECTION.**—

(1) **DEFINITIONS.**—In this subsection, the terms “agency” and “whistleblower” have the meanings given the terms in section 4302(b)(3) of title 5, United States Code, as amended by subsection (a).

(2) **REPORT.**—Each agency shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and each committee of Congress with jurisdiction over the agency a report that details—

(A) the number of performance appraisals, for the year covered by the report, that determined that an employee of the agency failed to meet the standards for protecting whistleblowers that were established under section 4302(b) of title 5, United States Code, as amended by subsection (a);

(B) the reasons for the determinations described in subparagraph (A); and

(C) each performance-based or corrective action taken by the agency in response to a determination under subparagraph (A).

(d) **TECHNICAL AND CONFORMING AMENDMENT.**—Section 4301 of title 5, United States Code, is amended, in the matter preceding paragraph (1), by striking “For the purpose of” and inserting “Except as otherwise expressly provided, for the purpose of”.

SEC. 7. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) **IN GENERAL.**—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘agency’—

“(A) has the meaning given the term in section 2302(a)(2)(C), without regard to whether any other provision of this chapter is applicable to the entity; and

“(B) does not include any entity that is an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means an employee who would be a supervisor, as defined in section 7103(a), if the entity employing the employee was an agency.

“(b) **PROPOSED DISCIPLINARY ACTIONS.**—

“(1) **IN GENERAL.**—If the head of the agency in which a supervisor is employed, an administrative law judge, the Merit Systems Protection Board, the Special Counsel, a judge of the United States, or the Inspector General of the agency in which a supervisor is employed has determined that the supervisor committed a prohibited personnel action, the head of the agency in which the supervisor is employed, consistent with the procedures required under paragraph (2)—

“(A) for the first prohibited personnel action committed by the supervisor—

“(i) shall propose suspending the supervisor for a period that is not less than 3 days; and

“(ii) may propose an additional action determined appropriate by the head of the agency, including a reduction in grade or pay; and

“(B) for the second prohibited personnel action committed by the supervisor, shall propose removing the supervisor.

“(2) **PROCEDURES.**—

“(A) **NOTICE.**—A supervisor against whom an action is proposed to be taken under paragraph (1) is entitled to written notice that—

“(i) states the specific reasons for the proposed action; and

“(ii) informs the supervisor about the right of the supervisor to review the material that constitutes the factual support on which the proposed action is based.

“(B) **ANSWER AND EVIDENCE.**—

“(i) **IN GENERAL.**—A supervisor who receives notice under subparagraph (A) may, not later than 14 days after receiving the notice, submit an answer and furnish evidence in support of that answer.

“(ii) **NO EVIDENCE FURNISHED; INSUFFICIENT EVIDENCE FURNISHED.**—If, after the end of the 14-day period described in clause (i), a supervisor does not furnish any evidence as described in that clause, or if the head of the agency in which the supervisor is employed determines that the evidence furnished by the supervisor is insufficient, the head of the

agency shall carry out the action proposed under subparagraph (A) or (B) of paragraph (1).

“(C) **SCOPE OF PROCEDURES.**—An action carried out under this section—

“(i) except as provided in clause (ii), shall be subject to the same requirements and procedures, including those with respect to an appeal, as an action under section 7503, 7513, or 7543; and

“(ii) shall not be subject to—

“(I) paragraphs (1) and (2) of section 7503(b);

“(II) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513; and

“(III) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543.

“(3) **NON-DELEGATION.**—If the head of an agency is responsible for determining whether a supervisor has committed a prohibited personnel action for purposes of paragraph (1), the head of the agency may not delegate that responsibility.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by inserting after the item relating to section 7514 the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

SEC. 8. TERMINATION OF CERTAIN INVESTIGATIONS BY THE OFFICE OF SPECIAL COUNSEL.

Section 1214(a) of title 5, United States Code, is amended [—]

“(1) in paragraph (1)(D), in the first sentence, by inserting “, other than a termination of an investigation described in paragraph (6)(A),” after “investigation of a prohibited personnel practice”; and

(2) by adding at the end the following:

“(6)(A) **[Not later]** Notwithstanding any other provision of this section, not later than 30 days after receiving an allegation of a prohibited personnel practice under paragraph (1), the Special Counsel may terminate an investigation of the allegation without further inquiry [or an opportunity for the individual who submitted the allegation to respond] if the Special Counsel determines that—

“(i) the same allegation, based on the same set of facts and circumstances had previously been—

“(I)(aa) made by the individual; and

“(bb) investigated by the Special Counsel; or

“(II) filed by the individual with the Merit Systems Protection Board;

“(ii) the Special Counsel does not have jurisdiction to investigate the allegation; or

“(iii) the individual knew or should have known of the alleged prohibited personnel practice on or before the date that is 3 years before the date on which the Special Counsel received the allegation.

“(B) Not later than 30 days after the date on which the Special Counsel terminates an investigation under subparagraph (A), the Special Counsel shall provide a written notification to the individual who submitted the allegation of a prohibited personnel practice that states the basis of the Special Counsel for terminating the investigation.”.

SEC. 9. ALLEGATIONS OF WRONGDOING WITHIN THE OFFICE OF SPECIAL COUNSEL.

Section 1212 of title 5, United States Code, is amended by adding at the end the following:

“(i) The Special Counsel shall enter into at least one agreement with the Inspector General of an agency under which—

“(1) the Inspector General shall—

“(A) receive, review, and investigate allegations of prohibited personnel practices or

wrongdoing filed by employees of the Office of Special Counsel; and

“(B) develop a method for an employee of the Office of Special Counsel to directly communicate with the Inspector General; and

“(2) the Special Counsel—

“(A) may not require an employee of the Office of Special Counsel to seek authorization or approval before directly contacting the Inspector General in accordance with the agreement; and

“(B) may reimburse the Inspector General for services provided under the agreement.”.

SEC. 10. REPORTING REQUIREMENTS.

(a) ANNUAL REPORT.—Section 1218 of title 5, United States Code, is amended to read as follows:

“§ 1218. Annual report

“The Special Counsel shall submit to Congress, on an annual basis, a report on the activities of the Special Counsel, which shall include, for the year preceding the submission of the report—

“(1) the number, types, and disposition of allegations of prohibited personnel practices filed with the Special Counsel and the costs of resolving such allegations;

“(2) the number of investigations conducted by the Special Counsel;

“(3) the number of stays and disciplinary actions negotiated with agencies by the Special Counsel;

“(4) the number of subpoenas issued by the Special Counsel;

“(5) the number of instances in which the Special Counsel reopened an investigation after the Special Counsel had made an initial determination with respect to the investigation;

“(6) the actions that resulted from reopening investigations, as described in paragraph (5);

“(7) the number of instances in which the Special Counsel did not make a determination before the end of the 240-day period described in section 1214(b)(2)(A)(i) regarding whether there were reasonable grounds to believe that a prohibited personnel practice had occurred, existed, or was to be taken;

“(8) a description of the recommendations and reports made by the Special Counsel to other agencies under this subchapter and the actions taken by the agencies as a result of the recommendations or reports;

“(9) the number of—

“(A) actions initiated before the Merit Systems Protection Board, including the number of corrective action petitions and disciplinary action complaints initiated; and

“(B) stays and extensions of stays obtained from the Merit Systems Protection Board;

“(10) the number of prohibited personnel practice complaints that resulted in a favorable action for the complainant, other than a stay or an extension of a stay, organized by actions in—

“(A) complaints dealing with reprisals against whistleblowers; and

“(B) all other complaints; and

“(11) the number of prohibited personnel practice complaints that were resolved by an agreement between an agency and an individual, organized by agency and agency components, in—

“(A) complaints dealing with reprisals against whistleblowers; and

“(B) all other complaints;

“(12) the number of corrective actions that the Special Counsel required an agency to take after a finding by the Special Counsel of a prohibited personnel practice, as defined in section 2302(a)(1); and

“(13) the results for the Office of Special Counsel of any employee viewpoint survey conducted by the Office of Personnel Management or any other agency.”.

(b) PUBLIC INFORMATION.—Section 1219(a)(1) of title 5, United States Code, is amended to read as follows:

“(1) a list of any noncriminal matters referred to the head of an agency under section 1213(c), together with—

“(A) a copy of the information transmitted to the head of the agency under section 1213(c)(1);

“(B) any report from the agency under section 1213(c)(1)(B) relating to the matter;

“(C) if appropriate, not otherwise prohibited by law, and consented to by the complainant, any comments from the complainant under section 1213(e)(1) relating to the matter; and

“(D) the comments or recommendations of the Special Counsel under paragraph (3) or (4) of section 1213(e);”.

(c) NOTICE OF COMPLAINT SETTLEMENTS.—Section 1217 of title 5, United States Code, is amended—

(1) by striking “The Special Counsel” and inserting:

“(a) IN GENERAL.—The Special Counsel”; and

(2) by adding at the end the following:

“(b) ADDITIONAL REPORT REQUIRED.—

“(1) IN GENERAL.—If an allegation submitted to the Special Counsel is resolved by an agreement between an agency and an individual, the Special Counsel shall submit to Congress and each congressional committee with jurisdiction over the agency a report regarding the agreement.

“(2) CONTENTS.—The report required under paragraph (1) shall identify, with respect to an agreement described in that paragraph—

“(A) the agency that entered into the agreement;

“(B) the position and employment location of the employee who submitted the allegation that formed the basis of the agreement;

“(C) the position and employment location of any employee alleged by an employee described in subparagraph (B) to have committed a prohibited personnel practice, as defined in section 2302(a)(1);

“(D) a description of the allegation described in subparagraph (B); and

“(E) whether the agency that entered into the agreement has agreed to pursue any disciplinary action as a result of the allegation described in subparagraph (B).”.

SEC. 11. ESTABLISHMENT OF SURVEY PILOT PROGRAM.

(a) IN GENERAL.—The Office of Special Counsel shall design and establish a pilot program under which the Office shall conduct, during the first full fiscal year after the date of enactment of this Act, a survey of individuals who have filed a complaint or disclosure with the Office.

(b) PURPOSE.—The survey under subsection (a) shall be designed for the purpose of collecting information and improving service at various stages of a review or investigation by the Office of Special Counsel.

(c) RESULTS.—The results of the survey under subsection (a) shall be published in the annual report of the Office of Special Counsel.

(d) SUSPENSION OF OTHER SURVEYS.—During the period beginning on October 1, 2017, and ending on September 30, 2018, section 13 of the Act entitled “An Act to reauthorize the Office of Special Counsel, and for other purposes”, approved October 29, 1994 (5 U.S.C. 1212 note), shall have no force or effect.

SEC. 12. REGULATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Special Counsel shall prescribe such regulations as may be necessary to perform—

(1) the functions of the Special Counsel under subchapter II of chapter 12 of title 5, United States Code, including regulations that are necessary to carry out sections 1213, 1214, and 1215 of that title; and

(2) any functions of the Special Counsel that are required because of the amendments made by this Act.

(b) PUBLICATION.—Any regulations prescribed under subsection (a) shall be published in the Federal Register.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended by striking “2003, 2004, 2005, 2006, and 2007” and inserting “2017 through 2022”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as though enacted on September 30, 2015.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the committee-reported amendments be considered, the Johnson amendment at the desk be considered and agreed to, the committee-reported amendments, as amended, be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 746) was agreed to, as follows:

(Purpose: To permit an Inspector General to withhold certain material from the Office of Special Counsel if the material is derived from, or pertains to, intelligence activities)

On page 3, strike lines 10 through 23 and insert the following:

“(ii) An Inspector General may withhold from the Special Counsel material described in subparagraph (A) if the Inspector General determines that the material contains information derived from, or pertaining to, intelligence activities.

“(iii) The Attorney General or an Inspector General may withhold from the Special Counsel material described in subparagraph (A) if—

“(I)(aa) disclosing the material could reasonably be expected to interfere with a criminal investigation or prosecution that is ongoing as of the date on which the Special Counsel submits a request for the material; or

“(bb) the material—

“(AA) may not be disclosed pursuant to a court order; or

“(BB) has been filed under seal under section 3730 of title 31; and

“(II) the Attorney General or the Inspector General, as applicable, submits to the Special Counsel a written report that describes—

“(aa) the material being withheld; and

“(bb) the reason that the material is being withheld.

On page 33, after line 8, add the following:

SEC. 14. TECHNICAL AMENDMENT.

Section 1214(b)(1)(B)(ii) of title 5, United States Code, as amended by section 1 of the Act entitled “An Act to amend section 1214 of title 5, United States Code, to provide for

stays during a period that the Merit Systems Protection Board lacks a quorum.” (S. 1083, 115th Congress, 1st Session), is amended by striking “who was appointed, by and with the advice and consent of the Senate.”.

The committee-reported amendments, as amended, were agreed to.

The bill (S. 582), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 582

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Office of Special Counsel Reauthorization Act of 2017”.

SEC. 2. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5)(A) Except as provided in subparagraph (B), the Special Counsel, in carrying out this subchapter, is authorized to—

“(i) have timely access to all records, data, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency that relate to an investigation, review, or inquiry conducted under—

“(I) section 1213, 1214, 1215, or 1216 of this title; or

“(II) section 4324(a) of title 38;

“(ii) request from any agency the information or assistance that may be necessary for the Special Counsel to carry out the duties and responsibilities of the Special Counsel under this subchapter; and

“(iii) require, during an investigation, review, or inquiry of an agency, the agency to provide to the Special Counsel any record or other information that relates to an investigation, review, or inquiry conducted under—

“(I) section 1213, 1214, 1215, or 1216 of this title; or

“(II) section 4324(a) of title 38.

“(B)(i) The authorization of the Special Counsel under subparagraph (A) shall not apply with respect to any entity that is an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), unless the Special Counsel is investigating, or otherwise carrying out activities relating to the enforcement of, an action under subchapter III of chapter 73.

“(ii) An Inspector General may withhold from the Special Counsel material described in subparagraph (A) if the Inspector General determines that the material contains information derived from, or pertaining to, intelligence activities.

“(iii) The Attorney General or an Inspector General may withhold from the Special Counsel material described in subparagraph (A) if—

“(I)(aa) disclosing the material could reasonably be expected to interfere with a criminal investigation or prosecution that is ongoing as of the date on which the Special Counsel submits a request for the material; or

“(bb) the material—

“(AA) may not be disclosed pursuant to a court order; or

“(BB) has been filed under seal under section 3730 of title 31; and

“(II) the Attorney General or the Inspector General, as applicable, submits to the Spe-

cial Counsel a written report that describes—

“(aa) the material being withheld; and

“(bb) the reason that the material is being withheld.

“(C)(i) A claim of common law privilege by an agency, or an officer or employee of an agency, shall not prevent the Special Counsel from obtaining any material described in subparagraph (A)(i) with respect to the agency.

“(ii) The submission of material described in subparagraph (A)(i) by an agency to the Special Counsel may not be deemed to waive any assertion of privilege by the agency against a non-Federal entity or against an individual in any other proceeding.

“(iii) With respect to any record or other information made available to the Special Counsel by an agency under subparagraph (A), the Special Counsel may only disclose the record or information for a purpose that is in furtherance of any authority provided to the Special Counsel in this subchapter.

“(6) The Special Counsel shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and each committee of Congress with jurisdiction over the applicable agency a report regarding any case of contumacy or failure to comply with a request submitted by the Special Counsel under paragraph (5)(A).”.

SEC. 3. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) AGENCY RESPONSIBILITIES.—Section 2302 of title 5, United States Code, is amended by striking subsection (c) and inserting the following:

“(c)(1) In this subsection—

“(A) the term ‘new employee’ means an individual—

“(i) appointed to a position as an employee on or after the date of enactment of the Office of Special Counsel Reauthorization Act of 2017; and

“(ii) who has not previously served as an employee; and

“(B) the term ‘whistleblower protections’ means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of subsection (b).

“(2) The head of each agency shall be responsible for—

“(A) preventing prohibited personnel practices;

“(B) complying with and enforcing applicable civil service laws, rules, and regulations, and other aspects of personnel management; and

“(C) ensuring, in consultation with the Special Counsel and the Inspector General of the agency, that employees of the agency are informed of the rights and remedies available to the employees under this chapter and chapter 12, including—

“(i) information with respect to whistleblower protections available to new employees during a probationary period;

“(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with respect to whistleblower protections; and

“(iii) the means by which, with respect to information that is otherwise required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, an employee may make a lawful disclosure of the information to—

“(I) the Special Counsel;

“(II) the Inspector General of an agency;

“(III) Congress; or

“(IV) another employee of the agency who is designated to receive such a disclosure.

“(3) The head of each agency shall ensure that the information described in paragraph (2) is provided to each new employee of the agency not later than 180 days after the date on which the new employee is appointed.

“(4) The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency and on any online portal that is made available only to employees of the agency, if such portal exists.

“(5) Any employee to whom the head of an agency delegates authority for any aspect of personnel management shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (2).”.

(b) TRAINING FOR SUPERVISORS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” means any entity the employees of which are covered by paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, without regard to whether any other provision of that title is applicable to the entity; and

(B) the term “whistleblower protections” has the meaning given the term in section 2302(c)(1)(B) of title 5, United States Code, as amended by subsection (a).

(2) TRAINING REQUIRED.—The head of each agency, in consultation with the Special Counsel and the Inspector General of that agency (or, in the case of an agency that does not have an Inspector General, the senior ethics official of that agency), shall provide the training described in paragraph (3).

(3) TRAINING DESCRIBED.—The training described in this paragraph shall—

(A) cover the manner in which the agency shall respond to a complaint alleging a violation of whistleblower protections that are available to employees of the agency; and

(B) be provided—

(i) to each employee of the agency who—

(I) is appointed to a supervisory position in the agency; and

(II) before the appointment described in subclause (I), had not served in a supervisory position in the agency; and

(ii) on an annual basis to all employees of the agency who serve in supervisory positions in the agency.

(c) INFORMATION ON APPEAL RIGHTS.—

(1) IN GENERAL.—Any notice provided to an employee under section 7503(b)(1), section 7513(b)(1), or section 7543(b)(1) of title 5, United States Code, shall include detailed information with respect to—

(A) the right of the employee to appeal an action brought under the applicable section;

(B) the forums in which the employee may file an appeal described in subparagraph (A); and

(C) any limitations on the rights of the employee that would apply because of the forum in which the employee decides to file an appeal.

(2) DEVELOPMENT OF INFORMATION.—The information described in paragraph (1) shall be developed by the Director of the Office of Personnel Management, in consultation with the Special Counsel, the Merit Systems Protection Board, and the Equal Employment Opportunity Commission.

SEC. 4. ADDITIONAL WHISTLEBLOWER PROVISIONS.

(a) PROHIBITED PERSONNEL PRACTICES.—Section 2302 of title 5, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (9)—

(i) in subparagraph (C), by inserting “(or any other component responsible for internal investigation or review)” after “Inspector General”; and

(ii) in subparagraph (D), by inserting “, rule, or regulation” after “law”;

(B) in paragraph (12), by striking “or” at the end;

(C) in paragraph (13), by striking the period at the end and inserting “; or”; and

(D) by inserting after paragraph (13) the following:

“(14) access the medical record of another employee or an applicant for employment as a part of, or otherwise in furtherance of, any conduct described in paragraphs (1) through (13).”; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (E), by striking “or” at the end;

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by inserting after subparagraph (E) the following:

“(F) the disclosure was made before the date on which the individual was appointed or applied for appointment to a position; or”; and

(B) by striking paragraph (2) and inserting the following:

“(2) If a disclosure is made during the normal course of duties of an employee, the principal job function of whom is to regularly investigate and disclose wrongdoing (in this paragraph referred to as the ‘disclosing employee’), the disclosure shall not be excluded from subsection (b)(8) if the disclosing employee demonstrates that an employee who has the authority to take, direct other individuals to take, recommend, or approve any personnel action with respect to the disclosing employee took, failed to take, or threatened to take or fail to take a personnel action with respect to the disclosing employee in reprisal for the disclosure made by the disclosing employee.”.

(b) EXPLANATIONS FOR FAILURE TO TAKE ACTION.—Section 1213 of title 5, United States Code, is amended—

(1) in subsection (b), by striking “15 days” and inserting “45 days”; and

(2) in subsection (e)—

(A) in paragraph (1), by striking “Any such report” and inserting “Any report required under subsection (c) or paragraph (5) of this subsection”;

(B) by striking paragraph (2) and inserting the following:

“(2) Upon receipt of any report that the head of an agency is required to submit under subsection (c), the Special Counsel shall review the report and determine whether—

“(A) the findings of the head of the agency appear reasonable; and

“(B) if the Special Counsel requires the head of the agency to submit a supplemental report under paragraph (5), the reports submitted by the head of the agency collectively contain the information required under subsection (d).”;

(C) in paragraph (3), by striking “agency report received pursuant to subsection (c) of this section” and inserting “report submitted to the Special Counsel by the head of an agency under subsection (c) or paragraph (5) of this subsection”; and

(D) by adding at the end the following:

“(5) If, after conducting a review of a report under paragraph (2), the Special Counsel concludes that the Special Counsel requires additional information or documentation to

determine whether the report submitted by the head of an agency is reasonable and sufficient, the Special Counsel may request that the head of the agency submit a supplemental report—

“(A) containing the additional information or documentation identified by the Special Counsel; and

“(B) that the head of the agency shall submit to the Special Counsel within a period of time specified by the Special Counsel.”.

(c) TRANSFER REQUESTS DURING STAYS.—

(1) PRIORITY GRANTED.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Board grants a stay under subparagraph (A), the head of the agency employing the employee who is the subject of the action shall give priority to a request for a transfer submitted by the employee.”.

(2) PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(k) If the Board grants a stay under subsection (c) and the employee who is the subject of the action is in probationary status, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(d) RETALIATORY INVESTIGATIONS.—Section 1214 of title 5, United States Code, is amended by adding at the end the following:

“(i) The Special Counsel may petition the Board to order corrective action, including fees, costs, or damages reasonably incurred by an employee due to an investigation of the employee by an agency, if the investigation by an agency was commenced, expanded, or extended in retaliation for a disclosure or protected activity described in section 2302(b)(8) or subparagraph (A)(i), (B), (C), or (D) of section 2302(b)(9), without regard to whether a personnel action, as defined in section 2302(a)(2)(A), is taken.”.

SEC. 5. SUICIDE BY EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term “agency” means any entity the employees of which are covered by paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, without regard to whether any other provision of that title is applicable to the entity; and

(2) the term “personnel action” has the meaning given the term in section 2302(a)(2)(A) of title 5, United States Code.

(b) REFERRAL.—

(1) IN GENERAL.—The head of an agency shall refer to the Special Counsel, along with any information known to the agency regarding the circumstances described in paragraph (2), any instance in which the head of the agency has information indicating that an employee of the agency committed suicide.

(2) INFORMATION.—The circumstances described in this paragraph are as follows:

(A) Before the death of an employee described in paragraph (1), the employee made a disclosure of information that reasonably evidences—

(i) a violation of a law, rule, or regulation;

(ii) gross mismanagement;

(iii) a gross waste of funds;

(iv) an abuse of authority; or

(v) a substantial and specific danger to public health or safety.

(B) After a disclosure described in subparagraph (A), a personnel action was taken with respect to the employee who made the disclosure.

(c) OFFICE OF SPECIAL COUNSEL REVIEW.—Upon receiving a referral under subsection (b)(1), the Special Counsel shall—

(1) examine whether a personnel action was taken with respect to an employee because

of a disclosure described in subsection (b)(2)(A); and

(2) take any action that the Special Counsel determines is appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. 6. PROTECTION OF WHISTLEBLOWERS AS CRITERIA IN PERFORMANCE APPRAISALS.

(a) ESTABLISHMENT OF SYSTEMS.—Section 4302 of title 5, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b)(1) The head of each agency, in consultation with the Director of the Office of Personnel Management and the Special Counsel, shall develop criteria that—

“(A) the head of the agency shall use as a critical element for establishing the job requirements of a supervisory employee; and

“(B) promote the protection of whistleblowers.

“(2) The criteria required under paragraph (1) shall include—

“(A) principles for the protection of whistleblowers, such as the degree to which supervisory employees—

“(i) respond constructively when employees of the agency make disclosures described in subparagraph (A) or (B) of section 2302(b)(8);

“(ii) take responsible actions to resolve the disclosures described in clause (i); and

“(iii) foster an environment in which employees of the agency feel comfortable making disclosures described in clause (i) to supervisory employees or other appropriate authorities; and

“(B) for each supervisory employee—

“(i) whether the agency entered into an agreement with an individual who alleged that the supervisory employee committed a prohibited personnel practice; and

“(ii) if the agency entered into an agreement described in clause (i), the number of instances in which the agency entered into such an agreement with respect to the supervisory employee.

“(3) In this subsection—

“(A) the term ‘agency’ means any entity the employees of which are covered by paragraphs (8) and (9) of section 2302(b), without regard to whether any other provision of this section is applicable to the entity;

“(B) the term ‘prohibited personnel practice’ has the meaning given the term in section 2302(a)(1);

“(C) the term ‘supervisory employee’ means an employee who would be a supervisor, as defined in section 7103(a), if the agency employing the employee was an agency for purposes of chapter 71; and

“(D) the term ‘whistleblower’ means an employee who makes a disclosure described in section 2302(b)(8).”.

(b) CRITERIA FOR PERFORMANCE APPRAISALS.—Section 4313 of title 5, United States Code, is amended—

(1) in paragraph (4), by striking “and” at the end;

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

(3) by adding at the end the following:

“(6) protecting whistleblowers, as described in section 4302(b)(2).”.

(c) ANNUAL REPORT TO CONGRESS ON UNACCEPTABLE PERFORMANCE IN WHISTLEBLOWER PROTECTION.—

(1) DEFINITIONS.—In this subsection, the terms “agency” and “whistleblower” have the meanings given the terms in section

4302(b)(3) of title 5, United States Code, as amended by subsection (a).

(2) **REPORT.**—Each agency shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and each committee of Congress with jurisdiction over the agency a report that details—

(A) the number of performance appraisals, for the year covered by the report, that determined that an employee of the agency failed to meet the standards for protecting whistleblowers that were established under section 4302(b) of title 5, United States Code, as amended by subsection (a);

(B) the reasons for the determinations described in subparagraph (A); and

(C) each performance-based or corrective action taken by the agency in response to a determination under subparagraph (A).

(d) **TECHNICAL AND CONFORMING AMENDMENT.**—Section 4301 of title 5, United States Code, is amended, in the matter preceding paragraph (1), by striking “For the purpose of” and inserting “Except as otherwise expressly provided, for the purpose of”.

SEC. 7. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) **IN GENERAL.**—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘agency’—

“(A) has the meaning given the term in section 2302(a)(2)(C), without regard to whether any other provision of this chapter is applicable to the entity; and

“(B) does not include any entity that is an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means an employee who would be a supervisor, as defined in section 7103(a), if the entity employing the employee was an agency.

“(b) **PROPOSED DISCIPLINARY ACTIONS.**—

“(1) **IN GENERAL.**—If the head of the agency in which a supervisor is employed, an administrative law judge, the Merit Systems Protection Board, the Special Counsel, a judge of the United States, or the Inspector General of the agency in which a supervisor is employed has determined that the supervisor committed a prohibited personnel action, the head of the agency in which the supervisor is employed, consistent with the procedures required under paragraph (2)—

“(A) for the first prohibited personnel action committed by the supervisor—

“(i) shall propose suspending the supervisor for a period that is not less than 3 days; and

“(ii) may propose an additional action determined appropriate by the head of the agency, including a reduction in grade or pay; and

“(B) for the second prohibited personnel action committed by the supervisor, shall propose removing the supervisor.

“(2) **PROCEDURES.**—

“(A) **NOTICE.**—A supervisor against whom an action is proposed to be taken under paragraph (1) is entitled to written notice that—

“(i) states the specific reasons for the proposed action; and

“(ii) informs the supervisor about the right of the supervisor to review the material that constitutes the factual support on which the proposed action is based.

“(B) **ANSWER AND EVIDENCE.**—

“(i) **IN GENERAL.**—A supervisor who receives notice under subparagraph (A) may, not later than 14 days after receiving the notice, submit an answer and furnish evidence in support of that answer.

“(ii) **NO EVIDENCE FURNISHED; INSUFFICIENT EVIDENCE FURNISHED.**—If, after the end of the 14-day period described in clause (i), a supervisor does not furnish any evidence as described in that clause, or if the head of the agency in which the supervisor is employed determines that the evidence furnished by the supervisor is insufficient, the head of the agency shall carry out the action proposed under subparagraph (A) or (B) of paragraph (1).

“(C) **SCOPE OF PROCEDURES.**—An action carried out under this section—

“(i) except as provided in clause (ii), shall be subject to the same requirements and procedures, including those with respect to an appeal, as an action under section 7503, 7513, or 7543; and

“(ii) shall not be subject to—

“(I) paragraphs (1) and (2) of section 7503(b);

“(II) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513; and

“(III) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543.

“(3) **NON-DELEGATION.**—If the head of an agency is responsible for determining whether a supervisor has committed a prohibited personnel action for purposes of paragraph (1), the head of the agency may not delegate that responsibility.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by inserting after the item relating to section 7514 the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

SEC. 8. TERMINATION OF CERTAIN INVESTIGATIONS BY THE OFFICE OF SPECIAL COUNSEL.

Section 1214(a) of title 5, United States Code, is amended by adding at the end the following:

“(6)(A) Notwithstanding any other provision of this section, not later than 30 days after receiving an allegation of a prohibited personnel practice under paragraph (1), the Special Counsel may terminate an investigation of the allegation without further inquiry if the Special Counsel determines that—

“(i) the same allegation, based on the same set of facts and circumstances had previously been—

“(I)(aa) made by the individual; and

“(bb) investigated by the Special Counsel; or

“(II) filed by the individual with the Merit Systems Protection Board;

“(ii) the Special Counsel does not have jurisdiction to investigate the allegation; or

“(iii) the individual knew or should have known of the alleged prohibited personnel practice on or before the date that is 3 years before the date on which the Special Counsel received the allegation.

“(B) Not later than 30 days after the date on which the Special Counsel terminates an investigation under subparagraph (A), the Special Counsel shall provide a written notification to the individual who submitted the allegation of a prohibited personnel practice

that states the basis of the Special Counsel for terminating the investigation.”.

SEC. 9. ALLEGATIONS OF WRONGDOING WITHIN THE OFFICE OF SPECIAL COUNSEL.

Section 1212 of title 5, United States Code, is amended by adding at the end the following:

“(i) The Special Counsel shall enter into at least one agreement with the Inspector General of an agency under which—

“(1) the Inspector General shall—

“(A) receive, review, and investigate allegations of prohibited personnel practices or wrongdoing filed by employees of the Office of Special Counsel; and

“(B) develop a method for an employee of the Office of Special Counsel to directly communicate with the Inspector General; and

“(2) the Special Counsel—

“(A) may not require an employee of the Office of Special Counsel to seek authorization or approval before directly contacting the Inspector General in accordance with the agreement; and

“(B) may reimburse the Inspector General for services provided under the agreement.”.

SEC. 10. REPORTING REQUIREMENTS.

(a) **ANNUAL REPORT.**—Section 1218 of title 5, United States Code, is amended to read as follows:

“§ 1218. Annual report

“The Special Counsel shall submit to Congress, on an annual basis, a report on the activities of the Special Counsel, which shall include, for the year preceding the submission of the report—

“(1) the number, types, and disposition of allegations of prohibited personnel practices filed with the Special Counsel and the costs of resolving such allegations;

“(2) the number of investigations conducted by the Special Counsel;

“(3) the number of stays and disciplinary actions negotiated with agencies by the Special Counsel;

“(4) the number of subpoenas issued by the Special Counsel;

“(5) the number of instances in which the Special Counsel reopened an investigation after the Special Counsel had made an initial determination with respect to the investigation;

“(6) the actions that resulted from reopening investigations, as described in paragraph (5);

“(7) the number of instances in which the Special Counsel did not make a determination before the end of the 240-day period described in section 1214(b)(2)(A)(i) regarding whether there were reasonable grounds to believe that a prohibited personnel practice had occurred, existed, or was to be taken;

“(8) a description of the recommendations and reports made by the Special Counsel to other agencies under this subchapter and the actions taken by the agencies as a result of the recommendations or reports;

“(9) the number of—

“(A) actions initiated before the Merit Systems Protection Board, including the number of corrective action petitions and disciplinary action complaints initiated; and

“(B) stays and extensions of stays obtained from the Merit Systems Protection Board;

“(10) the number of prohibited personnel practice complaints that resulted in a favorable action for the complainant, other than a stay or an extension of a stay, organized by actions in—

“(A) complaints dealing with reprisals against whistleblowers; and

“(B) all other complaints; and

“(11) the number of prohibited personnel practice complaints that were resolved by an agreement between an agency and an individual, organized by agency and agency components, in—

“(A) complaints dealing with reprisals against whistleblowers; and

“(B) all other complaints;

“(12) the number of corrective actions that the Special Counsel required an agency to take after a finding by the Special Counsel of a prohibited personnel practice, as defined in section 2302(a)(1); and

“(13) the results for the Office of Special Counsel of any employee viewpoint survey conducted by the Office of Personnel Management or any other agency.”

(b) PUBLIC INFORMATION.—Section 1219(a)(1) of title 5, United States Code, is amended to read as follows:

“(1) a list of any noncriminal matters referred to the head of an agency under section 1213(c), together with—

“(A) a copy of the information transmitted to the head of the agency under section 1213(c)(1);

“(B) any report from the agency under section 1213(c)(1)(B) relating to the matter;

“(C) if appropriate, not otherwise prohibited by law, and consented to by the complainant, any comments from the complainant under section 1213(e)(1) relating to the matter; and

“(D) the comments or recommendations of the Special Counsel under paragraph (3) or (4) of section 1213(e);”

(c) NOTICE OF COMPLAINT SETTLEMENTS.—Section 1217 of title 5, United States Code, is amended—

(1) by striking “The Special Counsel” and inserting:

“(a) IN GENERAL.—The Special Counsel”; and

(2) by adding at the end the following:

“(b) ADDITIONAL REPORT REQUIRED.—

“(1) IN GENERAL.—If an allegation submitted to the Special Counsel is resolved by an agreement between an agency and an individual, the Special Counsel shall submit to Congress and each congressional committee with jurisdiction over the agency a report regarding the agreement.

“(2) CONTENTS.—The report required under paragraph (1) shall identify, with respect to an agreement described in that paragraph—

“(A) the agency that entered into the agreement;

“(B) the position and employment location of the employee who submitted the allegation that formed the basis of the agreement;

“(C) the position and employment location of any employee alleged by an employee described in subparagraph (B) to have committed a prohibited personnel practice, as defined in section 2302(a)(1);

“(D) a description of the allegation described in subparagraph (B); and

“(E) whether the agency that entered into the agreement has agreed to pursue any disciplinary action as a result of the allegation described in subparagraph (B).”

SEC. 11. ESTABLISHMENT OF SURVEY PILOT PROGRAM.

(a) IN GENERAL.—The Office of Special Counsel shall design and establish a pilot program under which the Office shall conduct, during the first full fiscal year after the date of enactment of this Act, a survey of individuals who have filed a complaint or disclosure with the Office.

(b) PURPOSE.—The survey under subsection (a) shall be designed for the purpose of collecting information and improving service at various stages of a review or investigation by the Office of Special Counsel.

(c) RESULTS.—The results of the survey under subsection (a) shall be published in the annual report of the Office of Special Counsel.

(d) SUSPENSION OF OTHER SURVEYS.—During the period beginning on October 1, 2017, and ending on September 30, 2018, section 13 of the Act entitled “An Act to reauthorize the Office of Special Counsel, and for other purposes”, approved October 29, 1994 (5 U.S.C. 1212 note), shall have no force or effect.

SEC. 12. REGULATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Special Counsel shall prescribe such regulations as may be necessary to perform—

(1) the functions of the Special Counsel under subchapter II of chapter 12 of title 5, United States Code, including regulations that are necessary to carry out sections 1213, 1214, and 1215 of that title; and

(2) any functions of the Special Counsel that are required because of the amendments made by this Act.

(b) PUBLICATION.—Any regulations prescribed under subsection (a) shall be published in the Federal Register.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended by striking “2003, 2004, 2005, 2006, and 2007” and inserting “2017 through 2022”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as though enacted on September 30, 2015.

SEC. 14. TECHNICAL AMENDMENT.

Section 1214(b)(1)(B)(ii) of title 5, United States Code, as amended by section 1 of the Act entitled “An Act to amend section 1214 of title 5, United States Code, to provide for stays during a period that the Merit Systems Protection Board lacks a quorum.” (S. 1083, 115th Congress, 1st Session), is amended by striking “who was appointed, by and with the advice and consent of the Senate,”.

PRO BONO WORK TO EMPOWER AND REPRESENT ACT OF 2017

MR. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 717 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 717) to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

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

MR. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The bill (S. 717) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 717

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pro bono Work to Empower and Represent Act of 2017” or the “POWER Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Extremely high rates of domestic violence, dating violence, sexual assault, and stalking exist at the local, State, and national levels and such violence or behavior harms the most vulnerable members of our society.

(2) According to a study commissioned by the Department of Justice, nearly 25 percent of women suffer from domestic violence during their lifetime.

(3) Proactive efforts should be made available in all forums to provide pro bono legal services and eliminate the violence that destroys lives and shatters families.

(4) A variety of factors cause domestic violence, dating violence, sexual assault, and stalking, and a variety of solutions at the local, State, and national levels are necessary to combat such violence or behavior.

(5) According to the National Network to End Domestic Violence, which conducted a census including almost 1,700 assistance programs, over the course of 1 day in September 2014, more than 10,000 requests for services, including legal representation, were not met.

(6) Pro bono assistance can help fill this need by providing not only legal representation, but also access to emergency shelter, transportation, and childcare.

(7) Research and studies have demonstrated that the provision of legal assistance to victims of domestic violence, dating violence, sexual assault, and stalking reduces the probability of such violence or behavior reoccurring in the future and can help survivors move forward.

(8) Legal representation increases the possibility of successfully obtaining a protective order against an attacker, which prevents further mental and physical injury to a victim and his or her family, as demonstrated by a study that found that 83 percent of victims represented by an attorney were able to obtain a protective order, whereas only 32 percent of victims without an attorney were able to do so.

(9) The American Bar Association Model Rules include commentary stating that “every lawyer, regardless of professional prominence or professional workload, has a responsibility to provide legal services to those unable to pay, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer”.

(10) As representatives of the Department of Justice, the duty of United States Attorneys is to present “equal and impartial justice to all its citizens”, which should include, especially, survivors of domestic violence, dating violence, sexual assault, and stalking who might not otherwise know how to seek advice and protection.

(11) As Federal leaders who have knowledge of domestic violence, dating violence, sexual assault, and stalking in their localities, United States Attorneys should encourage lawyers to provide pro bono resources in an effort to help victims of such violence or behavior escape the cycle of abuse.

(12) A dedicated army of pro bono attorneys focused on this mission will inspire others to devote efforts to this cause and will raise awareness of the scourge of domestic violence, dating violence, sexual assault, and stalking throughout the country.

(13) Communities, by providing awareness of pro bono legal services and assistance to survivors of domestic violence, dating violence, sexual assault, and stalking, will empower those survivors to move forward with their lives.

SEC. 3. U.S. ATTORNEYS TO PROMOTE EMPOWERMENT EVENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and not less often than once each year thereafter, each United States Attorney, or his or her designee, for each judicial district shall lead not less than 1 public event, in partnership with a State, local, tribal, or territorial domestic violence service provider or coalition and a State or local volunteer lawyer project, promoting pro bono legal services as a critical way in which to empower survivors of domestic violence, dating violence, sexual assault, and stalking and engage citizens in assisting those survivors.

(b) DISTRICTS CONTAINING INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—During each 3-year period, a United States Attorney, or his or her designee, for a judicial district that contains an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) shall lead not less than 1 public event promoting pro bono legal services under subsection (a) of this section in partnership with an Indian tribe or tribal organization with the intent of increasing the provision of pro bono legal services for Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, and stalking.

(c) REQUIREMENTS.—Each United States Attorney shall—

(1) have discretion as to the design, organization, and implementation of the public events required under subsection (a); and

(2) in conducting a public event under subsection (a), seek to maximize the local impact of the event and the provision of access to high-quality pro bono legal services by survivors of domestic violence, dating violence, sexual assault, and stalking.

SEC. 4. REPORTING REQUIREMENTS.

(a) REPORT TO THE ATTORNEY GENERAL.—Not later than October 30 of each year, each United States Attorney shall submit to the Attorney General a report detailing each public event conducted under section 3 during the previous fiscal year.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than January 1 of each year, the Attorney General shall submit to Congress a compilation and summary of each report received under subsection (a) for the previous fiscal year.

(2) REQUIREMENT.—Each comprehensive report submitted under paragraph (1) shall include an analysis of how each public event meets the goals set forth in this Act, as well as suggestions on how to improve future public events.

SEC. 5. FUNDING.

The Department of Justice shall use existing funds to carry out the requirements of this Act.

RESOLUTIONS DISCHARGED

Mr. PORTMAN. Mr. President, I ask unanimous consent that the applicable committees be discharged and the Senate proceed to the immediate consideration of the following resolutions, en bloc: S. Res. 203, S. Res. 194, S. Res. 214, S. Res. 215, S. Res. 231, S. Res. 213, S. Res. 233 and S. Res. 221.

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

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 203) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 26, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 194) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 15, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 214) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 29, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 215) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 29, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 231) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 25, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 213) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 29, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 233) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 26, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 221) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 19, 2017, under “Submitted Resolutions.”)

RESOLUTIONS SUBMITTED TODAY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions which were submitted earlier today: S. Res. 239, S. Res. 240, and S. Res. 241.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under “Submitted Resolutions.”)

RAPID DNA ACT OF 2017

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 510 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 510) to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

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

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 510) was ordered to a third reading, was read the third time, and passed.

**ORDERS FOR WEDNESDAY,
AUGUST 2, 2017**

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, August 2; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Kaplan nomination, with the time until 11 a.m. equally divided between the two leaders or their designees.

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

**ADJOURNMENT UNTIL 10 A.M.
TOMORROW**

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

There being no objection, the Senate, at 7:47 p.m., adjourned until Wednesday, August 2, 2017, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 1, 2017:

DEPARTMENT OF DEFENSE

ELAINE MCCUSKER, OF VIRGINIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE.

ROBERT DAIGLE, OF VIRGINIA, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE.

ROBERT R. HOOD, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE .

THE JUDICIARY

KEVIN CHRISTOPHER NEWSOM, OF ALABAMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

DEPARTMENT OF DEFENSE

RICHARD V. SPENCER, OF WYOMING, TO BE SECRETARY OF THE NAVY.

DEPARTMENT OF JUSTICE

CHRISTOPHER A. WRAY, OF GEORGIA, TO BE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION FOR A TERM OF TEN YEARS.

DEPARTMENT OF DEFENSE

RYAN MCCARTHY, OF ILLINOIS, TO BE UNDER SECRETARY OF THE ARMY.

LUCIAN NIEMEYER, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

MATTHEW P. DONOVAN, OF VIRGINIA, TO BE UNDER SECRETARY OF THE AIR FORCE.

ELLEN M. LORD, OF RHODE ISLAND, TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.

EXTENSIONS OF REMARKS

VISIT WITH HIS DIVINE HOLINESS
HARIPRASAD SWAMIJI MAHARAJ
AT THE JAIN TEMPLE OF CHI-
CATO ON AUGUST 12TH

HON. RAJA KRISHNAMOORTHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Mr. KRISHNAMOORTHY. Mr. Speaker, today I honor His Divine Holiness Hariprasad Swamiji Maharaj, spiritual leader and founder of the Yogi Divine Society—a Hindu spiritual and humanitarian charitable organization—as he makes a historic visit to Yogi Divine Society members and devotees across North America.

The Yogi Divine Society is a global not for profit organization founded in 1974 that encourages all races, religions, and genders to lead enriched and harmonious lives. With over 500 educational and cultural centers worldwide, the Yogi Divine Society is devoted to working on issues like the environment, youth development, spiritual education, and health care.

His Divine Holiness Hariprasad Swamiji Maharaj has dedicated his life to the principle of Atmiyata (Spiritual Affinity with one and all). He became a Sadhu (religious devotee) in 1965 and was made diksha (being appointed saint) by his spiritual educator Guruhari Yogiji Maharaj. His drive for global harmony led him to found the Yogi Divine Society. Through his work, his Holiness strives to promote humanity, peace, and understanding amongst the people of the world.

Every time I visit the volunteers and members of the Yogi Divine Society, I am reminded of the incredible virtues that the Society promotes not only to Americans but to people around the world. Mr. Speaker, I am proud to support their work and their devotion to creating a more welcoming and understanding world.

I honor His Divine Holiness Hariprasad Swamiji Maharaj, the spiritual leader and founder of the Yogi Divine Society, as he visits the Jain Temple of Metropolitan Chicago on August 12th.

HONORING ROBERT “IAN”
MALONEY

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Ms. MAXINE WATERS of California. Mr. Speaker, I rise to highlight Robert “Ian” Maloney, a May 2017 graduate of Georgetown Preparatory School and a newly accepted member of the Brown University class of 2021. Last year, I had the great pleasure of speak-

ing at Georgetown Preparatory School about the call to serve and to give back to the community.

I accepted the invitation to speak at that school because Ian reached out and asked me to do so. Ian is a remarkable young man whom I have known since his birth. Ian was President of the Black Student Association. He is also a member of the National Honor Society and a National Hispanic Scholar, and he is passionate about serving others and giving back. He is committed to social justice and drawing attention to the scourge of homelessness.

Ian asked me to speak at Georgetown Preparatory School because he had made a promise to the school's Headmaster, Mr. Jeff Jones. Mr. Jones was the school's first African-American Headmaster and Interim President, and a leader who fostered diversity. At the time that Ian requested that I speak, Mr. Jones was awaiting a heart transplant at Cedars-Sinai Hospital in my Congressional District. Sadly, Mr. Jones would die two months after I spoke. However, several days before he had passed, he called to wish Ian continuing success in his studies and called on him to carry the torch and to continue to serve others.

Mr. Speaker, Ian wishes to honor the call and the memory of his Headmaster, Mr. Jeff Jones. Ian is a very special young man, and I wish him success in his academic endeavors. I truly believe that he has a very bright future ahead and that he will continue to give back to his community and make a positive difference in the world.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Mr. GRAVES of Missouri. Mr. Speaker, on July 28, 2017 I missed a series of Roll Call votes. Had I been present, I would have voted “YEA” on Nos. 436, 437, and 438.

IN HONOR OF JOHN CHRISTOPHER
LAMONICA

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Mrs. COMSTOCK. Mr. Speaker, I would like to take a moment to commemorate the life of Mr. John Christopher LaMonica.

Mr. LaMonica's career in broadcast journalism is a catalogue of the major events of 20th century history. From Central Asia to the Middle East to Southern Africa; from the se-

cret nuclear cities of Siberia to New Orleans during Hurricane Katrina; he used facts to tell stories with moral truths.

Originally from Rye, New York, Mr. LaMonica attended Georgetown University's School of Foreign Service. In 1979, he became an Adjunct Fellow at the Center for Strategic and International Studies. He cut his teeth as a consultant for Henry Kissinger and became a newsman with Ted Koppel, working for decades as an investigative producer for ABC News Nightline. In 2006 he took the legacy of journalism from that program with him to Discovery, where he produced cutting-edge documentaries with Mr. Koppel on subjects ranging from the history of race relations in America to surviving cancer. Mr. LaMonica continued that work as an executive producer at Al Jazeera America.

The sum total of years spent away from his family in Russia and Iran and some of the most dangerous places on earth rewarded Mr. LaMonica with numerous National Emmys, several Dupont-Columbia and Peabody awards, the Overseas Press Club Edward R. Murrow Award, and the Global Health Council Excellence in Media Award. In 1987, he earned the Benton Fellowship in broadcast journalism from the University of Chicago. But what meant the world to Mr. LaMonica was that it can be said of him that he was a great father, the best grandfather, and, quite simply, a good man.

In addition to his journalistic endeavors, Mr. LaMonica continuously gave back to our community. His philanthropic efforts included his involvement with the Knights of Columbus, HOPE in Northern Virginia and the Zambia Orphans of AIDS, and the St. Peter Claver Society.

Mr. LaMonica died peacefully in his bed at home in Virginia on March 13, 2016, after battling cancer for nearly a year. He is survived by his wife, Teresa; her son; their three children; and four grandchildren, who still miss the man they called “Papa Jay.”

Mr. Speaker, I ask that my colleagues join me in celebrating the life of, and bidding farewell to Jay LaMonica. May he rest in peace, and his family be comforted.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Mr. WEBSTER of Florida. Mr. Speaker, I had to miss today's votes on July 28, 2017, because I had a pre-scheduled meeting and briefing at the United States Air Force Academy. Also, I cast the same votes when each of these bills was considered under suspension on 7/24/17.

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

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

Had I been present, I would have voted YEA on Roll Call No. 437, and YEA on Roll Call No. 438.

RECOGNIZING THE SERVICE AND
SACRIFICE OF SERGEANT CHRIS
REDMAN

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize the service and sacrifice of Sergeant Chris Redman, and to congratulate him for being inducted into the Honorary Rolls of the 11th Armored Cavalry Regiment, the "Blackhorse Regiment." I believe that our nation's men and women in uniform are America's greatest assets. They have made incredible sacrifices for our country and deserve our utmost support and respect for their service.

Sergeant Redman has dedicated his life to protecting all Americans through his service as a sergeant in the United States Army and as a police officer. He received numerous recognitions while in the Army and has continued to serve the Blackhorse Regiment since his retirement. In addition to his selfless service to our country, Sergeant Redman has also been a great leader and supporter of the Blackhorse Regiment in his community, coordinating reunions and raising money for scholarship funds.

Our nation owes no greater debt of gratitude than the one we owe our veterans. They and their families should be commended. On behalf of the 4th Congressional District of Colorado, I extend my best wishes and deepest gratitude to Sergeant Redman.

Mr. Speaker, it is an honor to recognize Sergeant Chris Redman for his commitment to family, community, and the United States of America.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Mr. FORTENBERRY. Mr. Speaker, on Thursday, July 27, 2017, I was unavoidably detained and thus missed roll call votes 430 through 435.

Had I been present, I would have voted NAY Roll Call No. 430, NAY Roll Call No. 431, NAY Roll Call No. 432, NAY Roll Call No. 433, NAY Roll Call No. 434, and YEA on Roll Call No. 435.

HONORING THE SERVICE OF MA-
RINE CORPORAL LUKE
McDERMOTT

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the service and sacrifice of Marine Corporal Luke McDermott.

Corporal McDermott was serving his second deployment in Afghanistan when on June 9, 2010, an improvised explosive device detonated underneath his vehicle during a routine security patrol. The damage caused by this explosion cost Corporal McDermott both of his legs, but it did not take away the fighting spirit which enabled him to persevere through the difficult recovery process.

It is a true testament to Corporal McDermott's character that these injuries have not prevented him from pursuing life to its fullest. In addition to actively training and traveling with the U.S. National Sled Hockey team, he has continued his service to the global community by participating in a volunteer trip to study social development in Morocco.

Through the generous work of Homes for our Troops, Corporal McDermott will soon become a resident of New York's 21st District, and we are proud to welcome him. Since 2004, the organization has built 236 adapted homes for veterans, and now Homes for our Troops is providing Corporal McDermott with an accessible residence in Clayton, New York. Here, he can live comfortably and pursue his dreams of working toward a law degree.

I would like to thank Corporal McDermott for his service to our county and for the sacrifices he has made for our way of life. He is a deserving recipient of the incredible opportunity that Homes for our Troops provides.

RECOGNIZING HOWARD L.
CHAMBERS

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Ms. SÁNCHEZ. Mr. Speaker, I rise to recognize Howard L. Chambers, City Manager for Lakewood, California in my Southern California district who is retiring after over 41 years of public service. Howard is concluding his career as the longest serving city manager with any single city in California, exemplifying his love and dedication towards the City of Lakewood and its people.

Howard was born and raised in Lakewood, having attended Lakewood schools and work-

ing at the local YMCA and the City of Lakewood's recreation program. As his life progressed Howard never strayed too far from his beloved city, attending college at nearby California State University, Long Beach where he received a Bachelor of Science degree. Howard became Lakewood's top executive in 1976, after receiving a Master of Arts degree in Planning and Administration from Pepperdine University and serving as Executive Assistant to the Lakewood City Manager.

During his tenure with the City of Lakewood, Howard always provided strong leadership and knowledgeable direction for major projects. While his accomplishments are far too numerous to name, I want to highlight the building of the Weingart Senior Center, The Centre at Sycamore Plaza, the S. Mark Taper Foundation Vista Lodge, the West San Gabriel River Parkway Nature Trail, and, most recently, the new Pumpkin Playground at San Martin Park. He also oversaw the renovation of the Veterans Memorial Plaza and Douglas jet plane at Del Valle Park.

Over the past decades, Howard has worked tirelessly to ensure Lakewood operates on firm financial footing and never outside its fiscal means. During the recent economic downturn, Lakewood was able to maintain funding for all city services and avoid employee layoffs thanks to Howard's budgetary foresight.

Howard has also played an influential role amongst his peers in city management, through his leadership roles in League of California Cities, the California Contract Cities Association, the California Joint Powers Insurance Authority, the Gateway Cities Council of Governments, and the International City/County Management Association. Howard was recently honored by the League of California Cities with the 2017 Wes McClure Award of Distinction for outstanding career service, leadership, ethics, expertise and innovation as a city manager.

I wish to commend Howard Chambers on his many years of outstanding public service and dedication to the City of Lakewood and its residents. I wish him the very best in retirement.

PERSONAL EXPLANATION

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 2017

Ms. SPEIER. Mr. Speaker, due to an unavoidable conflict, I missed the following votes on July 28. Had I been present, I would have voted YEA on Roll Call No. 437, and YEA on Roll Call No. 438.

SENATE—Wednesday, August 2, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Holy God, You make the clouds Your chariot and walk upon the wind. You illuminate the darkness with Your presence and provide for the salvation of our souls. Great is Your faithfulness.

Today, make our lawmakers heirs of peace, demonstrating that they are Your children, as they strive to stay within the circle of Your loving providence for their lives. May they take pleasure in doing Your will, knowing that by so doing, they are fulfilling Your purposes in our world.

Lord, You are never far from us, but often we are far from You. So show us Your ways and teach us Your paths. Thank You that Your mercy is from everlasting to everlasting upon those who come to You with reverence. May Your glory endure forever.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

WORK BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, as I said yesterday, the Senate has more work ahead this legislative period, including passing the FDA user fees legislation and confirming a number of nominees.

We have made important progress already, and just last night we passed the critical Veterans Choice legislation. That bill, which is now on its way to the President's desk, will allow many veterans to bypass long wait and travel times at VA facilities by accessing private care.

We also confirmed several nominees. We confirmed eight officials who will be critical to advancing administration policy in the Defense Department. It is a good start, but we have other nomi-

nees to confirm for many other positions, both security- and nonsecurity-related, across many different agencies and departments. In the national security realm, for instance, we must confirm nominees for the Department of Homeland Security, Department of State, and the intelligence community.

The Senate also came together to confirm a well-qualified judicial nominee for the Eleventh Circuit Court of Appeals, as well as the Director of the Federal Bureau of Investigation, Christopher A. Wray. The position of FBI Director is one of great importance when it comes to protecting the American people, especially at a time when we face a range of threats both at home and abroad. Wray's impressive credentials, demeanor, and commitment to the rule of law make clear that he is the right person to lead the Bureau in its efforts to keep our communities safe. The work of an FBI Director is difficult, but I am confident that Wray is capable of shouldering this important responsibility and that he will lead the FBI with the strength and professionalism that the position demands.

Our work on nominees continues today. We will, for instance, take a procedural vote on the nomination for the National Labor Relations Board later this morning. But there is more to do. I was pleased to hear the Democratic leader reaffirm his interest in working with us now to clear more nominees before the conclusion of this work period. Many of these nominees have been held up far too long, leaving the administration without a number of key officials at various agencies.

I look forward to our Democratic colleagues working with us to finish up the FDA user fees legislation that I mentioned earlier, as well. Members will continue to work on other issues in the meantime, such as tax reform, which is one of the things the Senate—led by the Finance Committee—will turn its collective attention toward after the State work period.

TAX REFORM

Mr. MCCONNELL. Mr. President, during the 8 years of the Obama administration, our economy failed to live up to its full potential—meager growth rates, wages that failed to keep pace, and a decline in opportunities. Middle-class families were hurting, and they needed policies that would allow the economy to begin to grow again. Unfortunately, the last administration often gave them exactly the opposite. Some were sins of commission, such as mak-

ing things worse with an aggressive regulatory rampage. Others were sins of omission, such as failing to address an outdated tax code that has made American companies increasingly uncompetitive in a global economy and, as a result, has moved investment and jobs offshore.

Then, in November Americans chose to go in a different direction. They elected a pro-growth President who would sign legislation from a pro-growth Congress. Ever since, we have been working to turn the tide back in favor of the middle class. We have undertaken what has been described as the “most ambitious regulatory rollbacks since Reagan.” We have pursued policies that can once again encourage job growth and American investment.

Just last week, the administration and congressional leaders and, most importantly, the chairmen of the Senate Finance and the House Ways and Means Committees issued a joint statement outlining shared principles for unleashing the American economy through comprehensive tax reform. Comprehensive tax reform represents the single most important action we can take now to grow the economy and to help middle-class families finally get ahead. It is no secret that the current Tax Code is overly complex and highly punitive and makes it harder for individuals and small businesses to succeed.

Fortunately, we now have a once-in-a-generation opportunity to fundamentally rethink it. It has been over three decades since that last happened. In the years since, the international economy has grown much more competitive. American workers and American businesses have only found it harder to keep up with foreign contenders. Put simply, the rest of the world is running circles around us in this area, making it more difficult for American firms to hire, invest, and compete.

The time has come to fix this so we can help our economy grow and help the individuals and families we represent realize their true potential. For families, we want to make their taxes simpler, fairer, and lower. For small businesses, we want to provide the conditions they need to form, invest, and grow. For all American businesses and their employees, we want to ensure they have the best chance to compete with foreign companies and succeed. We want a tax system that encourages American companies to bring jobs home again.

These are some of the key goals of tax reform. They sound like goals we

should all share, regardless of party. For years, the tax-writing committees have focused on this particular subject—holding hearings, soliciting input from stakeholders, and considering the views and priorities of Members, both on and off these committees. They are eager now to begin the process of developing tax reform legislation that achieves the shared goals I outlined above.

The administration and congressional leaders stated:

We have always been in agreement that tax relief for American families should be at the heart of our plan. . . . And we are now confident that . . . there is a viable approach for ensuring a level playing field between American and foreign companies and workers, while protecting American jobs and the U.S. tax base.

Our expectation is for this legislation to move through the committees this fall under regular order, followed by consideration on both the House and Senate floors. There is a great deal of bipartisan consensus about what ails our Tax Code, and my hope is that our friends on the other side of the aisle will join us in a serious way to address it, because the American people deserve a tax system that works for them instead of against them. They deserve a tax code that encourages companies to bring jobs home instead of encouraging just the opposite. Americans deserve true comprehensive tax reform.

I appreciate the good work of our colleagues in the administration and by Members in both Chambers already to get us there, particularly Finance Committee Chairman ORRIN HATCH. Chairman HATCH has been working hard with his fellow Finance Committee members—Senators from both sides of the aisle—literally for years, on this issue, and he continues to lead the way today. Under his leadership and the leadership of Chairman BRADY in the House, Congress's tax-writing committees will advance these principles through regular order, so that Members on both sides of the aisle will have an opportunity to participate in this historic effort, if that is what they choose to do.

This will not be an easy process, but the people we represent are depending on us for help. Now is the time to deliver tax reform, and I look forward to working with my colleagues to accomplish it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, first, on the topic of healthcare: I was very happy to hear the statement from Chairman ALEXANDER and Ranking Member MURRAY yesterday in which they pledged the HELP Committee to the task of restabilizing and strengthening the markets, particularly by guaranteeing the cost-sharing reduction program. As Chairman ALEXANDER said: "Without the payment of these cost-sharing reductions, Americans will be hurt." That is clear. Everyone has said it, even the insurance industry, and yet President Trump continues to treat this critical program as if it is some kind of political hostage. The President treats the critical program as if it is some kind of hostage.

Insurers in three States—North Carolina, Pennsylvania, Iowa—have each released separate rates for 2018: one if the payments are made, and one that is 20 percent higher if they are not. In these three States, premiums will be 20 percent higher if President Trump refuses to carry out the law. Every American will see that increase in their monthly bill and know it is a Trump premium tax.

Insurers from coast to coast have said that uncertainty surrounding the cost-sharing reductions are the No. 1 threat to the stability of our markets. State insurance commissioners—many of them Republican—are announcing higher rates for next year and directly blaming the President's failure to guarantee these payments, as the insurance commissioner of Idaho did yesterday.

We have enough problems in the world right now without President Trump creating entirely new ones out of political spite and a petty vindictiveness. When you lose politically, you don't take it out on the American people. That is not Presidential; that is just small.

So we would say to the President: Stop holding this critical program as if it is some kind of political hostage, stop the sabotage, make the payments this month so Chairman ALEXANDER and Ranking Member MURRAY can get to work in a bipartisan way on a longer stabilization package.

Let me salute a large number of my Republican colleagues who agree we have to do cost sharing. They have realized that just sticking with President Trump—particularly when his motivations are not Presidential but are sort of nasty, vindictive—is a bad idea. I salute you because, for the good of America, we have to work together.

TAX REFORM

Mr. SCHUMER. Mr. President, now, on taxes, another matter. Yesterday, my friend the majority leader brought down the curtain on bipartisan tax reform before a discussion between our two parties could even start, dismissing the prospect of Democratic input, promising the Republicans would again use reconciliation to lock us out of the process, repeating the same mistake they did with healthcare.

Leader MCCONNELL's announcement just came a few hours after 45 Members of the Democratic caucus sent him a letter saying we were open to bipartisan discussions on tax reform. We had three simple, straightforward principles. Let me read the Democratic principles on tax reform: First, don't cut taxes for the 1 percent—the top 1 percent. They are doing fine. God bless them.

Second, don't increase the debt and deficit, something many of my colleagues on the other side of the aisle have been talking about for a long time.

Third, negotiate in a fair and open process, not reconciliation but hearings, amendments, the things that have made America great and have brought this Senate the acclaim over the decades it has had.

Now, I would like to know which of these principles the majority leader does not agree with. I would like to know. Is he closing the door on bipartisanship because he so dearly wants to cut taxes on the top 1 percent? The wealthy are doing great right now—God bless them—but they don't need another tax break while middle-class families and working Americans are struggling just to make ends meet. Many of us on this side of the aisle suspect that to some, that is the No. 1 motivation—not tax reform, not close loopholes, not clean up the system but give that top 1 percent a huge tax break to please so many like the Koch brothers.

Again, I would ask the leader: Are you closing the door on bipartisanship simply because you want to cut taxes on the top 1 percent or maybe the leader is closing the door on bipartisanship because he has a fervent desire to blow up the deficit? That sure doesn't sound like something Republicans have been interested in over the years—they have been spending lots of time, with good reason, deficit scolding and debt scolding—or is my friend from Kentucky, our majority leader, closing the door on bipartisanship because he thinks reconciliation, which means you exclude the Democrats from the get-go, is a good process because he doesn't want to have hearings, because he doesn't want amendments, and maybe it is the same reason on healthcare? Maybe they are ashamed of their proposal. I would like to see somebody on the floor

get up and say: We believe in tax cuts—on the Republican side get up on the floor and say: We believe in tax cuts for the top 1 percent. That is why we want to do this.

But, no, they want to hide it, cloak it, give a crumb to the middle class, and say: See, we are helping you.

We all know that what happens after we have a big deficit, they come back and say: Now, let's cut Social Security, now let's cut Medicare because we don't have the money. We don't have the money because they cut taxes on the rich, the very wealthy.

I don't know which of these three principles the majority leader is against, but when he closed the door on Democrats—when we sent him this letter which simply outlined our principles, that is all we wanted to do, give him notice we agree on these three things, at least on our side—which one or all of them made him close the door?

We Democrats hoped we could work together on tax reform, but the majority leader has drawn down the curtain before the play has even begun. Republicans will spend the entire first year of this Congress trying to pass their agenda on reconciliation, a process that deliberately excludes Democrats, excludes hearings, excludes amendments, with no shred of bipartisan input. Just like with healthcare, I believe it will be another dead-end road for Republicans.

I tell my friend the majority leader—I quote his speech in 2014, entitled “Restoring the Senate.” I truly believe—I truly believe that Leader MCCONNELL believes in the institution of the Senate, and he has shown examples of that most recently when he said we don't want to change the rules, despite President Trump pushing to do that, but here is what he said in 2014:

When the Senate is allowed to work the way it was designed to, it arrives at a result acceptable to people all along the political spectrum. But if it's an assembly line for one party's partisan legislative agenda, [it creates] instability and strife rather than good, stable law.

Those are the majority leader's words. Well, if you believe that, my dear friend from Kentucky, then why are you instituting reconciliation, the exclusionary process, before we even begin the debate? And why—might the American people ask—haven't you learned the lesson of healthcare that that process doesn't work?

The American people want to see us work together. We may not always succeed. It may not be easy. It is hard work, but we ought to try. This assembly line of partisan legislation—no Democratic input, no hearings, no amendments—is not what any of us want to see. It is not what the American people are calling out for, and it will not produce good, stable law.

Again, I would ask the majority leader to reconsider these three principles

probably supported by 80 percent of the American people. Why aren't our Republicans supporting them? Why are they running away from them?

TRADE

Mr. SCHUMER. Finally, Mr. President, on the issue of trade, according to reports, the Trump administration is preparing an open investigation into China's trade practices, focusing on economic espionage and the theft of intellectual property.

I certainly applaud the sentiment. I have been decrying for years how the Chinese have been taking advantage of us in a way that has sent trillions of dollars of American wealth to China and millions of jobs to China so we should certainly go after them. The problem is, we don't need another investigation to know what China is up to. That is what the President called for: Let's investigate—another investigation.

It is clear what China is up to. By dumping counterfeit and artificially cheap goods into our markets, denying U.S. companies fair access to its markets, and relentlessly stealing and exporting intellectual property of U.S. companies, China, as I said, has robbed the U.S. economy of trillions of dollars and caused the loss of millions of good-paying U.S. jobs.

Estimates by our own government—already made estimates; we don't need a study, President Trump—pin the cost of cyber espionage alone at \$400 billion a year to the U.S. economy—\$400 billion a year, and 90 percent of it comes from China's Government. This is not a benign process. This is not some rogue company. This is the Chinese Government.

Here is what our four-star general, Keith Alexander, the former Director of the National Security Agency and commander of the U.S. Cyber Command said. He called the loss of industrial information and IP through cyber theft “the greatest transfer of wealth in history”—the greatest transfer of wealth in history.

That pains me—this country, with its entrepreneurial vigor, with its acceptance of people from all corners of the globe for centuries to go work hard and create good things, China is stealing it. They are not doing it on their own. Every American, when they hear that statement, it should make them cringe. It makes me cringe almost every day.

Those are the facts. So I would say to President Trump: We don't need another study that takes months and months to complete while no action is taken. We need a plan of action now.

Unfortunately, this is what the Trump administration is doing on all issues of trade. They really talked tough on the issue of steel and aluminum dumping. As someone who has

aluminum plants in the State up there in Massena—Alcoa—and all along Lake Ontario—what used to be called Alcan is now called Novelis—I know the issue of aluminum dumping. It hurts jobs in my State. The President early on talked tough, tweeted tough on illegal steel dumping, illegal aluminum dumping, but it is 7 months into this administration, and we are still reviewing its effects on our economy.

The administration failed to secure any deal with China in a number of forums, and they continue to delay on action that was promised in June. Tough talk and tweets are cheap, but strong and decisive action on trade is required. American workers have waited too long for our country to crack down on abusive trade practices that rob our country of millions of good-paying jobs.

Today, I am proud to announce that the Democratic Party will be laying out our new policy on trade, which includes, among other things, an independent trade prosecutor to combat trade cheating, not one of these endless WTO processes that China takes advantage of over and over again; a new American jobs security council that will be able to review and stop foreign acquisitions of U.S. companies if they are likely to have a detrimental effect on U.S. jobs; penalties for Federal contractors that outsource jobs; stronger “Buy American” rules; and an outsourcing tax on companies that leave the United States.

On the issue of NAFTA negotiations, we are laying out a set of tough principles that must be a bottom line for any new NAFTA text. I voted against NAFTA in 1994. That was 23 years ago. We have seen how it has hurt us in so many ways. There have been some benefits, but overall the loss of jobs is painful. More jobs and higher wages have to be our guiding principle, and it needs full transparency with workers and the public at the table, not just corporations.

So I hope the administration—and I always said when I heard Donald Trump campaign that my views on trade are probably closer—I am closer to his views than I was to either President Obama's or President Bush's. I hope he will listen to us and work with us. These are good things to do. We can do them quickly. We can save jobs, create good-paying jobs. But I say to the President: We don't need another investigation, another study that languishes for months and maybe even years. We need strong, bold action on trade, and Democrats will offer those strong bold ideas later this morning.

Thank you.

I yield the floor.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

The assistant Democratic leader.

DACA

Mr. DURBIN. Mr. President, many times over the last 6 months, I have come to the Senate to speak out on issues and to disagree with President Trump. It is clear that we have very profound political differences when it comes to the issues that face us, but I come to the floor this morning in an unusual position to express my gratitude to President Trump for a position he has taken, which I think is the right position for America.

Let me explain. Five years ago, President Barack Obama created the Deferred Action for Childhood Arrivals Program, known as DACA. It enabled approximately 790,000 talented young people to contribute more fully to this country. They are teachers, nurses, engineers, small business owners, and more. DACA, which was an Executive action by President Obama, provides a temporary legal status to immigrant students who arrived in the United States as infants, toddlers, and children. They have to come forward under this Executive action and register with our government. They have to pay a substantial fee for processing. Then they have to submit themselves to a criminal and national security background check. If they are successful, they are given 2 years of temporary relief from deportation.

This program is based on the Dream Act, a bill that I first introduced in the U.S. Senate 16 years ago—in 2001. That bill would give undocumented students who grew up in this country a chance to become legal and to earn their way to citizenship.

These young people have come to be known as Dreamers. They came to the United States under the age of 16, some of them 1 or 2 years old. They grew up in the United States, going to our public schools, singing the “Star Spangled

Banner,” pledging allegiance to the only flag they have ever known, the American flag. They are American in every way except for their immigration status. We have already invested in them, as you can tell—invested in their education, bringing them up in American schools. I can’t believe it makes any sense for the future of our country to squander their talents by deporting them to countries that many of them have never known.

A recent study by the Center for American Progress finds that ending DACA, President Obama’s Executive action, would cost our economy at least \$433 billion in gross domestic product over the next 10 years. The Institute on Taxation and Economic Policy estimates that the 1.3 million young people eligible for DACA pay \$2 billion each year in State and local taxes.

As I said at the beginning, I have had many differences with President Trump, particularly on the issue of immigration in some of the speeches and statements he has made, but I do appreciate—personally appreciate—that this President has kept the DACA Program in place.

I have spoken directly to President Trump only two times—three times, perhaps. The first two times—one on Inauguration Day—I thanked him for the kind words he had said about Dreamers and the DACA students and those protected by the President’s Executive action.

President Trump said to me: Don’t worry about those kids.

Well, Mr. President, I continue to worry about those kids. I worry about them now more than ever, not because I have heard any change of heart or reversal from you but because of other circumstances that are bringing this issue to a head. The Texas attorney general, Ken Paxton, and nine other States have threatened to sue you, Mr. President, unless by September 5 you rescind the memorandum that established DACA by President Obama and announce that your administration will not renew or issue any new DACA permits. This direct, specific threat to the DACA Program has left hundreds of thousands of these Dreamers anxious, concerned, and worried about their future.

Last week I was joined by Senator CHUCK SCHUMER, our Democratic leader, and 40 other Senate Democratic colleagues in writing a letter to President Trump, asking him to order his Attorney General, Jeff Sessions, to use all legal options to defend DACA so that these young people can continue to contribute to a country they love.

Some of my friends on the other side of the aisle oppose the DACA Program. To them I say: If you don’t support DACA, let’s immediately pass the bipartisan Dream Act. If you think President Obama went beyond his Pres-

idential authority with this Executive action, then let’s take up this matter where it should be taken up, here in the legislative branch of the government in the U.S. Senate.

I recently reintroduced the Dream Act with my friend and colleague, LINDSEY GRAHAM of South Carolina. Now that I am in the mood of thanking Republican leaders, including President Trump, let me thank Senator LINDSEY GRAHAM, as well as Senator JEFF FLAKE and Senator LISA MURKOWSKI. They have stepped forward to join me in cosponsoring this Dream Act.

Our government should give these young people a chance to earn their way to citizenship. They were brought to this country as children. They didn’t make the family decision to cross the border. They have been raised in this country. They have created no problems in terms of criminal background. They have gone to our schools. All they are asking for is a chance.

When we introduced the Dream Act a week or so ago, Senator GRAHAM said that the young people who have received DACA should be treated fairly and not have the rug pulled out from under them. LINDSEY GRAHAM is right.

Over the years, I have come to the floor nearly 100 times to tell the stories of these Dreamers and to make it personal so that we come to know who they are and why I have taken the time to make this a major part of my service in the Senate. These stories put a human face on the DACA Program and on the Dream Act. They show what immigration actually means to our country in real terms.

This is Juan Martinez. When he was less than 2 years old, Juan was brought to America from Mexico. He grew up in Dallas, TX, with his parents and brothers. He was an honor student in high school. He graduated and was valedictorian of his class with a 3.9 GPA, a member of the National Honor Society, an active member of the debate team, and in student government.

He was an accomplished student, but he was also a very active community volunteer. Juan helped organize food drives at the local food banks, he cared for children at recreation centers while their parents worked, and he volunteered in soup kitchens.

In his senior year of high school, he applied to his dream school—once my dream school—Georgetown University, and he was accepted. As a college student, Juan has studied international politics, concentrating on security, minoring in the Arabic language. In his first year of college, Juan was elected as a student senator.

In his spare time here in Washington, he mentors disadvantaged high school students so that they can apply successfully for college. His dream one day is to work for our government, to help our country—the country that he calls

home—and to make the world a safer place.

Juan sent me a letter, and this is what he said:

Thanks to DACA I can focus on my studies without worrying that it may all be taken away from me any second. I have always thought of myself as an American, but it is thanks to DACA that I can begin to truly feel like one, too. And that feeling is something I am thankful for every single day.

Juan and other Dreamers have so much to contribute to this country. But without DACA, without a similar protection, Juan could be deported back to Mexico, a country where he hasn't been since he was 2 years old.

Would we be a stronger nation if we lost Juan Martinez—if he were deported? I don't think so. I think the answer is clearly no.

When we introduced the Dream Act last week, Senator LINDSEY GRAHAM said: "The moment of reckoning is coming."

I would say to the President first: Again, thank you. Thank you for allowing DACA to continue under your administration. Thank you for keeping your word to me and so many others when you said that these young people don't have to worry. But we are reaching a moment, Mr. President, when we have to come together and do something. We need you and you need us so that we can pass important legislation and you can sign it—legislation that will give these young people the protection they deserve, the opportunity they seek, the chance to make America a greater nation.

I know the reality of this issue. I know it from both political sides. I witnessed it for over a decade. I know it is not popular, Mr. President, that you have taken this position, to stand behind the Dreamers and those protected by DACA, but you told me that you thought it was the right thing to do, and I am sure you still feel that way.

Your new Chief of Staff, General Kelly, and I have had many conversations about this, and I believe that he, too, thinks that legislation is necessary to protect these young people. I hope we can come together. I stand ready. Senator GRAHAM stands ready. We have a bipartisan coalition prepared to work with you.

Let's not let this decision be made in a courtroom somewhere far from Washington. Let's take on our responsibility, yours as President and ours in the Senate, to address this critical issue that really cries out for justice. This is the time to do it. The concern, anxiety, and stress is higher than ever among these populations of people affected by DACA and the Dream Act and, of course, their families as well. I hope you will join us in creating a legal option that will defend the DACA Program and will work with us in Congress to make the Dream Act the law of the land so that we can say to young peo-

ple like Juan Martinez and hundreds of thousands of others: Yes, we will give you your chance—give you your chance to prove that you can become a valuable part of America's future, give you a chance to make America a stronger nation. That is all they have asked for, and that is something we, on a bipartisan basis with the President, should give them.

I yield the floor.

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

HEALTHCARE

Mr. CORNYN. Mr. President, I note in this morning's news that insurance companies that provide health insurance policies on the ObamaCare exchanges are projecting that insurance premiums will go up about 30 percent next year.

Since 2013, we have seen the nationwide average of premiums go up 105 percent. That was before this latest announcement. We know that in 2017, the national average increase in premiums was 25 percent, and in Arizona, for example, it was 145 percent.

So why did all of the Senate Democrats vote against making progress on a solution toward these runaway premiums I have talked about ad nauseam on the Senate floor?

We have almost become numb to the pain people across this country are experiencing because of the skyrocketing rate of their insurance premiums, and we know that 28 million, roughly, have dropped out and are uninsured. In my State alone, because of the individual mandate, which is the penalty the government imposes for one's failing to buy a government-approved health insurance plan—as the Presiding Officer knows because I got the figures from him—more than 400,000 Texans who earn less than \$25,000 a year paid the penalty because they could not afford to buy the insurance. All in all, about a million Texans paid the penalty because of the individual mandate.

When we tried to do something about that last week, in working with our House colleagues, what was the response from the other side? It was crickets—silence. Unfortunately, the people who were hurt by ObamaCare are still being hurt by ObamaCare.

Now, here is the narrative. I have already seen it on social media and have read about it in the paper and elsewhere. Some people are saying: Well, the reason insurance companies are saying that premiums are going to go up 30 percent next year is that President Trump will not commit to the subsidies for insurance companies, the so-called CSRs.

That is utterly false. How do they explain the 105-percent increase from 2013 to currently? How do they explain last year's increase in insurance premiums, 25 percent, on average, and 145 percent in places like Arizona before President Trump even took office? It is a demon-

strably false narrative, and I cannot tell you how disappointed I am that we were not able to make some progress toward a solution on behalf of the people whom I represent in my State but also on behalf of the people whom we all represent across the United States.

I dare say, as we search for a path forward, we ought to get our facts straight, and the idea that premiums are going to go up 30 percent next year, unless something changes, is a product of the failure of ObamaCare. It is nothing that this administration has done or will do that has caused that. So let's get our facts straight because starting with the correct facts is absolutely essential to coming up with real solutions.

WORK BEFORE THE SENATE

Mr. President, we sometimes are our own worst enemy in the U.S. Senate. We do something really important, really good, and really bipartisan, and then we do not tell anybody about it. We leave it to them to discover it for themselves. Last night, for example, we passed major, bipartisan, bicameral legislation to continue the Veterans Choice Program. At a time when so much is polarized here in Washington and people are hungry for bipartisan and solution-oriented leadership, when they get it on something like the Veterans Choice Program, we do not talk about it. This is really important to our veterans—people to whom, I believe, we have a solemn commitment as a result of their service to our country.

Over the last few years, we have heard how the Veterans Health Administration has been plagued by inefficiency, unaccountability, and poor quality of care. The VA has been hindered too long by unnecessary bureaucratic hurdles, which have been incredibly frustrating and deadly. I am afraid, in some cases, for our veterans. We have heard stories about veterans having to travel hours to get medical care, sometimes causing them to accept lower quality care or to forgo that care entirely. Sadly, in some cases, veterans turn to coping mechanisms, self-destructive activity—self-medicating—with drugs or alcohol because they simply cannot get access to genuinely helpful medical care.

The Veterans Choice Program was designed to help address that by ensuring that veterans could receive timely appointments close to where they live. If they had to drive too far or if they had to wait too long for an appointment at a veterans facility, we said: You could show up at your local healthcare provider's, and we will pay for it through the Veterans Choice Program.

The VA Choice and Quality Employment Act of 2017 continues that important program and guarantees veterans that they will have access to care without interruption.

This bill also strengthens the VA's ability to recruit, train, and retain its valuable workforce, which will help the VA continue to improve veterans' care. I am glad we were able to pass this legislation last night to ensure that this program can continue serving veterans. In moving forward, both Chambers should continue to work with the VA to get the agency back on track and right the years of poor quality of care and of service to our veterans for whom, I believe, we have a sacred obligation, a solemn commitment, based on their service to our country.

Next, we will focus on another important piece of legislation. This is authorizing the Food and Drug Administration's user fee program.

This is how the Food and Drug Administration actually considers and approves new drugs that can save lives and improve the quality of lives. These partnerships between the public and private sectors ensure that patients will have access to safe and effective drugs and medical devices while also maintaining America's position as a global leader in medical innovation. Faster approvals mean treatments and cures reach patients sooner. Increased competition leads to lower costs, and that, in turn, means more lives saved. This is another example of what, I believe, will be a bipartisan accomplishment of the current Senate and current Congress.

I heard one of our colleagues last week stand in front of the Nation and say nothing ever gets done. Well, we are doing some important things. The Veterans Choice Program and the FDA reauthorization bill are important, lifesaving bills that are being passed on a bipartisan basis.

Then, of course, there is the backlog of the President's nominees.

I have never seen anything quite like it. We had an election on November 8, but for many of our colleagues, the election remains undecided. They do not accept the verdict of the American people and the electoral college that President Trump won the election and that Hillary Clinton lost. That is how they, somehow, justify their consistent foot-dragging and obstruction when it comes to the President's nominees for important offices, including his Cabinet.

It is the President's prerogative to nominate whom he wants to serve in the executive branch, but it is our duty, our responsibility, to carefully consider their qualifications before coming together to confirm them. Now, we have had people who had been waiting months for their nominations to be confirmed and who were confirmed by almost unanimous votes of the Senate, which tells me we were delaying those votes unnecessarily. If they were truly controversial, I think it would be reflected in the votes for their confirmations, but they are not.

Let me just name one—our former colleague, Kay Bailey Hutchison, who has been nominated to serve as the Ambassador to NATO. I cannot think of a more qualified person than my good friend, the former Senator from Texas. Our country needs leadership in Brussels, at NATO, to help counter Russian aggression and threats and intimidation against our allies in the region, but that is just one example.

Last night, the Senate confirmed the FBI Director—I am grateful for that—but they also confirmed—again, in the dead of night when nobody was paying attention—eight other Department of Defense nominees. Now, if our Democratic colleagues had good reason to delay those confirmations because they felt like they were controversial, that is their right, but evidently they were willing to let those people who had been nominated to the Department of Defense be confirmed, basically, by consent after months and months of delay.

We have a lot of other nominations that are backlogged due to the unfortunate obstruction and foot-dragging of our Democratic colleagues, and I, for one, do not think we ought to leave in August—this month—without a big, robust package of the confirmations of these noncontroversial nominees.

It is time to get over the election. That was on November 8. We used to see a difference between elections and the responsibility of governing. Regardless of who wins the election, we still have the responsibility to govern. Some people seem to have forgotten that.

Again, I hope we have a big, robust package of noncontroversial nominations approved before we leave for the rest of the month of August. I think it is too important to leave town without that. We need our President to succeed so the country can succeed. This is what every American who voted for President Trump hoped for, and they trusted him to choose men and women for his Cabinet to lead and guide our country. I have to say, he has done a remarkably good job in the people whom he has chosen for his Cabinet so let's come together and confirm these appointees so the administration can better serve our Nation and all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, thank you.

I come to the floor today to urge my colleagues to vote no on the nomination that we will vote on shortly.

On the campaign trail, President Trump promised to put workers first. Instead, President Trump's administration has rolled back worker protections and prioritized corporate interests at the expense of workers.

It is critical, now more than ever, that the NLRB remain independent and

committed to advocating for workers and their right to organize, but I am deeply concerned that President Trump's nominee, Mr. Kaplan, does not have a record of supporting the rights of workers and unions.

At his nomination hearing, Mr. Kaplan confused basic labor issues and decisions, further proving he lacks the knowledge and experience to serve on this important board. NLRB members should be committed to standing up for workers, and it is clear Mr. Kaplan does not make the cut.

I urge my colleagues to join me in doing what President Trump has failed to do, and that is to put workers first. Vote against this nomination.

Thank you.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

Mitch McConnell, Chuck Grassley, Marco Rubio, Deb Fischer, John Cornyn, Susan M. Collins, Lamar Alexander, Roy Blunt, Luther Strange, Pat Roberts, James Lankford, Bob Corker, Richard C. Shelby, John Barrasso, Joni Ernst, Orrin G. Hatch.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. SULLIVAN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 183 Leg.]

YEAS—50

Alexander	Cotton	Grassley
Barrasso	Crapo	Hatch
Blunt	Cruz	Heller
Boozman	Daines	Hoeven
Capito	Enzi	Inhofe
Cassidy	Ernst	Isakson
Cochran	Fischer	Johnson
Collins	Flake	Kennedy
Corker	Gardner	Lankford
Cornyn	Graham	Lee

McConnell	Roberts	Sullivan
Moran	Rounds	Thune
Murkowski	Rubio	Tillis
Paul	Sasse	Toomey
Perdue	Scott	Wicker
Portman	Shelby	Young
Risch	Strange	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Burr	McCain

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 48.

The motion is agreed to.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to stand up for the workers President Trump is failing. As a candidate running for President, Mr. Trump promised workers that he would put them first and that he would bring back good-paying, respectable jobs to their communities, but since day one, President Trump has done the exact opposite. He has rolled back worker protections and made it harder for families to be more secure.

Now, this doesn't come as a surprise to me, especially when I look at President Trump's record as a businessman. I have to say that he has refused to allow even his own hotel workers to organize or join a union, preventing them from having the opportunity to better advocate for safer working conditions and better pay.

We all know that strong unions have helped to create our middle class, and for many working families in the 20th century, a good union job, or the right to collective bargaining, helped them move up the economic ladder. But over the past few decades, we have seen a decline in unions and union membership across the country. As a result of that, our economy has started to favor corporations and those at the top. This paved the way for President Trump and billionaires like him to take advantage of their workers, with little recourse for everyday people who are the backbone of our country.

The National Labor Relations Board gives workers the opportunity to file charges against corporations when they are illegally fired or when corporations retaliate against workers for exercising their rights. President Trump should be familiar with the NLRB, as his own businesses have had complaints filed numerous times. That is precisely why it is so important that the Board is independent and is committed to advocating for workers and their right to organize.

The preamble of the National Labor Relations Act clearly states that it is the policy of the United States to encourage collective bargaining and to give workers a voice, allowing them to speak up for fair wages and safe working conditions. It is the responsibility of the NLRB to ensure that workers are being treated fairly and to resolve disputes between corporate management and workers.

So it is clear to me that Board members should believe in the core mission that I just stated of the NLRB and should be committed to standing up for workers and their right to collective bargaining, which is exactly why I have very serious concerns about Mr. Marvin Kaplan's record, which has largely been in opposition to the work and mission of the NLRB.

As a labor staffer in the House of Representatives, Mr. Kaplan prepared and staffed hearings where Republicans consistently attacked the NLRB. In fact, I would be hard-pressed to name a single example of Mr. Kaplan supporting the rights of workers and unions.

In addition to Mr. Kaplan's opposition to the core mission of the Board, I also have deep reservations about Mr. Kaplan's lack of legal experience practicing before the NLRB. When I asked Mr. Kaplan about his lack of practical qualifications, his responses were telling: Have you ever represented a party, employer, or a union in an unfair labor practice case or representation case before the Board? No. Have you ever represented a worker in an employment matter? No.

What is more, when asked to speak on the pressing questions facing the Board at his confirmation hearing, he actually confused basic labor issues and decisions, further calling into question whether he has the experience and knowledge to serve on this critically important Board.

This is not a difficult concept for workers across the country to grasp. If you are not qualified for a job that is this important or if you want to undermine the basic goals of the law, you shouldn't get the job.

So I will be voting no on Mr. Kaplan's confirmation. I urge my colleagues to do the same.

I know my colleagues on both sides of the aisle want to strengthen our economy and rebuild our middle class. So I hope we can stand with working families across the country who today are simply asking for a fair shot.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, there are two reasons why every Member of the Senate should vote against confirming Marvin Kaplan to the NLRB. The first is that he is just not qualified.

The NLRB is the Federal agency that enforces our labor laws. It protects the rights of workers and the private sector to organize for better wages and better working conditions. It is up to them to make sure that their employers follow the law and that when there is an issue between employers and employees, everyone acts reasonably.

Democrats and Republicans who have served on the NLRB have been the top labor and employment attorneys in their fields. They have had long careers working on labor issues, either as lawyers or as law professors. Many of them have spent time as staffers on the NLRB board. In other words, they understand the labor issues better than anyone. They may have a unique perspective on it one way or the other—sort of pro-management or pro-labor—but there is no question that previous nominees and previous members of the Board know labor law.

Marvin Kaplan doesn't fit this profile. He is not a lawyer with any relevant labor experience. He has no record and no public positions on relevant labor law. What he is is a well-connected Capitol Hill staffer. His only qualification, that I can find, is that he has drafted some legislation for a committee in the House of Representatives. That does not stack up against the resumes of any other member who has served on the Board—Democrat or Republican.

This lack of experience is dangerous. It means he will not know the intricacies and the historical development of labor law. He will simply be a rubberstamp who brings a political agenda to the Board, because he has no on-the-record opinions on these issues of his own.

That was clear from the hearing on his nomination, when he would not properly commit to recuse himself from any issues he had worked on and to approach issues with an open mind, which brings me to the second reason. If somehow Senators can make an excuse for his lack of experience, we can't deny that this is the opposite of the message that Congress should have received during the 2016 election.

In November, Americans made clear that Washington had failed working families and that we have not done enough to stand up for American workers.

Now here we are about to confirm a nominee to the NLRB, and the only experience he has is that he has drafted legislation to hurt American workers.

The Board is about to face some important decisions. They could reverse a decision that holds big companies accountable for how their contractors treat workers. The future of American workers and their ability to organize will be influenced by this Board, which includes any members confirmed by the Senate.

If Mr. Kaplan is appointed, it will further silence workers who already

feel that they aren't being heard in Washington, DC.

A vote for Mr. Kaplan is a vote that ignores the voices of American workers. It is a vote that further politicizes the NLRB at a time when we need to shore up our institutions against blind, corrosive ideology.

I urge my colleagues to vote no on this nominee.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. CASEY. Thank you, Madam President.

I rise to speak in opposition to the nomination of Marvin Kaplan to serve as a member of the National Labor Relations Board. Mr. Kaplan has spent much of his career as a staff member in Congress, where he worked to undermine unions and the rights of workers to bargain collectively.

A key role of the National Labor Relations Board is to preserve the right of workers to bargain collectively. The Board itself is charged with enforcing the National Labor Relations Act, which Congress passed in 1935 in the depths of the Great Depression. The act gave workers the right to join unions, and it encouraged and promoted collective bargaining as a way to set wages and settle disputes over working conditions.

This law that passed in the 1930s—and is still in effect today—is not simply a benefit to workers; it also benefits businesses, and it also benefits the economy. Section 1 of the act says, in pertinent part: “The inequality of bargaining power between employees . . . and employers . . . substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners.”

There are a lot of important words there. When you have inequality of bargaining power, the findings of the Congress at the time said that would burden and affect the flow of commerce. So that tells you the impact on commerce. It also says that when you have inequality of bargaining power, that aggravates business depressions, and the result of that is depressing wages and depressing purchasing power.

Everyone here knows that when we are measuring the American economy today—I am sure this has been true for many generations but especially today—the consumer plays a substantial role in our economy. So if that

consumer, that worker has lower wages, that is not good for anyone. So giving workers the right to both organize and collectively bargain allows them to demand higher wages, thereby increasing their incomes and that purchasing power which is so critically important. That, in turn, of course, increases consumption and demand for goods, which, of course, increases production and employment. So all of these are tied together. Wages and benefits affect the economy, not just the worker and his or her family.

I believe there is now a concerning trend to weaken the National Labor Relations Act and to tilt the Board against workers. Mr. Kaplan's nomination is another sign of this disconnect between the rhetoric of the administration claiming to be pro-worker and its actions that are of late anything but pro-worker. The administration claims it is here to support workers, but at every turn, we have nominees who have spent their careers working in the opposite direction.

We know that in the 1950s and 1960s, the economy worked well for working Americans because 35 percent of workers were in a labor union. The decline of unions, the decline of the workers' voice, and the decline of collective bargaining have helped to lead us where we are today—stagnant wages over a long period of time, as well as power, wealth, and income, of course, concentrated at the top.

So we know that unions helped workers to win higher wages, job security, and unprecedented benefits, including paid vacations, paid sick leave, and pensions that gave those workers and their families a measure of security, but it also increased their purchasing power, and it also, of course, strengthened the economy. American family incomes grew by an average of 2.8 percent per year from 1947 through 1973, with every sector of society seeing its income roughly double.

We know now that in the last number of years, it has been a different story. Families across Pennsylvania and the United States know that the story is much different. It is not a coincidence that union membership has declined from its peak of 35 percent of private sector employment in the 1950s to less than 7 percent of private sector employment today. This is all the more reason to stop this assault on workers and labor unions.

Nominees with a partisan history of working to undermine unions or undermine the National Labor Relations Act or undermine the National Labor Relations Board should not be confirmed to a position where they are supposed to act as an arbiter to protect the rights of workers to form a union and to bargain collectively. So I urge my colleagues to oppose the nomination of Marvin Kaplan to the National Labor Relations Board.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BROWN. Madam President, during his campaign, President Trump made a lot of big promises to workers in Ohio and across the country. He told them he would look out for them.

In a letter I sent to the President 2 days after the election, on November 10 or 11, asking the President to work with me to renegotiate NAFTA, insisting on “Buy American” provisions and infrastructure, the President scrawled across the top of the letter: “I will never let down workers.”

He said he would look out for them, but too often the people he puts in charge are along the lines of this latest nominee to the National Labor Relations Board, Marvin Kaplan. Mr. Kaplan has devoted his career—imagine such a thing—to working to strip workers of their rights and trying to undermine the workers' watchdog he is now seeking to join. I never question people's motives in this body. I just don't quite understand why somebody would devote his work life to trying to take away workers' rights and undermine labor protections. Someone who views unions and collective bargaining as a threat to be dealt with rather than as essential rights to be protected has no business serving on the National Labor Relations Board.

The National Labor Relations Board was created, in part, at this desk. Then Senator Hugo Black of Alabama, in the early 1930s, sat at this desk. At this desk, one of the pieces of legislation he wrote was the minimum wage law. One of the other pieces of legislation he worked on with Senator Wagner was the National Labor Relations Act. In those days, people understood that you had created the National Labor Relations Act to strengthen workers, to create workers' rights, and to protect those workers' rights.

Mr. Kaplan's nomination sets that on its head. It is the latest in a long, long line of evidence that we in this country simply don't value work the way that we used to. Workers have continually seen their rights undermined. Workers' wages have been stagnant. People who work hard and play by the rules don't have the standard of living they had in our parents' generation or even half of a generation ago.

We see companies refusing to pay overtime to workers who have earned it. We see companies misclassify workers so that companies can pay them less. We see executive salaries and CEO compensation going up and up and up.

Yet for the broad middle class in this country, for people who aspire to be middle class, for low-wage workers, they have simply not gotten a raise for the last 20 years. So then, are we going to appoint somebody to the National Labor Relations Board—the President says we are going to confirm somebody to the National Labor Relations Board—who has devoted his entire career to undermining workers, to taking away workers' rights, to scaling back workers' protections, and to scaling back wages—all these things we as a country never stood for?

I don't know what is happening in this country that we think it is right to deprive workers of their wages, to take away overtime, to basically hit workers day after day after day in their pocketbooks, all while productivity goes up, profits go up, and while executive compensation goes up.

When I was a kid, the average CEO-to-worker ratio of pay was about 35 to 1 or maybe even less than that. Today it is often 300 or 400 to 1. The CEO will make 300 times what the average worker in the same company makes. How much is enough? What moral principle says to pay a CEO 300 or 400 times what a worker makes? How much do they need? Why do they keep doing that?

They keep doing that in part because of people like Mr. Kaplan, who always sides with the CEOs against the workers. As we think about this, I think everybody in this body can learn something from Pope Francis. At the end of June, Pope Francis spoke to workers in Italy at the Italian Confederation of Trade Unions. He was talking about something we do not think about much in this town that really ought to be at the heart of everything we do. He talked about the value and the dignity of work. An employer—a CEO—cannot say that he—and it is usually a “he”—values work when he takes away workers' rights. He cannot say he appreciates the dignity of work, when he scales back their wages or cheats them out of their overtime or takes away, by misclassification, the dollars she has earned.

When Pope Francis talked about the dignity and value of work, he meant all work. He meant looking out for the little guy whether she punches a time clock or fills out a timesheet or makes a salary or earns tips, whether she is a contract worker or a temporary worker, whether he works in a call center or in a bank or on a factory floor.

I went to my high school reunion in Mansfield, OH, about a year and a half ago. I sat across from a bank teller who works for one of the largest banks in the United States. She has worked at that bank for 30 years. She makes \$30,000 a year, and she has worked at a bank, as a bank teller, for most of the last 30 years. That is not respecting the dignity of work. That is simply undermining the value of work.

Pope Francis said:

The person thrives in work. Labour is the most common form of cooperation that humanity has generated in its history.

Work is a form of civil love . . . that makes the world live and carry on.

Yet too often that work—the cooperation that gives life purpose and that powers our country—does not pay off for the people who are doing it. While corporate profits are up, the GDP is up, and executive salaries have exploded upward, wages have barely budged. Workers simply have not shared in the wealth they have created.

I went to an auto plant once after the passage of the North American Free Trade Agreement. At my own expense, I flew to Texas. I was representing a congressional district in Northeast Ohio then. I rented a car with a friend, went across the border from New Mexico, and I visited an auto plant in Mexico. It was an American company, but it was in Mexico.

This auto plant looked just like an American auto plant. It was clean, and it was up-to-date. In fact, it was newer than most of our auto plants. The floors were clean, the workers were working hard, and the technology was up-to-date.

Do you know the difference between the American auto plant and the Mexican auto plant? The Mexican auto plant did not have a parking lot because the workers did not make enough. They were not paid enough by this American auto company. They were not paid enough in Mexico to buy the cars they make. The work was not respected, profits were going up, the GDP was going up, executive salaries were going up, and the workers were not sharing in the wealth they created.

This is a universal problem. It affects blue-collar workers, and it affects white-collar workers. It is in the industrial heartland of Ohio, and it is on the farmlands of Iowa. It is a problem on both coasts. People earn less. People cannot save for retirement. People feel less stable—all while working harder, all while producing more for their employers, which feeds right into huge executive compensation, but they do not share in the wealth they create for their companies. They are also less likely to have a union card that protects them.

So the President's appointment to the National Labor Relations Board is pretty much a guy who has tried to make sure unions do not get a foothold in our economy and in our companies.

The Pope spoke about the labor group. He said it performs an “essential role for the common good.”

He said:

It gives voice to those who have none . . . unmasks the powerful who trample on the rights of the most vulnerable workers, defends the cause of the foreigner, the least, the discarded.

This is the Pope talking.

Think about airline baggage handlers. Airline baggage handlers used to make a good union wage. They used to work for United. They used to work for American. They used to work for Delta. Now they work for private companies that are contracted by United, American, and Delta. Airline baggage handlers' wages in the last 10 years have dropped 40 percent. They are working just as hard—they are probably working harder—but they are making 40 percent less than they used to.

Again, the Pope said:

. . . unmasks the powerful who trample on the rights of the most vulnerable workers, defends the cause of the foreigner, the least, the discarded.

The capitalism of our time does not understand the value of the trade union because it has forgotten the social nature of the economy, of the business. This is one of the greatest sins.

We know from rightwing attacks on the labor movement, from so-called right-to-work bills to Mr. Kaplan's efforts to undercut rules that protect workers, that too many in this country do not understand the value of the trade union.

Right now, in Mississippi, auto-workers at Nissan are organizing and trying to form a union, and the corporation has responded. This foreign corporation has responded with despicable intimidation tactics. This is one of the most powerful, profitable companies in the world that is attacking workers one at a time in Mississippi.

One worker said: “There is no atmosphere of free choice in the Canton plant—just fear—which is what Nissan intends.”

It is shameful the lengths that this corporation is going to—all to prevent workers from bargaining for fair pay. It is why we need a strong, not an undercut, weakened, emasculated National Labor Relations Board. We need a strong National Labor Relations Board to defend these workers and defend our laws on the books because an attack on unions is an attack on all workers. It is an attack on our economy as a whole because it depresses wages.

There is the idea that you give tax cuts to the richest people in the country and that you make sure executive salaries are \$5- and \$10- and \$15 million. You squeeze workers so they do not get increases. Is that a good economy? No. The money does not trickle down and build the economy. You build the economy from the middle out. We know that.

In the 1990s, we built the economy from the middle out, with 22 million private sector jobs during the Clinton years. In the Bush years, they had two huge tax cuts for the rich under the Wall Street Journal theory that it would trickle down and everybody would be better. There was literally no

net private sector job increase during the Bush years. There were 22 million private sector jobs in the Clinton years and zero net growth in the Bush years. That is because, during the Bush years, they believed the economy was built from the top down. It is not large businesses that drive the economy—it is the workers. That is how you grow the economy—from the middle class out. If work is not valued, Americans cannot earn their way to better lives for their families no matter how hard they work.

That is what I think of when I hear Pope Francis talk about the social nature of our economy. Work has to support families and communities. Today businesses seem to be more focused on cutting costs than on investing in their workforces. Workers are often nothing more than a line item in a budget, a cost to be minimized. More businesses use temp workers, more businesses use contractors—look at the airlines—and more businesses use subcontractors. They pay a lower wage. They provide less job security. They roll back their retirement benefits. They undercut their health benefits, and they take away legal protections. We have to change this.

This spring, I laid out a plan to make work pay off by raising wages and benefits, including retirement, giving workers more say and more power in the workplace, encouraging companies to invest in their greatest asset—the American worker. My plan to restore the value of work has to include the labor movement. Modernizing labor law means recognizing the right of all workers, even those in alternative work arrangements, to collectively bargain for higher pay and better wages.

Pope Francis concluded:

There is no good society without a good union, and there is no good union that is not reborn every day in the peripheries that does not transform the discarded stones of the economy into its cornerstones.

We are a country of discarded stones—of people who rose from humble beginnings and joined together to build institutions that were greater than any one of us. We need laws that reflect that—that reflect the dignity of work and that reflect, as in the Pope's words, the dignity of every discarded stone, of each and every American who works too many hours for too little pay.

The last thing we need for the National Labor Relations Board is another nominee who does not value work, who demeans work, and who demeans the workers and the unions who do it. Everyone in this town ought to listen a little more to Pope Francis and a little less to corporate lobbyists, a little less to big banks, and a little less to Wall Street. Maybe, then, we will start to make hard work pay off again for American workers. We can start

today by rejecting this anti-worker nominee.

I yield the floor.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. Expression of approval or disapproval is not permitted in the Gallery.

Mr. BROWN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Madam President, I rise to continue my tribute to Nebraska's heroes and the current generation of men and women who lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell.

CORPORAL MATTHEW ALEXANDER

Madam President, today, I recall the life and the service of Army CPL Matthew Alexander, a native of Gretna, NE.

Matthew was drawn to the military at a young age. His parents Mel and Monica and brother Marshall described him as always eager to be part of a team. He practiced martial arts, played the piano, and participated in band as a kid. As a member of the Gretna High School band, Matthew helped to organize the uniforms and shoes before concerts to ensure that all of the band members were ready to perform. He helped his band mates play at their best, and his caring and compassionate nature stood out among his classmates.

Matthew and his wife Kara had been friends since childhood. Kara described the teenage Matthew as somebody who could not sit still and who loved to learn. He took a keen interest in history and English classes in high school. He was also comfortable in talking with anyone and often referred to the mothers of his friends as "Mom." Kara recalled how Matthew always had a grin or a smile on his face. Matthew also loved his church youth group, and he embraced his Lord and Savior, Jesus Christ.

Matthew always wanted to be a soldier, and the 9/11 terrorist attacks further solidified his desire to defend his country. He enlisted in the Army shortly before graduating from Gretna High School in May of 2004, and he shipped off to basic training that summer.

After he finished training, Matthew attended the Advanced Individual Training to become an infantry soldier. This was the first step toward his dream of joining the Army Special Forces. He was assigned to the 5th Bat-

talion, 20th Infantry Regiment, 3rd Brigade Division, 2nd Infantry Division, and like both of his grandfathers, Corporal Alexander was stationed at Fort Lewis in Washington State.

When he first arrived, his unit had just returned to Fort Lewis from a deployment. Matthew had to wait until the next deployment cycle to go overseas. He did not like that delay. As a brave soldier, eager to defend his country, Matthew wanted to be in the fight. Several months later, Matthew's unit deployed to Mosul, Iraq. They assisted with the training of the Iraqi militia.

From the beginning of Operation Iraqi Freedom, Mosul has been the center of battle. The fighting escalated in 2006 during the Sunni awakening. During the training of Iraqi forces and while conducting combat patrols, troops in Mosul encountered enemy attacks on a daily basis.

Matthew returned home on leave in February of 2007, and he proposed to Kara. They were married 2 weeks later, on February 14, Valentine's Day. Regarding their very short engagement, Kara simply explained that Matthew felt strongly about being married before he returned to combat.

When Matthew returned to Iraq, he learned that his unit had moved to Baqubah. The Battle of Baqubah began in March. The enemy used hit-and-run tactics to harass Allied forces that were trying to control the city. During April and May, the fighting intensified, and casualties were high. Some likened the fierce fight to the close quarters of the combat of Vietnam.

It was in this heat of battle that CPL Alexander showed heroism and leadership when an IED hit a Bradley Fighting Vehicle on one of his missions. As Matthew's section rushed to the burning Bradley, the other vehicle commander told him to block off the southern approach and prevent the enemy from attacking up the road. While the Bradley continued to burn and take machine gun fire, Matthew acted without further instructions, and he saved lives. He set up his vehicle to prevent the attacking enemy forces from shooting accurate fire into those helping with that rescue operation. For his valor, Matthew received the Army Commendation Medal.

One of the members of Matthew's platoon, SSG Mark Grover, remembered Matthew feeling surprised to have been recommended for the honor. He said that he was just doing the right thing to protect his fellow soldiers.

Days before a mission on Sunday, May 6, Matthew called home to talk to his mother Monica and to Kara. Tragically, this was the last time he spoke to loved ones. While on the mission, an improvised explosive device detonated near his vehicle, killing him instantly.

Corporal Alexander was laid to rest on May 18, 2007, in a rural cemetery between Gretna and Elkhorn, NE. Hundreds of Patriot Guard riders led the

funeral procession and over 1,500 people filled Gretna High School to say their final goodbyes. Staff Sergeant Grover traveled to Gretna to represent the Third Platoon, nicknamed the “Gladiators,” at the service. Grover was riding in the armored vehicle just in front of the one carrying Matthew at the time of the explosion. He said that the entire company loved Matthew and that he was one of the best soldiers in the platoon.

To honor Matthew’s life, his family established Matt’s Music Memorial. The charity helps children interested in music but who can’t afford an instrument, and they receive one from the local community. As Matthew’s father Mel put it, Matthew had two passions: music and the military. However, you didn’t need money to join the military.

CPL Matthew Alexander is truly a hero. He served with great compassion and respect.

I join Nebraskans and Americans across our country in saluting his willingness and his family’s sacrifice to keep us free, and I am honored to tell his story.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that all postclosure time on the Kaplan nomination expire at 5 p.m. today; that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate’s action, and the Senate then resume legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO FALLEN SOLDIERS’ MOTORCYCLE BRIGADE

Mr. MERKLEY. Mr. President, a few moments ago, I had the opportunity to meet with a group called the Tribute to Fallen Soldiers. They have an annual cross-country motorcycle ride in honor of soldiers who died during combat. The motorcycle brigade escorts the Fallen Soldiers Memorial Flame from Eugene, OR, all the way to Arlington National Cemetery. Along the way,

they visit Gold Star families—families who have a loved one who died on the battlefield in service to the United States of America.

One couple who came today was Terry Burgess and Elizabeth Burgess, whose son Bryan lost his life fighting in Afghanistan, and they shared with me, in the military tradition, a medal.

Mr. President, I ask unanimous consent to use a visual aid.

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

Mr. MERKLEY. Mr. President, this medal has a picture of their son. It says: “In memory of SSG Bryan A. Burgess, who lived from April 23, 1981, through March 29, 2011.” On the back of it, it has a picture of a memorial that shows a pair of boots and a rifle and a hat and “never forget.”

The Tribute to Fallen Soldiers is about never forgetting our fallen soldiers. We put them into situations of enormous stress and challenge and danger, and they are there for all of us. In those particular situations, time and again, one of our soldiers loses their life. So may we never forget our soldiers who have died, our soldiers who have been wounded, and may we continue to reach out to Gold Star families to provide a community of support to them.

I completely respect and appreciate the Tribute to Fallen Soldiers’ motorcycle brigade that rides across the country visiting with Gold Star families, making sure they have that community of support and making sure they know that the sacrifices of their son or daughter are not forgotten.

TRANSGENDER MILITARY BAN

Mr. President, while focusing on the military, I want to shift to another aspect of military service, and I am going to start by thinking about the foundation of our country, our “we the people” Nation. “We the People” are the first three words of our Constitution, the mission statement of our Nation. We are not a nation that is founded of, by, and for the powerful, not a nation founded to govern of, by, and for the privileged, but for the people. It was a very deliberate strategy of our Founders not to repeat the type of structure in America that they saw in Europe, where government became beholden and in servitude to simply the powerful class.

Throughout our history, we have strived to live up to this vision of a nation where every individual has the opportunity to thrive. Time after time, we have broken down barriers, we have overcome discrimination, and we have thrown open the doors of opportunity for one group after another—for women, for Africa Americans, for indigenous peoples, for immigrants, for the disabled.

Freedom, said President Lyndon Baines Johnson, “is the right to be treated, in every part of our national

life, as a person equal in dignity and promise to all others.” So we strive to reach that perspective, that point where our vision of the pursuit of happiness embraces freedom as Lyndon Baines Johnson described it—“the right to be treated, in every part of our national life, as a person equal in dignity and promise to all others.” It has not been easy.

It was Martin Luther King who saw how challenging it was to progress toward that vision, and he noted that “human progress is neither automatic nor inevitable. . . . Every step towards the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.” And it is with that tireless exertion, that passionate concern, that dedication, that we have made progress time and time again.

But last week, we did not make progress. Last week, we fell back from this vision of opportunity, the freedom to engage in our national life with the respect and promise accorded to all others. This step back came in the form of an attack by President Trump and Attorney General Sessions on our LGBTQ Americans. President Trump announced a ban on transgender Americans serving in the military, and Attorney General Sessions filed an amicus brief in *Zarda v. Altitude Express* arguing that discrimination is completely legal under the law, including the 1964 Civil Rights Act.

Well, let’s talk for a moment about our members of the military who have joined a Volunteer military, who have gone through significant training—and I am not just referring to boot camp but the ongoing training in specialty after specialty—so they can operate that radar effectively that provides warning to an entire ship, or that communication device to make sure that patrol is where it is supposed to be and able to follow instructions in the field, or any of the hundreds of specialties within the military that these individuals step forward and gain training on. Each one of them is significant to the overall success of the entire unit. Well, that is something President Trump didn’t understand last week when he attacked and said that he is going to throw our transgender individuals out of the military.

What is important isn’t whether you are gay or lesbian or transgender, it is whether you serve with your heart and soul and sinew the purpose of the security of the United States, and those individuals who do are respected within their units. They contribute to those units. The lives of each member depend on the success of the other team members. They are a team. And to reach in, in a cavalier fashion, as the President did, and say “I am going to rip thousands of these team members out of their units” is wrong in so many ways. It is disrespectful, of course, of those

individuals and their dedicated service to our Nation. It is disrespectful and damaging to the units in which they serve and provide those various skills which they have worked so hard to acquire and which we have worked so hard to make sure they have the chance to acquire. And it certainly damages the security of the United States of America to eject individuals with those talents and that training from our military. Therefore, that should be reversed.

By the way, it was done without consultation with our military leaders. A Commander in Chief proposing a policy through a tweet without consulting with the experts who have dedicated their lives to the national security of our Nation—that in and of itself is a real betrayal of responsibility.

Attorney General Sessions filed an amicus brief in *Zarda v. Altitude Express*, and this brief says that title VII of the 1964 Civil Rights Act, which provides protection against discrimination based on race, color, religion, national origin, and sex, does not provide protection against discrimination in terms of one's LGBT status. By the way, that is the opposite of what court after court has ruled.

What happened, one might ask, to the President Trump who, as Candidate Trump, said: "Thank you to the LGBT community!" As a candidate, he said: "I will fight for you." What happened to the President who, after the attack on the Pulse nightclub in Orlando, said in a tweet: "Will fight for you." This last week, the President did not fight for you in that community; instead, he attacked that community, and he apparently approved of Attorney General Sessions attacking that community.

This is why we need the Equality Act. The Equality Act would clarify that when we say no discrimination on the basis of sex, that is broadly applying to one's status of who they are or whom they love.

If we go back to President Johnson's presentation of the issue in America, where he said every individual—the matter of freedom is that you have the opportunity to be treated as having the same promise and be treated with the same respect as everyone else, that it is all about being able to thrive in the United States, or to put it quite simply, not having a door slammed in your face when you go to rent an apartment, not having a door slammed in your face when you go to a restaurant or a movie theater, not having a door slammed in your face when you seek to be part of a jury. That is what freedom is in this country. That is the freedom that Attorney General Sessions and President Trump are seeking to rip away from a sizable share of Americans, and that is simply wrong. That is why we need the Equality Act—to make sure that this is remedied. That is why we need the courts to stand up against discrimina-

tion on the basis of who you are and whom you love.

It has been a week in which the President attacked and damaged our military and Attorney General Sessions attacked and betrayed and attempted to steal freedom from a vast swath of Americans. That is a very sad week on both counts, and we in this Chamber should stand up and say: That is not OK. We will fight for the security of the United States of America, and we will fight for opportunity for every single American.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Missouri.

RURAL BROADBAND

Mr. BLUNT. Mr. President, August is Rural Broadband Month at the Federal Communications Commission. The Commerce Committee just today put forward nominees for the Commission, and the Commission does matter. But I want to talk today specifically about highlighting the importance of broadband in rural America and rural Missouri.

In January of this year, I joined a number of my Senate colleagues on a bipartisan letter to President Trump regarding the importance of broadband and expanding its access to all of the country and, particularly, the parts of our country that are not currently served.

As part of any infrastructure legislation that the Congress is talking about, I think we and the administration need to consider policies that advance infrastructure not just solely in terms of roads, bridges, and ports, which are important, particularly where the Presiding Officer and I live, in Arkansas and Missouri. That transportation network means so much to us, but also important is how people are able to communicate and compete. High speed internet access cannot be overlooked as we consider what our infrastructure should look like going forward.

Broadband can be delivered by wireless or wireline technology. It can be brought to customers by traditional communications companies in rural areas. Often, now, rural electric co-ops show great interest and capacity to do this, as do others. Following the significant steps that Congress took to deregulate the market as part of the 1996 Telecommunications Act, the broadband industry has really responded. They invested a lot of money. In fact, they invested \$1.5 trillion of private money to deploy better and faster networks. If you have access to one of those networks, you know what a difference it makes.

In 2015 alone—that is the last number I have access to—the investment by traditional wireline companies, wireless companies, and cable providers was \$76 billion. All of that is really good, except that there is a real divide be-

tween the rural areas of my State and the rural areas of the country and the other more populated areas.

Some people say: Oh, that is just a myth; there is no digital divide. I would have them look at any number of articles. One article in the *Wall Street Journal* in June made the point that 39 percent of the United States' rural population lacks access to broadband. That sounds like a pretty big divide to me—that 39 percent of the entire rural population of the country doesn't have broadband, and 61 percent of rural Missourians lack access to broadband. These numbers are not acceptable.

Most private investment has been directed, as you would assume it would be, toward high populations, highly populated and easily accessed areas, and future customers. This is like the same problem the country had 100 years ago transitioning to telephones. It was hard to get a telephone to a house that was 5 miles away from the nearest house, as opposed to a house that was in the same apartment building to the nearest apartment. It is a lot harder to do that. The government at that time said that there would be a universal service fee on phone bills, and then use that money to ensure that everybody would have equal access to what was obviously seen as a really important way to communicate. The concept of Universal Service was enshrined in the 1996 act. It said that rural households should have the same access to advanced telecommunications enjoyed by their urban counterparts. It is a good goal for a lot of reasons.

I saw some figures this week. When looking at the overdose deaths and the opioid problems in the country, they are much greater in rural counties than they are in urban centers. In our State, Kansas City, our biggest city by population and any of the five counties that touched it weren't anywhere close to the top list of other areas in our State that had this problem. It matters when you are not connected. It matters when opportunities that you otherwise would have simply aren't there because somehow a service that is essential to our society today isn't available to you in the same way it is available to others. I am not saying it should be free to some and cost other people something, but it should be available to you in the same way that it is available to others in our society, as the 1996 Telecommunications Act stated.

Broadband is necessary to attract and retain business for banks, factories, distribution centers, and small businesses. It is necessary to start and maintain a business, large or small. If business is going to compete outside the local marketplace, there has to be that connectivity. Frankly, in order to compete in the local marketplace and to have the ability to buy at the best price and to get the kind of products needed, the internet really matters.

Broadband is always there. We have to have it if we are going to compete in the world economy. Many people in rural America are able to do that in ways that nobody would have dreamed about 10 years ago, but not everybody has that same access.

Certainly, it is critical for schools and libraries. Just today, a parent was telling me that students can't do their homework anymore unless they can get internet access somewhere close to where they live. Students depend on the internet for education and opportunity where we live today.

A revolution has taken place in agriculture. The great food-producing economy that we have produces more food all the time. It actually produces more food with fewer people. So that creates some displaced people who otherwise would have had those jobs, but it also uses wireless infrastructure, data, and GPS structures to decide what should happen in a field at a given time in that part of the field. There are data centers, autonomous systems, and fiber optics that are a part of agriculture today. If you are linked to broadband and you are in your combine and have a problem, sometimes that problem can be solved in a couple of minutes by quickly accessing your system, seeing where the problem is, resetting what you need to set and moving on, as opposed to the other option, which is calling the repair person, having the technologist come out with their computer, hook it up to your combine, and 5 or 6 hours later, at a time when you are in the critical moments of your annual livelihood, suddenly you are working again, when you could have been working 5 or 6 minutes later if you had been connected like many farmers are today.

Broadband is more than just economic opportunity. Rural hospitals and health clinics are able to use telemedicine to bring services at a level that otherwise would not be available. This is particularly important in mental and behavioral healthcare. A lot of people are every bit as comfortable or more comfortable with telehealth than they are with somebody in the room with them. Also, with intensive care, suddenly all of the resources that may be available 100 miles away can be right there at the point where questions are asked and that information is handled. Suddenly, somebody's life is saved because of the capacity to have that kind of communication.

For years I have tried to lead when I could, and joined my colleagues when they were leading, with numerous letters to the FCC urging it to reform the Universal Service Program for the digital era. Most people who don't have a line to their phone have a way to get a phone in their hand now, but they don't have a way to get this important way to communicate and to compete. It is frustrating, when we see the lim-

ited resources we have—the government resources—to put into something like this to see limited funds go to places where you are just creating another provider and more competition, except that the second provider has government money on its side to compete with the first provider that went in with its own money. There is a big difference between unserved and any level of underserved. If you are unserved, like 69 percent of rural Missourians, the idea that somebody else doesn't have enough competition in the place they live doesn't seem to make very much sense to you. If there is a competitive marketplace and somebody wants to go in there and compete and get the prices down, that is all fine, but I think the government focus should be just like it was with telephones 100 years ago—to see that people had the opportunity to have that phone the same as their neighbors in more densely populated areas.

The President recently designated Ajit Pai to be the Chairman of the FCC. We are finally seeing the Commission take actions to address rural broadband. In February, I wrote to the Chairman and urged him to act on the \$2 billion available for rural broadband and open this money up to auction so new entrants into the field, like electric co-ops, can competitively bid alongside everybody else. The FCC has decided to do that.

Tomorrow the Commission will consider a notice to initiate the pre-auction process for this money to deploy fiber optics in parts of Missouri. This will complement other initiatives underway, as the FCC looks at how to address rural broadband. They have launched a \$4.5 billion auction for mobile wireless service in rural areas. They are suspending out-of-date rules that forced small carriers to raise telephone rates. They are launching a proceeding to reduce costs for companies upgrading from copper to fiber optic networks—another FCC initiative. They are launching a broadband advisory committee. These are all steps in the right direction, where you and I live. They will make a difference.

I look forward to continuing to work with the Chairman and others on the Commission on this issue. I think rural broadband is particularly leveling in creating the opportunities that we would like to see. The Commission will now be back up to its five-member intention of how many people are supposed to be there, making those decisions.

There is still work to be done. We need to reduce the digital divide. Connectivity is critical. We also need policies that support efficient network structures that allow people to not just connect to a network but to connect with a network that really works.

Let me talk about one other Missouri issue that relates here.

I said earlier that Kansas City is now our biggest city, our most populous city. Still, St. Louis, I think, by region, is the bigger region, but the city of St. Louis is not as big as Kansas City. In Kansas City, they have an internet exchange called KCIX. It is a peering center that offers tremendous benefits to secondary educational institutions, to high schools, to vocational programs, and to others so they really maximize how they communicate with each other and have the availability of resources in one place much more equally available in others, and large amounts of bandwidth can be diverted by using this peering infrastructure.

Frankly, what is happening in Kansas City this fall is that the North Kansas City School District will establish connections to KCIX. It is estimated that it may save the district almost \$500,000 a year in bandwidth just by looking at peering. If peering helps there, maybe peering is one of the other things we can look at that will help solve the rural broadband challenge as well.

We are going to be working on this. There will be legislation. There will be continuing efforts to urge the FCC to stay on point. We need to do what we can to make communities in rural America productive and competitive and as healthy as they can be.

By the way, there are a lot of stories here to be told. I hope the next time I come to the floor on this topic that I will come to the floor with some things that are happening in my State that would not have happened if there had not been the access to broadband in not very big communities that are suddenly doing business all over the United States and all over the world.

How we do that is by not letting any of our country wither away, where we have existing infrastructure and schools and sidewalks and water systems and by being sure the people who want to live there can live there, just like we are being sure now, as we see a revitalization of some of our downtowns and inner cities. People will want to move back to them and will have reasons and desires to want to do that. We are seeing an upswing there.

I think we can see the same kind of thing happen in other parts of the country if we work to be sure we have an equity of opportunity. One of the major things that will provide that will be having access to broadband that works. I hope we can continue to fight that fight and see the progress we have made just in the last 6 months.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

GREAT LAKES ENVIRONMENTAL SENSITIVITY
INDEX BILL

Mr. PETERS. Mr. President, as we head into the month of August, many Americans are planning to spend time along our beautiful coasts. Our country is fortunate to have such a wide variety of natural resources along the Gulf of Mexico, Alaska, Hawaii, and the east and west coasts. However, I am partial to America's best coast: The 4,500 miles of U.S. coastline along the Great Lakes.

Our coastal resources make it possible to move cargo and goods around the world. They provide opportunities for outdoor recreation like fishing and boating and trips to the beach. Our coasts are not only beautiful, providing some of the most scenic vistas and picturesque landscapes our country has to offer; these ecosystems also provide many tangible benefits. They serve as flooding buffers, critical habitats for fish and wildlife, and locations for ports and other marine infrastructure.

In the Great Lakes, our freshwater coastline contains one-fifth of the entire world's fresh water and provides drinking water for over 40 million people. We must be stewards of these areas so that future generations can also benefit from them. In order to do so, we must properly document and keep track of this precious resource.

That is why I partnered with Senator YOUNG to introduce the bipartisan Great Lakes Environmental Sensitivity Index Act of 2017 to require NOAA to update environmental sensitivity index maps and map products. The bill passed unanimously out of the Commerce Committee this morning by a voice vote and now heads to the full Senate floor for consideration.

Environmental sensitive index—or ESI—maps provide an inventory of our valuable natural and human-use resources along our coasts. These maps chronicle sensitive ecosystems and the presence of various species as they migrate through regions and habitats for threatened and endangered species. They also document where we can access coastal resources from beaches and parks to docks, ferries, and boat ramps.

We must maintain an up-to-date inventory of these precious coastal resources so that we know exactly where we need to focus our response efforts in a worst-case scenario of a harmful oil or chemical spill. Accurate documentation of these resources and their vulnerabilities is critical to both deploying the right response effort when a spill or accident occurs and assessing the damage and restoration efforts needed after the fact.

In places like the Straits of Mackinac, where a 64-year-old oil pipeline sits at the bottom of the lake bed, it should be our top priority to have a

current inventory of what shoreline resources could be impacted by a pipeline leak. Models have shown that a pipeline spill in the Straits of Mackinac could likely result in oil reaching the shores of Mackinac Island within hours, which would be an absolute catastrophe for Michigan's top tourist attraction.

ESI maps don't just help with oilspill response; they can also be used for coastal development activities, and they even have significant research applications. They provide a clear reference point prior to natural disasters or major storms that may damage, destroy, or significantly alter resources along our coasts. Decision makers at the local and State level may use them for restoration efforts or to make informed decisions about how to balance all of the various uses in that coastal zone.

ESI maps need regular updates in order for them to be truly effective. These updates are happening now for other areas of the country. Stretches of the west coast, along the Gulf of Mexico, and along the east coast have all received updates over the last 5 years.

One region is continually absent from these updates: my home region of the Great Lakes. In fact, the most recent updates for some of the Great Lakes were completed over 20 years ago, but Lake Erie and parts of Lake Michigan haven't been updated for over 30 years. This bill gives the proper direction and resources to make sure these long overdue updates move forward.

Supporters of the bill so far include the Great Lakes Charter Boat Association, the Coastal States Organization, the Great Lakes Commission, the Alliance for the Great Lakes, the National Wildlife Federation, the Great Lakes Fishery Commission, and the group For Love of Water. With nearly 3,300 miles of coastline in Michigan, the second-most coastline of any State in the Nation, we need to update Great Lakes environmental sensitivity index products as soon as we can.

Modernizing these maps will provide a better picture of what resources could be at risk in the event of a disaster and will be an important tool to help us keep our Great Lakes safe and clean for future generations.

I look forward to working with Senator YOUNG and the rest of my colleagues in the Senate to move this bill forward and make sure that we have the tools we need to make the best decisions for the Great Lakes, no matter the challenges and opportunities facing us.

Thank you.

Mr. ALEXANDER. Mr. President, today the Senate will vote on the confirmation of Marvin Kaplan to be a member of the National Labor Relations Board, NLRB. I am glad that we are moving this nomination because

the National Labor Relations Board needs to function as intended.

The board hasn't been full in nearly 2 years. I am certainly not the only one of us who thinks a full Board is important. One Democratic senator said at a hearing on May 16, 2013: "I strongly support a fully functioning NLRB with five members. I think confirming the entire slate will ensure that the NLRB is working for American workers and American employers."

Another said at the same hearing: "What we don't need now—the last thing we need here in Washington or across the country—is more rancor, more division, more ideology, at a time we need this Board fully functioning. We need five people to get confirmed here. Any Senator who is standing in the way of getting five people confirmed and having a functioning Board has a lot of explaining to do . . ."

Then-Chairman Harkin said in September 2014: "Keeping the NLRB fully staffed and able to do its work will send a strong message to the American people that yes, Washington can work, and our government can function."

The National Labor Relations Board has five members with 5-year, staggered terms, and a general counsel with a 4-year term. There is no statutory requirement regarding party affiliation, but the tradition has been for the President to appoint members on a 3-2 ratio favoring the administration, with nominations for the two minority seats recommended by the Senate minority leader.

While we may often disagree with the opinions of the nominees for the other party's seats—many of us have ensured they had an up or down vote. For example, since 2013, I have voted for cloture for two board members and the current general counsel who I then voted against confirming.

Marvin Kaplan has been nominated for a position that has sat vacant for 23 months since President Obama declined to nominate a Republican for the then-minority seat. My hope is that this nominee will help restore some balance to the labor board.

After years of playing the role of advocate, the Board should be restored to the role of neutral umpire. Board partisanship didn't start under President Obama, but it became worse under him. When the Board is too partisan, it creates instability in our Nation's workplaces and does not serve the intent of the law—which is stable labor relations and free flow of commerce.

For example, under President Obama, the Board took three harmful actions, including the joint employer decision—which threatened to destroy the American dream for owners of the Nation's 780,000 franchise locations; the ambush elections rule, which can force a union election before an employer and many employees have a chance to figure out what is going on; and the micro-union

decision, which gave factions of employees within single stores a path to forming their own unions.

Nominee Marvin Kaplan is currently chief counsel for the Occupational Safety and Health Review Commission, where he has served since August 2015. From 2009 to 2015, Kaplan worked as counsel for the House Education and Workforce Committee and the House Oversight and Government Reform Committee.

Today some Senators have argued about Mr. Kaplan's experience practicing law. I want to note that Mr. Kaplan is in fact well-qualified under the National Labor Relations Act statute. He is an experienced lawyer. He earned his law degree at Washington University in St. Louis and is a member of the New York and New Jersey State bars. The years he has spent considering cases and writing opinions at the Occupational Safety and Health Review Commission, OSHRC, are an excellent preparation for the work of the National Labor Relations Board, NLRB. I will also point out that there have been a number of NLRB members confirmed with limited experience representing clients in labor law matters.

Mr. Kaplan has an admirable record of public service spanning a decade. He could have taken a number of different career paths, but he chose public service, and that should be praised. There is bipartisan respect for Mr. Kaplan.

At a July 2015 business meeting of the House Education and the Workforce Committee, Ranking Member Bobby Scott said this of Mr. Kaplan: "A lot is said about the working relationships around here and how bad they are from time to time. Staff can contribute to that. I just would like to say that Mr. Kaplan has not been part of that; he's been very cooperative even when you disagree. We have been able to work with my staff, have had good working relationships; a cooperative relationships. I want to add my two cents worth to your congratulations and God speed."

Mr. Kaplan was nominated to be a member of the NLRB on June 20, 2017. We held his hearing on July 13, and he completed all paperwork in accordance with the HELP Committee's rules, practices, and procedures. Our rules require that their HELP paperwork be submitted 5 days before their hearing. We received Mr. Kaplan's HELP paperwork and his Office of Government Ethics, OGE, paperwork on June 26, 17 days before his hearing. Mr. Kaplan also offered to meet with all HELP members. Mr. Kaplan met with 10 of them, including 5 Democrats. Following the hearing, Mr. Kaplan responded to 53 questions for the record, QFRs, or 81 if you include subquestions, and those responses were provided to Senators prior to the markup. The HELP Committee favorably reported out his nomination on July 19.

Recent comparisons show that this process was far from rushed. In comparison, under Chairman Harkin, the HELP Committee held hearings and markups on NLRB nominees with far less time for consideration. For former Board member Kent Hirozawa's seat, which Mr. William Emanuel has been nominated to fill, Mr. Hirozawa's hearing was held 7 days after his nomination, and his markup was held the next day. Former Board member Nancy Schiffer's hearing was held 7 days after her nomination. The HELP Committee also held a markup on her nomination the next day. Committee members were not able to get responses to any QFRs from Kent Hirozawa or Nancy Schiffer before being forced to vote on them.

I look forward to voting for this nominee. I hope the Senate will take up the nomination of William Emanuel, also for the NLRB, very soon, so we have a full board.

Mr. PETERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

VENEZUELA

Mr. CRUZ. Mr. President, I stand here today to speak about the devastation befalling Venezuela—the people raging in the streets against unfair elections, the dissidents being seized from their homes and detained by security forces, and those starving without food and water.

Venezuela—once one of the most richly resourced countries in Latin America—is being dismantled by Nicolas Maduro and his flailing Chavista regime. It is a human tragedy impacting more than 30 million people who are literally witnessing society collapse around them.

The numbers, sadly, speak for themselves. According to estimates from the International Monetary Fund, Venezuela's GDP contracted by almost 20 percent last year, with inflation reaching some 550 percent and unemployment spiking to more than 21 percent. The Pharmaceutical Federation of Venezuela estimates that the country suffers from an 85-percent shortage of medicine and a 90-percent deficit of medical supplies, including those needed to treat various types of cancer.

Men and women, young and old, are going hungry. Thanks to Maduro's destruction of the Venezuelan currency, flour, cooking oil, and other basic commodities have disappeared from store shelves. Students and teachers leave their classrooms for hours on end to stand in line, hoping to receive a loaf of bread as a week's meal. The most

vulnerable are going on what are called Maduro diets—skipping meals and reducing their food consumption.

And Maduro's response? The would-be dictator is threatening to seize businesses that don't produce enough and has told Venezuelans that doing without makes them tougher. Thousands of Venezuelans have crossed borders in search of food and medicine, while Maduro and his cronies spin conspiracies and rail against phantom enemies on state media. The situation is so dire that the regime has begun "rewarding" some of its most loyal supporters with toilet paper.

Alongside the disintegration of Venezuela's economy is the specter of Maduro's growing dictatorship. We have just witnessed the sham election of a so-called constituent assembly, which Maduro intends to use to try to rewrite Venezuela's Constitution, to crush what is left of its free political institutions, and to consolidate his grip on power. His electoral commission lied about the turnout and downplayed the number of government workers whom the regime pressured to participate. While Maduro preached dialogue on television, his security forces were busy rounding up political opponents and murdering peaceful demonstrators.

This was not Maduro's first power grab. Earlier this year, his handpicked supreme court temporarily dissolved Venezuela's duly-elected National Assembly and stripped its members of immunity in what the head of Organization of American States called a "self-coup." The regime backtracked only after ferocious pressure and condemnation.

But this week's actions make plain Maduro's intent to complete the process begun under his mentor, Hugo Chavez, to transform Venezuela into a full socialistic dictatorship. We have seen that socialism doesn't work. We have seen the ravages of government control of the economy. The Venezuelan people are suffering, and when combined with dictatorship, it is a toxic mix.

Maduro's actions must not continue unchallenged. I support the Treasury Department's sanctions against senior Venezuelan officials, including Maduro, placing him in the ignominious company of Kim Jong Un and Robert Mugabe. We must keep the pressure on and continue to isolate and delegitimize Maduro's regime, for behind Maduro can be found China, with its billions in infrastructure investments, and Russia, with its growing control over Venezuela's energy sector, and Iran, whose Hezbollah proxy launders money with Maduro's acquiescence.

Yet Maduro is not without opposition. Brave men and women in the tens of thousands have taken to the streets to demand a better future for themselves and their families. Many dozens

have been killed by the regime's security forces, and hundreds have been detained. These freedom-loving people represent the best of Venezuela and fearlessly follow in the footsteps of generations of dissidents against Socialist repression.

Just yesterday, Maduro's security forces seized two prominent opposition leaders—Leopoldo Lopez and Antonio Ledezma—for daring to criticize his regime on social media. These two men were carted away in the middle of the night, leaving their loved ones traumatized and frantic without information.

To Lilian and Mitzi, the wives of these two extraordinary men, I want to say that you are two of the strongest people I have ever been blessed to meet. You inspire me. Your husbands' fight inspires me and millions of Americans and people across the globe. I urge you to continue to stand and fight on behalf of your husbands and the many others who are held captive by the Chavista government.

I look forward to welcoming Leopoldo and Antonio back to freedom and, I hope, they will play leading roles leading a free Venezuela, a post-Maduro Venezuela.

Members of my own family have lived through this sort of oppression in Cuba, where a lawless government can raid your home without warning, arbitrarily detain your relatives and neighbors, and ensure that you hardly, if ever, see them again.

To Lilian and Mitzi, I will continue to raise my voice and to call for action—real action—to help Leopoldo, Antonio, and every other Venezuelan willing to stand and risk everything to live in a free and prosperous and democratic country. It is well past time to consign Chavismo to the dustbin of history.

To the millions of Venezuelans waiting in lines for food, clothes, and medicine, struggling with galloping inflation, fearful of Maduro's henchmen detaining their friends and families or gunning them down in the streets, and thinking themselves helpless in the face of their country's decay, you are not alone and should not be afraid.

America and our allies will help see you through this crisis and help you recover. Each new outrage from the Maduro regime only makes our solidarity with you grow. You are strong and Maduro is weak. You are Venezuela's future, and Maduro is its past. You will win, and Maduro will lose.

Venezuela is not the private preserve of a "busdriver turned authoritarian thug in a tracksuit," but instead Venezuela is a proud and free nation with a glorious past and an even greater future.

Through its words and deeds, the Maduro regime has abandoned what little legitimacy it might have had. When this regime expires, Venezuela will restore its place at the forefront of Latin

America and become a good friend and partner to America once again.

We stand with the Venezuelan people as your friend against this socialist oppression, and we tell you that there are brighter days ahead, brighter days of economic cooperation, of energy growth, of abundance of prosperity, of throwing off the shackles of totalitarianism.

Estamos contigo Venezuela, tus mejores dias estan por venir.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY).

The Senator from New Mexico.

PROTECT CHILDREN, FARMERS, AND FARMWORKERS FROM NERVE AGENT PESTICIDES ACT

Mr. UDALL. Mr. President, this May, a spray of pesticide from a nearby orchard drifted over to a field, exposing nearly 50 farmworkers in California. They soon became sick with nausea and vomiting. Several were hospitalized. The workers described it as a living nightmare.

The chemical they were exposed to is called chlorpyrifos, a neurotoxic pesticide related to sarin gas. It has been in use since it was developed by Dow Chemical over 50 years ago. Today, it is most often used on fruits and nuts, including strawberries, citrus, apples, and pecans from my home State of New Mexico. It is also used on grains and vegetables like broccoli and cauliflower.

A few years ago, Bonnie Wirtz also experienced the effects of chlorpyrifos. Bonnie is a farmer in Minnesota. She was exposed when spray drift came into her home through the air-conditioner. Her heart started racing, almost to the point of cardiac arrest, and she couldn't breathe. At the hospital, her nurse practitioner told her she wasn't surprised. She had seen others with similar reactions.

About 10 years ago, Claudia Angulo—a farmworker in California's San Joaquin Valley—was exposed to chlorpyrifos when she was pregnant. Claudia worked sorting oranges, apples, broccoli, and other produce treated with the chemical. When her son Isaac was born with a mental disability and attention deficit hyperactivity disorder, or ADHD, she suspected the pesticides she was exposed to.

A few years ago, European scientists tested some of Isaac's hair. He had traces of over 50 pesticides in his body, and the highest concentration was chlorpyrifos. It has long been known that exposure to chlorpyrifos can be deadly. After years of study, researchers in the United States and a number of other countries now believe there is a strong connection between chlorpyrifos exposure and mental disability, ADHD, and memory deficit in children. They believe the chemical damages children's developing brains, even if they are exposed before birth. Latino children, whose parents are ex-

posed to the pesticide, and grow up near fields treated with it, are at the greatest risk.

Scientists believe the pesticide poses a threat even to children exposed to it from produce from the grocery store or through drinking water. The connection is so strong that scientists at the Environmental Protection Agency recommended that the EPA ban all uses of the pesticide in 2015. The agency had already negotiated a ban on household use 15 years ago.

This March, the EPA Administrator Scott Pruitt ignored his own scientists and the body of scientific evidence that chlorpyrifos is dangerous. Instead, he reversed course and refused to ban chlorpyrifos. That is why I rise to talk about this danger to our children.

When moms and dads feed fruits and vegetables to their children, they are trying to do the right thing. They shouldn't have to worry that these foods are laced with dangerous nerve agents. They shouldn't have to worry that the farmworkers who picked that produce or the farmers living near it were exposed.

I have been part of the fight to protect public health and the environment from toxic chemicals most of my life. I remember when Rachel Carson published "Silent Spring" in 1962. My father, Stewart Udall, was her champion when she was fiercely attacked by the chemical industry.

Just over a year ago, I led the bipartisan effort to reform the broken Toxic Substances Control Act. I spent several years working to reform how the EPA regulates chemicals, fighting to stand up a credible program that could be respected, that could restore confidence in the EPA on chemical safety.

I am very disappointed to have to do this, to introduce a bill on a related matter, pesticide regulation. Normally, I would argue that Congress should stay out of the business of regulating individual chemicals. That is why the EPA was created, to make thoughtful, science-based decisions on issues that affect public health and the economy.

In his first decision at the EPA, the administrator has shown his hand. He did not respect the science, not even his own scientific team, and not even when the science is overwhelmingly decisive. If the EPA and this administration will not act to protect the public, to protect children, then Congress must.

I have studied the case for banning chlorpyrifos. There is no question it needs to come off the market. In this situation, I believe Congress must step in to protect children's health. That is why I have introduced the Protect Children, Farmers, and Farmworkers from Nerve Agent Pesticides Act—to do what the EPA Administrator Scott Pruitt refuses to do: ban chlorpyrifos.

Let's look at the reasons for banning chlorpyrifos. There are three very good

ones. There are three reasons, I believe, this bill is necessary. First, Administrator Pruitt is wrong. The science is established that chlorpyrifos is a threat to health in its current use. The EPA has studied and studied the toxicity of chlorpyrifos for over a decade. I have talked to the scientists who have been studying it for over 30 years.

In a December 2014 risk assessment, the EPA found chlorpyrifos caused unsafe drinking water contamination. Based on that assessment, the EPA formally proposed, in November 2015, to revoke the use of chlorpyrifos on food. As recently as December 2016, the EPA reaffirmed its determination.

The pesticide is intended to act on the nervous system of insects, but it can act on the human nervous system as well. It can cause immediate symptoms like nausea, vomiting, convulsions, respiratory paralysis—as Bonnie Wirtz and farmworkers in California experienced. In extreme cases, it can kill.

More worrisome, even low-level exposure of chlorpyrifos to developing fetuses in young children can interrupt the development processes of the nervous system. Exposure during gestation or childhood is linked with lower birth weight, slower motor development, and attention problems.

Long-lasting effects on child brain development from in utero exposure also include impaired perceptual reasoning and working memory and undermined intellectual development by age 7. Exposure to organophosphate pesticides like chlorpyrifos is associated with changes in children's cognitive, behavioral, and motor performance. In plain English, chlorpyrifos damages children's brains.

Second, chlorpyrifos was one of the most widely used household insecticides until the EPA raised concerns in 2000—17 years ago. Household use was phased out. That same year, the EPA discontinued use of chlorpyrifos on tomatoes altogether and restricted its uses on apples and grapes. Currently, chlorpyrifos is still widely used in agriculture, but its use is on the decline.

In 2012, EPA required no-spray buffers around schools, homes, play fields, daycare centers, hospitals, and other public places. Growers are already working to find alternatives.

The third reason is, scientists, doctors, advocates, I, and many of our colleagues were shocked when Administrator Pruitt changed course on chlorpyrifos in March, choosing to wait until 2022—5 years from now.

The American Academy of Pediatrics wrote a letter to Administrator Pruitt in June telling him that “EPA has no new evidence indicating that chlorpyrifos exposures are safe.” As a result, EPA has no basis to allow continued use of chlorpyrifos, and its insistence on doing so puts all children at risk.

The science hasn't changed since the EPA proposed to ban chlorpyrifos in 2015 and in 2016. Only the politics have.

The law should protect Americans from unsafe pesticides. Under the Food Quality Protection Act, the EPA Administrator “may establish or leave in effect a tolerance for a pesticide chemical residue in or on food only if the Administrator determines that the tolerance is safe.”

“‘Safe’ means . . . that there is a reasonable certainty that no harm will [come] from aggregate exposure.”

If the Administrator can't determine that a pesticide is safe, the Administrator must revoke or modify the tolerance.

In the case of chlorpyrifos, Administrator Pruitt did not determine the pesticide is safe with reasonable certainty, nor could he. Instead, he hid behind his claim that the issue requires years more study.

This issue has been the subject of litigation for many years. When the EPA asked the Federal court over-seeing the lawsuit for a mere 6-month extension for more study, the court gave a resounding no. It called the request “another variation on the theme of ‘partial reports, missed deadlines, and vague promises of future action’ that has been repeated for the last nine years.”

The EPA Administrator has now given himself a 5-year extension. He is failing to follow the Food Quality Protection Act, and he is tying up the Federal Government in more unnecessary and wasteful taxpayer-funded litigation. In the meantime, children, farmers, and farmworkers are at risk because the Administrator refuses to follow the law.

It doesn't stop there. Administrator Pruitt wants to dismantle protections for farmworkers. The EPA is proposing to delay two rules vital to protecting our Nation's farmworkers: The agricultural worker protection standard and the certificate of pesticide applicators rule. Farmworkers have one of the highest rates of chemical exposure among U.S. workers. They are regularly exposed to pesticides. Despite the urgent need to protect them and their families, they actually are less protected than other workers.

We don't know exactly why Administrator Pruitt is choosing to believe a chemical company over respected scientists at his own Agency and around the world, but we can follow the money and guess one reason. While the President and the Administrator ignore science and the law, they have not ignored Dow Chemical Company. Dow gave the President \$1 million for his inauguration. Its CEO attended the signing ceremony when the President issued his Executive order requiring agencies to roll back what he called unnecessary regulations. The CEO even got the signing pen. And the CEO met

with Administrator Pruitt shortly before the order not to ban one of Dow's big moneymakers.

Administrator Pruitt may choose to put aside science, public health, and environmental protection in favor of big chemical profits, but Congress should not. I urge all of my colleagues, especially those across the aisle, to stand with me and pass this protection for children, families, farmers, and farmworkers.

I thank my cosponsors and the cosponsors who are coming aboard every day: Senators BLUMENTHAL, BOOKER, DURBIN, GILLIBRAND, HARRIS, MARKEY, MERKLEY, and CARDIN.

There have been many public health and labor groups that have stood up on this issue—just to name some of them today: National Hispanic Medical Association, Learning Disabilities Association of America, Farmworker Justice, Project TENDR, United Farm Workers, Earthjustice, GreenLatinos, Labor Council for Latin American Advancement, LULAC, National Resources Defense Council, Environmental Working Group, Pesticide Action Network, Pineros y Campesinos Unidos del Noroeste, Mana, and others.

The pesticide registration information act is currently moving through Congress. This gives Congress the opportunity to address chlorpyrifos use and worker protection. This bill is a good start for those discussions.

I yield the floor.

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

VETERANS LEGISLATION

Mr. BLUMENTHAL. Mr. President, sometimes bipartisanship and comity do work. They have in the last 24 and 48 hours on two measures that are critically important to help our Nation's veterans have access to benefits and healthcare that they vitally need, that they deserve, and that they have earned. Those measures relate to appeals reform and to the Choice Program.

Last night the Senate passed by unanimous consent—which means without any objection—H.R. 2288, the Veterans Appeals Improvement and Modernization Act of 2017.

I am proud to have worked on this measure with the chairman of the VA Committee, Senator ISAKSON, when I was the ranking member of that committee during the last session. I thank him for his leadership, his vision, and his commitment to this very important cause.

This bipartisan measure now goes to the President. It provides a significant step toward securing benefits veterans have earned. Once these reforms are fully funded—and they should be—our Nation's veterans will no longer be bogged down by a cumbersome, time-consuming, irksome, and, in fact, aggravating process that denies them fair

and full consideration when they appeal their claim's denial. This reform will begin—it is only a beginning—a better system involving transparency and communication for veterans and their families.

As ranking member of the Senate Veterans' Affairs Committee, I heard testimony that the Department of Veterans Affairs' appeals process desperately needs updating and reform. We all in this body have heard from our constituents again and again and again about the antiquated delay and burdensome process that exists today. The average wait time on an appeal today is 5 years. Let me repeat that. The average wait time on an appeal is 5 years. Nearly half a million veterans are caught in a quagmire—often a quicksand—of repeated consideration, unable to claim benefits because of the VA's existing backlog.

Between fiscal year 2015 and fiscal year 2017, the number of pending appeals increased from about 380,000 to 470,000. That is an increase of more than 20 percent. The increase in those appeals was the "bad news" side of improvements in the process to consider the initial appeal. There were more appeals because more claims were disposed of, but that is no excuse for that kind of delay in appeals.

We worked with the VA and veterans groups to devise a new appeals system that allows veterans to choose an option that is right for them. The bill that passed yesterday will create three separate paths. They can choose among them for veterans seeking redress from a decision by the Veterans Benefits Administration. This reform is vitally important because it gives Secretary Shulkin the authority to test the new system before its full implementation.

I know it will take time to implement these changes. It should take less time than is predicted because the Veterans Administration owes it to our heroes—the men and women who have served and sacrificed for our Nation. My constituent caseworkers in Hartford have tried to assist many individual veterans with their claims, and these efforts must continue around the country in all of our offices even as these new reforms are implemented.

The second area where we joined together in a bipartisan way relates to the Choice Program. We have agreed to continue funding by providing \$2.1 billion and authorizing 28 new leases for medical facilities across the country to improve access to the high-quality care provided at VA hospitals. Make no mistake, this action is a down payment, not the final word. I am going to continue to champion further reforms to make sure we improve VA healthcare and enhance access to VA medical facilities.

I am particularly concerned by recent findings made by the VA inspector general, Michael Missal, about a trou-

bling lack of health information sharing between VA and non-VA providers relating to chronic pain treatment. To put it very simply and bluntly, the lack of information sharing makes opioid addiction far more likely than it should be, especially among veterans who seek care from private providers through the Choice system.

Connecticut was one of the first States in the country to have a statewide prescription drug monitoring program. I urged Secretary Shulkin at a hearing last year to make sure the VA prescription drug monitoring program exchanges information with the State system, which has data from private providers. The sharing of information is vital to prevent doctor shopping and excessive prescriptions. Without it, veterans potentially are susceptible to weaknesses and gaps that enable them to seek excessive prescriptions of opioid pain killer treatment that can lead to addiction and worse.

We cannot allow the Veterans Choice Program to exacerbate opioid addiction. We must do everything we can to stop the opioid epidemic that is ravaging our communities. As Senator MANCHIN of West Virginia and other colleagues have made clear, the VA must close the information gap on opioid prescriptions through improved opioid safety initiative guidelines and enhanced prescription drug monitoring programs. While we work in Congress to reform the Choice Program, I call on the VA to immediately take certain commonsense steps, none of them novel or original. They have been identified by the inspector general:

First, require all participating VA Purchased Care providers to receive and review evidence-based guidelines for prescribing opioids.

Second, implement a process to ensure all Purchased Care consults for non-VA care include a complete, up-to-date list of medications and medical history.

Third, require non-VA providers to submit opioid prescriptions directly to a VA pharmacy for dispensing and recording in the patient's VA electronic health record.

Fourth, ensure that if facility leaders determine that a non-VA provider's opioid prescribing practices conflict with the guidelines, immediate action is taken to ensure the safety of all veterans receiving care from that non-VA provider.

These are basic protections for our veterans. They are protections against overprescribing opioids or negligent misconduct—and worse—on the part of non-VA providers and others.

My hope is that we are beginning on a path to better information sharing between those prescription drug monitoring programs at the State level for non-VA providers and the VA facilities and providers who care for our veterans directly. That information sharing is

not a luxury or convenience; it is a necessity.

We must help veterans of every era with their need for prompt appeals dispositions and effective healthcare that also protects them from opioid addiction. I am hopeful the Senate will quickly pass the Harry Walker Colmery Veterans Educational Assistance Act, which has been unanimously approved by the House, to make comprehensive improvements to the GI bill. I helped to draft this measure and lead it, and I am proud the House has approved it.

We must also help veterans of all eras suffering from toxic exposure and make sure we award a Congressional Gold Medal to the American Legion and make USERRA protections for our servicemembers meaningful and enforceable. These steps are part of an unfinished agenda that we owe our veterans. We cannot shirk that duty. We cannot postpone it. It is an obligation, not a convenience.

I look forward to moving forward with these efforts, as we have done with Choice and with the appeals reform, and to learning what we know already—that we can work together across the aisle when it comes to keeping faith with our veterans and making sure that no veteran of any era is left behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TRIBUTE TO BILL REED

Mr. BOOZMAN. Mr. President, I rise today to recognize Bill Reed, an Arkansan who is retiring after more than 34 years of dedicated service at Riceland Foods, the world's largest miller and marketer of rice.

Bill is a member of the company's senior management team whose responsibilities include government affairs, public relations, and the Riceland Sustainability Initiative. His interest in agriculture at a young age led him to pursue degrees in this field. Bill earned a bachelor's degree with honors in plant and soil science from the University of Tennessee and a master's degree in agricultural journalism from the University of Wisconsin.

In 1976, he moved to the Natural State to work as a State specialist with the University of Arkansas Cooperative Extension Service. He has continued his commitment not only to Arkansas but to Arkansas agriculture for more than 40 years.

Bill is recognized as one of the most passionate advocates on behalf of the Arkansas rice industry. Bill is constantly looking out for the rice farmers and businesses by promoting policies to grow the industry and pushing for expanding markets. His advocacy extended beyond the boundaries of agriculture. He was always ready to lend a hand to me or to my staff on any issue important to Arkansas.

He shares his passion for agriculture throughout the State, country, and the world as a representative of Riceland on numerous boards and trade associations, including the USA Rice Federation and the National Council of Farmer Cooperatives. In addition, Bill serves as chairman of the Associated Industries of Arkansas, vice president for agriculture of the Arkansas State Council on Economic Education, and vice chairman of the board of visitors of Phillips Community College of the University of Arkansas.

He is a faithful servant of Jesus Christ and is leading his life as Christ calls us to do. In recent years, Bill began seminary school, and his retirement from Riceland will allow him to pursue the ministry full time and help people in need.

I appreciate Bill's friendship, and I am confident that he will excel in this role, just as he had done as an advocate for Arkansas rice. I wish him well in all of his future endeavors and look forward to the great work he will continue to do in helping the great State of Arkansas.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and that following my remarks the Senate resume executive session as under the previous order.

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

AFG AND SAFER PROGRAM REAUTHORIZATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 168, S. 829.

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

The senior assistant legislative clerk read as follows:

A bill (S. 829) to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "AFG and SAFER Program Reauthorization Act of 2017".

SEC. 2. REAUTHORIZATION OF ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM AND THE FIRE PREVENTION AND SAFETY GRANTS PROGRAM.

(a) REPEAL OF SUNSET.—Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended by striking subsection (r).

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (q)(1)(B) of such section is amended by striking "2017" and inserting "2023".

(c) AUTHORIZATION FOR CERTAIN TRAINING UNDER ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM.—Subsection (c)(3) of such section is amended by adding at the end the following:

"(N) To provide specialized training to firefighters, paramedics, emergency medical service workers, and other first responders to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness, including strategies for verbal de-escalation of crisis."

SEC. 3. REAUTHORIZATION OF STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAM.

(a) REPEAL OF SUNSET.—Section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) is amended by striking subsection (k).

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (j)(1)(I) of such section is amended, in the matter before clause (i), by striking "2017" and inserting "2023".

(c) MODIFICATION OF APPLICATION REQUIREMENTS.—Subsection (b)(3)(B) of such section is amended by striking "of subsection (a)(1)(B)(ii) and (F)" and inserting "of subsection (a)(1)(F)".

(d) MODIFICATION OF LIMITATION.—Subsection (c)(2) of such section is amended by striking "prior to November 24, 2003" and inserting "prior to the date of the application for the grant".

(e) MODIFICATION OF WAIVER AUTHORITY.—Subsection (d)(1)(B) of such section is amended by striking "subsection (a)(1)(E) or subsection (c)(2)" and inserting "subsection (a)(1)(E), (c)(2), or (c)(4)".

(f) REPEAL OF AUTHORITY FOR CERTAIN USE OF GRANT AMOUNTS TRANSFERRED TO ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM.—Subsection (a)(1)(B) of such section is amended by striking "and to provide" and all that follows through "of crises".

(g) EXPANSION OF STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAM.—Subsection (a)(1)(B) of such section, as amended by subsection (f), is further amended by inserting "or to change the status of part-time or paid-on-call (as defined in section 33(a)) firefighters to full-time firefighters" after "firefighters".

SEC. 4. TRAINING ON ADMINISTRATION OF FIRE GRANT PROGRAMS.

(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency, acting through the Administrator of the United States Fire Administration, may develop and make widely available an electronic, online training course for members of the fire and emergency response community on matters relating to the administration of grants under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

(b) REQUIREMENTS.—The Administrator of the Federal Emergency Management Agency shall ensure that any training developed and made available under subsection (a) is—

(1) tailored to the financial and time constraints of members of the fire and emergency response community; and

(2) accessible to all individuals in the career, combination, paid-on-call, and volunteer fire and emergency response community.

SEC. 5. FRAMEWORK FOR OVERSIGHT AND MONITORING OF THE ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM, THE FIRE PREVENTION AND SAFETY GRANTS PROGRAM, AND THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAM.

(a) FRAMEWORK.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, acting through the Administrator of the United States Fire Administration, shall develop and implement a grant monitoring and oversight framework to mitigate and minimize risks of fraud, waste, abuse, and mismanagement relating to the grants programs under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

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

(1) Developing standardized guidance and training for all participants in the grant programs described in subsection (a).

(2) Conduct of regular risk assessments.

(3) Conducting desk reviews and site visits.

(4) Enforcement actions to recoup potential questionable costs of grant recipients.

(5) Such other oversight and monitoring tools as the Administrator of the Federal Emergency Management Agency considers necessary to mitigate and minimize fraud, waste, abuse, and mismanagement relating to the grant programs described in subsection (a).

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 829), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

SENIORS FRAUD PREVENTION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 191, S. 81.

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

The senior assistant legislative clerk read as follows:

A bill (S. 81) to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 81) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 81

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Seniors Fraud Prevention Act of 2017”.

SEC. 2. OFFICE FOR THE PREVENTION OF FRAUD TARGETING SENIORS.

(a) ESTABLISHMENT OF ADVISORY OFFICE.—The Federal Trade Commission shall establish an office within the Bureau of Consumer Protection for the purpose of advising the Commission on the prevention of fraud targeting seniors and to assist the Commission with the following:

(1) OVERSIGHT.—The advisory office shall monitor the market for mail, television, Internet, telemarketing, and recorded message telephone call (hereinafter referred to as “robocall”) fraud targeting seniors and shall coordinate with other relevant agencies regarding the requirements of this section.

(2) CONSUMER EDUCATION.—The Commission through the advisory office shall, in consultation with the Attorney General, the Secretary of Health and Human Services, the Postmaster General, the Chief Postal Inspector for the United States Postal Inspection Service, and other relevant agencies—

(A) disseminate to seniors and families and caregivers of seniors general information on mail, television, Internet, telemarketing, and robocall fraud targeting seniors, including descriptions of the most common fraud schemes;

(B) disseminate to seniors and families and caregivers of seniors information on reporting complaints of fraud targeting seniors either to the national toll-free telephone number established by the Commission for reporting such complaints, or to the Consumer Sentinel Network, operated by the Commission, where such complaints will become immediately available to appropriate law enforcement agencies, including the Federal Bureau of Investigation and the attorneys general of the States;

(C) in response to a specific request about a particular entity or individual, provide publically available information of enforcement action taken by the Commission for mail, television, Internet, telemarketing, and robocall fraud against such entity; and

(D) maintain a website to serve as a resource for information for seniors and families and caregivers of seniors regarding mail, television, Internet, telemarketing, robocall, and other identified fraud targeting seniors.

(3) COMPLAINTS.—The Commission through the advisory office shall, in consultation with the Attorney General, establish procedures to—

(A) log and acknowledge the receipt of complaints by individuals who believe they have been a victim of mail, television, Internet, telemarketing, and robocall fraud in the Consumer Sentinel Network, and shall make those complaints immediately available to Federal, State, and local law enforcement authorities; and

(B) provide to individuals described in subparagraph (A), and to any other persons, specific and general information on mail, television, Internet, telemarketing, and robocall fraud, including descriptions of the most common schemes using such methods of communication.

(b) COMMENCEMENT.—The Commission shall commence carrying out the requirements of

this section not later than one year after the date of the enactment of this Act.

RESOLUTIONS DISCHARGED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that applicable committees be discharged and the Senate proceed to the immediate consideration of the following resolutions en bloc: S. Res. 199, S. Res. 225, S. Res. 227, and S. Res. 238.

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

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 199) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 22, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 20, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 227) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 20, 2017, under “Submitted Resolutions.”)

The resolution (S. Res. 238) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 1, 2017, under “Submitted Resolutions.”)

HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3218, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 3218) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

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

Mr. DURBIN. Mr. President, I am pleased that today the Senate is unanimously passing the Harry W. Colmery Veterans Educational Assistance Act of 2017, known as the Forever GI Bill, which would make important improvements to the GI bill.

The bill removes time restrictions on using the GI bill, enabling future recipients to use benefits their entire lives as opposed to within the current 15-year timeline. It provides 100 percent GI bill eligibility to Purple Heart recipients. It also increases GI bill funding for Reservists, Guardsmen, dependents, surviving spouses, and surviving dependents.

While the bill includes many provisions I support, I also have ongoing concerns about institutions of higher education, especially for-profit colleges, which prey on veterans using GI bill benefits. I do not believe this bill goes far enough to provide the type of protections we owe to our servicemembers and the kind of institutional accountability that taxpayers deserve.

I am particularly concerned that the Forever GI Bill does not address the 90/10 loophole which incentivizes for-profit colleges to aggressively recruit and prey on veterans. Under current law, for-profit colleges are prohibited from receiving more than 90 percent of their revenue from Federal taxpayers, but due to a loophole in the law, such revenue does not count Department of Veterans Affairs GI bill or Department of Defense Tuition Assistance funding. This means that, by targeting veterans and servicemembers, for-profit colleges can actually receive 100 percent of their revenue directly from Federal taxpayers.

And many do. According to data released by the Department of Education in 2016, 193 institutions received more than 90 percent of their revenue from Federal taxpayers when Department of Education, Department of Veterans Affairs, and Department of Defense funds were counted together.

I have long called for this loophole to be corrected and for the percentage of Federal revenue to be returned to the original 85 percent. I will soon reintroduce legislation, the Protecting Students and Taxpayers, POST, Act, to address this issue.

While not addressed in the Forever GI Bill we are passing today, I look forward to working with my colleagues—including Senator CARPER who has authored another bill on this topic which I support—veterans service organizations, and others to consider this and other important accountability concerns.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3218) was ordered to a third reading, was read the third time, and passed.

REDESIGNATING CERTAIN CLINICS OF THE DEPARTMENT OF VETERANS AFFAIRS LOCATED IN MONTANA

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 1282 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1282) to redesignate certain clinics of the Department of Veterans Affairs located in Montana.

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

Mr. McCONNELL. I ask unanimous consent that the Daines-Tester substitute amendment at the desk be considered and agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 749) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. REDESIGNATION OF CERTAIN DEPARTMENT OF VETERANS AFFAIRS CLINICS IN MONTANA.

(a) DAVID J. THATCHER VA CLINIC.—

(1) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 2687 Palmer Street in Missoula, Montana, shall after the date of the enactment of this Act be known and designated as the "David J. Thatcher VA Clinic".

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the David J. Thatcher VA Clinic.

(b) DR. JOSEPH MEDICINE CROW VA CLINIC.—

(1) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 1775 Spring Creek Lane in Billings, Montana, shall after the date of the enactment of this Act be known and designated as the "Dr. Joseph Medicine Crow VA Clinic".

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Dr. Joseph Medicine Crow VA Clinic.

(3) PUBLIC DISPLAY OF NAME.—

(A) IN GENERAL.—Any local public display of the name of the clinic referred to in paragraph (1) carried out by the United States or through the use of Federal funds shall include the English name, Dr. Joseph Medicine Crow, and the Crow name, Dakaak Baako, of Dr. Joseph Medicine Crow.

(B) LOCAL DISPLAY.—For purposes of subparagraph (A), a local public display of the name of the clinic referred to in paragraph (1) includes a display inside the clinic, on the

campus of the clinic, and in the community surrounding the clinic, such as signs directing individuals to the clinic.

(c) BENJAMIN CHARLES STEELE VA CLINIC.—

(1) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 1766 Majestic Lane in Billings, Montana, shall after the date of the enactment of this Act be known and designated as the "Benjamin Charles Steele VA Clinic".

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Benjamin Charles Steele VA Clinic.

The bill (S. 1282), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, for months the American people have been gripped by the sideshow surrounding President Trump. It seems like every day another shoe drops on the Russia investigation, another White House staffer is fired, and President Trump tweets something that upends the government and causes our allies to move even further away from us.

Despite all of this commotion, all of the drama, and all of the disorganization, there is one thing that Trump and the Republicans in Congress have carried out since day one with complete precision. They have carried out a comprehensive all-out assault on American workers. Day by day, week by week, month by month, President Trump and congressional Republicans have acted to undermine the safety and economic security of hardworking Americans.

Just observe what they have done. On December 8, President Trump nominated Andrew Puzder, who was then CEO of fast food giants Hardee's and Carl's Jr., to lead the Department of Labor. That is right. His first major announcement affecting workers was to nominate a man who made his fortune on the backs of hard-working Americans to the top position in government charged with protecting American workers.

On February 1, just days after he was inaugurated, President Trump delayed a rule protecting workers from workplace exposure to a lethal cancer-causing substance called beryllium. On February 3, President Trump stood with big bank CEOs to announce an Executive order to make it easier for investment advisers to cheat hard-working Americans out of \$17 billion a year in retirement savings. On March 1, the Trump administration delayed the rule

protecting workers from lethal cancer-causing beryllium a second time. On March 6, congressional Republicans followed the directive of big business lobbyists and voted to make it easier for government contractors to steal wages from their employees. On March 16, President Trump released his budget blueprint, proposing to slash funding for the Labor Department, whose job is to stand for American workers, by 21 percent. On March 22, congressional Republicans voted to make it easier for employers to hide injuries and deaths that their workers suffer on the job. On March 24, the Trump administration delayed a rule that required mine operators to conduct safety inspections and tell miners about any hazardous conditions they discovered before the workers go into the mines. On March 30, congressional Republicans voted to block cities from offering retirement accounts to more than 2 million employees who don't have access to a retirement account at work. On April 4, President Trump delayed the rule preventing investment advisers from cheating hard-working Americans out of their retirement savings. This 60-day delay alone cost Americans an estimated \$3.7 billion. On April 6, the Trump administration delayed a rule protecting construction workers from deadly silica poisonings. On May 3, Republicans in Congress voted to keep State governments from offering retirement accounts to employees who don't have access to accounts at work, yanking access away from 15 million Americans. On May 23, President Trump called for massive budget cuts to the Department of Labor, including the complete elimination of workers' safety training programs, programs for older workers, and funding for workers with disabilities. And on June 23, President Trump proposed exempting the construction and shipbuilding industries from the rule to protect workers from lethal cancer-causing beryllium, a move that could prove fatal to workers in these industries.

That is a pretty despicable record—despicable but consistent. Workers get slammed over and over. Today, Senator McCONNELL has brought us down to the floor to sock it to American workers one more time before he sends us home for summer recess. Today, we are voting on the nomination of Marvin Kaplan to serve on the National Labor Relations Board.

Pause here for just a second. The NLRB is probably the most important independent Federal agency that you have never heard of. They are responsible for protecting the legal rights of workers to come together and bargain with their bosses for higher wages and better working conditions.

Starting a union is not easy. Large employers fight union organizing campaigns tooth and nail. They hire armies of union-busting lawyers to run smear

campaigns against the unions or to delay or kill organizing efforts.

That is why the NLRB is so very important—to serve as a referee that ensures employers play by the rules and workers get a chance to exercise their legal rights. It is the NLRB's job to stand up for workers—workers like the nearly 4,000 workers at the Nissan plant in Canton, MS, who, beginning tomorrow, will vote on whether to elect a union to represent them. That is what the NLRB has traditionally done—stood up for workers. Just last week, they filed a complaint against Nissan, alleging that the corporation has violated the law by running a union-busting drive, warning workers that they would lose wages and benefits if they took the step of joining a union.

It is also the NLRB's job to do the routine but important work of overseeing the elections. Just last month, the NLRB conducted a secret ballot election at Cooley Dickinson Hospital in Northampton, MA, where nearly 300 service workers elected to be represented by SEIU 1199.

With a Republican Congress and President determined to deliver the knockout blow to the middle class, hard-working Americans need an NLRB that is on their side. President Trump's nominee to the NLRB, Marvin Kaplan, has no experience practicing labor law, but we actually know where he stands on protecting workers.

As a Republican House staffer, here is what he has done. He spent years actively working to strip workers of their right to organize under the law. He spent years working to overturn rulings by the NLRB that would protect workers' rights. He worked on the legislation to delay union elections by at least 35 days, giving employers and their armies of lawyers and lobbyists more time to fight off organizing efforts. He worked on legislation to make some workers ineligible to join unions at their workplaces. He even fought efforts to ensure that Americans get paid the overtime they deserve.

So after 8 months, the Republicans are about to go on vacation, but not before they jam the NLRB with a new anti-worker nominee. The biggest problem in Washington is that this place works great for giant employers and for giant corporations with armies of lawyers and lobbyists. But workers and their families just get ignored. President Trump doesn't seem to have any problem turning his back on millions of hard-working people, but that is not what we are here for.

I will be voting against Marvin Kaplan, and I urge my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, all postcloture time is expired.

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

Mr. TILLIS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 184 Ex.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Thune
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McConnell	Tillis
Enzi	Moran	Toomey
Ernst	Murkowski	Wicker
Fischer	Paul	Young

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Burr McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the submission of S. Res. 243 are printed in today's RECORD under "Submitted Resolutions.")

Mr. FLAKE. Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Virginia.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 222 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 222) designating July 26, 2017, as "United States Intelligence Professionals Day."

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

Mr. WARNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 222) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 19, 2017, under "Submitted Resolutions.")

Mr. WARNER. Mr. President, for several years now I have regularly come to this floor to publicly acknowledge the contributions made by our great Federal employees. This is a tradition I inherited from one of our former colleagues, Senator Ted Kaufman of Delaware. Senator Kaufman, who had been a longtime staffer himself before he served as a Senator, would come to this floor on a regular basis to acknowledge and celebrate the tireless work and occasional heroics performed by many of our Federal employees. When Senator Kaufmann left this body, I gladly picked up that mantle and since then have come to the floor to draw attention to the extraordinary contributions of many of our Federal workers.

Over the past few years, this recognition has included a Social Security executive who eliminated a claims backlog to more quickly meet the urgent

needs of thousands of Social Security recipients with grave terminal illnesses. We have also celebrated the work of a Department of Homeland Security official who saved taxpayers \$750 million by streamlining her agency's procurement processes, and we proudly highlighted the work of a group of engineers at NASA Langley Research Center in Virginia, who, in 2010, designed a capsule that proved to be crucial in saving the lives of 33 Chilean miners who were trapped underground.

Too often, our Federal workers are disrespected and demeaned by those who would attempt to use them as scapegoats for all that is allegedly wrong here in Washington. In reality, thousands of our Nation's dedicated civil servants work tirelessly every day to make our government work for and by the people.

Today, I wish to focus for a moment on one such group of outstanding Federal employees—those who work across our Nation's intelligence agencies to keep our Nation safe. Most of these professionals work in anonymity. Many risk their lives far away from the limelight. That is how it should be, for they are sworn to secrecy, even from their families and loved ones.

Over the last decade and a half, our intelligence professionals have increasingly been deployed overseas into war zones and other high-threat environments. Regrettably, some have made the highest sacrifice—laying down their lives for their country.

For their service, the risks they take and the sacrifices they make every day and because they do not hear this nearly enough, let me say “thank you” to the intelligence community.

As a Senator from the Commonwealth of Virginia, I am proud to represent thousands of current and former members of the intelligence community who live, work, or retire in our great State. I am also proud to represent these individuals in my current capacity as vice chairman of the Senate Intelligence Committee.

My colleagues and I on the committee have again submitted a resolution that marks July 26 as “United States Intelligence Professionals Day.” It was on that day 70 years ago that President Truman signed the National Security Act of 1947, which laid the foundation for today's U.S. intelligence community. It was earlier in my statement that we passed that resolution. In recent years, our committee has had success, as we try to protect our intelligence community, with greater intelligence sharing and interoperability and because of investments in people and systems.

Many challenges remain—from the constant barrage of leaks to the security of the supply chain, to outdated processes for security clearances. I hope that this year's intelligence authorization bill will begin to address some of these issues.

Yet today it is the people in the intelligence community whom I want to acknowledge—their professionalism, their dedication to duty and country, their silent service, their sacrifices.

The men and women of the Nation's intelligence agencies deserve our respect and our thanks. They do not deserve to be belittled, disrespected, or threatened, and certainly not from their Commander in Chief.

To the men and women of the intelligence community—these great Federal employees—I conclude with this: We, simply, do not say it enough, but thank you for your service. Thank you for your dedication, and thank you for the great work you do—often unheralded.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RACE FOR CHILDREN ACT

Mr. RUBIO. Mr. President, I come to the floor today to voice my support for the FDA Reauthorization Act. Within this legislation is a very important measure that will support the development of innovative and promising cancer drugs—the RACE for Children Act, which is a law that I introduced with Senator MICHAEL BENNET of the State of Colorado.

RACE for Children is sorely needed, as it would close a loophole that exists in current Federal law and prompt companies—pharmaceutical companies—to examine the safety and the efficacy of powerful cancer drugs and how they work on children. This, in turn, will provide doctors with the necessary information to properly treat children battling cancer.

Pediatric cancer is a leading cause of death by disease among children. A startling statistic: One in every 285 children is diagnosed with cancer before the age of 20. While the good news is that researchers are continuing to make significant advances to treat and cure cancer for adults, the progress to develop safe drugs for pediatric cancer sadly lags far behind.

One of the problems is that current law, the way it is today, directs pharmaceutical companies to study the safety and the efficacy of adult drugs on children. So if you develop a drug on diabetes or heart disease or anything for adults, it also requires you to do some of that on children because you want to make sure that it works on both populations and you don't want to keep a drug out of the market for children that could work for them. Of

course, this requirement is only in place if the FDA believes that there is a pertinent need—in essence, a condition that children suffer from. There are some conditions that are unique to adults; there are few, if any, pediatric populations who have that disease, so maybe they would decide it wasn't pertinent to require it.

However, this provision in the law specifically exempts cancer drugs. In essence, it says to a pharmaceutical company: If you are going to study the safety and the efficacy of a drug on adults, if there is a pertinent need, if there is a real population out there that suffers from the same condition in children, you have to test it on children, as well, except if it is a cancer drug. One of the reasons that exemption is in there is because technology—medical technology at the time that law was put in place—didn't allow researchers to target the genetic structure of cancer. In essence, at the time, it didn't allow them to say: We can go in and find the genetic markers of a specific cancer and test against it. That is why it didn't have that requirement.

Now, however, we do have that capability. Today, the technology exists to pinpoint the similarities in adult and childhood cancer genomes. So the technology has now reached a point where you can treat the specific genome of a cancer whether it is in an adult or in a child. That is how far the technology has advanced, but the law has not been updated to keep up with it. The result is that there are a lot of adult advances being made, and we don't know if they work on children because they haven't been forced to test it.

So the RACE for Children's Act, which is a law that Senator BENNET and I offered and is included in the FDA reauthorization, closes that loophole.

Let me say that getting to this point here on the floor was not easy. So I do need to take a moment to thank the chairman, Senator ALEXANDER of Tennessee, and obviously Senator BENNET, but also the pediatric cancer community, including organizations like the Live Like Bella Foundation in my hometown of Miami, Lambs for Life, the Alliance for Childhood Cancer, St. Jude's, St. Baldrick's, Nemours Children's Hospital, Arnold Palmer Hospital, the American Cancer Society, and so many others that came together to the table to address this important issue in a way that would not limit future innovations for cancer treatment. It has taken over a year and a half to reach this point, and I am grateful to all of them for their participation because I would not be standing here giving this speech without it.

Suffice it to say that, tragically, many of my colleagues in Congress, here in the Senate but also across the country, have been affected by cancer.

Whether you are fighting cancer yourself or it is your child, your sister, your brother, your cousin, your friend, I want to make one thing clear: You are not alone in your struggle.

I would venture to say that I do not know anyone who has not been impacted by pediatric cancer. I have it in my own family, and some have confronted it in theirs, in loved ones and children who went to school with your kids. In fact, Live Like Bella Foundation was founded for a young girl by the name of Bella from Miami. She was a classmate of my nephew in grade school, and she lost her battle with cancer. Her father has been a tireless advocate for this cause. He moved Heaven and Earth to try to reach a point where they could find a cure for her. That did not come in time. He has now made it the mission of his life to honor her life by continuing this work. So we have all been impacted in some way.

As I said, unfortunately, across this country this disease is a reality. I want to share some stories of a few of the children who have been impacted by cancer and who have impacted our office and helped us to make this a priority over the last year and a half.

The first is the story of a young boy named Jeremy. He is only 5 years old and has been in treatment for 4 of those 5 years. He has had more than 150 surgeries so far, and ultimately had to have his eyes removed because of cancer, which left him completely blind, obviously.

Then there is Tatum, who was diagnosed with a rapidly developing brain tumor just before she was supposed to start kindergarten. Her parents were told by the doctors that they should take her home and they should enjoy the little time they had with Tatum because they had no options to treat her.

There is Princeton, who was diagnosed with cancer when he was 5 years old. He is now 7. In those 2 years he has undergone 6 chemo cycles, a bone marrow transplant, 9 surgeries, 12 rounds of radiation, and 6 cycles of immunotherapy. Because of this intense and time-consuming treatment schedule, Princeton built friendships with others who were also in the hospital for treatment. Sadly, he has lost many of these friends.

Princeton's best friend was Trevor. Trevor passed away right before Princeton's birthday party. Princeton came to my office asking the Senate to do more for kids like them. Here is what 7-year-old Princeton said: "I don't want my friends to die, and I don't want me to die."

There is the story of Derek. He was a healthy, happy baby until he developed an aggressive form of cancer and it produced tumors all over his body. His body was literally taken over by tumors. At only 5 months of age, baby Derek lost his battle against cancer.

These are real stories. They are real, heartbreaking stories—stories of our neighbors, friends, and family and what they have endured.

But with the developments in medicine today, there is no reason these children shouldn't have a second chance. Yet the treatment options for children with cancer is much more limited than it is for adults, and some of the reasons why are the issues we are trying to address about this law here today.

Recent advancements in cancer treatment enable oncology drugs to specifically target the genetic structure of the cancer, and that makes it possible to transition certain adult cancer drugs for pediatric use. However, the basic information you need to do that—about dosing and safety—needs to be determined to guide the doctors responsible for treating these children. These treatments, these advances are providing new-found hope for cancer patients, but mostly only for adult cancer patients.

Fortunately, we have a chance and an opportunity to change this, and that is the goal of the RACE for Children Act.

The House recently passed the RACE for Children Act as part of the FDA user fee reauthorization bill that is before us here today. It is now our turn to do so and to send this important and potentially lifesaving legislation to the President for his signature.

In a place where we have had some heated debates over the last 7 years, since I have been here—6½, and more to come—sometimes it feels as though, perhaps, our service here doesn't make much of an impact. But from time to time, we have unique opportunities to vote on laws and legislation that slightly alter the arc of history and potentially help people. Standing here today, I can't tell you if there will be 1,000 children, 100,000 children, or 5 children who will benefit from a cancer treatment because of this new requirement in which these adult drugs will have to be tested on children. We don't know.

Standing here today, believing that we all walk on Earth and our days are numbered to the glory and grace of God, frankly, we don't know if one of our own children, God forbid or someone we deeply love or one of our children's classmates will be impacted by pediatric cancer. But we know that 1 in about 300 children will be. So the chances are that at some point, we will once again have someone we care deeply about impacted. We hope that when that moment comes, if it does, that there will be options for their parents and their doctors and that they will have the opportunity to use for them treatments that perhaps would not have been available, had this requirement not been in the law. That is why I hope and I urge my Senate colleagues to join me in supporting this initiative.

In fact, sometimes we give these speeches with a sense of mystery: If this passes; if it doesn't pass; there is no reason this isn't going to pass. We all expect the FDA reauthorization bill to pass. I imagine when people vote on this tomorrow, they will read the title of the bill, "FDA Fee Reauthorization." It sounds like taking care of the normal course of business—it is important in its own right, by the way—that this is just this bureaucratic exercise to reauthorize an expiring law. Embedded in that law is a very important law, one that I hope will lead to real life-changing innovation in a way that will impact lives, change and save the lives of children here in our country but ultimately in other parts of the world as well.

That is why I felt it was important to come to the Senate floor and, obviously, urge my colleagues to support this initiative but also to urge my colleagues to be proud of it.

We are about to go home, whether it is tomorrow or next week, and answer to our constituents for all the things we didn't do. There are some significant issues we have not confronted and solved for the country, but this is a significant issue. There aren't going to be a lot of articles written about it; there aren't going to be blaring headlines on the websites about it, mailers and campaign commercials. That doesn't mean it isn't important. We live in a society where oftentimes good news doesn't draw ratings, and good news doesn't drive eyeballs and clicks to a website. It doesn't make it unimportant. It doesn't make it insignificant.

This is significant. This is an opportunity. This is evidence that more often than perhaps people realize, fellow Americans of different points of view, representing diverse States and communities, who approach the political process with very different ideologies and aims, come together to make a difference. I am pleased that while there are many things we have not done, we will leave here tomorrow or next week knowing that at least we did one thing that will matter. It is an important thing because these children whom we are trying to help do not have the time to continue waiting for us to step up and take action.

I thank the Chair.

With that, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

VERMONT POLICE CHIEF'S RESPONSE TO PRESIDENT TRUMP

Mr. LEAHY. Mr. President, Brandon del Pozo proudly serves as the chief of

police in Burlington, VT—Vermont's largest city. He arrived in Vermont 2 years ago, after serving for nearly two decades with the New York Police Department, where he rose through the ranks and learned hard lessons on the streets of such a large urban center. One needs only to sit with Chief del Pozo for a short while to understand his commitment to community service and to community.

So it comes as no surprise that Chief del Pozo grew alarmed when he heard President Trump recently tell a law enforcement gathering that police should not be "too nice" to those who are placed under arrest, seeming to suggest that police should go against the very policies that exist to protect against police misconduct. We cannot tolerate this kind of public comment and certainly not from the President of the United States. There is nothing the least bit humorous in any of this. In fact, President Trump's comments have undermined the efforts of police departments across our Nation to build trust within their communities at a time when that trust is most needed.

As a doctoral candidate holding three master's degrees, Chief del Pozo is well studied in the rules of engagement. He is also a talented writer. In an essay he submitted to CNN, Chief del Pozo responded directly to the President's comments, writing: "Policing requires dealing with the emotions cops are bound to feel when they witness the worst things one person can do to another. It is criminals who act on these emotions and attack other people. Restraint is what separates policing from vigilantism."

It is a viewpoint that is real, told through the eyes of an experienced street cop who works in reality, not reality TV. I ask unanimous consent that Chief del Pozo's full CNN essay be printed in the RECORD.

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

[From CNN, July 31, 2017]

TRUMP ON POLICE BRUTALITY: HAR HAR HAR

(By Brandon del Pozo)

When I was a New York Police Department cop in East Flatbush in 2000, I once rushed into an apartment building with fellow officers on a call of an assault. We found a boy in the hallway under attack. He was crying, and bleeding from stab wounds inflicted by his mother's boyfriend. The boy ran into my arms. Our sergeant confronted his attacker. He could have shot the man. Instead, he fought him into submission.

The boy had been stabbed because he had called the police while the man was attacking his mother. She was lying on the hallway stairs in a pool of blood. That her son had served as a distraction was probably the only reason she survived. "You saved our lives," the boy sobbed. He hugged me. His blood and tears wet my shirt.

As the suspect sat there in handcuffs waiting to be led away, I asked him why he had stabbed a child. "Boy gotta learn not to get in a man's business," he said. "So now he

learned." A fury rose within me that nearly caused me to shake. "We should have shot you," I said.

But we didn't shoot him, nor did we lay a hand on him once he'd surrendered. Policing requires dealing with the emotions cops are bound to feel when they witness the worst things one person can do to another. It is criminals who act on these emotions and attack other people. Restraint is what separates policing from vigilantism.

Now we have a President who appears to want police to satisfy their primal urges. Either as a joke—as White House press secretary, Sarah Huckabee Sanders has now suggested—or as one of many true things that have been said in jest, President Donald Trump addressed a roomful of officers on Long Island on Friday and invited them to be "rough" with their suspects. He advised them to be free with their hands as they shoved arrestees into squad cars, to "not be too nice." His grin and his pause for an ovation erased any uncertainty about his message.

An elected official could only say what Trump said if he didn't understand policing. People who've gained this type of experience know the real possibility of a cop losing his temper, how hard we have to guard against it, and how much it would erode the trust we strive for between police and the people they serve.

It also seems like the President doesn't understand certain things about America. There has been enough confirmed police brutality here to send chills down the spine of a reasonable person watching the President and a crowd of cops joke and laugh about it. It's like laughing about the dire consequences of inadequate health care, or the opioid crisis.

It's also clear that President Trump has never had to fire or arrest a police officer: The cop sits there in front of you, replaying a moment in his mind, wishing he could take it back. He put on the uniform to be one of the good guys, and now he's on the opposite side of the table. He worries about supporting his family.

The way to get our officers to retirement safely, after a satisfying career, is to lead them through policing's cauldron. Excessive force could get them fired or arrested. Making light of it is a failure of leadership.

It was hard to watch a roomful of officers laugh and applaud in response to Trump's remarks. The only charitable explanation was that it indicated a sense of relief that the President understood how vicious some criminals are and how frustrating the work of bringing them to justice can be. The more likely explanation is that the President has a talent for bringing out the darker side of people, and this was another example of it.

What we witnessed will drive a deeper wedge between the police and the citizens whose mistrust of them has grown. It will cast doubt on legitimate uses of force.

What troubles me the most about the President's remarks, however, is the way they patronized police officers. He has never held a wounded child in his arms or had to decide whether to punch or shoot a man with a knife. He has never had to race to the scene of a police shooting and choke on his feelings as he hunts for a suspect with precision and restraint. His remarks failed to take police work and its hazards seriously.

When I later served as a precinct commander in the Bronx, a sergeant of mine was suspended because he stood there and did nothing as he watched an officer slam a handcuffed suspect's head into the street. A

narcotics detective had been shot during a scuffle with a drug crew, the responding officers were blind with rage, and one exacted revenge. When a video surfaced, the emotions didn't convey. It just looked thuggish, like the cop was a criminal, too. By his own account, it seems the President would also have been inclined to stand there and do nothing. There are thousands of American police chiefs who know what these situations require. They want to protect their officers by leading them in the right direction. We don't need the President joking with them about giving in to their baser instincts.

TRIBUTE TO MARY ALICE MCKENZIE

Mr. LEAHY. Mr. President, it is a privilege for each of us to represent our constituents, and it is a great honor to be able to recognize the contributions many of them make to our communities at home. On this occasion, I would like to take this opportunity to recognize Mary Alice McKenzie, a fixture in the Burlington, VT, community. Ms. McKenzie has served as the executive director of the Boys & Girls Club of Burlington since 2007, and during her tenure at the club, she has had a lasting impact on the lives of thousands of Vermont children. The community is grateful for her service.

Ms. McKenzie comes from a business and legal background—a nontraditional path to her current position that provided her with a unique set of skills. Mary Alice began her work at the Boys & Girls Club after serving as the chief executive officer of McKenzie Meats from 1985 to 2000. She then spent several years in the Vermont State college system as general counsel and served with the law firm Paul Frank & Collins before taking over at the Boys & Girls Club of Burlington in 2007.

At the Boys & Girls Club, Mary Alice has focused her efforts on education. When she realized how few club kids were going on to higher education, she enacted the Early Promise program, which targets children at a young age who may need additional academic services and then provides college scholarships to older youth. As of today, the scholarship fund has investments totaling \$2.3 million from which to draw. In a short time, the club hopes to be able to help 60 Burlington children achieve their academic goals in high school and beyond.

The Boys & Girls Club plays an important role in the lives of more than 1,000 Burlington children. Aside from the academic services, the club also works to ensure a safe and stable community for its young members. When Ms. McKenzie began hearing reports of suspected drug use occurring in a park across the street from the club, she assembled a task force of local law enforcement officials, social workers, and policymakers to work towards a solution that would ensure the safety of club kids. The Boys & Girls Club expanded activities in the park and eventually took over use of an old storage

building which is now an academic center.

Ms. McKenzie has also focused her efforts on children who have experienced trauma. Under her leadership, the club has started a program to help children deal with the issues that stem from trauma at a young age. Their goal is to create stability for children whose home lives may be turbulent due to issues such as homelessness and addiction. These are profoundly difficult situations for youth to handle, and the efforts of the staff at the Boys & Girls Club are surely appreciated.

These efforts have not gone unnoticed. Not only is Ms. McKenzie beloved by members of the club who tell stories of her kindness and generosity, but in 2014, Ms. McKenzie was granted Champlain College's Distinguished Citizen Award for her years of service to the community. This award was well deserved; there are few people who dedicate themselves to service in the way that Mary Alice McKenzie has.

During her tenure at the Boys & Girls Club of Burlington, Mary Alice McKenzie has repeatedly identified significant issues within the community and worked to find creative and lasting solutions. As she concludes her years of service with the club, it is clear that her efforts have paid off. The Boys & Girls Club has more teens moving on to college than ever before, and the club continues to expand, providing an invaluable space for Burlington's youth to spend their free time. I am very grateful for Mary Alice's tireless dedication, and I look forward to seeing what the future of her career brings. Marcelle and I think of her as a dear friend.

CBO ESTIMATE OF H.R. 2430

Mr. ENZI. Mr. President, for the information of my colleagues, the Congressional Budget Office released its estimate of H.R. 2430, the FDA Reauthorization Act of 2017, in July 2017. Information related to this House-passed bill can be found at the Congressional Budget Office's website with the following link: <https://www.cbo.gov/system/files/115th-congress-2017-2018/costestimate/hr2430.pdf>

FOOD AND DRUG ADMINISTRATION USER FEE REAUTHORIZATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the commitment letters from the Secretary of Health and Human Services to the chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the chairman of the Committee on Energy and Commerce of the House of Representatives regarding reauthorization of the Biosimilar User Fee Act, Generic Drug User Fee Act, Prescription Drug User Fee Act, and Medical Device User Fee Amendments.

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

DEPARTMENT OF HEALTH & HUMAN SERVICES, Washington, DC, January 4, 2017.

Hon. LAMAR ALEXANDER,
Chairman, Committee on Health, Education,
Labor and Pensions, U.S. Senate, Wash-
ington, DC.

DEAR MR. CHAIRMAN: The Generic Drug User Fee Amendments of 2012 (GDUFA) enacted as title III of the Food and Drug Administration Safety and Innovation Act [Pub. L. 112-144], expires at the end of Fiscal Year 2017. With this letter the Administration is providing our recommendations for the reauthorization of GDUFA for the Fiscal Years 2018-2022 (GDUFA II).

Under GDUFA, the revenues generated from fees paid by the generic pharmaceutical industry have been used to expedite the process for the review of generic drugs and to support and augment regulatory science and drug development. The expenditure of these funds is in accordance with the statute and provides resources to meet the performance goals and procedures that were developed by the Food and Drug Administration [FDA] in consultation with representatives of regulated industry. FDA estimates that the fees negotiated in GDUFA II will average approximately \$493.6 million per year, adjusted annually for inflation.

Throughout this process, the FDA has solicited input and worked with various stakeholders, including representatives from consumer, patient, academic research, and health provider groups, and negotiated with the regulated industry, to develop reauthorization recommendations for GDUFA that would build upon and enhance the success of the program. In addition, we have complied with the statutory requirements to solicit public comments on our recommendations, and the summary of public comments is posted on the agency web site.

Our recommendations build upon the successes of existing programs and performance goals with step-wise improvements allowing FDA the resources to establish a generic drug review program that can keep up with the ever-expanding generic drug industry. The recommendations will bring all Abbreviated New Drug Applications (ANDAs) under a common review goals scheme which calls for faster review cycles of 10 months for standard ANDAs and eight months for priority ANDAs. Priority status will be reserved for drug shortages, first generics, sole source generics and other public health priorities. The negotiated recommendations provide that FDA will communicate deficiencies to industry throughout rather than at the end of a review cycle, increasing the chances for applicants to remedy deficiencies and obtain approval in fewer cycles. This will allow for improved predictability and transparency and enable industry advanced business planning.

The agreement also establishes a robust Pre-ANDA program for complex products. The program will include meetings with applicants, guidance development and regulatory science enhancements aimed at allowing applicants with complex products to submit more complete applications and FDA to be more prepared for such submissions.

FDA will also make improvements to the facility assessment program in order to increase predictability, transparency and safety. In addition, FDA has committed to accountability and reporting enhancements. FDA will conduct activities to evaluate the

financial administration and resource allocations of the GDUFA II program to help identify areas to enhance operational and fiscal efficiency and transparency. FDA will also expand GDUFA program performance reporting to enable the regulated industry, patients and consumer groups, and other stakeholders to better gauge the generic drug program's performance.

Lastly, the agreement would revamp the user fee structure. GDUFA II will be funded at a level commensurate with the volume of ANDA submissions—the primary workload driver of the program. This will allow FDA the resources necessary to meet all of its commitments. In order to maintain a predictable fee base and to more closely align fee responsibility with program costs and fee-paying ability, FDA and industry have agreed to shift the burden more toward annual program fees. To address specific small business concerns, FDA and industry have proposed three distinct small business considerations. We anticipate that the proposed GDUFA II will increase public access to affordable, generic drug products.

The following five enclosures are provided for your consideration: The proposed GDUFA II statutory language; a redline of current law; the GDUFA Reauthorization Performance Goals and Procedures—Fiscal Years 2018 through 2022; the Background for the Proposed Changes for Reauthorization of GDUFA in Fiscal Years 2018 through 2022; and the summary of public comments.

Thank you for the opportunity to present our recommendations to reauthorize this vital program. We would be pleased to brief your staff on the details and want to work closely with Congress in order to reauthorize the program in a timely manner. The Office of Management and Budget has advised that the bill and the enclosed performance goals are in accord with the Administration's program.

Sincerely,

SYLVIA BURWELL,
Secretary.

DEPARTMENT OF HEALTH &
HUMAN SERVICES,
Washington, DC, January 4, 2017.

Hon. PATTY MURRAY,
Ranking Member, Committee on Health, Edu-
cation, Labor and Pensions, U.S. Senate,
Washington, DC.

DEAR SENATOR MURRAY: The Generic Drug User Fee Amendments of 2012 (GDUFA) enacted as title III of the Food and Drug Administration Safety and Innovation Act [Pub. L. 112-144], expires at the end of Fiscal Year 2017. With this letter the Administration is providing our recommendations for the reauthorization of GDUFA for the Fiscal Years 2018-2022 (GDUFA II).

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Throughout this process, the FDA has solicited input and worked with various stakeholders, including representatives from consumer, patient, academic research, and

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Sincerely,

SYLVIA BURWELL,
Secretary.

DEPARTMENT OF HEALTH &
HUMAN SERVICES,
Washington, DC, January 4, 2017.

Hon. GREG WALDEN,
*Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Generic Drug User Fee Amendments of 2012 (GDUFA) enacted as title III of the Food and Drug Administration Safety and Innovation Act [Pub. L. 112-144], expires at the end of Fiscal Year 2017. With this letter the Administration is providing our recommendations for the reauthorization of GDUFA for the Fiscal Years 2018-2022 (GDUFA II).

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Sincerely,

SYLVIA BURWELL,
Secretary.

DEPARTMENT OF HEALTH &
HUMAN SERVICES,
Washington, DC, January 4, 2017.

Hon. FRANK PALLONE,
*Ranking Member, Committee on Energy and
Commerce, House of Representatives, Wash-
ington, DC.*

DEAR REPRESENTATIVE PALLONE: The Generic Drug User Fee Amendments of 2012 (GDUFA) enacted as title III of the Food and Drug Administration Safety and Innovation Act [Pub. L. 112-144], expires at the end of Fiscal Year 2017. With this letter the Administration is providing our recommendations for the reauthorization of GDUFA for the Fiscal Years 2018-2022 (GDUFA II).

Under GDUFA, the revenues generated from fees paid by the generic pharmaceutical industry have been used to expedite the process for the review of generic drugs and to support and augment regulatory science and drug development. The expenditure of these funds is in accordance with the statute and provides resources to meet the performance goals and procedures that were developed by the Food and Drug Administration [FDA] in consultation with representatives of regulated industry. FDA estimates that the fees negotiated in GDUFA II will average approximately \$493.6 million per year, adjusted annually for inflation.

Throughout this process, the FDA has solicited input and worked with various stakeholders, including representatives from consumer, patient, academic research, and health provider groups, and negotiated with the regulated industry, to develop reauthorization recommendations for GDUFA that would build upon and enhance the success of the program. In addition, we have complied with the statutory requirements to solicit public comments on our recommendations, and the summary of public comments is posted on the agency web site.

Our recommendations build upon the successes of existing programs and performance goals with step-wise improvements allowing FDA the resources to establish a generic drug review program that can keep up with the ever-expanding generic drug industry. The recommendations will bring all Abbreviated New Drug Applications (ANDAs) under a common review goals scheme which calls for faster review cycles of 10 months for standard ANDAs and eight months for priority ANDAs. Priority status will be reserved for drug shortages, first generics, sole source generics and other public health priorities. The negotiated recommendations provide that FDA will communicate deficiencies to industry throughout rather than at the end of a review cycle, increasing the chances for applicants to remedy deficiencies and obtain approval in fewer cycles. This will allow for improved predictability and transparency and enable industry advanced business planning.

The agreement also establishes a robust Pre-ANDA program for complex products. The program will include meetings with applicants, guidance development and regulatory science enhancements aimed at allowing applicants with complex products to submit more complete applications and FDA to be more prepared for such submissions.

FDA will also make improvements to the facility assessment program in order to increase predictability, transparency and safety. In addition, FDA has committed to accountability and reporting enhancements. FDA will conduct activities to evaluate the financial administration and resource allocations of the GDUFA II program to help identify areas to enhance operational and fiscal efficiency and transparency. FDA will also expand GDUFA program performance reporting to enable the regulated industry, patients and consumer groups, and other stakeholders to better gauge the generic drug program's performance.

Lastly, the agreement would revamp the user fee structure. GDUFA II will be funded at a level commensurate with the volume of ANDA submissions—the primary workload driver of the program. This will allow FDA the resources necessary to meet all of its commitments. In order to maintain a predictable fee base and to more closely align fee responsibility with program costs and fee-paying ability, FDA and industry have agreed to shift the burden more toward annual program fees. To address specific small business concerns, FDA and industry have proposed three distinct small business considerations. We anticipate that the proposed GDUFA II will increase public access to affordable, generic drug products.

The following five enclosures are provided for your consideration: The proposed GDUFA II statutory language; a redline of current law; the GDUFA Reauthorization Performance Goals and Procedures—Fiscal Years 2018 through 2022; the Background for the Proposed Changes for Reauthorization of GDUFA in Fiscal Years 2018 through 2022; and the summary of public comments.

Thank you for the opportunity to present our recommendations to reauthorize this vital program. We would be pleased to brief your staff on the details and want to work closely with Congress in order to reauthorize the program in a timely manner. The Office of Management and Budget has advised that the bill and the enclosed performance goals are in accord with the Administration's program.

Sincerely,

SYLVIA BURWELL,
Secretary.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the commitment letter for the Generic Drug User Fee Act, GDUFA, reauthorization for fiscal years 2018 to 2022, known as GDUFA II.

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

GDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROGRAM ENHANCEMENTS FISCAL YEARS 2018-2022

I. Submission Review Performance Goals
A. Original ANDAs and ANDA Amendments

B. PASs and PAS Amendments
C. Unsolicited ANDA and PAS Amendments

D. DMFs
E. Controlled Correspondence
F. GDUFA I Bridging

II. Original ANDA Review Program Enhancements

A. ANDA Receipt
B. ANDA Review Transparency and Communications Enhancements

C. Review Classification Changes During the Review Cycle

D. ANDA Approval and Tentative Approval
E. Dispute Resolution

F. Other ANDA Review Program Aspirations

III. Pre-ANDA Program and Subsequent Mid-Review-Cycle Meetings for Complex Products

A. Rationale for Pre-ANDA Program, Guidance on Enhanced Pathway for Complex Products

B. Controlled Correspondence
C. Product-Specific Guidance
D. Product Development Meetings

E. Pre-Submission Meetings
F. Inactive Ingredient Database Enhancements

G. Regulatory Science Enhancements
H. Safety Determination Letters

I. Other Pre-ANDA Program Aspirations

IV. DMF Review Program Enhancements
A. Communication of DMF Review Comments

B. Teleconferences to Clarify DMF First Cycle Review Deficiencies

C. DMF First Adequate Letters
D. DMF No Further Comment Letters

E. Guidance on Post-Approval Changes to Type II API DMFs

V. Facilities
A. Guidance on Risk-Based Site Selection Model

B. Outreach to Foreign Regulators on Risk-Based Site Selection Model

C. Export Support and Education of Other Health Authorities

D. Communications to Foreign Regulators
E. Communication Regarding Inspections

F. GDUFA II Facility Compliance Status Database

VI. Enhanced Accountability and Reporting

A. Resource Management Planning and Modernized Time Reporting

B. Financial Transparency and Efficiency
C. Performance Reporting

VII. Definitions

GDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROGRAM ENHANCEMENTS FISCAL YEARS 2018-2022

This document contains the performance goals and program enhancements for the Generic Drug User Fee Act (GDUFA) reauthorization for Fiscal Years (FYs) 2018-2022, known as GDUFA II. It is commonly referred to as the "goals letter" or "commitment letter". The goals letter represents the product of the Food and Drug Administration's (FDA's) discussions with the regulated industry and public stakeholders, as mandated by Congress. The performance goals and program enhancements specified in this letter apply to aspects of the generic drug review program that are important for facilitating timely access to quality, affordable generic medicines. FDA is committed to meeting the performance goals specified in this letter and to continuous improvement of its performance.

Unless otherwise stated, goals apply to cohorts of each fiscal year (FY).

GDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FISCAL YEARS 2018-2022

The performance goals and procedures of the FDA, as agreed to under the first reauthorization of the generic drug user fee program, are summarized below.

I. SUBMISSION REVIEW PERFORMANCE GOALS

A. Original ANDAs and ANDA Amendments

1. Review and act on 90 percent of standard original Abbreviated New Drug Applications (ANDAs) within 10 months of the date of ANDA submission.

2. Review and act on 90 percent of priority original ANDAs within the applicable review goal.

a. Review and act on priority original ANDAs within 8 months of the date of ANDA submission, if the applicant submits a Pre-Submission Facility Correspondence 2 months prior to the date of ANDA submission and the Pre-Submission Facility Correspondence is found to be complete and accurate and remains unchanged.

b. Review and act on priority original ANDAs within 10 months of the date of ANDA submission if the applicant does not submit a Pre-Submission Facility Correspondence 2 months prior to the date of ANDA submission or facility information changes or is found to be incomplete or inaccurate.

3. Review and act on 90 percent of standard major ANDA amendments within the applicable review goal.

a. Review and act on standard major ANDA amendments within 8 months of the date of amendment submission if preapproval inspection is not required.

b. Review and act on standard major ANDA amendments within 10 months of the date of amendment submission if preapproval inspection is required.

4. Review and act on 90 percent of priority major ANDA amendment submissions within the applicable review goal.

a. Review and act on priority major ANDA amendments within 6 months of the date of amendment submission if preapproval inspection is not required.

b. Review and act on priority major ANDA amendments within 8 months of amendment submission if (i) preapproval inspection is required and (ii) applicant submits a Pre-Submission Facility Correspondence 2 months

prior to the date of amendment submission and the Pre-Submission Facility Correspondence is found to be complete and accurate and remains unchanged.

c. Review and act on priority major ANDA amendments within 10 months of amendment submission if (i) preapproval inspection is required and (ii) the applicant does not submit a Pre-Submission Facility Correspondence 2 months prior to amendment submission, or facility information Changes or is found to be incomplete or inaccurate.

5. Review and act on 90 percent of standard and priority minor ANDA amendments within 3 months of the date of amendment submission.

TABLE FOR SECTION I(A)(1) AND (2): ORIGINAL ANDAS

Submission Type	Goal
Standard Original ANDAs	90% within 10 months of submission date.
Priority Original ANDAs	90% within 8 months of submission date if applicant meets requirements under I(A)(2)(a). 90% within 10 months of submission date if applicant does not meet requirements as described under I(A)(2)(b).

TABLE FOR SECTION I(A)(3)–(5): ANDA AMENDMENTS

Submission Type	Goal
Standard Major ANDA Amendments.	90% within 8 months of submission date if preapproval inspection not required. 90% within 10 months of submission date if preapproval inspection required.
Priority Major ANDA Amendments.	90% within 6 months of submission date if preapproval inspection not required. 90% within 8 months of submission date if preapproval inspection required and applicant meets requirements under I(A)(4)(b). 90% within 10 months of submission date if preapproval inspection required and applicant does not meet requirements as described under I(A)(4)(c).
Standard and Priority Minor ANDA Amendments.	90% within 3 months of submission date.

B. PASs and PAS Amendments

1. Review and act on 90 percent of standard Prior Approval Supplements (PASs) within the applicable review goal.

a. Review and act on standard PASs within 6 months of the date of PAS submission if preapproval inspection is not required.

b. Review and act on standard PASs within 10 months of the date of PAS submission if preapproval inspection is required.

2. Review and act on 90 percent of priority PASs within the applicable review goal.

a. Review and act on priority PASs within 4 months of the date of PAS submission if preapproval inspection is not required.

b. Review and act on priority PASs within 8 months of the date of PAS submission if (i) preapproval inspection is required and (ii) the applicant submits a Pre-Submission Facility Correspondence 2 months prior to the date of PAS submission and the Pre-Submission Facility Correspondence is found to be complete and accurate and remains unchanged.

c. Review and act on priority PASs within 10 months of PAS submission if (i) preapproval inspection is required and (ii) the applicant does not submit a Pre-Submission Facility Correspondence 2 months prior to the date of PAS submission, or facility information changes or is found to be incomplete or inaccurate.

3. Review and act on 90 percent of major amendments to standard PASs within the applicable review goal.

a. Review and act on major amendments to standard PASs within 6 months of the date of amendment submission if preapproval inspection is not required.

b. Review and act on major amendments to standard PASs within 10 months of the date

of amendment submission if preapproval inspection is required.

4. Review and act on 90 percent of major amendments to priority PASs within the applicable review goal.

a. Review and act on major amendments to priority PASs within 4 months of the date of amendment submission if preapproval inspection is not required.

b. Review and act on major amendments to priority PASs within 8 months of the date of amendment submission if (i) preapproval inspection is required and (ii) the applicant submits a Pre-Submission Facility Correspondence 2 months prior to the date of amendment submission and the Pre-Submission Facility Correspondence is found to be complete and accurate and remains unchanged.

c. Review and act on major amendments to priority PASs within 10 months of amendment submission if (i) preapproval inspection is required and (ii) the applicant does not submit a Pre-Submission Facility Correspondence 2 months prior to the date of amendment submission, or facility information changes or is found to be incomplete or inaccurate.

5. Review and act on 90 percent of minor amendments to standard and priority PASs within 3 months of the date of amendment submission.

TABLE FOR SECTION I(B)(1) AND (2): PASs

Submission Type	Goal
Standard PASs	90% within 6 months of submission date if preapproval inspection not required. 90% within 10 months of submission date if preapproval inspection required.
Priority PASs	90% within 4 months of submission date if preapproval inspection not required. 90% within 8 months of submission date if preapproval inspection required and applicant meets requirements under I(B)(2)(b). 90% within 10 months of submission date if preapproval inspection required and applicant does not meet requirements as described under I(B)(2)(c).

TABLE FOR SECTION I(B)(3)–(5): PAS AMENDMENTS

Submission Type	Goal
Standard PAS Major Amendments.	90% within 6 months of submission date if preapproval inspection not required. 90% within 10 months of submission date if preapproval inspection required.
Priority PAS Amendments	90% within 4 months of submission date if preapproval inspection not required. 90% within 8 months of submission date if preapproval inspection required and applicant meets requirements under I(B)(4)(b). 90% within 10 months of submission date if preapproval inspection required and applicant does not meet requirements as described under I(B)(4)(c).
Standard and Priority Minor PAS Amendments.	90% within 3 months of submission date.

C. Unsolicited ANDA Amendments and PAS Amendments

1. Review and act on unsolicited ANDA amendments and PAS amendments submitted during the review cycle by the later of the goal date for the original submission/solicited amendment or the goal date assigned in accordance with Sections I(A)(3), (4) and (5) and I(B)(3), (4) and (5), respectively, for the unsolicited amendment.

2. Review and act on unsolicited ANDA amendments and PAS amendments submitted between review cycles by the later of the goal date for the subsequent solicited amendment or the goal date assigned in accordance with Sections I(A)(3), (4) and (5) and I(B)(3), (4) and (5), respectively, for the unsolicited amendment.

D. DMFs

1. Complete the initial completeness assessment review for 90 percent of Type II Active Pharmaceutical Ingredient (API) Drug Master Files (DMFs) within 60 days of the later of the date of DMF submission or DMF fee payment.

TABLE FOR SECTION I(D): DMFs

Submission Type	Goal
Type II API DMF	90% of initial completeness assessments within 60 days of the later of the date of DMF submission or DMF fee payment.

E. Controlled Correspondence

1. Review and respond to 90 percent of controlled correspondences within the applicable review goal.

a. Review and respond to Standard controlled correspondence within 60 days of the date of submission.

b. Review and respond to Complex controlled correspondence within 120 days of the date of submission.

2. In the case of controlled correspondence that raises an issue that relates to one or more pending citizen petitions, the 60- or 120-day time period starts on the date FDA responds to the petition (if there is only one petition) or last pending petition.

3. FDA will review and respond to 90% of submitter requests to clarify ambiguities in the controlled correspondence response within 14 days of receipt of the request. The response to the submitter's request will provide clarification or advice concerning the ambiguity in the controlled correspondence response.

TABLE FOR SECTION I(E): CONTROLLED CORRESPONDENCE

Submission Type	Goal
Standard Controlled Correspondence.	90% within 60 days of submission date.
Complex Controlled Correspondence.	90% within 120 days of submission date.

FDA will review and respond to 90% of submitter requests to clarify ambiguities in the controlled correspondence request within 14 days of request receipt

F. GDUFA I Bridging

1. Continue to review and act on ANDAs and ANDA amendments, PASs and PAS amendments and controlled correspondence submitted prior to October 1, 2017 that have been assigned GDUFA I goal dates pursuant to the GDUFA I review metrics applicable to those submissions.

2. Review and act on 90% of ANDAs and ANDA amendments with Target Action Dates (TADs) by the goal date. The TAD for an ANDA or ANDA amendment becomes its GDUFA II goal date. (Attachment A shows how FDA, until September 30, 2017, assigned TADs to ANDA amendments not subject to GDUFA I review goals.)

3. Review and act on 90% of ANDAs and ANDA amendments pending FDA as of October 1, 2017 that were not subject to GDUFA I goal dates and either (a) were not previously assigned TADs or (b) were previously assigned TADs that came due prior to October 1, 2017 but remain pending in the same review cycle as of October 1, 2017, by GDUFA II ANDA and ANDA amendment goal dates that FDA will assign on October 1, 2017. No such goal date shall be later than July 31, 2018.

4. Review and act on amendments received on or after October 1, 2017, to any ANDAs submitted prior to October 1, 2017, pursuant to the amendment review goals set forth in (A)(3)–(5) of this section.

II. ORIGINAL ANDA REVIEW PROGRAM ENHANCEMENTS

A. ANDA Receipt

1. FDA will strive to determine whether to receive ANDAs within 60 days of the date of ANDA submission.

2. To enable FDA to rapidly determine whether to receive an ANDA pursuant to 21 Code of Federal Regulations (CFR) 314.101, and with consideration of final agency guidances that address ANDA receipt determinations, FDA will issue a Manual of Policies and Procedures (MAPP) by October 1, 2017 setting forth procedures for filing reviewers on communication of minor technical deficiencies (e.g., document legibility); and on deficiencies potentially resolved with information in the ANDA at original submission, in order to provide applicants with an opportunity for resolution within 7 calendar days. If such a deficiency is resolved within 7 calendar days, that deficiency will not be a basis for a refuse-to-accept decision.

3. At the time of receipt, FDA will notify the applicant in the acceptance letter whether the ANDA or PAS is subject to priority or standard review

B. ANDA Review Transparency and Communications Enhancements

To promote transparency and communication between FDA and ANDA applicants, FDA will apply the review program enhancements below to the review of all ANDAs. The goal of these program enhancements is to improve predictability and transparency, promote the efficiency and effectiveness of the review process, minimize the number of review cycles necessary for approval, increase the overall rate of approval, and facilitate greater access to generic drug products.

1. FDA will issue the appropriate Information Request(s) (IR(s)) and/or Discipline Review Letter(s) (DRL(s)) from each review discipline as soon as the discipline has completed its review, with the first IR(s) and/or DRL(s) at about the mid-point of the review.

2. Following the IR and/or DRL at about the mid-point of the review, IRs and/or DRLs will, as appropriate, continue from each review discipline on a rolling basis.

3. Neither IRs nor DRLs stop the review clock or add to a GDUFA goal.

4. If an applicant is unable to completely respond within the time frame requested by FDA, including any extensions that may be granted by FDA, then FDA will generally issue a Complete Response Letter (CRL).

5. FDA will continue to issue IRs and/or DRLs late in the review cycle, until it is no longer feasible, within the current review cycle, for applicant to develop and FDA to review a complete response to the IR and/or DRL.

6. FDA should continue to work through the goal date if in FDA's judgment continued work would likely result in an imminent tentative approval that could prevent forfeiture of 180-day exclusivity or in an imminent approval.

7. FDA will strive to act prior to a goal date when the review is done and there are no outstanding issues.

8. If in the ordinary course a Regulatory Project Manager (RPM) learns that a major deficiency is likely forthcoming, the RPM will notify the Authorized Representative that a major deficiency is likely forthcoming. If the Authorized Representative raises concerns or seeks additional information regarding the forthcoming major deficiency, the RPM will encourage the Authorized Representative to review the forthcoming deficiency upon receiving it.

9. If in the ordinary course an RPM learns that FDA is likely to miss the goal date for the submission, the RPM will notify the Authorized Representative of the outstanding discipline(s), the general nature of the delay (when possible), and the estimated time-frame for receiving the response.

10. The Authorized Representative may periodically request a Review Status Update. In response to the Authorized Representative's request, the RPM will timely provide a Review Status Update.

11. FDA will include in the CRL its basis for classifying a responding amendment Major.

12. Applicants may opt for a post-CRL teleconference to seek clarification concerning deficiencies identified in a CRL. FDA will grant appropriate requests for teleconferences requested by applicants upon receiving first cycle major complete response letters. FDA will also grant appropriate requests for teleconferences requested by applicants upon receiving subsequent major complete response letters or minor complete response letters. FDA will provide a scheduled date for 90 percent of post-CRL teleconferences within 10 days of the request for a teleconference, and conduct 90 percent of such post-CRL teleconferences held on the FDA-proposed date, within 30 days of receipt of the written request.

C. Review Classification Changes During the Review Cycle

1. If during a review cycle of an ANDA or PAS, the review classification of the ANDA or PAS changes from Standard to Priority, FDA will notify the applicant within 14 days of the date of the change.

2. If a previous ANDA or ANDA amendment was subject to priority review, but a subsequent ANDA amendment is subject to standard review, FDA will notify applicant within 14 days of the date of receipt of the solicited amendment.

3. A request for a change may occur at any time during the review.

4. Once an ANDA or PAS submission is classified as being subject to priority review, the application will retain such priority review classification status until FDA takes an action on the submission.

5. FDA will include an explanation of the reasons for any denial of a review status reclassification request.

6. If an applicant requests a teleconference as part of its request to reclassify a major amendment or standard review status, FDA will schedule and conduct the teleconference and decide 90% of such reclassification requests within 30 days of the date of FDA's receipt of the request for a teleconference. This goal only applies when applicant accepts the first scheduled teleconference date offered by FDA.

D. ANDA Approval and Tentative Approval

If applicants submit and maintain ANDAs consistent with the statutory requirements for approval under 505(j); respond to IRs and DRLs completely and within the time frames requested by FDA and timely submit all required information under 21 CFR parts 314 and 210, including information concerning notice (21 CFR 314.95), litigation status (21 CFR 314.107), and commercial marketing (21 CFR 314.107); then FDA will strive to approve approvable ANDAs in the first review cycle; to approve potential first generics on the earliest lawful ANDA approval date, if known to FDA; and to tentatively approve first to file Paragraph IV ANDAs so as to avoid forfeiture of 180-day exclusivity.

E. Dispute Resolution

1. An applicant may pursue a request for reconsideration within the review discipline

at the Division level or original signatory authority, as needed.

2. The Office of Generic Drugs (OGD) Office of Regulatory Operations Associate Director will track each request for Division level reconsideration through resolution.

3. Following resolution of a request for reconsideration, an applicant may pursue formal dispute resolution above the Division level, pursuant to procedures set forth in the September 2015 Guidance, Formal Dispute Resolution: Appeals Above the Division Level.

4. FDA will respond to appeals above the Division level within 30 calendar days of the Center for Drug Evaluation and Research's (CDER's) receipt of the written appeal pursuant to the applicable goal.

a. In FY 2018, the goal is 70 percent.

b. In FY 2019, the goal is 80 percent.

c. In FY 2020, 2021, and 2022 the goal is 90 percent.

5. CDER's Formal Dispute Resolution Project Manager (or designee) will track each formal appeal above the Division level through resolution

F. Other ANDA Review Program Aspirations

1. FDA aspires to continually improve the efficiency of the ANDA review program.

2. The absence of a GDUFA II commitment for a specific program function does not imply that the program function is not important. For example, other program functions include determinations whether listed drugs were voluntarily withdrawn from sale for reasons of safety or effectiveness and ANDA proprietary name reviews.

III. PRE-ANDA PROGRAM AND SUBSEQUENT MID-REVIEW-CYCLE MEETINGS FOR COMPLEX PRODUCTS

A. Rationale for Pre-ANDA Program, Guidance on Enhanced Pathway for Complex Products

The goal of the pre-ANDA program is to clarify regulatory expectations for prospective applicants early in product development, assist applicants to develop more complete submissions, promote a more efficient and effective ANDA review process, and reduce the number of review cycles required to obtain ANDA approval, particularly for Complex Products.

1. FDA will issue guidance describing an enhanced pathway for Complex Products, including policies and procedures for Product Development Meetings, pre-submission meetings, and mid-review cycle meetings. An ANDA applicant who was granted a Product Development Meeting has the option of a pre-submission meeting with FDA and also the option of a mid-review-cycle meeting with FDA, subject to policies and procedures to be set forth in the guidance.

B. Controlled Correspondence

1. FDA will review and respond to standard controlled correspondence and to complex controlled correspondence with meaningful responses that can more consistently inform drug development and/or regulatory decision making pursuant to the applicable metric goals.

C. Product-Specific Guidance

1. FDA will issue product-specific guidance identifying the methodology for developing drugs and generating evidence needed to support ANDA approval, for 90 percent of new chemical entity New Drug Applications that are approved on or after October 1, 2017, at least 2 years prior to the earliest lawful ANDA filing date.

2. This goal shall not apply to Complex Products. FDA will strive to issue guidance

for a Complex Product as soon as scientific recommendations are available.

3. FDA will continue to develop and issue product-specific guidance based on requests from industry and public health priorities as set forth in the CDER Prioritization MAPP.

4. Industry may request that FDA develop product-specific guidance via email to genericdrugs@fda.hhs.gov.

D. Product Development Meetings

1. FDA will grant a prospective applicant a Product Development Meeting if, in FDA's judgment:

a. The requested Product Development Meeting concerns:

i. Development of a Complex Product for which FDA has not issued product-specific guidance or

ii. An alternative equivalence evaluation (i.e., change in study type, such as in vitro to clinical) for a Complex Product for which FDA has issued product-specific guidance,

b. The prospective applicant submits a complete meeting package, including a data package and specific proposals,

c. A controlled correspondence response would not adequately address the prospective applicant's questions, and

d. A Product Development Meeting would significantly improve ANDA review efficiency.

2. Dependent on available resources, FDA may grant a prospective applicant a Product Development Meeting concerning Complex Product development issues other than those described in Section III(D)(1)(a) above if, in FDA's judgment:

a. The prospective applicant submits a complete meeting package, including a data package and specific proposals,

b. A controlled correspondence response would not adequately address the prospective applicant's questions, and

c. A Product Development Meeting would significantly improve ANDA review efficiency.

3. FDA will grant or deny 90% of Product Development Meeting requests within the applicable goal.

a. In FYs 2018 and 2019, the goal is 30 days from receipt of the request.

b. In FYs 2020, 2021 and 2022, the goal is 14 days from receipt of the request.

4. FDA will conduct Product Development Meetings granted pursuant to the applicable goal.

a. In FY 2018, FDA will conduct 60 percent of such meetings within 120 days of granting them.

b. In FY2019, FDA will conduct 70 percent of such meetings within 120 days of granting them.

c. In FY2020, FDA will conduct 80 percent of such meetings within 120 days of granting them.

d. In FYs 2021 and 2022, FDA will conduct 90 percent of such meetings within 120 days of granting them.

5. FDA can meet the Product Development Meeting Goal by either conducting a meeting or providing a meaningful written response that will inform drug development and/or regulatory decision making to the prospective applicant, within the applicable goal date.

6. Unless FDA is providing a written response to satisfy the Product Development Meeting goal, FDA will provide preliminary written comments before each Product Development Meeting (and aspire to provide the written comments 5 calendar days before the meeting), and will provide meeting minutes within 30 calendar days following the meeting.

E. Pre-Submission Meetings

1. Prospective applicants may request and FDA will conduct pre-submission meetings, subject to Section III(A)(1). An applicant's decision not to request a pre-submission meeting will not prejudice the receipt or review of an ANDA.

2. FDA will grant or deny 90% of pre-submission meeting requests within the applicable goal.

a. In FYs 2018 and 2019, the goal is 30 days.

b. In FYs 2020, 2021, and 2022, the goal is 14 days.

3. If an applicant did not have a Product Development Meeting, FDA may grant a pre-submission meeting if in FDA's judgment the pre-submission meeting would improve review efficiency.

4. FDA will conduct pre-submission meetings granted pursuant to the applicable goal.

a. In FY 2018, FDA will conduct 60 percent of such meetings within 120 days of granting them.

b. In FY 2019, FDA will conduct 70 percent of such meetings within 120 days of granting them.

c. In FY 2020, FDA will conduct 80 percent of such meetings within 120 days of granting them.

d. In FYs 2021 and 2022, FDA will conduct 90 percent of such meetings within 120 days of granting them.

5. If appropriate to the purpose of the meeting, FDA will provide preliminary written comments 5 calendar days before each meeting, and meeting minutes within 30 calendar days of the meeting.

F. Mid-Review-Cycle Meetings for Complex Products

As set forth in guidance issued pursuant to Section III(A)(1), the Project Manager and other appropriate members of the FDA review team will call the applicant to provide the applicant with an update on the status of the review of their application. An agenda will be sent to the applicant prior to the mid-review-cycle meeting. The Project Manager will coordinate the specific date and time of the telephone call with the applicant.

G. Inactive Ingredient Database Enhancements

1. By October 1, 2020, FDA will complete enhancements to the Inactive Ingredient Database so users can perform electronic queries to obtain accurate Maximum Daily Intake and Maximum Daily Exposure information for each route of administration for which data is available.

2. FDA will update the Inactive Ingredient Database on an ongoing basis, and post quarterly notice of updates made. Such notices will include each change made and, for each change, the information replaced.

H. Regulatory Science Enhancements

FDA will conduct internal and external research to support fulfillment of submission review and pre-ANDA commitments set forth in Sections I and III, respectively.

1. Annually, FDA will conduct a public workshop to solicit input from industry and stakeholders for inclusion in an annual list of GDUFA II Regulatory Science initiatives. Interested parties may propose regulatory science initiatives via email to genericdrugs@fda.hhs.gov. After considering industry and stakeholder input, FDA will post the list on FDA's website.

2. If Industry forms a GDUFA II regulatory science working group, then upon request of the working group to the Director of the Office of Research and Standards in the Office of Generic Drugs, FDA will meet with the working group twice yearly to discuss cur-

rent and emerging challenges and concerns. FDA will post minutes of these meetings on its website.

3. Annually, FDA will report on its website the extent to which GDUFA regulatory science-funded projects support the development of generic drug products, the generation of evidence needed to support efficient review and timely approval of ANDAs, and the evaluation of generic drug equivalence.

I. Safety Determination Letters

1. FDA will issue 90% of safety determination letters within 60 days of the date of submission of disclosure authorization.

J. Other Pre-ANDA Program Aspirations

1. FDA aspires to continually improve the effectiveness of its pre-ANDA activity.

2. The absence of a GDUFA II commitment for a specific program function does not imply that the program function is not important. For example, notwithstanding the absence of a GDUFA II commitment, FDA aspires to respond to Suitability Petitions in a more timely and predictable manner.

IV. DMF REVIEW PROGRAM ENHANCEMENTS

A. Communication of DMF Review Comments

1. FDA will ensure that DMF review comments submitted to the DMF holder are issued at least in parallel with the issuance of review comments relating to the DMF for the ANDA. This commitment applies to comments to the applicant issued in any ANDA CRL and comments issued in the first IR letter by the drug product review discipline.

B. Teleconferences to Clarify DMF First Cycle Review Deficiencies

1. FDA will grant and conduct teleconferences when requested to clarify deficiencies in first cycle DMF deficiency letters.

2. DMF holders must request such teleconferences in writing within 20 business days of issuance of the first cycle DMF deficiency letter, identifying specific issues to be addressed. FDA may initially provide a written response to the request for clarification, but if the DMF holder indicates that a teleconference is still desired, FDA will schedule the teleconference.

3. FDA will strive to grant such teleconferences within 30 days, giving priority to DMFs based on the priority of the referencing ANDA.

4. In lieu of a teleconference, the DMF holder may submit a request for an email exchange between FDA and the DMF holder. The request must identify specific issues to be addressed. After FDA responds to the request, the DMF holder may submit, and FDA will respond to, one follow up email to obtain additional clarification.

C. DMF First Adequate Letters

1. Once a DMF has undergone a full scientific review and has no open issues related to the review of the referencing ANDA, FDA will issue a First Adequate Letter.

D. DMF No Further Comment Letters

1. Once a DMF has undergone a complete review and the ANDA referencing the DMF has been approved or tentatively approved, FDA will issue a no further comment letter.

E. Guidance on Post-Approval Changes to Type II API DMFs

1. By October 1, 2018, FDA will issue a guidance regarding post-approval changes to a Type II API DMF and submission mechanisms for ANDA applicants who reference the Type II API DMF.

V. FACILITIES

A. Guidance on Risk-Based Site Selection Model—Issue a guidance explaining the Agency's risk-based site surveillance model for

human pharmaceutical manufacturing establishments, including a discussion of the risk factors incorporated in the model and how the model is used to help determine which establishments are scheduled to receive a surveillance inspection each year.

B. Outreach to Foreign Regulators on Risk-Based Site Selection Model—Undertake outreach activities to better inform other pharmaceutical regulators of FDA's risk-based surveillance model.

C. Export Support and Education of Other Health Authorities—Support the export of safe and effective pharmaceutical products by the U.S.-based pharmaceutical industry, including but not limited to timely updates to FDA's Facility Compliance Status Database as described below, and educating other health authorities regarding FDA's surveillance inspection program and the meaning of inspection classifications.

D. Communications to Foreign Regulators—Upon receipt of a written or email request by an establishment physically located in the U.S. that has been included as part of a marketing application submitted to a foreign regulator, issue within 30 days of the date of receipt of the request a written communication to that foreign regulator conveying the current compliance status for the establishment.

E. Communication Regarding Inspections

1. By May 31, 2018, when FDA conducts an application-related inspection of a facility or site named in the ANDA, PAS, or associated Type II DMF and identifies outstanding issues that could prevent approval of an ANDA or PAS, the applicant will be notified that issues exist through an IR, DRL or CRL pursuant to Section II(B) above.

2. By October 1, 2018, FDA agrees to communicate to the facility owner final inspection classifications that do not negatively impact approvability of any pending application within 90 days of the end of the inspection. FDA agrees to ongoing periodic engagement with industry stakeholders to provide updates on agency activities and seek stakeholder feedback.

F. GDUFA II Facility Compliance Status Database—By January 1, 2019, FDA will update its existing, publicly available database that describes the compliance status of GDUFA self-ID facilities and sites. Compliance status is based on the most recent inspection or related FDA action for facilities involved in any manufacturing activities subject to Current Good Manufacturing Practices (CGMP) inspection and for sites involved in the conduct or analysis of bio-analytical or clinical bioequivalence/bio-availability studies conducted to support an ANDA. The database will be updated every 30 days and will reflect FDA's final assessment of the facility or site following an FDA inspection and review of the inspected entity's timely response to any documented observations. The public website containing the database will also include an explanation of terms used to describe the compliance status of facilities and sites.

VI. ENHANCED ACCOUNTABILITY AND REPORTING

FDA will build internal capacity to enable improved productivity and performance through regular assessment of progress towards GDUFA goals, consistent methodologies for and timely reporting of GDUFA metrics, and transparent and efficient administration; allocation and reporting of user fee resources.

A. Resource Management Planning and Modernized Time Reporting

FDA is committed to enhancing management of the GDUFA program in GDUFA II.

1. FDA will conduct activities to develop a resource management planning function and modernized time reporting approach in GDUFA II. FDA will staff a planning team responsible for these activities and for publishing a GDUFA program resource management planning and modernized time reporting implementation plan no later than fourth quarter FY 2018.

2. FDA will obtain through a contract with an independent third party an evaluation of options and recommendations for a new methodology to accurately assess changes in the resource needs of the human generic drug review program and how to monitor and report on those needs moving forward. The report will be published no later than the end of FY 2020 for public comment. Upon review of the report and comments, FDA will implement robust methodologies for assessing resource needs of the program and tracking resource utilization across the program elements.

B. Financial Transparency and Efficiency

FDA is committed to ensuring GDUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner. FDA will conduct activities to evaluate the financial administration of the GDUFA program to help identify areas to enhance operational and fiscal efficiency. FDA will also conduct activities to enhance transparency of how GDUFA program resources are used.

1. FDA will contract with an independent third party to evaluate and report on how the GDUFA program is resourced and how those resources are utilized, and recommend improvements to the process.

2. FDA will use the results of that evaluation to create an ongoing financial reporting mechanism to enhance the transparency of GDUFA program resource utilization.

3. FDA will publish a GDUFA 5-year financial plan no later than the 2nd quarter of FY 2018. FDA will publish updates to the 5-year plan no later than the 2nd quarter of each subsequent fiscal year.

4. FDA will convene a public meeting no later than the third quarter of each fiscal year starting in FY 2019 to discuss the GDUFA 5-year financial plan, along with the Agency's progress in implementing modernized time reporting and resource management planning.

C. Performance Reporting

1. FDA will publish the following monthly metrics on its website, using a consistent, publicly disclosed reporting methodology:

a. Number of ANDAs and ANDA amendments, DMFs, Changes Being Effected (CBEs) and PASs submitted in the reporting month delineated by type of submission,

b. Number each of ANDAs and PASs FDA refused for receipt in the reporting month,

c. Number of actions taken in the reporting month delineated by the type of action.

For purposes of the metrics, actions shall include final approvals, tentative approvals, complete response letters, information requests, and discipline review letters (or other such nomenclature as FDA determines to reflect the concepts of an information request or complete response letter), and

d. Number of first cycle approvals and tentative approvals in the reporting month.

2. FDA will publish the following quarterly metrics on its website, using a consistent, publicly disclosed reporting methodology:

a. Number of ANDAs and PASs withdrawn in each reporting month,

b. Number of ANDAs awaiting applicant action, and

c. Number of ANDAs awaiting FDA action.

d. Mean and median approval and tentative approval times for the quarterly action cohort.

3. FDA will publish the following metrics annually as part of the GDUFA Performance Report:

a. Mean and median approval and tentative approval times by FY receipt cohort,

b. Mean and median ANDA approval times, including separate reporting of mean and median times for first cycle approvals,

c. Mean and median number of ANDA review cycles to approval and tentative approval by FY receipt cohort,

d. Number of GDUFA related teleconferences requested, granted, denied and conducted, broken down by type of teleconference,

e. Number of applications received, refused to receive, and average time to receipt decision,

f. Number of product development, pre-submission and mid-review cycle meetings requested, granted, denied and conducted, by face to face or in writing,

g. Number of inspections conducted by domestic or foreign establishment location and inspection type (Pre-Approval Inspection (PAI), Good Manufacturing Practices (GMP), Bioequivalence (BE) clinical and BE analytical) and facility type (Finished Dosage Form (FDF), API, etc.),

h. Median time from beginning of inspection to 483 issuance,

i. Median time from 483 issuance to Warning Letter, Import Alert and Regulatory Meeting for inspections with final classification of Official Action Indicated (OAI) (or equivalent),

j. Median time from date of Warning Letter, Import Alert and Regulatory Meeting to resolution of the OAI status (or equivalent),

k. Number of ANDAs accepted for standard review and priority review,

l. Number of suitability petitions pending a substantive response for more than 270 days from the date of receipt,

m. Number of petitions to determine whether a listed drug has been voluntarily withdrawn from sale for reasons of safety or effectiveness pending a substantive response for more than 270 days from the date of receipt,

n. Percentage of ANDA proprietary name requests reviewed within 180 days of receipt,

o. Number of DMF First Adequate Letters issued, and

p. Number of email exchanges requested and conducted in lieu of teleconferences to clarify deficiencies in first cycle DMF deficiency letters.

VII. DEFINITIONS

A. Act on an application—means FDA will either issue a complete response letter, an approval, a tentative approval, or a refuse-to-accept action.

B. Ambiguity in the controlled correspondence response—means the controlled correspondence response or a critical portion of it, in FDA's judgment, merits further clarification.

C. Appropriate, with respect to a request for a post-CRL teleconference—means a complete and clear request for a teleconference where the applicant's goal is to gain an understanding of specific deficiencies and expectations for resolution.

D. Authorized Representative—means the authorized point of contact identified in applicant's letter of authorization or Form 356h. An Authorized Representative may designate an alternate to serve in the Authorized Representative's absence.

E. Change, with respect to facility information—means a change to information in the Pre-Submission Facilities Correspondence that causes FDA to re-evaluate its facility assessment (i.e., assess the impact of the change on its previous recommendation), such as a change in facility (as described by address, FDA Establishment Identification (FEI) number, or Data Universal Numbering System (DUNS) number), change in operation(s) performed by a facility, addition of a new facility, withdrawal of a facility used to generate data to meet application requirements or intended for commercial production, or a change in inspection readiness (i.e., a facility is no longer ready for inspection).

F. Complete response letter (CRL)—refers to a written communication to an applicant or DMF holder from FDA usually describing all of the deficiencies that the agency has identified in an abbreviated application (including pending amendments) or a DMF that must be satisfactorily addressed before the ANDA can be approved. Complete response letters will reflect a complete review which includes an application-related facilities assessment and will require a complete response from industry to restart the clock. Refer to 21 CFR 314.110 for additional details. When a citizen petition may impact the approvability of the ANDA, FDA will strive to address, where possible, valid issues raised in a relevant citizen petition in the complete response letter. If a citizen petition raises an issue that would delay only part of a complete response, a response that addresses all other issues will be considered a complete response.

G. Complete review—refers to a full division-level review from all relevant review disciplines, including inspections, and includes other matters relating to the ANDAs and associated DMFs as well as consults with other agency components.

H. Complex controlled correspondence—means:

1. Controlled correspondence involving evaluation of clinical content,
2. Bioequivalence protocols for Reference Listed Drugs with Risk Evaluation and Mitigation Strategies (REMS) Elements To Assure Safe Use (ETASU), or
3. Requested evaluations of alternative bioequivalence approaches within the same study type (e.g., pharmacokinetic, in vitro, clinical).

I. Complex Product—generally includes:

1. Products with complex active ingredients (e.g., peptides, polymeric compounds, complex mixtures of APIs, naturally sourced ingredients); complex formulations (e.g., liposomes, colloids); complex routes of delivery (e.g., locally acting drugs such as dermatological products and complex ophthalmological products and otic dosage forms that are formulated as suspensions, emulsions or gels) or complex dosage forms (e.g., transdermals, metered dose inhalers, extended release injectables)
2. Complex drug-device combination products (e.g., auto injectors, metered dose inhalers); and
3. Other products where complexity or uncertainty concerning the approval pathway or possible alternative approach would benefit from early scientific engagement.

J. Days—unless otherwise specified, means calendar days.

K. Discipline review letter (DRL)—means a letter used to convey preliminary thoughts on possible deficiencies found by a discipline reviewer and/or review team for its portion of the pending application at the conclusion of the discipline review.

L. Earliest lawful ANDA approval date—the first date on which no patent or exclusivity prevents full approval of an ANDA

M. First adequate letter—a communication from FDA to DMF holder indicating that the DMF has no open issues related to the review of the referencing ANDA. Issued only at the conclusion of the first DMF review cycle that determines the DMF does not have any open issues.

N. First generic—any received ANDA (1) that is a first-to-file ANDA eligible for 180-day exclusivity or for which there are no blocking patents or exclusivities and (2) for which there is no previously approved ANDA for the drug product.

O. Information Request (IR)—means a letter that is sent to an applicant during a review to request further information or clarification that is needed or would be helpful to allow completion of the discipline review.

P. Major amendment—means a major amendment as described in CDER's December 2001 Guidance for Industry: Major, Minor and Telephone Amendments to Abbreviated New Drug Applications.

Q. Mid-review-cycle meeting—after the last key discipline has issued its IR and/or DRL, for ANDAs that were the subject of prior Product Development Meetings or pre-submission meetings, CDER will schedule a teleconference meeting with the applicant to discuss current concerns with the application and next steps.

R. Minor amendment—means a minor amendment as described in CDER's December 2001 Guidance for Industry: Major, Minor and Telephone Amendments to Abbreviated New Drug Applications.

S. Complete and accurate Pre-Submission Facility Correspondence—lists all of the following:

1. All facilities involved in manufacturing processes and testing for the ANDA and corresponding Type II API DMF as required by 21 CFR 314.50(d)(1)(i) and (iii). For each manufacturing or testing facility, the correspondence includes facility name, operation(s) performed, facility contact name, address, FEI number (if a required registrant or one has been assigned), DUNS number, registration information (for required registrants), a confirmation that the facility is ready for inspection, a description of the manufacturing process, and a certification by the applicant that any Type II DMF has similarly complete and accurate facility information as required by 21 CFR 314.50(d)(1)(i), including complete facility information (i.e., facility name, operation, facility contact name, address, FEI number and DUNS number). Facility information that is included in a corresponding Type II DMF is not required to be duplicated in the Pre-Submission Facility Correspondence for the ANDA.

2. All sites or organizations involved in bioequivalence and clinical studies used to support the ANDA submission as described in 21 CFR 314.94(a)(7). This information is provided using a standardized electronic format and includes unique identifiers that are

current and accurate, including site or organization name, address and website; and study information including a listing of study names, dates of conduct and main investigators.

T. Pre-submission meeting—means a meeting in which an applicant has an opportunity to discuss and explain the format and content of an ANDA to be submitted. Although the proposed content of the ANDA will be discussed, pre-submission meetings will not include substantive review of summary data or full study reports.

U. Priority—means submissions affirmatively identified as eligible for expedited review pursuant to CDER's Manual of Policy and Procedures (MAPP) 5240.3, Prioritization of the Review of Original ANDAs, Amendments and Supplements, as revised (the CDER Prioritization MAPP).

V. Product Development Meeting—means a meeting involving a scientific exchange to discuss specific issues (e.g., a proposed study design, alternative approach or additional study expectations) or questions, in which FDA will provide targeted advice regarding an ongoing ANDA development program.

W. Review Status Update—means a response from the RPM to the Authorized Representative to update the Authorized Representative concerning, at a minimum, the categorical status of relevant review disciplines with respect to the submission at that time. The RPM will advise the Authorized Representative that the update is preliminary only, based on the RPM's interpretation of the submission, and subject to change at any time.

X. Safety determination letter—a letter from FDA stating that a bioequivalence study protocol contains safety protections comparable to applicable REMS for the Reference Listed Drug.

Y. Standard—means submissions not affirmatively identified as eligible for expedited review pursuant to the CDER Prioritization MAPP.

Z. Standard controlled correspondence—means controlled correspondence

1. as described in CDER's September 2015 Guidance for Industry, Controlled Correspondence Related to Generic Drug Development, or

2. concerning post-approval submission requirements that are not covered by CDER post-approval changes guidance and are not specific to an ANDA.

AA. Target Action Date (TAD)—Under GDUFA I, FDA's aspirational deadline for action on a pre-GDUFA I Year 3 original ANDA and/or a complete response amendment or equivalent IR to an original ANDA. GDUFA I TADs become GDUFA II goal dates on enactment of GDUFA II.

BB. Teleconference—means a verbal communication by telephone, and not a written response, unless otherwise agreed to by the applicant.

CC. Unsolicited amendment—an amendment with information not requested by FDA except for those unsolicited amendments considered routine or administrative in nature that do not require scientific review (e.g., requests for final ANDA approval, patent amendments, and general correspondence).

GDUFA II COMMITMENT LETTER, ATTACHMENT A

Category	Pre-cohort Year 3 ANDAs	Pre-cohort Year 3 ANDAs (expedited status)
Major Amendment (Complete Response Letter)	10 months	7 months
Minor Amendment (Complete Response Letter)	5 months	3 months
Easily Correctable Deficiency	3 months	
Information Request	3 months	

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the commitment letter for the Medical Device User Fee Amendments of 2017.

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

MDUFA PERFORMANCE GOALS AND PROCEDURES, FISCAL YEARS 2018 THROUGH 2022

GENERAL

The performance goals and procedures agreed to by the Center for Devices and Radiological Health (CDRH) and the Center for Biologics Evaluation and Research (CBER) of the United States Food and Drug Administration ("FDA" or "the Agency") for the medical device user fee program in the Medical Device User Fee Amendments of 2017, are summarized below.

FDA and the industry are committed to protecting and promoting public health by providing timely access to safe and effective medical devices. Nothing in this letter precludes the Agency from protecting the public health by exercising its authority to provide a reasonable assurance of the safety and effectiveness of medical devices. Both FDA and the industry are committed to the spirit and intent of the goals described in this letter.

I. SHARED OUTCOME GOALS

The program and initiatives outlined in this document are predicated on significant interaction between the Agency and applicants. FDA and representatives of the industry agree that the process improvements outlined in this letter, when implemented by all parties as intended, should reduce the average Total Time to Decision for PMA applications and 510(k) submissions, provided that the total funding of the device review program adheres to the assumptions underlying this agreement. FDA and applicants share the responsibility for achieving this objective of reducing the average Total Time to Decision, while maintaining standards for safety and effectiveness. Success of this program will require the cooperation and dedicated efforts of FDA and applicants to reduce their respective portions of the total time to decision.

FDA will be reporting total time performance quarterly as described in Section VI. FDA and industry will participate in the independent assessment of progress toward this outcome, as described in Section V below. As appropriate, key findings and recommendations from this assessment will be implemented by FDA.

A. PMA

FDA will report on an annual basis the average Total Time to Decision as defined in Section VII.H for the three most recent closed receipt cohorts.

For Original PMA and Panel Track Supplement submissions received in Fiscal Years 2016 through 2018, the average Total Time to Decision goal for FDA and industry is 320 calendar days.

For Original PMA and Panel Track Supplement submissions received in Fiscal Years 2017 through 2019, the average Total Time to

Decision goal for FDA and industry is 315 calendar days.

For Original PMA and Panel Track Supplement submissions received in Fiscal Years 2018 through 2020, the average Total Time to Decision goal for FDA and industry is 310 calendar days.

For Original PMA and Panel Track Supplement submissions received in Fiscal Years 2019 through 2021, the average Total Time to Decision goal for FDA and industry is 300 calendar days.

For Original PMA and Panel Track Supplement submissions received in Fiscal Years 2020 through 2022, the average Total Time to Decision goal for FDA and industry is 290 calendar days.

B. 510(k)

FDA will report on an annual basis the average Total Time to Decision as defined in Section VII.H for the most recent closed receipt cohort.

For 510(k) submissions received beginning in Fiscal Year 2018, the average Total Time to Decision goal for FDA and industry is 124 calendar days.

For 510(k) submissions received beginning in Fiscal Year 2019, the average Total Time to Decision goal for FDA and industry is 120 calendar days.

For 510(k) submissions received beginning in Fiscal Year 2020, the average Total Time to Decision goal for FDA and industry is 116 calendar days.

For 510(k) submissions received beginning in Fiscal Year 2021, the average Total Time to Decision goal for FDA and industry is 112 calendar days.

For 510(k) submissions received beginning in Fiscal Year 2022, the average Total Time to Decision goal for FDA and industry is 108 calendar days.

II. REVIEW PERFORMANCE GOALS—FISCAL YEARS 2018 THROUGH 2022 AS APPLIED TO RECEIPT COHORTS

The overall objective of the review performance goals stated herein is to assure more timely access to safe and effective medical devices.

A. Pre-Submissions

FDA will continue the Pre-Submission program as described in the Guidance on "Requests for Feedback on Medical Device Submissions: The Pre-Submission Program and Meetings with FDA Staff" with process improvements and performance goals as noted in this section.

For all Pre-Submissions in which the applicant requests a meeting or teleconference, the applicant will provide a minimum of three proposed meeting dates in the initial submission.

Within 15 calendar days of receipt of a Pre-Submission, FDA will communicate with the applicant regarding whether the application has been accepted and, if applicable, regarding scheduling of the meeting or teleconference. Acceptance will be determined based on the definition of pre-submission in Section VII.F below and an acceptance checklist in published guidance. This communication consists of a fax, email, or other written communication that a) identifies the reviewer assigned to the submission, b) ac-

knowledges acceptance/rejection of the submission, and c) if the submission included a request for a meeting or teleconference and is accepted, either confirms one of the applicant's requested meeting dates or provides two alternative dates prior to day 75 from receipt of accepted submission. A determination that the request does not qualify as a Pre-Submission will require the concurrence of the branch chief and the reason for this determination will be provided to the applicant in the above written communication. FDA intends to reach agreement with the applicant regarding a meeting date within 30 days from receipt of accepted submission. For all requests for meetings or teleconferences that do not have such a meeting or teleconference scheduled by 30 days from receipt of an accepted submission, an FDA manager will contact the applicant to resolve scheduling issues by the 40th day.

FDA will provide written feedback that addresses the issues raised in the pre-submission request within 70 calendar days of receipt date or five calendar days prior to a scheduled meeting, whichever comes sooner, for at least 1,530 Pre-Submissions received in FY 2018, at least 1,645 Pre-Submissions received in FY 2019, at least 1,765 Pre-Submissions received in FY 2020, at least 1,880 Pre-Submissions received in FY 2021, and at least 1,950 Pre-Submissions received in FY 2022. FDA will provide such timely written feedback for additional Pre-Submissions as resources permit, but not to the detriment of meeting the quantitative review timelines and statutory obligations. Written feedback will be provided to the applicant by email or fax and will include: written responses to the applicant's questions; FDA's suggestions for additional topics for the meeting or teleconference, if applicable; or, a combination of both. If all of the applicant's questions are addressed through written responses to the applicant's satisfaction, FDA and the applicant can agree that a meeting or teleconference is no longer necessary, and the written responses provided by email or fax will be considered the final written feedback to the Pre-Submission.

Meetings and teleconferences related to Pre-Submission will normally be limited to 1 hour unless the applicant justifies in writing the need for additional time. FDA may extend the time for such meetings and/or teleconferences.

Applicants will be responsible for developing draft minutes for a Pre-Submission meeting or teleconference, and provide the draft minutes to FDA within 15 calendar days of the meeting. At the beginning and end of each meeting, the applicant will affirmatively state that they will draft minutes and provide them to FDA within 15 calendar days. The minutes will summarize the meeting discussions and include agreements and any action items. FDA will provide any edits to the draft minutes to the applicant via email within a timely manner. These minutes will become final 15 calendar days after the applicant receives FDA's edits, unless the applicant indicates that there is a disagreement with how a significant issue or action item has been documented. In this case, within a timely manner, the applicant and FDA will conduct a teleconference to

discuss that issue with FDA. At the conclusion of that teleconference, within 15 days FDA will finalize the minutes either to reflect the resolution of the issue or note that this issue remains a point of disagreement.

FDA intends that feedback the Agency provides in a Pre-Submission will not change, provided the information submitted in a future IDE or marketing application is consistent with that provided in the Pre-Submission and documented in the Pre-Submission, and that the data and other information in the future submission do not raise any important new issues materially affecting safety or effectiveness. The minutes described above will serve as the record of the Agency's Pre-Submission feedback. Modifications to FDA's feedback will be limited to situations in which FDA concludes that the feedback does not adequately address important new issues materially relevant to a determination of safety and/or effectiveness or substantial equivalence. Such a determination will be supported by the appropriate management concurrence consistent with applicable guidance and SOPs.

By October 1, 2018, the Agency will update the Guidance on "Requests for Feedback on Medical Device Submissions: The Pre-Submission Program and Meetings with FDA Staff" to include: additional information to assist applicants in determining the need for a Pre-Submission, an enhanced Pre-Submission acceptance checklist, examples of frequently asked Pre-Submission questions that lend themselves to productive Pre-Submission interactions, and edits to reflect the revised process outlined above. FDA will provide an opportunity for the public to comment on the updated guidance. No later than 12 months after the close of the public comment period, the Agency will issue a final guidance. FDA will implement this guidance once final.

B. Original Premarket Approval (PMA), Panel-Track Supplements, and Premarket Report Applications

The performance goals in this section apply to all Original Premarket Approval, Panel-Track Supplements, and Premarket Report Applications, including those that are accepted for priority review (previously referred to as expedited).

FDA will communicate with the applicant regarding whether the application has been accepted for filing review within 15 calendar days of receipt of the application. This communication consists of a fax, email, or other written communication that a) identifies the reviewer assigned to the submission, and b) acknowledges acceptance/rejection of the submission based upon the review of the submission against objective acceptance criteria outlined in a published guidance document and consistent with the statute and its implementing regulations.

If the application is not accepted for filing review, FDA will notify the applicant of those items necessary for the application to be considered accepted for filing review.

For those applications that are accepted for filing review, FDA will communicate the filing status within 45 calendar days of receipt of the application.

For those applications that are not filed, FDA will communicate to the applicant the specific reasons for rejection and the information necessary for filing.

If the application is filed, FDA will communicate with the applicant through a Substantive Interaction within 90 calendar days of the filing date of the application for 95% of submissions.

When FDA issues a major deficiency letter, that letter will be based upon a complete re-

view of the application and will include all deficiencies. All deficiency letters will include a statement of the basis for the deficiencies (e.g., a specific reference to applicable section of a rule, final guidance, recognized standard unless the entire or most of document is applicable). In the instance when the deficiency cannot be traced in the manner above and relates to a scientific or regulatory issue pertinent to the determination, FDA will cite the specific scientific issue and the information to support its position. All deficiency letters will undergo supervisory review prior to issuance to ensure the deficiencies cited are relevant to a determination of safety and effectiveness. Any subsequent deficiencies will be limited to issues raised by the information provided by the applicant in its response, unless FDA concludes that the initial deficiencies identified do not adequately address important new issues materially relevant to a determination of safety or effectiveness. Such a determination will be supported by the appropriate management concurrence consistent with applicable guidance and SOPs. Issues related to post-approval studies, if applicable, and revisions to draft labeling will typically be addressed through interactive review once major deficiencies have been adequately addressed.

For submissions that do not require Advisory Committee input, FDA will issue a MDUFA decision within 180 FDA Days for 90% of submissions.

For submissions that require Advisory Committee input, FDA will issue a MDUFA decision within 320 FDA Days from receipt of the accepted submission for 90% of submissions. FDA will issue a MDUFA decision within 60 days of the Advisory Committee recommendation, as resources permit, but not to the detriment of meeting the quantitative review timelines and statutory obligations. The Office Director shall review each request for Advisory Committee input for appropriateness and need for this input.

If in any one fiscal year, the number of submissions that require Advisory Committee input is less than 10, then it is acceptable to combine such submissions with the submissions for the following year(s) in order to form a cohort of 10 or more submissions, upon which the combined years' submissions will be subject to the performance goal. If the number of submissions that require Advisory Committee input is less than 10 for FY 2022, it is acceptable to combine such submissions in the prior year to form a cohort of 10 or more submissions; in such cases, FDA will be held to the FY2022 performance goal for the combined years' submissions.

To facilitate an efficient review prior to the Substantive Interaction, and to incentivize submission of a complete application, submission of an unsolicited major amendment prior to the Substantive Interaction extends the FDA Day review clock by the number of FDA Days that have elapsed. Submission of an unsolicited major amendment after the Substantive Interaction extends the FDA Day goal by the number of FDA Days equal to 75% of the difference between the filing date and the date of receipt of the amendment. Requests from FDA that a submission be made will not be considered unsolicited.

For all PMA submissions that do not reach a MDUFA decision by 20 days after the applicable FDA Day goal, FDA will provide written feedback to the applicant to be discussed in a meeting or teleconference, including all outstanding issues with the application preventing FDA from reaching a decision. The

information provided will reflect appropriate management input and approval, and will include action items for FDA and/or the applicant, as appropriate, with an estimated date of completion for each party to complete their respective tasks. Issues should be resolved through interactive review. If all of the outstanding issues are adequately presented through written correspondence, FDA and the applicant can agree that a meeting or teleconference is not necessary.

For PMA submissions that receive a MDUFA decision of Approvable, FDA will issue a decision within 60 days of the sponsor's response to the Approvable letter, as resources permit, but not to the detriment of meeting the quantitative review timelines and statutory obligations.

In addition, information about submissions that miss the FDA Day goal will be provided as part of FDA's Performance Reports, as described in Section VI.

C. 180-Day PMA Supplements

FDA will communicate with the applicant through a Substantive Interaction within 90 calendar days of receipt of 95% of submissions.

FDA will issue a MDUFA decision within 180 FDA Days for 95% of submissions.

D. Real-Time PMA Supplements

FDA will issue a MDUFA decision within 90 FDA Days for 95% of submissions.

E. De Novo Submissions

FDA will issue draft and final guidance that includes a submission checklist to facilitate a more efficient and timely review process.

Deficiencies identified will be based upon a complete review of the submission and will include all deficiencies. All deficiency letters will include a statement of the basis for the deficiencies (e.g., a specific reference to applicable section of a rule, final guidance, recognized standard unless the entire or most of document is applicable). In the instance when the deficiency cannot be traced in the manner above and relates to a scientific or regulatory issue pertinent to the determination, FDA will cite the specific scientific issue and the information to support its position. All deficiency letters will undergo supervisory review prior to issuance to ensure the deficiencies cited are relevant to a classification determination. Any subsequent deficiencies will be limited to issues raised by the information provided by the applicant in its response, unless FDA concludes that the initial deficiencies identified do not adequately address important new issues materially relevant to a classification determination. Such a determination will be supported by the appropriate management concurrence consistent with applicable guidance and SOPs. Issues related to revisions to draft labeling will typically be addressed through interactive review once major deficiencies have been adequately addressed.

FDA will issue a MDUFA decision within 150 FDA days of receipt of the submission for: 50% of *de novo* requests received in FY 2018; 55% of *de novo* requests received in FY 2019; 60% of *de novo* requests received in FY 2020; 65% of *de novo* requests received in FY 2021 and 70% of *de novo* requests received in FY 2022. At Industry's request and as resources permit, but not to the detriment of meeting the quantitative review timelines, if a final decision has not been rendered within 180 FDA days, FDA will discuss with the applicant all outstanding issues with the submission preventing FDA from reaching a decision. This discussion will reflect appropriate management input and approval, and

will include action items for FDA and/or the applicant, as appropriate, with an estimated date of completion for each party to complete their respective tasks.

F. 510(k) Submissions

FDA will communicate with the applicant regarding whether the submission has been accepted for review within 15 calendar days of receipt of the submission. For those submissions that are not accepted for review, FDA will notify the applicant of those items necessary for the submission to be considered accepted.

This communication includes a fax, email, or other written communication that a) identifies the reviewer assigned to the submission, and b) acknowledges acceptance/rejection of the submission based upon the review of the submission against objective acceptance criteria outlined in a published guidance document. This communication represents a preliminary review of the submission and is not indicative of deficiencies that may be identified later in the review cycle.

FDA will communicate with the applicant through a Substantive Interaction within 60 calendar days of receipt of the submission for 95% of submissions.

Deficiencies identified in a Substantive Interaction, such as a telephone/email hold or Additional Information Letter, will be based upon a complete review of the submission and will include all deficiencies. All deficiency letters will include a statement of the basis for the deficiencies (e.g., a specific reference to applicable section of a rule, final guidance, recognized standard unless the entire or most of document is applicable). In the instance when the deficiency cannot be traced in the manner above and relates to a scientific or regulatory issue pertinent to the determination, FDA will cite the specific scientific issue and the information to support its position. All deficiency letters will undergo supervisory review prior to issuance to ensure the deficiencies cited are relevant to a determination of substantial equivalence. Any subsequent deficiencies will be limited to issues raised by the information provided by the applicant in its response, unless FDA concludes that the initial deficiencies identified do not adequately address important new issues materially relevant to a determination of substantial equivalence. Such a determination will be supported by the appropriate management concurrence consistent with applicable guidance and SOPs.

FDA will issue a MDUFA decision for 95% of 510(k) submissions within 90 FDA Days. For all 510(k) submissions that do not reach a MDUFA decision within 100 FDA Days, FDA will provide written feedback to the applicant to be discussed in a meeting or teleconference, including all outstanding issues with the application preventing FDA from reaching a decision. The information provided will reflect appropriate management input and approval, and will include action items for FDA and/or the applicant, as appropriate, with an estimated date of completion for each party to complete their respective tasks. Issues should be resolved through interactive review. If all of the outstanding issues are adequately presented through written correspondence, FDA and the applicant can agree that a meeting or teleconference is not necessary.

In addition, information about submissions that miss the FDA Day goal will be provided as part of FDA's Performance Reports, as described in Section VI.

G. CLIA Waiver by Application

FDA will engage in a Substantive Interaction with the applicant within 90 days for 90% of the applications.

Industry will inform FDA that it plans to submit a dual submission (510(k) and CLIA Waiver application) during the Pre-Submission process. FDA will issue a decision for 90% of dual submission applications within 180 FDA days.

For "CLIA Waiver by application" submissions FDA will issue a MDUFA decision for 90% of the applications that do not require Advisory Committee input within 150 FDA days.

For "CLIA Waiver by application" submissions FDA will issue a MDUFA decision for 90% of the applications that require Advisory Committee input within 320 FDA days.

If in any one fiscal year, the number of submissions in any CLIA Waiver by Application category is less than 10, then it is acceptable to combine such submissions with the submissions for the following year(s) in order to form a cohort of 10 or more submissions, upon which the combined years' submissions will be subject to the performance goal.

For all CLIA waiver by application submissions and dual submissions that do not reach a decision by 20 days after the applicable FDA Day goal, FDA will provide written feedback to the applicant to be discussed in a meeting or teleconference, including all outstanding issues with the application preventing FDA from reaching a decision. The information provided will reflect appropriate management input and approval, and will include action items for FDA and/or the applicant, as appropriate, with an estimated date of completion for each party to complete their respective tasks. Issues should be resolved through interactive review. If all of the outstanding issues are adequately presented through written correspondence, FDA and the applicant can agree that a meeting or teleconference is not necessary.

In addition, information about submissions that miss the FDA Day goal will be provided as part of FDA's Performance Reports, as described in Section VI.

In addition, FDA will:

1. Hold CLIA Waiver Vendor Days, with the first to occur before the end of FY2018.
2. Permit discussion of both 510(k) and CLIA waiver process in Pre-Submissions.
3. Specifically permit discussion of appropriate reference/comparator for both 510(k) and CLIA waiver submissions in Pre-Submissions.
4. Provide a status report on completion and issuance of revisions to Section V of the Guidance on "Recommendations for CLIA Waiver Applications" to include appropriate use of comparable performance between a waived user and moderately complex laboratory user to demonstrate accuracy.

H. Original Biologics Licensing Applications (BLAs)

FDA will review and act on standard original BLA submissions within 10 months of receipt for 90% of submissions.

FDA will review and act on priority original BLA submissions within 6 months of receipt for 90% of submissions.

I. BLA Efficacy Supplements

FDA will review and act on standard BLA efficacy supplement submissions within 10 months of receipt for 90% of submissions.

FDA will review and act on priority BLA efficacy supplement submissions within 6 months of receipt for 90% of submissions.

J. Original BLA and BLA Efficacy Supplement Resubmissions

FDA will review and act on Class 1 original BLA and BLA efficacy supplement resubmissions within 2 months of receipt for 90% of submissions.

FDA will review and act on Class 2 original BLA and BLA efficacy supplement resubmissions within 6 months of receipt for 90% of submissions.

K. BLA Manufacturing Supplements Requiring Prior Approval

FDA will review and act on BLA manufacturing supplements requiring prior approval within 4 months of receipt for 90% of submissions.

III. INFRASTRUCTURE

A. Quality Management

The Agency will establish a dedicated Quality Management (QM) Unit that reports directly to the CDRH Director or Deputy Director and establish a quality management framework for the premarket submission process in CDRH. The Framework will include infrastructure, senior management responsibility, resource management, lifecycle management, and quality management system evaluation.

At least once per year, the Agency will discuss with industry the specific areas it intends to incorporate in its ongoing audit plan. FDA will identify, with industry input, areas to audit, which will include the effectiveness of CDRH's Corrective and Preventive Action (CAPA) process. FDA will expand the scope of its annual audits as it implements and builds up its auditing capability. As part of these ongoing audits, high-performing premarket review processes utilized in one division will be identified and shared accordingly with other divisions to improve efficiencies and effectiveness. At a minimum, FDA audits in the following areas will be completed by the end of FY 2020: Deficiency Letters and Pre-Submissions. Additional audits in the following areas will be completed by the end of FY 2022: Submission Issue Meetings, Interactive Review, Withdrawals and Special 510(k) conversions.

The effectiveness of the QM framework will be evaluated in Phase 2 of the Independent Assessment (see Section V).

B. Scientific and Regulatory Review Capacity

The Agency will apply user fee revenues to reduce the ratio of review staff to front line supervisors in the premarket review program to improve consistency. The Agency will also apply user fee revenues to enhance and supplement scientific review capacity by hiring device application reviewers as well as leveraging external experts needed to assist with the review of device applications.

To ensure such additional positions are filled by qualified experts, the Agency will apply user fee revenues to recruitment and hiring. The Agency will apply user fee revenues to retain high-performing supervisors in the premarket review program.

CDRH intends to enter into an Inter-Agency Agreement (IAA) with the Office of Personnel Management (OPM) to provide supplemental recruitment and staffing support throughout MDUFA IV to augment existing FDA Human Resources services.

C. IT Infrastructure for Submission Management

FDA will enhance IT infrastructure that will allow FDA to perform quality management audits and review consistency.

FDA will implement a new information management system that provides an industry dashboard that displays near real-time submission status.

FDA will develop electronic submission templates that will serve as guided submission preparation tools for industry to improve submission consistency and enhance efficiency in the review process. By FY 2020, the Agency will issue a draft guidance document on the use of the electronic submission templates. FDA will provide an opportunity for public comment on the guidance. No later than 12 months after the close of the public comment period, the Agency will issue a final guidance. FDA will implement the guidance once final. In addition, the Agency will update the Guidance “eCopy Program for Medical Device Submissions” to reflect the respective changes to the technical standards and specifications.

FDA will link pre-submissions with subsequent premarket submissions when identified by the applicant.

D. Training

FDA will continue to improve training for new and existing reviewers under this agreement. FDA will achieve Kirkpatrick Level 3 for curriculum-based premarket training through assessment of work performance behavior change and evaluate the effectiveness of the impact of curriculum-based premarket training activities on relevant premarket program metrics and goals (Kirkpatrick Level 4) by the end of FY 2020. FDA training efforts will also be closely coordinated with the Quality Management Unit described in item III.A above to provide more targeted and personalized training to staff.

E. Time Reporting

FDA will implement complete time reporting by the end of MDUFA IV such that data from time reporting can be used to conduct workload analysis and capacity planning.

F. Fee Setting, Fee Collections, and Workload

FDA will seek authority to eliminate the fifth-year offset provision and to maintain and use any and all fee collections, including collections over the statutory total revenue targets.

If the collections are in excess of the resources needed to meet performance goals given the workload, or in excess of inflation-adjusted statutory revenue targets, FDA and industry will work together to assess how best to utilize those resources to improve performance on submission types with performance goals and/or quality management programs, using, as input for the discussion: workload information, performance objectives and ongoing reported performance.

IV. PROCESS IMPROVEMENTS

A. Interactive Review

The Agency will continue to incorporate an interactive review process to provide for, and encourage, informal communication between FDA and applicants to facilitate timely completion of the review process based on accurate and complete information. Interactive review entails responsibilities for both FDA and applicants. As described in the guidance document, “Interactive Review for Medical Device Submissions: 510(k)s, Original PMAs, PMA Supplements, Original BLAs, and BLA Supplements,” both FDA and industry believe that an interactive review process for these types of premarket medical device submissions should help facilitate timely completion of the review based on accurate and complete information. Interactive review is intended to facilitate the efficient and timely review and evaluation by FDA of premarket submissions and is expected to support reductions in total time to decision. The interactive review process contemplates increased informal interaction

between FDA and applicants, including the exchange of scientific and regulatory information.

B. Deficiency Letters

By October 1, 2017, the Agency will publish a level 2 update to the final guidance “Suggested Format for Developing and Responding to Deficiencies in Accordance with the Least Burdensome Provisions of FDAMA; Final Guidance for Industry and FDA Staff” to reflect the following:

All deficiency letters will include a statement of the basis for the deficiencies (e.g., a specific reference to applicable section of a rule, final guidance, recognized standard unless the entire or most of document is applicable). In the instance when the deficiency cannot be traced in the manner above and relates to a scientific or regulatory issue pertinent to the determination, FDA will cite the specific scientific issue and the information to support its position. All deficiency letters will undergo supervisory review prior to issuance to ensure the deficiencies cited are relevant to a marketing authorization decision (e.g., 510(k) clearance, PMA approval, and de novo classification). Any additional best practices identified by quality audits and/or the Independent Assessment will be incorporated in updates to the guidance, as appropriate.

FDA will train staff and managers on this process improvement and the updated guidance.

C. Device Accessories

FDA and Industry will explore additional mechanisms for a streamlined, resource minimal pathway to reclassify accessories previously classified as class III devices as a part of a PMA review if they meet the requirements of a low or moderate risk device.

D. Enhanced Use of Consensus Standards

FDA will establish an Accreditation Scheme for Conformity Assessment (ASCA) Program using FDA-recognized consensus standards. FDA will define the ‘scheme’ and oversee the Conformity Assessment (CA) model and ensure that there is appropriate interaction with parties that serve as Accrediting Bodies (ABs) to accredit test laboratories (TLs). When a device type using the ‘scheme’ is evaluated according to a specific recognized standard by an accredited TL, FDA intends to rely on the results from the accredited TL for the purpose of premarket review (i.e., generally accept a determination that a device conforms with the standard) without the need to address further questions related to standards conformance. Assuming that it meets established criteria as outlined in the ASCA program, a device company’s internal TL will be eligible to participate in the ASCA program. FDA will not review reports from accredited TLs except as part of a periodic quality audit or if FDA becomes aware of new information materially relevant to safety and/or effectiveness.

Specific actions that FDA will undertake include the following:

1. Conduct a Public Workshop by the end of FY 2018 to discuss objectives for the establishment of ABs and TLs. Discussion would include areas (specific FDA-recognized consensus standards) where the ASCA Program can be piloted to maximize initial impact of existing CA activities and potential new areas.

2. Hold educational sessions with stakeholders by the end of FY 2018 about the purpose of the ASCA Program

3. Develop and initiate the pilot of the ASCA program with stakeholder input by the end of FY 2020.

- a. FDA intends to pilot inclusion of recognized standards of public health significance where specific pass/fail criteria are part of the standard

4. Develop an internal IT system to track CA activities of the ASCA Program

5. Establish a process for accreditation of ABs and TLs. FDA will issue draft guidance by the end of FY 2019 and issue final guidance within 12 months post initiation of the pilot.

- a. In limited circumstances, the FDA may directly accredit third-party TLs. For example, FDA could directly accredit third party TLs, if FDA has not identified and recognized an AB within 2 years after establishing the tenets of the ASCA program.

6. Establish a process for reaccreditation and the suspension or withdrawal of accreditation of poor performing ABs and TLs. FDA will issue draft guidance by the end of FY 2019 and final guidance within 12 months post initiation of the pilot.

7. Establish a publicly-accessible website listing TLs accredited by ASCA and the FDA-recognized consensus standard(s) for which they are accredited

8. FDA, in consultation with stakeholders, will identify appropriate recognized consensus standards for consideration as part of the pilot as the specific focus for ASCA.

- a. By the end of FY 2022: FDA will have piloted, and provided a report on the viability of, an ASCA program which utilizes the schema identified in guidance to include utilization of 5 appropriate cross-cutting/horizontal and/or device-specific areas, at least one of which will be device-specific.

- b. Standards included as part of the ASCA Program will need to have well established endpoints/acceptance criteria built into the standard to allow effective tracking of TL competence.

FDA will provide an annual report on the progress of the ASCA program.

FDA will work with stakeholders for further input on programmatic improvements and/or consideration for expansion.

E. Third Party Review

The Agency will take the following actions to improve the Third Party Review program with a goal of eliminating routine re-review by FDA of Third Party reviews:

1. Strengthen the process for accreditation of Third Parties.

- a. Provide training for Third Parties seeking accreditation by FDA. This training shall include the opportunity for Third Parties to have access to redacted review memos and other information as appropriate.

- b. When FDA’s expectations for a particular device type change, FDA will have in place a process to convey this information to the Third Parties and to industry.

2. By the end of FY 2018, establish a plan for eliminating routine re-review by FDA of Third Party reviews and implement plan within 12 months.

3. Implement a program to audit reviews conducted by accredited Third Parties.

- a. Provide tailored re-training to accredited Third Parties based on the results of audits.

4. By the end of FY 2018, issue draft guidance outlining criteria for reaccreditation of 3rd Parties and the suspension or withdrawal of accreditation of a Third Party. FDA will issue final guidance within 12 months of the conclusion of the public comment period.

5. Publish performance of individual accredited Third Parties with at least five completed submissions on the web (e.g., rate of NSE, average number of holds, average time to SE).

6. Require the independent assessment of the Third Party Review Program to evaluate efficiency including the circumstances when FDA re-reviews were conducted; and to suggest process improvements.

The Agency will seek greater authority to tailor the program. Specifically, FDA intends to expand the scope of the program to some product codes that require clinical data and to remove product codes from eligibility when appropriate, such as if/when safety signals arise.

As resources permit, FDA will identify pilot device areas to be the specific focus of an effort where FDA would work with willing industry partners to ensure that information allowing for high quality Third Party reviews could be made available to provide a proof of concept in certain device areas and enable the development of a broader successful program.

F. Patient Engagement & the Science of Patient Input

The Agency will take the following actions to advance patient input and involvement in the regulatory process. Where appropriate, the Agency will leverage public private partnerships (PPPs) to advance these actions.

1. Develop clinical, statistical, and other scientific expertise and staff capacity to respond to submissions containing applicant-proposed use of publicly available and validated, voluntary patient preference information (PPI) or voluntary patient reported outcomes (PROs). These staff will provide submission review and early consultation/advice to industry during study planning.

2. By the end of FY 2020, hold one or more public meetings to discuss the topics below and publish the findings and next steps.

a. Discuss approaches for incorporating PPI and PRO as evidence in device submissions, as well as other ways of advancing patient engagement;

b. Discuss ways to use patient input to inform clinical study design and conduct, with a goal of reducing barriers to patient participation and facilitating recruitment and retention;

c. Public meetings should include specific examples and case histories for PPIs and PROs to ensure clarity and understanding by workshop attendees; and

d. Identify priority areas where decisions are preference-sensitive and PPI data can inform regulatory decision-making, in order to advance design and conduct of patient preference studies in high impact areas. Publish the priority areas in the Federal Register for public comment following the public meeting.

3. FDA will undertake several activities to improve the regulatory predictability and impact of PROs, including:

a. Clarify to device review divisions that use of PROs is voluntary and may be one potential way of demonstrating safety or effectiveness (or elements of either or both, such as in a composite endpoint). Consistent with least burdensome principles, applicants may use alternative approaches.

b. Modify the guidance to outline a flexible framework for PRO validation evidentiary thresholds. These thresholds may vary depending on the particular regulatory use of the PRO.

c. Work on developing a model for “bridging studies” to make efficient use of existing validated PROs which may be improved, or adapted to other subpopulations or other regulatory uses in a more streamlined and expeditious manner than creating novel PROs.

4. The existing dispute resolution process should be used in the event of disagreement

between the applicant and the Agency on the need for PPI or PRO.

G. Emerging Diagnostics

FDA will work with industry to continue the pilot for emerging diagnostics started under MDUFA III.

H. Real World Evidence (RWE)

1. The Agency will use user fee revenue to support the National Evaluation System for health Technology (NEST) by providing funding for the NEST Coordinating Center and hiring FDA staff with expertise in the use of RWE. The NEST governing board will include no fewer than 4 representatives of the trade associations that participated in the MDUFA IV negotiations (AdvaMed, MDMA, MITA, and ACLA), with each association appointing an individual to serve. Industry representation on the NEST governing board will make up at least 25% of the governing board membership. The representative from each trade association may be part of the staff of the association or appointed from a member company. If any of the trade associations elects not to participate on the NEST governing board or for any additional seats allocated to Industry, the participating trade associations will determine how to fill any vacant Industry positions. The governing board also will include, but not be limited to, representation from patient organizations. By the end of FY2019, NEST will implement pilots for at least two product codes (and related product codes), one of which will cover devices approved through the PMA process and the other of which will cover devices cleared through the 510(k) process. The NEST Coordinating Center will seek ways in which to make NEST financially self-sustaining so as not to rely on MDUFA user fees in the long term unless FDA and Industry determine continued user fee support is warranted and provides a sufficient return on investment.

2. FDA will contract with an organization to serve as the NEST Coordinating Center to facilitate use of real world evidence to support premarket activities. The contract will specify actions the Coordinating Center will take to advance the use of RWE, including:

a. Establish a framework to fund pilot projects to determine the usability of RWE for:

i. Expanded indications for use

ii. New clearances/approvals

iii. Improved malfunction reporting

b. No later than October 1, 2020, the Coordinating Center will hold a public meeting to review and evaluate the progress and outcomes (as of the date of the public meeting) of the pilots described in (H)(1) above.

c. The pilots will take place over a period of three years, including data analysis and the Coordinating Center will issue a publicly available report of the results.

d. The pilots will include devices not currently subject to a registry.

e. At the conclusion of the pilots, an independent third-party will conduct an assessment to evaluate the strengths, limitations, and appropriate use of RWE for informing premarket decision-making for multiple device types.

f. If warranted based on the results of the pilot(s) described in (H)(1) above, FDA will revise its guidance on the use of RWE to reflect what has been learned from the pilots as to how RWE can be used to support:

i. Expanded indications for use; and

ii. New clearances/approvals.

If supported by the pilot(s) described in (H)(1) above, the guidance will include discussion of how devices not currently subject to a registry can benefit from RWE.

3. The Agency will establish criteria for streamlining MDR requirements.

a. For most, if not all, device procodes, FDA will permit manufacturers of such devices in those procodes to report malfunctions on a quarterly basis and in a summary MDR format. FDA will publish the list of eligible device procodes within 12 months of receiving a proposed list from Industry. The list will include, among other device procodes, Class II implantable and Class III devices, as appropriate, and will reflect FDA's consideration of Industry's proposed list.

b. FDA may determine that devices under a new procode in existence for less than 2 years are not eligible for reporting of malfunctions on a quarterly basis and in a summary format.

c. If a new type of malfunction occurs that the manufacturer has not previously reported to FDA, the manufacturer must submit an individual report. The manufacturer will notify FDA when the issue has been resolved, using current requirements per 21 C.F.R. 803, 806.

d. FDA will maintain on its website the list of eligible device procodes for which manufacturers are permitted to report malfunctions on a quarterly basis and in a summary MDR format.

e. FDA will establish a mechanism at the time it publishes the list of eligible devices under 3(a) that permits stakeholders to request device procodes be added to the list.

f. Nothing in this section precludes the Agency from requiring individual malfunction reports from a specific manufacturer and/or for a specific device if necessary to protect public health. In these situations, FDA will notify the manufacturer they are not eligible for quarterly summary MDR reporting and provide an explanation for that decision and the steps necessary to return to eligibility for quarterly summary MDR reporting.

4. FDA will not require postmarket surveillance studies (i.e., 522 Studies) for devices for which registries and/or other real world data (RWD) sources exist if FDA has access to the information/data in the RWD source and has determined that the information/data in the RWD source is sufficient to take the place of a postmarket surveillance study.

1. Digital Health

The Agency will build expertise and streamline and align FDA review processes with software lifecycles for Software as a Medical Device (SaMD) and software inside of medical devices (SiMD). Specifically, the Agency will:

1. Establish a central digital health unit within CDRH's Office of the Center Director to ensure proper coordination and consistency across the Agency. The Agency will not reorganize staff such that existing review staff would be reassigned to the central digital health unit, while retaining and not disrupting the existing digital health talent within the reviewing divisions who have established, long-term therapeutic and device expertise. The digital health unit will perform, at a minimum, the following tasks:

a. Develop software and digital health technical expertise (“Technical Experts”) to provide assistance for premarket submissions that include SaMD, SiMD, interoperable devices, or otherwise incorporate novel digital health technologies.

b. Utilize Technical Experts as appropriate or when requested by the manufacturer for submissions that include SaMD, SiMD, interoperable devices, or otherwise incorporate novel digital health technologies; and

c. Incorporate appropriate metrics for digital health improvements to monitor, track, analyze and report the results of digital health premarket review timelines.

2. Publish final guidance addressing when to submit a 510(k) for a software modification to an existing device within 18 months of the close of the comment period.

3. Explore opportunities to establish premarket approval/clearance pathways tailored to SaMD, SiMD, and novel digital health technologies that take into account real world evidence while incorporating principles established through international harmonization. To accomplish this task, the Agency will:

a. Engage with stakeholders, including industry, through roundtables, informal meetings, and teleconferences;

b. Hold a public workshop; and

c. Revise existing and/or publish new relevant guidance documents, including publishing a draft revised version of the "Guidance for the Content of Premarket Submissions for Software Contained in Medical Devices" (issued in 2005) by the end of FY2019, and within 12 months of the close of the comment period, publish the final revised version. The Agency will incorporate applicable concepts from its Guidance for "Off-The-Shelf Software Used in Medical Devices."

4. Participate in international harmonization efforts related to digital health, including work on developing SaMD and other digital health convergence efforts through the International Medical Device Regulators Forum (IMDRF).

J. Guidance Document Development

FDA will apply user fee revenues to ensure timely completion of Draft Guidance documents. The Agency will strive to finalize, withdraw, reopen the comment period, or issue a new draft guidance for 80% of draft guidance documents within 3 years of the close of the comment periods as resources permit. The Agency will strive to finalize, withdraw, reopen the comment period, or issue a new draft guidance for 100% of draft guidance documents within 5 years of the close of the comment periods as resources permit. The Agency will continue to develop guidance documents and improve the development process as resources permit, but not to the detriment of meeting quantitative review timelines and statutory obligations.

K. Total Product Life Cycle (TPLC)

The establishment of CDRH's Office of In Vitro Diagnostic Device Evaluation and Safety (now the Office of In Vitro Diagnostics and Radiological Health (OIR)) has led to improved consistency and predictability due to the enhanced integration of premarket, postmarket, and compliance-related activities and staff and improved information sharing among staff. In addition, the successful development and evaluation of medical devices depends on the integration of clinical with scientific and engineering disciplines. CDRH will explore transitioning to a similar TPLC model building in the other device areas based on the lessons learned from its experience with OIR and taking into account the Center's mission, vision, strategic priorities, and development of a patient-centric benefit-risk framework for regulatory and non-regulatory decision making across the TPLC. Because an essential element for the success of the Center's benefit-risk decision making framework and approach to device regulation (particularly emerging and innovative technologies) is the incorporation of the clinical context and the

impact of a decision on patient health and quality of life, CDRH will take steps to increase and enhance the integration of its clinicians into its TPLC activities, amongst themselves, and with the Center's scientists and engineers. Building on the success of considering and incorporating additional expertise and viewpoints into our decision-making, such as through the use of the Network of Experts and the leveraging of patient perspectives, CDRH will also explore ways in which to better learn from and leverage the expertise of clinicians in other parts of the agency and outside of the agency to inform its decision making, enhance consistency, and assure a more holistic clinical perspective. Clinicians involved in device-related activities will have appropriate training on and make recommendations consistent with applicable device statutory provisions, regulations, guidances, and this Commitment Letter. In addition, CDRH will provide managerial oversight of clinician recommendations and device submission decisions, except for those devices subject to CBER oversight.

V. INDEPENDENT ASSESSMENT OF REVIEW PROCESS MANAGEMENT

FDA and the industry will participate in a comprehensive assessment of the process for the review of device applications. The assessment will include consultation with both FDA and industry. The assessment shall be conducted in two phases under contract to FDA by a private, independent consulting firm capable of performing the technical analysis, management assessment, and program evaluation tasks required to address the assessment scope described below within the budget provided under this user fee agreement.

PHASE 1

During the first phase, the contractor will complete an evaluation of FDA's implementation of the corrective action plan developed in response to recommendations from the MDUFA III independent assessment.

For Phase 1, FDA will award the contract by the end of CY2017. The contractor will evaluate the implementation of MDUFA III recommendations and publish a written assessment within 1 year of contract award.

PHASE 2

During the second phase, the contractor will:

1. Evaluate FDA's premarket review program to identify efficiencies that should be realized as a result of the process improvements and investments under MDUFA III and IV;

2. Evaluate premarket review program infrastructure and allocation of FTEs;

3. Assess the alignment of resource needs with the training and expertise of hires;

4. Identify and share best practices across branches in ODE and OIR;

5. Assess the effectiveness of programs targeted for improvement under this agreement, including the:

a. Quality Management program,

b. Proportion of deficiencies in which FDA references the basis for the deficiency determination,

c. Pre-Submission program (assess whether (a) CDRH is providing guidance specific to the questions being asked; (b) CDRH is using Pre-Submissions appropriately; and (c) CDRH and Industry are adhering to the procedural aspects as set forth in this agreement),

d. Third Party Review program (assess efficiency of program and suggest process improvements),

e. Digital Health program,

f. Patient Engagement program, and

g. Real World Evidence program;

6. Analyze conversions of Special 510(k)s to Traditional 510(k)s; and

7. Assess other key areas identified by FDA and industry as resources permit.

For Phase 2 of the independent assessment, FDA will award the contract no later than 3/31/2020. However, the contractor would not begin the audit of deficiency letters and Pre-Submissions before 10/1/2020. The contractor will publish comprehensive findings and recommendations within 1 year. For all recommendations the contractor will provide an estimate of additional resources needed or efficiencies gained, as applicable.

FDA will incorporate findings and recommendations, as appropriate, into its management of the premarket review program. FDA will analyze the recommendations for improvement opportunities identified in the assessment and, as appropriate, develop and implement a corrective action plan, and assure its effectiveness.

VI. PERFORMANCE REPORTS

The Agency will report its progress toward meeting the goals described in this letter, as follows. If, throughout the course of MDUFA IV, the Agency and Industry agree that a different format or different metrics would be more useful, the reporting will be modified accordingly as per the agreement of both FDA and Industry.

1. Quarterly reporting at the CDRH Division level/CBER Center level (in recognition of the significantly smaller number of submissions reviewed at CBER):

1.1. For 510(k) submissions that do not go through a 3rd party, reporting will include:

i. Average and quintiles of the number of calendar days to Substantive Interaction

ii. Average, and quintiles of the number of FDA Days, Industry Days, and Total Days to a MDUFA decision

iii. Average number of review cycles.

iv. Rate of submissions not accepted for review

1.2. For PMA submissions, reporting will include:

i. Average and quintiles of the number of calendar days to Substantive Interaction for Original PMA, Panel-Track PMA Supplement, and Premarket Report Submissions

ii. Average and quintiles of the FDA Days, Industry Days, and Total Days to a MDUFA decision

iii. Rate of applications not accepted for filing review, and rate of applications not filed

1.3. For de novo requests, reporting will include:

i. Average, and quintiles of the number of FDA Days, Industry Days, and Total Days to a MDUFA decision

ii. Average number of review cycles.

iii. Rate of submissions not accepted for review, upon final guidance

1.4. For Pre-Submissions, reporting will include:

i. Number of all qualified Pre-Submissions received

ii. Rate of submissions not accepted for review, upon final guidance

iii. Average and quintiles of the number of calendar days from submission to written feedback

iv. Number of Pre-Submissions that require a meeting

v. Percent of submissions with meetings for which industry provided minutes within 15 days

1.5. For IDE applications, reporting will include:

i. Number of original IDEs received
 ii. Average number of amendments prior to approval or conditional approval of the IDE
 2. CDRH will report quarterly, and CBER will report annually, the following data at the Center level:

2.1. Rate of NSE decisions for 510(k) submissions

2.2. Rate of withdrawals for 510(k), de novo, and PMA submissions

2.3. Rate of Not Approvable decisions for PMA submissions

2.4. Rate of Denial decisions for de novo requests

2.5. Key product areas or other issues that FDA identifies as noteworthy because of a potential effect on performance, including significant rates of Additional Information requests

2.6. Specific topic or product area as it relates to performance goals, agreed upon at the previous meeting

2.7. Number of submissions that missed the goals and the total number of elapsed calendar days broken down into FDA days and industry days

2.8. Newly released draft and final guidance documents, and status of other priority guidance documents

2.9. Agency level summary of fee collections

2.10. Independent assessment implementation plan status

2.11. Results of independent assessment and subsequent periodic audits and progress toward implementation of the recommendations and any corrective action

2.12. Number of discretionary fee waivers or reductions granted by type of submission

3. In addition, the Agency will provide the following information on an annual basis:

3.1. Qualitative and quantitative update on how funding is being used for the device review process, including the percentage of review time devoted to direct review of applications

3.2. How funding is being used to enhance scientific review capacity

3.3. The number of Premarket Report Submissions received

3.4. Summary information on training courses available to CDRH and CBER employees, including new reviewers, regarding device review and the percentage of applicable staff that have successfully completed each such course. CDRH will provide information concerning any revisions to the new reviewer training program curriculum.

3.5. Performance on the shared outcome goal for average Total Time to decision

3.6. For 510(k) submissions, reporting will include:

i. Number of submissions reviewed by a Third Party

ii. Number of Special Submissions

iii. Number of Traditional Submissions

iv. Average and number of days to Accept/Refuse to Accept

v. Number of Abbreviated Submissions

3.7. For 510(k) submissions that go through a 3rd party, reporting will include:

i. Time from FDA receipt of third party report to FDA decision at the 90% percentile

ii. Once 3rd party program enhancements have been implemented, resources saved as a result of enhancements to the 3rd party review program.

3.8. For PMA submissions, reporting will include the number of the following types of PMA submissions received:

i. Original PMAs

ii. Priority PMAs

iii. Premarket Reports

iv. Panel-Track PMA Supplement

v. PMA Modules

vi. 180-Day PMA Supplements

vii. Real-Time PMA Supplements

viii. Number of submissions FDA classifies as unsolicited major, solicited major, and minor amendments

3.9. For De Novo requests, reporting will include:

i. Number of submissions received

ii. Average and number of days to Accept/Refuse to Accept, upon final guidance

3.10. For CLIA waiver applications, reporting will include:

i. Number of CLIA waiver applications received

ii. Average and quintiles of the number of calendar days to Substantive Interaction

iii. Average and quintiles of the number of FDA Days, Industry Days, and Total Days to a MDUFA decision and a discussion of any trends in the data

3.11. Report on the ASCA program

3.12. Data regarding the reduction in reviewer to manager ratio.

3.13. Report on implementation of deficiency performance improvements.

3.14. Report on quality management program

3.15. Summary of quality system audits

FDA will report annual and quarterly data on performance within goals for 510(k), de novo, and PMA MDUFA decisions for devices identified as LDTs by the submitter compared to all non-LDT IVD devices. The following elements will be reported:

Number and percentage of LDT 510(k)s and non-LDT IVD 510(k)s completed within 90 FDA days

Number and percentage of LDT de novos and non-LDT IVD de novos completed within 150 FDA days

Number and percentage of LDT PMAs and non-LDT IVD PMAs completed within 180 FDA days

FDA commits to treat LDTs no less favorably than other devices to which MDUFA performance goals apply.

On an annual basis, FDA and Industry will discuss the return on investment, which may include process improvements, improved performance, and other enhancements, under MDUFA IV.

VII. DEFINITIONS AND EXPLANATIONS OF TERMS

A. Applicant

Applicant means a person who makes any of the following submissions to FDA:

an application for premarket approval under section 515 of the Federal Food, Drug, and Cosmetic Act (FDCA);

a premarket notification under section 510(k) of the FDCA;

an application for investigational device exemption under section 520(g) of the FDCA;

a Pre-Submission;

a de novo request (evaluation of automatic class III designation) under section 513(f)(2) of the FDCA;

a CLIA Waiver by application.

B. Electronic Copy (e-Copy)

An electronic copy is an exact duplicate of a submission, created and submitted on a CD, DVD, or in another electronic media format that FDA has agreed to accept, accompanied by a copy of the signed cover letter and the complete original paper submission. An electronic copy is not considered to be an electronic submission.

C. Electronic submission template

An electronic submission template, or eSubmission template, is a guided submission preparation tool for industry. Similar to an online form, the eSubmission template walks industry through the relevant con-

tents and components for the respective premarket submission type and device in order to facilitate submission preparation and enhance consistency, quality, and efficiency in the premarket review process.

D. FDA Days

FDA Days are those calendar days when a submission is considered to be under review at the Agency for submissions that have been accepted (510(k) or de novo classification request), filed (PMA) or submitted (CLIA Waiver by application). FDA Days begin on the date of receipt of the submission or of the amendment to the submission that enables the submission to be accepted (510(k)) or filed (PMA).

E. MDUFA Decisions

Original PMAs: Decisions for Original PMAs are Approval, Approvable, Approvable Pending GMP Inspection, Not Approvable, withdrawal, and Denial.

180-Day PMA Supplements: Decisions for 180-Day PMA Supplements include Approval, Approvable, and Not Approvable.

Real-Time PMA Supplements: Decisions for Real-Time PMA supplements include Approval, Approvable, and not Approvable.

510(k)s: Decisions for 510(k)s are substantially equivalent (SE) or not substantially equivalent (NSE).

De Novo Requests: Decisions for De Novo requests are grant, withdrawal, and decline.

CLIA Waiver by Application Submissions: Decisions for CLIA Waiver by Application Submissions are Approval, Withdrawal, and Denial.

Submissions placed on Application Integrity Program Hold will be removed from the MDUFA cohort.

F. Pre-Submission

A Pre-Submission includes a formal written request from an applicant for feedback from FDA which is provided in the form of a formal written response or, if the manufacturer chooses, a meeting or teleconference in which the feedback is documented in meeting minutes. A Pre-Submission meeting is a meeting or teleconference in which FDA provides its substantive feedback on the Pre-Submission.

A Pre-Submission provides the opportunity for an applicant to obtain FDA feedback prior to intended submission of an investigational device exemption or marketing application. The request must include specific questions regarding review issues relevant to a planned IDE or marketing application (e.g., questions regarding pre-clinical testing protocols or data requirements; design and performance of clinical studies and acceptance criteria). A Pre-Submission is appropriate when FDA's feedback on specific questions is necessary to guide product development and/or application preparation.

The following forms of FDA feedback to applicants are not considered Pre-Submissions.

Interactions requested by either the applicant or FDA during the review of a marketing application (i.e., following submission of a marketing application, but prior to reaching an FDA Decision).

General information requests initiated through the Division of Industry and Consumer Education (DICE).

General questions regarding FDA policy or procedures.

Meetings or teleconferences that are intended to be informational only, including, but not limited to, those intended to educate the review team on new device(s) with significant differences in technology from currently available devices, or to update FDA

about ongoing or future product development, without a request for FDA feedback on specific questions related to a planned submission.

Requests for clarification on technical guidance documents, especially where contact is recommended by FDA in the guidance document. However, the following requests will generally need to be submitted as a Pre-Submission in order to ensure appropriate input from multiple reviewers and management: recommendations for device types not specifically addressed in the guidance document; recommendations for nonclinical or clinical studies not addressed in the guidance document; requests to use an alternative means to address recommendations specified in a guidance document.

Phone calls or email messages to reviewers that can be readily answered based on a reviewer's experience and knowledge and do not require the involvement of a broader number of FDA staff beyond the routine involvement of the reviewer's supervisor and more experienced mentors.

G. Substantive Interaction

Substantive Interaction is an email, letter, teleconference, video conference, fax, or other form of communication such as a request for Additional Information or Major Deficiency letters by FDA notifying the applicant of substantive deficiencies identified in initial submission review, or a communication stating that FDA has not identified any deficiencies in the initial submission review and any further minor deficiencies will be communicated through interactive review. An approval or clearance letter issued prior to the Substantive Interaction goal date will qualify as a Substantive Interaction.

If substantive issues warranting issuance of an Additional Information or Major Deficiency letter are not identified, interactive review should be used to resolve any minor issues and facilitate an FDA decision. In addition, interactive review will be used, where, in FDA's estimation, it leads to a more efficient review process during the initial review cycle (i.e., prior to a Substantive Interaction) to resolve minor issues such as revisions to administrative items (e.g., 510(k) Summary/Statement, Indications for Use statement, environmental impact assessment, financial disclosure statements); a more detailed device description; omitted engineering drawings; revisions to labeling; or clarification regarding nonclinical or clinical study methods or data.

Minor issues may still be included in an Additional Information or Major Deficiency letter where related to the resolution of the substantive issues (e.g., modification of the proposed Indications for Use may lead to revisions in labeling and administrative items), or if they were still unresolved following interactive review attempts. Both interactive review and Substantive Interactions will occur on the review clock except upon the issuance of an Additional Information or Major Deficiency Letter which stops the review clock.

H. Total Time to Decision

Total Time to Decision is the number of calendar days from the date of receipt of an accepted or filed submission to a PDUFA decision.

The average Total Time to Decision for 510(k) submissions is calculated as the average of Total Times to Decision for 510(k) submissions within a closed cohort, excluding the highest 2% and the lowest 2% of values. A cohort is closed when 99% of the accepted submissions have reached a decision.

The average Total Time to Decision for PMA applications is calculated as the three-year rolling average of the annual Total Times to Decision for applications (for example, for FY2018, the average Total Time to Decision for PMA applications would be the average of FY2016 through FY2018) within a closed cohort, excluding the highest 5% and the lowest 5% of values. A cohort is closed when 95% of the applications have reached a decision.

I. Accreditation Scheme for Conformity Assessment

Conformity Assessment is the demonstration that specified requirements relating to a product, process, system, person or body are fulfilled.

Accreditation is the formal recognition by an independent body, generally known as an accreditation body, that an organization is competent to carry out specific conformity assessment activities. Accreditation is not obligatory but it adds another level of confidence, as 'accredited' means the organization has been independently checked to make sure it operates according to international standards.

A conformity assessment scheme is a system for assessing the conformity of specified objects (e.g., medical devices or management processes) to one or more consensus standards. The system specifies the applicable standards as well as the rules, procedures, and management requirements for carrying out the conformity assessment to meet a regulatory need. Informally, such a scheme may be referred to as an accreditation scheme.

Testing laboratory is an organization that possesses the necessary technical competence and capabilities to conduct testing to making a determination that one or more characteristics of an object are in conformance with a set of predefined requirements.

J. BLA-related Definitions

Review and act on—the issuance of a complete action letter after the complete review of a filed complete application. The action letter, if it is not an approval, will set forth in detail the specific deficiencies and, where appropriate, the actions necessary to place the application in condition for approval.

Class 1 resubmitted applications—applications resubmitted after a complete response letter that includes the following items only (or combinations of these items):

- (a) Final printed labeling
- (b) Draft labeling
- (c) Safety updates submitted in the same format, including tabulations, as the original safety submission with new data and changes highlighted (except when large amounts of new information including important new adverse experiences not previously reported with the product are presented in the resubmission)
- (d) Stability updates to support provisional or final dating periods
- (e) Commitments to perform Phase 4 studies, including proposals for such studies
- (f) Assay validation data
- (g) Final release testing on the last 1–2 lots used to support approval
- (h) A minor reanalysis of data previously submitted to the application (determined by the Agency as fitting the Class 1 category)
- (i) Other minor clarifying information (determined by the Agency as fitting the Class 1 category)
- (j) Other specific items may be added later as the Agency gains experience with the scheme and will be communicated via guidance documents to industry

Class 2 resubmitted applications—resubmissions that include any other items, including any item that would require presentation to an advisory committee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the commitment letter for the Prescription Drug User Fee Act, PDUFA, reauthorization for fiscal years 2018 to 2022, known as PDUFA VI.

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

PDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FISCAL YEARS 2018 THROUGH 2022

I. Ensuring the Effectiveness of the Human Drug Review Program

- A. Review Performance Goals
- B. Program For Enhanced Review Transparency And Communication For NME NDAs And Original BLAs
- C. First Cycle Review Management
- D. Review Of Proprietary Names To Reduce Medication Errors
- E. Major Dispute Resolution
- F. Clinical Holds
- G. Special Protocol Question Assessment And Agreement
- H. Meeting Management Goals
- I. Enhancing Regulatory Science And Expediting Drug Development
- J. Enhancing Regulatory Decision Tools To Support Drug Development And Review
- K. Enhancement And Modernization Of The FDA Drug Safety System

II. Enhancing Management of User Fee Resources

- A. Resource Capacity Planning And Modernized Time Reporting
- B. Financial Transparency And Efficiency
- III. Improving FDA Hiring and Retention of Review Staff

- A. Completion Of Modernization Of The Hiring System Infrastructure And Augmentation Of System Capacity
- B. Augmentation Of Hiring Staff Capacity And Capability

- C. Complete Establishment Of A Dedicated Function To Ensure Needed Scientific Staffing For Medical Product Review
- D. Set Clear Goals For Drug Review Program Hiring

- E. Comprehensive And Continuous Assessment Of Hiring And Retention
- IV. Information Technology Goals

- A. Objective
- B. Improve The Predictability And Consistency Of PDUFA Electronic Submission Processes

- C. Enhance Transparency And Accountability Of FDA Electronic Submission And Data Standards Activities

V. Improving FDA Performance Management

- VI. Progress Reporting for PDUFA VI and Continuing PDUFA V Initiatives

- VII. Definitions and Explanation of Terms

PDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FISCAL YEARS 2018 THROUGH 2022

This document contains the performance goals and procedures for the Prescription Drug User Fee Act (PDUFA) reauthorization for fiscal years (FYs) 2018–2022, known as PDUFA VI. It is commonly referred to as the “goals letter” or “commitment letter.” The goals letter represents the product of FDA's discussions with the regulated industry and public stakeholders, as mandated by Congress. The performance and procedural goals

and other commitments specified in this letter apply to aspects of the human drug review program that are important for facilitating timely access to safe, effective, and innovative new medicines for patients. While much of FDA's work is associated with formal tracked performance goals, the Agency and industry mutually agree that it is appropriate to manage some areas of the human drug review program with internally tracked timeframes. This provides FDA the flexibility needed to respond to a highly diverse workload, including unanticipated public health needs. FDA is committed to meeting the performance goals specified in this letter and to continuous improvement of its performance regarding other important areas specified in relevant published documents that relate to preapproval drug development and post-approval activities for marketed products. FDA and the regulated industry will periodically and regularly assess the progress of the human drug review program throughout PDUFA VI. This will allow FDA and the regulated industry to identify emerging challenges and develop strategies to address these challenges to ensure the efficiency and effectiveness of the human drug review program.

Unless otherwise stated, goals apply to cohorts of each fiscal year (FY).

I. ENSURING THE EFFECTIVENESS OF THE HUMAN DRUG REVIEW PROGRAM

A. Review Performance Goals

1. NDA/BLA Submissions and Resubmissions

a. Review and act on 90 percent of standard NME NDA and original BLA submissions within 10 months of the 60 day filing date.

b. Review and act on 90 percent of priority NME NDA and original BLA submissions within 6 months of the 60 day filing date.

c. Review and act on 90 percent of standard non-NME original NDA submissions within 10 months of receipt.

d. Review and act on 90 percent of priority non-NME original NDA submissions within 6 months of receipt.

e. Review and act on 90 percent of Class 1 resubmitted original applications within 2 months of receipt.

f. Review and act on 90 percent of Class 2 resubmitted original applications within 6 months of receipt.

2. Original Efficacy Supplements

a. Review and act on 90 percent of standard efficacy supplements within 10 months of receipt.

b. Review and act on 90 percent of priority efficacy supplement within 6 months of receipt.

3. Resubmitted Efficacy Supplements

a. Review and act on 90 percent of Class 1 resubmitted efficacy supplements within 2 months of receipt.

b. Review and act on 90 percent of Class 2 resubmitted efficacy supplements within 6 months of receipt.

4. Original Manufacturing Supplements

a. Review and act on 90 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

b. Review and act on 90 percent of all other manufacturing supplements within 6 months of receipt.

5. Review Performance Goal Extensions

a. Major Amendments

i. A major amendment to an original application, efficacy supplement, or resubmission of any of these applications, submitted at any time during the review cycle, may extend the goal date by three months.

ii. A major amendment may include, for example, a major new clinical safety/efficacy study report; major re-analysis of previously submitted study(ies); submission of a Risk Evaluation and Mitigation Strategy (REMS) with Element to Assure Safe Use (ETASU) not included in the original application; or significant amendment to a previously submitted REMS with ETASU. Generally, changes to REMS that do not include ETASU and minor changes to REMS with ETASU will not be considered major amendments.

iii. A major amendment to a manufacturing supplement submitted at any time

during the review cycle may extend the goal date by two months.

iv. Only one extension can be given per review cycle.

v. Consistent with the underlying principles articulated in the GRMP guidance, FDA's decision to extend the review clock should, except in rare circumstances, be limited to occasions where review of the new information could address outstanding deficiencies in the application and lead to approval in the current review cycle.

b. Inspection of Facilities Not Adequately Identified in an Original Application or Supplement

i. All original applications, including those in the "Program," (see Section I.B.2) and supplements are expected to include a comprehensive and readily located list of all manufacturing facilities included or referenced in the application or supplement. This list provides FDA with information needed to schedule inspections of manufacturing facilities that may be necessary before approval of the original application or supplement.

ii. If, during FDA's review of an original application or supplement, the Agency identifies a manufacturing facility that was not included in the comprehensive and readily located list, the goal date may be extended.

1) If FDA identifies the need to inspect a manufacturing facility that is not included as part of the comprehensive and readily located list in an original application or efficacy supplement, the goal date may be extended by three months.

2) If FDA identifies the need to inspect a manufacturing facility that is not included as part of the comprehensive and readily located list in a manufacturing supplement, the goal date may be extended by two months.

6. These review goals are summarized in the following tables:

TABLE 1.—ORIGINAL AND RESUBMITTED APPLICATIONS AND SUPPLEMENTS

Submission Cohort	Standard	Priority
NME NDAs and original BLAs	90% in 10 months of the 60 day filing date	90% in 6 months of the 60 day filing date
Non NME NDAs	90% in 10 months of the receipt date	90% in 6 months of the receipt date
Class 1 Resubmissions	90% in 2 months of the receipt date	90% in 2 months of the receipt date
Class 2 Resubmissions	90% in 6 months of the receipt date	90% in 6 months of the receipt date
Original Efficacy Supplements	90% in 10 months of the receipt date	90% in 6 months of the receipt date
Class 1 Resubmitted Efficacy Supplements	90% in 2 months of the receipt date	90% in 2 months of the receipt date
Class 2 Resubmitted Efficacy Supplements	90% in 6 months of the receipt date	90% in 6 months of the receipt date

TABLE 2

	Prior Approval	All Other
Manufacturing Supplements	90% in 4 months of the receipt date	90% in 6 months of the receipt date

B. Program for Enhanced Review Transparency and Communication for NME NDAs and Original BLAs

To promote transparency and communication between the FDA review team and the applicant, FDA will apply the following model ("the Program") to the review of all New Molecular Entity New Drug Applications (NME NDAs) and original Biologics License Applications (BLAs), including applications that are resubmitted following a Refuse-to-File decision, received from October 1, 2017, through September 30, 2022. The goal of the Program is to promote the efficiency and effectiveness of the first cycle review process and minimize the number of review cycles necessary for approval, ensuring that patients have timely access to safe, ef-

fective, and high quality new drugs and biologics.

Approach to Application Review. The standard approach for the review of NME NDAs and original BLAs is described in this section. However, the FDA review team and the applicant may discuss and reach mutual agreement on an alternative approach to the timing and nature of interactions and information exchange between the applicant and FDA, i.e., a Formal Communication Plan for the review of the NME NDA or original BLA. The Formal Communication Plan may include elements of the standard approach (e.g., a mid-cycle communication or a late-cycle meeting) as well as other interactions that sometimes occur during the review process (e.g., a meeting during the filing period to discuss the application, i.e., an "ap-

plication orientation meeting"). If appropriate, the Formal Communication Plan should specify those elements of the Program that FDA and the sponsor agree are unnecessary for the application under review. If the review team and the applicant anticipate developing a Formal Communication Plan, the elements of the plan should be discussed and agreed to at the pre-submission meeting (see Section I.B.1) and reflected in the meeting minutes. The Formal Communication Plan may be reviewed and amended at any time based on the progress of the review and the mutual agreement of the review team and the applicant. For example, the review team and the applicant may mutually agree at any time to cancel future specified interactions in the Program (e.g., the late-cycle

meeting) that become unnecessary (e.g. because previous communications between the review team and the applicant are sufficient). Any amendments made to the Formal Communication Plan should be consistent with the goal of an efficient and timely first cycle review process and not impede the review team's ability to conduct its review.

Expedited Reviews. In certain cases, an application reviewed in the Program will be for a product that the FDA review team identifies as meeting an important public health need. If the FDA review team determines that a first-cycle approval is likely for such an application, the team intends to make every effort to conduct an expedited review and act early on the application. FDA conducts expedited reviews to promote timely access to critically needed therapies for patients without compromising FDA's high standards for demonstrating the safety, efficacy, and quality of new medicines. Expedited reviews are typically characterized by frequent contact between the applicant and the FDA review team throughout the review process. Any parameters of the Program that are intended to facilitate expedited reviews are noted throughout Section I.B.

If significant application deficiencies are identified by the review team at any time during an expedited review, FDA intends to revert, for the remainder of the review, to the standard approach to the review of priority NME NDAs and original BLAs (as described in this section), and will inform the applicant accordingly.

The remainder of Section I.B describes the parameters that will apply to FDA's review of applications in the Program.

1. **Pre-submission meeting:** The applicant is strongly encouraged to discuss the planned content of the application with the appropriate FDA review division at a pre-NDA/BLA meeting. This meeting will be attended by the FDA review team, including appropriate senior FDA staff.

a. The pre-NDA/BLA meeting should be held sufficiently in advance of the planned submission of the application to allow for meaningful response to FDA feedback and should generally occur not less than 2 months prior to the planned submission of the application.

b. In addition to FDA's preliminary responses to the applicant's questions, other potential discussion topics include preliminary discussions on the need for REMS or other risk management actions, and, where applicable, the development of a Formal Communication Plan and a timeline for review activities associated with a scheduling recommendation under the Controlled Substances Act for drugs with abuse potential. These discussions will be summarized at the conclusion of the meeting and reflected in the FDA meeting minutes.

c. The FDA and the applicant will agree on the content of a complete application for the proposed indication(s) at the pre-submission meeting. The FDA and the applicant may also reach agreement on submission of a limited number of application components not later than 30 calendar days after the submission of the original application. These submissions must be of a type that would not be expected to materially impact the ability of the review team to begin its review. These agreements will be summarized at the conclusion of the meeting and reflected in the FDA meeting minutes.

i. Examples of application components that may be appropriate for delayed submission include updated stability data (e.g., 15-month data to update 12-month data sub-

mitted with the original submission) or the final audited report of a preclinical study (e.g., carcinogenicity) where the final draft report is submitted with the original application.

ii. Major components of the application (e.g., the complete study report of a Phase 3 clinical trial or the full study report of required long-term safety data) are expected to be submitted with the original application and are not subject to agreement for late submission.

2. **Original application submission:** Applications are expected to be complete, as agreed between the FDA review team and the applicant at the pre-NDA/BLA meeting, at the time of original submission of the application. If the applicant does not have a pre-NDA/BLA meeting with FDA, and no agreement exists between FDA and the applicant on the contents of a complete application or delayed submission of certain components of the application, the applicant's submission is expected to be complete at the time of original submission.

a. All applications are expected to include a comprehensive and readily located list of all clinical sites and manufacturing facilities included or referenced in the application.

b. Any components of the application that FDA agreed at the pre-submission meeting could be submitted after the original application are expected to be received not later than 30 calendar days after receipt of the original application.

c. Incomplete applications, including applications with components that are not received within 30 calendar days after receipt of the original submission, will be subject to a Refuse-to-File decision.

d. The following parameters will apply to applications that are subject to a Refuse-to-File decision and are subsequently filed over protest:

i. The original submission of the application will be subject to the review performance goal as described in Section I.B.4.

ii. The application will not be eligible for the other parameters of the Program (e.g., mid-cycle communication, late-cycle meeting).

iii. FDA generally will not review amendments to the application during any review cycle. FDA also generally will not issue information requests to the applicant during the agency's review.

iv. The resubmission goals described in Section I.A.1.e and I.A.1.f will not apply to any resubmission of the application following an FDA complete response action. Any such resubmission will be reviewed as available resources permit.

e. Since applications are expected to be complete at the time of submission, unsolicited amendments are expected to be rare and not to contain major new information or analyses. Review of unsolicited amendments, including those submitted in response to an FDA communication of deficiencies, will be handled in accordance with the GRMP guidance. This guidance includes the underlying principle that FDA will consider the most efficient path toward completion of a comprehensive review that addresses application deficiencies and leads toward a first cycle approval when possible.

3. **Day 74 Letter:** FDA will follow existing procedures regarding identification and communication of filing review issues in the "Day 74 letter." For applications subject to the Program, the timeline for this communication will be within 74 calendar days from the date of FDA receipt of the original submission. The planned review timeline in-

cluded in the Day 74 letter for applications in the Program will include the planned date for the internal mid-cycle review meeting. The letter will also include preliminary plans on whether to hold an Advisory Committee (AC) meeting to discuss the application. If applicable, the Day 74 letter will serve as notification to the applicant that the review division intends to conduct an expedited review.

4. **Review performance goals:** For NME NDA and original BLA submissions that are filed by FDA under the Program, the PDUFA review clock will begin at the conclusion of the 60 calendar day filing review period that begins on the date of FDA receipt of the original submission. The review performance goals for these applications are as follows:

a. Review and act on 90 percent of standard NME NDA and original BLA submissions within 10 months of the 60 day filing date.

b. Review and act on 90 percent of priority NME NDA and original BLA submissions within 6 months of the 60 day filing date.

5. **Mid-Cycle Communication:** The FDA Regulatory Project Manager (RPM), and other appropriate members of the FDA review team (e.g., Cross Discipline Team Leader (CDTL)), will call the applicant, generally within 2 weeks following the Agency's internal mid-cycle review meeting, to provide the applicant with an update on the status of the review of their application. An agenda will be sent to the applicant prior to the mid-cycle communication. Scheduling of the internal mid-cycle review meeting will be handled in accordance with the GRMP guidance. The RPM will coordinate the specific date and time of the telephone call with the applicant.

a. The update should include any significant issues identified by the review team to date, any information requests, information regarding major safety concerns and preliminary review team thinking regarding risk management, proposed date(s) for the late-cycle meeting, updates regarding plans for the AC meeting (if an AC meeting is anticipated), an update regarding FDA's review activities associated with a scheduling recommendation under the Controlled Substances Act (if applicable), and other projected milestone dates for the remainder of the review cycle.

b. In the case of an expedited review, FDA will communicate the timelines for the Late-Cycle Meeting and the Late-Cycle Meeting background package (see Section I.B.6) which may occur earlier with more condensed timeframes compared to a review that is not expedited.

6. **Late-Cycle and Advisory Committee Meetings:** A meeting will be held between the FDA review team and the applicant to discuss the status of the review of the application late in the review cycle. Late-cycle meetings will generally be face-to-face meetings; however, the meeting may be held by teleconference if FDA and the applicant agree. Since the application is expected to be complete at the time of submission, FDA intends to complete primary and secondary reviews of the application in advance of the planned late-cycle meeting.

a. FDA representatives at the late-cycle meeting are expected to include the signatory authority for the application, review team members from appropriate disciplines, and appropriate team leaders and/or supervisors from disciplines for which substantive issues have been identified in the review to date.

b. For applications that will be discussed at an AC meeting, the following parameters apply:

i. FDA intends to convene AC meetings no later than 2 months (standard review) or no later than 6 weeks (priority review) prior to the PDUFA goal date. The late-cycle meeting will occur not less than 12 calendar days before the date of the AC meeting.

ii. FDA intends to provide final questions for the AC to the sponsor and the AC not less than 2 calendar days before the AC meeting.

iii. Following an AC Meeting, FDA and the applicant may agree on the need to discuss feedback from the AC for the purpose of facilitating the remainder of the review. Such a meeting will generally be held by teleconference without a commitment for formal meeting minutes issued by the agency.

c. For applications that will not be discussed at an AC meeting, the late-cycle meeting will generally occur not later than 3 months (standard review) or two months (priority review) prior to the PDUFA goal date.

d. Late-Cycle Meeting Background Packages: The Agency background package for the late-cycle meeting will be sent to the applicant not less than 10 calendar days (or 2 calendar days for an expedited review) before the late-cycle meeting. The package will consist of a brief memorandum from the review team outlining substantive application issues (e.g., deficiencies identified by primary and secondary reviews), the Agency's background package for the AC meeting (incorporated by reference if previously sent to the applicant), potential questions and/or points for discussion for the AC meeting (if planned) and the current assessment of the need for REMS or other risk management actions. If the application is subject to an expedited review, the background package may be streamlined and brief using a bulleted list to identify issues to be discussed.

e. Late-Cycle Meeting Discussion Topics: Potential topics for discussion at the late-cycle meeting include major deficiencies identified to date; issues to be discussed at the AC meeting (if planned); current assessment of the need for REMS or other risk management actions; status update of FDA's review activities associated with a scheduling recommendation under the Controlled Substances Act, if applicable; information requests from the review team to the applicant; and additional data or analyses the applicant may wish to submit.

i. With regard to submission of additional data or analyses, the FDA review team and the applicant will discuss whether such data will be reviewed by the Agency in the current review cycle and, if so, whether the submission will be considered a major amendment and trigger an extension of the PDUFA goal date.

7. Inspections: FDA's goal is to complete all GCP, GLP, and GMP inspections for applications in the Program within 6 months of the date of original receipt for priority applications and within 10 months of the date of original receipt for standard applications. This will allow 2 months at the end of the review cycle to attempt to address any deficiencies identified by the inspections.

C. First Cycle Review Management

FDA and industry share a commitment to ensuring an efficient and effective first cycle review process for all applications subject to the PDUFA program. This commitment was first articulated in the GRMP guidance finalized in 2005. FDA will update this guidance in PDUFA VI to include review activities (e.g., the NME Program, REMS) that have been added to the human drug review program since the guidance was finalized,

principles regarding notification to applicants regarding issues identified during FDA's initial review of the application, principles regarding FDA's notification to applicants regarding planned review timelines, and the importance of internal review timelines that govern aspects of the human drug review program that are not part of PDUFA performance goals. FDA will publish a revised draft guidance for public comment no later than the end of FY 2018.

D. Review of Proprietary Names to Reduce Medication Errors

To enhance patient safety, FDA is committed to various measures to reduce medication errors related to look-alike and sound-alike proprietary names and such factors as unclear label abbreviations, acronyms, dose designations, and error prone label and packaging design. The following performance goals apply to FDA's review of drug and biological product proprietary names during development (as early as end-of-phase 2) and during FDA's review of a marketing application:

1. Proprietary Name Review Performance Goals During Drug Development

a. Review 90% of proprietary name submissions filed within 180 days of receipt. Notify sponsor of tentative acceptance or non-acceptance.

b. If the proprietary name is found to be unacceptable, the sponsor can request reconsideration by submitting a written rebuttal with supporting data or request a meeting within 60 days to discuss the initial decision (meeting package required).

c. If the proprietary name is found to be unacceptable, the above review performance goals also would apply to the written request for reconsideration with supporting data or the submission of a new proprietary name.

d. A complete submission is required to begin the review clock.

2. Proprietary Name Review Performance Goals During Application Review

a. Review 90% of NDA/BLA proprietary name submissions filed within 90 days of receipt. Notify sponsor of tentative acceptance/non-acceptance.

b. A supplemental review will be done meeting the above review performance goals if the proprietary name has been submitted previously (IND phase after end-of-phase 2) and has received tentative acceptance.

c. If the proprietary name is found to be unacceptable, the sponsor can request reconsideration by submitting a written rebuttal with supporting data or request a meeting within 60 days to discuss the initial decision (meeting package required).

d. If the proprietary name is found to be unacceptable, the above review performance goals apply to the written request for reconsideration with supporting data or the submission of a new proprietary name.

e. A complete submission is required to begin the review clock.

E. Major Dispute Resolution

1. Procedure:

For procedural or scientific matters involving the review of human drug applications and supplements (as defined in PDUFA) that cannot be resolved at the signatory authority level (including a request for reconsideration by the signatory authority after reviewing any materials that are planned to be forwarded with an appeal to the next level), the response to appeals of decisions will occur within 30 calendar days of the Center's receipt of the written appeal.

2. Performance goal: 90% of such answers are provided within 30 calendar days of the Center's receipt of the written appeal.

3. Conditions:

a. Sponsors should first try to resolve the procedural or scientific issue at the signatory authority level. If it cannot be resolved at that level, it should be appealed to the next higher organizational level (with a copy to the signatory authority) and then, if necessary, to the next higher organizational level.

b. Responses should be either verbal (followed by a written confirmation within 14 calendar days of the verbal notification) or written and should ordinarily be to either grant or deny the appeal.

c. If the decision is to deny the appeal, the response should include reasons for the denial and any actions the sponsor might take to persuade the Agency to reverse its decision.

d. In some cases, further data or further input from others might be needed to reach a decision on the appeal. In these cases, the "response" should be the plan for obtaining that information (e.g., requesting further information from the sponsor, scheduling a meeting with the sponsor, scheduling the issue for discussion at the next scheduled available advisory committee (AC)).

e. In these cases, once the required information is received by the Agency (including any advice from an AC), the person to whom the appeal was made, again has 30 calendar days from the receipt of the required information in which to either grant or deny the appeal.

f. Again, if the decision is to deny the appeal, the response should include the reasons for the denial and any actions the sponsor might take to persuade the Agency to reverse its decision.

g. N.B. If the Agency decides to present the issue to an AC and there are not 30 days before the next scheduled AC, the issue will be presented at the following scheduled committee meeting to allow conformance with AC administrative procedures.

F. Clinical Holds

1. Procedure:

The Center should respond to a sponsor's complete response to a clinical hold within 30 days of the Agency's receipt of the submission of such sponsor response.

2. Performance goal:

90% of such responses are provided within 30 calendar days of the Agency's receipt of the sponsor's response.

G. Special Protocol Question Assessment and Agreement

1. Procedure:

Upon specific request by a sponsor (including specific questions that the sponsor desires to be answered), the Agency will evaluate certain protocols and issues to assess whether the design is adequate to meet scientific and regulatory requirements identified by the sponsor.

a. The sponsor should submit a limited number of specific questions about the protocol design and scientific and regulatory requirements for which the sponsor seeks agreement (e.g., is the dose range in the carcinogenicity study adequate, considering the intended clinical dosage; are the clinical endpoints adequate to support a specific efficacy claim).

b. Within 45 days of Agency receipt of the protocol and specific questions, the Agency will provide a written response to the sponsor that includes a succinct assessment of the protocol and answers to the questions posed by the sponsor. If the Agency does not agree that the protocol design, execution plans, and data analyses are adequate to

achieve the goals of the sponsor, the reasons for the disagreement will be explained in the response.

c. Protocols that qualify for this program include: carcinogenicity protocols, stability protocols, and Phase 3 protocols for clinical trials that will form the primary basis of an efficacy claim. For such Phase 3 protocols to qualify for this comprehensive protocol assessment, the sponsor must have had an end-of-Phase 2/pre-Phase 3 meeting with the review division so that the division is aware of the developmental context in which the protocol is being reviewed and the questions being answered.

d. N.B. For products that will be using Subpart E or Subpart H development schemes, the Phase 3 protocols mentioned in this paragraph should be construed to mean those protocols for trials that will form the primary basis of an efficacy claim no matter what phase of drug development in which they happen to be conducted.

e. If a protocol is reviewed under the process outlined above and agreement with the Agency is reached on design, execution, and analyses and if the results of the trial conducted under the protocol substantiate the hypothesis of the protocol, the Agency agrees that the data from the protocol can be used as part of the primary basis for approval of the product. The fundamental agreement here is that having agreed to the design, execution, and analyses proposed in protocols reviewed under this process, the Agency will not later alter its perspective on the issues of design, execution, or analyses unless public health concerns unrecognized at the time of protocol assessment under this process are evident.

2. Performance goal:

90% of special protocol assessments and agreement requests completed and returned to sponsor within the timeframe.

3. Reporting:

The Agency will track and report the number of original special protocol assessments and resubmissions per original special protocol assessment.

H. Meeting Management Goals

Formal PDUFA meetings between sponsors and FDA consist of Type A, B, B(EOP), and C meetings. These meetings are further described below.

Type A meetings are those meetings that are necessary for an otherwise stalled drug development program to proceed (i.e., a “critical path” meeting) or to address an important safety issue. Post-action meetings requested within three months after an FDA regulatory action other than approval (i.e., issuance of a complete response letter) will also generally be considered Type A meetings.

Type B meetings include pre-IND meetings and pre-NDA/BLA meetings, while Type B (EOP) meetings are reserved for certain End-of-Phase 1 meetings (i.e. for 21 CFR Part 312 Subpart E or 21 CFR Part 314 Subpart H or similar products) and End-of-Phase 2/pre-Phase 3 meetings. Meetings regarding REMS or postmarketing requirements that occur outside the context of the review of a marketing application will also generally be considered Type B meetings.

A Type C meeting is any other type of meeting.

1. Responses to Meeting Requests

a. Procedure: FDA will notify the requester in writing of the date, time, and place for the meeting, as well as expected Center participants following receipt of a formal meeting request. Table 3 below indicates the timeframes for FDA’s response to a meeting request.

TABLE 3

Meeting Type	Response Time (calendar days)
A	14
B	21
B(EOP)	14
C	21

i. For any type of meeting, the sponsor may request a written response to its questions rather than a face-to-face meeting, videoconference or teleconference. FDA will review the request and make a determination on whether a written response is appropriate or whether a face-to-face meeting, videoconference, or teleconference is necessary. If a written response is deemed appropriate, FDA will notify the requester of the date it intends to send the written response in the Agency’s response to the meeting request. This date will be consistent with the timeframes specified in Table 4 below for the specific meeting type.

ii. For pre-IND and Type C meetings, while the sponsor may request a face-to-face meeting, the Agency may determine that a written response to the sponsor’s questions would be the most appropriate means for providing feedback and advice to the sponsor. When it is determined that the meeting request can be appropriately addressed through a written response, FDA will notify the requester of the date it intends to send the written response in the Agency’s response to the meeting request. This date will be consistent with the timeframes specified in Table 4 below for the specific meeting type.

b. Performance Goal: FDA will respond to meeting requests and provide notification within the response times noted in Table 3 for 90% of each meeting type.

2. Scheduling Meetings

a. Procedure: FDA will schedule the meeting on the next available date at which all applicable Center personnel are available to attend, consistent with the component’s other business; however, the meeting should be scheduled consistent with the type of meeting requested. Table 4 below indicates the timeframes for the scheduled meeting date following receipt of a formal meeting request, or in the case of a written response, the timeframes for the Agency to send the written response. If the requested date for any meeting type is greater than the specified timeframe, the meeting date should be within 14 calendar days of the requested date.

TABLE 4

Meeting Type	Meeting Scheduling or Written Response Time
A	30 calendar days from receipt of meeting request
B	60 calendar days from receipt of meeting request
B(EOP)	70 calendar days from receipt of meeting request
C	75 calendar days from receipt of meeting request

b. Performance goal: 90% of meetings are held within the timeframe for each meeting type, and 90% of written responses are sent within the timeframe for each meeting type.

3. Meeting Background Packages

The timing of the Agency’s receipt of the sponsor background package for each meeting type (including those meetings for which a written response will be provided) is specified in Table 5 below.

TABLE 5

Meeting Type	Receipt of Background Package
A	At the time of the meeting request
B	30 calendar days before the date of the meeting or expected written response

TABLE 5—Continued

Meeting Type	Receipt of Background Package
B(EOP)	50 calendar days before the date of the meeting or expected written response*
C	47 calendar days before the date of the meeting or expected written response*

* If the scheduled date of a Type B(EOP) or C meeting is earlier than the timeframes specified in Table 4, the meeting background package will be due no sooner than 6 calendar days and 7 calendar days following the response time for Type B(EOP) and C meetings specified in Table 3, respectively.

4. Preliminary Responses to Sponsor Questions

a. Procedure: The Agency will send preliminary responses to the sponsor’s questions contained in the background package no later than five calendar days before the meeting date for Type B(EOP) and C meetings.

b. Performance goal: 90% of preliminary responses to questions for Type B(EOP) meetings are issued by FDA no later than five calendar days before the meeting date.

5. Sponsor Notification to FDA

Not later than three calendar days following the sponsor’s receipt of FDA’s preliminary responses for a Type B(EOP) or C meeting, the sponsor will notify FDA of whether the meeting is still needed, and if it is, the anticipated agenda of the meeting given the sponsor’s review of the preliminary responses.

6. Meeting Minutes

a. Procedure: The Agency will prepare minutes that will be available to the sponsor 30 calendar days after the meeting. The minutes will clearly outline the important agreements, disagreements, issues for further discussion, and action items from the meeting in bulleted form and need not be in great detail. Meeting minutes are not required if the Agency transmits a written response for any meeting type.

b. Performance goal: 90% of minutes are issued within 30 calendar days of the date of the meeting.

7. Conditions

For a meeting to qualify for these performance goals:

a. A written request must be submitted to the review division.

b. The written request must provide:

i. A brief statement of the purpose of the meeting and the sponsor’s proposal for either a face-to-face meeting or a written response from the Agency;

ii. A listing of the specific objectives/outcomes the requester expects from the meeting;

iii. A proposed agenda, including estimated times needed for each agenda item;

iv. A listing of planned external attendees;

v. A listing of requested participants/disciplines representative(s) from the Center with an explanation for the request as appropriate; and

vi. The date that the meeting background package will be sent to the Center. Refer to Table 5 for timeframes for the Agency’s receipt of background packages.

c. The Agency concurs that the meeting will serve a useful purpose (i.e., it is not premature or clearly unnecessary). However, requests for a Type B or B(EOP) meeting will be honored except in the most unusual circumstances.

8. Guidance

FDA will publish revised draft guidance on formal meetings between FDA and sponsors no later than September 30, 2018.

I. Enhancing Regulatory Science and Expediting Drug Development

To ensure that new and innovative products are developed and available to patients

in a timely manner, FDA will build on the success of the FDA's regulatory science program that included advancing the science of meta-analysis methodologies, advancing the use of biomarkers and pharmacogenomics, enhancing communications between FDA and sponsors during drug development, and advancing the development of drugs for rare diseases. The extension and continuation of this work will encompass further evaluation and enhancement of FDA-sponsor communications, ensuring the sustained success of the breakthrough therapy program, establishing early consultations between FDA and sponsors on the use of new surrogate endpoints as the primary basis for product approval, advancing rare disease drug development, advancing the development of combination products, and exploring the use of real world evidence for use in regulatory decision-making.

1. Promoting Innovation Through Enhanced Communication Between FDA and Sponsors During Drug Development

FDA's philosophy is that timely interactive communication with sponsors during drug development is a core Agency activity to help achieve the Agency's mission to facilitate the conduct of efficient and effective drug development programs, which can enhance public health by making new safe and effective drugs available to the American public in a timely manner. Accordingly, FDA will maintain dedicated drug development communication and training staffs in CDER and CBER, focused on enhancing communication between FDA and sponsors during drug development.

One function of the staff is to serve as a liaison that will facilitate general and, in some cases, specific interactions between sponsors and each Center. The liaison will serve as a point of contact for sponsors who have general questions about drug development or who need clarification on which review division to contact with their questions. The liaison will also serve as a secondary point of contact in each Center for sponsors who are encountering challenges in communication with the review team for their IND (e.g., in instances when they have not received a response from the review team to a simple or clarifying question or referral to the formal meeting process within 30 days of the sponsor's initial request). In such cases, the liaison will work with the review team and the sponsor to facilitate resolution of the issue.

The second function of the staff is to provide ongoing training to the review organizations on best practices in communication with sponsors. The content of training includes, but is not limited to, FDA's philosophy regarding timely interactive communication with sponsors during drug development as a core Agency activity, best practices for addressing sponsor requests for advice and timely communication of responses through appropriate mechanisms (e.g., teleconferences, secure email, or when questions are best addressed through the formal meetings process), and the role of the liaison staff in each Center in facilitating communication between the review staff and sponsor community, including the staff's role in facilitating resolution of individual communication requests. The staff will also collaborate with sponsor stakeholders (e.g., through participation in workshops, webinars, and other meetings) to communicate FDA's philosophy and best practices regarding communication with sponsors during drug development.

To continue to enhance timely interactive communication with sponsors during drug

development in PDUFA VI, FDA will do the following:

a. **Independent Assessment.** FDA will contract with an independent third party to assess current practices of FDA and sponsors in communicating during drug development. The statement of work for this effort will be published for public comment prior to beginning the assessment. The third party will be expected to separately engage both FDA staff and individual sponsors through contractor-led interviews as part of the assessment. Due to the significant volume of FDA-sponsor interactions in a given year, the assessment will be based on a random subset of drug development programs identified by IND number. The third party will identify best practices and areas for improvement in communication by FDA review staff and sponsors. FDA will publish the final report of the assessment on FDA's website no later than the end of FY 2020.

b. **Public Workshop.** FDA will convene a public workshop by the end of March 2021 to discuss the findings of the independent assessment, including anonymized, aggregated feedback from sponsors and FDA review teams resulting from the contractor interviews.

c. **Guidance.** FDA will consider the third party's recommendations for best practices in communication and update the current draft or final guidance on "Best Practices for Communication Between IND Sponsors and FDA During Drug Development" if appropriate. If FDA determines that the guidance should be updated, based on the recommendations of the third party and the feedback received from the public workshop, FDA will update the guidance no later than one year following the public workshop.

2. Ensuring Sustained Success of Breakthrough Therapy Program

Breakthrough therapy designation is intended to expedite the development and review of drug and biological products, alone or in combination, for serious or life-threatening diseases or conditions when preliminary clinical evidence indicates that the drug may demonstrate substantial improvement over existing therapies. A breakthrough therapy designation includes the features of the fast track program, intensive FDA guidance on an efficient drug development program, and an organizational commitment by FDA involving senior managers. Additional resources will enable the Agency to continue to work closely with sponsors throughout the breakthrough therapy designation, development, and review processes. Both FDA and the regulated industry are committed to ensuring the expedited development and review of innovative therapies for serious or life-threatening diseases or conditions by investing additional resources into the breakthrough therapy program.

3. Early Consultation on the Use of New Surrogate Endpoints

FDA and industry believe that early consultation between review teams and sponsors is important for development programs where the sponsor intends to use a biomarker as a new surrogate endpoint that has never been previously used as the primary basis for product approval in the proposed context of use. Early consultation in the drug development program allows the review team to consult with FDA senior management to evaluate the sponsor's proposal before providing advice regarding the proposed biomarker as a new surrogate endpoint to support accelerated or traditional approval. Requests to engage with FDA on this topic will be considered a Type C meeting request.

The purpose of this meeting is to discuss the feasibility of the surrogate as a primary endpoint, and identify any gaps in knowledge and how they might be addressed. The outcome of this meeting may require further investigation by the sponsor and discussion and agreement with the agency before the surrogate endpoint could be used as the primary basis for product approval. To qualify for this consultation, these Type C meeting requests must be accompanied by the complete meeting background package at the time the request is made that includes preliminary human data indicating impact of the drug on the biomarker at a dose that appears to be generally tolerable. The remaining meeting procedures as described in Section I.H of this document will apply.

4. Advancing Development of Drugs for Rare Diseases

FDA will build on the success of the Rare Disease Program (RDP) in CDER and CBER by continuing to advance and facilitate the development and timely approval of drugs and biologics for rare diseases, including rare diseases in children. The Rare Disease Program staff in CDER will be integrated into review teams for rare disease development programs and application review to provide their unique expertise on flexible and feasible approaches to studying and reviewing such drugs to include, for example, innovative use of biomarkers, consideration of non-traditional clinical development programs, use of adaptive study designs, evaluation of novel endpoints, application of new approaches to statistical analysis, and appropriate use of FDA's expedited development and review programs (i.e., Fast Track, Breakthrough, Priority Review, and Accelerated Approval). CBER, through its Rare Disease Program Staff, will also ensure that its review offices consider such flexible and feasible approaches in review.

The RDP staff will also continue to provide training to all CDER and CBER review staff related to development, review, and approval of drugs for rare diseases as part of the reviewer training core curriculum.^μ The objective of the training will be to familiarize review staff with the challenges associated with rare disease applications and strategies to address these challenges; to promote best practices for review and regulation of rare disease applications; and to encourage flexibility and scientific judgment among reviewers in the review and regulation of rare disease drug development and application review. The training will also emphasize the important role of the RDP staff as members of the core review team to help ensure consistency of scientific and regulatory approaches across applications and review teams.

RDP staff will continue to engage in outreach to industry, patient groups, and other stakeholders to provide training on FDA's RDP. The staff will continue to foster collaborations in the development of tools (e.g., patient reported outcome measures) and data (e.g., natural history studies) to support development of drugs for rare diseases. In addition, the staff will also facilitate interactions between stakeholders and FDA review divisions to increase awareness of FDA regulatory programs and engagement of patients in FDA's regulatory decision-making.

FDA will include updates on the activities and success of the RDP in the PDUFA annual performance report to include, for example, the number of training courses offered and staff trained, the number of review programs where RDP staff participated as core team members, and metrics related to

engagement with external stakeholders. FDA will also continue to include information on rare disease approvals in its annual reports on innovative drug approvals, including utilization of expedited programs and regulatory flexibility and appropriate comparative metrics to non-rare disease innovative approvals.

5. Advancing Development of Drug-Device and Biologic-Device Combination Products Regulated by CBER and CDER

a. FDA will develop staff capacity and capability across the medical product centers and the Office of Combination Products (OCP) to more efficiently, effectively, and consistently review and respond to submissions that include combination products. These staff will advance the development of combination products by providing combination product expertise as part of the core review team as applicable, and through promoting best practices for review of combination products. The additional capacity will include staff who will focus on review of cGMP, engineering aspects, human factors and bridging study protocols and study reports, and labeling, to include instructions-for-use materials.

b. FDA will streamline the process for combination product review and improve the Agency's ability to assess workload and allocate resources to the review of combination products.

i. By no later than December 31, 2017, FDA will complete a lean process mapping for combination product review in order to inform changes to review work flow to improve the inter-center consultation process.

ii. By no later than December 31, 2017, FDA will begin tracking workload and timelines for cross-center consultations to enable appropriate allocation of resources and regularly assess the progress of combination product review throughout PDUFA VI.

iii. By no later than September 30, 2018, for each component within FDA that is consulted to participate in review of combination products, FDA will outline in appropriate internal documents the Agency's process for resolving internally any scientific or regulatory issues that arise, as well as a commitment for the medical product centers and OCP to coordinate and complete reviews and related activities when consulted in timelines set forth by PDUFA and other published documents (e.g., the GRMP guidance and GRMP MAPP).

c. FDA will establish Manuals of Policies and Procedures (MAPPs) and Standard Operating Policy and Procedures (SOPPs) to promote efficient, effective, and consistent combination product development and review. The documents will describe processes and procedures for conducting review of combination products, including the expectations for consultation of internal experts outside the reviewing Center. FDA will describe the responsibilities of staff in each Center and Office, expectations for core review team members and for other consultant staff in activities and meetings related to the combination product development program and application review. FDA will define the key terms to be used by staff in review of combination products to foster clear communication within FDA and to regulated industry. The topic areas and expected completion dates of these documents are specified below:

i. Human Factors Assessments (March 31, 2019)

ii. Quality assessment of combination products, including coordination of facility inspections (September 30, 2019)

iii. Patient-oriented labeling, including instructions-for-use materials for those drug-device and biologic-device combination products regulated by CBER and CDER (September 30, 2019)

d. By no later than December 31, 2018, FDA will make available on FDA's website key points of contact in OCP and the medical product centers for combination product review. FDA agrees to maintain and update this information periodically.

e. FDA will establish submission procedures for Human Factors protocols no later than September 30, 2018. Beginning in FY 2019, FDA will establish timelines to review and provide comment on the protocols for Human Factors studies of combination drug-device and biologic-device products within 60 days.

1. Procedure for review of human factors protocols for combination products: Upon specific request by a sponsor (including specific questions that the sponsor desires to be answered) consistent with the steps below, the Agency will evaluate human factors protocols and issues to assess whether the design is adequate to meet scientific and regulatory requirements identified by the sponsor.

(1) The sponsor should submit a limited number of specific questions about the human factors protocol design and scientific and regulatory requirements for which the sponsor seeks agreement (e.g., are the study participant groups appropriate to represent intended users, is the study endpoint adequate, are the critical tasks that should be evaluated appropriately identified).

(2) Within 60 days of Agency receipt of the protocol and specific questions, the Agency will provide a written response to the sponsor that includes a succinct assessment of the protocol and answers to the questions posed by the sponsor. If the Agency does not agree that the protocol design, execution plans, and data analyses are adequate to achieve the goals of the sponsor, the reasons for the disagreement will be explained in the response.

(3) Performance goals for FDA will be phased in, starting in FY 2019 as follows:

a. By FY 2019, review 50% of human factors protocol submissions within 60 days and provide sponsor with written comments.

b. By FY 2020, review 70% of human factors protocol submissions within 60 days and provide sponsor with written comments.

c. By FY 2021, review 90% of human factors protocol submissions within 60 days and provide sponsor with written comments.

f. By no later than December 31, 2018, FDA will begin staff training related to development, review, and approval of drug-device and biologic-device combination products reviewed in CDER and CBER. The training will be provided to all CDER, CBER, Center for Devices and Radiological Health (CDRH), and Office of Combination Products (OCP) staff, and will be part of the reviewer training core curriculum. The key purposes of this training include familiarizing review staff with the regulatory requirements and challenges associated with combination product applications and strategies to address these challenges; promoting best practices for review and regulation of combination products regulated by CDER and CBER, and helping ensure coordination and consistent approaches within the Centers in the review and regulation of combination product applications. The training will also emphasize the role of various experts in the Centers as members of the review team and OCP's roles and responsibilities in order to

help ensure consistency of scientific and regulatory approaches across applications and review teams.

g. FDA will contract with an independent third party to assess current practices for combination drug product review. This study will focus on areas where the needs for inter-center coordination and consistent approaches are greatest, including such areas as the Request-for-Designation, cGMPs/facilities topics, human factors and bridging studies, and labeling. The contractor will be expected to engage both FDA staff and individual sponsors as part of the assessment. The assessment will be based on a randomly selected subset of combination products in various phases of development. The assessment will identify best practices and areas for improvement by FDA review staff and sponsors in the submission and review of combination products for consideration by both FDA and sponsors. FDA will publish the final report of the assessment on FDA's website no later than the end of FY 2020. FDA will consider the assessment findings regarding best practices on the part of FDA review staff and sponsors in any updates to relevant documents such as MAPPs, SOPPs, and submission procedures for human factors protocols, and in the review and submission of Combination Product applications.

h. By the end of FY 2019, FDA will publish draft guidance or update previously published guidance issued by the medical product centers and OCP for review staff and industry describing considerations related to drug-device and biologic-device combination product on the topics noted below. The draft guidance(s) will be finalized by the end of FY 2022.

i. Bridging studies, including the bridging of data from combination products that employ different device components for the same drug or biologic and the same device component across different drugs and biologics.

ii. Patient-oriented labeling (e.g., instructions-for-use).

6. Enhancing Use of Real World Evidence for Use in Regulatory Decision-Making

As we participate in the current data revolution, it is important that FDA consider the possibilities of using so-called "real world" data as an important tool in evaluating not only the safety of medications but also their effectiveness. To accomplish this will require an understanding of what questions to ask, including how such data can be generated and used appropriately in product evaluation, what the challenges are to appropriate generation and use of these data, and how to address such challenges. Towards this end, FDA will do the following:

a. By no later than the end of FY 2018, FDA will complete one or more public workshop(s) with key stakeholders, including patients, biopharmaceutical companies, and academia, to gather input into issues related to Real World Evidence (RWE) use in regulatory decision-making. The workshop(s) should address, among other things, the following topics:

Benefits to patients, regulators, and biopharmaceutical companies of RWE in regulatory decision making;

RWE availability, quality, and access challenges, and approaches to mitigate these;

Methodological approaches for the collection, analysis, and communication of RWE; and

Appropriate contexts of use of RWE in regulatory decision-making regarding effectiveness.

b. By no later than the end of FY 2019, FDA will initiate (or fund by contract), appropriate activities (e.g., pilot studies or methodology development projects) aimed at addressing key outstanding concerns and considerations in the use of RWE for regulatory decision making.

c. By no later than the end of FY 2021, considering available input, such as from activities noted above, FDA will publish draft guidance on how RWE can contribute to the assessment of safety and effectiveness in regulatory submissions, for example in the approval of new supplemental indications and for the fulfillment of postmarketing commitments and requirements. FDA will work toward the goal of publishing a revised draft or final guidance within 18 months after the close of the public comment period.

J. Enhancing Regulatory Decision Tools to Support Drug Development and Review

1. Enhancing the Incorporation of the Patient's Voice in Drug Development and Decision-Making

To facilitate the advancement and use of systematic approaches to collect and utilize robust and meaningful patient and caregiver input that can more consistently inform drug development and, as appropriate, regulatory decision making, FDA will conduct the following activities during PDUFA VI:

a. FDA will strengthen the staff capacity to facilitate development and use of patient-focused methods to inform drug development and regulatory decisions. This staff, composed primarily of clinical, statistical, psychometric, and health outcomes research expertise, will be integrated into review teams as core members of the team during drug development and application review where the sponsor intends to use patient input or clinical outcome assessment (COAs) such as patient-reported outcomes (PROs) as part of the development program. A core responsibility of the staff will be to engage patient stakeholders and provide timely development-phase consultations to sponsors developing new tools to collect patient and caregiver input. This additional capacity is expected to advance the science of COA development and analysis, and the staff will also support the public qualification activities for COAs.

b. FDA will develop a series of guidance documents to focus on approaches and methods to bridge from initial patient-focused drug development meetings, like those piloted under PDUFA V, to fit-for-purpose tools to collect meaningful patient and caregiver input for ultimate use in regulatory decision making. Prior to the issuance of each guidance, as part of the development, FDA will conduct a public workshop to gather input from the wider community of patients, patient advocates, academic researchers, expert practitioners, industry, and other stakeholders.

i. By the end of FY 2018, FDA will publish a draft guidance describing approaches to collecting comprehensive and representative patient and caregiver input on burden of disease and current therapy. The guidance will address topics including: standardized nomenclature and terminologies, methods to collect meaningful patient input throughout the drug development process, and methodological considerations for data collection, reporting, management, and analysis.

ii. By the end of FY 2019, FDA will publish a draft guidance describing processes and methodological approaches to development of holistic sets of impacts that are most important to patients. The guidance will address topics including: methods for sponsors,

patient organizations, academic researchers, and expert practitioners to develop and identify what are most important to patients in terms of burden of disease, burden of treatment, and other critical aspects. The guidance will address how patient input can inform drug development and review processes, and, as appropriate, regulatory decision making.

iii. By the end of FY 2020, FDA will publish a draft guidance describing approaches to identifying and developing measures for an identified set of impacts (e.g., burden of disease and treatment), which may facilitate collection of meaningful patient input in clinical trials. The guidance will address methods to measure impacts in a meaningful way, and identify an appropriate set of measure(s) that matter most to patients.

iv. By the end of FY 2021, FDA will publish a draft guidance on clinical outcome assessments, which, when final, will, as appropriate, revise or supplement the 2009 Guidance to Industry on Patient-Reported Outcome Measures. The draft guidance will also address technologies that may be used for the collection, capture, storage, and analysis of patient perspective information. The guidance will also address methods to better incorporate clinical outcome assessments into endpoints that are considered significantly robust for regulatory decision-making.

v. For each of the above, FDA will work toward the goal of publishing a revised draft or final guidance within 18 months after the close of the public comment period on the draft guidance.

c. FDA will create and maintain a repository of publicly available tools on FDA's website as a resource for stakeholders. The repository will also include FDA's clinical outcome assessment compendium, patient-focused drug development meeting resources, and ongoing efforts on patient-focused drug development.

d. As appropriate, FDA will revise existing MAPPs and SOPPs to include suggested approaches for incorporating an increased patient focus in other on-going or planned FDA public meetings (e.g., FDA scientific workshops). In addition, as appropriate, FDA will develop and implement staff training related to processes, tools, and methodologies described in this section.

e. By the end of FY 2019, FDA will conduct a public workshop, through a qualified third party, with the primary purpose of gathering ideas and experiences of the patient and caregiver community and their recommendations on approaches and best practices that would enhance patient engagement in clinical trials. The meeting may also gather input from sponsors, academic researchers, and expert practitioners. The meeting will result in a published report on proceedings and recommendations from discussions at the meeting.

2. Enhancing Benefit-Risk Assessment in Regulatory Decision-Making

FDA will further the agency's implementation of structured benefit-risk assessment, including the incorporation of the patient's voice in drug development and decision-making, in the human drug review program through the following commitments to be accomplished during PDUFA VI:

a. By March 31, 2018, FDA will publish an update to the implementation plan titled "Structured Approach to Benefit-Risk Assessment in Drug Regulatory Decision-Making." The update will include a report on the progress made during PDUFA V and a plan for continued implementation during FYs 2018–2022.

b. By the end of FY 2019, FDA will convene and/or participate in, at least one meeting, conducted through a qualified third party, to gather industry, patient, researcher, and other stakeholder input on key topics. This would include applying the benefit-risk framework throughout the human drug lifecycle, including best approaches to communicating FDA's benefit-risk assessment.

c. By the end of FY 2020, FDA will publish a draft guidance on benefit-risk assessments for new drugs and biologics. This guidance will:

i. Articulate FDA's decision-making context and framework for benefit-risk assessment, illustrating the application of the benefit-risk framework throughout the human drug lifecycle, using a case study approach, if appropriate.

ii. Discuss appropriate interactions between a sponsor and FDA during drug development to understand the therapeutic context (i.e., the severity of disease that represents the targeted indication and the extent of unmet medical need in the target population) regarding regulatory decisions for the product at the various stages of drug development and evaluation.

iii. Discuss appropriate approaches to communicate to the public FDA's thinking on a product's benefit-risk assessment, such as through product-specific discussions using the benefit-risk framework at AC meetings.

d. Beginning in FY 2021, FDA will conduct an evaluation of the implementation of the benefit-risk framework in the human drug review program. This evaluation will assess how reviewers across the organization apply the benefit-risk framework and identify best practices in use of the benefit-risk framework. The evaluation of the benefit-risk framework implementation conducted in PDUFA V will serve as a baseline for this PDUFA VI assessment.

e. As appropriate, FDA will revise relevant MAPPs and SOPPs to include new approaches that incorporate FDA's benefit-risk framework into the human drug review program.

3. Advancing Model-Informed Drug Development

To facilitate the development and application of exposure-based, biological, and statistical models derived from preclinical and clinical data sources, herein referred to as "model-informed drug development" (MIDD) approaches, FDA will conduct the following activities during PDUFA VI:

a. FDA will develop its regulatory science and review expertise and capacity in MIDD approaches. This staff will support the highly-specialized evaluation of model-based strategies and development efforts.

b. FDA will convene a series of workshops to identify best practices for MIDD. Topics will include: (1) physiologically-based pharmacokinetic modeling; (2) design analysis and inferences from dose-exposure-response studies; (3) disease progression model development, including natural history and trial simulation; and (4) immunogenicity and correlates of protection for evaluating biological products, including vaccines and blood products. Each workshop will focus on current and emerging scientific approaches, including methodological limitations. FDA will produce a written summary of the topics discussed in each workshop.

c. Starting in FY 2018, FDA will conduct a pilot program for MIDD approaches. For sponsors participating in the pilot program, FDA will grant a pair of meetings specifically designed for this pilot program, consisting of an initial and a follow-up meeting

on the same drug development issues, to occur within a span of approximately 120 days. These meetings will be led by the clinical pharmacology or biostatistical review components within CDER or CBER.

i. FDA will publish a Federal Register Notice announcing the pilot program and outlining the eligibility criteria and process for submitting to FDA requests to participate in the pilot program.

ii. FDA will select 2-4 proposals (e.g., 1-2 per Center) quarterly each year. FDA will convene an internal review group to review proposals on a quarterly basis and provide recommendations on prioritization and selection of proposals and share knowledge and experience. Program selection will take into account development programs where clinical data are limited such that integration across non-traditional sources may be needed, and for which MIDD can assess uncertainties about issues such as dosing, duration, and patient selection in a way that can inform regulatory decision-making.

iii. Sponsors who do not participate in the pilot will have an opportunity to interact with the Agency through traditional channels.

d. By end of FY 2019, FDA will publish draft guidance, or revise relevant existing guidance, on model-informed drug development.

e. By end of FY 2021, FDA will develop or revise, as appropriate, relevant MAPPs or SOPPs, and/or review templates and training, to incorporate guidelines for the evaluation of MIDD approaches.

4. Enhancing Capacity to Review Complex Innovative Designs

To facilitate the advancement and use of complex adaptive, Bayesian, and other novel clinical trial designs, FDA will conduct the following activities during PDUFA VI:

a. FDA will develop the staff capacity to enable processes to facilitate appropriate use of these types of methods. This staff will support the computationally intensive review work necessary to evaluate complex adaptive, Bayesian, and other novel clinical trial designs, with a particular focus on clinical trial designs for which simulations are necessary to evaluate the operating characteristics.

b. Starting in FY 2018, FDA will conduct a pilot program for highly innovative trial designs for which analytically derived properties (e.g., Type I error) may not be feasible, and simulations are necessary to determine trial operating characteristics. For INDs in the pilot program, FDA will grant a pair of meetings specifically designed for this pilot program, consisting of an initial and follow-up meeting on the same design, to occur within a span of approximately 120 days. These meetings will be led by the biostatistical review components within CDER or CBER. The opportunity for increased interaction with the agency will provide better understanding of the agency's requirements for trial simulations involved in the use of the pilot study design and allow for iteration of design modifications, if needed. In return, FDA's ability to publicly discuss example designs will provide better clarity on the acceptance of different types of trial designs that should facilitate their use in future development programs.

i. FDA will publish a Federal Register Notice announcing the pilot program, clarifying pilot program eligibility, and describing the proposal submission and selection process.

ii. FDA will select up to 2 proposals (e.g., 1 per Center) quarterly each year. FDA will

convene an internal review group to review proposals on a quarterly basis and provide recommendations on prioritization and selection of proposals and share knowledge and experience. Program selection will be prioritized based on trial design features and therapeutic areas of high unmet need.

iii. To promote innovation in this area, trial designs developed through the pilot program may be presented by FDA (e.g., in a guidance or public workshop) as case studies, including while the drug studied in the trial has not yet been approved by FDA. Before FDA grants the initial meeting, FDA and the sponsor will agree on the information that FDA may share publicly in these case studies. Participation in the pilot program, including such agreement on information disclosure, will be voluntary and at the discretion of the sponsor.

iv. FDA may periodically review the progress of the pilot program and determine whether it is appropriate to adjust any aspects of the program.

v. Sponsors who do not participate in the pilot will have an opportunity to interact with the Agency through traditional channels. The pilot program will not affect FDA's existing procedures for providing advice on trial designs.

c. By end of 2nd Quarter FY 2018, FDA will convene a public workshop to discuss various complex adaptive, Bayesian, and other novel clinical trial designs, with a particular focus on clinical trial designs for which simulations are necessary to evaluate the operating characteristics, and the acceptability of those designs in regulatory decision-making.

d. By end of FY 2018, FDA will publish draft guidance on complex adaptive (including Bayesian adaptive) trial designs.

e. By end of FY 2020, FDA will develop or revise, as appropriate, relevant MAPPs, SOPPs and/or review templates and training to incorporate guidelines on evaluating complex clinical trial designs that rely on computer simulations to determine operating characteristics.

5. Enhancing Capacity to Support Analysis Data Standards for Product Development and Review

To support the enhancement of analysis data standards for product development and review in the human drug review program, FDA will conduct the following activities during PDUFA VI:

a. FDA will develop the staff capacity to efficiently review and provide feedback to sponsors on the readiness of submitted analysis data sets and programs for statistical review. This staff will support pre- and post-submission discussion of standardized datasets and programs, and maintain the knowledge of and engage in collaborations about standards models used in the design, analysis and review of clinical and non-clinical studies. Examples of these standards models could include the Standard for Exchange of Nonclinical Data (SEND), Clinical Data Acquisition Standards Harmonization (CDASH), Study Data Tabulation Model (SDTM), and Analysis Data Model (ADaM).

b. In parallel, FDA will improve staff capacity to assist with FDA development and updating of therapeutic area user guides (TAUGs) to include the appropriate content for the analysis data standards used in submission and review.

c. By end of FY 2019, FDA will convene a public workshop to advance the development and application of analysis data standards.

d. FDA will collaborate with external stakeholders and participate in public workshops held by third parties such as standards

development organizations, on development of data standards, processes, documentation and continuous improvement of clinical trials and regulatory science.

e. By end of FY 2020, FDA will develop or revise, as appropriate, relevant guidance, MAPPs, SOPPs and training associated with submission and utilization of standardized analysis datasets and programs used in review, and on the processes, procedures, and responsibilities related to the receipt, handling, and documentation of submitted analysis data and programs.

6. Enhancing Drug Development Tools Qualification Pathway for Biomarkers

To facilitate the enhancement of the drug development tools qualification pathway for biomarkers, FDA will conduct the following activities during PDUFA VI:

a. FDA will develop the staff capacity to enhance biomarker qualification review by increasing base capacity. FDA will also pilot processes to engage external experts to support review of biomarker qualification submissions.

b. By the end of FY 2018, FDA will convene a public meeting to discuss 1) taxonomy for biomarkers used in drug development, and 2) a framework with appropriate standards and scientific approaches to support biomarkers under the taxonomy, including scientific criteria to determine acceptance of a biomarker qualification submission and essential elements of a formal biomarker qualification plan.

c. By the end of FY 2018, FDA will publish draft guidance on proposed taxonomy of biomarker usage and related contexts of use.

d. By the end of FY 2020, FDA will publish draft guidance on general evidentiary standards for biomarker qualification to be supplemented with focused guidance on specific biomarker uses and contexts.

e. FDA will develop or revise, as appropriate and necessary, relevant MAPPs and SOPPs on the biomarker qualification process.

f. FDA will list biomarker qualification submissions that are in the qualification process on a public website, to be updated quarterly. Inclusion of a submission on this list will be based on the consent of the submitter for FDA to publish information about the submission, including stage and current status of qualification and the proposed use of the biomarker. Following qualification of a biomarker FDA will post reviews and summary documents that outline the qualification program and data supporting a qualification decision.

g. Sponsors who do not use this qualification pathway will have an opportunity to interact with the Agency through traditional channels.

K. Enhancement and Modernization of the FDA Drug Safety System

FDA will continue to use user fees to enhance and modernize the current U.S. drug safety system, including adoption of new scientific approaches, improving the utility of existing tools for the detection, evaluation, prevention, and mitigation of adverse events, standardization and integration of REMS into the healthcare system, enhancing communication and coordination between post-marketing and pre-market review staff, and improving tracking, communication and oversight of postmarketing safety issues. Enhancements to the drug safety system will improve public health by increasing patient protection while continuing to enable access to needed medical products.

User fees will provide support for A) advancing postmarketing drug safety evaluation through expansion of the Sentinel System and integration into FDA

pharmacovigilance activities, and B) timely and effective evaluation and communication of postmarketing safety findings related to human drugs.

1. Advancing Postmarketing Drug Safety Evaluation Through Expansion of the Sentinel System and Integration into FDA Pharmacovigilance Activities

FDA will use user fee funds to conduct a series of activities to systematically implement and integrate Sentinel in FDA pharmacovigilance practices. These activities will involve augmenting the quality and quantity of data available through the Sentinel System, improving methods for determining when and how that data is utilized, and comprehensive training of review staff on the use of Sentinel.

a. FDA will work toward expanding the Sentinel System's sources of data and enhancing the system's core capabilities.

b. FDA will enhance its communication with sponsors and the public regarding general methodologies for Sentinel queries, including what the Agency has learned regarding the most appropriate ways to query and use Sentinel data. This can be done through enhancement of existing mechanisms and/or greater frequency of such mechanisms.

c. FDA will evaluate additional ways to facilitate public and sponsor access to Sentinel's distributed data network to conduct safety surveillance.

d. By the end of FY 2019, FDA will hold or support a public meeting engaging stakeholders to discuss current and emerging Sentinel projects and seek stakeholder feedback and input regarding gaps in the current system to facilitate the further development of Sentinel and its system of Active Risk Identification and Analysis (ARIA).

e. By the end of FY 2020, FDA will establish policies and procedures (MAPPs and SOPPs) to facilitate informing sponsors about the planned use of Sentinel to evaluate a safety signal involving their respective products. These MAPPs and SOPPs will address what types of evaluations and what information about the evaluations will be shared with sponsors, and the timing of such communications.

f. By the end of FY 2020, FDA will facilitate integration of Sentinel into the human drug review program in a systematic, efficient, and consistent way through staff development and by updating existing SOPPs and MAPPs, as needed.

g. By the end of FY 2020, FDA will develop a comprehensive training program for review staff (e.g., epidemiologists, statisticians, medical officers, clinical analysts, project managers, and other review team members) to ensure that staff have a working knowledge of Sentinel, can identify when Sentinel can inform important regulatory questions, and are able to consistently participate in use of Sentinel to evaluate safety issues.

h. By the end of FY 2022, FDA will analyze, and report on the impact of the Sentinel expansion and integration on FDA's use of Sentinel for regulatory purposes, e.g., in the contexts of labeling changes, PMRs, or PMCs.

2. Timely and Effective Evaluation and Communication of Postmarketing Safety Findings Related to Human Drugs

FDA will use user fee funds to continue to support the review, oversight, tracking, and communication of postmarketing drug safety issues.

a. FDA will make improvements to its current processes that capture and track information, including enhancements to its information technology systems, as needed, in

order to support the management and oversight of postmarketing drug safety issues.

b. By the end of FY 2019, FDA will update existing policies and procedures (MAPPs and SOPPs) concerning tracking postmarketing safety signals to include consistent and timely notification to a sponsor (1) when a serious safety signal involving a product is identified and (2) to the extent practicable, not less than 72 hours before public posting of a safety notice under section 921 of the Food and Drug Administration Amendments Act of 2007.

c. By the end of FY 2022, FDA will conduct, or fund by contract, an assessment of how its data systems and processes, as described in MAPPs and SOPPs, support review, oversight, and communication of postmarketing drug safety issues.

II. ENHANCING MANAGEMENT OF USER FEE RESOURCES

FDA will modernize the user fee structure to improve the predictability of FDA funding and sponsor invoices, improve efficiency by simplifying the administration of user fees, and enhance flexibility of financial mechanisms to improve management of PDUFA program funding. FDA is committed to enhancing management of PDUFA resources and ensuring PDUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner. FDA will conduct a series of resource capacity planning and financial transparency activities to enhance management of PDUFA resources in PDUFA VI.

A. Resource Capacity Planning and Modernized Time Reporting

FDA is committed to enhancing management of PDUFA resources in PDUFA VI. FDA will conduct activities to develop a resource capacity planning function and modernized time reporting approach in PDUFA VI.

1. FDA will publish a PDUFA program resource capacity planning and modernized time reporting implementation plan no later than the 2nd quarter of FY 2018. FDA will continue to utilize information and recommendations from a third party assessment of resource capacity planning, financial analytics, and modernized time reporting for PDUFA as part of the implementation plan.

2. FDA will staff a resource capacity planning team that will implement and manage a capacity planning system across the PDUFA program in PDUFA VI.

3. FDA will obtain through a contract with an independent accounting or consulting firm an evaluation of options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the human drug review program. The report will be published no later than end of FY 2020 for public comment. Upon review of the report and comments, FDA will implement robust methodologies for assessing resource needs of the program. This will include the adoption of a new resource capacity adjustment methodology, in place of the current PDUFA workload adjuster, that accounts for sustained increases in PDUFA workload.

4. FDA recognizes that revenue generated by the workload adjuster and the resource capacity adjustment will be allocated to and used by organizational review components engaged in direct review work to enhance resources and expand staff capacity and capability. FDA will document in the annual financial report how the workload adjuster and resource capacity adjustment fee revenues are being utilized.

B. Financial Transparency and Efficiency

FDA is committed to ensuring PDUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner. FDA will conduct activities to evaluate the financial administration of the PDUFA program to help identify areas to enhance efficiency. FDA will also conduct activities to enhance transparency of PDUFA program resources.

1. FDA will contract with an independent third party to conduct an evaluation of PDUFA program resource management during FY 2018 to ensure that PDUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner in PDUFA VI. The study will include, but is not limited, to the following areas:

a. Evaluate all components of the PDUFA program resource planning, request, and allocation process from when FDA receives the user fee funds through when funds are spent. The contractor will recommend options to improve the process and data needed to enhance resource management decisions.

b. Assess how FDA administers PDUFA user fees organizationally, including, but not limited to, billing, user fee collection, and execution. The contractor will recommend options to enhance the efficiency of user fee administration.

c. Evaluate FDA's existing PDUFA program financial and administrative oversight and governance functions. Assess alternative governance models including roles and responsibilities, organizational location, and personnel skill sets required. The contractor will recommend options on the most effective governance model to support the human drug review program.

d. Assess FDA's technical capabilities to conduct effective financial management and planning in the context of generally accepted government resource management and planning practices. The contractor will recommend options for the technical capabilities needed by financial personnel involved in PDUFA resource management to enhance financial management and planning.

e. Evaluate how FDA estimates fee paying units for annual fee setting. The contractor will recommend options to enhance the accuracy of FDA's PDUFA user fee estimation methods.

2. FDA will publish a PDUFA 5-year financial plan no later than the 2nd quarter of FY 2018. FDA will publish updates to the 5-year plan no later than the 2nd quarter of each subsequent fiscal year.

3. FDA will convene a public meeting no later than the third quarter of each fiscal year starting in FY 2019 to discuss the PDUFA 5-year financial plan, along with the Agency's progress in implementing modernized time reporting, resource capacity planning, and the modernized user fee structure.

III. IMPROVING FDA HIRING AND RETENTION OF REVIEW STAFF

To speed and improve development of safe and effective new therapies for patients, enhancements to the human drug review program require that FDA hire and retain sufficient numbers and types of technical and scientific experts to efficiently conduct reviews of human drug applications. In order to strengthen this core function and increase the public health impact of new therapies, the FDA will commit to do the following:

A. Completion of Modernization of the Hiring System Infrastructure and Augmentation of System Capacity:

1. Complete implementation of FTE-based position management system capability.

a. FDA will complete development of Position Management baseline accounting of all current positions and FTE counts engaged in the human drug review program for each applicable Center and Office including filled and vacant positions, a governance structure for on-going position management that will be accountable to FDA senior management, and Position Management policy and guidance ratified by FDA senior management, outlining processes for adding new positions, deleting positions, and changing established positions.

b. FDA will complete implementation of the new Position-Based Management System.

2. Complete implementation of an online position classification system.

a. FDA will finalize the establishment of an online Position Description (PD) library. The library will include all current well-classified PDs and current standardized PDs. Once operational, any new PDs classified using the on-line classification tools, and any newly created standardized PDs, will be stored and accessible within FDA's PD library and available for FDA-wide use as appropriate.

3. Complete implementation of corporate recruiting.

a. For key scientific and technical disciplines commonly needed across offices engaged in the human drug review program, FDA will complete the transition from the use of individual vacancy announcements for individual offices to expanded use of a com-

mon vacancy announcement and certificate of eligible job applicants that can be used by multiple offices. As a part of this effort, FDA will complete the transition from use of individual announcements that are posted for a limited period to common vacancy announcements with open continuous posting to maximize the opportunity for qualified applicants to apply for these positions.

B. Augmentation of Hiring Staff Capacity and Capability

In recognition of the chronic and continuing difficulties of recruiting and retaining sufficient numbers of qualified Human Resources (HR) staff, FDA will engage a qualified contractor to provide continuous support throughout PDUFA VI to augment the existing FDA HR staff capacity and capabilities. The utilization of a qualified contractor will assist FDA in successfully accomplishing PDUFA goals for recruitment and retention of human drug review program staff.

C. Complete Establishment of a Dedicated Function to Ensure Needed Scientific Staffing for Human Drug Review Program

1. Rapid advances in the science and technology of human drug development and manufacturing require FDA's human drug review program staff to keep pace with science and learn innovative methods and techniques for review of new therapies. FDA will complete the establishment of a new dedicated unit within the Office of Medical Products and Tobacco charged with the continuous re-

cruiting, staffing, and retention of scientific, technical and professional staff for the process for the review of human drug applications.

a. The unit will continuously develop and implement scientific staff hiring strategies and plans, working closely with the center review offices and the FDA HR office, to meet discipline-specific hiring commitments and other targeted staffing needs. It will function as a scientific-focused recruiter conducting ongoing proactive outreach to source qualified candidates, and conducting competitive recruiting to fill vacancies that require top scientific, technical and professional talent.

b. The unit will conduct analyses, no less than annually, of compensation and other factors affecting retention of key staff in targeted disciplines, providing leadership and support for agency compensation oversight boards that currently exist or may be established as needed to ensure retention of key scientific, technical and professional staff.

D. Set Clear Goals for Human Drug Review Program Hiring

1. FDA will establish priorities for management of the metric goals for targeted hires within the human drug review program staff for the years of PDUFA VI. These goals for targeted hires are summarized in Table 6 below:

TABLE 6

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
CDER	43	57	45	17	9
CBER	16	8	7	1	0
Other FDA	12	9	6	0	0
Total FTE	71	74	58	18	9

2. FDA will confirm progress in the hiring of PDUFA V FTEs. FDA will report on progress against the hiring goals for FY 2018–2022 on a quarterly basis posting updates to the FDA website PDUFA Performance webpage.

E. Comprehensive and Continuous Assessment of Hiring and Retention

FDA hiring and retention of staff for the human drug review program will be evaluated by a qualified, independent contractor with expertise in assessing HR operations and transformation. This will include continuous assessments throughout the course of implementation of the performance initiatives identified in sections III.A–D, and metrics including, but not limited to, those related to recruiting and retention in the human drug review program including, but not limited to, specifically targeted scientific disciplines and levels of experience. The contractor will conduct a comprehensive review of current hiring processes and hiring staff capacity and capabilities that contribute to achievement of successes, potential problems, or delays in human drug review program staff hiring. This includes the entire hiring function and related capabilities. FDA and regulated industry leadership will periodically and regularly assess the progress of hiring and retention throughout PDUFA VI.

1. Initial Assessment: The assessment will include an initial baseline assessment to be conducted and completed no later than December 31, 2017. The initial baseline study will include an evaluation of the current state and provide recommended options to address any identified gaps or areas identi-

fied as priorities for improvement, and a study report to be published no later than December 31, 2017. FDA will hold a public meeting no later than December 31, 2017, to present and discuss report findings, and present its specific plans, including agency senior management oversight, and timeline for implementing recommended enhancements to be fully operational by no later than December 31, 2018.

2. Interim Assessment: An interim assessment will be published by March 31, 2020, for public comment. By June 30, 2020, FDA will hold a public meeting during which the public may present their views. FDA will discuss the findings of the interim assessment, including progress relative to program milestones and metrics, and other aggregated feedback from internal customers and participants in HR services that may be included in the continuous assessment. FDA will also address any issues identified to date including actions proposed to improve the likelihood of success of the program.

3. Final Assessment: A final assessment will be published by December 31, 2021, for public comment. FDA will hold a public meeting by no later than March 30, 2022, during which the public may present their views. FDA will discuss the findings of the final assessment, including progress relative to program milestones and metrics, and other aggregated feedback from internal customers and participants in HR services that may be included in the continuous assessment. FDA will also address any issues identified and plans for addressing these issues.

IV. INFORMATION TECHNOLOGY GOALS

A. Objective

FDA is committed to achieve the long-term goal of improving the predictability and consistency of the electronic submission process (Section IV.B), and enhancing transparency and accountability of FDA information technology related activities (Section IV.C). FDA is pursuing these objectives through IT investments that support the PDUFA program.

B. Improve the Predictability and Consistency of PDUFA Electronic Submission Processes

1. Electronic Submission Documentation: By December 31, 2017, FDA will publish and maintain up-to-date documentation for the following:

a. The electronic submission process, including key electronic submission milestones and associated sponsor notifications. The description should cover the complete process undergone by a submission from the completion of its upload to the Electronic System Gateway (ESG) through the time the submission is made available to the review team.

b. The rejection process for electronic submissions.

c. The electronic submission validation criteria.

d. Software names and versions for Electronic Common Technical Document (eCTD) validation and data validation tools.

2. Electronic Submission and System Status:

By September 30, 2018, FDA will:

a. Publish targets for and measure ESG availability overall (including scheduled

downtime) and during business hours (8am to 8pm Eastern Time). ESG availability is defined for the purposes of this commitment letter as the ability for an external user to complete a submission from each entry point to its delivery to the appropriate FDA Center.

b. Post current ESG operational status on its public website.

c. Publish submission instructions to use in the event of an ESG service disruption.

3. By December 31, 2017, FDA will publish target time frames for the 1) expected submission upload duration(s) and 2) timeframe between key milestones and notifications as defined in 1(a).

4. By September 30, 2018, FDA will implement the ability to communicate electronic submission milestone notifications, including final submission upload status (e.g., successfully processed or rejected), to sender/designated contact.

5. FDA will provide expert technical support for electronic submissions to FDA review staff for submission navigation and troubleshooting.

6. For those systems that sponsors interact with directly, FDA will invite industry to provide feedback and/or participate in user acceptance testing in advance of implementing significant changes that impact industry's interaction with the system.

7. By December 31, 2017, FDA will document and implement a process to provide ample advance notification of systems and process changes commensurate with the complexity of the change and the impact to sponsors for ESG scheduled unavailability and user interface changes.

C. Enhance Transparency and Accountability of FDA Electronic Submission and Data Standards Activities

1. FDA staff and industry will jointly plan and hold quarterly meetings and will share performance updates prior to each meeting. The meeting will address current challenges and emerging needs.

2. Beginning no later than September 30, 2018, FDA will hold annual public meetings to seek stakeholder input related to electronic submission system past performance, future targets, emerging industry needs and technology initiatives to inform the FDA IT Strategic Plan and published targets.

3. By December 31, 2017, FDA will post, at least annually, historic and current metrics on ESG performance in relation to published targets, characterizations and volume of submissions, and standards adoption and conformance.

4. By December 31, 2017, FDA will incorporate strategic initiatives in support of PDUFA goals into the FDA IT Strategic Plan. Milestones and metrics for PDUFA initiatives will be included in the plan. The plan will be updated and discussed annually during a meeting described in Section IV.C.1.

5. FDA will:

a. Collaborate with Standards Development Organizations and stakeholders to ensure long-term sustainability of supported data standards.

b. Publish a data standards action plan updated at least quarterly.

c. Publish and maintain a current FDA Data Standards Catalog.

V. IMPROVING FDA PERFORMANCE MANAGEMENT

A. The Studies Conducted Under This Initiative are Intended to Foster

1. Development of programs to improve access to internal and external expertise

2. Reviewer development programs, particularly as they relate to the human drug review program

3. Advancing science and use of information management tools

4. Improving both inter- and intra-Center consistency, efficiency, and effectiveness

5. Improved reporting of management objectives

6. Increased accountability for use of user fee revenues

7. Focused investments on improvements in the process for the review of human drug applications

8. Improved communication between the FDA and industry

B. Studies Will Include

1. Assessment of current practices of FDA and sponsors in communicating during drug development as described in Section I.I.1.

2. Assessment of the current practices for combination drug product review as described in Section I.I.5.

3. Evaluation of how reviewers across the organization apply the benefit-risk framework and identify best practices in use of the benefit-risk framework as described in Section I.J.2.

4. Analysis of the impact of the Sentinel expansion and use for regulatory purposes as described in Section I.K.1.

5. Assessment of how FDA data systems and processes, as described in MAPPs and SOPPs, support review, oversight, and communication of postmarketing drug safety issues, as described in Section I.K.2.

6. Evaluation of options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the human drug review program as described in Section II.A.3.

7. Evaluation of PDUFA program resource management to ensure that PDUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner in PDUFA VI as described in Section II.B.1.

8. Comprehensive and continuous assessment of hiring and retention as described in Section III.E.

VI. PROGRESS REPORTING FOR PDUFA VI AND CONTINUING PDUFA V INITIATIVES

A. FDA will include in the annual PDUFA Performance Report information on the Agency's progress in meeting the specific commitments identified in Sections I.I-K of this document.

B. FDA will include in the annual PDUFA Financial Report information on the Agency's progress in the hiring of new staff used to support the new initiatives as identified in Section III.

VII. DEFINITIONS AND EXPLANATION OF TERMS

1. "Human drug applications" refers to new drug applications submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act and biologics license applications submitted under section 351(a) of the Public Health Service Act, as defined in the Prescription Drug User Fee Act.

2. "Human drug review program" refers to the activities to conduct "the process for the review of human drug applications," as defined in the Prescription Drug User Fee Act.

3. The term "review and act on" means the issuance of a complete action letter after the complete review of a filed complete application. The action letter, if it is not an approval, will set forth in detail the specific deficiencies and, where appropriate, the actions necessary to place the application in condition for approval.

4. A resubmitted original application is a complete response to an action letter addressing all identified deficiencies.

5. Class 1 resubmitted applications are applications resubmitted after a complete re-

sponse letter (or a not approvable or approvable letter) that include the following items only (or combinations of these items):

a. Final printed labeling

b. Draft labeling

c. Safety updates submitted in the same format, including tabulations, as the original safety submission with new data and changes highlighted (except when large amounts of new information including important new adverse experiences not previously reported with the product are presented in the resubmission)

d. Stability updates to support provisional or final dating periods

e. Commitments to perform Phase 4 studies, including proposals for such studies

f. Assay validation data

g. Final release testing on the last 1-2 lots used to support approval

h. A minor reanalysis of data previously submitted to the application

i. Other minor clarifying information (determined by the Agency as fitting the Class 1 category)

j. Other specific items may be added later as the Agency gains experience with the scheme and will be communicated via guidance documents to industry

6. Class 2 resubmissions are resubmissions that include any other items, including any items that would require presentation to an advisory committee.

7. The performance goals and procedures also apply to original applications and supplements for human drugs initially marketed on an over-the-counter (OTC) basis through an NDA or switched from prescription to OTC status through an NDA or supplement.

8. As used in this commitment letter, "regulatory decision making" may include, for example, FDA's process for making a regulatory decision regarding a drug or biological product throughout the product lifecycle, such as during drug development, following FDA's review of a marketing application, including review of proposed labeling for the product, or in the post-approval period (e.g., FDA's decision regarding a supplement to an approved application).

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the commitment letter for the Biosimilar User Fee Act, BsUFA, reauthorization for fiscal years 2018 to 2022, known as BsUFA II.

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

BIOSIMILAR BIOLOGICAL PRODUCT REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FISCAL YEARS 2018 THROUGH 2022

I. Ensuring the Effectiveness of the Biosimilar Biological Product Review Program

A. Review Performance Goals

B. Program for Enhanced Review Transparency and Communication for Original 351(k) BLAs

C. First Cycle Review Management for Supplements with Clinical Data

D. Guidance

E. Review of Proprietary Names to Reduce Medication Errors

F. Major Dispute Resolution

G. Clinical Holds

H. Special Protocol Question Assessment and Agreement

I. Meeting Management Goals

II. Advancing Development of Biosimilar Biological Products Through Further Clarification of the 351(k) Regulatory Pathway

III. Enhancing Capacity for Biosimilar Regulations and Guidance Development, Reviewer Training, and Timely Communication

IV. Enhancing Management of User Fee Resources

A. Resource Capacity Planning and Modernized Time Reporting

B. Financial Transparency and Efficiency

C. Management of Carryover Balance

V. Improving FDA Hiring and Retention of Review Staff

A. Completion of Modernization of the Hiring System Infrastructure and Augmentation of System Capacity

B. Augmentation of Hiring Staff Capacity and Capability

C. Complete Establishment of a Dedicated Function to Ensure Needed Scientific Staffing for Human Drug Review Including for Review of Biosimilar Biological Products

D. Set Clear Goals for Biosimilar Biological Product Review Program Hiring

E. Comprehensive and Continuous Assessment of Hiring and Retention

VI. Definitions and Explanation of Terms

BIOSIMILAR BIOLOGICAL PRODUCT AUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FOR FISCAL YEARS 2018 THROUGH 2022

This document contains the performance goals and procedures for the Biosimilar User Fee Act (BsUFA) reauthorization for fiscal years (FYs) 2018–2022, known as BsUFA II. It is commonly referred to as the “goals letter” or “commitment letter.” The goals letter represents the product of FDA’s discussions with the regulated industry and public stakeholders, as mandated by Congress. The performance and procedural goals and other commitments specified in this letter apply to aspects of the biosimilar biological product review program that are important for facilitating timely access to safe and effective biosimilar medicines for patients. FDA

is committed to meeting the performance goals specified in this letter, enhancing management of BsUFA resources, and ensuring BsUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner.

Under BsUFA II, FDA is committed to ensuring effective scientific coordination and review consistency, as well as efficient governance and operations across the biosimilar biological product review program. In addition, FDA is committed to the principles articulated in the Good Review Management Principles and Practices (GRMP) guidance, which FDA intends to update and apply to the review of biosimilar and interchangeable products.

FDA and the regulated industry will periodically and regularly assess the progress of the biosimilar biological product review program throughout BsUFA II. This will allow FDA and the regulated industry to identify emerging challenges and develop strategies to address these challenges to ensure the efficiency and effectiveness of the biosimilar biological product review program.

I. ENSURING THE EFFECTIVENESS OF THE BIOSIMILAR BIOLOGICAL PRODUCT REVIEW PROGRAM

A. Review Performance Goals

1. Biosimilar Biological Product Application Submissions and Resubmissions

a. Review and act on 90 percent of original biosimilar biological product application submissions within 10 months of the 60 day filing date.

b. Review and act on 90 percent of resubmitted original biosimilar biological product applications within 6 months of receipt.

2. Supplements with Clinical Data

a. Review and act on 90 percent of original supplements with clinical data within 10 months of receipt.

b. Review and act on 90 percent of resubmitted supplements with clinical data within 6 months of receipt.

3. Original Manufacturing Supplements

a. In FY 2018, review and act on 70 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

b. In FY 2019, review and act on 75 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

c. In FY 2020, review and act on 80 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

d. In FY 2021, review and act on 85 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

e. In FY 2022, review and act on 90 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

f. Review and act on 90 percent of all other manufacturing supplements within 6 months of receipt.

4. Goals Summary Tables

TABLE 1.—ORIGINAL AND RESUBMITTED APPLICATIONS AND SUPPLEMENTS

Original Biosimilar Biological Product Application Submissions.	90% in 10 months of the 60 day filing date.
Resubmitted Original Biosimilar Biological Product Applications.	90% in 6 months of the receipt date.
Original Supplements with Clinical Data.	90% in 10 months of the receipt date.
Resubmitted Supplements with Clinical Data.	90% in 6 months of the receipt date.

TABLE 2.—MANUFACTURING SUPPLEMENTS

	Prior approval	All other
Manufacturing Supplements	• FY 2018: 70% in 4 months of the receipt date • FY 2019: 75% in 4 months of the receipt date • FY 2020: 80% in 4 months of the receipt date • FY 2021: 85% in 4 months of the receipt date • FY 2022: 90% in 4 months of the receipt date	90% in 6 months of the receipt date.

5. Review Performance Goal Extensions

a. Major Amendments

i. A major amendment to an original application, supplement with clinical data, or resubmission of any of these applications, submitted at any time during the review cycle, may extend the goal date by three months.

ii. A major amendment may include, for example, a major new clinical study report; major re-analysis of previously submitted study(ies); submission of a risk evaluation and mitigation strategy (REMS) with elements to assure safe use (ETASU) not included in the original application; or significant amendment to a previously submitted REMS with ETASU. Generally, changes to REMS that do not include ETASU and minor changes to REMS with ETASU will not be considered major amendments.

iii. A major amendment to a manufacturing supplement submitted at any time during the review cycle may extend the goal date by two months.

iv. Only one extension can be given per review cycle.

v. Consistent with the underlying principles articulated in the GRMP guidance, FDA’s decision to extend the review clock should, except in rare circumstances, be limited to occasions where review of the new information could address outstanding deficiencies in the application and lead to approval in the current review cycle.

b. Inspection of Facilities Not Adequately Identified in an Original Application or Supplement

i. All original applications and supplements are expected to include a comprehensive and readily located list of all manufacturing facilities included or referenced in the application or supplement. This list provides FDA with information needed to schedule inspections of manufacturing facilities that may be necessary before approval of the original application or supplement.

ii. If, during FDA’s review of an original application or supplement, the Agency identifies a manufacturing facility that was not included in the comprehensive and readily located list, the goal date may be extended.

1. If FDA identifies the need to inspect a manufacturing facility that is not included as part of the comprehensive and readily located list in an original application or supplement with clinical data, the goal date may be extended by three months.

2. If FDA identifies the need to inspect a manufacturing facility that is not included as part of the comprehensive and readily located list in a manufacturing supplement, the goal date may be extended by two months.

B. Program for Enhanced Review Transparency and Communication for Original 351(k) BLAs

To promote transparency and communication between the FDA review team and the

applicant, FDA will apply the following model (“the Program”) to the review of all original Biologics License Applications (BLAs) submitted under section 351(k) of the Public Health Service Act (“351(k) BLAs”), including applications that are resubmitted following a Refuse-to-File decision, received from October 1, 2017, through September 30, 2022. The goal of the Program is to promote the efficiency and effectiveness of the first cycle review process and minimize the number of review cycles necessary for approval, ensuring that patients have timely access to safe, effective, and high quality biosimilar and interchangeable biological products.

The standard approach for the review of original 351(k) BLAs is described in this section. However, the FDA review team and the applicant may discuss and reach mutual agreement on an alternative approach to the timing and nature of interactions and information exchange between the applicant and FDA, i.e., a Formal Communication Plan for the review of the original 351(k) BLA. The Formal Communication Plan may include elements of the standard approach (e.g., a mid-cycle communication or a late-cycle meeting) as well as other interactions that sometimes occur during the review process (e.g., a meeting during the filing period to discuss the application, i.e., an “application orientation meeting”). If appropriate, the Formal Communication Plan should specify those elements of the Program that FDA and

the sponsor agree are unnecessary for the application under review. If the review team and the applicant anticipate developing a Formal Communication Plan, the elements of the plan should be discussed and agreed to at the pre-submission meeting (see Section I.B.1) and reflected in the meeting minutes. The Formal Communication Plan may be reviewed and amended at any time based on the progress of the review and the mutual agreement of the review team and the applicant. For example, the review team and the applicant may mutually agree at any time to cancel future specified interactions in the Program (e.g., the late-cycle meeting) that become unnecessary (e.g. because previous communications between the review team and the applicant are sufficient). Any amendments made to the Formal Communication Plan should be consistent with the goal of an efficient and timely first cycle review process and not impede the review team's ability to conduct its review.

The remainder of this Section I.B. describes the parameters that will apply to FDA's review of applications in the Program.

1. Pre-submission meeting: The applicant is strongly encouraged to discuss the planned content of the application with the appropriate FDA review division at a BPD Type 4 (pre-351(k) BLA) meeting. This meeting will be attended by the FDA review team, including appropriate senior FDA staff.

a. The BPD Type 4 (pre-351(k) BLA) meeting should be held sufficiently in advance of the planned submission of the application to allow for meaningful response to FDA feedback and should generally occur not less than 2 months prior to the planned submission of the application.

b. In addition to FDA's preliminary responses to the applicant's questions, other potential discussion topics include preliminary discussions regarding the approach to developing the content for REMS, where applicable, patient labeling (e.g., Medication Guide and Instructions For Use) and, where applicable, the development of a Formal Communication Plan. These discussions will be summarized at the conclusion of the meeting and reflected in the FDA meeting minutes.

The FDA and the applicant will agree on the content of a complete application for the proposed indication(s) at the pre-submission meeting. The FDA and the applicant may also reach agreement on submission of a limited number of application components not later than 30 calendar days after the submission of the original application. These submissions must be of a type that would not be expected to materially impact the ability of the review team to begin its review. These agreements will be summarized at the conclusion of the meeting and reflected in the FDA meeting minutes.

i. Examples of application components that may be appropriate for delayed submission include; stability updates, the final audited report of a preclinical study (e.g., toxicology) where the final draft report is submitted with the original application, or a limited amount of the data from an assessment of a single transition from the reference product to the proposed biosimilar biological product, where applicable.

ii. Major components of the application (e.g., the complete analytical similarity assessment, the complete study report of a comparative clinical study or the full study report of necessary immunogenicity data) are expected to be submitted with the original application and are not subject to agreement for late submission.

2. Original application submission: Applications are expected to be complete, as agreed between the FDA review team and the applicant at the BPD Type 4 (pre-351(k) BLA) meeting, at the time of original submission of the application. If the applicant does not have a BPD Type 4 (pre-351(k) BLA) meeting with FDA, and no agreement exists between FDA and the applicant on the contents of a complete application or delayed submission of certain components of the application, the applicant's submission is expected to be complete at the time of original submission.

a. All applications are expected to include a comprehensive and readily located list of all clinical sites and manufacturing facilities included or referenced in the application.

b. Any components of the application that FDA agreed at the pre-submission meeting could be submitted after the original application are expected to be received not later than 30 calendar days after receipt of the original application.

c. Incomplete applications, including applications with components that are not received within 30 calendar days after receipt of the original submission, will be subject to a Refuse-to-File decision.

d. The following parameters will apply to applications that are subject to a Refuse-to-File decision and are subsequently filed over protest:

i. The original submission of the application will be subject to the review performance goal as described in Section I.A.1.a.

ii. The application will not be eligible for the other parameters of the Program (e.g., mid-cycle communication, late-cycle meeting).

iii. FDA generally will not review amendments to the application during any review cycle. FDA also generally will not issue information requests to the applicant during the agency's review.

iv. The resubmission goal described in Section I.A.1.b will not apply to any resubmission of the application following an FDA complete response action. Any such resubmission will be reviewed as available resources permit.

e. Since applications are expected to be complete at the time of submission, unsolicited amendments are expected to be rare and not to contain major new information or analyses. Review of unsolicited amendments, including those submitted in response to an FDA communication of deficiencies, will be handled in accordance with the GRMP guidance. This guidance includes the underlying principle that FDA will consider the most efficient path toward completion of a comprehensive review that addresses application deficiencies and leads toward a first cycle approval when possible.

3. Day 74 Letter: FDA will follow existing procedures regarding identification and communication of substantive review issues identified during the initial filing review to the applicant in the "Day 74 letter." If no substantive review issues were identified during the filing review, FDA will so notify the applicant. FDA's filing review represents a preliminary review of the application and is not indicative of deficiencies that may be identified later in the review cycle.

For applications subject to the Program, the timeline for this communication will be within 74 calendar days from the date of FDA receipt of the original submission. The planned timeline for review of the application included in the Day 74 letter for applications in the Program will include:

a. the planned date for the internal mid-cycle review meeting,

b. preliminary plans on whether to hold an Advisory Committee (AC) meeting to discuss the application,

c. a target date for communication of feedback from the review division to the applicant regarding proposed labeling and any postmarket requirements or postmarket commitments the Agency will be requesting.

4. Review performance goals: For original 351(k) BLA submissions that are filed by FDA under the Program, the BsUFA review clock will begin at the conclusion of the 60 calendar day filing review period that begins on the date of FDA receipt of the original submission. The review performance goals for these applications are as follows:

a. Review and act on 90 percent of original 351(k) BLA submissions within 10 months of the 60 day filing date.

5. Mid-Cycle Communication: The FDA Regulatory Project Manager (RPM), and other appropriate members of the FDA review team (e.g., Cross Discipline Team Leader (CDTL)), will call the applicant, generally within 2 weeks following the Agency's internal mid-cycle review meeting, to provide the applicant with an update on the status of the review of their application. An agenda will be sent to the applicant prior to the mid-cycle communication. Scheduling of the internal mid-cycle review meeting will be handled in accordance with the GRMP guidance. The RPM will coordinate the specific date and time of the telephone call with the applicant.

The update should include any significant issues identified by the review team to date, any information requests, and information regarding major concerns with the following:

a. The analytical similarity data, including the potential relevance of any issues (e.g. data analysis issues or potential clinical impact of observed analytical differences), intended to support a demonstration that the proposed biosimilar biological product is highly similar to the reference product.

b. The data intended to support a demonstration of no clinically meaningful differences, including discussion of any immunogenicity issues.

c. The data intended to support a demonstration of interchangeability.

d. CMC issues.

In addition, the update should include preliminary review team thinking regarding the content of the proposed REMS, where applicable, proposed date(s) for the late-cycle meeting, updates regarding plans for the AC meeting (if an AC meeting is anticipated), and other projected milestone dates for the remainder of the review cycle.

6. Late-Cycle and Advisory Committee Meetings: A meeting will be held between the FDA review team and the applicant to discuss the status of the review of the application late in the review cycle. Late-cycle meetings will generally be face-to-face meetings; however, the meeting may be held by teleconference if FDA and the applicant agree. Since the application is expected to be complete at the time of submission, FDA intends to complete primary and secondary reviews of the application in advance of the planned late-cycle meeting.

a. FDA representatives at the late-cycle meeting are expected to include the signatory authority for the application, review team members from appropriate disciplines, and appropriate team leaders and/or supervisors from disciplines for which substantive issues have been identified in the review to date.

b. For applications that will be discussed at an Advisory Committee (AC) meeting, the following parameters apply:

i. FDA intends to convene AC meetings no later than 2 months prior to the BsUFA goal date. The late-cycle meeting will occur not less than 12 calendar days before the date of the AC meeting.

ii. FDA intends to provide final questions for the AC to the sponsor and the AC not less than 2 calendar days before the AC meeting.

iii. Following an AC meeting, FDA and the applicant may agree on the need to discuss feedback from the committee for the purpose of facilitating the remainder of the review. Such a meeting will generally be held by teleconference without a commitment for formal meeting minutes issued by the agency.

c. For applications that will not be discussed at an AC meeting, the late-cycle meeting will generally occur not later than 3 months prior to the BsUFA goal date.

d. **Late-Cycle Meeting Background Packages:** The Agency background package for the late-cycle meeting will be sent to the applicant not less than 10 calendar days before the late-cycle meeting. The package will consist of any discipline review (DR) letters issues to date, a brief memorandum from the review team outlining substantive application issues (e.g., deficiencies identified by primary and secondary reviews), the Agency's background package for the AC meeting (incorporated by reference if previously sent to the applicant), potential questions and/or points for discussion for the AC meeting (if planned) and the current assessment of the content of proposed REMS or other risk management actions, where applicable.

e. **Late-Cycle Meeting Discussion Topics:** Potential topics for discussion at the late-cycle meeting include:

- i. major deficiencies identified to date;
- ii. analytical similarity data, including the potential relevance of any issues (e.g. data analysis issues or potential clinical impact of observed analytical differences), intended to support a demonstration that the proposed biosimilar biological product is highly similar to the reference product;
- iii. data intended to support a demonstration of no clinically meaningful differences, including discussion of any immunogenicity issues;
- iv. data intended to support a demonstration of interchangeability;
- v. CMC issues;
- vi. inspectional findings identified to date;
- vii. issues to be discussed at the AC meeting (if planned);
- viii. current assessment of the content of proposed REMS or other risk management actions, where applicable;
- ix. information requests from the review team to the applicant; and additional data or analyses the applicant may wish to submit.

With regard to submission of additional data or analyses, the FDA review team and the applicant will discuss whether such data will be reviewed by the Agency in the current review cycle and, if so, whether the submission will be considered a major amendment and trigger an extension of the BsUFA goal date.

7. **Inspections:** FDA's goal is to complete all GCP, GLP, and GMP inspections for applications in the Program within 10 months of the date of original receipt of the application. This will allow 2 months at the end of the review cycle to attempt to address any deficiencies identified by the inspections.

8. **Assessment of the Program:** The Program described in this Section I.B shall be evaluated to determine its impact on the efficiency and effectiveness of the first review cycle for biosimilar biological products. The

assessment shall be conducted by an independent contractor with expertise in assessing the quality and efficiency of biopharmaceutical development and regulatory review programs. The statement of work for this effort will be published for public comment prior to beginning the assessment. The assessments will occur continuously throughout the course of the Program.

Aspects and other measures of the Program that will be assessed by the independent contractor include, but are not limited to the following:

- adherence by the applicant and FDA to the current GRMP guidance or the GRMP guidance as updated in accordance with Section I.D, as applicable
- completeness and quality of the submitted application
- number of unsolicited amendments submitted by the applicant
- timing and adequacy of Day 74 letters
- conduct of the mid-cycle communication
- any DR letters issued
- late-cycle meeting background package
- conduct of the late-cycle meeting
- time to approval
- percentage of applications that are approved during the first review cycle
- percentage of application reviews that are extended due to a major amendment
- number of review cycles for applications that are ultimately approved
- time to resubmission for applications that receive a complete response in the first review cycle

This assessment will also include a de-identified analysis of the issues typically discussed during the mid-cycle communication and the late-cycle meeting and the ability of the additional FDA-applicant communications to (a) achieve resolution of these issues during the remainder of the review clock, or (b) allow the applicant to better prepare for a resubmission of the application. Following an FDA regulatory action, the independent contractor will conduct separate interviews of the applicant and the FDA review team to understand each party's perspectives on the review of the application, including whether issues were or should have been identified at the BPD meetings to facilitate application review.

An interim and final assessment of the Program will be published for public comment, with each report followed by a public meeting during which public stakeholders may present their views on the success of the Program to date, including the ability of the Program to help ensure that patients have timely access to safe, effective, and high quality biosimilar biological products. During each public meeting, FDA and the independent contractor will discuss the findings of the interim assessment, including anonymized aggregated feedback from sponsors and FDA review teams resulting from independent contractor interviews. FDA will discuss any issues identified to date including any proposed plans to improve the likelihood of the Program's success.

a. **Interim Assessment:** An interim assessment of the Program will be published by December 31, 2020, and FDA will hold a public meeting by March 31, 2021.

b. **Final Assessment:** A final assessment of the Program will be published by June 30, 2022, and FDA will hold a public meeting by September 30, 2022.

C. *First Cycle Review Management for Supplements with Clinical Data*

1. **Notification of Issues Identified during the Filing Review**

a. **Performance Goal:** For supplements with clinical data, FDA will report sub-

stantive review issues identified during the initial filing review to the applicant by letter.

b. The timeline for such communication will be within 74 calendar days from the date of FDA receipt of the supplement.

c. If no substantive review issues were identified during the filing review, FDA will so notify the applicant.

d. FDA's filing review represents a preliminary review of the application and is not indicative of deficiencies that may be identified later in the review cycle.

e. FDA will notify the applicant of substantive review issues prior to or on the goal date for 90% of applications.

2. *Notification of Planned Review Timelines*

a. **Performance Goal:** For supplements with clinical data, FDA will inform the applicant of the planned timeline for review of the application. The information conveyed will include a target date for communication of feedback from the review division to the applicant regarding proposed labeling, postmarketing requirements, and postmarketing commitments the Agency will be requesting.

b. The planned review timeline will be included with the notification of issues identified during the filing review, within 74 calendar days from the date of FDA receipt of the original supplement.

c. The planned review timelines will be consistent with the GRMP guidance.

d. The planned review timeline will be based on the supplement as submitted.

e. FDA will inform the applicant of the planned review timeline for 90% of all supplements with clinical data.

f. In the event FDA determines that significant deficiencies in the supplement preclude discussion of labeling, postmarketing requirements, or postmarketing commitments by the target date identified in the planned review timeline (e.g., significant safety concern(s), need for a new study(ies) or extensive re-analyses of existing data before approval), FDA will communicate this determination to the applicant in accordance with GRMPs and no later than the target date. In such cases the planned review timeline will be considered to have been met. Communication of FDA's determination may occur by letter, teleconference, facsimile, secure e-mail, or other expedient means.

g. To help expedite the development of biosimilar biological products, communication of the deficiencies identified in the supplement may occur through issuance of a DR letter(s) in advance of the planned target date for initiation of discussions regarding labeling, postmarketing requirements, and postmarketing commitments the Agency may request.

f. If the applicant submits a major amendment(s) (refer to Section I.A.5.a for additional information on major amendments) and the review division chooses to review such amendment(s) during that review cycle, the planned review timeline initially communicated (under Section I.C.2.a and b) will generally no longer be applicable. Review of unsolicited amendments, including those submitted in response to an FDA communication of deficiencies, will be handled in accordance with the GRMP guidance. This guidance includes the underlying principle that FDA will consider the most efficient path toward completion of a comprehensive review that addresses supplement deficiencies and leads toward a first cycle approval when possible.

D. *Guidance*

FDA and industry share a commitment to ensuring an efficient and effective first cycle

review process for all applications subject to the BsUFA program. This commitment is consistent with the principles articulated in the GRMP guidance, which FDA applies to the review of biosimilar and interchangeable products. FDA will update the GRMP guidance during BsUFA II to ensure that it encompasses all review activities for biosimilar and interchangeable products, including principles regarding notification to applicants regarding issues identified during FDA's initial review of the application, principles regarding FDA's notification to applicants regarding planned review timelines, and the importance of internal review timelines that govern aspects of biosimilar and interchangeable product review that are not part of BsUFA performance goals. FDA will publish a revised draft guidance for public comment no later than the end of FY 2018. FDA will work toward the goal of publishing a revised draft or final guidance within 18 months after the close of the public comment period.

E. Review of Proprietary Names to Reduce Medication Errors

To enhance patient safety, FDA is committed to various measures to reduce medication errors related to look-alike and sound-alike proprietary names and such factors as unclear label abbreviations, acronyms, dose designations, and error prone label and packaging design. The following performance goals apply to FDA's review of biosimilar biological product proprietary names during the biosimilar biological product development (BPD) phase and during FDA's review of a marketing application:

1. Proprietary Name Review Performance Goals During The BPD Phase

a. Review 90% of proprietary name submissions filed within 180 days of receipt. Notify sponsor of tentative acceptance or non-acceptance.

b. If the proprietary name is found to be unacceptable, the sponsor can request reconsideration by submitting a written rebuttal with supporting data or request a meeting within 60 days to discuss the initial decision (meeting package required).

c. If the proprietary name is found to be unacceptable, the above review performance goals also would apply to the written request for reconsideration with supporting data or the submission of a new proprietary name.

d. A complete submission is required to begin the review clock.

2. Proprietary Name Review Performance Goals During Application Review

a. Review 90% of biosimilar biological product proprietary name submissions filed within 90 days of receipt. Notify sponsor of tentative acceptance/non-acceptance.

b. A supplemental review will be done meeting the above review performance goals if the proprietary name has been submitted previously (during the BPD phase) and has received tentative acceptance.

c. If the proprietary name is found to be unacceptable, the sponsor can request reconsideration by submitting a written rebuttal with supporting data or request a meeting within 60 days to discuss the initial decision (meeting package required).

d. If the proprietary name is found to be unacceptable, the above review performance goals apply to the written request for reconsideration with supporting data or the submission of a new proprietary name.

e. A complete submission is required to begin the review clock.

F. Major Dispute Resolution

1. Procedure: For procedural or scientific matters involving the review of biosimilar

biological product applications and supplements (as defined in BsUFA) that cannot be resolved at the signatory authority level (including a request for reconsideration by the signatory authority after reviewing any materials that are planned to be forwarded with an appeal to the next level), the response to appeals of decisions will occur within 30 calendar days of the Center's receipt of the written appeal.

2. Performance goal: 90% of such responses are provided within 30 calendar days of the Center's receipt of the written appeal.

3. Conditions:

a. Sponsors should first try to resolve the procedural or scientific issue at the signatory authority level. If it cannot be resolved at that level, it should be appealed to the next higher organizational level (with a copy to the signatory authority) and then, if necessary, to the next higher organizational level.

b. Responses should be either verbal (followed by a written confirmation within 14 calendar days of the verbal notification) or written and should ordinarily be to either grant or deny the appeal.

c. If the decision is to deny the appeal, the response should include reasons for the denial and any actions the sponsor might take to persuade the Agency to reverse its decision.

d. In some cases, further data or further input from others might be needed to reach a decision on the appeal. In these cases, the "response" should be the plan for obtaining that information (e.g., requesting further information from the sponsor, scheduling a meeting with the sponsor, scheduling the issue for discussion at the next scheduled available advisory committee).

e. In these cases, once the required information is received by the Agency (including any advice from an advisory committee), the person to whom the appeal was made, again has 30 calendar days from the receipt of the required information in which to either deny or grant the appeal.

f. Again, if the decision is to deny the appeal, the response should include the reasons for the denial and any actions the sponsor might take to persuade the Agency to reverse its decision.

g. Note: If the Agency decides to present the issue to an advisory committee and there are not 30 days before the next scheduled advisory committee, the issue will be presented at the following scheduled committee meeting to allow conformance with advisory committee administrative procedures.

G. Clinical Holds

1. Procedure: The Center should respond to a sponsor's complete response to a clinical hold within 30 days of the Agency's receipt of the submission of such sponsor response.

2. Performance goal: 90% of such responses are provided within 30 calendar days of the Agency's receipt of the sponsor's response.

H. Special Protocol Question Assessment and Agreement

1. Procedure: Upon specific request by a sponsor (including specific questions that the sponsor desires to be answered), the Agency will evaluate certain protocols and related issues to assess whether the design is adequate to meet scientific and regulatory requirements identified by the sponsor.

a. The sponsor should submit a limited number of specific questions about the protocol design and scientific and regulatory requirements for which the sponsor seeks agreement (e.g., are the clinical endpoints adequate to assess whether there are clini-

cally meaningful differences between the proposed biosimilar biological product and the reference product).

b. Within 45 days of Agency receipt of the protocol and specific questions, the Agency will provide a written response to the sponsor that includes a succinct assessment of the protocol and answers to the questions posed by the sponsor. If the Agency does not agree that the protocol design, execution plans, and data analyses are adequate to achieve the goals of the sponsor, the reasons for the disagreement will be explained in the response.

c. Protocols that qualify for this program include any necessary clinical study or studies to prove biosimilarity and/or interchangeability (e.g., protocols for pharmacokinetics and pharmacodynamics studies, protocols for comparative clinical studies that will form the primary basis for demonstrating that there are no clinically meaningful differences between the proposed biosimilar biological product and the reference product, and protocols for clinical studies intended to support a demonstration of interchangeability). For such protocols to qualify for this comprehensive protocol assessment, the sponsor must have had a BPD Type 2 or 3 Meeting, as defined in section I.I, below, with the review division so that the division is aware of the developmental context in which the protocol is being reviewed and the questions being answered.

d. If a protocol is reviewed under the process outlined above, and agreement with the Agency is reached on design, execution, and analyses, and if the results of the trial conducted under the protocol substantiate the hypothesis of the protocol, the Agency agrees that the data from the protocol can be used as part of the primary basis for approval of the product. The fundamental agreement here is that having agreed to the design, execution, and analyses proposed in protocols reviewed under this process, the Agency will not later alter its perspective on the issues of design, execution, or analyses unless public health concerns unrecognized at the time of protocol assessment under this process are evident.

2. Performance goal: 90% of special protocols assessments and agreement requests completed and returned to sponsor within 45 days.

3. Reporting: The Agency will track and report the number of original special protocol assessments and resubmissions per original special protocol assessment.

I. Meeting Management Goals

Formal BsUFA meetings between sponsors and FDA consist of Biosimilar Initial Advisory and BPD Type 1-4 meetings. These meetings are further described below.

A Biosimilar Initial Advisory Meeting is an initial assessment limited to a general discussion regarding whether licensure under section 351(k) of the Public Health Service Act may be feasible for a particular product, and, if so, general advice on the expected content of the development program. Such term does not include any meeting that involves substantive review of summary data or full study reports.

A BPD Type 1 Meeting is a meeting which is necessary for an otherwise stalled drug development program to proceed (e.g. meeting to discuss clinical holds, dispute resolution meeting), a special protocol assessment meeting, or a meeting to address an important safety issue.

A BPD Type 2 Meeting is a meeting to discuss a specific issue (e.g., proposed study design or endpoints) or questions where FDA

will provide targeted advice regarding an ongoing biosimilar biological product development program. Such term may include substantive review of summary data, but does not include review of full study reports.

A BPD Type 3 Meeting is an in depth data review and advice meeting regarding an ongoing biosimilar biological product development program. Such term includes substantive review of full study reports, FDA advice regarding the similarity between the proposed biosimilar biological product and the reference product, and FDA advice regarding additional studies, including design and analysis.

A BPD Type 4 Meeting is a pre-submission meeting to discuss the format and content of a complete application for an original biosimilar biological product application under the Program or supplement submitted under 351(k) of the PHS Act. The purpose of this meeting is to discuss the format and content of the planned submission and other items, including identification of those studies that the sponsor is relying on to support a demonstration of biosimilarity or interchangeability, discussion of any potential review issues identified based on the information provided, identification of the status of ongoing or needed studies to adequately to address the Pediatric Research Equity Act (PREA), acquainting FDA reviewers with the general information to be submitted in the marketing application (including technical information), and discussion of the best approach to the presentation and formatting of data in the marketing application.

1. Response to Meeting Requests

a. Procedure: FDA will notify the requester in writing of the date, time, and place for the meeting, as well as expected Center participants following receipt of a formal meeting request and background package. Table 1 below indicates the timeframes for FDA's response to a meeting request.

TABLE 1

Meeting type	Response time (calendar days)
Biosimilar Initial Advisory	21
BPD Type 1	14
BPD Type 2-4	21

For Biosimilar Initial Advisory and BPD Type 2 meetings, the sponsor may request a written response to its questions, rather than a face-to-face meeting, videoconference or teleconference. If a written response is deemed appropriate, FDA will notify the requester of the date it intends to send the written response. This date will be consistent with the timeframes specified in Table 2 below for the specific meeting type.

b. Performance Goal: FDA will respond to meeting requests and provide notification within the response times noted in Table 1 for 90 percent of each meeting type.

2. Scheduling Meetings

a. Procedure: FDA will schedule the meeting on the next available date at which all applicable Center personnel are available to attend, consistent with the component's other business; however, the meeting should be scheduled consistent with the type of meeting requested. Table 2 below indicates the timeframes for FDA to schedule the meeting following receipt of a formal meeting request and background package, or in the case of a written response for Biosimilar Initial Advisory and BPD Type 2 meetings, the timeframes for the Agency to send the written response. If the requested date for any meeting type is greater than the speci-

fied timeframe, the meeting date should be within 14 calendar days of the requested date.

TABLE 2

Meeting type	Meeting scheduling or written response time
Biosimilar Initial Advisory	75 calendar days from receipt of meeting request and background package.
BPD 2	90 calendar days from receipt of meeting request and background package.
Meeting Scheduling Time	
BPD 1	30 calendar days from receipt of meeting request and background package.
BPD 3	120 calendar days from receipt of meeting request and background package.
BPD 4	60 calendar days from receipt of meeting request and background package.

b. Performance goal:

TABLE 3

Meeting type	Goal
BPD Type 2	FY 2018–2019: 80% of meetings are held or written responses are sent within the timeframe. FY 2020–2022: 90% of meetings are held or written responses are sent within the timeframe.
Biosimilar Initial Advisory	90% of meetings are held or written responses are sent within the timeframe.
BPD Type 1, 3, and 4.	90% of meetings are held within the timeframe for each meeting type.

3. Preliminary Responses

a. Procedure: The Agency will send preliminary responses to the sponsor's questions contained in the background package no later than five calendar days before the face-to-face, videoconference or teleconference meeting date for BPD Type 2 and Type 3 meetings.

b. Performance goal:

TABLE 4

Meeting type	
BPD Type 2	- FY 2018: 70% of preliminary responses to questions are issued by FDA no later than five calendar days before the meeting date. - FY 2019, 75% of preliminary responses to questions are issued by FDA no later than five calendar days before the meeting date. - FY 2020, 80% of preliminary responses to questions are issued by FDA no later than five calendar days before the meeting date. - FY 2021, 85% of preliminary responses to questions are issued by FDA no later than five calendar days before the meeting date. - FY 2022, 90% of preliminary responses to questions are issued by FDA no later than five calendar days before the meeting date.
BPD Type 3	90% of preliminary responses to questions are issued by FDA no later than five calendar days before the meeting date.

4. Meeting Minutes

a. Procedure: The Agency will prepare minutes which will be available to the sponsor 30 calendar days after the meeting. The minutes will clearly outline the important agreements, disagreements, issues for further discussion, and action items from the meeting in bulleted form and need not be in great detail. Meeting minutes are not necessary if the Agency transmits a written response for Biosimilar Initial Advisory and BPD Type 2 meetings.

b. Performance Goal: 90% of minutes are issued within 30 calendar days of the date of the meeting.

5. Conditions: For a meeting to qualify for these performance goals:

a. A written request and supporting documentation (i.e., the background package) must be submitted to the appropriate review division or office.

b. The request must provide:

i. A brief statement of the purpose of the meeting, the sponsor's proposal for the type of meeting, and the sponsor's proposal for a

face-to-face meeting, teleconference, or for a written response (Biosimilar Initial Advisory and BPD Type 2 meetings only);

ii. A listing of the specific objectives/outcomes the requester expects from the meeting;

iii. A proposed agenda, including estimated times needed for each agenda item;

iv. A list of questions, grouped by discipline. For each question there should be a brief explanation of the context and purpose of the question.

v. A listing of planned external attendees; and

vi. A listing of requested participants/disciplines representative(s) from the Center with an explanation for the request as appropriate.

vii. Suggested dates and times (e.g., morning or afternoon) for the meeting that are within or beyond the appropriate time frame of the meeting type being requested.

c. The Agency concurs that the meeting will serve a useful purpose (i.e., it is not premature or clearly unnecessary). However, requests for BPD Type 2, 3, and 4 Meetings will be honored except in the most unusual circumstances.

The Center may determine that a different type of meeting (i.e., Biosimilar Initial Advisory, or BPD Type 1–4) is more appropriate and it may grant a meeting of a different type than requested, which may require the payment of a biosimilar biological product development fee as described in section 744H of the Federal Food, Drug, and Cosmetic Act before the meeting will be provided. If a biosimilar biological product development fee is required under section 744H, and the sponsor does not pay the fee within the time frame required under section 744H, the meeting will be cancelled. If the sponsor pays the biosimilar biological product development fee after the meeting has been cancelled due to non-payment, the time frame described in section I.I.1.a will be calculated from the date on which FDA received the payment, not the date on which the sponsor originally submitted the meeting request.

Sponsors are encouraged to consult available FDA guidance to obtain further information on recommended meeting procedures.

6. Guidance

a. FDA will publish revised draft guidance on Formal Meetings Between the FDA and Biosimilar Biological Product Sponsors or Applicants no later than September 30, 2018.

b. FDA will update the current draft or final guidance on Best Practices for Communication Between IND Sponsors and FDA During Drug Development, as appropriate, to apply to communications between IND sponsors and FDA during biosimilar biological product development. FDA will publish a revised draft or final guidance by December 31, 2018.

II. ADVANCING DEVELOPMENT OF BIOSIMILAR BIOLOGICAL PRODUCTS THROUGH FURTHER CLARIFICATION OF THE 351(K) REGULATORY PATHWAY

A. On or before December 31, 2017, FDA will publish draft guidance describing considerations in demonstrating interchangeability with a reference product. FDA will work toward the goal of publishing a revised draft or final guidance within 24 months after the close of the public comment period.

B. On or before December 31, 2017, FDA will publish draft guidance describing statistical considerations for the analysis of analytic similarity data intended to support a demonstration of “highly similar” for biosimilar biological products. FDA will work toward

the goal of publishing a revised draft or final guidance within 18 months after the close of the public comment period.

C. On or before March 31, 2019, FDA will publish draft guidance describing processes and further considerations related to post-approval manufacturing changes for biosimilar biological products. FDA will work toward the goal of publishing a revised draft or final guidance within 18 months after the close of the public comment period.

D. FDA will work towards the goal of publishing revised draft guidance or final guidance documents on or before May 31, 2019 for draft guidances published between January 1, 2014 and September 30, 2017, other than those described in (II.A–C). These draft guidances will include:

1. Clinical Pharmacology Data to Support a Demonstration of Biosimilarity to a Reference Product (draft guidance published in May 2014)

2. Nonproprietary Naming of Biological Products (draft guidance published in August 2015)

3. Labeling for Biosimilar Biological Products (draft guidance published in March 2016)

III. ENHANCING CAPACITY FOR BIOSIMILAR REGULATIONS AND GUIDANCE DEVELOPMENT, REVIEWER TRAINING, AND TIMELY COMMUNICATION

A. FDA will strengthen the staff capacity to develop new regulations and guidance to clarify scientific criteria for biosimilar development and approval to provide certainty to industry and other stakeholders related to key regulatory issues including the scope of eligible biosimilar biological products.

B. FDA will strengthen staff capacity to develop or revise MaPPs, SOPPs, and review templates to facilitate rapid update and application of new policies and guidance by review staff, and to develop and deliver timely comprehensive training to all CDER and CBER review staff and special government employees involved in the review of 351(k) BLAs.

C. FDA will strengthen staff capacity to deliver timely information to the public to improve public understanding of biosimilarity and interchangeability.

D. FDA will strengthen staff capacity to deliver information concerning the date of first licensure and the reference product exclusivity expiry date, to be included in the Purple Book.

FDA will update the Purple Book to include the following information: the BLA number, product name, proprietary name, date of licensure, interchangeable or biosimilar determination, and whether the BLA has been withdrawn. FDA will update this information in the Purple Book within 30 days after approval or withdrawal. In addition, within 30 days after FDA determines the date of first licensure, the date of first licensure and the reference product exclusivity expiry date will be included in the Purple Book.

IV. ENHANCING MANAGEMENT OF USER FEE RESOURCES

FDA will establish an independent user fee structure and fee amounts to ensure stable and predictable user fee funding, improve the predictability of FDA funding and sponsor invoices, improve efficiency by simplifying the administration of user fees, and enhance flexibility of financial mechanisms to improve management of BsUFA program funding. FDA is committed to enhancing management of BsUFA resources and ensuring BsUFA user fee resources are administered, allocated, and reported in an efficient and

transparent manner. FDA will conduct a series of resource capacity planning and financial transparency activities to enhance management of BsUFA resources in BsUFA II.

A. Resource Capacity Planning and Modernized Time Reporting

FDA is committed to enhancing management of BsUFA resources in BsUFA II. FDA will conduct activities to develop a resource capacity planning function and modernized time reporting approach in BsUFA II.

1. FDA will publish a resource capacity planning and modernized time reporting implementation plan that includes BsUFA no later than the 2nd quarter of FY 2018. FDA will continue to utilize information and recommendations from a third party assessment of resource capacity planning, financial analytics, and modernized time reporting for BsUFA as part of the implementation plan.

2. FDA will staff a resource capacity planning team that will implement and manage a capacity planning system across the BsUFA program in BsUFA II.

3. FDA will obtain through a contract with an independent accounting or consulting firm an evaluation of options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the biosimilar biological product review program. The BsUFA evaluation will be conducted under the same contract and by the same independent accounting or consulting firm that will evaluate options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the human drug review program in PDUFA VI. The report will be published no later than end of FY 2020 for public comment. Upon review of the report and comments, FDA will implement robust methodologies for assessing resource needs of the program. This will include the adoption of a new resource capacity adjustment methodology that accounts for sustained increases in BsUFA workload.

4. FDA recognizes that revenue generated by the capacity adjustment will be allocated to and used by organizational review components engaged in direct review work to enhance resources and expand staff capacity and capability. FDA will document in the annual financial report how the capacity adjustment fee revenues are being utilized.

B. Financial Transparency and Efficiency

FDA is committed to ensuring BsUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner. FDA will conduct activities to evaluate the financial administration of the BsUFA program to help identify areas to enhance efficiency. FDA will also conduct activities to enhance transparency of BsUFA program resources.

1. FDA will contract with an independent third party to conduct an evaluation of BsUFA program resource management during FY 2018 to ensure that BsUFA user fee resources are administered, allocated, and reported in an efficient and transparent manner in BsUFA II. The BsUFA evaluation will be conducted under the same contract and by the same independent third party that will conduct an evaluation of the PDUFA program resource management. The study will include, but is not limited to, the following areas:

- a. Evaluate all components of the BsUFA program resource planning, request, and allocation process from when FDA receives the user fee funds through when funds are spent. The contractor will recommend options to

improve the process and data needed to enhance resource management decisions.

- b. Assess how FDA administers BsUFA user fees organizationally, including, but not limited to, billing, user fee collection, and execution. The contractor will recommend options to enhance the efficiency of user fee administration.

- c. Evaluate FDA's existing BsUFA program financial and administrative oversight and governance functions. Assess alternative governance models including roles and responsibilities, organizational location, and personnel skill sets required. The contractor will recommend options on the most effective governance model to support the biosimilar biological product review program.

- d. Assess FDA's technical capabilities to conduct effective financial management and planning in the context of generally accepted government resource management and planning practices. The contractor will recommend options for the technical capabilities needed by financial personnel involved in BsUFA resource management to enhance financial management and planning.

2. FDA will publish a BsUFA five-year financial plan no later than the 2nd quarter of FY 2018. FDA will publish updates to the five-year plan no later than the 2nd quarter of each subsequent fiscal year.

3. FDA will convene a public meeting no later than the third quarter of each fiscal year starting in FY 2019 to discuss the BsUFA five-year financial plan, report on the contribution of the BsUFA spending trigger to the BsUFA program, along with the Agency's progress in implementing modernized time reporting, resource capacity planning, and the modernized user fee structure.

C. Management of Carryover Balance

FDA is committed to reducing the carryover balance to no greater than 21 weeks of the FY 2022 target revenue by the end of FY 2022. However, if FDA is unable to reduce the carryover balance to no greater than 21 weeks during the final year (e.g., over collections in FY 2022 that increase the carryover balance beyond 21 weeks), FDA will (1) outline its plan to reduce the carryover balance to no greater than 21 weeks in the FY 2022 BsUFA financial report and (2) update the BsUFA five-year financial plan.

V. IMPROVING FDA HIRING AND RETENTION OF REVIEW STAFF

To speed and improve development of safe and effective biosimilar biological products for patients, enhancements to the biosimilar biological review program require that FDA hire and retain sufficient numbers and types of technical and scientific experts to efficiently conduct reviews of 351(k) applications. In order to strengthen this core function and increase public access to biosimilar biological products, the FDA will commit to do the following:

A. Completion of Modernization of the Hiring System Infrastructure and Augmentation of System Capacity

1. Complete implementation of FTE-based position management system capability.

- a. FDA will complete development of position management baseline accounting of all current positions and FTE counts engaged in the biosimilar biological product review program for each applicable Center and Office including filled and vacant positions, a governance structure for on-going position management that will be accountable to FDA senior management, and position management policy and guidelines ratified by FDA senior management, outlining processes for adding new positions, deleting positions, and changing established positions.

b. FDA will complete implementation of the new position-based management system.

2. Complete implementation of an online position classification system

a. FDA will finalize the establishment of an online Position Description (PD) library. The library will include all current well-classified PDs and current standardized PDs. Once operational, any new PDs classified using the on-line classification tools, and any newly created standardized PDs, will be stored and accessible within FDA's PD library and available for FDA-wide use as appropriate.

3. Complete implementation of corporate recruiting

a. For key scientific and technical disciplines commonly needed across offices engaged in the biosimilar biological product review program, FDA will complete the transition from the use of individual vacancy announcements for individual offices to expanded use of a common vacancy announcement and certificate of eligible job applicants that can be used by multiple offices. As a part of this effort, FDA will complete the transition from use of individual announcements that are posted for a limited period to common vacancy announcements with open continuous posting to maximize the opportunity for qualified applicants to apply for these positions.

B. Augmentation of Hiring Staff Capacity and Capability

In recognition of the chronic and continuing difficulties of recruiting and retaining sufficient numbers of qualified Human Resources (HR) staff, FDA will engage a qualified contractor to provide continuous support throughout BsUFA II to augment the existing FDA HR staff capacity and capabilities. The utilization of a qualified contractor will assist FDA in successfully accomplishing BsUFA II goals for recruitment and retention of biosimilar biological product review program staff.

C. Complete Establishment of a Dedicated Function to Ensure Needed Scientific Staffing for Human Drug Review Including for Review of Biosimilar Biological Products

1. Rapid advances in the science and technology of biosimilar biological product development and manufacturing require FDA's biosimilar biological product review program staff to keep pace with science and learn innovative methods and techniques for review of new therapies. FDA will complete the establishment of a new dedicated unit within the Office of Medical Products and Tobacco charged with the continuous recruiting, staffing, and retention of scientific, technical, and professional staff for the PDUFA and BsUFA review programs.

a. The unit will continuously develop and implement scientific staff hiring strategies and plans, working closely with the center review offices and the FDA HR office, to meet discipline-specific hiring commitments and other targeted staffing needs. It will function as a scientific-focused recruiter conducting ongoing proactive outreach to source qualified candidates, and conducting competitive recruiting to fill vacancies that require top scientific, technical, and professional talent.

b. The unit will conduct analyses, no less than annually, of compensation and other factors affecting retention of key staff in targeted disciplines and provide leadership and support for agency compensation oversight boards that currently exist or may be established as needed to ensure retention of key scientific, technical, and professional staff.

D. Set Clear Goals for Biosimilar Biological Product Review Program Hiring

1. FDA will establish priorities for management of the metric goals for targeted hires within the biosimilar biological product review program staff for BsUFA II. In particular, FDA will target hiring 15 FTE in FY 2018, to enhance capacity for biosimilar guidance development, reviewer training, and timely communication.

2. FDA will confirm progress in the hiring of BsUFA I FTEs. FDA will report on progress against the hiring goal for BsUFA II on a quarterly basis posting updates to the FDA website BsUFA Performance webpage.

E. Comprehensive and Continuous Assessment of Hiring and Retention

FDA hiring and retention of staff for the biosimilar biological product review program will be evaluated by a qualified, independent contractor with expertise in assessing HR operations and transformation. The BsUFA II assessment will be conducted under the same contract and by the same independent contractor that will conduct the assessment related to hiring and retention of staff for the human drug review program in PDUFA VI. It will include continuous assessments throughout the course of implementation of the performance initiatives identified in Sections V.A–D, and metrics including, but not limited to, those related to recruiting and retention in the PDUFA and BsUFA review programs including, but not limited to, specifically targeted scientific disciplines and levels of experience. The contractor will conduct a comprehensive review of current hiring processes and hiring staff capacity and capabilities that contribute to achievement of successes, potential problems, or delays in PDUFA or BsUFA review program staff hiring. This includes the entire hiring function and related capabilities. FDA and regulated industry leadership will periodically and regularly assess the progress of hiring and retention throughout BsUFA II.

1. Initial Assessment: The assessment will include an initial baseline assessment to be conducted and completed no later than December 31, 2017. The initial baseline study will include an evaluation of the current state and provide recommended options to address any identified gaps or areas identified as priorities for improvement, and a study report to be published no later than December 31, 2017. FDA will hold a public meeting no later than December 31, 2017, to present and discuss report findings, and present its specific plans, including agency senior management oversight, and timeline for implementing recommended enhancements to be fully operational by no later than December 31, 2018.

2. Interim Assessment: An interim assessment will be published by March 31, 2020, for public comment. By June 30, 2020, FDA will hold a public meeting during which the public may present their views. FDA will discuss the findings of the interim assessment, including progress relative to program milestones and metrics, and other aggregated feedback from internal customers and participants in HR services that may be included in the continuous assessment. FDA will also address any issues identified to date including actions proposed to improve the likelihood of success of the program.

3. Final Assessment: A final assessment will be published by December 31, 2021, for public comment. FDA will hold a public meeting by no later than March 30, 2022, during which the public may present their views. FDA will discuss the findings of the final assessment, including progress relative

to program milestones and metrics, and other aggregated feedback from internal customers and participants in HR services that may be included in the continuous assessment. FDA will also address any issues identified and plans for addressing these issues.

V. DEFINITIONS AND EXPLANATION OF TERMS

A. The term "review and act on" means the issuance of a complete action letter after the complete review of a filed complete application. The action letter, if it is not an approval, will set forth in detail the specific deficiencies and, where appropriate, the actions necessary to place the application in condition for approval.

B. A resubmitted original application is a complete response to an action letter addressing all identified deficiencies.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-38, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$108.7 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,
Acting Director.

Enclosures.

TRANSMITTAL NO. 17-38

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment * \$0.0 million
Other \$108.7 million
Total \$108.7 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None
Non-MDE includes:

One thousand nine hundred fifty-two (1,952) ALE-70(V)/T-1687A Electronic Towed Decoy

Countermeasures, publications and technical documentation, other technical assistance, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Navy (XX-P-AMN A1)

(v) Prior Related Cases, if any: None

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex

(viii) Date Report Delivered to Congress: August 02, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—ALE-70 Radio Frequency Countermeasures (RFCM)

The Government of Australia has requested the possible sale of one thousand nine hundred fifty-two (1,952) ALE-70(V)/T-1687A Electronic Towed Decoy Countermeasures, publications and technical documentation, other technical assistance, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The total estimated program cost is \$108.7 million.

This sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major non-NATO ally and continues to be an important force for political stability, security, and economic development in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Australia's F-35 survivability and will enhance its capability to deter global threats, strengthen its homeland defense, and cooperate in coalition defense initiatives. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be British Aerospace Enterprise (BAE), Nashua, NH. There are no offsets proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-38

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The ALE-70 is a towed radio frequency countermeasure designed for deployment from the F-35 aircraft and is comprised of electronic and mechanical sub-assemblies to accomplish the intended purpose. The ALE-70 consists of three major components: the reel/launcher assembly, the tow line, and the T-1687 countermeasure transmitter. Upon deployment from the aircraft, the countermeasure transmitter is reeled out to a prescribed distance, held in tow behind the jet by the tow line and emits waveforms in response to commands from the countermeasure controller located in the jet. The

waveforms are utilized to confuse or decoy adversary radars or radar guided weapons. Designed and produced by BAE Systems of Nashua, New Hampshire, the ALE-70 employs amplifiers based on Gallium Nitride (GaN) technology to meet stringent output requirements.

2. The ALE-70 generates, amplifies, and transmits signals in response to commands from the countermeasures controller which remains aboard the jet. Neither the countermeasure transmitter nor the reel/launcher assembly contains stored information or software representing critical program information. As the ALE-70 contains no software or stored waveforms/techniques, Anti-Tampering security measures are not required. ALE-70 hardware is classified SECRET to protect specific data elements associated with the performance of the countermeasure.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent system which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Australia.

DEFENSE SECURITY

COOPERATION AGENCY,

Arlington, VA.

Hon. BOB CORKER,

Chairman, Committee on Foreign Relations U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-55, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Federal Republic of Nigeria for defense articles and services estimated to cost \$593 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,

Acting Director.

Enclosures.

TRANSMITTAL NO. 16-55

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Federal Republic of Nigeria

(ii) Total Estimated Value:

Major Defense Equipment* \$29 million

Other \$564 million

Total \$593 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

One hundred (100) GBU-12 (500lb) Paveway II (PW-II) Tailkits

One hundred (100) GBU-58 (250lb) PW-II Tailkits

Four hundred (400) Laser Guided Rockets including Advanced Precision Kill Weapon System (APKWS)

Two thousand (2,000) MK-81 (250lb) bombs

Five thousand (5,000) 2.75 inch Hydra 70 Unguided Rockets (70mm rockets)

One thousand (1,000) 2.75 inch Hydra 70 Unguided Rockets (practice)

Twenty thousand (20,000) Rounds, .50 Caliber Machine Gun Ammo

Non-Major Defense Equipment (MDE): This request also includes the following Non-MDE: Twelve (12) A-29 Super Tucano aircraft, seven (7) AN/AAQ-22F Electro-Optical/Infrared (EO/IR) Sensor and Laser Designators, Initial Spares, Readiness Spares Package, Consumables, Support Equipment, Technical Data, Repair and Return Support, Facilities infrastructure and hangar construction, Night Vision Devices (NVDs), Contract Logistics Services (CLS), Contractor Provided Familiarization and Training, USG Manpower and Services, Field Service Representatives, Training Services (pilot training, USAF training, early A-29 training, flight leader upgrade training, travel and living allowance, maintenance training, specialized training, computer-based training, night vision device training, human rights and international humanitarian law, and munitions training), Training Simulators, Air Worthiness Support, Forward Operating Base Facilities, Forward Operating Location Support, Ferrying, and Non-recurring Engineering. Additionally, all aircraft will include weapons software to support forward looking infrared sensors (FLIRs), ancillary system.

(iv) Military Department: Air Force (X8-D-SAB)

(v) Prior Related Cases, if any: None

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: Aug 02 2017

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Nigeria—A-29 Super Tucano Aircraft, Weapons and Associated Support

The Government of Nigeria requests twelve (12) A-29 Super Tucano aircraft and weapons, including all associated training, spare parts, aviation and ground support equipment, and hangar, facilities, and infrastructure required to support the program. The estimated total case value is \$593 million.

These aircraft will support Nigerian military operations against terrorist organization Boko Haram and to counter illicit trafficking in Nigeria and the Gulf of Guinea. The Super Tucano is a sustainable platform for counterterrorism, counter insurgency, border surveillance, and illicit trade interdiction operations. The proposed sale will support U.S. foreign policy objectives by helping Nigeria to meet shared counterterrorism objectives for the region. This proposed sale will strengthen the U.S. security relationship with Africa's largest democracy. Nigeria will have no difficulty absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractor is the Sierra Nevada Corporation, headquartered in Centennial, Colorado. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of U.S. Government or contractor representatives to Nigeria for mobile training teams and contract logistic support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-55

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This sale involves the release of sensitive weapons software technology information to Nigeria. Software associated with the following weapons will be included in the aircraft operational flight program to support a future weapons capability.

2. Sensitive and/or classified (up to SECRET) elements of the proposed A-29 sale to Nigeria includes the hardware and associated software with: Advanced Precision Kill Weapon System (APKWS) laser guided rockets, Guided Bomb Unit (GBU)-12/58 Paveway II laser guided tail kits, and Mark (MK)-81/82 general purpose bombs.

3. The Hydra 70 Rocket System is a modernized version of the 2.75 inch (70 mm) unguided rocket body with the MK66 Rocket Motor.

4. The APKWS is a low cost semi-active laser guidance kit developed by BAE Systems which is added to current unguided 70 mm rocket motors and warheads similar to and including the Hydra 70 rocket. It is a low collateral damage weapon that can effectively strike both soft and lightly armored targets. APKWS turns a standard unguided 2.75 inch (70 mm) rocket into a precision laser-guided rocket, classification up to SECRET.

5. GBU-12/58 Paveway II (PW-II) Tailkits: 500-lb (GBU-12) and 250-lb (GBU-58) are laser-guided ballistic bombs (LGBs) developed by Raytheon and Lockheed Martin. The LGB is a maneuverable, free-fall weapon that guides to a spot of laser energy reflected off of the target. The LGB is delivered like a normal general purpose (GP) warhead and the semi-active guidance corrects for many of the normal errors inherent in any delivery system. Laser designation for the weapon can be provided by a variety of laser target markers or designators. The tailkit consists of a laser guidance kit, a computer control group (CCG) and a warhead specific Air Foil Group (AFG), that attach to the nose and tail of MK 81 and MK 82 General Purpose (GP) bomb bodies to create an LGB. This sale includes the tailkits to transform Nigeria's existing 500-lb and 250-lb GP bomb bodies into GBU-12s and GBU-58s respectively. Nigeria is also buying additional GBU-58s, 250-lb (MK-81) guided bombs. The overall weapon is CONFIDENTIAL.

6. AN/AAQ-22F Brite Star Electro-Optical/Infrared (EO/IR) Multi-Sensor Targeting System developed by FLIR. The system is a five field-of-view (FOV) large format thermal imager, three FOV color daylight camera with laser designator for terminal guidance of LGBs and IR-guided rockets. The system is classified as UNCLASSIFIED.

7. This sale is necessary in furtherance of U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

8. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Nigeria.

CONFIRMATION OF CHRISTOPHER WRAY

Mr. VAN HOLLEN. Mr. President, I wish to voice my support for Chris-

topher Wray's confirmation to be the next Director of the FBI. After meeting with Mr. Wray and reviewing his record, I believe he possesses the independence and integrity necessary to lead the Bureau through this tumultuous period.

This vacancy arose because President Trump abruptly fired then-Director James Comey. The circumstances surrounding Mr. Comey's firing are alarming and suspicious. Mr. Comey testified under oath that the President not only demanded his personal loyalty on numerous occasions but also intimidated that Mr. Comey should stop investigating then-National Security Advisor Michael Flynn and Russian interference in the 2016 elections.

Mr. Wray will face numerous challenges as the new Director of the FBI. He will have to deal with a President who has shown a complete disregard for traditional protocols designed to ensure the agency's independence. During our meeting, Mr. Wray assured me that he would remain independent from the President and would reject any attempts by President Trump to inappropriately intervene in the work of the FBI.

During our meeting, I also impressed upon Mr. Wray the importance of consolidating the FBI's staff in one building. The FBI has long outgrown its current space and the building is deteriorating, which compromises the agency's mission. I look forward to working with him to give FBI personnel the facilities they deserve.

As Mr. Wray takes his position, he will need to work immediately to affirm the FBI's independence and restore the confidence of an agency shaken by the President's inappropriate conduct with respect to Mr. Comey and other matters. This Congress must conduct vigorous oversight to ensure that Mr. Wray maintains the high standard of integrity that he has promised and to respond to any attempts by the President or his political advisors to exert undue influence at the FBI. I pledge to do everything I can to support his important mission and the vital work of the FBI.

U.S.-CUBA TRADE ACT OF 2017

Mr. WYDEN. Mr. President, today I wish to propose a new day in U.S. relations with the country of Cuba. With his recent imposition of new restrictions, the President presented one vision of that relationship—one that looks backwards and reverts to a failed policy of isolation that has done nothing to improve the lives of the Cuban people and has harmed the American economy. I would like to present an alternative vision—one that looks to the future and at fostering the exchange of ideas and commerce between the two countries.

It is often noted that Cuba is less than 100 miles away, but decades be-

hind the United States, in no small part because of the U.S. embargo. Decades of the same, tired, failing economic policies left the Cuban Government in place and only hurt the Cuban people and American farmers and manufacturers.

As Cuban-American relations thawed under Presidents Bush and Obama, the Cuban Government decided to try something different. Private entrepreneurs are operating an increasing number of restaurants, taxis, and other tourist-related businesses. Cubans are opening up their homes for visitors to stay in and selling products directly to visiting Americans. In addition, the government's grip on information and communication is necessarily weakening as technology and the Internet inevitably permeate the country.

The U.S. has come a long way since the 1990s and hardly resembles the world of the 1960s. Our policies toward Cuba should reflect that change. The U.S.-Cuba Trade Act of 2017 would completely remove the architecture of sanctions against Cuba and establish normal trade relations with that country.

I want to be clear that this is not a free pass for the Cuban Government. I continue to have grave concerns about its suppression of pro-democracy movements, but I reject the view that continuing to try and ostracize Cuba will bring positive change. The past five decades provide empirical evidence that it will not. I also reject the cynical argument that the U.S. must choose between engagement with Cuba and support for basic human rights and dignity. Indeed, if the past half century has shown us anything, it is that smart, principled engagement is the way to bring about greater economic and political freedom for the Cuban people.

Just as important as what the embargo means for the Cuban people is what it means for U.S. farmers and businesses. Even with the changes made by the Obama administration, it remains almost impossible to do business in Cuba. Cuba is a natural customer of the United States, but restrictions on credit and travel, among others, have severely hampered the ability of U.S. exporters to do business in the Cuban market. The question is: What are we getting by surrendering a market that should be ours to the EU, China, Brazil, and others? I am afraid that the answer is nothing.

That is why I introduced the U.S.-Cuba Trade Act of 2017, to finally put an end to the ineffective embargo against Cuba.

HONORING CORPSMAN FIRST CLASS RYAN LOHREY

Mr. DONNELLY. Mr. President, today I wish to recognize and honor the extraordinary service and sacrifice of

U.S. Navy Hospital Corpsman First Class Ryan Lohrey of Middletown, IN. Dedication to his country, loyalty to his fellow servicemembers, and a deep love for his family were the qualities that defined Ryan's life.

A native of Middletown, IN, Ryan graduated from Shenandoah High School in 2005. Two years after graduation, he joined the U.S. Navy, where he served our country as a special amphibious reconnaissance corpsman, providing medical care to his fellow servicemembers.

On Monday, July 10, 2017, Ryan and 15 other servicemembers died tragically when the KC-130 aircraft they were on crashed in Mississippi. The plane was carrying servicemembers from Marine Aerial Refueler Transport Squadron 452 and the 2d Marine Raider Battalion, a special operations unit. Hundreds gathered on July 27 as a military procession honored Ryan from Indianapolis International Airport to New Castle, IN. He received military honors during his funeral in Middletown on July 31, 2017.

Ryan is remembered for his selfless sacrifice, humility, patience, and infectious smile. He distinguished himself through his service in the U.S. Navy, where he deployed with the 2d Marine Reconnaissance Battalion and later with the 2d Marine Raider Battalion. He was a veteran of Operation Enduring Freedom in Afghanistan and Operation Inherent Resolve in Iraq. Ryan had qualification as an enlisted fleet marine force warfare specialist, marine combatant diver, and Navy and Marine Corps parachutist. He rose to become a special amphibious reconnaissance corpsman. For his service, among the awards he earned were a Purple Heart, Navy and Marine Corps Commendation Medal, Combat Action Ribbon with Gold Star in lieu of second award, and Good Conduct Medal with two Bronze Stars in lieu of second and third award.

Ryan was a devoted patriot, son, husband, and father, who loved football and making others laugh. He is survived and will be deeply missed by his wife, Cassie; his two children, Gavin and Maelyn; his parents, Michael and Teresa Lohrey of Middletown; and his grandparents, Barbara Lohrey of Middletown, and George Lohrey, of Sulphur Springs; as well as friends, the U.S. Navy family, and Hoosiers across the State of Indiana.

As Ryan's grandmother said, "Ryan was my hero. He's everybody's hero." Ryan set an example for others and will be remembered for his strong character. Let us always remember and emulate the shining example this brave man set for us and honor his commitment to serving his fellow citizens. May God welcome Ryan home and give comfort to his family and friends.

HONORING LIEUTENANT AARON ALLAN

Mr. DONNELLY. Today I wish to recognize and honor the extraordinary service and sacrifice of Lt. Aaron Allan of the Southport Police Department. Dedication, loyalty, and compassion for those in need were the qualities that defined Lt. Allan's life.

Lt. Aaron Allan was a 6-year veteran with the Southport Police Department, who began his career in law enforcement in 2001. A kind and caring person, Lt. Allan was a family man who devoted his life to serving his community. Lt. Allan earned the nickname "Teddy Bear" because of his kind heart and willingness to help anyone in need.

Lt. Allan had dreamed of being a police officer since he was 5 years old. Before he joined the Southport Police Department in 2011 as a volunteer officer, he previously worked as an officer at the Indiana School for the Deaf and for Franklin Township Schools. In 2015, he was named Southport Police Department's "Officer of the Year," after saving two lives. Among his efforts, he performed CPR to save a man at the Indiana State Fairgrounds before backup officers arrived with a defibrillator. In recognition of his work, he became the only full-time paid officer in an all-volunteer force of reserve officers. He was a devout volunteer, leader, and role model in Southport, who believed in community policing and prided himself on stopping to talk with residents and getting to know them. Lt. Allan made a difference in the community and always put the safety and well-being of his fellow citizens first. When he encountered a family whose car would not start and the husband had been diagnosed with a brain tumor and the wife cared for her husband and young daughter, Allan went to an auto parts store and bought the family a new car battery with his own money. It went beyond that. He participated in "Shop with a Deputy," volunteering to take underprivileged children Christmas shopping. He also excelled responding to difficult calls, whether a citizen had overdosed and needed Narcan or he encountered a drunk driver. He enriched and touched so many lives through his service, and he made the ultimate sacrifice while responding to fellow citizens in need.

On Thursday, July 27, 2017, Lt. Allan was doing his job, responding to an incident involving an overturned vehicle in Southport, when he was shot. Hours before Lt. Allan was killed, he walked his 5-year-old son, Aaron, Jr., to the bus for his first day of kindergarten. He put his life on the line so that Hoosiers could have the chance to live in peace and safety, and we are eternally grateful. He died doing what he loved, and his legacy will live on.

Lt. Allan was a devoted citizen, son, husband, father, and friend, who loved his children and his fellow brothers and

sisters in blue. He loved his job as a Southport Police Officer, and no amount of gratitude can repay Lt. Allan or his loved ones for his sacrifice.

Lt. Allan is survived and deeply missed by his wife, Stacy, their two sons, his fellow officers in Southport, and citizens across Indiana. Let us strive to remember and emulate the shining example Lt. Allan set for us, and honor his selfless commitment to serving his fellow citizens. May God welcome Lt. Allan home and give comfort to his family and friends.

VENEZUELA

Mr. RUBIO. Mr. President, I ask unanimous consent that a statement by Julio Andres Borges Junyent, President of the National Assembly of the Bolivarian Republic of Venezuela, be printed in the RECORD.

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

THE NATIONAL ASSEMBLY OF THE BOLIVARIAN REPUBLIC OF VENEZUELA—IN RESCUE OF THE CONSTITUTION, DEMOCRACY AND HUMAN RIGHTS: AGREEMENT IN DISREGARD OF THE FRAUDULENTS ELECTORAL RESULTS ON JULY 30TH, 2017 FOR WHICH WAS INTENDED TO IMPOSE AN ILLEGITIMATE NATIONAL CONSTITUENT ASSEMBLY, AND IN CLAIM OF THE 1999 CONSTITUTION AS A DEMOCRATIC BASIS OF THE BOLIVARIAN REPUBLIC OF VENEZUELA

CONSIDERING

On July 30th, 2017 the regime of Nicolas Maduro, with the support of the majority of rectors of the National Electoral Council, judges of the Supreme Court of Justice and the high dome of the National Bolivarian Armed Forces, advanced on the fraudulent constituent process that initiated on May 1, 2017, realizing a supposed illegitimate "election" of such illegitimate constituent members;

CONSIDERING

The authorities of the National Bolivarian Armed Forces have assumed the prominence in the announcements concerning the electoral process, investing the constitutional principle of subjection of the military civilian authorities; which is a sample of the militarism they intend to impose, in contravention to the enshrined civic and republican values on the current Constitution of 1999;

CONSIDERING

That this National Assembly has pointed out in various agreements, and it was ratified by the Venezuelan people in the referendum of July 16th, 2017, the National Constituent Assembly is a fraudulent and illegitimate process that only seeks to repeal the Constitution of 1999 by other mechanisms than those provided, in order to establish in Venezuela a dictatorship of totalitarian Court, in reason of which all acts and processes arising from such constituent must be unknown to citizens and government employees, who have the duty to restore the validity of the 1999 Constitution, all this, in accordance with the articles 333 and 350;

CONSIDERING

The fraudulent election of July 30th sought to give legitimacy to the constitutional process, despite the fact that such procedure was initiated with the usurpation of the popular sovereignty, which was never consulted

about the convocation of the constituent Assembly, as ordered by the constitutional article 347;

CONSIDERING

In addition, the fraudulent election of July 30th was held on the sidelines of international guarantees and constitutional minimum that must be presented in any democratic election, which shows the high despite abstention in the irregular voting stations admitted for this election, the President of the National Electoral Council announced a false call participation of eight million and eighty-nine thousand three hundred and twenty (8,089,320) electors, making the committed fraud even more evident;

CONSIDERING

The Venezuelan people, in exercise of their right to resistance, made various peaceful protests during the day of July 30th, 2017, with the deplorable balance of 16 people killed, hundreds injured and many arrested in an arbitrary manner, with the repression which the regime of Nicolas Maduro has attended for trying to impose its fraudulent and illegitimate National Constituent Assembly;

CONSIDERING

That the international community, like countries such as Argentina, Colombia, Spain, United States of America and Mexico, as well as international organizations such as the Organization of American States (OAS) and the European Parliament, expressed their rejection on the fraudulent constituent process of Nicolas Maduro's regime;

CONSIDERING

That the fraudulent election of the illegitimate National Constituent Assembly of July 30th, 2017, implies a major change in the political and constitutional Venezuelan scene, having to represent the definitive attempt of restoring the dictatorship of totalitarian court protected on the figure of the National Constituent Assembly, which demands the articulation of effective and immediate action orientated to deposing a despotic form of government, contributing to the effective reestablishment of the Constitution in Venezuela, in context of articles 333 and 350 of the Constitution, with the democratic legitimacy derived from the popular consultation on July 16th and the support of the international community committed on the universal defense of human rights and constitutional democracy.

ACCORDING

First: Confirm that all the acts related to the National Constituent Assembly including the supposed election effected on July 30th, 2017 must be unrecognized because it was a process based on usurpation of the popular sovereignty and of the original Constituent power that belongs exclusively to the people of Venezuela. Likewise, we ratify the right to the resistance of the people of Venezuela against the fraudulent and illegal National Constituent Assembly, as the officials and members of the armed forces must do. Armed forces must disobey all the acts related to the fraudulent Constituent Assembly, and actively contribute to re-establish the effective validity of the Constitution of 1999.

Second: Unrecognized the election effected on July 30th, 2017 of the members of the fraudulent and illegal National Constituent Assembly that was convened without a popular referendum, and against the peoples' will and in contrivance of article number 347 of the Constitution.

Third: Reject the massacre and aberrant crimes against the Venezuelans who in their legal right to freedom of expression, of protesting and resisting were demonstrating their rejection to the fraudulent Constituent Assembly, and who were expressing solidarity to the parliamentary body with the victims of repression, arrests, and family members of the deceased, and with all the Venezuelan people.

Fourth: Ratify the mandate of the people stated in the Popular Consultation on July 16th, 2017, by which, this National Assembly, as a legal and exclusive representative of the Venezuelan people will take all the measures and actions directed to depose the National Constituent Assembly as a power that is illegitimate and of fact to establish effectively the validity of the constitution of the Bolivarian Republic of Venezuela.

Fifth: Urge the citizen Luisa Ortega Diaz, in her responsibility of General Attorney of the Republic, to investigate at great length the criminal acts against the protesters, as well as the committed crimes that took place during the organization and in the electoral process on July 30th, 2017, and to exercise the relevant actions against the officers and people that ordered and executed such crimes, with the purpose to make effective the punitive, administrative, and disciplinary responsibilities of those who order and executed the repressive acts against the people and of those who participated in the constitutional fraud of the National Constituent Assembly.

Sixth: Urge to the Public Minister to undertake investigations and formalities directed to establish the penal responsibility of all public officers and people evolved in the fraudulent process of the National Constituent Assembly that aims to impose a change that violates the constitution and changes the republican foundation of the Nation.

Seventh: Grateful for the solidarity expressed by the International Community with regard to the people of Venezuela and in rejection of the fraudulent National Constituent Assembly, and for arranging necessary meetings to execute common actions of states committed to the universal defense of human rights and of the relevant International Entities, so that through the admitted mechanisms of Public International rights and thus contribute to depose the fraudulent and illegal National Constituent Assembly and to reestablish the effective validity of the Constitution of 1999.

Eighth: Support to the people of Venezuela in the exercise of the right to resist the despotism that the National Constituent Assembly aims to impose. We support both the organized and planned actions that contribute to depose such illegal Constituent Assembly, and the execution of necessary actions to reestablish the validity of the Constitution of the Bolivarian Republic of Venezuela that obeys the mandate of the Popular Consultation that took place on July 16th, 2017.

Ninth: Ratify the people of Venezuela, faithful to its republican tradition, to impugn all forms of despotic government that derived from the National Constituent Assembly, while the country is linked to the duty of obedience to such constituent and those who contribute to its installation operation. The recognized authorities will be the only ones arising from free and democratic elections.

Tenth: Forward a copy of this agreement to the Secretary-General and the Permanent Council of the Organization of American

States (OAS), the Organization of United Nations (UN) to the Inter-American Commission on human rights (IACHR) and the members of the diplomatic corps, specially to the representatives of those States that have spoken out without knowing about the election of the National Constituent Assembly.

Tenth first: Give publicity to this agreement.

Given, signed and sealed in the Federal Legislative Palace, seat of the National Assembly of the Bolivarian Republic of Venezuela, in Caracas, the first day of August of two thousand seventeen. Year 207 of independence and 158 of the Federation.

JULIO ANDRES BORGES

JUNYENT;

President of the National Assembly.

FREDDY GUEVARA CORTEZ;

First Vice President.

DENNIS FERNANDEZ

SOLORZANO;

Second Vice President.

JOSE IGNACIO GUÉDEZ;

Secretary.

JOSÉ LUIS CARTAYA;

Subsecretary.

THE GREAT AMERICAN ECLIPSE

Mr. WYDEN. Mr. President, today I wish to recognize the historic event of the Great American Eclipse that will cross the continental United States on August 21. That morning, the eclipse will first pass over my home State of Oregon, then sweep across the U.S., ending in South Carolina. Millions of people across Oregon and the country are planning on watching those few moments when the moon will cover the sun and everything will go dark.

It has been 99 years since a total solar eclipse has occurred across the entire country, and whether someone is 5 or 95, this may be the only time they will ever see a total eclipse. It is truly a once-in-a-lifetime event.

This solar eclipse is a rare occurrence where the wonders of science will come right to the front doors of millions of people. That fact hasn't been lost on schools and science organizations throughout Oregon. Educators from the coastal areas of the State to the mountains of eastern Oregon have been working hard to use this eclipse as an opportunity to engage students in the areas of science, technology, engineering, and mathematics, commonly called STEM.

One of the best science museums in the country, the Oregon Museum of Science and Industry, OMSI, has planned an amazing viewing party, with the hope of engaging folks of all ages in the science behind the eclipse. Oregon native Don Pettit, who is a NASA astronaut, will even be there to share his experience of viewing eclipses from the International Space Station. Over the years, OMSI has been a leader in getting students excited about STEM fields. I am so glad the museum is using this eclipse as yet another opportunity to get communities involved in science.

Universities throughout the State are also doing their part to ensure students and community members get the most out of the event. In Corvallis, Oregon State University is hosting a 3-day eclipse event, with astronomy exhibits and a series of science lectures. I also understand that Portland State University, with the help of NASA, will launch video cameras attached to high-altitude balloons, giving anyone the ability to tune in and watch a live stream of the eclipse. Programs like these are so important because they make scientific events more accessible to the younger generations.

I also want to take a few moments today to recognize the local leaders, first responders, and the National Guard who are working tirelessly to ensure that communities throughout the State enjoy the eclipse festivities safely. These public servants have been a shining light in making sure Oregonians and visitors alike have the best experience while viewing the solar eclipse.

As the eclipse arcs across the country and folks from the West Coast to the East Coast don their eclipse glasses to look up at the darkened sun, it is my sincere hope that it ignites a ray of passion in students throughout the country to explore STEM fields more deeply.

THE USS "WEST VIRGINIA"

Mrs. CAPITO. Mr. President, I would like to recognize the service of the first ship named for our Nation's 35th State—our only State born of war—the armored cruiser USS *West Virginia*. She was commissioned on February 23, 1905, and served in both the Atlantic and Pacific fleets. On two occasions, she deployed to Mexico to enforce U.S. diplomacy. In 1916, she was renamed the USS *Huntington*, in order to permit the assignment of her old name to a new battleship.

That new battleship—the second USS *West Virginia*—was commissioned in December 1923 and affectionately nicknamed the "Wee Vee." In 1940, she moved to Hawaii and became part of the U.S. Pacific Fleet. She was the youngest of all the battleships at Pearl Harbor. During the attack on Pearl Harbor on December 7, 1941, the USS *West Virginia* was moored outboard the USS *Tennessee*; as a result, the *Tennessee* was not hit by a single torpedo, while the *West Virginia* was hit by nine torpedoes.

Despite being mortally wounded by shrapnel, the ship's captain, Mervyn S. Bennion, remained on the bridge ordering counterflooding of starboard compartments to prevent capsizing; for his actions, Captain Bennion posthumously received the Congressional Medal of Honor. Captain Bennion's actions are regularly cited as the epitome of proper command under fire.

Displaying a resilience befitting the people of her namesake, the USS *West Virginia* refused to stay sunk. She was pumped out and refloated on May 17, 1942, and sailed to Puget Sound Navy Yard for repairs. After being fully modernized, she saw action in the invasion of the Philippines, the Battle of Iwo Jima, and the Battle of Okinawa, among others. She was present in Tokyo Bay on September 2, 1945, for the formal Japanese surrender.

The USS *West Virginia* was decommissioned on January 9, 1947; her awards included the American Defense Service Medal with "Fleet" clasp; the Asiatic-Pacific Campaign Medal with five battle stars; the World War II Victory Medal; and the Navy Occupation Medal with "Asia" clasp. An antiaircraft gun remains at City Park in Parkersburg, WV; the ship's wheel and binnacle are on display at the Hampton Roads Naval Museum. Her mast sits in front of Oglebay Hall at West Virginia University, and Interstate 470 in West Virginia is named the "USS *West Virginia* Memorial Highway."

The U.S. Navy resurrected the proud history of the 35th State's moniker with a 1983 contract to build a Ship, Submarine, Ballistic, Nuclear, SSBN, the 11th of an eventual 18 Ohio-class submarines, otherwise to be known as the USS *West Virginia*, SSBN 736. She was launched on October 14, 1989, sponsored by Mrs. Erma Byrd, wife—and high school sweetheart—of the now late U.S. Senator Robert C. Byrd, of West Virginia—the longest serving Senator and the longest serving Member in the history of the U.S. Congress—and commissioned on October 20, 1990.

The USS *West Virginia*, SSBN 736 conducts a sacred mission. It has often been said that, if the U.S. Navy could only send one platform to sea, it is the SSBN that executes the most important mission: the mission of strategic deterrence.

Always at the tip of the spear, the USS *West Virginia* conducts operations in order to exploit the advantages of undersea operation. It can be deployed up to 15 months at a time. As the submariner identity states: "We are elite, selective and high performing. We operate forward at the tip of the spear. This is the only survivable nuclear deterrent. Last bastion of master and commander."

West Virginia is proud of the honor, courage, and commitment of the brave sailors who crew and have crewed the USS *West Virginia*, and we are eternally grateful for the sacrifices that you and your families make in service to the United States of America.

"Montani Semper Liberi."

TRIBUTE TO ALAN BAKER AND EARL BRECHLIN

Ms. COLLINS. Mr. President, in 2001, Maine's legendary Ellsworth American

newspaper celebrated its 150th year by launching a new enterprise, the Mount Desert Islander, dedicated to covering every aspect of life in a place of extraordinary beauty. It is a pleasure to congratulate the two outstanding journalists who have guided the Islander since its inception, publisher Alan Baker and editor Earl Brechlin, for being recognized with the 2017 Sunbeam Award from the Maine Seacoast Mission.

The recipient of numerous State and national awards for excellence, the Mount Desert Islander is a great example of the value provided by community newspapers. From Acadia National Park, local government, and businesses, to education, sports, and the arts, the Islander's dedicated staff writes the history of their communities as it occurs. They keep people informed and help them be more involved as citizens. They follow State and national issues, always with an eye on how they affect their neighbors.

This dedication starts with committed leadership. After achieving success in journalism and publishing in Philadelphia and New York City, Alan Baker returned home to Maine and, in 1986, joined the Ellsworth American's management team, eventually purchasing the newspaper. In this age of media consolidation, Mr. Baker strongly believes that newspapers should be owned by individuals who are in touch daily with the readers they serve. As a former member of the Maine State Legislature, he is an effective voice for accountability and transparency in all levels of government.

A former "Maine Journalist of the Year," Earl Brechlin has covered Mount Desert Island for more than 35 years, and he has been recognized with more than 100 awards for news, feature writing, and photography. His commitment to journalism is evident in his election as president of both the Maine and New England press associations. A Registered Maine Guide, Mr. Brechlin is the author of nine books that reflect his love for our State's natural beauty, history, and character.

The Maine Seacoast Mission is a non-denominational, nonprofit organization founded in 1905 to support island and coastal communities in Downeast Maine, and its boat, the Sunbeam V, helps to connect people in those communities with essential services and with each other. Through their dedication to the craft of journalism, Alan Baker and Earl Brechlin have strengthened that support and those community connections, and the Sunbeam Award is a fitting recognition of their many contributions.

150TH ANNIVERSARY OF THE JACOB LEINENKUGEL BREWING COMPANY

Mr. JOHNSON. Mr. President, today I wish to honor a true original, the

Jacob Leinenkugel Brewing Company, on 150 years of brewing great beer in Wisconsin's North Woods. The Leinenkugels were fairly typical Wisconsinites in the mid-1800s—German, immigrants, and lovers of beer. Jacob Leinenkugel started in the business in 1867 after he and three brothers learned the craft from their father, a brewer and distiller. Together, the Leinenkugel family started four breweries, including the Spring Brewery, which eventually became Jacob Leinenkugel Brewing.

While the Leinenkugel family was typical, the brewery they started became far from ordinary. For a century and a half, the Jacob Leinenkugel Brewing Company has put Chippewa Falls, WI, on the map and excellent beer in the hands of people throughout Wisconsin and the country.

Walk into most any bar in the State and there will be "Leinie's" on tap. Go to a backyard cookout or a Milwaukee Brewers tailgate on a hot summer's day and there will Summer Shandy in the cooler. Stop by a Wisconsin supper club for dinner and odds are you or someone at the table next to you will be enjoying their fish fry with a Honey Weiss.

Leinenkugel Brewing is the seventh oldest continuously operating brewery in the country. This lengthy heritage did endure trying moments. Leinenkugel's survived Prohibition by producing soda, ginger ale, and a non-alcoholic cereal beverage to stay in business. Afterward, the brewer eventually grew into the fourth largest craft brewer in the United States.

The original brewery is still operating, and its Leinie Lodge visitor center in Chippewa Falls welcomes 125,000 visitors annually, making it a top tourist destination in northern Wisconsin. Along with its original lager, Leinenkugel's now brews 24 other beers, with offerings for every taste and season, including a special German Marzen-style lager to celebrate the family's roots and the brewery's 150th anniversary.

Leinenkugel Brewing is more than beer. Leinenkugel's is a Wisconsin institution that touches the lives of people across the State—even those who have never lifted a pint. The brewery's Canoes for a Cause outreach program has provided education and resources to help improve and protect Wisconsin springs and waterways. Generations of the Leinenkugel family have served our country in the military and other civic capacities. That tradition continues today as former Marine Corps captain and Leinenkugel Brewing president Jake Leinenkugel serves as a senior White House adviser for the Department of Veterans Affairs.

Six generations have taken a family from the North Woods of Wisconsin to the refrigerators of beer lovers in all 50 States while maintaining its Wisconsin

roots and cherishing its German heritage. I join my fellow Wisconsinites in raising a glass in appreciation for the last 150 years and hoping for many more to come.

Ms. BALDWIN. Mr. President, today I rise to recognize the Jacob Leinenkugel Brewing Company on their 150th anniversary. I am so pleased to honor this great Wisconsin company.

Throughout its history, family has always been at the core of the Leinenkugel business. The family's brewing tradition began well before they came to America. Jacob's father, Mathais, was a brewer and brandymaker from Meckenheim, Germany, who settled with his family in Sauk City, WI. Mathais passed his craft on to his four sons who, in turn, opened their own breweries throughout Wisconsin. Their passion for brewing quality beer remains at the heart of the Leinenkugel family 150 years later.

While it is now the fourth-largest craft brewer in the United States, the nascent company had only two employees: Jacob Leinenkugel and his partner, John Miller. Jacob brewed the beer, and John delivered it. Their German brewing methods, combined with excellent grains grown in rich Wisconsin soil and the State's pure water, made Leinenkugel's small brewery an instant success. The hard-working lumberjacks in the logging town of Chippewa Falls were Jacob's first loyal customers. Word of Leinenkugel's beer spread quickly, and its popularity expanded rapidly throughout Northern Wisconsin.

When Jacob passed away in 1899, running the company fell to his son-in-law, Henry Casper, and then to his eldest son, Matt, in 1907. Working alongside his sisters and brothers-in-law, the second generation of Leinenkugel's leadership quickly took the company to new heights.

The brewery experienced its first major test with the passage of Prohibition in 1919. While many American breweries cut their losses and closed shop during this period, Leinenkugel's adapted to the new American reality and began brewing Leino, a non-alcoholic version of their popular beer. Unfortunately, Leino was no match for the real thing and was soon discontinued. Thanks to quick thinking, they pivoted once again and began bottling soda water. By the end of Prohibition, Leinenkugel's was the largest bottler of soda water in the area.

After the repeal of Prohibition, Matt Leinkugel's wife, Katherine, and his sister, Rose, mortgaged their homes to finance updates to the brewery's equipment to save the company. Thanks to the resourcefulness of these women, the Leinenkugel family was able to restore the brewery to its pre-Prohibition glory. Leinenkugel's expanded yet again in the mid-20th century to the

greater Midwest area and developed new varieties of beer that would meet the diverse needs of its newest customers.

In 1988, the Miller Brewing Company purchased Leinenkugel's, allowing the brewery to distribute products across the country. Today the brewery is an industry leader that produces 25 different styles of beer. For every 10 shandy-style beers consumed in the United States, nine are produced by Leinenkugel's.

Despite their national success, the Leinenkugels have never forgotten their Wisconsin roots or their commitment to their hometown of Chippewa Falls, WI. Jake Leinenkugel, who led the company until his retirement in 2015, said he and his wife, Peg, will always live in Chippewa Falls. The couple was named "Chippewa Valley Philanthropists of the Year" in 2007 for their ongoing contributions of time and money to local causes.

The Leinenkugel family has also maintained a strong commitment to the conservation of natural resources, particularly the freshwater that is a key component in Leinenkugel's products. The family created Canoes for a Cause, a stewardship program aimed at preserving waterways by removing trash, debris, and invasive plant species. They have held Canoes for a Cause events in Milwaukee, Madison, Chicago, Denver, Minneapolis, and Cleveland, often collecting more than 1,000 pounds of trash in a single day.

Today, C.J., Ellie, Matt, and Kirk Leinenkugel carry on the Leinenkugel's legacy. They are the sixth generation of Leinenkugels to continue Jacob's tradition of excellence, taking a small, local brewery and turning it into one of the most successful breweries in the Nation. No matter how many employees or distributors join the team, Leinenkugel's will always remain a family company that, to its core, defines what it means to be kind, hard-working Wisconsinites and genuine Americans.

130TH ANNIVERSARY OF BAR HARBOR BANK & TRUST

Mr. KING. Mr. President, today I wish to commemorate the 130th anniversary of Bar Harbor Bank & Trust. Based in Bar Harbor, ME, Bar Harbor Bank & Trust now has 14 branches in Maine and 35 branches in New Hampshire and Vermont. Known for supporting and understanding the unique people, organizations, and culture of northern New England, Bar Harbor Bank & Trust has not only achieved a strong reputation for providing quality service, but it has also cultivated employees who are dedicated to bettering their communities.

Since its founding in 1887, Bar Harbor Bank & Trust has fostered the personal and professional growth of its employees while serving its customers with

the highest level of care and concern. Over the years, Bar Harbor Bank & Trust has expanded to New Hampshire-based subsidiaries: McCrillis & Elredge Insurance, Inc., and Charter Trust Company. It recently acquired Lake Sunapee Bank to make it one of the largest community banks in New England. It been recognized as a leading bank nationwide and ranked among the best places to work in ME.

Bar Harbor Bank & Trust has demonstrated a commitment to supporting the communities it serves. Each year, its employees volunteer thousands of hours to local community organizations. This commitment is sustained by their volunteer pay program that allows employees to get paid time off for volunteering each month to local causes they are passionate about. Furthermore, it allows them to contribute money from their paychecks to the Bank's Community Commitment program each month, and with every donation matched by the bank, the program donates over thousands of dollars annually to local nonprofit organizations, including Maine Veteran's Project, Girls and Boys State, Knox County Homeless Coalition, and dozens more.

In addition to volunteerism, Bar Harbor Bank & Trust employees actively participate in many community fundraisers, such as the Annual Hancock Relay for Life for the American Cancer Society. The bank also hosts an annual charity golf tournament that raises money for a local organization. This year, the tournament raised money that was donated to the Acadia Family Center to sponsor a year's worth of treatment for two individuals battling substance abuse. Additionally, Bar Harbor Bank & Trust employees teach local children lessons about saving money through the ABA's Teach Children to Save Day and explain how to use credit wisely to teenagers in the community. In 2016 alone, this bank provided over 450 children with lessons in savings education.

I wish to join the communities all around Maine, New Hampshire, and Vermont in congratulating Bar Harbor Bank & Trust for this remarkable achievement on its 130th anniversary. I look forward to following its continued growth and service, and I applaud the bank for its dedication to its employees, customers, and local communities.

70TH ANNIVERSARY OF THE MAINE LOBSTER FESTIVAL

Mr. KING. Mr. President, today I wish to recognize the Maine Lobster Festival on its 70th anniversary. On this date, the people of Maine celebrate our rich history in the valuable lobster trade, as well as the continuing commitment by our coastal communities to support and perpetuate our great maritime heritage.

Since 1947, The Maine Lobster Festival has provided the people of Maine and tourists with exciting events, entertainment, and Maine seafood. The festival emerged out of a community-based effort at reviving summer activities that Camden, ME, established prior to World War II. A small group of citizens and summer visitors came together to revel in their coastal marine community. Their small gathering, which lost money in its first year, moved to Rockland the following year and immediately became an annual staple of the coastal area's summer schedule, creating the Maine Lobster Festival to operate as a nonprofit corporation that is responsible for the festival to this day.

This nearly weeklong engagement in August is attended by both internationally recognized as well as local musicians and entertainers, who fill the concert stage with enthralling performances. A midway provides excitement for children of all ages. King Neptune and his court attend the event every year and a highlight is the crowning of the Maine Sea Goddess. The festival also boasts a wide range of Maine artistry, from craftsmen to painters, as well as one of the region's largest and most popular parades. In addition, there is often a U.S. Navy ship that offers unique tour opportunities to festival-goers. As the highlight, there are fresh lobster dinners prepared in the world's largest lobster cooker for the thousands of hungry attendees. While you may no longer be able to get "all the lobster you can eat for \$1," the festival promises to have more than enough lobster to go around.

Year-in and year-out, the combined effort of more than a thousand volunteers generously donate their time makes the festival possible. Volunteers are committed to improving and showcasing midcoast Maine communities to the thousands of festival-goers that come from different parts of Maine, from across the country and around the world. Not only do they donate their time and effort, but they also donate all profits of the festival to Maine communities to provide needed support to local institutions such as food pantries, community service groups, emergency services, and college scholarships.

The Maine Lobster Festival is recognized nationwide as one of the best events in the country, and this distinction could not be bestowed on a more deserving enterprise. I wish to join the greater Rockland community, as well as the State of Maine, in congratulating the Maine Lobster Festival on its 70th year of being an historic and cherished Maine institution.

TRIBUTE TO MARION CURRY

Mr. ENZI. Mr. President, the Senate Budget Committee wishes to honor and

recognize Marion Curry on her retirement from the Congressional Budget Office. Marion has worked in the budget analysis division of the Congressional Budget Office in various capacities for more than 38 years and has been a full-time employee at CBO since 1987. During that time, she served as the administrative assistant for the projections unit, and over the past several years, she expanded her responsibilities to also encompass the health systems and Medicare unit, as well as the low-income health programs and prescription drugs unit.

During her long tenure at CBO, Marion has skillfully carried out a variety of tasks—carefully checking cost estimates as she produced drafts, ensuring that timesheets were done correctly, directing callers to the appropriate person, and in general assuring that administrative matters were taken care of without a hitch. Such duties have undergone many changes over the years—from using telephones as the primary method of contact, typing tables by hand, and sending paper copies of documents, to the current approach of using email as the primary method of contact, transferring spreadsheets to the editorial staff for producing tables, and sending PDFs of documents with supplemental data posted on the web. Through all of those changes, Marion readily adapted to new technology and procedures and carried out her responsibilities with good humor, professionalism, a giving spirit, and a dedication to serving the Congress and the public.

Marion contributed to CBO's work in ways that went well beyond her administrative responsibilities. She routinely took the lead to make sure that key life events of staff—such as birthdays, weddings, and births—were celebrated, and she was often the first person others in the organization consulted when they needed assistance with planning and organizing events. In addition, her contributions to the charitable works of the agency were well-known and appreciated. Marion is extremely warm, generous, and giving—she was always there to provide support, encouragement, and someone to talk to. Her contribution to the working environment at CBO was beyond measure, and she will be greatly missed.

TRIBUTE TO JEFFREY HOLLAND

Mr. ENZI. Mr. President, the Senate Budget Committee wishes to honor and recognize Jeffrey Holland on his retirement after 26 years of distinguished service to the Congress with the Congressional Budget Office. Jeff is highly regarded by Republicans and Democrats on both sides of the Capitol for his deep knowledge of the budget process and his commitment to the non-partisan role that CBO plays in the budget process.

Jeff arrived at CBO in 1991 soon after graduation from Carnegie Mellon University's Heinz School of Public Policy with a master's degree in public policy and management. He joined the projections unit in the budget analysis division, which is responsible for preparing projections of Federal spending, deficit, debt, and other data related to the Federal budget, as well as providing ongoing support to Congress.

In 1999, Jeff became chief of the projections unit, and for the past 18 years, he has successfully overseen the production of multiple reports on the Budget and Economic Outlook, annual analyses of the President's budget request, and also several reports on sequestration, the debt ceiling, national income, and product accounts, and the Troubled Asset Relief Program. Through all of these tasks, he has been the steady hand of the projections unit, generous with his time and knowledge, and highly responsive to questions and requests for data or information from the staff of the Budget Committee. His persistence, attention to detail, and reliably clear thinking have been vital to the smooth functioning of the budget analysis division. Senate staff and CBO colleagues have come to depend on him for his sage advice and deep understanding of the budget laws.

In addition, Jeff has often lent his expertise to legislative branches of other countries as they seek to develop their own capacity for nonpartisan budget analysis. He is a sought-after explainer of the Federal budget process to students visiting our Nation's Capital. In short, Jeff's expertise, knowledge, and generosity of time and spirit will be sorely missed. We wish him well as he moves on after years of outstanding service to the Congress. We are grateful for that service, and we wish him the best in the years to come.

ADDITIONAL STATEMENTS

REMEMBERING BELLE LIKOVER

• Mr. BROWN. Mr. President, this week, the city I call home lost a great Ohioan, and Connie and I lost a friend, Belle Likover of Shaker Heights. Belle passed away at age 97, and over her extraordinary life, she saw the creation of our country's greatest social insurance programs: Social Security, Medicare, and Medicaid—and fought to protect those lifelines for American seniors.

Ms. Likover was born the same year as my mother and grew up in Beaver Falls, PA. She remembered her childhood as a happy one, with one big exception: the Great Depression. In an interview several years ago, she talked about the lasting effects those memories had on her, saying, "We saw everybody else suffer. I remember the shantytowns. I remember people living in

what used to be packing crates. There was a constant stream of people who came to our backdoor for food. My mother never turned anybody away."

Those experiences would shape her activism throughout her life. In high school and later in college, at the Ohio State University, she said she was "never bashful about speaking out." She joined the high school varsity debate team as a sophomore, as the only girl on the team, and learned how to marshal an argument. She told an interviewer that, "Every position of leadership I've had, I owe to that debate coach."

In college, she put that training to use, first getting involved in political causes in 1937, when she and a friend helped organize an antifascist group at Ohio State. They saw what was happening in Germany and across Europe and how dangerous that was for the world.

Growing up in that time of turmoil and as a woman at a time when her abilities would be constantly questioned, Belle faced setbacks. As a child, she asked for chemistry sets instead of dolls, but in college, a chemistry professor told her, "If you want a Ph.D., you better marry one." Her first husband laid down his life for our country during World War II, leaving Ms. Likover with a newborn daughter to raise.

She published papers without the Ph.D. that her male peers had and worked at the Cleveland Jewish Community Center's senior department, where she saw what a difference Social Security made in the lives of the elderly—and later how Medicaid and Medicare would change their lives. She went to grad school on a JCC scholarship.

Throughout the years, she never ceased in her activism. She joined me at events many times to talk about the importance of Medicare. I interviewed Belle in the summer of 2015, marking the 50th anniversary of the passage of Medicare and Medicaid. She told me she was thrilled when it passed because she remember how poor older people were when she was growing up—"They didn't have Medicare, they ended up in poorhouses," she told me. And she added, "Do you know how many people can't wait until they're 65 to get covered by Medicare?"

Just last fall, she joined us on a call with Ohio reporters to talk about how devastating it would be to raise the retirement age. That was Belle Likover—an activist and advocate, full of compassion but never bashful, all the way through age 97. Our family's thoughts and prayers are with Belle's loved ones. We will miss her, and we will strive to carry on her advocacy for Ohio seniors.●

TRIBUTE TO ERNEST "ERNIE" GRECCO

• Mr. CARDIN. Mr. President, today I would like to congratulate a dear friend of mine, Mr. Ernest "Ernie" Grecco, for 55 years of dedicated service to the labor movement and to working men and women and their families in the Baltimore-Washington metropolitan area and across the Nation. Ernie recently retired after serving for 20 years as president of the Metropolitan Baltimore AFL-CIO Council, which covers Baltimore City and Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard Counties. For the last 15 years, he also served as secretary on the board of directors of the United Way of Central Maryland. Ernie's vocation and his avocation have been to make life better for other people. There is an old saying, "You make a living by what you get; you make a life by what you give." Ernie has given so much to so many for so long. It is why I feel privileged and proud to call him my friend.

Ernie became involved in the labor movement in 1962 while he was working at Calvert Distilleries. He was a member of Distillery Workers Union Local 34 and was elected shop steward. He served as shop steward until 1970, when he was elected secretary-treasurer of Local 34-D. He also served as trustee of the Distillery Workers International Union.

In 1973, then-President Nick Fornaro of the Baltimore Central Labor Council hired Ernie as a job placement officer for the Institutional Training Project. In this capacity, Ernie was responsible for helping find jobs for hundreds of men and women housed at the Jessup and Hagerstown Penal Institutions who were qualified for work-release status. In 1976, he became the director of the Metropolitan Baltimore AFL-CIO Council's Committee on Political Education, COPE. He served in this position until 1983 when he became the COP director for the Maryland State and District of Columbia AFL-CIO. He was elected to serve as president of the Metropolitan Baltimore AFL-CIO Council in 1987, and he also served as first vice president of the Maryland State and DC AFL-CIO.

Ernie has held many other leadership positions over the course of his illustrious career. For instance, he chaired the Young Trade Unionists, which was created to bring younger people into the labor movement, and he served as president of the Union Label & Service Trades Council, which promoted the purchase of union services and products. Ernie has also served on the Baltimore Workforce Investment Board, the Maryland Transportation Commission, the Maryland Workers Compensation Commission, and the Maryland Racing Commission.

As president of the Metropolitan Baltimore Council, Ernie established

monthly meetings with the mayor of Baltimore City to encourage better communications and collaboration between the city and the unions. The committee consists of all city unions and a representative from the building trades. Ernie also championed the council's community services division. The community services division provides assistance to working people through information and referral advocacy to help them solve personal and family crises. The services include education and training for union peer counselors; Baltimore Works, a job placement program for dislocated workers; and Project LEAP, an adult education literacy program.

It should come as no surprise that Ernie has received numerous awards for his indefatigable service to people. He has the distinction of receiving not one, but two, national awards for community service, the Samuel Gompers Award from the American Red Cross in 1991 and the Joseph A. Beirne Award from United Way of America in 1999. Last year, United Way of Central Maryland gave Ernie its Philip H. Van Gelder Award for Community Services. In 1995, the Baltimore City Fire Fighters Local 734 and Baltimore City Fire Officers Local 964 created the Grecco Labor Award to be given to a firefighter who "best exemplifies the continuing and complex efforts of the local union membership to build the relationship between labor and management."

During Ernie's career, he has been much loved and respected not just in Baltimore, but in Annapolis and across the State of Maryland for his steadfast commitment to the labor movement and working people. He is, understandably, an avid Orioles, Ravens, and horse-racing fan. His retirement is bittersweet because his beloved wife Dorothy—"Dot"—recently passed away, but I know Ernie will spend much of his time with his daughter, Nina Grecco Dukes, and his son, Gary, and Gary's wife, Kelly, and his grandchildren, Ashley, Adam, Katy, and Ben.

I have relied on Ernie's sage counsel on labor matters and other issues over the years, and I treasure our friendship. I have been a better and more effective legislator because of Ernie's friendship and advice for which I am truly grateful. On behalf of the entire U.S. Senate, I congratulate Ernie on his accomplishments and his well-deserved retirement, but knowing Ernie as I do, he will find new ways to be of service to others; it is simply at the core of who he is. ●

TRIBUTE TO BETTY JENEL OLSEN CARR

● Mr. CRAPO. Mr. President, today I wish to mark a wonderful occasion, a birthday that many do not live to celebrate. Today we honor the 95th birth-

day and wonderful life of Betty Jenel Olsen Carr, born in Kimberly, ID, on August 2, 1922. Her early life was very much what you would expect from rural Idaho in the 1920s, and in many ways, rural life there now still has some of these echoes of a strong work ethic and family values.

Betty grew up with seven siblings in a family that learned self-sufficiency and self-reliance on an 80-acre farm. Edith, Andy, Lamoin, Melba, Phil, Vera, Nina, and Betty lived cozily together with their parents, Hannah Marie Sandberg and Neils Albert Olsen, in a small, white wooden farmhouse that had no electricity or running water when Betty was a child. However, the home did have a black pot-belly cast iron stove that kept everyone warm and fed.

Education figured prominently in Betty's goals, as she graduated at the top of her Kimberly High School class, even though she skipped her final year of high school to start college. She fostered her love of reading through editing the school newspaper. She also played flute in the marching band and, improbably, at just 5 feet, 4 inches tall, played forward on the girls basketball team. She headed off to college at what was then called the Southern Branch of the University of Idaho—now Idaho State University—and studied journalism, but most importantly, she followed through on something she said in high school. She had been looking through her older sister's college yearbook and spotted the photo of a handsome young man. She declared, "When I get to college, I am going to go out with that guy." She did indeed—she met and married Taylor Henry Carr a couple of years into college. Taylor served 3 years in World War II, and a family treasure is the love letters the two sent to each other during that difficult time that they were separated by his wartime service.

When Taylor returned home, he completed his education at the medical school at the University of Utah with the help of the GI bill and became a surgeon. Betty and he raised their seven children in Idaho Falls, ID. Each of those children has become remarkable in their own right, contributing to their communities, States, and country—Katherine Ann, Taylor Douglas, Philip Olsen, Jan Elizabeth, Kenneth Wright, Steven Edward, and Gregory Curtis. Their home was filled with love, education, and adventure.

From a personal perspective, there has never been a better child psychologist or wiser parent and aunt. Betty is my mother Melba's youngest sister—my beloved Aunt Betty, who was a second mother to me. She understood teenagers in a unique manner and knew just when to encourage me at those times when young people need to hear advice from someone who loves them and is not a parent. Growing up,

I always knew I would find welcoming arms and a warm shoulder just a few blocks from my home. Aunt Betty understood that, ultimately, love and the relationship with our loved ones was more important than anything else, and she epitomized that with her acceptance and encouragement of even the craziest ideas. A few years ago, I was delighted to show her around the U.S. Capitol when she made the long trip from Idaho to Washington, DC. A treasured item on display in my personal office is a photo with her from that trip.

Today Betty, the lifelong lover of reading, is as sharp as ever. At 95, she remains active, interested, and involved. She races through the crossword puzzle, tends her garden and great-grandkids, and never misses exercise class or bridge club. She recently went underwater in a diving bell in Florida. I am privileged to claim her as part of my family and honored to recognize her longevity as an Idahoan. Happy, happy birthday. ●

REMEMBERING DAN FAUSKE

● Ms. MURKOWSKI. Mr. President, Alaskans will gather on August 9 to celebrate the life of Dan Fauske, a public servant extraordinaire, who lost his battle with cancer in April. Upon learning of Dan's passing, Representative Mike Chennault, four-term Speaker of the Alaska House of Representatives described Dan as "Superman." In Mike's words, "Dan Fauske leaped tall buildings in a single bound. Like Superman, there was not a challenge he couldn't take on."

Dan was a dear friend of mine, and his family is part of our extended family in the Murkowski office. Dan's son, D.J., who now serves as director of government and external affairs for the North Slope Borough, helped open my Washington office in 2003 as a staff assistant. D.J. subsequently married Gretchen Wieman, a legislative correspondent in my office during that period.

I counted on Dan for advice and counsel on important public policy issues affecting Alaska, as did many others in the State. His integrity and wisdom were unsurpassed, but Dan's greatest attribute was perhaps his humility. He was known as a straight shooter; one who was about getting the job done and doing it right. Although he waded into many a difficult political problem, he resisted the urge to become a politician. If there was an ounce of self-promotion in Dan Fauske, I never saw it. Dan was one of the most grounded people I have ever met, and that was the key to his influence and effectiveness.

Dan Fauske, like so many builders of Alaska in the half century after Statehood, adopted our State as his home. Dan was born in Fargo on December 13,

1950. He relocated to Alaska in 1974 after serving in the Army—not to the big city, but to Barrow, now called Utqiagvik, the northernmost American city. A place where the first language was then and remains today Inupiaq. His older brother, Dave, was a teacher in the village. Dan worked construction and delivered fresh water, and he made himself part of the community. Elise Patkotak remembers him as one who approached the world as if everyone were a potential friend. Dan built a dog ramp to help Elise get her handicapped dog into the house. This is just one example of the many random acts of kindness for which Dan was known. Bridging the cross-cultural divide, his kindness was reciprocated in the community.

Dan left Alaska to study for an MBA at Gonzaga University in Spokane, WA, but it was a temporary absence. Utqiagvik was Dan's home, and upon graduation, Dan went to work for the North Slope Borough. He was chief financial officer and chief administrative officer. During his tenure, he pursued a vigorous capital construction program which brought water and sewer to many of the North Slope villages.

In 1995, Dan moved his family to Anchorage. He was named chief executive officer of the Alaska Housing Finance Corporation, AHFC. John Bitney, then a legislative staffer, remembers the day that he and the legislative auditor presented a bill in committee to liquidate AHFC. Just when the committee was about to move the bill, a man ventures forward from the audience, announces that he is the CEO of AHFC, and it is his second day on the job. He asked the committee to allow him to pursue a turnaround of the agency—and, boy, were we lucky that the committee agreed.

Over the next 18 years, Dan would not only rescue AHFC from its financial difficulties, but mold it into one of the most respected State housing agencies in the Nation. During his tenure, AHFC pioneered its weatherization and energy rebate program, which helped Alaskan families survive the challenge of high energy costs in the frozen North. He issued more than \$7.5 billion in bonds, led AFHC to avoid the subprime mortgage collapse and returned more than \$1.9 billion back to the State of Alaska through cash transfers, capital projects, and debt service payments. The AHFC building has been renamed the “Daniel R. Fauske Building” by the Alaska Legislature in honor of his many accomplishments.

Dan was so successful at AHFC, the Alaska Legislature asked him to take on a second duty, that of exploring the feasibility of constructing a small diameter pipeline to bring natural gas from the North Slope to serve Alaskans. In 2013, he left his job at AHFC to

pursue this “second job” full time as executive director of the Alaska Gasline Development Corporation, AGDC. He served in that role until November 2015.

At AGDC, Dan brought the same focus to the position he had to every other one he had held in his distinguished career: serving Alaskans. For Dan, AGDC's mission wasn't so much about commercializing Alaska's gas as it was delivering energy to Alaskans. His focus on delivering energy relief and security drove the State's efforts and resulted in AGDC joining the integrated effort to build Alaska LNG as the entity focused on delivering gas to Alaskans.

Whether it was building water systems on the North Slope, developing housing across the State, or delivering energy, Dan did it for Alaskans first. That was what we loved about him, he saw policy not at the 50,000-foot level but in the face, life, and experience of every person he worked with and served.

Dependable, trusted, respected—the consummate “go to” guy—all of these phrases are used to describe Dan Fauske. He believed in Alaska. He believed in Alaskans. Like all great Alaskans, he believed anything could be done, but what earned him our unwavering respect is that he followed through and got it done.

Dan Fauske will long be remembered as a true leader who walked with the people and a key figure in Alaska history of the post-Statehood era.●

RECOGNIZING HILLCREST AIRCRAFT COMPANY

● Mr. RISCH. Mr. President, today I would like to recognize an outstanding small business located in my home State of Idaho. As many of my colleagues in the Western Caucus can tell you, catastrophic wildfires are a cause for major concern and costs for large swathes of the West, particularly in the summer months. This month's small business has found their specialty in helping to control these large wildfires in a safe and efficient manner. As chairman of the Senate Committee on Small Business and Entrepreneurship, I am pleased to honor Hillcrest Aircraft Company as the U.S. Senate Small Business of the Month for August 2017.

Hillcrest Aircraft Company is based out of Lewiston, ID, and is a utility helicopter company with a broad spectrum of work. Hillcrest Aircraft Company was founded by local pilots in 1946. Jerry Wilson partnered with the company in 1959, eventually becoming the sole owner in 1972. Jerry's son, Gale Wilson, is the current president of the company, and his son, Keith White, serves as vice president. The Wilson's legacy of promoting a strong work ethic coupled with strict safety re-

quirements has built the company into a premier helicopter business. In 1968, Hillcrest became the first certified Bell customer service facility in Idaho, and 1 year later, in 1969, they became an approved FAA repair station. Their main focus, however, is aerial firefighting. Whether they are transporting firefighters to remote areas or dropping hundreds of gallons of water on a raging fire, Hillcrest prides itself on protecting communities from dangerous wildfires. In fact, they have fought fires in all of the lower 48 States during their 60-plus years of experience. On top of aerial firefighting, Hillcrest flies for power and timber companies, photographers, videographers, and even fish planters. Their comprehensive background in a variety of industries, dedication to operational safety, and commitment to strict ethical standards continue to keep this family-owned business busy around the clock.

Hillcrest has always put safety first, and in 2015 and 2016, they were rewarded for their efforts. Hillcrest achieved the necessary requirements for the International Standard for Business Aircraft Operations, IS-BAO, Stage I registration by implementing a safety management system, SMS, in 2015 and Stage II registration in 2016. This safety standard acknowledges the company's efforts to improve their safety risk profile and operating efficiency. Hillcrest was one of the first rotary-wing-only operators to achieve the IS-BAO Stage II.

The future is bright for Hillcrest Aircraft Company as they continue to expand their business. Just a couple of months ago in June, Hillcrest opened their very own fixed base operation, FBO, at the Lewiston-Nez Perce County Airport. I would like to congratulate Gale Wilson and his family, along with all of the employees at Hillcrest, for the hard work they do in trying conditions while still keeping their commitment to safety. I wish the best for Hillcrest Aircraft Company, and I am confident that they will continue to keep Idahoans and Americans safe.●

REMEMBERING HERBERT NEEDLEMAN

● Mr. WHITEHOUSE. Mr. President, I recently received the sad news that Dr. Herbert L. Needleman has passed away. With Herbert's passing, we lost a great man—and the scientific community lost one of its best.

In the 1970s, Herb undertook groundbreaking studies that revealed the dangers of lead exposure in children. According to the Pittsburgh Gazette, Herb “had been thinking about the impact lead had on children's cognitive abilities for nearly two decades before he finally came up with a way to test historic lead levels.” He made powerful adversaries in the lead industry, but true to his research, Dr.

Needleman found new and inventive ways to prove the toxic effects of lead exposure.

As a researcher at Temple University, he developed the “Tooth Fairy” approach: a method to test children’s baby teeth for lead exposure levels. This method led to pioneering research that found that Black children living in cities had lead levels five times higher than suburban, White children. In the words of Herb’s son, “He just couldn’t tolerate injustice and could not stop seeking the truth.” The results of Herb’s hard work and his dedication to seeking the truth today reach from the halls of science to the apartments of inner cities.

I got to see his determination first hand, working alongside him in fighting the lead paint industry in Rhode Island. When I was confronting the lead industry, over 35,000 Rhode Island children under the age of 6 had elevated levels of lead in their systems. His research was instrumental in the fight for the health of Rhode Island’s children. I am deeply grateful for Herbert’s help in my home State, and I know Rhode Island families are grateful as well.

America has lost a beloved pediatrician, psychiatrist, and brilliant scientist. I offer my condolences to the Needleman family and to the many people he taught and mentored through the years. He lives on as a lasting lesson in the power of science to help others.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 10 U.S.C. 4355(a), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Military Academy: Mr. WOMACK of Arkansas.

The message also announced that pursuant to 44 U.S.C. 2702 and the order

of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Ms. Lori Schwartz of Omaha, Nebraska.

The message further announced that pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of 6 years: Mrs. MARTHA ROBY of Montgomery, Alabama.

The message also announced that pursuant to section 214(a) of the Help America Vote Act of 2002 (52 U.S.C. 20944), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Election Assistance Commission Board of Advisors: Mr. Elliot Berke of Arlington, Virginia.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2454. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Priorities List” (FRL No. 9965-31-OLEM) received during adjournment of the Senate in the Office of the President of the Senate on July 28, 2017; to the Committee on Environment and Public Works.

EC-2455. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, a report relative to the Federal Disability Insurance Trust Fund; to the Committee on Finance.

EC-2456. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0837); to the Committee on Foreign Relations.

EC-2457. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled “Definitions and Selection Criteria that Apply to Direct Grant Programs” (RIN1855-AA13) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2458. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Civil Money Penalty Amounts; Technical Amendment” (Docket No. FDA-2017-N-0011) received in the Office of the President of the Senate on July 31, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2459. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Compliance Date; Extension of Comment Period; Correction” ((RIN0910-ZA48) (Docket No. FDA-2011-F-0172)) received in the Office of the President of the Senate on July 31, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2460. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2017”; to the Committee on Veterans’ Affairs.

EC-2461. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled “Energy Labeling Rule” (RIN3084-AB15) received during adjournment of the Senate in the Office of the President of the Senate on July 28, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

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

POM-79. A resolution adopted by the Legislature of the State of Hawaii submitting an application to the United States Congress to restore free and fair elections; to the Committee on the Judiciary.

HOUSE RESOLUTION No. 25

Whereas, according to The Federalist No. 52 by James Madison, the framers of the Constitution of the United States intended that the Congress of the United States should be “dependent on the people alone”; and

Whereas, the “dependency on the people alone” has evolved into a dependency on powerful special interests that act through campaigns or third-party groups, thereby creating a fundamental imbalance in our representative democracy; and

Whereas, Americans across the political spectrum agree that elections in the United States should be free from the disproportional influence of special interests and fair enough that any citizen can be elected into office; and

Whereas, Article V of the United States Constitution requires Congress to convene a convention for proposing amendments to the federal Constitution on the application of two-thirds of the legislatures of the several states; and

Whereas, the Twenty-ninth Legislature of the State of Hawaii desires to restore balance and integrity to our elections by proposing a federal constitutional amendment to permanently protect free and fair elections in the United States by addressing issues raised by the decision of the Supreme Court of the United States in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), and related cases and events; and

Whereas, the Twenty-ninth Legislature desires that Hawaii have an equal number of delegates to the Convention as any other

state; provided that former or current federal office holders, whether elected or appointed, are not eligible to serve as delegates to the Convention; and

Whereas, the Twenty-ninth Legislature shall retain the ability to restrict or expand the authority of its delegates within the limits expressed herein; and

Whereas, the Twenty-ninth Legislature intends that this continuing application shall be considered with the applications that have been adopted by the 2013–2014 Vermont Legislature, the 2013–2014 California Legislature, the Ninety-eighth Illinois General Assembly, the 2014–2015 New Jersey Legislature, and the 2015–2016 Rhode Island Legislature, as well as all applications that are subsequently adopted until two-thirds of the several states have applied for, and Congress has convened, a convention for proposing amendments to restore free and fair elections: Now, therefore, be it

Resolved, By the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, the Senate concurring, that the people of the State of Hawaii speaking through its Legislature, hereby submit an application to the United States Congress to restore free and fair elections as described herein; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States; Vice President of the United States, as presiding officer of the United States Senate; President Pro Tempore of the United States Senate; the Minority Leader of the United States Senate; the Speaker of the United States House of Representatives; the Minority Leader of the United States House of Representatives; and Hawaii's Congressional delegation.

POM-80. A resolution adopted by the City Commission of the City of Sunrise, Florida urging the United States Congress to oppose the proposed elimination of the Community Development Block Grant and Home Investment Partnerships Programs and supporting full funding in the Fiscal Year 2018 budget for the United States Department of Housing and Urban Development; to the Committee on Banking, Housing, and Urban Affairs.

POM-81. A resolution adopted by the City Commission of the City of Sunrise, Florida urging the United States Congress to enact legislation modernizing the immigration system during the 115th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 810. A bill to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes (Rept. No. 115-142).

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 669. A bill to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes (Rept. No. 115-143).

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 154. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief.

S. 650. A bill to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, and for other purposes.

S. 690. A bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, with amendments:

S. 929. A bill to improve the HUBZone program.

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 1038. A bill to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts.

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 1428. A bill to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

By Mr. ISAKSON, from the Committee on Veterans' Affairs, without amendment:

S. 1598. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

*Brian D. Quintenz, of Ohio, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2020.

*Dawn DeBerry Stump, of Texas, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2022.

*Rostin Behnam, of New Jersey, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring June 19, 2021.

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nomination of Brig. Gen. Mark D. Camerer, to be Major General.

Navy nomination of Rear Adm. DeWolfe H. Miller III, to be Vice Admiral.

Navy nomination of Rear Adm. John D. Alexander, to be Vice Admiral.

Navy nomination of Vice Adm. John C. Aquilino, to be Vice Admiral.

Army nomination of Lt. Gen. Robert P. Ashley, Jr., to be Lieutenant General.

Army nomination of Brig. Gen. Darrell J. Guthrie, to be Major General.

Army nomination of Col. Brian E. Miller, to be Brigadier General.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Sec-

retary's desk for the information of Senators.

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

Army nomination of Damian R. Tong, to be Major.

Army nominations beginning with Dennis Arroyo and ending with Brian P. Weber, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Murray E. Carlock and ending with Carlos V. Silva, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Alon S. Aharon and ending with Edwin A. Wymer, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Julia R. Plevnia and ending with Hal E. Vineyard, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Tressa D. Cochran and ending with Karen F. Wiggins, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Loren D. Adams and ending with Philip A. Wentz, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Joanne E. Arsenault and ending with Felisha L. Rhodes, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Michael E. Alvis and ending with Jeffrey P. Wood, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with John W. Aldridge and ending with Philip E. Zapanta, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Scott R. Cheever and ending with Diana E. Zschaschel, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Edward J. Alexander and ending with Bridget C. Wolfe, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Robin Crear and ending with Neil P. Woods, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Army nominations beginning with Eric W. Bullock and ending with Crystal R. Romay, which nominations were received by the Senate and appeared in the Congressional Record on July 27, 2017.

Navy nominations beginning with Betty S. Alexander and ending with James S. Zmijski, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Dominic J. Antenucci and ending with Matthew J. Wooten, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Clemia Anderson and ending with Michael A. Zundel, which nominations were received by

the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Eric F. Bauman and ending with Evan R. Whitbeck, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Thomas B. Ableman and ending with Bruce A. Yee, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Eric W. Hass and ending with Gail M. Mulleavy, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Christopher L. Almond and ending with Daniel W. Wall, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Robert E. Bradshaw and ending with Leroy C. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nominations beginning with Thomas E. Arnold and ending with Michael P. Yunker, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2017.

Navy nomination of Clair E. Smith, to be Lieutenant Commander.

Navy nomination of Morgan E. McClellan, to be Lieutenant Commander.

Navy nominations beginning with Andrew B. Bridgforth and ending with Ronald J. Mitchell, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2017.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Ajit Varadaraj Pai, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2016.

*Karen Dunn Kelley, of Pennsylvania, to be Under Secretary of Commerce for Economic Affairs.

*Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

*Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation.

*Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015.

*Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration.

*Peter B. Davidson, of Virginia, to be General Counsel of the Department of Commerce.

*Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board for a term of two years.

*Brendan Carr, of Virginia, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2018.

*Brendan Carr, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2018.

*Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*James J. Sullivan, Jr., of Pennsylvania, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2021.

*Brett Giroir, of Texas, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefor as provided by law and regulations, and to be an Assistant Secretary of Health and Human Services.

*Heather L. MacDougall, of Florida, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2023.

*Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, Department of Health and Human Services.

*Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Department of Health and Human Services.

*Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years.

*Robert P. Kadlec, of New York, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. UDALL (for himself, Mr. PORTMAN, Mr. PETERS, Mr. WYDEN, Mr. GRAHAM, Mr. GARDNER, Mr. BROWN, Mr. FRANKEN, Ms. BALDWIN, and Mr. ALEXANDER):

S. 1700. A bill to amend the Energy Policy and Conservation Act to establish a WaterSense program within the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself and Mr. WYDEN):

S. 1701. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RISCH:

S. 1702. A bill to amend the Marine Mammal Protection Act of 1972 to reduce predation by sea lions on endangered Columbia River salmon and other species not listed under the Endangered Species Act of 1973, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH:

S. 1703. A bill to amend section 212(d)(5) of the Immigration and Nationality Act to allow certain alien veterans to be paroled into the United States to receive health care furnished by the Secretary of Veterans Affairs; to the Committee on the Judiciary.

By Ms. DUCKWORTH:

S. 1704. A bill to require the Secretary of Homeland Security to establish a veterans

visa program to permit veterans who have been removed from the United States to return as immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNET (for himself and Mr. BOOZMAN):

S. 1705. A bill to provide to the Secretary of Agriculture the ability to enter into a lease agreement for administrative sites on National Forest System land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. GRAHAM, Mr. WHITEHOUSE, Ms. COLLINS, Mrs. SHAHEEN, Ms. WARREN, and Mr. COONS):

S. 1706. A bill to prevent human health threats posed by the consumption of equines raised in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1707. A bill to amend the Food and Nutrition Act of 2008 to provide for a standard medical expense deduction under the supplemental nutrition assistance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 1708. A bill to amend the Food and Nutrition Act of 2008 to provide that certain students who are family caregivers are eligible to participate in the Supplemental Nutrition Assistance Program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Mr. HATCH, and Mr. CORNYN):

S. 1709. A bill to amend title 18, United States Code, to provide a certification process for the issuance of nondisclosure requirements accompanying certain administrative subpoenas, to provide for judicial review of such nondisclosure requirements, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mr. LEAHY, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. NELSON, Mr. FRANKEN, Mrs. SHAHEEN, Mr. PETERS, Ms. HASSAN, Mr. CARDIN, Mr. REED, Mrs. MURRAY, Mr. DURBIN, Ms. STABENOW, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. MARKEY, Ms. HIRONO, Ms. HARRIS, and Mr. BOOKER):

S. 1710. A bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 1711. A bill to amend the Public Utility Regulatory Policies Act of 1978 to assist States in adopting updated interconnection procedures and tariff schedules and standards for supplemental, backup, and standby power fees for projects for combined heat and power technology and waste heat to power technology, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 1712. A bill to amend the Higher Education Act of 1965 to provide for the automatic recertification of income for income-driven repayment plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Mr. COONS, Ms. COLLINS, and Mr. REED):

S. 1713. A bill to require certain financial assistance under the State energy program and the Weatherization Assistance Program to be distributed without undue delay to support State and local high-impact energy efficiency and renewable energy initiatives; to

the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1714. A bill to provide for the conduct of certain economic activities in Malheur County, Oregon, to provide for the conduct of a study on the need for a regional economic commission for certain counties in the State of Oregon, to withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself, Mr. MENENDEZ, Ms. HIRONO, Ms. BALDWIN, Ms. WARREN, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. BENNET, Mr. BOOKER, Mr. DURBIN, Mr. KAINE, Mr. BROWN, Mr. LEAHY, Mr. FRANKEN, Mr. HEINRICH, Mr. CASEY, Ms. CORTEZ MASTO, Mr. CARDIN, Ms. HASSAN, Mr. CARPER, Mr. VAN HOLLEN, Mr. COONS, Mrs. MCCASKILL, Mrs. MURRAY, Ms. HARRIS, Ms. STABENOW, Mr. REED, Ms. KLOBUCHAR, Mr. SANDERS, Mr. SCHUMER, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. DONNELLY, Ms. DUCKWORTH, Mr. PETERS, Mr. UDALL, Mr. MARKEY, Mr. MURPHY, Ms. HEITKAMP, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. NELSON, Mr. KING, Mr. SCHATZ, Mr. WARNER, Mr. TESTER, and Mr. MANCHIN):

S. 1715. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. KING):

S. 1716. A bill to amend the Internal Revenue Code of 1986 to provide a credit to employers who provide paid family and medical leave, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. RUBIO):

S. 1717. A bill to amend title 31, United States Code, to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY (for himself, Mr. NELSON, Mr. INHOFE, Mr. RUBIO, Mr. CASSIDY, and Ms. WARREN):

S. 1718. A bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself and Ms. CANTWELL):

S. 1719. A bill to eliminate duties on imports of recreational performance outerwear, to establish the Sustainable Textile and Apparel Research Fund, and for other purposes; to the Committee on Finance.

By Mr. COTTON (for himself and Mr. PERDUE):

S. 1720. A bill to amend the Immigration and Nationality Act to establish a skills-based immigration points system, to focus family-sponsored immigration on spouses and minor children, to eliminate the Diversity Visa Program, to set a limit on the number of refugees admitted annually to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL (for himself, Mr. ROUNDS, Mr. BOOZMAN, Mrs. MURRAY, and Mr. HEINRICH):

S. 1721. A bill to amend titles 10 and 37, United States Code, to provide compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components, and for other purposes; to the Committee on Armed Services.

By Mr. SULLIVAN:

S. 1722. A bill to require the Committee on Foreign Investment in the United States to consider the reciprocity of foreign investment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 1723. A bill to appropriate amounts to the Department of Veterans Affairs to improve health care furnished by the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WARNER (for himself, Mr. MORAN, Mrs. CAPITO, and Mr. CASEY):

S. 1724. A bill to amend the Internal Revenue Code of 1986 to establish a new tax credit and grant program to stimulate investment and healthy nutrition options in food deserts, and for other purposes; to the Committee on Finance.

By Ms. DUCKWORTH (for herself and Ms. CORTEZ MASTO):

S. 1725. A bill to require the Secretary of Homeland Security to identify each alien who has served, or is serving, in the Armed Forces of the United States when any alien applies for an immigration benefit or is placed in an immigration enforcement proceeding, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Mrs. FEINSTEIN, Ms. HIRONO, Mr. FRANKEN, Mrs. SHAHEEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. UDALL, Mr. BOOKER, Mr. LEAHY, and Mrs. GILLIBRAND):

S. 1726. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. DUCKWORTH (for herself and Ms. CORTEZ MASTO):

S. 1727. A bill to establish a naturalization office at every initial military training site; to the Committee on Armed Services.

By Mr. CARDIN:

S. 1728. A bill to require non-Federal prison, correctional, and detention facilities holding Federal prisoners or detainees under a contract with the Federal Government to make the same information available to the public that Federal prisons and correctional facilities are required to make available; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. WARNER, Mr. CRAPO, Mr. CARDIN, and Mr. YOUNG):

S. 1729. A bill to amend title XVIII of the Social Security Act to provide for independent accreditation for dialysis facilities and assurances of high quality surveys; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. COONS, Mr. MORAN, Mrs. SHAHEEN, Mr. RUBIO, Mr. BLUMENTHAL, Mr. ENZI, Mr. ISAKSON, Mr. DURBIN, and Mr. MURPHY):

S. 1730. A bill to implement policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Relations.

By Mr. THUNE:

S. 1731. A bill to address the forest health crisis on National Forest System land, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WICKER (for himself, Mr. SCHATZ, Mr. GARDNER, Ms. HASSAN, Mr. MORAN, and Mr. PETERS):

S. Res. 242. A resolution expressing the sense of the Senate about a strategy to deploy fifth generation mobile networks (5G networks) and next-generation wireless and wired technologies to promote economic development and digital innovation throughout the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE (for himself, Mr. GARDNER, Mr. LEE, Mr. COTTON, Mrs. MCCASKILL, and Mr. BENNET):

S. Res. 243. A resolution expressing the sense of the Senate that Joseph Leon George should be honored for heroism at Pearl Harbor, Hawaii, on December 7, 1941; to the Committee on Armed Services.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 244. A resolution to authorize testimony, document production, and representation in United States of America v. Robert Menendez, et al; considered and agreed to.

ADDITIONAL COSPONSORS

S. 58

At the request of Mr. HELLER, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from Michigan (Ms. STABENOW), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 58, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 168

At the request of Mr. WICKER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 168, a bill to amend and enhance certain maritime programs of the Department of Transportation.

S. 253

At the request of Mr. CARDIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 256

At the request of Ms. HEITKAMP, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 256, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 261

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 266

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

S. 283

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 283, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 322

At the request of Mr. PETERS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 394

At the request of Mr. ROUNDS, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 394, a bill to amend chapter 44 of title 18, United States Code, to provide that a member of the Armed Forces and the spouse of that member shall have the same rights regarding the receipt of

firearms at the location of any duty station of the member.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 456

At the request of Mr. BENNET, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 456, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish a program to increase the development of new drugs to treat pediatric cancers, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 581

At the request of Mr. MANCHIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 581, a bill to include information concerning a patient's opioid addiction in certain medical records.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 635

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 635, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 655

At the request of Mr. RISCH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 655, a bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to

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

S. 808

At the request of Mr. THUNE, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 828

At the request of Mr. WARNER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 828, a bill to amend the Federal Deposit Insurance Act to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2B liquid assets, and for other purposes.

S. 916

At the request of Mr. CASSIDY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 916, a bill to amend the Controlled Substances Act with regard to the provision of emergency medical services.

S. 976

At the request of Mr. ENZI, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 976, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 1002

At the request of Mr. MORAN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1044

At the request of Mrs. CAPITO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1044, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1113

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1139

At the request of Mr. TESTER, the name of the Senator from Missouri

(Mrs. McCASKILL) was added as a cosponsor of S. 1139, a bill to amend the Financial Stability Act of 2010 to modify the requirements of stress tests.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1182, *supra*.

S. 1254

At the request of Ms. STABENOW, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1254, a bill to amend the Internal Revenue Code of 1986 to expand the small employer health insurance credit.

S. 1311

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

S. 1312

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

S. 1348

At the request of Mr. WYDEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1348, a bill to amend title XI of the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 1354

At the request of Mr. CARPER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1354, a bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs.

S. 1428

At the request of Mr. RISCH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1428, a bill to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

S. 1462

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

S. 1500

At the request of Mr. WARNER, the name of the Senator from Nevada (Mr.

HELLER) was added as a cosponsor of S. 1500, a bill to amend the Federal Deposit Insurance Act to ensure that the reciprocal deposits of an insured depository institution are not considered to be funds obtained by or through a deposit broker, and for other purposes.

S. 1509

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1509, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize an extension of exclusivity periods for certain drugs that are approved for a new indication for a rare disease or condition, and for other purposes.

S. 1512

At the request of Mr. LANKFORD, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 1512, a bill to prohibit the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, the Secretary of Transportation, and the Chair of the Council on Environmental Quality from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes.

S. 1532

At the request of Mr. THUNE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1532, a bill to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

S. 1536

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1536, a bill to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes.

S. 1558

At the request of Mr. RISCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1558, a bill to amend section 203 of Public Law 94-305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

S. 1568

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1598

At the request of Mr. TESTER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1615

At the request of Mr. GRAHAM, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 1615, a bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 1636

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1636, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 1685

At the request of Mr. SCOTT, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1685, a bill to require Fannie Mae and Freddie Mac to establish procedures for considering certain credit scores in making a determination whether to purchase a residential mortgage, and for other purposes.

S. 1688

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1688, a bill to amend title XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program.

S. 1693

At the request of Mr. PORTMAN, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

AMENDMENT NO. 575

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 575 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 592

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 680

At the request of Mr. BOOZMAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of amendment No. 680 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. WYDEN):

S. 1701. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1701

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fair Access to Science and Technology Research Act of 2017”.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Federal Government funds basic and applied research with the expectation that new ideas and discoveries that result from the research, if shared and effectively disseminated, will advance science and improve the lives and welfare of people of the United States and around the world;

(2) the Internet makes it possible for this information to be promptly available to every scientist, physician, educator, and citizen at home, in school, or in a library;

(3) the United States has a substantial interest in maximizing the impact and utility of the research it funds by enabling a wide range of reuses of the peer-reviewed literature that reports the results of such research, including by enabling computational analysis by state-of-the-art technologies;

(4) the Office of Science and Technology Policy issued a policy memorandum dated February 22, 2013, which established the commitment of the executive branch of the Federal Government to ensuring that “the direct results of Federally funded scientific research are made available to and useful for the public, industry, and the scientific community”; and

(5) the executive branch advises that such public access should be implemented “with the fewest constraints possible”.

SEC. 3. DEFINITION OF FEDERAL AGENCY.

In this Act, the term “Federal agency” means an Executive agency, as defined under section 105 of title 5, United States Code.

SEC. 4. FEDERAL RESEARCH PUBLIC ACCESS POLICY.

(a) REQUIREMENT TO DEVELOP POLICY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, each Federal agency with annual extramural research expenditures of over \$100,000,000 shall develop a Federal research public access policy that is consistent with and advances the purposes of the Federal agency.

(2) COMMON PROCEDURES.—To the extent practicable, Federal agencies required to develop a policy under paragraph (1) shall follow common procedures for the collection and depositing of research papers.

(b) CONTENT.—Each Federal research public access policy shall provide for—

(1) submission to a digital repository designated or maintained by the Federal agency of an electronic version of the author’s final manuscript of original research papers that have been accepted for publication in peer-reviewed journals and that result from research supported, in whole or in part, from funding by the Federal Government;

(2) the incorporation of all changes resulting from the peer review publication process in the manuscript described under paragraph (1);

(3) the replacement of the final manuscript with the final published version if—

(A) the publisher consents to the replacement; and

(B) the goals of the Federal agency for functionality and interoperability are retained;

(4) free online public access to such final peer-reviewed manuscripts or published versions within a time period that is appropriate for each type of research conducted or sponsored by the Federal agency, not later than 12 months after publication in peer-reviewed journals, preferably sooner, or as adjusted under established mechanisms;

(5) a means, using established mechanisms for making requests to the applicable Federal agency, for members of the public and other stakeholders to request to adjust the period before such a final peer-reviewed manuscript or published version is made publicly available by presenting evidence demonstrating that the period is inconsistent with the objectives of the Federal research public access policy or the needs of the public, industry, or the scientific community;

(6) providing research papers as described in paragraph (4) in formats and under terms

that enable productive reuse of the research and computational analysis by state-of-the-art technologies;

(7) improving the ability of the public to locate and access research papers made accessible under the Federal research public access policy; and

(8) long-term preservation of, and free public access to, published research findings—

(A) in a stable digital repository maintained by the Federal agency; or

(B) if consistent with the purposes of the Federal agency, in any repository meeting conditions determined favorable by the Federal agency (including free public access), interoperability, and long-term preservation.

(c) APPLICATION OF POLICY.—Each Federal research public access policy shall—

(1) apply to—

(A) researchers employed by the Federal agency whose works remain in the public domain; and

(B) researchers funded by the Federal agency;

(2) provide that works described under paragraph (1)(A) shall be—

(A) marked as being public domain material when published; and

(B) made available at the same time such works are made available under subsection (b)(4); and

(3) make effective use of any law or guidance relating to the creation and reservation of a Government license that provides for the reproduction, publication, release, or other uses of a final manuscript for Federal purposes.

(d) EXCLUSIONS.—Each Federal research public access policy shall not apply to—

(1) research progress reports presented at professional meetings or conferences;

(2) laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts;

(3) classified research, research resulting in works that generate revenue or royalties for authors (such as books) or patentable discoveries, to the extent necessary to protect a copyright or patent; or

(4) authors who do not submit their work to a journal or works that are rejected by journals.

(e) PATENT OR COPYRIGHT LAW.—Nothing in this Act shall be construed to affect any right under the provisions of title 17 or 35, United States Code.

(f) GAO REPORT.—Not later than 3 years after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General of the United States shall submit to Congress a report that—

(1) includes an analysis of the period between the date on which each paper becomes publicly available in a journal and the date on which the paper is in the online repository of the applicable Federal agency; and

(2) examines the effectiveness of the Federal research public access policy in providing the public with free online access to papers on research funded by each Federal agency required to develop a policy under subsection (a)(1), including—

(A) whether the terms of use applicable to such research papers in effect are effective in enabling productive reuse of the research and computational analysis by state-of-the-art technologies; and

(B) examines whether such research papers should include a royalty-free copyright license that is available to the public and that permits the reuse of those research papers, on the condition that attribution is given to the author or authors of the research and

any others designated by the copyright owner.

By Mr. WYDEN (for himself and Mr. RUBIO):

S. 1717. A bill to amend title 31, United States Code, to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. WYDEN. Mr. President, today I am, along with Senator RUBIO, introducing the Corporate Transparency Act of 2017. This bill will help us end the abuse of anonymous shell companies by criminals who use these entities to launder money, finance terrorism, promote sex trafficking, and evade taxes.

Each year criminals use anonymous shell companies to carry out their illicit schemes. Viktor Bout, the so-called “merchant of death,” utilized a vast network of shell corporations, several of which were in the United States, including one suspected of having provided weapons to the Taliban. Another anonymous U.S. company owned a large share of a Manhattan skyscraper and used its anonymity to facilitate \$4.5 million in payments to an Iranian bank that was designated by OFAC as a key financier to Iran’s nuclear and ballistic missiles program. Anonymous shell companies have been used to rip off taxpayers as well. In 2010, Michel Huarte was sentenced to 22 years in prison after using a network of 29 shell companies in several States to defraud Medicare, using the entities to submit claims of more than \$50 million.

Last year, the release of documents known as the Panama Papers leaked from the Panamanian law firm Mossack Fonseca highlighted the use of American shell companies to carry out potential crimes. Shell company abuse is not just in occurring in offshore tax havens, but right here in the United States, and this bill seeks to put a stop to that.

In the United States, company registrations take place at the State-level. The Corporate Transparency Act of 2017 directs the Treasury Department to issue regulations requiring entities formed in the United States to declare their beneficial owners—the real, natural persons who control each company and benefit from it financially. The bill would do this by setting minimum disclosure standards for States to follow. If individual States choose to collect this information on behalf of businesses formed there, then

that’s all that a new business would need to do to comply. Participation by the States is completely voluntary. If companies are formed in States that do not collect this information consistent with the new minimum standards, they will need to disclose their beneficial owners directly to the U.S. Treasury Department’s Financial Crimes Enforcement Network.

Collecting beneficial ownership information at the time a company is formed will offer the transparency law enforcement needs to investigate these kinds of financial crimes. Under the bill, the new beneficial ownership information would not be available to the public, but available only to appropriate state and federal authorities. Finally, the bill provides civil and criminal penalties for improper disclosure.

The bill is constructed to exempt many legitimate businesses, and the information requested is already provided by most companies in the normal course of business. Collecting beneficial ownership information at the time of incorporation relieves later compliance burdens for legitimate businesses, while at the same time prevents illegitimate businesses from operating in secrecy.

The House companion to this bill, H.R. 3089, was introduced with bipartisan support and efforts to identify the true owners of shell companies have the support of business groups like the Clearing House Association and the B-Team, law enforcement groups like the Fraternal Order of Police, and anti-corruption advocacy groups like the Financial Accountability and Corporate Transparency (FACT) Coalition and Global Witness.

The Corporate Transparency Act of 2017 is a much needed step in stopping financial crimes and the abuse of anonymous shell companies. I thank Senator RUBIO for joining me in introducing this bill, and I ask my colleagues to join me in supporting this bipartisan bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1717

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Corporate Transparency Act of 2017”.

SEC. 2. FINDINGS.

Congress finds the following:

- (1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.
- (2) Very few States obtain meaningful information about the beneficial owners of the corporations and limited liability companies formed under their laws.
- (3) A person forming a corporation or limited liability company within the United

States typically provides less information to the State of incorporation than is needed to obtain a bank account or driver’s license and typically does not name a single beneficial owner.

(4) Criminals have exploited the weaknesses in State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to commit crimes affecting interstate and international commerce such as terrorism, drug trafficking, money laundering, tax evasion, securities fraud, financial fraud, and acts of foreign corruption.

(5) Law enforcement efforts to investigate corporations and limited liability companies suspected of committing crimes have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Financial Crimes Enforcement Network of the Department of the Treasury, the Internal Revenue Service, and the Government Accountability Office, and others.

(6) In July 2006, a leading international anti-money laundering organization, the Financial Action Task Force on Money Laundering (in this section referred to as the “FATF”), of which the United States is a member, issued a report that criticizes the United States for failing to comply with a FATF standard on the need to collect beneficial ownership information and urged the United States to correct this deficiency by July 2008. In December 2016, FATF issued another evaluation of the U.S., which found that little progress has been made over the last ten years to address this problem. It identified the “lack of timely access to adequate, accurate and current beneficial ownership information” as a fundamental gap in U.S. efforts to combat money laundering and terrorist finance.

(7) In response to the 2006 FATF report, the United States has repeatedly urged the States to strengthen their incorporation practices by obtaining beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(8) Many States have established automated procedures that allow a person to form a new corporation or limited liability company within the State within 24 hours of filing an online application, without any prior review of the application by a State official. In exchange for a substantial fee, 2 States will form a corporation within 1 hour of a request.

(9) Dozens of Internet Web sites highlight the anonymity of beneficial owners allowed under the incorporation practices of some States, point to those practices as a reason to incorporate in those States, and list those States together with offshore jurisdictions as preferred locations for the formation of new corporations, essentially providing an open invitation to criminals and other wrongdoers to form entities within the United States.

(10) In contrast to practices in the United States, all 28 countries in the European Union are required to have formation agents identify the beneficial owners of the corporations formed under the laws of the country.

(11) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with hidden owners, to protect interstate and international commerce from criminals misusing United States corporations and limited liability companies, to

strengthen law enforcement investigations of suspect corporations and limited liability companies, to set minimum standards for and level the playing field among State incorporation practices, and to bring the United States into compliance with its international anti-money laundering standards, Federal legislation is needed to require the collection of beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

SEC. 3. TRANSPARENT INCORPORATION PRACTICES.

(a) TRANSPARENT INCORPORATION PRACTICES.—

(1) IN GENERAL.—Chapter 53 of title 31, United States Code, is amended by inserting after section 5332 the following new section:

“§ 5333. Transparent incorporation practices

“(a) REPORTING REQUIREMENTS.—

“(1) IN GENERAL.—Not later than the beginning of fiscal year 2019, the Secretary of the Treasury shall issue regulations requiring each corporation and limited liability company formed in a State that does not have a formation system described under subsection (b) to file with the Financial Crimes Enforcement Network such information as the corporation or limited liability company would be required to provide the State if such State had a formation system described under subsection (b).

“(2) DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.—Beneficial ownership information reported to the Financial Crimes Enforcement Network pursuant to paragraph (1) shall be provided by the Financial Crimes Enforcement Network upon receipt of—

“(A) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information;

“(B) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or an order under section 3512 of title 18 or section 1782 of title 28 issued in response to a request for assistance from a foreign country; or

“(C) a written request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act (Public Law 91508; 84 Stat. 1114), the USA PATRIOT Act (Public Law 10756; 115 Stat. 272), or other applicable Federal or State law.

“(3) LIMITATION.—In issuing regulations pursuant to paragraph (1), the Secretary shall not require such information to be filed with the Internal Revenue Service.

“(b) FORMATION SYSTEM.—

“(1) IN GENERAL.—With respect to a State, a formation system is described under this subsection if it meets the following requirements:

“(A) IDENTIFICATION OF BENEFICIAL OWNERS.—Except as provided in paragraphs (2) and (4), and subject to paragraph (3), each applicant to form a corporation or limited liability company under the laws of the State is required to provide to the State during the formation process a list of the beneficial owners of the corporation or limited liability company that—

“(i) except as provided in subparagraph (F), identifies each beneficial owner by—

“(I) name;

“(II) current residential or business street address; and

“(III) a unique identifying number from a non-expired passport issued by the United

States or a non-expired driver's license issued by a State; and

“(ii) if the applicant is not the beneficial owner, provides the identification information described in clause (i) relating to the applicant.

“(B) UPDATED INFORMATION.—For each corporation or limited liability company formed under the laws of the State—

“(i) the corporation or limited liability company is required by the State to update the list of the beneficial owners of the corporation or limited liability company by providing the information described in subparagraph (A) to the State not later than 60 days after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner;

“(ii) in the case of a corporation or limited liability company formed or acquired by a formation agent and retained by the formation agent as a beneficial owner for transfer to another person, the formation agent is required by the State to submit to the State an updated list of the beneficial owners and the information described in subparagraph (A) for each such beneficial owner not later than 10 days after date on which the formation agent transfers the corporation or limited liability company to another person; and

“(iii) the corporation or limited liability company is required by the State to submit to the State an annual filing containing the list of the beneficial owners of the corporation or limited liability company and the information described in subparagraph (A) for each such beneficial owner.

“(C) RETENTION OF INFORMATION.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State is required to be maintained by the State until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

“(D) INFORMATION REQUESTS.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State shall be provided by the State upon receipt of—

“(i) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information;

“(ii) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or section 1782 of title 28;

“(iii) a written request made by the Financial Crimes Enforcement Network; or

“(iv) a written request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act (Public Law 91508; 84 Stat. 1114), the USA PATRIOT Act (Public Law 10756; 115 Stat. 272), or other applicable Federal or State law.

“(E) NOTICE.—The State discloses clearly and conspicuously that the beneficial ownership information collected under the formation system may be provided to the entities described in subparagraph (D), pursuant to the requirements of such subparagraph.

“(F) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corporation or limited liability company formed under the laws of the State may not issue a certificate in bearer form evidencing either a whole or fractional interest in the corporation or limited liability company.

“(2) STATES THAT LICENSE FORMATION AGENTS.—

“(A) IN GENERAL.—Notwithstanding paragraph (1), a State described in subparagraph (B) may permit an applicant to form a corporation or limited liability company under the laws of the State, or a corporation or limited liability company formed under the laws of the State, to provide the required information to a licensed formation agent residing in the State, instead of to the State directly, if the application under paragraph (1)(A) or the update under paragraph (1)(B) contains—

“(i) the name, current business address, contact information, and licensing number of the licensed formation agent that has agreed to maintain the information required under this subsection; and

“(ii) a certification by the licensed formation agent that the licensed formation agent has possession of the information required under this subsection and will maintain the information in the State licensing the licensed formation agent in accordance with State law.

“(B) STATES DESCRIBED.—A State described in this subparagraph is a State that maintains a formal licensing system for formation agents that requires a formation agent to register with the State, meet standards for fitness and honesty, maintain a physical office and records within the State, undergo regular monitoring, and be subject to sanctions for noncompliance with State requirements.

“(C) LICENSED FORMATION AGENT DUTIES.—A licensed formation agent that receives beneficial ownership information under State law in accordance with this paragraph shall—

“(i) maintain the information in the State in which the corporation or limited liability company is being or has been formed in the same manner as required for States under paragraph (1)(C);

“(ii) provide the information under the same circumstances as required for States under paragraph (1)(D); and

“(iii) perform the duties of a formation agent under paragraph (3).

“(D) TERMINATION OF RELATIONSHIP.—

“(i) IN GENERAL.—Except as provided in clause (ii), a licensed formation agent that receives beneficial ownership information relating to a corporation or limited liability company under State law in accordance with this paragraph and that resigns, dissolves, or otherwise ends a relationship with the corporation or limited liability company shall promptly—

“(I) notify the State in writing that the licensed formation agent has resigned or ended the relationship; and

“(II) transmit all beneficial ownership information relating to the corporation or limited liability company in the possession of the licensed formation agent to the licensing State.

“(ii) EXCEPTION.—If a licensed formation agent receives written instructions from a corporation or limited liability company, the licensed formation agent may transmit the beneficial ownership information relating to the corporation or limited liability company to another licensed formation agent that is within the same State and has agreed to maintain the information in accordance with this section.

“(iii) NOTICE TO STATE.—If a licensed formation agent provides beneficial ownership information to another licensed formation agent under clause (ii), the licensed formation agent providing the information shall promptly notify in writing the State under

the laws of which the corporation or limited liability company is formed of the identity of the licensed formation agent receiving the information.

“(3) CERTAIN BENEFICIAL OWNERS.—If an applicant to form a corporation or limited liability company or a beneficial owner, officer, director, or similar agent of a corporation or limited liability company who is required to provide identification information under this subsection does not have a non-expired passport issued by the United States or a non-expired driver's license or identification card issued by a State, each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a certification by a formation agent residing in the State that the formation agent—

“(A) has obtained for each such person a current residential or business street address and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for the person;

“(B) has verified the name, address, and identity of each such person;

“(C) will provide the information described in subparagraph (A) and the proof of verification described in subparagraph (B) upon request under the same circumstances as required for States under paragraph (1)(D); and

“(D) will retain the information and proof of verification under this paragraph in the State in which the corporation or limited liability company is being or has been formed until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

“(4) EXEMPT ENTITIES.—

“(A) IN GENERAL.—A formation system described in paragraph (1) shall require that an application for an entity described in subparagraph (C) or (D) of subsection (d)(2) that is proposed to be formed under the laws of a State and that will be exempt from the beneficial ownership disclosure requirements under this subsection shall include in the application a certification by the applicant, or a prospective officer, director, or similar agent of the entity—

“(i) identifying the specific provision of subsection (d)(2) under which the entity proposed to be formed would be exempt from the beneficial ownership disclosure requirements under paragraphs (1), (2), and (3);

“(ii) stating that the entity proposed to be formed meets the requirements for an entity described under such provision of subsection (d)(2); and

“(iii) providing identification information for the applicant or prospective officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (3).

“(B) EXISTING ENTITIES.—On and after the date that is 2 years after the effective date of the amendments to the formation system of a State made to comply with this section, an entity formed under the laws of the State before such effective date shall be considered to be a corporation or limited liability company for purposes of, and shall be subject to the requirements of, this subsection unless an officer, director, or similar agent of the entity submits to the State a certification—

“(i) identifying the specific provision of subsection (d)(2) under which the entity is exempt from the requirements under paragraphs (1), (2), and (3);

“(ii) stating that the entity meets the requirements for an entity described under such provision of subsection (d)(2); and

“(iii) providing identification information for the officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (3).

“(C) EXEMPT ENTITIES HAVING OWNERSHIP INTEREST.—If an entity described in subparagraph (C) or (D) of subsection (d)(2) has or will have an ownership interest in a corporation or limited liability company formed or to be formed under the laws of a State, the applicant, corporation, or limited liability company in which the entity has or will have the ownership interest shall provide the information required under this subsection relating to the entity, except that the entity shall not be required to provide information regarding any natural person who has an ownership interest in, exercises substantial control over, or receives substantial economic benefits from the entity.

“(c) PENALTIES.—

“(1) IN GENERAL.—It shall be unlawful for—

“(A) any person to affect interstate or foreign commerce by—

“(i) knowingly providing, or attempting to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph, to a State or licensed formation agent under State law in accordance with this section;

“(ii) willfully failing to provide complete or updated beneficial ownership information to a State or licensed formation agent under State law in accordance with this section; or

“(iii) knowingly disclosing the existence of a subpoena, summons, or other request for beneficial ownership information, except—

“(I) to the extent necessary to fulfill the authorized request;

“(II) as authorized by the entity that issued the subpoena, summons, or other request; or

“(III) as prescribed by a State; or

“(B) in the case of a formation agent, knowingly failing to obtain or maintain credible, legible, and updated beneficial ownership information, including any required identifying photograph.

“(2) CIVIL AND CRIMINAL PENALTIES.—In addition to any civil or criminal penalty that may be imposed by a State, any person who violates paragraph (1)—

“(A) shall be liable to the United States for a civil penalty of not more than \$10,000; and

“(B) may be fined under title 18, imprisoned for not more than 3 years, or both.

“(d) DEFINITIONS.—For the purposes of this section:

“(1) BENEFICIAL OWNER.—The term ‘beneficial owner’—

“(A) means a natural person who, directly or indirectly—

“(i) exercises substantial control over a corporation or limited liability company; or

“(ii) has a substantial interest in or receives substantial economic benefits from the assets of a corporation or limited liability company; and

“(B) does not include—

“(i) a minor child;

“(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

“(iii) a person acting solely as an employee of a corporation or limited liability company and whose control over or economic benefits from the corporation or limited liability company derives solely from the employment status of the person;

“(iv) a person whose only interest in a corporation or limited liability company is

through a right of inheritance, unless the person also meets the requirements of subparagraph (A); or

“(v) a creditor of a corporation or limited liability company, unless the creditor also meets the requirements of subparagraph (A).

“(2) CORPORATION; LIMITED LIABILITY COMPANY.—The terms ‘corporation’ and ‘limited liability company’—

“(A) have the meanings given such terms under the laws of the applicable State;

“(B) include any non-United States entity eligible for registration or registered to do business as a corporation or limited liability company under the laws of the applicable State;

“(C) do not include any entity that is, and discloses in the application by the entity to form under the laws of the State or, if the entity was formed before the date of the enactment of this section, in a filing with the State under State law—

“(i) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d));

“(ii) a business concern constituted or sponsored by a State, a political subdivision of a State, under an interstate compact between 2 or more States, by a department or agency of the United States, or under the laws of the United States;

“(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

“(iv) a credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

“(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841));

“(vi) a broker or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

“(vii) an exchange or clearing agency (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 6 or 17A of the Securities Exchange Act of 1934 (15 U.S.C. 78f and 78q-1);

“(viii) an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a-3)) or an investment advisor (as defined in section 202 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2)), if the company or adviser is registered with the Securities and Exchange Commission, or has filed an application for registration which has not been denied, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) or the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.);

“(ix) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a-2));

“(x) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission;

“(xi) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212);

“(xii) a public utility that provides telecommunications service, electrical power, natural gas, or water and sewer services, within the United States;

“(xiii) a church, charity, or nonprofit entity that is described in section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code of 1986, has not been denied tax exempt status, and has filed the most recently due annual information return with the Internal Revenue Service, if required to file such a return;

“(xiv) any business concern that—

“(I) employs more than 20 employees on a full-time basis in the United States;

“(II) files income tax returns in the United States demonstrating more than \$5,000,000 in gross receipts or sales; and

“(III) has an operating presence at a physical office within the United States; or

“(xv) any corporation or limited liability company formed and owned by an entity described in clause (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), or (xiv); and

“(D) do not include any individual business concern or class of business concerns which the Secretary of the Treasury, with the written concurrence of the Attorney General of the United States, has determined in writing should be exempt from the requirements of subsection (a), because requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

“(3) FORMATION AGENT.—The term ‘formation agent’ means a person who, for compensation—

“(A) acts on behalf of another person to assist in the formation of a corporation or limited liability company under the laws of a State; or

“(B) purchases, sells, or transfers the public records that form a corporation or limited liability company.”.

(2) RULEMAKING.—To carry out this Act and the amendments made by this Act, the Secretary of the Treasury, in consultation with the Secretary of Homeland Security and the Attorney General of the United States, may issue guidance or a rule to—

(A) clarify the definitions under section 5333(d) of title 31, United States Code, as added by paragraph (1); and

(B) specify how to verify beneficial ownership information or other identification information for purposes of such section 5333, including whether the verification procedures specified in section 5333(b)(3) should apply to all applicants under section 5333(b)(1) or whether such verification process should require the notarization of signatures.

(3) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(A) in section 5321(a)—

(i) in paragraph (1), by striking “sections 5314 and 5315” each place it appears and inserting “sections 5314, 5315, and 5333”; and

(ii) in paragraph (6), by inserting “(except section 5333)” after “subchapter” each place it appears; and

(B) in section 5322, by striking “section 5315 or 5324” each place it appears and inserting “section 5315, 5324, or 5333”.

(4) TABLE OF CONTENTS.—The table of contents of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

“Sec. 5333. Transparent incorporation practices.”.

(5) RESTRICTIONS ON PUBLIC ACCESS.—A State may—

(A) restrict public access to all or any portion of the beneficial ownership information

provided to the State as described under section 5332 of title 31, United States Code, as added by this Act; and

(B) by statute, regulation, order, or interpretation adopted or issued by the State after the date of enactment of this Act, provide for public access to all or any portion of such information.

(6) NO DUTY OF VERIFICATION.—This Act and the amendments made by this Act do not impose any obligation on a State to verify the name, address, or identity of a beneficial owner whose information is submitted to such State under section 5333 of title 31, United States Code, as added by this Act.

(b) FUNDING AUTHORIZATION.—

(1) IN GENERAL.—To carry out section 5333 of title 31, United States Code, during the 3-year period beginning on the date of enactment of this Act, funds shall be made available to each State to pay reasonable costs relating to compliance with the requirements of such section.

(2) FUNDING SOURCES.—To protect the United States against the misuse of United States corporations and limited liability companies with hidden owners, funds shall be provided to each State to carry out the purposes described in paragraph (1) from one or more of the following sources:

(A) Upon application by a State, and without further appropriation, the Secretary of the Treasury shall make available to the State unobligated balances described in section 9703(g)(4)(B) of title 31, United States Code, in the Department of the Treasury Forfeiture Fund established under section 9703(a) of title 31, United States Code.

(B) Upon application by a State, after consultation with the Secretary of the Treasury, and without further appropriation, the Attorney General of the United States shall make available to the State excess unobligated balances (as defined in section 524(c)(8)(D) of title 28, United States Code) in the Department of Justice Assets Forfeiture Fund established under section 524(c) of title 28, United States Code.

(3) MAXIMUM AMOUNTS.—

(A) DEPARTMENT OF THE TREASURY.—The Secretary of the Treasury may not make available to States a total of more than \$30,000,000 under paragraph (2)(A).

(B) DEPARTMENT OF JUSTICE.—The Attorney General of the United States may not make available to States a total of more than \$10,000,000 under paragraph (2)(B).

(4) RULEMAKING.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury and the Attorney General shall, jointly, issue regulations setting forth the procedures for States to apply for funds under this subsection, including determining which State measures should be funded to assess, plan, develop, test, or implement relevant policies, procedures, or system modifications.

(c) COMPLIANCE REPORT.—Nothing in this section or the amendments made by this section authorizes the Secretary of the Treasury to withhold from a State any funding otherwise available to the State because of a failure by that State to comply with section 5333 of title 31, United States Code. Not later than the end of the 42-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate

(1) identifying which States obtain beneficial ownership information as described in such section 5333;

(2) with respect to each State that does not obtain such information, whether corporations and limited liability companies formed under the laws of such State are in compliance with such section 5333 and providing the specified beneficial ownership information to the Financial Crimes Enforcement Network; and

(3) whether the Department of the Treasury is in compliance with such section 5333 and, if not, what steps it must take to come into compliance with this section.

(d) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, to require any contractor who is subject to the requirement to disclose beneficial ownership information under section 5333 of title 31, United States Code, to provide the information required to be disclosed under such section to the Federal Government as part of any bid or proposal for a contract with a value threshold in excess of the simplified acquisition threshold under section 134 of title 41, United States Code.

(e) ANTI-MONEY LAUNDERING OBLIGATIONS OF FORMATION AGENTS.—

(1) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, is amended—

(A) in subparagraph (Y), by striking “or” at the end;

(B) by redesignating subparagraph (Z) as subparagraph (AA); and

(C) by inserting after subparagraph (Y) the following:

“(Z) any person who, for compensation—

“(i) acts on behalf of another person to form, or assist in formation of, a corporation or limited liability company under the laws of a State; or

“(ii) purchases, sells, or transfers the public records that form a corporation or limited liability company; or”.

(2) DEADLINE FOR ANTI-MONEY LAUNDERING RULE FOR FORMATION AGENTS.—

(A) PROPOSED RULE.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General of the United States and the Commissioner of the Internal Revenue Service, shall publish a proposed rule in the Federal Register requiring persons described in section 5312(a)(2)(Z) of title 31, United States Code, as amended by this subsection, to establish anti-money laundering programs under subsection (h) of section 5318 of that title.

(B) FINAL RULE.—Not later than 270 days after the date of enactment of this Act, the Secretary of the Treasury shall publish the rule described in this subsection in final form in the Federal Register.

(C) EXCLUSIONS.—Any rule promulgated under this subsection shall exclude from the category of persons involved in forming a corporation or limited liability company—

(i) any government agency; and

(ii) any attorney or law firm that uses a paid formation agent operating within the United States to form the corporation or limited liability company.

SEC. 4. STUDIES AND REPORTS.

(a) OTHER LEGAL ENTITIES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report—

(1) identifying each State that has procedures that enable persons to form or register under the laws of the State partnerships, trusts, or other legal entities, and the nature of those procedures;

(2) identifying each State that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State to provide information about the beneficial owners (as that term is defined in section 5333(d)(1) of title 31, United States Code, as added by this Act) or beneficiaries of such entities, and the nature of the required information;

(3) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(A) raises concerns about the involvement of such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct; and

(B) has impeded investigations into entities suspected of such misconduct; and

(4) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism and what steps, if any, the United States has taken or is planning to take in response.

(b) EFFECTIVENESS OF INCORPORATION PRACTICES.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report assessing the effectiveness of incorporation practices implemented under this Act and the amendments made by this Act in—

(1) providing law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of law enforcement agencies to combat incorporation abuses, civil and criminal misconduct, and detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

By Ms. COLLINS (for herself, Mr. COONS, Mr. MORAN, Mrs. SHAHEEN, Mr. RUBIO, Mr. BLUMENTHAL, Mr. ENZI, Mr. ISAKSON, Mr. DURBIN, and Mr. MURPHY):

S. 1730. A bill to implement policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, today I am pleased to be joined by my friend and colleague from Delaware, Senator CHRIS COONS, in introducing the Reach Every Mother and Child Act of 2017. Our legislation would make it the policy of the United States to lead an effort to end preventable deaths of mothers, newborns, and young children in the developing world by 2030.

Due in part to American leadership and generosity, many lives have already been saved. Since 1990, the annual number of deaths of children under the age of five has been cut in half. Nevertheless, far too many mothers, newborns, and young children under the age of five still succumb to disease and malnutrition that could easily be prevented, if only we could reach the mothers and children with simple, proven, cost-effective interven-

tions that we know will help them survive.

Every day approximately 800 women will die from preventable causes related to pregnancy and childbirth. In addition, more than 16,000 children under the age of five will die each day of treatable conditions such as prematurity, pneumonia, and diarrhea—with malnutrition being the underlying cause in nearly half those deaths.

According to USAID, a concentrated effort could end preventable maternal and child deaths worldwide by the year 2030; however, U.S. leadership and support of the international community are critical to success.

To achieve this ambitious goal, our bill would require the implementation of a strategy to scale up the most effective interventions to save as many lives as possible. This idea is central to our bill. We do not have to guess at what interventions will work—the reality is that more than 16,000 children under 5 years old die each day of conditions we know today how to treat.

These life-saving interventions include clean birthing practices, vaccines, nutritional supplements, hand-washing with soap, and other basic needs that remain elusive for far too many women and children in developing countries. This must change.

In addition, our bill would establish a Maternal and Child Survival Coordinator at USAID who would focus on implementing the ten-year strategy and verifying that the most effective interventions are being scaled up in target countries.

The bill would also establish an interagency working group to assist the Coordinator in promoting greater collaboration among all the federal agencies involved in this effort.

To promote transparency and greater accountability, our bill requires that detailed reporting be published on the Foreign Assistance Dashboard, where it can be assessed by the public, Congress, and non-governmental organizations to track the implementation of the strategy and the progress being made.

Finally, our bill would encourage USAID to pay for successful programs run by non-governmental entities. The message we want to send to all our partners in the private sector, the non-profit sector, the faith community, and in local and international civil society groups is this: if you can figure out a way to increase the likelihood that mothers and their children will survive childbirth and the first five years of life, we want to reward you for your contribution.

Improving the health and well-being of mothers and children around the world has far-reaching social and economic benefits as well. An independent group of economists and global health experts from around the world, known as the Lancet Commission, found that

for every \$1 invested in health initiatives in the developing world, there is a return of \$9 to \$20 in growing the gross domestic product of the country receiving the investment.

Other bipartisan initiatives, such as the successful President's Emergency Plan for AIDS Relief, or PEPFAR, which was started by President George W. Bush, demonstrate that results-driven interventions can turn the tide for global health challenges. Applying lessons learned from past initiatives, our bill would provide the focus and the tools necessary to accelerate progress toward ending preventable maternal and child deaths.

I urge my colleagues to join Senator COONS and me in supporting this bill to save the lives of mothers and children around the world.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 242—EXPRESSING THE SENSE OF THE SENATE ABOUT A STRATEGY TO DEPLOY FIFTH GENERATION MOBILE NETWORKS (5G NETWORKS) AND NEXT-GENERATION WIRELESS AND WIRED TECHNOLOGIES TO PROMOTE ECONOMIC DEVELOPMENT AND DIGITAL INNOVATION THROUGHOUT THE UNITED STATES

Mr. WICKER (for himself, Mr. SCHATZ, Mr. GARDNER, Ms. HASSAN, Mr. MORAN, and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 242

Whereas wireless and wired broadband networks are essential to economic growth, job creation, and the global competitiveness of the United States;

Whereas wireless and wired broadband networks provide connectivity to billions of devices, applications, and services that are increasing productivity and efficiency across every industry and economic sector;

Whereas wireless and wired broadband networks create and support millions of jobs;

Whereas wireless and wired broadband networks are vital to providing communications services and access to internet connectivity to people in the United States living in rural and remote geographic areas;

Whereas wireless and wired broadband networks are a platform for innovation and ingenuity, powering advancements in the Internet of Things and other revolutionary technologies;

Whereas 5G networks will have the capacity to deliver enhanced mobile broadband with significantly faster data transmission speeds, low latency, more reliable connections, and greater data capacity, which will provide for seamless internet connectivity throughout all regions across the United States;

Whereas 5G networks are expected to create more than 3,000,000 new jobs in the United States, generate \$275,000,000,000 in investment from the wireless industry, and add \$500,000,000,000 to the economy of the United States over the next decade;

Whereas next-generation, gigabit Wi-Fi solutions that rely on unlicensed spectrum bands are poised to unleash a new round of innovation and consumer benefit from an industry that generates an economic surplus of \$547,000,000,000 and contributes \$50,000,000,000 annually in gross domestic product to the economy of the United States;

Whereas 5G networks will enable innovative consumer and industrial applications that will enhance and maximize the capability, uses, and quality of technological developments, including telemedicine, precision agriculture, self-driving cars, virtual and augmented reality, robotics, smart communities, and advancements in public safety;

Whereas the United States is a global leader in developing new technology and fostering digital innovation that has generated significant economic and social advancement and opportunity in the United States and around the world;

Whereas many states and localities are streamlining policies to facilitate siting and small cell deployment in support of 5G networks;

Whereas modernizing the infrastructure policies of the United States and securing adequate spectrum bands will be essential to the deployment of 5G networks and next-generation wireless technologies, and the realization of all its promised economic and social benefits;

Whereas wireless and wired broadband networks, in addition to other technologies, are essential to closing the digital divide, delivering broadband service to rural areas, creating jobs, and powering economic development and innovation across the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should—

(1) promote the deployment of 5G networks in a manner that encourages robust investment, job creation, economic growth, and continued United States leadership in developing next-generation wireless technologies;

(2) advance 5G networks as a way of closing the digital divide and reducing the disparity in quality communications services available in rural areas;

(3) recognize that 5G networks will facilitate the development of a new generation of technologies that will open opportunities for increased efficiency, mobility, accessibility, economic development, and prosperity in communities throughout the country;

(4) commit to modernizing the infrastructure policies of the United States and identifying additional spectrum in low, mid, and high bands for licensed and unlicensed uses and to support the deployment of 5G networks and meet the increasing demands for wireless broadband service;

(5) recognize that 5G networks will give consumers access to more choices and enable them to derive greater value from mobile connections;

(6) commit to deploying 5G networks that are resilient and secure;

(7) continue to participate in global efforts to create standards for 5G networks that improve user experiences, maximize use-cases, enable interoperability, sustain multiple, simultaneous connections, increase network capacity through virtualization or other software developments, and adapt to new technologies and future network applications; and

(8) promote the deployment of broadband technologies to expand the availability, affordability, and quality of broadband service throughout the United States.

SENATE RESOLUTION 243—EXPRESSING THE SENSE OF THE SENATE THAT JOSEPH LEON GEORGE SHOULD BE HONORED FOR HEROISM AT PEARL HARBOR, HAWAII, ON DECEMBER 7, 1941

Mr. FLAKE (for himself, Mr. GARDNER, Mr. LEE, Mr. COTTON, Mrs. MCCASKILL, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 243

Whereas, on December 7, 1941, Boatswain's Mate Second Class Joseph Leon George was 26 years old;

Whereas Boatswain's Mate Second Class George was a crewmember aboard the U.S.S. *Vestal* (AR-4), a repair ship, on that day;

Whereas the U.S.S. *Vestal* was moored next to the U.S.S. *Arizona* (BB-39);

Whereas the Japanese began the attack on Pearl Harbor, Hawaii, at 7:48 a.m.;

Whereas 6 sailors on the U.S.S. *Arizona*, Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate Second Class Alvin Dvork, Seaman First Class Donald Stratton, and Fire Controlman Third Class Lauren Bruner, were trapped in the control tower main mast after a massive explosion on the ship;

Whereas those 6 sailors suffered severe burns;

Whereas those wounded sailors searched for a way to escape the ship;

Whereas Boatswain's Mate Second Class George saw the 6 wounded sailors on the U.S.S. *Arizona* from the U.S.S. *Vestal* and threw a heaving line and a heavy line;

Whereas all 6 sailors climbed, nearly 40 feet in the air, hand over hand across the heavy line 70 feet to safety onboard the U.S.S. *Vestal*;

Whereas 2 sailors died shortly after from their injuries, but the remaining 4 survived;

Whereas Boatswain's Mate Second Class George was commended for his actions, but he was never given a medal for his role in the rescue of the 6 sailors;

Whereas the 2 surviving sailors rescued from the U.S.S. *Arizona*, Donald Stratton and Lauren Bruner, seek to honor Boatswain's Mate Second Class George;

Whereas U.S.S. *Arizona* survivor Donald Stratton stated, "Joe George was never awarded anything for his bravery. He is no longer with us, but I believe in his memory, should be awarded the Navy Cross."; and

Whereas U.S.S. *Arizona* survivor Lauren Bruner stated, "The six of us would not have survived except for his courage, in spite of being at high risk himself. He fully deserves high commendations for his actions. I feel he should be recognized for this courage and presented the Navy Cross." Now, therefore, be it

Resolved, That the Senate—

(1) honors the heroism of Boatswain's Mate Second Class Joseph Leon George in saving the lives of 6 sailors on December 7, 1941; and

(2) believes the United States Navy, in light of new information, should consider revisiting decorating and honoring the heroism of Boatswain's Mate Second Class Joseph Leon George in saving the lives of 6 sailors on December 7, 1941.

Mr. FLAKE. Mr. President, recently, I was fortunate enough to have the opportunity to host several veterans who

survived the sinking of the USS *Arizona* in the attack on Pearl Harbor.

I would like to briefly share an incredible story they told me about a true American hero named Joe George.

On December 7, 1941, Joe was a 26-year-old Boatswain's Mate Second Class aboard the repair ship USS *Vestal* in Pearl Harbor, HI, moored alongside the USS *Arizona*.

At 7:48 a.m., many sailors, including Joe, had finished their breakfast when the Imperial Japanese Navy Air Service attacked Pearl Harbor. As we know, the *Arizona* suffered a direct hit by a Japanese bomb that detonated in the ship's powder magazine. The resulting explosion sank the ship and claimed the lives of 1,177 servicemembers.

During the unimaginable chaos and carnage, Joe George displayed stunning composure and courage. Joe spotted six sailors trapped in the control tower of the sinking *Arizona*. These men were severely burned, and they were searching for a way to safety. The six wounded sailors were Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate Second Class Alvin Dvorak, Seaman First Class Donald Stratton, and Fire Controlman Third Class Lauren Bruner.

Upon seeing the men, Joe threw a heaving line between the *Vestal* and the *Arizona* to rescue the wounded sailors from the sinking ship. Suspended 40 feet in the air, the six sailors climbed 70 feet hand over hand across the rope to safety onboard the *Vestal*. These sailors did all this while enduring injuries so severe that two would succumb to their wounds in the weeks following the attack.

As they struggled across the heavy line, Joe George remained close by, all the while encouraging the men to push on.

The four sailors who survived their injuries each returned to serve with honor during World War II and then went on to live long lives.

I spoke with two of them, and hearing about the injuries they had and that they still were able to return to service in the Second World War was amazing.

Joe George's legacy of heroism will remain alive forever in the children, grandchildren, and great-grandchildren of the four sailors who survived the infamous day, thanks to Joe George.

Joe George was never awarded a medal for his role in the rescue of the six sailors, although his commanding officer commended his courageous actions. When I met with one of the *Arizona* survivors who was rescued by Joe, he told me, "Joe George was never awarded anything for his bravery. He is no longer with us, but I believe in his memory he should be awarded the Navy Cross."

Lauren Bruner was another survivor whom Joe saved. He said to me:

The six of us would not have survived except for his courage, in spite of being at high risk himself. He fully deserves high commendations for his actions. I feel he should be recognized for this courage and presented the Navy Cross.

In his own words, during an interview in 1978, Joe said: "I'll tell you, the only thing I could tell you about that day . . . my conscience was my guide."

Well, his conscience was that of a hero. We need more people like Joe George in this world. That is why I am committed to honoring Joe and why I rise today with the honor and privilege to submit a resolution honoring Joseph Leon George.

Joe passed away in 1996, and it is long overdue that the Senate, the U.S. Navy, and a grateful nation honor the heroism of Boatswain's Mate Second Class Joseph Leon George.

God bless Joe George, whose immense and astounding composure serves as an example of the men and women in uniform who follow in his wake. Let us never forget his heroism and sacrifice.

I would like to also thank my colleagues Senators GARDNER, LEE, COTTON, McCASKILL, and BENNET for joining me on this resolution. I look forward to working with them on its swift adoption.

SENATE RESOLUTION 244—TO AUTHORIZE TESTIMONY, DOCUMENT PRODUCTION, AND REPRESENTATION IN UNITED STATES OF AMERICA V. ROBERT MENENDEZ, ET AL

Mr. McCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 244

Whereas, in the case of *United States of America v. Robert Menendez, et al.*, Cr. No. 15-155, pending in the United States District Court for the District of New Jersey, testimony and the production of documents may be needed from various current and former Members and employees of the Senate, relating to their official responsibilities;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former Members and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That current and former Members and employees of the Senate are author-

ized to testify and produce documents in the case of *United States of America v. Robert Menendez, et al.*, and related proceedings, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former Members and employees of the Senate in connection with the production of evidence authorized in section one of this resolution.

Mr. McCONNELL. Mr. President, on behalf of myself and the Democratic Leader, I send to the desk a resolution authorizing testimony, production of documents, and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. President, this resolution concerns the case pending in the United States District Court for the District of New Jersey against Senator ROBERT MENENDEZ. Both the Department of Justice and Senator MENENDEZ are expected to seek trial testimony from Members and Senate staff.

This resolution would authorize Senate individuals called to appear to testify and produce documents in this case and related proceedings, except concerning matters for which a privilege is asserted. It would also authorize the Senate Legal Counsel to represent individuals called to testify at trial as fact witnesses regarding their performance of official Senate responsibilities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 747. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 748. Mr. CARPER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 749. Mr. McCONNELL (for Mr. DAINES (for himself and Mr. TESTER)) proposed an amendment to the bill S. 1282, to redesignate certain clinics of the Department of Veterans Affairs located in Montana.

SA 750. Mr. WHITEHOUSE (for himself, Mr. PETERS, Mr. TESTER, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 751. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 2430, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and bio-similar biological products, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 747. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 601 and the following:

SEC. 601. FISCAL YEAR 2018 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2018 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2018, the rates of monthly basic pay for members of the uniformed services shall be increased by a percentage that is equal to or greater than the percentage by which—

(1) the ECI for the final fiscal quarter of fiscal year 2017, exceeds

(2) the ECI for the final fiscal quarter of fiscal year 2016.

(c) DETERMINATION OF PERCENTAGE.—The Secretary of Defense shall determine the percentage increase in rates of monthly basic pay provided for by subsection (b) in consultation with the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of Health and Human Services.

(d) ECI DEFINED.—In this section, the term "ECI" has the meaning given that term in section 1009(a)(3)(A) of title 37, United States Code.

SA 748. Mr. CARPER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Government Purchase and Travel Cards

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the "Saving Federal Dollars Through Better Use of Government Purchase and Travel Cards Act of 2017".

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) IMPROPER PAYMENT.—The term "improper payment" has the meaning given the term in section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) QUESTIONABLE TRANSACTION.—The term "questionable transaction" means a charge card transaction that from initial card data appears to be high risk and may therefore be improper due to non-compliance with applicable law, regulation or policy.

(3) STRATEGIC SOURCING.—The term "strategic sourcing" means analyzing and modifying a Federal agency's spending patterns to better leverage its purchasing power, reduce costs, and improve overall performance.

SEC. 1093. EXPANDED USE OF DATA ANALYTICS.

(a) **STRATEGY.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator for General Services, shall develop a strategy to expand the use of data analytics in managing government purchase and travel charge card programs. These analytics may employ existing General Services Administration capabilities, and may be in conjunction with agencies' capabilities, for the purpose of—

(1) identifying examples or patterns of questionable transactions and developing enhanced tools and methods for agency use in—

(A) identifying questionable purchase and travel card transactions; and

(B) recovering improper payments made with purchase and travel cards;

(2) identifying potential opportunities for agencies to further leverage administrative process streamlining and cost reduction from purchase and travel card use, including additional agency opportunities for card-based strategic sourcing;

(3) developing a set of purchase and travel card metrics and benchmarks for high-risk activities, which shall assist agencies in identifying potential emphasis areas for their purchase and travel card management and oversight activities, including those required by the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194); and

(4) developing a plan, which may be based on existing capabilities, to create a library of analytics tools and data sources for use by Federal agencies (including inspectors general of those agencies).

SEC. 1094. GUIDANCE ON IMPROVING INFORMATION SHARING TO CURB IMPROPER PAYMENTS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the inter-agency charge card data management group established under section 1095, shall issue guidance on improving information sharing by government agencies for the purposes of section 1093(a)(1).

(b) **ELEMENTS.**—The guidance issued under subsection (a) shall—

(1) require relevant officials at Federal agencies to identify high-risk activities and communicate that information to the appropriate management levels within the agencies;

(2) require that appropriate officials at Federal agencies review the reports issued by charge card-issuing banks on questionable transaction activity (such as purchase and travel card pre-suspension and suspension reports, delinquency reports, and exception reports), including transactions that occur with high-risk activities, and suspicious timing or amounts of cash withdrawals or advances;

(3) provide for the appropriate sharing of information related to potential questionable transactions, fraud schemes, and high-risk activities with the General Services Administration and the appropriate officials in Federal agencies;

(4) consider the recommendations made by Inspectors General or the best practices Inspectors General have identified; and

(5) include other requirements determined appropriate by the Director for the purposes of carrying out this subtitle.

SEC. 1095. INTERAGENCY CHARGE CARD DATA MANAGEMENT GROUP.

(a) **ESTABLISHMENT.**—The Administrator of General Services and the Director of the Office of Management and Budget shall establish a purchase and travel charge card data management group to develop and share best practices for the purposes described in section 1093(a).

(b) **ELEMENTS.**—The best practices developed under subsection (a) shall—

(1) cover rules, edits, and task order or contract modifications related to charge card-issuing banks;

(2) include the review of accounts payable information and purchase and travel card transaction data of agencies for the purpose of identifying potential strategic sourcing and other additional opportunities (such as recurring payments, utility payments, and grant payments) for which the charge cards or related payment products could be used as a payment method; and

(3) include other best practices as determined by the Administrator and Director.

(c) **MEMBERSHIP.**—The purchase and travel charge card data management group shall meet regularly as determined by the co-chairs, for a duration of three years, and include those agencies as described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194) and others identified by the Administrator and Director.

SEC. 1096. REPORTING REQUIREMENTS.

(a) **GENERAL SERVICES ADMINISTRATION REPORT.**—Not later than one year after the date of the enactment of this Act, the Administrator for General Services shall submit a report to Congress on the implementation of this subtitle, including the metrics used in determining whether the analytic and benchmarking efforts have reduced, or contributed to the reduction of, questionable or improper payments as well as improved utilization of card-based payment products.

(b) **AGENCY REPORTS AND CONSOLIDATED REPORT TO CONGRESS.**—Not later than one year after the date of the enactment of this Act, the head of each Federal agency described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194) shall submit a report to the Director of the Office of Management and Budget on that agency's activities to implement this subtitle.

(c) **OFFICE OF MANAGEMENT AND BUDGET REPORT TO CONGRESS.**—The Director of the Office of Management and Budget shall submit to Congress a consolidated report of agency activities to implement this subtitle, which may be included as part of another report submitted to Congress by the Director.

(d) **REPORT ON ADDITIONAL SAVINGS OPPORTUNITIES.**—Not later than one year after the date of the enactment of this Act, the Administrator of General Services shall submit a report to Congress identifying and exploring further potential savings opportunities for government agencies under the Federal charge card programs. This report may be combined with the report required under subsection (a).

SA 749. Mr. MCCONNELL (for Mr. DAINES (for himself and Mr. TESTER)) proposed an amendment to the bill S. 1282, to redesignate certain clinics of the Department of Veterans Affairs located in Montana; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REDESIGNATION OF CERTAIN DEPARTMENT OF VETERANS AFFAIRS CLINICS IN MONTANA.

(a) **DAVID J. THATCHER VA CLINIC.**—

(1) **DESIGNATION.**—The clinic of the Department of Veterans Affairs located at 2687 Palmer Street in Missoula, Montana, shall after the date of the enactment of this Act be known and designated as the "David J. Thatcher VA Clinic".

(2) **REFERENCES.**—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the David J. Thatcher VA Clinic.

(b) **DR. JOSEPH MEDICINE CROW VA CLINIC.**—

(1) **DESIGNATION.**—The clinic of the Department of Veterans Affairs located at 1775 Spring Creek Lane in Billings, Montana, shall after the date of the enactment of this Act be known and designated as the "Dr. Joseph Medicine Crow VA Clinic".

(2) **REFERENCES.**—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Dr. Joseph Medicine Crow VA Clinic.

(3) **PUBLIC DISPLAY OF NAME.**—

(A) **IN GENERAL.**—Any local public display of the name of the clinic referred to in paragraph (1) carried out by the United States or through the use of Federal funds shall include the English name, Dr. Joseph Medicine Crow, and the Crow name, Dakaak Baako, of Dr. Joseph Medicine Crow.

(B) **LOCAL DISPLAY.**—For purposes of subparagraph (A), a local public display of the name of the clinic referred to in paragraph (1) includes a display inside the clinic, on the campus of the clinic, and in the community surrounding the clinic, such as signs directing individuals to the clinic.

(c) **BENJAMIN CHARLES STEELE VA CLINIC.**—

(1) **DESIGNATION.**—The clinic of the Department of Veterans Affairs located at 1766 Majestic Lane in Billings, Montana, shall after the date of the enactment of this Act be known and designated as the "Benjamin Charles Steele VA Clinic".

(2) **REFERENCES.**—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Benjamin Charles Steele VA Clinic.

SA 750. Mr. WHITEHOUSE (for himself, Mr. PETERS, Mr. TESTER, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TEMPORARY EXTENSION OF EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112-154; 50 U.S.C. 3953 note) is amended—

(1) in paragraph (1), by striking “December 31, 2017” and inserting “December 31, 2019”; and

(2) in paragraph (3), by striking “January 1, 2018” and inserting “January 1, 2020”.

SA 751. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 2430, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; which was ordered to lie on the table; as follows:

On page 97, strike line 20 and all that follows through line 9 on page 98 and insert the following:

“(k) RELATION TO ORPHAN DRUGS.—

“(1) IN GENERAL; EXEMPTION FOR ORPHAN INDICATIONS.—Unless the Secretary requires otherwise by regulation, this section does not apply to any drug for an indication for which orphan designation has been granted under section 526, except as provided in paragraph (2).

“(2) APPLICABILITY DESPITE ORPHAN DESIGNATION OF CERTAIN INDICATIONS.—This section shall apply with respect to a drug or biological product for which an indication has been granted orphan designation under section 526—

“(A) if the pediatric cancer investigation described in subsection (a)(3) applies to the drug or biological product as described in subsection (a)(1)(B); or

“(B) if such orphan indication is limited to a pediatric subpopulation and such indication in the adult population does not qualify for orphan designation.

“(3) EFFECT OF APPLICATION.—Application of this section to drugs and biological products described in paragraph (2)(B) does not limit the applicability of section 526 to such drugs and biological products.”.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. FISHER. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry, is authorized to meet during the session of the Senate on August 2, 2017 at 5 p.m. to conduct a business meeting to report nominations.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold an Executive Session during the session of the Senate on Wednesday, August 2, 2017, at 10 a.m. in room 216 of the Hart Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, August 2, 2017, at 10 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, “FBI Headquarters Consolidation Project—What Happened and What's Next.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Wednesday, August 2, at 11 a.m. in the President's Room. We will be considering the nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 2, 2017 at 11 a.m., to hold a hearing entitled “Nominations.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 2, 2017 at 2 p.m., to hold a briefing entitled “The Authorizations for the Use of Military Force: Administration Perspective.”

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate Wednesday, August 2, 2017 off the floor at the start of the first vote to conduct a business meeting.

COMMITTEE ON ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON WATER AND POWER

The Senate Committee on Energy and Natural Resources' Subcommittee on Water and Power is authorized to meet during the session of the Senate in order to hold a hearing on Wednesday, August 2, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

SUBCOMMITTEE ON WESTERN HEMISPHERE

The Committee on Foreign Relations Subcommittee on Western Hemisphere is authorized to meet during the session of the Senate on Wednesday, August 2, 2017, at 10 a.m., to hold a hearing entitled “Assessing the Colombia Peace Process: The Way Forward in U.S.-Colombia Relations.”

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 11:45 a.m. on Thursday, August 3, the Senate proceed to executive session for consideration of Calendar No. 103, the nomination of the Deputy Secretary at the Department of Energy. I further ask that there be 15 minutes of debate on

the nomination equally divided in the usual form, and that following the use or yielding back of time, the Senate vote on confirmation with no intervening action or debate, and that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND REPRESENTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 244, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 244) to authorize testimony, document production, and representation in United States of America v. Robert Menendez, et al.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 244) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 115-31, appoints the following individuals to serve as members of the Women's Suffrage Centennial Commission: Marjorie Dannenfelser of Virginia and Cleta Mitchell of North Carolina.

ORDERS FOR THURSDAY, AUGUST 3, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, August 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R.

2430, with the time until 11 a.m. equally divided between the two leaders or their designees.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 6:40 p.m., adjourned until Thursday, August 3, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

TED MCKINNEY, OF INDIANA, TO BE UNDER SECRETARY OF AGRICULTURE FOR TRADE AND FOREIGN AGRICULTURE AFFAIRS. (NEW POSITION)

DEPARTMENT OF DEFENSE

JOHN HENDERSON, OF SOUTH DAKOTA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE MIRANDA A. A. BALLENTINE, RESIGNED.

DEPARTMENT OF THE INTERIOR

RYAN DOUGLAS NELSON, OF IDAHO, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR, VICE HILARY CHANDLER TOMPKINS.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DANIEL M. GADE, OF NORTH DAKOTA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2021, VICE CONSTANCE S. BARKER, TERM EXPIRED.

DEPARTMENT OF HOMELAND SECURITY

JOHN MARSHALL MITNICK, OF VIRGINIA, TO BE GENERAL COUNSEL, DEPARTMENT OF HOMELAND SECURITY, VICE STEVAN EATON BUNNELL.

DEPARTMENT OF JUSTICE

ROBERT J. HIGDON, JR., OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE THOMAS GRAY WALKER, RESIGNED.

THOMAS L. KIRSCH II, OF INDIANA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS, VICE DAVID A. CAPP, RESIGNED.

DEPARTMENT OF VETERANS AFFAIRS

MELISSA SUE GLYNN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (ENTERPRISE INTEGRATION), VICE LINDA A. SCHWARTZ.

FEDERAL ENERGY REGULATORY COMMISSION

RICHARD GLICK, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2022, VICE COLETTE DODSON HONORABLE, TERM EXPIRED.

KEVIN J. MCINTYRE, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2018, VICE NORMAN C. BAY, RESIGNED.

KEVIN J. MCINTYRE, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2023. (REAPPOINTMENT)

DEPARTMENT OF STATE

JAMIE MCCOURT, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FRENCH REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PRINCIPALITY OF MONACO.

CONFIRMATION

Executive nomination confirmed by the Senate August 2, 2017:

NATIONAL LABOR RELATIONS BOARD

MARVIN KAPLAN, OF KANSAS, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2020.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on August 2, 2017 withdrawing from further Senate consideration the following nominations:

GEORGE NESTERCZUK, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE KATHERINE ARCHULETA, RESIGNED, WHICH WAS SENT TO THE SENATE ON MAY 25, 2017.

JAMIE MCCOURT, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BELGIUM, WHICH WAS SENT TO THE SENATE ON JUNE 26, 2017.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this infor-

mation, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, August 3, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 8

10 a.m.

Committee on the Judiciary

To hold hearings to examine the nomination of Amy Coney Barrett, of Indiana,

to be United States Circuit Judge for the Seventh Circuit.

SD-226

SEPTEMBER 7

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the nominations of Joseph Balash, of Alaska, to be an Assistant Secretary of the Interior, and Richard Glick, of Virginia, and Kevin J. McIntyre, of Virginia, both to be a Member of the Federal Energy Regulatory Commission.

SD-366

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

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

SENATE—Thursday, August 3, 2017

The Senate met at 10 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

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

Let us pray.

Almighty God, who is the same yesterday, today, and forever, we are transient creatures who long for a sense of permanence. Help us to find our permanence with a fixed and abiding faith in You.

Lord, strengthen our lawmakers for the challenges of these times. Keep them in the shadow of Your wings, protecting them from seen and unseen dangers. Use Your powerful arm to guide, protect, and sustain our Nation. Hasten the day when people everywhere will seek and find You.

Lord, let the tranquility of Your dominion increase in our Nation and world.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 3, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

WORK BEFORE THE SENATE

Mr. McCONNELL. Mr. President, earlier this week, I set out a number of items for the Senate to get done during this work period, both in terms of nominees and legislation.

First on nominees, we had to confirm an FBI Director, and we have done that. We needed to make progress on a number of other nominations that have been held up for entirely too long. Slowly but surely, we are. We confirmed a well-qualified judicial nominee. We confirmed several officials who will be critical to advancing administration policy in the Defense Department. Yesterday afternoon, we confirmed a nominee to the National Labor Relations Board who will help to return it—after 8 years of habitually siding with union bosses over workers—to its intended role as an impartial judge that calls balls and strikes in labor disputes.

All of this is progress, but we still have nominees to confirm for positions across many agencies in both security and nonsecurity roles. Many Cabinet members still await the No. 2 officials for their departments. So we have more to do.

The same is true of legislation. We had to pass the Veterans Choice legislation. We have. In fact, we passed some additional veterans legislation, as well.

Under the last administration, we learned of a shocking scandal that spread through Veterans Affairs facilities across the Nation. We all agreed that our veterans deserved far better than that. Ever since, Congress has continued to work on a number of initiatives designed to bring more justice to veterans and more reform to the VA. Senator ISAKSON, the chairman of the Veterans' Affairs Committee, has been a tireless advocate for our Nation's veterans and a driving force on seeing these bills through committee and through the Senate. We passed a number of good reforms into law already. We continue to build on that progress today.

Just a couple of months ago, we passed important VA reform legislation that is now law. The Department of Veterans Affairs Accountability and Whistleblower Protection Act is helping to shore up accountability measures, improve transparency, and enhance the VA's ability to remove unsatisfactory employees, while also protecting those who speak up about wrongdoing within the VA.

Just this week we passed through more veterans bills. One heads back to the House for final passage. The Vet-

erans Appeals Improvement and Modernization Act will help address the delays that many veterans have experienced by modernizing the VA's antiquated claims appeals process. The other two bills now await the President's signature. The VA Choice and Quality Employment Act we passed earlier this week will provide additional resources to shore up the critical Veterans Choice Program so that veterans who face long wait and travel times at VA facilities will have the option of accessing private care instead. The Harry W. Colmery Veterans Education Assistance Act we passed yesterday will expand access for veterans to GI bill benefits as they transition back to civilian life.

I want to thank the President and his administration for working with Congress to improve healthcare for our Nation's veterans. I also want to thank again Senator ISAKSON for his unwavering leadership on veterans issues and VA reforms. He has never stopped working to strengthen the VA system for those who rely on it and to overcome the systemic problems that have left many veterans frustrated and hurting. These veterans bills can make a real impact in the lives of the people we represent.

That is also true of the FDA legislation we need to pass during this work period as well. I am hopeful we will have the opportunity to do so today. This legislation, which was passed by the HELP Committee on a 21-to-2 bipartisan vote, is more important than ever in light of lifesaving developments in immunotherapy. It has never been more relevant, given that personalized medicine is just over the horizon. Passing this legislation will help speed up the drug approval process for patients in need. It will help address the time and cost of bringing lifesaving drugs to market. It will allow the important work of ensuring our drugs and devices are safe and effective to move forward.

I want to recognize the chairman of the HELP Committee, Senator ALEXANDER, for helping to make this critical legislation a top priority and for working with colleagues to move it in a timely manner.

We are making progress this week for the future of lifesaving medicine for our veterans and for the leadership of our country's most critical agencies. We know we still have more to do in all of these areas, but we are passing critical legislation. We are confirming nominees to important positions, and we are taking steps in the right direction.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FDA REAUTHORIZATION ACT OF 2017—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2430, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 174, H.R. 2430, a bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and bio-similar biological products, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

The Senator from Illinois.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, I want to start this morning's presentation on the floor of the Senate with a question. What is the most heavily subsidized private business in America—the for-profit business that receives more Federal subsidies than any other? Is it a defense contractor? No. Is it some farming operation? No.

The most heavily subsidized for-profit, private business in America today is for-profit colleges and universities. Why? Because the revenue they receive from the Federal Government accounts for 85, 90, 95 percent or more of all of the revenue they take in. How can that possibly be? How could you run a private for-profit business and have a Federal subsidy of 98 percent? How is that possible?

Here is how it works. A student graduates from high school. The student applies to a for-profit college or university. The for-profit college or university accepts the student on the condition that the student sign over Pell grants—Federal money—and the student's Federal Government loan. The student signs over the Pell grant, signs over the loan, and is enrolled in the school.

This for-profit school now is home free. They admitted the student. They received all the money from the student, and the student is headed for classes. It works only if the student, at the end of the day, ends up with some value in their education—some experience that helps them go on to get a job to pay off their student loans.

It turns out that, in too many instances, for-profit colleges and universities entice these young people into signing up for classes that are worthless. They end up not preparing them for any job. Now they are in a terrible fix. If they finish the course, they have a heavy, large student debt and they end up in a position where they can't get a job and pay it off.

How often does this happen? Think of three numbers. So 9 percent of students graduating from high school today in America go to for-profit colleges and universities. What am I talking about—for-profit? There is the University of Phoenix, DeVry, Rasmussen, and the list goes on and on. So 9 percent of high school students go to these schools, and 20 percent or more of Federal aid to education goes to these schools. Why? Because the tuition they charge is so high. But here is the kicker: 35 percent, one out of three students in America who defaults on their student loans has attended these for-profit colleges and universities.

We decided under the previous administration, the Obama administration, to start asking some hard questions. How are these for-profit colleges and universities enticing these students in? What are they saying to them to bring them in to sign up for classes and for their student loans?

Secondly, if the students finish their degrees at these for-profit colleges and universities, how likely are they to end up with a job that is worth something—a job that allows them to pay back their student loan? Those are legitimate questions; aren't they? If you were the parent of a child who said: Dad, I just heard about the University of Phoenix, and I want to go to school there, you would obviously say: Well, what are you interested in taking? Is it a good course? How much does it cost? What will be your debt when you are finished? What is your likelihood of finding a job? Those are obvious questions. We put all those questions into something called the gainful employment rule. At the end of graduating from for-profit colleges and universities, will you be gainfully employed as a graduated student into a job that gives you a chance to pay off your student loan and really keeps the promise that the for-profit school made to you?

Just weeks ago, the new Secretary of Education, Betsy DeVos, announced that our U.S. Department of Education was going to rewrite the gainful employment rule. The rule, as I said, was written by the Obama administration after years of contentious debate with the industry. It was designed to ensure that career training programs that receive Federal student aid are meeting their statutory obligation to prepare the students for a job—for gainful employment.

Don't forget that a lot of young people applying for college are in families

that have limited college experience. Mom and Dad may have never gone to college. So when you say DeVry or University of Phoenix, Mom and Dad may say: Is it any good, Son? Is it any good, Daughter? The son or daughter can say: Dad, the Federal Government will loan me the money to go there. It must be a good school. They wouldn't loan me the money to go to a place that is bad. That is a natural reaction. We are, in fact, condoning, endorsing this industry by saying: If you go to these schools, you get taxpayer-funded student loans.

I don't think it is too much to ask the programs promising to train students for specific jobs that actually lead to students being able to get those jobs and, in the process, repay their loans.

The gainful employment rule cuts off Federal student aid if programs where graduates' ratio of student debt to earnings is too high during any 2 years of a 3-year period. We look at the jobs of the graduate of the for-profit schools, we look at the income of the students, and then ask: What is the likelihood that student can make their student loan repayment based on their employment? Is it, in fact, gainful employment?

So prior to leaving office, the Obama Department of Education released gainful employment data for the year 2016. It showed that graduates of public undergraduate certificate programs—now that is those who go to community colleges, different colleges altogether—earn \$9,000 more than those who went to for-profit colleges and universities. Do you know what the difference is?

If you decide to go to a community college in my home State of Illinois, in my hometown of Springfield, and go to Lincoln Land Community College—a great community college like most of those in our State—you are going to get an education, a good one, and it will not cost you much. Let me give you the kicker. All of your hours can be transferred to upper level colleges and universities, but if you make a bad decision and go to a for-profit college, different things happen. You end up with a real debt for that first year out of high school and guess what. Virtually none of the credit hours you take at that for-profit school can be transferred to any other college or university. That is the reality of what students face.

Of the programs that saddled students with too much debt compared to the income students receive after the program—listen to this—when we looked at all of the student debt and all of the jobs of all of the graduates across the United States, it turns out, 98 percent of the students who couldn't pay off their student loans after graduating went to for-profit colleges and universities. That was the 2016 analysis. That is what led to the gainful employment rule.

This is cruel to take a young person who is doing just what they were told to do—go to college, get a degree, don't quit with high school—saddle them with debt, make an empty promise about what is going to happen after they graduate, and then they find themselves in a job they can't pay off their student loan. Let me give you a specific example so you can really understand what we have run into.

The digital photography program at the Illinois Institute of Art in Schaumburg, IL—now, let me quickly add, the folks who put this together were pretty smart. We have an outstanding college in Chicago called the Art Institute of Illinois. My daughter graduated from there. However, this bunch, the for-profit group, decided to call their operation the Illinois Institute of Art, instead of the Art Institute of Chicago.

They are owned by a for-profit giant, the Education Management Corporation. They failed the gainful employment rule in the year 2016. Listen to what it wrote on their website for students who wanted to enroll:

There's a market for people who constantly find innovative ways to fill the world with their ideas, impressions, and insights. And Digital Photography can help you make a positive impression when you're ready to match your talents against the competition. From the very start, we'll guide your development, both creatively and technically . . . it's a step-by-step process that's all about preparing you for a future when you can do what you love.

That is what is on the website for the high school student who likes the idea of majoring in digital photography at the Illinois Institute of Art in Schaumburg. Boy, doesn't that sound good?

So let's contrast that with what the gainful employment rule found about that particular program. Get ready. Do you know what the total cost of the digital photography course was at the Illinois Institute of Art, the for-profit school—total cost of tuition, fees, books, and supplies to prepare you to be a digital photographer? It is \$88,000—\$88,000. It gets better. That is if you live off campus.

Do you want to live on campus? The company helps you find an apartment nearby. Over the 4 years, it is an additional \$56,000.

Let's do the quick math here. That is \$144,000 in debt, finishing 4 years, majoring in digital photography at the Illinois Institute of Art. How many students have to borrow money to do that? Eighty four percent of the students who went to that school and took digital photography had to borrow the money—84 percent.

Guess what the typical graduate of the Illinois Institute of Art in Schaumburg, IL, in the digital photography course earns after leaving the program. Do you remember that promise on their website? How much do they earn? On average, it is \$20,493—\$20,493.

Here is a quick calculation. What if I am being paid the minimum wage in America? In Illinois, it is \$9.25 an hour. Well, I would be making right around \$18,500 a year in a minimum-wage job. I have gone to the Illinois Institute of Art in Schaumburg to take the digital photography course and instead of making \$18,500 a year, I am making \$20,493. That is almost \$2,000 more a year. Oh, I forget. I forgot \$144,000 in debt that I also have. Let's do the math. How many years of an additional \$2,000 to pay off \$144,000? It is only 72 years, and you would be able to pay off your student debt. What a rip-off. These people ought to be ashamed of themselves, and we ought to be ashamed of ourselves that we are supporting this kind of fraudulent activity at the expense of students who were just trying to get a better education.

That is why we wrote this gainful employment rule, to say to the Illinois Institute of Art and those just like them: Stop it. Stop fleecing these kids, stop burying them in debt. Incidentally, many times parents and even grandparents sign on for that debt too.

You know something else you ought to remember? Of all the debts you could incur in life, there are only a handful of them that can never be discharged in bankruptcy. Student loans would happen to be in that category. Do you know what that means? No matter how bad it gets—and it could get to the point where you have no income whatsoever—no matter how bad it gets, you can't go to the courts and say: Please, turn me free. Discharge this debt in bankruptcy. Give me a chance to start all over again.

You can do it with your home mortgage. You can do it with an auto loan. You can do it if you have a loan for a boat but not with student loans. It is with you for a lifetime.

We have had cases where Grandma decided to help her granddaughter by cosigning the note at one of these miserable schools. The granddaughter couldn't pay back the student loan, and they went after Grandma's Social Security payments. That is what this is all about. That is how serious this can become.

There is no way students leaving that digital photography program at this for-profit college in Schaumburg will ever repay their loans making that money. Under the gainful employment rule, if the Illinois Institute of Art doesn't change its program or lower its price or help its students get better jobs, we would stop providing student loans to the students who are engaged in that program. We are not going to be complicit—we shouldn't be—in this fraud. The rule requires schools to post their gainful employment data online using a new, easy-to-read disclosure so students can read what happened to students who took the digital photography course. Did they get jobs? How much did they earn?

That is also one of the requirements of the gainful employment rule. It requires schools to provide warnings to students in advertising and marketing materials about failing programs so they know before they sign up—they know before they go in debt.

Think about what these disclosures and warnings might have meant to Ami Schneider from Hoffman Estates, IL. Ami went to this notorious art institute—the Illinois Institute of Art—the Schaumburg digital photography program from 2007 to 2010. She wrote me a letter and told me her story.

Ami said she moved out of her parents' house at age 19, and after a few years, realized she couldn't have the life she wanted with the job she was working. She was getting 50-cent-an-hour raises every year. She said: I wanted to pursue a career, and I really was serious. I was passionate about it. She visited this Illinois Institute of Art campus in Schaumburg. "I went into [the school]," she wrote me, "and they fed me all these success stories. They told me they had [an] excellent placement" program.

What do you think would have happened if they would have told Ami that at the end of the day, she would have been making slightly more than minimum wage after taking all these courses and incurring all this debt? What if they had been required to tell Ami that employers wouldn't accept her degree and she would never pay off her student loan?

Well, Ami and tens of thousands of students like her across the country would have been spared from a hardship that can change their lives. Ami says her time at the Illinois Institute of Art "ended up ruining my life." In her twenties, she made a decision to go to college, got so deeply in debt, and can't pay it back.

The program culminated in a portfolio show where the students displayed their best work. Do you know how many employers—after Ami finished the course and did her display—do you know how many employers showed up for Ami's class portfolio show at the Illinois Institute of Art? None. Not one.

Ami and her family who took out the loans to help her now hold more than \$100,000 in student loan debt from her time at the Illinois Institute of Art. She is stuck with a degree which, as she said, she "considered a joke."

Using the questionable legal authority, which she claims she has, the new Secretary of Education, Betsy DeVos, has decided to delay for a year the requirement that schools warn students like Ami about these failing programs—delayed it for a year. That is another year that for-profit education companies will be able to hide the truth about their miserable results. It means students are going to be defrauded because Education Secretary

Betsy DeVos has decided to let it happen.

It means more students like Ami and more Federal dollars in the pockets of these greedy, for-profit college executives. You wouldn't believe what these people pay themselves who head up these for-profit colleges and universities. Take the most successful basketball coach in the United States of America at the college level, take the most successful football coach in a State like Alabama, take a look at what they get paid—and I am sure in Alabama they would pay them even more if they could—and then compare it to what these CEOs pay themselves off these poor students. It is disgraceful. For the sake of the students and taxpayers who immediately would benefit from real warnings, it is time for us in Congress to speak up.

We also know Secretary DeVos intends to eventually rewrite the gainful employment rule, what she called a "regulatory reset." What does that mean?

We hear a lot of speeches on the floor about too much government regulation. If you were Ami Schneider or her parents, would you consider a disclosure to students about the real results of their education, a disclosure to students about the debt they are going to incur and the income they are likely to earn overregulation by the Federal Government?

We are putting a lot of money on the line to give \$100,000, at least, of the Federal taxpayers' dollars to Ami to go to school, but she has to promise to pay it back. If she defaults, that money isn't paid back into the Treasury. For the good of the taxpayers as well as for her family, we should have some basic regulations, some basic accountability.

While Secretary DeVos says the rule is unfair and arbitrary, the Department of Education Inspector General agreed with the assertion that it was a good rule in terms of protecting kids and protecting taxpayers. I am proud to say the rule is supported by many State Attorneys General, including Lisa Madigan in my home State of Illinois, veterans groups, and student advocates.

Secretary DeVos said the gainful employment rule has been "repeatedly . . . overturned by the courts" Wrong. In effect, since it went into effect in 2015, every Federal court it has been in front of has upheld the underlying rule. The Secretary is just plain wrong.

It is time for Secretary DeVos and the Trump administration to stop aiding and abetting for-profit colleges that defraud students and bilk taxpayers.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

NOMINATIONS

Mr. SCHUMER. Mr. President, as the Senate wraps up its work this week, I have been in multiple discussions with my friend the majority leader about clearing nominations with bipartisan support, and we have made significant progress. Now that we have moved past the terrible process used on healthcare, I hope we can get back to our normal way of legislating and clearing non-controversial nominees. The two are tied together. They can't avoid regular order when they want to and say that Democrats should use regular order whenever they want us to.

Now that healthcare is done, I think we can tie the two together—the normal way of legislating, clearing non-controversial nominees as we move forward in September. Of course, controversial nominees will still require the proper vetting, but I am committed to help move noncontroversial, bipartisan nominees forward.

I hope the fever is breaking. There is a real desire in this body to move past the acrimony of the healthcare debate and get to a place where we can work together to advance legislation that helps the American people. I am hopeful that the discussions between the Republican leader and me will produce a package of nominees we can confirm today.

TAX REFORM

Mr. President, the Republican leader has said that the next big issue this body will take up is taxes. Democrats were excluded from even participating in healthcare discussions from the very first day of Congress, a process that ultimately ended in failure. So we have made the first overture this time to show our Republican friends we are serious about a bipartisan process on tax reform. We sent them a letter outlining three very basic principles. This is a guideline for our Republican colleagues to come work with us. These are very simple principles that I think the vast majority of Americans would support. Let me say what they are.

First, the Republican leader has said that he would pursue reconciliation again, a process that purposefully excludes Democrats almost again on the first day we begin to talk about tax reform. The majority leader brought down the curtain on bipartisan tax reform before a discussion between our two parties could even begin. He says that Democrats don't want to have a bipartisan discussion. Of course we do. We have said this over and over again until we are blue in the face, but I guess the majority leader somehow didn't like the three principles we laid out, and I would like him to specifically answer what it was.

We know he probably agrees, so which of these three principles does the majority leader disagree with? Tell us. Which of the three? We know he probably agrees with the third. Surely he

can't think that a blunt budget tool that excludes 48 Members of the Senate is a good way to write legislation. He has said so many times himself. I quoted him yesterday.

He warned the Senate about becoming "an assembly line for one party's partisan legislative agenda." Those are Senator MCCONNELL's words. The Senate should not become "an assembly line for one party's partisan legislative agenda." That is what he did on healthcare. Is he doing it again on tax reform? I hope not.

Well, we know he probably agrees with the second principle: no increase to the debt and deficit. We know he agrees because he has said so before. The Republican leader and Members of his party have spent decades assailing the debt and deficit. As recently as May 16, the Republican leader told Bloomberg TV that tax reform will have to be revenue-neutral, so that one doesn't seem to be it. Again, I would like to hear what he has to say explicitly so that we can work together.

It leaves us with the first principle: no tax cuts for the top 1 percent. Here again, I understand why the majority leader and my Republican friends don't want to come out and say that this is the reason they have decided to pursue a tax bill on their own, but it almost certainly is.

Tax cuts for the wealthy are extremely unpopular with the American people—and for good reason. The top 1 percent of this country takes 20 percent of our income, a great percentage of its wealth. The wealthy are doing well. God bless them. Their incomes are going up at a faster rate than those of anybody else, but when we are talking about our Tax Code and rewriting it, we shouldn't be focused on giving the 1 percent another tax break while millions of working families struggle to afford the cost of college, prescription drugs, food, and healthcare.

I am afraid the majority is in the same boat as they were with healthcare. They don't want to say that their real reason for changing healthcare is wanting to slash Medicaid. A good number of courageous Members on the other side said: We won't do that. But that was the core of the Senate bill. They knew it was unpopular with the American people, so they didn't talk about it. They entered into a process that hid it from the American people.

I think, unfortunately, history is repeating itself. They know how unpopular cutting taxes on the top 1 percent is, but for the special interest, Koch brother wing of their party, that is their No. 1 goal. All they talk about is cutting taxes on the wealthy. So they are stuck. When will my colleagues have the courage to break free from the Koch brothers and special interests?

Don't give breaks to the top 1 percent. Everyone knows they don't need

it. It is an old, discredited idea that has lost its steam except among the hard-right, Koch brother wing of the Republican Party. Most Americans—Democrats, Republicans, and Independents—don't go for it. So break free.

If our Republican colleagues' whole basis for doing tax reform is cutting taxes on the top 1 percent, we are going to send that message from one end of America to the other, and their ideas will certainly fail, as they did with healthcare.

In a related point, I saw this morning that President Trump has been bragging about the success of the stock market, which, by the way, was already going up. It went up more points under President Obama than under President Trump. It started going up years ago. It is just continuing. Most economists would give President Obama at least as much credit as President Trump. But that is not the point I wish to make.

The stock market is mainly owned by the wealthy. As of 2013, the top 20 percent own 92 percent of all stock shares. So when the stock market is going up, it is helping the 1 percent.

Average Americans are not looking for stocks to go up, not looking for corporate profits to hit record levels, as much as they are looking at how are their paychecks, how are their expenses. That is why we have a better deal for them. We want paychecks for average Americans to go up. We want expenses for average Americans to go down. We want them to have better tools, so they and their kids can make a better living in the 21st century.

The focus of the stock market is on people at the highest end. Many will dispute whether President Trump deserves credit for it, but whether you think so or you don't—I don't, by and large—it is not what the American people are looking for, and it is not a basis for bragging about the economy.

Well, going back to taxes—the American people will rebel against a tax cut for the wealthy, so the Republicans clearly will not talk about it in their plan. They will give a crumb to the middle class and try to hide a massive giveaway to the already fortunate. I can see no other reason why they object to these three very reasonable, very popular principles other than that, and we hope they will not try to sneak it through in the same partisan process.

IMMIGRATION

Finally, Mr. President, a word on immigration: Yesterday, I heard the President railing against migrant workers and wrapping his arms around the Cotton-Perdue bill. The bill goes after hard-working people who want to play by the rules, contribute to our economy, and earn citizenship, while doing nothing to address the unscrupulous practices of employers who abuse our visa programs to outsource jobs and displace American workers.

Here is what I would like to focus on. The President has this nice announcement that he is cutting back on immigration, but a month ago he actually increased the number of H-2B visas—a program the President knows well. Why? A lot of those with H-2B visas work in hotels. I don't know how many, but I bet a good number are in Trump Hotels. So when the President actually looks at immigration in his own businesses, he says: We need more immigrants. When asked before, he has said: Well, we couldn't get American workers. But when he comes up with his big immigration plan—I think not appealing to the higher instincts of Americans—he says: Slash it. Those two are complete contradictions. To hold both of those views is to hold hypocritical views.

The President wants to talk about immigration because he thinks the politics are to his advantage, but, in truth, his immigration policy has a stunning hypocrisy at the core of it. The President criticizes and seeks to limit almost every immigration program except the one that benefits his own business.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Thank you, Mr. President.

I rise in support of the Food and Drug Administration Reauthorization Act that we are now considering. Let me begin by commending Chairman ALEXANDER and Ranking Member MURRAY of the Senate Health, Education, Labor, and Pensions Committee for their leadership in bringing this important legislation to the Senate floor. This bill is the product of bipartisan, bicameral work and is proof that we can make progress when we work together on the areas where we can find agreement.

FDA user fees, which are reauthorized under this bill, are critical to moving the most advanced research from a promise to a cure and ensuring that new treatments reach patients in need. User fees, where companies fund a portion of the premarket review of their products, account for more than one-quarter of all FDA funding. Yet the FDA's authority to collect these fees will expire at the end of next month unless Congress acts, thus the urgency of getting this bill across the finish line.

That is why it is imperative that we advance this bill now and ensure that work on these promising new pharmaceuticals continues uninterrupted.

In May, the HELP Committee, on which I am pleased to serve, overwhelmingly approved bipartisan legislation to extend and reauthorize the FDA fees in order to support the public health of our Nation. The bill before us also incorporates many provisions that were advanced by individual Committee Members. It is a great example

of how a committee process should work. It was collaborative. We each brought ideas to the table, and during our markup, those ideas were offered as amendments and in many cases incorporated into the legislation.

I thank the chairman and the ranking member for including in this important legislation provisions that I authored with Senator CLAIRE MCCASKILL. Those provisions seek to accelerate the review process for prescription drugs in cases where there is limited or no competition. Our purpose is to lower or at least moderate the escalating prescription drug prices that are one of the key cost drivers in our healthcare system today.

During the last Congress, our Senate Aging Committee, which I chair—and at that time Senator MCCASKILL was the ranking member—had a bipartisan investigation into the causes, impacts, and potential solutions to the egregious price spikes for certain off-patent drugs for which there were no generic competitors.

Now, let me explain this situation a little more.

What we found was happening is that in cases in which the patent on the original brand name pharmaceutical had expired, there were these companies that were not traditional pharmaceutical companies—they were not firms that had invested hundreds of millions in R&D in order to develop a new prescription drug. That is not what we are talking about. We are talking about these pharma companies—I call them hedge fund pharmas—that wait until the patent has expired, then buy the pharmaceutical drug and virtually overnight impose egregious price increases. One of the executives of these companies, when asked why he did so, answered simply "because I can."

Obviously, that has a very detrimental impact on patients, on healthcare providers, on insurers, and on Federal programs such as Medicaid and Medicare.

So building on our investigation, Senator MCCASKILL and I sponsored legislation, called the Making Pharmaceutical Markets More Competitive Act, to foster a more competitive generic marketplace and to improve access for affordable medicines. That is key. If we can have more competition in the prescription drug marketplace, that is what drives down costs, and that is what drives down prices. We know that from our experience when generic drugs come on the market.

The bill that we are considering today that is based on our legislation includes key provisions which were adopted unanimously as an amendment that I sponsored during the committee markup.

First, our provisions would require the FDA to prioritize the review of certain generic applications. It would set

a clear timeframe of no more than 8 months for the FDA to act on such applications where there is inadequate generic competition. This would help to resolve situations in which there are drug shortages, as well as circumstances in which there are not more than three approved competitors on the market.

The Aging Committee's investigation into sudden price spikes found that older drugs with only one manufacturer and no generic competitor are particularly vulnerable to dramatic and sudden price increases.

One company that we investigated, Turing Pharmaceuticals, increased the price of a drug called Daraprim, which is a lifesaving drug for serious parasitic infections, from \$13.50 a pill to \$750 a pill—an increase of more than 5,000 percent—and they did so literally overnight. Now, keep in mind that this company, Turing Pharmaceuticals, had nothing to do with the costly research and development that brought about this lifesaving drug, known as Daraprim, but after they bought the drug—after the patent had expired and they saw that there was no generic competitor—they increased the price overnight by 5,000 percent. This price hike for a drug that has remained unchanged since 1953 is unacceptable and underscores the urgent need for legislation to prevent bad actors from taking advantage of a noncompetitive marketplace.

Second, the bill would improve communications between the FDA and the eligible sponsors prior to the submission of an application for the approval of a generic drug. That would improve the quality of applications from the beginning, increasing the chances of successful approval by the FDA.

Third, new reporting requirements would provide increased transparency into the backlog of applications for drug approvals and pending generic and priority review applications.

Fourth, this bill would provide the public with accurate information about drugs with limited competition. Drug manufacturers would be required to notify and provide rationale when removing a drug from the market, and the FDA would publish a list of off-patent brand name drugs that lack generic competitors, so that if you were a generic drug company, you would know that this would be an opportunity to develop a competitor drug.

I give the new FDA Commissioner a great deal of credit for his incorporating some of our provisions. He cares deeply about this issue.

Finally, this bill would streamline the regulatory process to address incidents in which the delayed re-inspection of manufacturing facilities becomes a barrier to generics entering the marketplace.

By taking these steps, we will enhance regulatory certainty for generic

drug companies, help to prevent shortages, increase competition to lower prices and prevent monopolies, and deter practices that can lead to unjustifiable, exorbitant price hikes.

I am pleased that the legislation also includes another bill that resulted from our Aging Committee's investigation. This provision will help to prevent bad actors from receiving unwarranted vouchers under the Tropical Disease Voucher Program.

This program was intended to incentivize the development of medicines for neglected diseases, yet was exploited by the notorious Martin Shkreli, the founder of Turing. After spiking the price of Daraprim, he purchased another decades-old drug—one, once again, without a competitor—that is used to treat a life-threatening infection that is rare in the United States. Mr. Shkreli sought to use the Tropical Disease Voucher Program to gain exclusivity and hike the price for a drug that is not, in fact, a new drug.

Our legislation revises the program to better ensure that it achieves its intent, which is to spur the development of therapies that are truly new in order to treat and cure neglected diseases.

Drug companies should not be able to increase their prices dramatically by thousands of a percent overnight without any justification—without the development of modifications in the drug that improve its effectiveness, for example.

Our legislation will help to foster a much healthier and more competitive generic marketplace as the best defense against such exploitation. I am pleased that our bipartisan plan will increase generic competition, which is so important for American families and our seniors, particularly, who take a disproportionate number of the prescription drugs that are prescribed in this country.

Before closing, let me briefly mention another important provision in the bill before us, the Over-the-Counter Hearing Aid Act of 2017. Approximately 30 million Americans experience age-related hearing loss. Yet only about 14 percent of those with hearing loss use assistive hearing technology, often because they simply cannot afford the price of costly hearing aids.

We know from a hearing that we recently held in the Aging Committee that social isolation among our seniors can be exacerbated by hearing loss that is left untreated. That, in turn, increases that social isolation and increases the risk of serious mental and physical health outcomes. By making some types of hearing aids available over the counter, just as people buy readers to see with, which are over-the-counter eyeglasses, this legislation will help increase access to and lower the cost of the products for the consumers who need them.

The legislation we are considering today will help to bring lifesaving

drugs to the marketplace and will ensure that the FDA continues to operate smoothly and, most importantly, that promising therapies make it to the American people.

Again, I commend Chairman ALEXANDER and Ranking Member MURRAY for their leadership, and I encourage all of our colleagues to join me in supporting this important legislation.

Thank you.

I yield the floor.

Mr. ENZI. Mr. President, I wish to express concern with section 709 of H.R. 2430, concerning over-the-counter, OTC, hearing aids.

I have a daughter who has worn hearing aids since she was a toddler. I have firsthand experience with the kind of expertise needed by providers to ensure that those who require a hearing aid have their specific and unique medical needs met.

I believe that everyone on all sides of this issue desire the same thing, and I appreciate Chairman ALEXANDER working with me to get a study relating to this matter. I believe that we are all working, in sincerity, towards a goal of providing those who would benefit from hearing aids with access to safe and effective products that will help them live the kinds of lives which they choose and desire. That being said, I am concerned about a policy which will create a division between a healthcare provider and a patient who needs that provider's expertise.

Thank you.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield back all time.

The ACTING PRESIDENT pro tempore. All time is yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 174, H.R. 2430, an act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and bio-similar biological products, and for other purposes.

Mitch McConnell, Steve Daines, Mike Crapo, James M. Inhofe, Lamar Alexander, Pat Roberts, Thom Tillis, Orrin G. Hatch, John Cornyn, Cory Gardner, Roy Blunt, James E. Risch, Roger F. Wicker, Tim Scott, John Thune, Mike Rounds, John Hoeven.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 2430, the FDA Reauthorization Act of 2017, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. SULLIVAN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 96, nays 1, as follows:

[Rollcall Vote No. 185 Leg.]

YEAS—96

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

NAYS—1

Sanders

NOT VOTING—3

Burr Inhofe McCain

The PRESIDING OFFICER. On this vote, the yeas are 96, the nays are 1.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Tennessee.

ORDER OF PROCEDURE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that after the disposition of the Brouillette nomination, the Senate resume consideration of the motion to proceed to H.R. 2430, that all postcloture time be expired, and the motion to proceed be agreed to; further, that there be no amendments in order to H.R. 2430, that there be 10 minutes of debate equally divided in the usual form, and that following the use or yielding back of that time, the bill be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

JESSIE'S LAW

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 581 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 581) to include information concerning a patient's opioid addiction in certain medical records.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Manchin-Capito substitute amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 752) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as "Jessie's Law".

SEC. 2. INCLUSION OF OPIOID ADDICTION HISTORY IN PATIENT RECORDS.

(a) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with appropriate stakeholders, including a patient with a history of opioid use disorder, an expert in electronic health records, an expert in the confidentiality of patient health information and records, and a health care provider, shall identify or facilitate the development of best practices regarding—

(A) the circumstances under which information that a patient has provided to a health care provider regarding such patient's history of opioid use disorder should, only at the patient's request, be prominently displayed in the medical records (including electronic health records) of such patient;

(B) what constitutes the patient's request for the purpose described in subparagraph (A); and

(C) the process and methods by which the information should be so displayed.

(2) DISSEMINATION.—The Secretary shall disseminate the best practices developed under paragraph (1) to health care providers and State agencies.

(b) REQUIREMENTS.—In identifying or facilitating the development of best practices under subsection (a), as applicable, the Secretary, in consultation with appropriate stakeholders, shall consider the following:

(1) The potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder.

(2) The benefits of displaying information about a patient's opioid use disorder history in a manner similar to other potentially lethal medical concerns, including drug allergies and contraindications.

(3) The importance of prominently displaying information about a patient's opioid use disorder when a physician or medical professional is prescribing medication, including methods for avoiding alert fatigue in providers.

(4) The importance of a variety of appropriate medical professionals, including physicians, nurses, and pharmacists, to have access to information described in this section when prescribing or dispensing opioid medication, consistent with Federal and State laws and regulations.

(5) The importance of protecting patient privacy, including the requirements related to consent for disclosure of substance use disorder information under all applicable laws and regulations.

(6) All applicable Federal and State laws and regulations.

The bill (S. 581), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

BETTER EMPOWERMENT NOW TO ENHANCE FRAMEWORK AND IMPROVE TREATMENTS ACT OF 2017

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1052 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1052) to strengthen the use of patient-experience data within the benefit-risk framework for approval of new drugs.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 1052) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1052

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Better Empowerment Now to Enhance Framework and Improve Treatments Act of 2017" or the "BENEFIT Act of 2017".

SEC. 2. STRENGTHENING THE USE PATIENT-EXPERIENCE DATA WITHIN BENEFIT-RISK FRAMEWORK.

Section 569C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-8c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking "and" and inserting a semicolon;

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

(C) by adding at the end the following:

"(C) as part of the risk-benefit assessment framework in the new drug approval process

described in section 505(d), considering relevant patient-focused drug development data, such as data from patient preference studies (benefit-risk), patient reported outcome data, or patient experience data, developed by the sponsor of an application or another party.”; and

(2) in subsection (b)(1), by inserting “, including a description of how such data and information were considered in the risk benefit assessment described in section 505(d)” before the period.

The PRESIDING OFFICER. The Senator from Wisconsin.

TRICKETT WENDLER RIGHT TO TRY ACT OF 2017

Mr. JOHNSON. Mr. President, in about 5 minutes, I am going to be asking for consent to pass the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Belina Right to Try Act of 2017.

I wish to take a few moments, though, to tell the story of how that right-to-try bill, which has been passed by 37 States, obtained that name. I believe it was probably March of 2014 that I met Trickett Wendler, a young mom with three children, who came to Washington, DC, with a group of other individuals advocating for those patients and their families with people suffering from ALS, or Lou Gehrig’s disease—an incurable and devastating disease.

A week before meeting Trickett, I met with the Goldwater Institute, which was talking about its right-to-try legislation. They were beginning to pass through State legislatures. Just mentioning the fact that I supported the right to try brought tears streaming down Trickett Wendler’s face. Unfortunately, Trickett Wendler lost her battle to ALS on March 18, 2015. She has inspired something that I think is going to give so many thousands—maybe tens of thousands, maybe millions—of Americans hope when they face a similar type of disease, where there is no hope, where there are no further options, other than potentially an experimental drug that has been proven safe, according to the FDA.

In our press conference announcing the introduction of this bill, we had met Matthew Belina, a naval aviator and lieutenant commander—one of the finest among us—also stricken with ALS. We had little Jordan McLinn, a little boy with Duchenne muscular dystrophy, and his mother Laura was speaking at that press conference. Remarkably, a man also stricken with ALS, Frank Mongiello, his wife Marilyn, and their children asked to speak. He made such an impression on our gathering, which encapsulated that press conference, particularly his speech in a video that I showed to my colleagues, which resulted in so many cosponsorships of this bill.

These are real people facing their mortality with no hope. This right-to-

try piece of legislation will give those individuals and their families hope.

I want to truly thank my lead cosponsor from across the aisle, Senator JOE DONNELLY, who is in the Chamber here today, and also Senator KING and Senator MANCHIN, who decided not to play any politics whatsoever and also were willing to cosponsor a bill offered by somebody who was in a tough re-election fight. I want to thank my 43 Republican cosponsors, particularly Senator McCONNELL. As leader, he was one of the first cosponsors who helped me to get those other 42 cosponsors. I want to particularly thank Chairman ALEXANDER and Ranking Member MURRAY, who have worked so cooperatively with me and my staff to make this moment possible. I would like to thank Vice President PENCE, who also met Frank Mongiello and became a real advocate for this, and President Trump, who after meeting these types of victims—these individuals—also supported this piece of legislation.

I wish to thank the Goldwater Institute and Darcy Olson for their tireless efforts at promoting the right to try and the 37 States and the 97.7 percent of the legislators who, when given a chance to vote to give people the right to try and the right to hope, voted yes.

I would also like to thank a very special person, Dr. Delpassand, who really demonstrated why this is such an important piece of legislation. Dr. Delpassand is an oncologist from Houston, TX. He was engaged in an FDA trial on an aggressive form of endocrine cancer with 150 patients. It was working. The drug was working. He petitioned the FDA to allow another 78 patients to participate in the trial. The FDA said no, but Dr. Delpassand said yes, putting his career at risk.

It is that kind of courage that we want to reward today by passing this right-to-try bill.

In conclusion, I want to thank the thousands of patients and their families who have taken their wheelchairs and gone to their State capitals and have come here to Washington, DC, to advocate for their personal freedom, their personal liberty, for their right to try, for their right to hope, and for the right to hope of millions of other Americans faced with these incurable diseases.

Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 204 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 204) to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

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

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Johnson-Donnelly amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 753) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017”.

SEC. 2. USE OF UNAPPROVED INVESTIGATIONAL DRUGS BY PATIENTS DIAGNOSED WITH A TERMINAL ILLNESS.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 561A (21 U.S.C. 360bbb-0) the following:

“SEC. 561B. INVESTIGATIONAL DRUGS FOR USE BY ELIGIBLE PATIENTS.

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘eligible patient’ means a patient—

“(A) who has been diagnosed with a life-threatening disease or condition (as defined in section 312.81 of title 21, Code of Federal Regulations (or any successor regulations));

“(B) who has exhausted approved treatment options and is unable to participate in a clinical trial involving the eligible investigational drug, as certified by a physician, who—

“(i) is in good standing with the physician’s licensing organization or board; and

“(ii) will not be compensated directly by the manufacturer for so certifying; and

“(C) who has provided to the treating physician written informed consent regarding the eligible investigational drug, or, as applicable, on whose behalf a legally authorized representative of the patient has provided such consent;

“(2) the term ‘eligible investigational drug’ means an investigational drug (as such term is used in section 561)—

“(A) for which a Phase 1 clinical trial has been completed;

“(B) that has not been approved or licensed for any use under section 505 of this Act or section 351 of the Public Health Service Act;

“(C)(i) for which an application has been filed under section 505(b) of this Act or section 351(a) of the Public Health Service Act; or

“(ii) that is under investigation in a clinical trial that—

“(I) is intended to form the primary basis of a claim of effectiveness in support of approval or licensure under section 505 of this Act or section 351 of the Public Health Service Act; and

“(II) is the subject of an active investigational new drug application under section 505(i) of this Act or section 351(a)(3) of the Public Health Service Act, as applicable; and

“(D) the active development or production of which is ongoing and has not been discontinued by the manufacturer or placed on clinical hold under section 505(i); and

“(3) the term ‘phase 1 trial’ means a phase 1 clinical investigation of a drug as described

in section 312.21 of title 21, Code of Federal Regulations (or any successor regulations).

“(b) EXEMPTIONS.—Eligible investigational drugs provided to eligible patients in compliance with this section are exempt from sections 502(f), 503(b)(4), 505(a), and 505(i) of this Act, section 351(a) of the Public Health Service Act, and parts 50, 56, and 312 of title 21, Code of Federal Regulations (or any successor regulations), provided that the sponsor of such eligible investigational drug or any person who manufactures, distributes, prescribes, dispenses, introduces or delivers for introduction into interstate commerce, or provides to an eligible patient an eligible investigational drug pursuant to this section is in compliance with the applicable requirements set forth in sections 312.6, 312.7, and 312.8(d)(1) of title 21, Code of Federal Regulations (or any successor regulations) that apply to investigational drugs.

“(c) USE OF CLINICAL OUTCOMES.—

“(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Public Health Service Act, or any other provision of Federal law, the Secretary may not use a clinical outcome associated with the use of an eligible investigational drug pursuant to this section to delay or adversely affect the review or approval of such drug under section 505 of this Act or section 351 of the Public Health Service Act unless—

“(A) the Secretary makes a determination, in accordance with paragraph (2), that use of such clinical outcome is critical to determining the safety of the eligible investigational drug; or

“(B) the sponsor requests use of such outcomes.

“(2) LIMITATION.—If the Secretary makes a determination under paragraph (1)(A), the Secretary shall provide written notice of such determination to the sponsor, including a public health justification for such determination, and such notice shall be made part of the administrative record. Such determination shall not be delegated below the director of the agency center that is charged with the premarket review of the eligible investigational drug.

“(d) REPORTING.—

“(1) IN GENERAL.—The manufacturer or sponsor of an eligible investigational drug shall submit to the Secretary an annual summary of any use of such drug under this section. The summary shall include the number of doses supplied, the number of patients treated, the uses for which the drug was made available, and any known serious adverse events. The Secretary shall specify by regulation the deadline of submission of such annual summary and may amend section 312.33 of title 21, Code of Federal Regulations (or any successor regulations) to require the submission of such annual summary in conjunction with the annual report for an applicable investigational new drug application for such drug.

“(2) POSTING OF INFORMATION.—The Secretary shall post an annual summary report of the use of this section on the internet website of the Food and Drug Administration, including the number of drugs for which clinical outcomes associated with the use of an eligible investigational drug pursuant to this section was—

“(A) used in accordance with subsection (c)(1)(A);

“(B) used in accordance with subsection (c)(1)(B); and

“(C) not used in the review of an application under section 505 of this Act or section 351 of the Public Health Service Act.”.

(b) NO LIABILITY.—

(1) ALLEGED ACTS OR OMISSIONS.—With respect to any alleged act or omission with respect to an eligible investigational drug provided to an eligible patient pursuant to section 561B of the Federal Food, Drug, and Cosmetic Act and in compliance with such section, no liability in a cause of action shall lie against—

(A) a sponsor or manufacturer; or

(B) a prescriber, dispenser, or other individual entity (other than a sponsor or manufacturer), unless the relevant conduct constitutes reckless or willful misconduct, gross negligence, or an intentional tort under any applicable State law.

(2) DETERMINATION NOT TO PROVIDE DRUG.—No liability shall lie against a sponsor manufacturer, prescriber, dispenser or other individual entity for its determination not to provide access to an eligible investigational drug under section 561B of the Federal Food, Drug, and Cosmetic Act.

(3) LIMITATION.—Except as set forth in paragraphs (1) and (2), nothing in this section shall be construed to modify or otherwise affect the right of any person to bring a private action under any State or Federal product liability, tort, consumer protection, or warranty law.

SEC. 3. SENSE OF THE SENATE.

It is the sense of the Senate that section 561B of the Federal Food, Drug, and Cosmetic Act, as added by section 2—

(1) does not establish a new entitlement or modify an existing entitlement, or otherwise establish a positive right to any party or individual;

(2) does not establish any new mandates, directives, or additional regulations;

(3) only expands the scope of individual liberty and agency among patients, in limited circumstances;

(4) is consistent with, and will act as an alternative pathway alongside, existing expanded access policies of the Food and Drug Administration;

(5) will not, and cannot, create a cure or effective therapy where none exists;

(6) recognizes that the eligible terminally ill patient population often consists of those patients with the highest risk of mortality, and use of experimental treatments under the criteria and procedure described in such section 561A involves an informed assumption of risk; and

(7) establishes national standards and rules by which investigational drugs may be provided to terminally ill patients.

The bill (S. 204), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I want to talk about what a great moment this is. I want to thank Chairman ALEXANDER for all his help, Ranking Member PATTY MURRAY for all of her help, and to my colleague the Senator from Wisconsin, Mr. JOHNSON, for all he has done to spearhead this effort.

This gives folks a shot. It doesn't provide any guarantees, but it allows folks to be able to take their care into their own hands, to make judgments, and to decide: I want to take a shot at this.

For me, it was a wonderful family from Indiana who, by the way, this morning they are at Legoland down in

Florida because their young boy is in good health, is getting along, but time is ticking. Young Jordan McLinn has Duchenne muscular dystrophy. His mom Laura and Jordan met with me and said: All we want is a shot. We don't want a guarantee. We want a chance to try to make Jordan better. That is what this Right to Try Act does. That is why I am so proud of all our colleagues coming together to support this, and to all the families Senator JOHNSON mentioned, we are so proud of you. We are so grateful to you for your advocacy because it was your words, your examples that have helped to get this done.

I want to say to everyone in Indiana and everyone in America how grateful we are that this Right to Try Act has passed, and to Chairman ALEXANDER and Ranking Member MURRAY, thank you for working together to make this happen.

I yield back.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Dan R. Brouillette, of Texas, to be Deputy Secretary of Energy.

The PRESIDING OFFICER. There will now be 15 minutes of debate equally divided in the usual form.

The Senator from Washington.

FDA REAUTHORIZATION BILL

Mrs. MURRAY. Mr. President, I want to say I am really pleased we are moving forward on the FDA Reauthorization Act today. This is really a great example about how Congress can actually work together on health issues and compromise and solve challenges by putting patients and families first.

As my colleagues well know, these so-called user fee agreements are essential to supporting FDA's operation and mission. They allow FDA to meet the complex challenges of the 21st century technology and the movement toward precision medicine, and they help ensure that FDA upholds the gold standard of approval while evaluating new drugs and devices efficiently. Put simply, passing the FDA Reauthorization Act is absolutely necessary if Congress wants to advance safe, effective and innovative medical products for patients and families across the country.

I would add, when we pass this reauthorization today, more than 5,000 employees at FDA will be able to continue their critical work without worry of interruption, employees that worked every day to protect the health and families and advance medical innovations to patients.

So I am really pleased to have worked alongside the chairman of our HELP Committee, the Senior Senator from Tennessee, and all of our colleagues on and off the committee to bring to the floor these finalized agreements.

They truly reflect years of negotiations between FDA and the industry, incorporate input from patient and consumer groups, and support some of our most urgent priorities: restructuring the generic drug user fees, building up the Biosimilars Program, making sure patients' perspectives are considered in drug and device development, and advancing many of the policies we passed as part of the 21st Century Cures Act.

In addition to those agreements, the FDA Reauthorization Act includes priorities and provisions from Members across the political spectrum, so I again want to thank Chairman ALEXANDER and all my colleagues, in particular, Senators CASEY, FRANKEN, and WARREN, on their work to improve medical device safety; Senators HASSAN and YOUNG on their provision to get better information to providers about opioids; Senators MCCASKILL, FRANKEN, and COLLINS for their commitment to improving the generic drug market; and Senators BENNET, VAN HOLLEN, and RUBIO for their drive to get new medicine for kids with cancer.

I really want to thank my staff and Chairman ALEXANDER's staff who worked so well together over months of hard work to get this done.

Mr. President, this bill advances several significant bipartisan priorities I am proud to support. As many know, the HELP Committee has a strong tradition of bipartisan success in these user fee agreements, and I am very proud to say we have kept it this way. I think this bill not only improves FDA, but it also shows that when we work together with a common goal, we can get things done and make progress.

I thank the chair and my partner, Senator ALEXANDER.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I see Senators ISAKSON and TESTER are here. I think they want to make remarks before the vote.

Let me say a few words following up on Senator MURRAY, and then I will place the rest of my comments in the RECORD.

This is very important legislation. Last year, we passed the 21st Century Cures Act to move these modern medical miracles into medicine cabinets and doctors' offices more rapidly. This is funding that pays for one-quarter of the Food and Drug Administration, which has a critical role in approving the safety and effectiveness of drugs, treatments, and devices. As with most things in the Senate that actually are

important and work well and get a result, a lot of hard work has gone into this.

It started 2 years ago with Republicans and Democrats; Senator MURRAY and I and our staffs working together with the House of Representatives at the same time, working with manufacturers, the FDA, many others, working out many differences of opinion. So now we are going to get to a result within a few minutes. We are probably going to adopt this by voice vote almost unanimously. Everyone will say that must have been easy. It wasn't that easy, but it is how work gets done in the U.S. Senate when we do it well.

I want to comment on our colleagues and the staff and the House of Representatives on what they have done. We will continue to focus our attention on the 21st Century Cures Act. A piece of legislation is not worth the paper it is printed on unless it is implemented properly, but this funding today, done in a timely way, says to the men and women who work at the Food and Drug Administration and to their leader, Dr. Gottlieb: We value what you do.

In the 21st Century Cures Act, we gave the Commissioner more authority to hire and pay talented people to work at FDA and approve these medical miracles that are coming. We are reauthorizing the user fees in a timely way so the FDA's work will not be interrupted.

I thank Senator MURRAY for the way she worked on this. This is typical of our committee when we work well, which we most always do.

I will make remarks in the RECORD concerning the staff. They are almost too numerous to mention. Senator MURRAY's staff, my staff, Chairman WALDEN's staff, Ranking Member PALLONE's staff, Food and Drug Administration staff, Congressional Budget Office legislative counsel, and Senator MCCONNELL's staff—they have all been critical to the success we are about to have today.

I would like to thank the staff who have been devoted to reauthorizing these important programs. Some of them have been working on this bill for over 2 years. I am deeply grateful to them. I have deep appreciation for their hard work, their ingenuity, and their skill in helping us come to this result. Without their hard work and tireless effort, we wouldn't have been able to pass this before the deadline, ensuring the FDA can continue its important mission.

On Senator MURRAY's exceptional staff, I would like to thank Evan Schatz, John Richter, Nick Bath, Andi Fristedt, and Remy Brim.

On my hard-working and dedicated staff, I would like to thank David Cleary, Lindsey Seidman, Allison Martin, Mary-Sumpter Lapinski, Grace Stuntz, Margaret Coulter, Curtis Vann, Lowell Schiller, Bobby McMillin, Liz

Wolgemuth, Margaret Atkinson, Taylor Haulsee, Elizabeth Gibson, and Anthony Birch.

On Chairman WALDEN's staff, I would like to thank Ray Baum, Paul Edattel, and John Stone.

On Ranking Member PALLONE's staff, I would like to thank Jeff Carroll, Tiffany Guarascio, and Kimberlee Trzeciak. I would also like to thank much of the hard-working staff from the Food and Drug Administration who provided great help in getting this bill completed and working out the user fee agreements in a timely manner. From legislative counsel from the House and Senate, I would like to thank Warren Burke, Michelle Vanek, Kim Tamber, and Katie Bonander.

From the Congressional Budget Office, I would like to thank Darren Young, Andrea Noda, Chad Chirico, Holly Harvey, Ellen Werble, and Rebecca Yip.

On Senator MCCONNELL's staff, I would like to thank Scott Raab.

On Speaker RYAN's staff, I would like to thank Matt Hoffman.

Finally, I would like to thank all the patients, doctors, researchers, innovators, thought leaders, and experts who dedicated time and expertise to helping improve the legislation and supporting its approval.

To reiterate, today the Senate will take up and I expect it will pass the Food and Drug Administration Reauthorization Act of 2017 to speed cures and treatments into patients' medicine cabinets.

Last year, 94 Senators voted to pass 21st Century Cures and send \$4.8-billion to spur medical research at the National Institutes of Health.

Leader MCCONNELL called it the "most important piece of legislation" that year.

Today's passage of the FDA user fees will help ensure advancements in research supported by 21st Century Cures actually make it to patients who are waiting.

The Food and Drug Administration is the agency responsible for making sure promising research supported by 21st Century Cures can turn into lifesaving treatments and cures.

This legislation we will vote on today includes four FDA user fee agreements—which are set to expire on September 30—and will speed the agency's ability to review new prescription drugs, generic drugs, biosimilar drugs, and medical devices and bring those treatments and cures to patients more quickly.

This legislation will reauthorize the authority for the FDA to accept user fees—paid by manufacturers of drugs and medical devices—that account for \$8 to \$9 billion over 5 years and is over a quarter of all FDA funding.

The reauthorizations are based on recommendations from industry and FDA after a thorough public process.

FDA posted meeting minutes after every negotiation and held public meetings before discussion began and to hear feedback on the draft recommendations last fall.

We began almost 2 years ago working in a bipartisan way to reauthorize and update the user fee agreements. We held 15 bipartisan Senate health committee briefings, including several with the House Energy and Commerce Committee.

In the Senate HELP Committee, we held two bipartisan hearings on these agreements—one in March and one in April of this year.

We heard from the FDA, witnesses representing the manufacturers of drugs and medical devices, and witnesses representing the patients who rely on the products they make.

Throughout this process, we have worked closely with the House. In April, the leaders of the Senate and House health committees released a discussion draft of bipartisan legislation to reauthorize and update the user-fee agreements and which reflected the recommendations sent to Congress by the FDA in January.

In May, the Senate HELP Committee overwhelmingly approved this legislation reauthorizing the user fees by a vote of 21 to 2. This also included over 20 provisions that were adopted in committee and were priorities for HELP members.

The bill includes provisions from Senators ISAKSON and BENNET to improve the medical device inspection process; Senators HASSAN and YOUNG to improve communication about abuse-deterrent opioid products; Senators ENZI and FRANKEN to encourage medical device development for children and make sure FDA has appropriate expertise to review devices for children; Senators ROBERTS, DONNELLY, and BURR to allow more appropriate classification of accessories used with medical devices; Senators COLLINS, FRANKEN, MCCASKILL, and COTTON to improve generic drug development and help lower prescription drug costs; Senators HATCH, BENNET, BURR, and CASEY to improve access to clinical trials for all patients; and Senators BENNET, RUBIO, VAN HOLLEN, and GARDNER to increase the development of new drugs to treat pediatric cancers and other diseases.

The House passed this user fee legislation on July 12 by voice vote.

Now it is our turn to pass this bipartisan legislation that is integral to helping patients and families who rely on the lifesaving medical innovation that FDA is responsible for reviewing.

The goal of getting this to the President's desk is an important one. If we do not pass this legislation before the end of September, FDA will begin sending layoff notices to more than 5,000 employees to notify them that they may lose their job in 60 days.

If we do not pass this bill, a FDA reviewer who gets started reviewing a cancer drug submitted to the agency in April could be laid off before the reviewer is able to finish his or her work.

A delay in reauthorizing the user fees would not only harm patients and families who rely on medical innovation, but it would threaten biomedical industry jobs and jeopardize America's global leadership in biomedical innovation.

I am glad the Senate is taking the step of voting on this legislation today. I look forward to supporting this important bipartisan bill and sending it to the President's desk. I urge my colleagues to support it as well.

The PRESIDING OFFICER. The Senator from Georgia.

VETERANS LEGISLATION

Mr. ISAKSON. Mr. President, I rise for a moment to reflect on what was a great night for the U.S. Senate, the U.S. Government, for the population of our country but most importantly for those who served as veterans in the military.

Last night, the Senate agreed to significant legislation on three fronts to make the VA better and more responsive to our veterans.

Ranking Member TESTER and I have spent the entire year working toward making sure we dealt with the needs the VA has so all these stories we see on the front page of papers, stories about there being unsafe conditions, stories about people being mistreated, stories of people having to wait so long for their appointments—we want to put an end to all this, and we have given the Secretary the tools to do exactly that.

I was telling the ranking member this is called “no excuses day.” Secretary Shulkin will have no excuses for any mistakes to be made. Every tool he needs in his toolbox to see that the Veterans’ Administration is responsible to the veterans of the United States of America passed in this Senate, passed in the House. There were six major bills the first 7 months of this year, a remarkable achievement, a testimony to teamwork, to staff, and to the leadership of the Republican and the Democratic Parties. The majority and minority leaders of this Senate made it possible for that to happen last night. I am eternally grateful to both of them for their support and help.

I am not going to read all the names of the staff now because we are in limited time.

I ask unanimous consent that the names of every staff member who worked with the VA Committee to make it the best year ever be printed in the RECORD.

Credit is given to captains, Presidents, and people with titles. Senator TESTER and I have the titles, when it comes to the VA Committee, but the reason the VA Committee was success-

ful in accomplishing every single goal, was because of every ranking file member, Republican or Democratic. We took our labels off, we put our armor on, and we plowed ahead. We didn't say no to problems that looked like they were too hard. We said yes to solutions that looked like they made sense.

Veterans of the United States of America have better healthcare, better educational benefits, and a modern VA to deal with in the years ahead. I am proud to have been a part of it. I want to commend Senator TESTER for his contribution.

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

Staff on the Senate Committee on Veterans' Affairs:

Tom Bowman, staff director, soon-to-be Deputy Secretary of VA; Amanda Meredith, deputy staff director, soon-to-be judge on the U.S. Court of Appeals for Veterans Claims; Leslie Campbell; Gretchen Blum; Maureen O'Neill; Adam Reece; David Shearman; Jillian Workman; Kristen Hines; Thomas Coleman; John Ashley; Mitchell Sylvest; Joan Kirchner; Trey Kilpatrick; Jay Sulzmann; Ryan Evans; Salvador Ortega; and Amanda Maddox.

Mr. ISAKSON. I yield to Senator TESTER.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Thank you, Mr. President.

I want to thank Chairman ISAKSON for his work on the VA Committee. We have gotten a lot of work done the first part of this Congress because we communicated. We haven't put up artificial barriers. We sat down and all realized taking care of our veterans is the cost of war. We need to do it and live up to the promises of these folks when they signed up. We have done pretty good work.

It is not only JOHNNY. It is not only myself. It is also the people who have served on that committee, many in the Chamber right now. I want to thank them for their commitment to making sure we live up to the promises we made our veterans, but it is about working together. It is about talking to folks. It is about compromise. It is about not digging in but moving together. This is a great country, and it was built by people working together.

The VA Committee is a prime example of people working together. We set aside our differences. We listened to the veterans service organizations. We let them drive the bus, to an extent. We worked with Secretary Shulkin and other leaders within the VA. We have been transparent. We have been honest when we disagreed. We haven't embarrassed one another. Quite frankly, this is the way it can work in this body when we start from a point of agreement rather than disagreement.

We have two bills already signed into law: an accountability bill, which holds VA employees accountable to the veterans, fires bad employees, protects

whistleblowers; and the Veterans Choice Improvement Act, which makes VA the prime payer and reduces out-of-pocket expenses for veterans. Then, the bills passed last night to take care of the disability appeals, some 470,000—we are going to expedite that process and bring it down from 3 years to 1 year. The VA will do that. We will give them the tools to do that. It will simplify it and cut the redtape.

Veterans Choice funding is a fix to allow the private sector to fill in the gaps where the VA can't provide healthcare. It will help recruit and retain more doctors and nurses, critically important, and it expands the capacity in the VA, which is critically important.

Then there is the "Forever" GI bill which eliminates the 15-year limit. It breaks down educational barriers and helps veterans transition into civilian life.

We have done some good work. We have done some good work for this body. We have done some good work, more importantly, for the veterans, and we need to continue on that line as we continue to address healthcare and we continue to address important issues like tax reform. It is about working together. It is about finding common ground. It is about taking everybody's opinion into context and then drafting up bills.

Chairman ISAKSON and I have done that, and we are going to continue to do that. We have some more tough issues to deal with over the next year and a half, but we are going to work together to make sure we do it and we do it right. With help from the committee and help from the Senate, we could have more successes.

I thank the chairman of the committee and thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, we are considering the nomination of Dan Brouillette to be the Deputy Secretary for the Department of Energy. Mr. Brouillette has a long history of distinguished service to our Nation. He is a veteran. He has served in the Department of Energy. He has been the staff director for the House Energy and Commerce Committee. More recently, he has held high-level posts in the private sector—first, as vice president at Ford, currently as senior vice president at USAA.

He has strong experience and thorough knowledge of the Department he has chosen to return to. He understands the work that its thousands of scientists undertake and the importance of maximizing their research efforts, especially in a time of constrained Federal budgets.

He recognizes the importance of our 17 National Labs and the Department's responsibility for environmental man-

agement, including the cleanup of Cold War-era legacy sites. As second in command to Secretary Perry, Mr. Brouillette will oversee programs critical to our Nation's cyber security, energy innovation, and scientific discovery.

Based on his hearings before the Energy and Natural Resources Committee, I am confident he is up for the challenge and ready for this role. I would urge all of my colleagues to support the nomination of Dan Brouillette to be the Deputy Secretary of the Department of Energy.

Mr. President, I yield all time.

The PRESIDING OFFICER. All time is yielded back.

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

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 17, as follows:

[Rollcall Vote No. 186 Ex.]

YEAS—79

Alexander	Feinstein	Paul
Baldwin	Fischer	Perdue
Barrasso	Flake	Peters
Bennet	Gardner	Portman
Blumenthal	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hassan	Rounds
Brown	Hatch	Rubio
Cantwell	Heinrich	Sasse
Capito	Heitkamp	Schumer
Cardin	Isakson	Scott
Carper	Johnson	Shaheen
Casey	Kaine	Shelby
Cassidy	Kennedy	Stabenow
Cochran	King	Strange
Collins	Klobuchar	Sullivan
Coons	Lankford	Tester
Corker	Leahy	Thune
Cornyn	Lee	Tillis
Cotton	Manchin	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Warner
Daines	Moran	Wicker
Donnelly	Murkowski	Wyden
Durbin	Murphy	Young
Enzi	Murray	
Ernst	Nelson	

NAYS—17

Booker	Heller	Sanders
Cortez Masto	Hirono	Schatz
Duckworth	Markley	Van Hollen
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Harris	Reed	

NOT VOTING—4

Burr	Inhofe
Hoeven	McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

FDA REAUTHORIZATION ACT OF 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and consideration of the motion to proceed to H.R. 2430.

All postcloture time is expired.

The motion to proceed is agreed to.

FDA REAUTHORIZATION ACT OF 2017

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2430) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

The PRESIDING OFFICER. There will be 10 minutes of debate equally divided.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank Senator MURRAY and the committee for 2 years of work to produce a bipartisan result. This bill funds the Food and Drug Administration and advances the 21st Century Cures legislation that Senator MCCONNELL called the most important bill of the last Congress. Senator MURRAY and I have already spoken to the bill and have thanked everybody involved. Senators have other appointments they would like to keep.

I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia

(Mr. ISAKSON), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Georgia (Mr. ISAKSON) would have voted "yea" and the Senator from North Dakota (Mr. HOEVEN) would have voted "yea."

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 1, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—94

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

NAYS—1

Sanders

NOT VOTING—5

Burr	Inhofe	McCain
Hoeven	Isakson	

The bill (H.R. 2430) was passed.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I ask unanimous consent that with respect to H.R. 2430, the motion to reconsider be considered made and laid upon the table.

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

MORNING BUSINESS

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

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

The Senator from Colorado.

RACE FOR CHILDREN ACT

Mr. BENNET. Mr. President, I feel sorry for the Presiding Officer. This is the second time in a week he has had to listen to me talk on the floor.

I thank the Senator from Nebraska for her graciousness in letting me go first.

America, the Senate has passed the bill. We passed the bill. Today, the Senate passed the RACE for Children Act as part of the FDA user fee bill.

The RACE Act represents a breakthrough for kids fighting cancer. Each year, over 15,000 children will be diagnosed with the disease; 2,000 will lose their lives.

Across America, pediatric cancer is the leading cause of death for our children. Previously, companies with new treatments for adults studied their potential benefits for kids. Companies exploring medication for adult diabetes, for example, also researched its potential for use in children. This research is vital because it provides critical information to doctors for treating sick children. Specifically, it helps them ensure that the treatments and dosages they prescribe are safe for young bodies. But there was a gap in the law as it existed before we passed this law.

Drug companies with new, precision medicine for adult cancers did not have to study possible value for pediatric cancers. That meant our kids continued to receive older treatments—some from the 1960s—which often had harmful side effects and consequences that can last a lifetime.

At the same time, breakthrough treatments have become available for adults, with better results and fewer harmful effects. While these treatments have great promise for kids, we were not doing enough to explore that potential.

Over the last 20 years, the Food and Drug Administration has approved 190 new cancer treatments for adults but just 3 new treatments for children. The FDA saw that gap, and they asked us to close it. That is precisely what the RACE for Children Act will do. For the first time in the country's history, it would require drug companies to study the potential of promising adult cancer treatments for children, closing this gap in the law and opening the door to promising new treatments for children in need.

Before this bill, thousands of kids in America lacked access to cutting-edge treatments and precision medicine that could have made the difference in their struggle against cancer.

During my time in the Senate, I have seen the anguish of too many parents who learned not only that their child has cancer but that they have little or no options for treatment. This bill will give them more options. It will give them more hope.

For Delaney from Grand Junction, CO, this bill could have been lifesaving. She battled cancer for over 5 years but passed away a year ago when she was out of treatment options. I wish to dedicate our work on this bill to her and to all kids who are bravely battling cancer day in and day out around the world.

We also should dedicate it to everyone who called and wrote and shared

their family stories over the past months. This bill would never have passed without their voices. For people interested in keeping the system the same way, it was the voices of these families—in many instances, people who faced horrible tragedies in their lives—who made this possible. Because they engaged in this process, we passed a bill that will give thousands of kids a better chance to beat cancer and reclaim their lives.

America leads the world when it comes to treating cancer. We pioneer the latest and safest treatments. Every American should have access to them, especially our kids, whose bright lives have just begun.

I want to recognize and acknowledge all of the pediatric cancer groups that came together to advance this bill, including pediatric advocates, cancer advocates, and hospitals in Colorado and around the country.

I also want to acknowledge, as always, the great leadership provided by Chairman ALEXANDER, Ranking Member MURRAY, and their staff for their work on this and the FDA user fee bill.

Finally, I wish to thank my partner in this work, Senator RUBIO, from Florida, for his leadership and passionate advocacy on behalf of our kids.

This bill is a reminder that, when we drop the political fights, we can focus on fights that truly matter, such as the fight against cancer, the fight for better healthcare in this country, and the fight for our kids and their future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

NORTH KOREA

Mrs. FISCHER. Mr. President, I come to the floor today to discuss the growing threat from North Korea. Last month, the North Koreans conducted two intercontinental ballistic missile, or ICBM, tests. The first came as our Nation celebrated its Independence Day. The second test was conducted last week.

According to a number of reports, the second test demonstrated sufficient range to reach much of the United States. This increasing threat is a concern that I often hear about from Nebraskans.

For years, the United States has assessed North Korea to have an ICBM capability, but it was largely unproven. In his 5½ years in power, Kim Jong Un has conducted more missile tests than his father did during his 17-year reign. Under an aggressive testing program, North Korea has turned a theoretical ICBM capability into an undeniable reality.

Adding to the threat, they have made progress beyond ICBM technology. Over the past year, North Korea has conducted several tests of a submarine-launched ballistic missile. In February,

the regime demonstrated a new solid-fueled, road-mobile ballistic missile.

Altogether, these developments reveal a dedicated, sophisticated development program that is relentlessly pursuing weapons designed for no other purpose than to threaten the United States and our allies. The rapid pace of development also indicates an increasingly capable scientific industrial base within North Korea.

Questions still remain about the regime's ability to miniaturize a nuclear warhead, deliver it accurately, and shield it from the stress associated with launch and then reentry. We should expect Kim Jong Un to overcome these obstacles if the status quo remains unchanged.

Admiral Harris, the commander of the U.S. Pacific Command, said in his testimony before the Senate Armed Services Committee earlier this year: "It is clearly a matter of when."

This sense confirms that a drastic change in our approach is required. Our current multilateral efforts have not yielded the results needed to keep the world safe.

The failure of the United Nations Security Council to issue a statement condemning North Korea's July 3 ICBM test was a step backward in the international effort to isolate and to punish the regime for its illegal behavior. With Russia and China preventing any substantive action at the United Nations, I believe we must aggressively implement unilateral sanctions to punish the companies and the countries underwriting Pyongyang's belligerence.

One thing is certain. The principal economic enablers of the Kim regime are China and Russia.

Beijing provides direct food and energy assistance to North Korea and is by far the largest market for North Korean exports, such as minerals. North Korean hackers reportedly conduct cyber crime operations from northern China, and almost all of North Korea's internet access is provided via a fiber-optic cable running between those two nations. North Korea has also used Chinese banks to conduct transactions associated with its illicit proliferation activities and its criminal operations.

Russia's economic ties are more limited, but the Russians have been known to import North Korean labor and provide energy supplies, including jet fuel, to Pyongyang.

These ties provide China and Russia with influence over North Korea. How have they used that influence? Instead of helping to restrain the regime, they appear to be rewarding its bad behavior. Reports indicate both nations are increasing their bilateral trade, with several claiming trade between Russia and North Korea increased by 85 percent in comparison to last year.

Some argue China is unwilling to impose harsh restrictions on trade with

Pyongyang because it would risk the regime's collapse and send a wave of North Korean refugees across their border. This argument might explain providing minimal assistance, but it does not justify billions of dollars in cross-border trade, nor does it explain why North Korean ballistic missiles are photographed being hauled by Chinese-made trucks.

China and Russia must believe the Kim regime serves their strategic interests.

For our purposes, these economic relationships are avenues through which we can impose costs on facilitating North Korea's belligerent behavior. Congress gave President Trump broad authority to take action against the nations supporting the North Korean regime's illegal activities, particularly those fostering the regime's hostile cyber activities, weapons programs, abuse of human rights, and their criminal networks. It is time for the President to use his authority to show China and Russia that continued support of the North Koreans will harm their own interests.

The administration has already begun to implement such measures. In June, the United States announced sanctions against a Chinese bank, two Chinese individuals, and a Chinese entity for supporting the North Korean regime. It appears, though, that this warning shot has fallen on deaf ears, because there has been no change in their behavior.

Chinese officials are sticking to their talking points, and they are objecting to any measures so they don't have to bear the costs of their own behavior. Take China's reaction to South Korea's decision to deploy the THAAD system. South Korea deployed a THAAD battery to improve the defenses against North Korean missiles. This is a defensive system that poses no threat to China.

Yet how did China respond? They shut down South Korean-owned department stores. The South Korean conglomerate who owns the stores also owns the property where the THAAD system was deployed. Moreover, the conglomerate's websites were hit by cyber attacks, and unofficial restrictions appear to have been imposed on imports of South Korean cosmetics and South Korean tourism.

It is clear that the Chinese view North Korea through a narrow lens of immediate strategic interest. That is how we must target our actions. By rigorously applying sanctions, we can make clear to China and any other nation doing business with the North Korean regime that continued support for the DPRK will harm their interests.

Of course, sanctions are not a panacea, and aggressively applying them does carry risk. Indeed, if we could be totally confident that the secondary sanctions would solve this problem, I

suspect that they would have been implemented long ago. Time is not on our side and 8 years of strategic patience has narrowed our options. If we want different results, we must change our strategy, and we must make these changes now.

While firmly applying additional sanctions, the United States must also increase its defenses. Of course, our nuclear deterrent remains our country's ultimate protection against nuclear attack. Wednesday's successful test of a Minuteman III ICBM by our military provides continued assurance that our deterrent remains reliable and ready. We cannot rely on deterrence alone, and we must ensure that our missile defense efforts stay ahead of North Korea's accelerating developments.

I am a longtime member, and now the chairman, of the Senate Armed Services Subcommittee on Strategic Forces, which oversees our missile defense programs. Through this role, I have had the benefit of working closely with the Directors of the Missile Defense Agency and the commanders of STRATCOM to improve our missile defenses.

Over the years, the Senate Armed Services Committee has authorized additional funding for the construction of a new missile defense radar, known as the Long Range Discrimination Radar, or the LRDR, to track potential threats from North Korea. The committee is also focused on improving the robustness of our homeland missile defense system, known as the Ground-based Midcourse Defense, or GMD, system as well.

This year in the fiscal year 2018 National Defense Authorization Act, our committee authorized over \$200 million to meet unfunded requirements for that system.

The GMD System is our only defense against North Korea's ICBMs. It consists of silo-based interceptors, which are located in Alaska and California, supported by space-based and terrestrial-based sensors and a vast command and control network.

It provides an effective capability against North Korea's ICBMs, as was demonstrated in a successful intercept test on May 30 of this year. During that test, a single interceptor successfully destroyed an ICBM class target. It was the longest range test, and it was conducted at a greater altitude and closing speed than the system had ever faced before.

This successful test was an important milestone that visibly demonstrated the impressive capabilities of our GMD System. However, shortly after, then-Director of the Missile Defense Agency, Admiral Jim Syring, testified before the House Subcommittee on Strategic Forces that our defenses were not "comfortably ahead of the threat."

These comments came before North Korea's July ICBM tests. I strongly believe the rate of North Korea's technical progress demands a response. There are options before us. For example, additional ground-based radars and space-based sensors would improve our ability to track incoming threats, discriminate warheads from debris and decoys, and conduct kill assessments to confirm that the threats have been destroyed. The Redesigned Kill Vehicle Program, which will modernize the portion of the interceptor that impacts and destroys hostile warheads in space, promises to increase the capabilities of our current system. Deploying more interceptors, whether at the existing facility in Fort Greely, AK, or at a new installation, would add capacity and enable our defenses to better handle ICBM threats.

There are also advanced technology programs, such as the development of lasers mounted on unmanned systems, which hold significant promise for future missile defense. The Missile Defense Agency is pursuing these options, but the question remains: Are our current efforts enough? To help answer this question, the administration is conducting a review of ballistic missile threats and our missile defense posture—the first of its kind since 2010. There is no doubt that the threat environment of today is far more sophisticated and challenging than it was during the last review.

Our missile defense posture has remained largely unchanged since 2013. When responding to North Korean missile developments, then-Secretary of Defense Chuck Hagel announced the Obama administration's decision to increase the number of deployed interceptors from 30 to 44. The final deployment of these interceptors is expected by the end of this year, which demonstrates another point that we must bear in mind when we consider our missile defenses: Decisions take years to implement.

The fact that we are ahead of the threat today is not good enough. We should be asking ourselves whether the steps we are taking today are adequate to defeat the threats we know are coming in the future. I expect the administration's review to confirm the growing threat and articulate a clear response. The review is expected to conclude in the fall, and I plan to hold hearings to examine whether it is a proposed way forward.

In closing, I would note that the phrase "no good options" is frequently repeated when it comes to confronting the threat that is posed by North Korea. This may be true, but the gravity of the situation demands action. Kim Jong Un has repeatedly threatened to attack U.S. cities with nuclear weapons. His capacity to carry this threat grows with every passing day. We must change our strategy to pro-

tect the American people. Strong secondary sanctions and enhanced missile defense should form the basis of that new approach.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO MARK BRAUDIS

Mr. SULLIVAN. Mr. President, every week, I have been coming to the floor to talk about the wonderful people in my State. A lot of people have visited Alaska. If you haven't and you are watching on TV, we really, really want to welcome you to come. It will be the trip of a lifetime; I guarantee it.

What we like to do when we talk about our Alaskan of the Week is talk about someone who has made a real impact, someone who doesn't get a lot of attention, someone who has made an impact on his community or country, and let people know we are thinking about them, let people know we are proud of them. Before recess, I want to do that for a couple of Alaskans today, and I would like to start by talking about a gentleman who has gotten a little press lately in Alaska, but I want the country to hear about it. It is really a remarkable story—Mr. Mark Braudis.

Let me tell you a little bit about Mark. Mark came to my attention through a recent column by Charles Wohlforth in the Alaska Dispatch News.

Mark is originally from Pennsylvania. When he was just 17 years old, he joined the Navy, like a lot of Alaskans. We have more vets per capita than any State in the country. He was deployed in 1972.

Mark said:

When I was in high school, everyone had long hair and were anti-government. That's not the way I was. I was for God and country. If my brothers were over there in Vietnam, I wanted to stand with them.

So he went. When a lot of people were avoiding service, he went.

When Mark got out, he couldn't find a job, so he began to hitchhike across the country into Canada and other places, and he wound up in the magical place we call Alaska. Mark arrived in 1976. After leaving once and coming back, he got a job as a taxi driver—a good job. He met and fell in love with one of his passengers, a beautiful woman named Helen. They went on to have seven children—Stephen, David, Kelly, Jared, Michael, and Jenny. Helen was a great mother.

Then, unfortunately, as sometimes happens in families in certain circumstances, tragedy struck their family. In 2007, Helen was walking down a busy road and was hit and unfortunately killed by a car passing by.

Faced with unspeakable grief, Mark knew he couldn't fall apart. He had seven kids between the ages of 6 and 16, and he had to take care of them. One of them was in third grade at the time and couldn't stop crying over the loss of his mom. The school called often, and Mark—still a taxi driver—left work to pick him up. The hours of tending to his kids began to rack up. He couldn't pay the rent. His kids and he had to eventually live in a homeless shelter.

A social worker wanted to put the kids up for adoption, but Mark refused. They had lost their mother, they had lost their home, and they weren't going to lose their dad. The family needed him, and they were a team.

Eventually—and this is so great; it happens all across Alaska, all across America—with the help of the community, in this case, their local Catholic church, Saint Anthony's Parish, Mark was able to afford rent for a three-bedroom apartment with one bathroom where they still live today and to buy his own taxi license.

In the face of adversity, he raised his kids to be strong, proud, caring, responsible, and to do the right thing. They stuck together. They ran together, sometimes as many as 6 miles a day—the Navy veteran out with his children. They studied together. They were good kids. They didn't miss school or the bus. They never got in trouble. They were a team.

This is what is remarkable about this family: Six out of the seven Braudis children, whom I have been speaking about, have joined the Marines Corps. They have taken after their dad, serving their country—six out of seven. How many families in America can say that? The seventh couldn't because of a medical issue, and he is nearly finished with a degree in electrical engineering from the University of Alaska in Anchorage and tutors students in math at the university.

The youngest one, Jenny, a senior in high school, has already been sworn in to the Marines. She wants to drive tanks. The middle child, Jared, is the only one who joined the infantry. When they all get together, he kids them, telling them he is the tough one, but I am sure they are all tough. Jared said:

When we were growing up, my dad just made things right. He still does.

What did Mark learn from these challenges? He said:

When you're married, you become one. And when my wife passed away, she brought me to God with her. And then I brought my children to God. I didn't understand it then, but I do now. It's been one miracle after another.

Also, what I learned? I'm a dad above everything else.

Well, Mark, thank you. Thanks to you, your children, and your family for this amazing example and for doing such a great job of raising your kids. You are a model for all of us. Thank you for being our Alaskan of the Week.

TRIBUTE TO KATHY HEINDL

Mr. SULLIVAN. Mr. President, as I mentioned earlier, I come to the floor every week to talk about my great State and to talk about the people of my great State—the people who make it a better place for all of us. We call these people the Alaskan of the Week. It is one of the most fulfilling parts of my job to come here and talk about people who make a difference, people who don't get a lot of press, people who don't get a lot of attention, but people who are doing the right thing for their country and for their community.

Right now in Alaska, we have tourists, people coming from all over, and one of the things happening in Alaska is salmon season. The biggest runs in the world—the bounty of our great State—are happening right now, and the fish are running. If you or anyone listening has ever had the opportunity to catch or eat wild Alaskan salmon, of course, it is the memory of a lifetime. There is nothing better; there is no better fish in the world.

There is great salmon fishing all across Alaska, but one of the most heavily fished areas in Alaska and the world is on Alaska's Kenai Peninsula, about 45 minutes from Anchorage. Millions of salmon run up the rivers of the Kenai, drawing tens of thousands of Alaska sports, personal use, and commercial fishermen, as well as visitors from all over the country, all over the world to fish the amazing Kenai River.

The area can continue to support a lot of traffic, but when you have that many people on the Kenai, sometimes it does cause congestion. So let me talk about someone who works on these issues for Alaska—Kathy Heindl.

Kathy is an engineer with Homer Electric Association on the Kenai. Ten years ago, she visited Alaska as a tourist. She saw the Northern Lights dancing in the winter, the snow-covered mountains, and she knew she was home. She loves the Kenai. There is a sense of freedom there and all across Alaska. It is a place where there is room to pave your own path but support others and the community around you, and, of course, there are the salmon.

Since Kathy moved to Alaska, she has been working to give back to the community that she loves so much. She is an active member and past president of her local Rotary Club. She is a member of the Kenai Peninsula Borough Community Emergency Response Team. She is also a member of a group that operates ham radios in order to help if there is a disaster and

shuts down cell service or other communication devices.

During the summer, right now, she spends much of her free time as a Kenai Peninsula Stream Watch volunteer with the Kenai Watershed Forum, helping to make sure that she will have a sustainable fishery—that we will have a sustainable fishery in the Kenai and throughout the State for generations to come. A few times a week, for as many as 6 hours at a time, she roams the fishing spots, picking up trash, helping others, speaking with anglers. She talks to them about how to protect themselves. She carries around safety goggles—you never want a hook in the eye. She talks about what happens when you run into a bear, which happens a lot in our great State, and the best way to avoid them, and importantly, she educates anglers on how to protect the vegetated banks on this great river to maintain the health of the river and the amazing salmon in it.

The vast majority of the people in Alaska and from out of State who fish the Kenai are responsible and want to help in any way they can, and they love Kathy's help, but, still, all the activity in the area has created erosion problems, which has the potential to hurt the fish.

The Kachemak Heritage Land Trust, a land stewardship and conservation trust based in Homer, recently recognized Kathy's efforts and presented her with the King Maker Award. "It is your selfless actions that help protect the vital habitat needed for salmon to live and thrive," the land trust wrote to her. "Great role models such as yourself can inspire others in our communities to take action by following your lead" and your example.

Mr. President, I want to congratulate Kathy for all the work she is doing, especially in this busy summer in Alaska, and for being our Alaskan of the Week.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 185, 186, 187, 188, 189, 190.

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

The clerk will report the nominations en bloc.

The bill clerk read the nominations of Brooks D. Tucker, of Maryland, to be an Assistant Secretary of Veterans Affairs (Congressional and Legislative Affairs); Michael P. Allen, of Florida, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years; Amanda L. Meredith, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years; Joseph L. Toth, of Wisconsin, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years; Thomas G. Bowman, of Florida, to be Deputy Secretary of Veterans Affairs; and James Byrne, of Virginia, to be General Counsel, Department of Veterans Affairs.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Tucker, Allen, Meredith, Toth, Bowman, and Byrne nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, the next set of nominations to the Treasury Department are critical for tax reform.

I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 111, 113, 114, 184, and 244.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The bill clerk read the nominations of David Malpass, of New York, to be an Under Secretary of the Treasury; Brent James McIntosh, of Michigan, to be General Counsel for the Department of the Treasury; Andrew K. Maloney, of Virginia, to be a Deputy Under Secretary of the Treasury; David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury; and Christopher Campbell, of California, to be an Assistant Secretary of the Treasury.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. I ask unanimous consent that the Senate vote on the

nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Malpass, McIntosh, Maloney, Kautter, and Campbell nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 96, 240, 242, and 243.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The bill clerk read the nominations of Mira Radielovic Ricardel, of California, to be Under Secretary of Commerce for Export Administration; Richard Ashooh, of New Hampshire, to be an Assistant Secretary of Commerce; Neal J. Rackleff, of Texas, to be an Assistant Secretary of the Department of Housing and Urban Development; and Anna Maria Farias, of Texas, to be an Assistant Secretary of Housing and Urban Development.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Ricardel, Ashooh, Rackleff, and Farias nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 118, 160, 180, 181, 182, and 183.

The PRESIDING OFFICER. The clerk will report the nominations.

The bill clerk read the nominations of Vishal J. Amin, of Michigan, to be Intellectual Property Enforcement Coordinator, Executive Office of the President; Stephen Elliott Boyd, of Alabama, to be an Assistant Attorney General; Beth Ann Williams, of New Jersey, to be an Assistant Attorney General; John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years; Justin E. Herdman, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years; and John E. Town, of Alabama, to be United States Attorney for the Northern District of Alabama for the term of four years.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Amin, Boyd, Williams, Huber, Herdman, and Town nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. The next nominees are TSA Administrator and Under Secretary.

I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 163 and 177.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The bill clerk read the nominations of Claire M. Grady, of Pennsylvania, to be Under Secretary for Management, Department of Homeland Security; and David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action, that no further motions be in order; and that any statements related to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Grady and Pekoske nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 165 and 225.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The bill clerk read the nominations of David James Glawe, of Iowa, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security; and Susan M. Gordon, of Virginia, to be Principal Deputy Director of National Intelligence.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Glawe and Gordon nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 166, 228, 229, 230, 231, 232, 233, 234, 236, 237, 238, 245, 289, 290, and 291.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The bill clerk read the nominations of Mark Andrew Green, of Wisconsin, to be Administrator of the United States Agency for International Development; Sharon Day, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica; Nathan Alexander Sales, of Ohio, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large; George Edward Glass, of Oregon, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Portuguese Republic;

Robert Wood Johnson IV, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Kingdom of Great Britain and Northern Ireland; Luis E. Arreaga, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala; Krishna R. Urs, of Connecticut, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru; Kay Bailey Hutchison, of Texas, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary; Ray Washburne, of Texas, to be President of the Overseas Private Investment Corporation; Kelley Eckels Currie, of Georgia, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador; Kelley Eckels Currie, of Georgia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations; David Steele Bohigian, of Missouri, to be Executive Vice President of the Overseas Private Investment Corporation; Michael Arthur Raynor, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Ethiopia; Maria E. Brewer, of Indiana, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sierra Leone; and John P. Desrocher, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Democratic Republic of Algeria.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Green, Day, Sales, Glass, Johnson, Arreaga, Urs, Hutchison, Washburne, Currie, Currie, Bohigian, Raynor, Brewer, and Desrocher nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 227, 235, and 239.

The PRESIDING OFFICER. The clerk will report the nominations.

The senior assistant legislative clerk read the nominations of Kelly Knight Craft, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada; Lewis M. Eisenberg, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of San Marino; and Carl C. Risch, of Pennsylvania, to be an Assistant Secretary of State (Consular Affairs).

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Craft, Eisenberg, and Risch nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 158, 252, 253, 256, 258, 257, and 279.

The PRESIDING OFFICER. The clerk will report the nominations.

The senior assistant legislative clerk read the nominations of Robert L. Sumwalt III, of South Carolina, to be a Member of the National Transpor-

tation Safety Board for a term expiring December 31, 2021; Karen Dunn Kelley, of Pennsylvania, to be Under Secretary of Commerce for Economic Affairs; Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service; Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration; Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board for a term of two years; Peter B. Davidson, of Virginia, to be General Counsel of the Department of Commerce; and Michael Platt, Jr., of Arkansas, to be an Assistant Secretary of Commerce.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Sumwalt, Kelley, Walsh, Buzby, Sumwalt, Davidson, and Platt nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: PN 567, Executive Calendar Nos. 262, 264, 265, 266, 267, and 268.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Peter Louis Oppenheim, of Maryland, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education; James J. Sullivan, Jr., of Pennsylvania, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2021; Heather L. MacDougall, of Florida, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2023; Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, Department of Health and Human Services; Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Department of Health and Human Services; Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public

Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years; and Robert P. Kadlec, of New York, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Oppenheim, Sullivan, MacDougall, McCance-Katz, Robertson, Adams, and Kadlec nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 255 and 259.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015; and Brendan Carr, of Virginia, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2018.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, will the Senate advise and consent to the Rosenworcel and Carr nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 272 through 278 and all nominations placed on the Secretary's desk; that the nominations be confirmed and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the Record; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Mark D. Camerer

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. DeWolfe H. Miller, III

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. John D. Alexander

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. John C. Aquilino

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert P. Ashley, Jr.

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Darrell J. Guthrie

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Brian E. Miller

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE ARMY

PN650 ARMY nomination of Damian R. Tong, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN842 ARMY nominations (14) beginning DENNIS ARROYO, and ending BRIAN P. WEBER, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN843 ARMY nominations (15) beginning MURRAY E. CARLOCK, and ending CARLOS V. SILVA, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN844 ARMY nominations (24) beginning ALON S. AHARON, and ending EDWIN A. WYMER, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN845 ARMY nominations (5) beginning JULIA R. PLEVANIA, and ending HAL E. VINEYARD, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN846 ARMY nominations (14) beginning TRESSA D. COCHRAN, and ending KAREN F. WIGGINS, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN847 ARMY nominations (6) beginning LOREN D. ADAMS, and ending PHILIP A. WENTZ, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN848 ARMY nominations (9) beginning JOANNE E. ARSENAULT, and ending FELISHA L. RHODES, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN849 ARMY nominations (24) beginning MICHAEL E. ALVIS, and ending JEFFREY P. WOOD, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN850 ARMY nominations (59) beginning JOHN W. ALDRIDGE, and ending PHILIP E. ZAPANTA, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN851 ARMY nominations (17) beginning SCOTT R. CHEEVER, and ending DIANA E. ZSCHASCHHEL, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN852 ARMY nominations (40) beginning EDWARD J. ALEXANDER, and ending BRIDGET C. WOLFE, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN853 ARMY nominations (8) beginning ROBIN CREAR, and ending NEIL P. WOODS, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

PN854 ARMY nominations (2) beginning ERIC W. BULLOCK, and ending CRYSTAL R. ROMAY, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2017.

IN THE NAVY

PN801 NAVY nominations (71) beginning BETTY S. ALEXANDER, and ending JAMES S. ZMIJSKI, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN802 NAVY nominations (34) beginning DOMINIC J. ANTENUCCI, and ending MATTHEW J. WOOTEN, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN803 NAVY nominations (58) beginning CLEMIA ANDERSON, and ending MICHAEL A. ZUNDEL, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN804 NAVY nominations (26) beginning ERIC F. BAUMAN, and ending EVAN R. WHITBECK, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN805 NAVY nominations (107) beginning THOMAS B. ABLEMAN, and ending BRUCE A. YEE, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN806 NAVY nominations (2) beginning ERIC W. HASS, and ending GAIL M. MULLEAVY, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN807 NAVY nominations (36) beginning CHRISTOPHER L. ALMOND, and ending DANIEL W. WALL, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN808 NAVY nominations (19) beginning ROBERT E. BRADSHAW, and ending LEROY C. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN809 NAVY nominations (58) beginning THOMAS E. ARNOLD, and ending MICHAEL P. YUNKER, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2017.

PN821 NAVY nomination of Clair E. Smith, which was received by the Senate and appeared in the Congressional Record of July 25, 2017.

PN822 NAVY nomination of Morgan E. McClellan, which was received by the Senate and appeared in the Congressional Record of July 25, 2017.

PN823 NAVY nominations (2) beginning ANDREW B. BRIDGFORTH, and ending RONALD J. MITCHELL, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2017.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Mr. President, I now ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 161, 269, and 271.

The PRESIDING OFFICER. The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of J. Christopher Giancarlo, of New Jersey, to be Chairman of the Commodity Futures Trading Commission; Brian D. Quintenz, of Ohio, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2020; and Rostin Behnam, of New Jersey, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring June 19, 2021.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to re-

consider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Giancarlo, Quintenz, and Behnam nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 98, the nomination of Althea Coetzee to be Deputy Administrator at the SBA; that the nomination be confirmed and the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

IN THE SMALL BUSINESS ADMINISTRATION

Althea Coetzee, of Virginia, to be Deputy Administrator of the Small Business Administration.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m. on Tuesday, September 5, the Senate proceed to executive session for consideration of Calendar No. 171, the nomination of Timothy Kelly to be U.S. district judge for the District of Columbia. I further ask that there be 30 minutes of debate on the nomination, equally divided in the usual form; that following the use or yielding back of time, the Senate vote on confirmation with no intervening action or debate; and that if confirmed, the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session.

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

The majority leader.

NOMINATIONS

Mr. MCCONNELL. Mr. President, the Senate has confirmed more executive branch nominees this week than all of the executive branch nominees confirmed this year—combined. This was

an important step toward filling critical roles throughout the administration, including the Deputies of multiple Cabinet offices that had been lacking these key positions.

Moving forward, I hope this agreement represents the way forward on confirming nominees so our government can be fully staffed and working for the American people.

The PRESIDING OFFICER. The majority whip.

SENATE ACCOMPLISHMENTS AND THE BUILDING AMERICA'S TRUST ACT

Mr. CORNYN. Mr. President, I congratulate the majority leader for securing these important confirmations of nominees who have been waiting, for no good reason, simply to get an up-or-down vote and get confirmed. This is a big day, with roughly 65 nominations confirmed just here in the last few minutes—things that should have been handled but for the obstruction and foot-dragging of our colleagues across the aisle.

I want to focus for just a minute on things we have been able to do, notwithstanding the lack of cooperation of our colleagues across the aisle since this new administration came into office.

I know the focus of the press—and, frankly, some of our own focus—has been on the unfinished business, like healthcare reform. I can assure my colleagues that issue is not going away and gets more difficult to address as each day goes by.

Perhaps one of the most significant things we have done in the last few months is confirm Neil Gorsuch as a Justice on the Supreme Court. It is undeniable that Judge Gorsuch is a qualified, high-caliber nominee, and he is already serving our Nation well on our highest Court.

We have also worked together with the President to deliver legislation that is a priority for our veterans and police departments around the Nation. The American Law Enforcement Heroes Act, which I was proud to sponsor, will help our returning veterans continue to serve their country by creating incentives for police departments to hire them once they take off their military uniform and put on a new uniform as a member of local police departments. This legislation will help keep our communities safe while supporting those who have served our country. I am proud we were able to work together on a bipartisan basis to make it the law of the land.

On this side of the aisle, we are absolutely committed to helping businesses and job creators do what they do best—innovate, create more jobs, and employ more people—and not waste time dealing with onerous rules and regulations. With a friend in the White House—

somebody sympathetic to the needs to grow the economy, create more opportunities, and let people pursue the American dream—we have been able to finally deliver some relief to the American people.

One of the ways we have done that is through one of the more obscure laws, perhaps—but one we have brought to life—the so-called Congressional Review Act. Until just this year, I think the Congressional Review Act had been used only one time to repeal the ergonomics rule years ago.

The Congressional Review Act was created to give Congress an opportunity to do away with or repeal regulations which were put in place as the Obama administration was headed out the door. Using these Congressional Review Acts, and with an ally in the White House, we undid some of the thousands of burdensome rules and regulations created by the Obama administration—rules and regulations which added up to a hefty pricetag for our country and which have strangled our economic recovery since 2008 and the great recession.

That is not all. We have also passed important bipartisan legislation imposing tough sanctions on Iran, Russia, and North Korea.

In the case of Iran, the overwhelming vote was a strong message that the United States will not tolerate Iran's complicity in terror and is a clear indicator of just how important this legislation is. Now, most people listening to me would be surprised we did this because, frankly, there wasn't a whole lot of coverage about it because it was done with such broad and overwhelming bipartisan support, but it is important, and it is an important signal to our adversaries in other countries that we will not sit idly by and leave our Nation undefended and their acts undeterred.

This week, we continue to build on these additional accomplishments for our veterans. I commend, in particular, the Senator from Georgia, Mr. ISAKSON, for his great work in getting these bills passed.

Over the last several years, we have heard about VA facilities across the State of Texas and across the country which have been plagued by inefficiency, unaccountability, and quality of care issues. The VA has been hindered by unnecessary bureaucratic hurdles which have been incredibly frustrating and costly for our veterans. The Veterans Choice Program was created to fix that by ensuring veterans can receive timely appointments close to home. The VA Choice and Quality Employment Act, which we passed earlier this week, continues that program and guarantees veterans that they will continue to have access to care without interruption.

Of course, we still have additional work to do before leaving for the Au-

gust work period. There are still vacancies in the executive branch that need to be filled. In order for President Trump to do the job he was elected to do on November 8, he needs his team in place. While I am glad that today, just a few moments ago, roughly 65 of his Cabinet nominees and sub-Cabinet nominees were confirmed, I hope our colleagues across the aisle will stop their stall tactics so we can confirm the rest of the nominees of this administration.

I congratulate the Senator from Tennessee, the chairman of the Health, Education, Labor, and Pensions Committee, for the work he did to see passage of the Food and Drug Administration User Fee Program. This is an incredibly important, although somewhat obscure, law that helps establish partnerships between the private and public sector which ensure patients have access to safe and effective drugs and medical devices, while also maintaining the position of the United States as a global leader in medical innovation.

It is simple. Faster approvals mean treatments and cures reach patients sooner, and increased competition leads to lower cost, and that, in turn, leads to more lives saved.

I also congratulate Senator JOHNSON from Wisconsin. He has been trying to get this bill called the Right to Try Act, which passed unanimously earlier today. This is designed to give dying individuals one last chance to try perhaps sometimes experimental medications to see if that will help them extend their quality of life and their longevity. I know he feels passionately about it, and I congratulate him for his leadership and perseverance.

With these remaining items, it is clear we have been able to accomplish a lot in a short time for the American people. Again, we focus on our unfinished work—like the healthcare bill. I assure my colleagues, once again, that remains broken, people remain hurting, and we should not rest or give up until we are able to give them some relief, and we are determined to do that.

Mr. President, I want to mention one other piece of legislation that was introduced today which we have been working on for a long time—years, literally, but since the Trump administration came into office, and particularly with Secretary of Homeland Security General Kelly, who has now become the Chief of Staff for the White House.

We have introduced something called the Building America's Trust Act, which is border security legislation that increases resources at our borders while boosting trade through ports of entry and strengthens enforcement of existing laws.

Earlier this year, several of my colleagues and I went to my home State to tour our southern border, including

the Rio Grande Valley, Laredo, and Del Rio, TX. The reason I was so glad to welcome my colleagues to visit Texas with me and see the borders is because it is a unique part, not only of our State but a unique part of our Nation.

Each mile along the border presents its own challenge in terms of what is needed to protect it. On this trip, we spoke most notably with Manny Padilla, chief of the Rio Grande Patrol Sector and commander of the Joint Task Force of the West and South Texas Corridor. Chief Padilla presides over the busiest Border Patrol sector in the United States. He said something then which stuck with me. He pointed out that any border security plan must include a combination of three things, and the way those three things come together may well vary, and will vary, depending on the particular location:

The first is physical infrastructure.

Here is an example of some of the fencing that exists along the border where the Border Patrol believes it is necessary in order to control the flow of people across the border in a way they can be allowed to do their job.

The second is technology—things like this aerostat, with its radar capability. It is literally eyes in the sky, which can allow the Border Patrol to do their job better.

Here is another example of some of the ground-based radar which is available. You can imagine, with a 1,200-mile border between Texas and Mexico alone, it is a huge job and a very complex environment.

Of course, the third thing, in addition to physical infrastructure and technology, is things like personnel. Literally, we need to make sure we have an adequate number of Border Patrol available to deal with people who are coming across the border in violation of our immigration laws.

I believe, until we secure the border and enforce the law, we will never be able to regain the public's confidence, which allows us to do other things we need to do to fix our broken immigration system.

That is why we call this bill the Building America's Trust Act. It does these things—secures our borders with expanded resources, enhances ports of entry to increase trade—because it is important to separate the criminal activity from legitimate trade and commerce, which creates 5 million jobs in the United States alone. That is just by our national trade with Mexico. Of course, it strengthens enforcement of our immigration laws. That is why we have gotten support from the National Border Patrol Council, the Federal Law Enforcement Officers Association, the Southwestern Border Sheriff's Coalition, and the Texas Border Sheriff's Coalition as well, and we have had supportive statements by the Fraternal Order of Police and others.

I firmly believe that until we accomplish this goal—until we regain the public's confidence that we are actually serious about it and we have a plan to do it—we will not be permitted by our constituents to do the other things we know we need to do to fix our broken immigration system.

I know the Presiding Officer was at the White House yesterday with the President, talking about his plan to try to make our legal immigration system more merit-based. This is something we have been trying to do for years now, and I congratulate the Presiding Officer for helping restart that discussion because we need to focus not only on border security and enforcing our laws, we need to think about and talk about what a 21st century immigration system for our country should look like. Should it be based strictly on family relationships or should it be based on some of the attributes of the immigrant which would benefit the United States—people with advanced degrees and capability, people who can come here and help make our country better, not just come here to become dependent on our country.

The Building America's Trust Act is a chance for our Democratic colleagues who have said they actually believe in border security to demonstrate their support. In fact, we supported one of the toughest border security packages there is. I believe that is what this represents.

It is clear the President has made obvious from the beginning that border security would be a top priority for him. I think it is one of the reasons he was elected on November 8 of last year—because the American people sensed, even if maybe they didn't know the details, that things had gotten out of control, our borders were in chaos, and thousands of people were coming across the border who had no legal right to be here in disregard of our laws. They sensed, in their core, that something was fundamentally wrong—that, yes, we are a nation of immigrants, but we are also a nation of laws—and we have lost that. This is about regaining trust in government and keeping our commitment to the American people.

Over these last few months, I have been working with colleagues, not only in the Senate and the House but with General Kelly in the Department of Homeland Security—now Chief of Staff of the White House—to come up with a strategic plan which addresses various facets of border security and interior enforcement as well. We know about 40 percent of illegal immigration is people who enter the country legally but who overstay their visa and simply melt into the great American landscape.

For too long, those on the frontlines have not had the tools they need to get the job done. These are public servants, like our Border Patrol, who risk their

lives to keep us safe, and we simply haven't lived up to our commitment to give them the tools and the political will necessary to support them.

We know the borders are also cause for our local, State, and Federal officials to have to work together, and it makes sense for us to do more to help them do their job at the State and local level as well.

Our bill authorizes additional resources for Border Patrol agents, Customs and Border Protection officers, for agricultural inspectors, and Immigration and Customs Enforcement, or ICE officers. We also provide for additional immigration judges and Federal prosecutors for State and local law enforcement to aggressively fight drug trafficking, smuggling, and other crimes that, unfortunately, occur along our borders because the organizations—these transnational criminal organizations—really don't care about human life.

We saw that recently when a number of immigrants died in the back of a tractor trailer in a parking lot at Walmart in San Antonio, TX. They are a commodity, a way to make money in the eyes of these cartels who care nothing about human life. Drugs, weapons, and other threats to our country are also part of what they move across the border, and that is why border security is so important.

Our bill also focuses on criminals, gangs, and repeat offenders who return to the United States in defiance of our laws. We have zero tolerance for those criminals in this bill. We end catch-and-release, and we include Kate's Law, a bill recently passed by the House that increases penalties for those who repeatedly cross our borders illegally. The bill is named after Kate Steinle, who was so tragically murdered in San Francisco.

We hold sanctuary cities accountable because no city should be able to defy cooperation with Federal law enforcement officials. We are not asking them to do the Federal Government's job, but they do have an obligation, as we all do as American citizens, to cooperate and work with our law enforcement officials.

We impose tough penalties on Federal funds for jurisdictions that fail to comply with lawful Federal immigration enforcement requests. To curb the abuse of visas, our bill utilizes a biometric entry-exit system at ports of entry to identify visa overstays and cut off immigration benefits to those who exploit the system.

We also make sure to invest in our ports of entry. These are the ways that people come into our country legally and engage in commerce and trade, which is mutually beneficial. We can't neglect our trading partnerships with our neighbors to the south because we depend on that trade to create and sustain 5 million jobs in the United States alone.

The Building America's Trust Act will also help boost the flow of commerce through our ports so that legitimate trade can continue to flourish. This bill also includes a large investment of resources to improve our ports of entry, to help target and isolate illegal immigration and drug trafficking at ports while facilitating increased, legitimate trade and travel.

Perhaps most importantly, this bill also requires that the Department of Homeland Security and law enforcement officials consult with local officials every step of the way. The people who live in our border communities know best how to help control illegal traffic and illegal activity, but it is the Federal Government's responsibility to step up and help them. They understand the benefits of legitimate travel and trade and traffic, all of which are important parts of a successful border security effort.

Border security really is not a one-size-fits-all plan. As Chief Padilla said, it is always a combination of technology, personnel, and tactical infrastructure—wall systems, fences, and the like. We need an approach that will work for each unique area with input and stakeholder consultation at every step to ensure that the right solution is achieved for all involved.

As I have said, I am happy to have support for this legislation from several law enforcement organizations. I look forward to working with all of my colleagues in both Chambers, as well as the administration, toward our goal of protecting our Nation and securing our borders.

I firmly believe that border security, ultimately, is a matter of political will. This President has the political will, and this Congress should have the political will to get the job done. This was the commitment that he made and that we need to make to the American people and that, I think, informed their vote on November 8, 2016.

With this legislation as a guide, we aren't just securing our borders for tomorrow. We are looking ahead and locking in a framework that will exist long after President Trump leaves office.

With the Building America's Trust Act, I hope we can do just that and, again, finally regain the public's confidence by earning that confidence and restoring order and lawfulness to our broken immigration system.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

MR. HATCH. Mr. President, I agree with the distinguished Senator from Texas. I thought his remarks were very much on point and very good.

MODERN ANTITRUST LAW

MR. HATCH. Mr. President, I rise today to speak on a policy matter that

has been generating substantial attention recently, and that is modern antitrust law. This issue is critical. In the perennial debate over the proper role of government in economic affairs, it will grow all the more critical in the years to come.

New technologies, creating markets not even imaginable only a decade ago, are spurring fundamental shifts in the economic landscape. In the national news, mergers between corporate giants or new fines imposed by foreign regulators are becoming an acceptable thing almost every day. In the Senate, we increasingly see antitrust law dragged into larger economic arguments that are heavier in inflammatory rhetoric than in careful deliberation. Allow me, then, to offer a few thoughts on the matter, and to directly address the rising controversy.

America has always been—and, I haven't a doubt, will remain—the economic and technological marvel of the world. Cradled in the best traditions of the West and animated by a culture equal parts industrious, creative, and restless, our system has produced the most prosperous people in human history. It has shown its shortcomings, to be sure. But on the whole, the American economy is unrivaled by any other. Indeed, at times its blessings are so bountiful, its provisions for the creation of wealth so effective, that we tend to take it for granted in this country. We tend, at times, to forget what got us here.

A big part of what got us here is American antitrust law. You see, all throughout history, societies and governments have tended toward the central planning of economic activity.

America, however, chose a different path. We refused to yield to the false comforts of collectivism. We opted, instead, for an economy that was vibrant, tumultuous, competitive, and free. It is fortunate that we did, for we have found that in the impossible complexity and unsettling chaos of the market—wherein millions of consumers and producers make millions of individual and uncoordinated decisions each and every day—a spontaneous order arises that serves all of us far better than any central authority ever could. Of course, our markets work toward those ends only when they are genuinely free, fair, and competitive. That is where antitrust comes in.

In a very real sense, antitrust is the capitalist's answer to the siren song of the central planner. When antitrust doctrine is referred to as the Magna Carta of the free enterprise system, I suspect this is what we mean.

Let me be clear: Antitrust doctrine in this country has not always gotten it right. As we all know, early antitrust policy tended to confuse protection of market participants for protection of the market itself; it was quick to micromanage particular industries,

to choose ad hoc intervention over predictable systems of incentives, and to cast suspicion on any market too concentrated or business too big.

Fortunately, antitrust doctrine grows and adapts. It develops in the same wonderful tradition and manner as the common law. Just as the common law historically gave us property, contract, and commercial rights, so too upon their basis does antitrust seek, year by year, to give us markets that are competitive and free. Thus, the modern era of antitrust has produced a fundamental improvement in our competitive doctrine.

We have steadily adopted the consumer welfare standard, which judges the conduct of firms and the arrangement of markets by what will maximize efficiency and therein serve consumers most completely.

There will always be market failures to account for and noneconomic concerns to keep in mind. But when it comes to the core, basic functioning of the market—how to deliver the most goods to the most people at the highest quality and lowest cost—consumer welfare still works best.

In most industries, most of the time, we ought to think a little less about how best to regulate the market and a little more about how best to set the market upon regulating itself. The disciplining effects of competition and the limitless store of American ingenuity do far more for consumers than the well-intentioned intervention of government authorities.

The consumer welfare standard has, consistently over the years, proved an absolute boon to our economy and our society. Of course, a legal standard means little unless handled with care.

We have chosen the right standard; now we must keep choosing the right officials to implement it. You see, under the consumer welfare standard, good antitrust enforcement is a lot like good sports officiating. It harnesses, rather than stems, the flow of the action. It lays out limited, predictable, and reliably enforced rules. It gets the most out of the players and the competition itself, regardless of which team is in the lead. Most importantly, as any sports fan could tell you, when officiating is done right, we hardly notice the refs at all.

With the right antitrust officials cognizant of their role, we can expect a spirited contest in which American entrepreneurs keep putting points on the board and American consumers keep reaping the reward.

Federal judges, naturally, are critical. In disputes of consequence, they provide the ultimate backstop.

Also critical are our executive officials. Makan Delrahim, for instance, has been nominated to lead the Antitrust Division at the Department of Justice. He is eminently qualified, enjoys broad, bipartisan support, and is

at the ready to start as soon as he receives our consent. I will urge my colleagues in the Senate, once again, to take up his nomination and confirm him to this important post. He has both Democrat and Republican support. He is well known. He ran the Judiciary Committee under my jurisdiction.

On the other side of the enforcement equation, we are still waiting on nominations to the Federal Trade Commission. The FTC is an important agency that will play a central role in the years ahead. Whoever is put in charge will face the monumental task of setting the agency on the right track. I have supreme confidence that the President will make the right choice on this one, and I look forward to supporting his nominees.

As these vacancies linger, however, uncertainty lingers as well. Critical merger and acquisition activity remains sidelined as innovation is chilled and expansions are put on hold. All of this comes at an unnecessary cost to our businesses and consumers.

I want this whole body to hear me clearly: There is no need for the same old partisan food fight over our antitrust officials. Let's get Makan Delrahim to work. FTC nominations will likely include two Republicans and a Democrat. There is no reason they can't be swiftly confirmed as a package. If delay on these important confirmations persists, I will be back on the floor to make sure everyone—from consumers to industry—knows it.

As I mentioned earlier, antitrust has been increasingly drawn into the broader public debate on economic and innovation policy, and not for the better. With each passing day, it seems the consumer welfare standard finds itself besieged from the left. Their rhetoric may not yet have made its way into traditional precedent, but it certainly has made itself known.

Some in academia insist that recent market concentration and technological progress compel a return to bold, persistent experimentation. Many in the media call for antitrust to pursue everything from industrial democracy to campaign finance reform to material leveling. Above all else, we hear again the old, lazy mantras that big is bad, disruption is suspect, and public utility designation is welcome.

Professor and former FTC Commissioner Joshua Wright has referred to this particular set of proposals as “hipster antitrust.” Well, as you might imagine, nobody would mistake me for a hipster. So for my part, and for ease, I will go ahead and call it the progressive standard. Truth be told, as a proposed replacement for the consumer welfare standard, the progressive standard leaves me deeply impressed. From what I can tell, it amounts to little more than pseudoeconomic demagoguery and anti-corporate paranoia.

Nevertheless, it must not be dismissed out of hand.

Over the last 8 years, policymakers laid the groundwork for it by routinely disregarding some of the most basic elements of the consumer welfare standard. Now we see the same stirrings of this radical approach in many speeches on the other side of the aisle, as well as in the recently released platform curiously titled “A Better Deal.”

As such, I believe a response is in order. In defense of the consumer welfare standard, we could, of course, run through the more technical deficiencies of the progressive standard. We can mention that as doctrine, it lacks manageable standards, dispensing with intellectual rigor and inviting political mischief. We can mention that as theory, it accounts for neither tradeoffs nor scarcity. We can mention that as aspiration, it subordinates the productive incentives of the entrepreneur to the fanciful designs of the bureaucrat.

Truth be told, the real trouble for the progressive standard is, it fails to grasp the bigger picture of our history, economy, and national character. It fails to appreciate that our time is not so distinct from times past and that our momentary insights are not so superior to the lessons learned over generations prior.

Of course, anyone can see that changes are afoot. As chairman of the Senate Republican High-Tech Task Force, I have seen it firsthand. The new technological age, having dawned in the late 20th century, continues to ripen into the 21st.

New innovation is relentlessly spurring transformation across the economy, and many markets are concentrating as a result. Yet supporters of the progressive standard seem to think this presents historically unique problems. They rely, as academics are wont to do, on sleek, new jargon to argue that today's antitrust challenges are not only tangibly but conceptually distinct of those of the past. They argue, in other words, that things really are different this time around. At the end of the day, terms like “platform economics” and “network effects”—commonly used to attack the consumer welfare standard—do less to define new economic concepts than to explain how old economic concepts are manifesting themselves in modern markets.

Through history, we have seen this time and time again. As the saying goes, the more things change, the more they stay the same. Markets concentrate and then disperse; dominant firms rise and then fall; with innovation comes creation in one sector and destruction in another. Anxiety over this evolution is very real, and the strident calls we hear to do something about it—whatever that may be—are on some level understandable, but this

lurch toward the progressive standard is not.

Change, sometimes furious change, is a constant in our system. For all its rancor, for all its chaos and uncertainty, it is, alas, what propels us forward. We hope, not fear, that each age looks better than the last.

Now, in anticipation of an objection from my friends across the aisle, nobody is suggesting that no enforcement is necessary. Genuinely anti-competitive conduct must be stopped, and mergers prone to abet such conduct must be heavily scrutinized. That is all a part of keeping markets fair and free in the best tradition of American capitalism.

Again, as I mentioned earlier, we should aim to regulate markets such that in their basic core functioning they regulate themselves. Market discipline imposed by competition and driven by innovation should be our aim. To that end, nobody doubts that new developments in the market will require a fresh look at doctrine. Nobody questions that the consumer welfare standard will have to adapt. For example, categories of anti-competitive conduct may need to be tweaked, refastened or even expanded in light of technical advancement and market evolution. Merger review, never an exact science, will seize upon new economic tools for measuring ancient economic concepts like quality, preference, and efficiency. The rule of reason, I am sure, will continue to bedevil judges, practitioners, and law students alike, but that is just fine.

Antitrust, as I keep saying, is ultimately a common law exercise. I am here to argue merely that the consumer welfare standard, when handled prudently, is a far better steward of our economy than the progressive standard, which is deeply misguided and potentially quite destructive.

Take, for instance, the proposed Amazon-Whole Foods merger, which has generated so much interest lately. It would, of course, be inappropriate for me on the floor of the Senate to pass judgment. I would caution my colleagues the same. There is an established process for review, but the question should be asked: Upon what basis should antitrust authorities evaluate a proposed merger like this? What we need is the consumer welfare standard. It carefully examines the basic and critical question of whether a deal helps consumers or whether it hurts consumers. It relies on a coherent doctrine to strike a balance. It is a balance between the merger's pro-competitive effects, such as integrative efficiencies and innovation, and the antitrust competitive potential, such as market domination by one firm or facilitated price coordination by the few that remain. What we absolutely do not need, on the other hand, is the progressive standard.

Under no doctrinal limitations to cabin discretion, antitrust officials would gladly follow vague institutions in shifting intuitions. With a broad mandate to pursue aims far grander than mere market efficiency, officials would be free to engage in ad hoc theorizing about whether corporate consolidation, writ large, can be squared with universal justice, common fairness, and community values, or of whatever else their creativity recommends. To take another example, across the Atlantic, our friends in the European Union have leveled a massive fine against Google for anti-competitive conduct. Again, it is not for me to say on the floor whether those fines are justified. I don't think they are, but it is not for me to say.

Once more, what we need is the framework provided by the consumer welfare standard. We must weigh the pro-competitive aspects of Google's conduct with its anti-competitive potential. The ultimate inquiry should be whether consumers are better off as a result of Google's actions. Under the progressive standard, however, instead of asking what lowers prices and increases quality—instead of considering actual proof of harm to consumers—we would be asking what best serves the social goals in vogue at the moment. The result would be an open invitation to market intervention that is more politically motivated than economically sound.

In conclusion, for all the past rhetoric, for all the claims that a new age requires a new doctrine, the ideas behind the progressive standard are not new. They are terribly old. They may be adorned with original terminology or aimed at novel markets, but it is the same old collectivist impulse it has always been. In that sense, these ideas are not unique to Americans. Every day we receive concerning reports from around the world that foreign governments are increasingly turning to antitrust for industrial policy. Whether domestically or abroad, the stakes are simply too high, the consequences too grievous for the consumer welfare standard to be swept away in an instant, merely because a new breed of central planners—falsely conceiving themselves different from their predecessors—imagine they know best.

In America, we have always opted for the invisible hand of the free market over the heavy hand of government intervention. Let's keep it that way.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

BOB DOLE CONGRESSIONAL GOLD MEDAL ACT

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 1616 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1616) to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

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

Mr. ROBERTS. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. ROBERTS. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1616) was passed, as follows:

S. 1616

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bob Dole Congressional Gold Medal Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Bob Dole was born on July 22, 1923 in Russell, Kansas.

(2) Growing up during the Great Depression, Bob Dole learned the values of hard-work and discipline, and worked at a local drug store.

(3) In 1941, Bob Dole enrolled at the University of Kansas as a pre-medical student. During his time at KU he played for the basketball, football, and track teams, and joined the Kappa Sigma Fraternity, from which he would receive the “Man of the Year” award in 1970.

(4) Bob Dole’s collegiate studies were interrupted by WWII, and he enlisted in the United States Army. During a military offensive in Italy, he was seriously wounded while trying to save a fellow soldier. Despite his grave injuries, Dole recovered and was awarded two Purple Hearts and a Bronze Star with an Oak Cluster for his service. He also received an American Campaign Medal, a European-African-Middle Eastern Campaign Medal, and a World War II Victory Medal.

(5) While working on his law degree from Washburn University, Bob Dole was elected into the Kansas House of Representatives, serving from 1951-1953.

(6) Bob Dole was elected into the U.S. House of Representatives and served two Kansas districts from 1961-1969.

(7) In 1969, Bob Dole was elected into the U.S. Senate and served until 1996. Over the course of this period, he served as Chairman of the Republican National Committee, Chairman of the Finance Committee, Senate Minority Leader, and Senate Majority Leader.

(8) Bob Dole was known for his ability work across the aisle and embrace practical bipartisanship on issues such as social security.

(9) Bob Dole has been a life-long advocate for the disabled and was a key figure in the passing of the Americans with Disabilities Act in 1990.

(10) After his appointment as Majority Leader, Bob Dole set the record as the nation’s longest-serving Republican Leader in the Senate.

(11) Several Presidents of the United States have specially honored Bob Dole for his hard-work and leadership in the public sector. This recognition is exemplified by the following:

(A) President Reagan awarded Bob Dole the Presidential Citizens Medal in 1989 stating, “Whether on the battlefield or Capitol Hill, Senator Dole has served America heroically. Senate Majority Leader during one of the most productive Congresses of recent time, he has also been a friend to veterans, farmers, and Americans from every walk of life. Bob Dole has stood for integrity, straight talk and achievement throughout his years of distinguished public service.”

(B) Upon awarding Bob Dole with the Presidential Medal of Freedom in 1997, President Clinton made the following comments, “Son of the soil, citizen, soldier and legislator, Bob Dole understands the American people, their struggles, their triumphs and their dreams . . . In times of conflict and crisis, he has worked to keep America united and strong . . . our country is better for his courage, his determination, and his willingness to go the long course to lead America.”

(12) After his career in public office, Bob Dole became an active advocate for the public good. He served as National Chairman of the World War II Memorial Campaign, helping raise over \$197 million dollars to construct the National WWII Memorial, and as Co-Chair of the Families of Freedom Scholarship Fund, raising over \$120 million for the educational needs of the families of victims of 9-11.

(13) From 1997-2001, Bob Dole served as chairman of the International Commission on Missing Persons in the Former Yugoslavia.

(14) In 2003, Bob Dole established The Robert J. Dole Institute of Politics at the University of Kansas to encourage bipartisanship in politics.

(15) Bob Dole is a strong proponent of international justice and, in 2004, received the Golden Medal of Freedom from the president of Kosovo for his support of democracy and freedom in Kosovo.

(16) In 2007, President George W. Bush appointed Bob Dole to co-chair the President’s Commission on Care for America’s Returning Wounded Warriors, which inspected the system of medical care received by U.S. soldiers returning from Iraq and Afghanistan.

(17) Bob Dole was the co-creator of the McGovern-Dole International Food for Education and Child Nutrition Program, helping combat child hunger and poverty. In 2008, he was co-awarded the World Food Prize for his work with this organization.

(18) Bob Dole is co-founder of the Bipartisan Policy Center which works to develop policies suitable for bipartisan support.

(19) Bob Dole is a strong advocate for veterans, having volunteered on a weekly basis for more than a decade on behalf of the Honor Flight Network.

(20) Bob Dole serves as Finance Chairman of the Campaign for the National Eisenhower Memorial, leading the private fundraising effort to memorialize President Dwight D. Eisenhower in Washington, DC.

(21) Bob Dole was acknowledged by many organizations for his achievements both inside and outside of politics, including being awarded the “U.S. Senator John Heinz Award for Outstanding Public Service By An Elected Official”, the Gold Good Citizenship Award, the American Patriot Award, the Survivor’s Gratitude Award, the U.S. Association of Former Member of Congress Distinguished Service Award, a Distinguished Service Medal, the French Legion of Honor medal, the Horatio Alger Award, the U.S. Defense Department’s Distinguished Public Service Award, the National Collegiate Athletic Association’s Teddy Roosevelt Award, the Albert Schweitzer Medal “for outstanding contributions to animal welfare”, the 2004 Sylvanus Thayer Award, and honorary degrees from the University of Kansas, Fort Hays State University, and the University of New Hampshire School of Law.

(22) Throughout his life-long service to our country, Bob Dole has embodied the American spirit of leadership and determination, and serves as one of the most prolific role models both in and outside of politics.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a gold medal of appropriate design to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

(b) DESIGN AND STRIKING.—For the purpose of the award referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the “Secretary”) shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

Mr. ROBERTS. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. ROBERTS. Mr. President, I rise also to talk about my dear friend and mentor, Bob Dole. Senator Dole just celebrated his 94th birthday, and I think it is obviously right and proper to honor his contributions to our Nation.

Let me tell you a little bit about Bob Dole. He comes from Russell, KS. You can't get any more Kansas than Russell. Growing up during the Great Depression, Bob Dole learned the values of hard work and discipline, which is the mark of a Kansas upbringing and the heart of what I call Kansas values.

In 1941, Bob Dole enrolled at the University of Kansas as a premed student. During his time at KU, he played for the basketball, football, and track teams. Being a K-State alum, I don't always hold that against him, but his collegiate studies were interrupted by World War II. And when he answered the call to duty, he joined the U.S. Army. During a military offensive in Italy, he was very seriously wounded while trying to save a fellow soldier. Despite his grave injuries, Bob recovered and was awarded two Purple Hearts and a Bronze Star with an Oak Leaf Cluster for his service. He is indeed a warrior and a hero.

After the war, Bob returned to Kansas, studied the law, and was elected to the Kansas House of Representatives. He soon moved to the U.S. House of Representatives and served two Kansas districts from 1961 to 1969, including my old district, if I can refer to it in that way, "The Big First."

In 1969, Bob Dole was elected to the U.S. Senate and served until 1996. Now, over the course of this period, he served as chairman of the Republican National Committee, chairman of the Finance Committee, Senate minority leader, and then Senate majority leader.

During his time in Washington, Senator Dole was known for his ability to work across the aisle and embrace practical bipartisanship on the issues, such as tax reform, Social Security, and many other pressing issues. I would call this the Kansas approach to legislating. He has been a lifelong advocate for the disabled and was a key figure in the passing of the Americans with Disabilities Act back in 1990.

After his appointment as majority leader, Bob Dole set the record as the Nation's longest serving Republican leader in the Senate of the United States. Several Presidents of the United States have especially honored Bob for his hard work and leadership in the public sector. For example, President Reagan awarded Bob Dole the Presidential Citizens Medal in 1989.

President Reagan stated:

Whether on the battlefield or Capitol Hill, Senator Dole has served America heroically. Serving as Senate Majority Leader during one of the most productive Congresses of recent time, he has also been a friend to veterans, farmers, and Americans from every walk of life. Bob Dole has stood for integrity, straight talk and achievement throughout his years of distinguished public service.

So said our former President, Ronald Reagan.

As I said, they are Kansas values.

Likewise, in 1997, President Clinton awarded Senator Dole with the Presidential Medal of Freedom saying:

Son of the soil, citizen, soldier and legislator, Bob Dole understands the American people, their struggles, their triumphs and their dreams. . . . In times of conflict and crisis, he has worked to keep America united and strong. . . . Our country is better for his courage, his determination, and his willingness to go the long course to lead America.

So said our former President, Bill Clinton.

Senator Dole remains active today, serving as the national chairman of the World War II Memorial Campaign, a memorial that simply would not be in existence today had it not been for his perseverance, leadership, and cochair of the Families of Freedom Scholarship Fund.

In 2007 President George W. Bush appointed Bob to cochair the President's Commission on Care for America's Returning Wounded Warriors, which inspected and reformed the system of medical care received by U.S. soldiers returning from Iraq and Afghanistan.

He remains the strongest advocate for veterans, having volunteered on a weekly basis for more than a decade on behalf of the national Honor Flight Network.

As a person who has gone to the World War II Memorial, along with Bob Dole, I know I greet the veterans at the bus. They immediately get off the bus. Whether they are from Kansas or any other State, they are very proud to come to see their memorial. The first question they ask is this: Where is Bob? Is Bob here? Then, they flock to him like a mother hen. Maybe, that is not the best example, but it certainly shows the pride and the desire of our veterans to meet the man who did so much for their memorial.

I am also proud that he serves today as the finance chairman of the campaign for the national Dwight D. Eisenhower Memorial, leading the private fundraising effort to memorialize President Dwight David Eisenhower, our favorite son in Kansas, here in Washington, something near and dear to both of us. I am privileged to be the chairman of the Eisenhower Memorial Commission.

It is abundantly clear that throughout his long service to our country, Bob Dole has embodied the American spirit of leadership and determination, and he serves as one of the most prolific role models both in and outside of politics.

I am reminded of the time when I was stationed at Quantico as a young marine and my dad, Wes Roberts, who was a friend and adviser to Bob, said: I want to take you up to the Hill to meet Congressman Bob Dole. I consider him to have the highest potential to be whatever he wants with regard to public service.

So I went up to the Hill, and I met this handsome young man. He didn't

sit on his hands very long in terms of what he wanted to accomplish. I first met him then, and, then, as a staffer for my predecessor, the Honorable Keith Sebelius, a congressman from "The Big First" and, then, as a Member of the House for 16 years.

I tell the story that most people in the House thought that whatever I proposed or whatever I was for, Bob Dole was for me. Well, about 50 percent of that was true, but I never told them about the other 50 percent. So I was really able to get a lot done.

Bob, thank you for that.

I am so proud—so proud—to call him friend. I am proud to serve his State. I am equally proud today that each Senator—each and every Senator and colleagues on both sides of the aisle—have joined me in honoring Senator Bob Dole with a Congressional Gold Medal—all 100. It didn't take very long.

I yield the floor

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

PRIVATE CORRADO PICCOLI PURPLE HEART PRESERVATION ACT

Mr. PERDUE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 765 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 765) to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces.

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

Mr. PERDUE. Mr. President, I ask unanimous consent that the Perdue substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 767) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Corrado Piccoli Purple Heart Preservation Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Purple Heart medal solemnly recognizes the great and sometimes ultimate sacrifice of American servicemembers like Private Corrado Piccoli.

(2) The Purple Heart medal holds a place of honor as the national symbol of this sacrifice and deserves special protections.

SEC. 3. PENALTY FOR SALE OF PURPLE HEARTS AWARDED TO MEMBERS OF THE ARMED FORCES.

Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “Whoever” and inserting “Except as provided in subsection (e), whoever”; and

(2) by adding at the end the following:

“(e) PURPLE HEART.—

“(1) PENALTY.—Whoever willfully purchases, attempts to purchase, solicits for purchase, mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells, attempts to sell, advertises for sale, trades, barters, or exchanges for anything of value any Purple Heart awarded to a member of the armed forces or former member of the armed forces by the Secretary of the military department concerned, except when authorized under regulations made pursuant to law, shall be fined under this title, imprisoned not more than 6 months, or both.

“(2) LIMITATION ON REGULATIONS.—Regulations described in paragraph (1) may not authorize the sale of any Purple Heart awarded to a member of the armed forces or former member of the armed forces by the Secretary of the military department concerned, unless the sale is conducted by the member or former member to whom the Purple Heart was awarded.

“(3) DEFINITION.—In this subsection, the term ‘willfully’ means the voluntary, intentional violation of a known legal duty.”.

The bill (S. 765), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. PERDUE. Mr. President, this legislation is important because it will offer the Purple Heart the same types of legal protections currently in place for the Medal of Honor and help put an end to profiteering off of the sacrifice of our great American heroes.

I would like to thank those Senators who have cosponsored this bill, as well, and the chairman and ranking member of the Judiciary Committee for persisting to get this bill on the floor.

There is no higher honor that we have in the Senate than to honor our veterans and the people who put their lives on the line every day for their country.

**UNANIMOUS CONSENT
AGREEMENT—H.J. RES. 76**

Mr. PERDUE. Mr. President, I ask unanimous consent that if the Senate receives H.J. Res. 76 from the House, and if the text of H.J. Res. 76 is identical to the text at the desk, that the joint resolution be considered passed, the preamble be considered agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Delaware.

HEALTHCARE

Mr. CARPER. Good afternoon, Mr. President. It is good to see the Presiding Officer and to hear my colleague Senator PERDUE, as he prepares to probably head for home for the next several weeks.

A number of our Senators are heading for their home States this afternoon and tomorrow to begin what is traditionally called the August recess. I am fortunate to live in Delaware, and I can go home every night. Some people see it as a blessing, others as a curse. I see it as a blessing to go home and stay a while. I am looking forward to that.

We have three Senate office buildings here on Capitol Hill that Senators share and where they have their office space. The oldest is Russell. The next oldest is Dirksen. The newest is a building they call the Hart Senate Office Building. For 16 or 17 years, my staff and I have been in the Hart Building—and by choice. Every 2 years we can change offices, but we always want to stay in the same office, which is sort of unusual when you have been here for 16 or 17 years.

Sometimes a lot of people say the names Russell or Dirksen or Hart. Russell and Dirksen are pretty famous folks, even now. Hart is less well known. I will not take a lot of time to give a deep history of who Philip Hart was, but he was a Senator from Michigan and he was a Democrat. His time here preceded my time.

I was elected State treasurer for Delaware in 1976, a Congressman in 1982, and Governor in 1992. Then, I came to the Senate in 2001. But for Philip Hart and me, as far as I know, our service never crossed. If we did, I am not aware.

I don't know a lot of the things he was famous for. There are some of his famous quotes, but one of my all-time favorite quotations are the words I believe he said when he left this place. He left the Senate and retired. Some say he left too soon, but when he retired, he said these words: “I leave as I arrived, understanding clearly the complexity of the world into which we were born and optimistic that if we give it our best shot, we will come close to achieving the goals set for us 200 years ago.”

That is what he said. Aren't those wonderful words? At a time when we could actually use a little bit of encouragement, I hope that, maybe, his words provide at least a small measure. For me, they always provided a large measure.

If you go back to the beginning of this Congress, January 3, and the inau-

guration of the President on January 20 of this year, there were high hopes on both sides to immediately get to work on comprehensive tax reform; on transportation and infrastructure policy for roads, highways, bridges, rails, ports, broadband, and maybe our electric grid. There was the idea of doing something for our Republican friends to repeal the Affordable Care Act.

As it turns out, we have in some cases disappointed, and in other cases we probably have pleased the folks who elected us to serve them, in developing and creating some of the policy for our country.

I spent a fair amount of time on healthcare. I know the Presiding Officer, the Senator from Wisconsin, has as well. I spent a fair amount of time thinking and working on healthcare before, as a Governor and even as a Congressman. I am not a doctor. I have never pretended to be and have never wanted to be, but I think one of the credos for the folks in the medical field and physicians is “do no harm.” I hope that, at least on the healthcare front, in these 7 months here of this legislative session, we have not done a great deal of harm. I don't think we have.

We had a robust debate on whether the Affordable Care Act should be repealed, with a special focus on the section called ObamaCare, and not much of a debate on how we get better healthcare results for less money, although it is a goal we all share, as Democrats and Republicans, in the executive branch and in the legislative branch. I think that we all share the goal of trying to figure out how to provide better healthcare for less money to everybody so everybody has coverage. I think that is a shared goal.

LAMAR ALEXANDER, my Senate colleague from Tennessee, likes to say: A pilot wouldn't take off in an airplane without knowing what his or her destination is. Think about that. With respect to our destination on healthcare, I think we know what the destination is; that is, as I said earlier, to make sure we provide better coverage for less money and cover everybody. That is the destination.

Just as a guy who spent a lot of time as a naval flight officer in airplanes for about 23 years, I know there are different ways to get to places. Sometimes it is a straight line; sometimes it is not. Sometimes you have to go around turbulence, around storms, or under them. You may run short on fuel, and there may be mechanical malfunctions. It is not always a straight line to get to where we want to go in an airplane. It turns out that it is not a straight line—that destination that we want to get to with respect to healthcare, for better results, less money, and covering everyone.

One of the efforts to reach that destination has its roots in 1993. In fact, here in Washington there were two

ideas for reaching that destination in terms of healthcare. Our shared goals go back to 1993, where you had here in Washington two different ideas that were put on the table.

One idea was from our First Lady, Hillary Rodham Clinton. She worked with really smart people to come up with a healthcare plan called HillaryCare, to essentially try to achieve those three goals I mentioned. Our friends in the Republican Party were not always kind in characterizing her proposal. I think, when they called it "HillaryCare," it was not meant to be a compliment. Even now, in television commercials, I remember seeing them kind of denigrating her efforts.

One of the responses from the folks who supported it—at least, something that First Lady Hillary Clinton proposed—or one of the things that the Democratic side said to the Republicans was this: What is your idea? At least we have an idea.

Then, some really smart people over at the Heritage Foundation went to work and they came up with what turns out to be a good idea—several very good ideas—to draw on market forces in order to try to meet those three goals I stated earlier on healthcare.

The first great idea of the five ideas was to create exchanges in every State for people who don't have coverage under Medicaid or Medicare or they don't work for an employer that provides healthcare for them. These are large purchasing pools in every State where people can get healthcare coverage and be part of a large group plan and realize the benefits of being a part of that large group plan.

The second aspect or pillar of their five ideas was the idea of a sliding-scale tax credit for people whose income was low. They would get a tax credit to lower the cost of a premium in the exchange in their State. As that person came up and up, at least to a certain level, the tax credit would go away. It is a sliding-scale tax credit. That was a Heritage Foundation idea.

Their third idea was something called an individual mandate, which said that, if you don't have coverage, you have to get it. Particularly, you have to sign up for it in the exchange. If you don't want to sign up, you are going to be fined. You can't actually make people sign up and get coverage, but the idea behind Heritage was that we would incentivize people to get coverage, because, eventually, people who don't have coverage will have to get care. Unfortunately, it is really expensive if they go to the emergency room. A lot of times they are so sick that they end up getting admitted. That costs a bundle, and the rest of us end up paying for it. So the third pillar was the individual mandate.

The fourth pillar was the employer mandate, because we want employers

to cover their employees. That may not be absolute full coverage or Cadillac coverage. You don't have to necessarily cover their family, but we want you to offer coverage to your employees—hopefully, decent coverage.

The last part dealt with preexisting conditions. The Heritage folks said that there should be a prohibition against insurance companies being able to say to people who are sick or have some kind of preexisting conditions: We are not going to insure you because you have a preexisting condition. Heritage said that should be verboten. You shouldn't get away with that if you are an insurance company.

Those were the five ideas. Our friends here on the Republican side of the aisle said: We want to take those ideas.

They did. The lead sponsor was John Chafee. I think he had 22 Republican sponsors in 1993, including Senator HATCH, who was the senior Republican on the Finance Committee and chaired the Finance Committee, and CHUCK GRASSLEY, a senior Republican on Finance who was also the chairman of the Judiciary Committee. They were some of the 22 cosponsors of the Republican bill, which really reflected the Heritage Foundation's ideas. Neither HillaryCare nor the Chafee legislation went forward and was adopted.

But about 13 years later, in 2006, a fellow Governor of Massachusetts was thinking about what were some things he could do to really differentiate himself in the field for running for President in 2008. His advisers came up with this idea: Why don't we try to cover everybody in Massachusetts and be the first State with everyone having healthcare coverage? They dusted off the Heritage Foundation's five ideas and introduced the legislation in Massachusetts. They amended it and changed it a little bit, but, in the end, they passed the legislation. They implemented legislation in 2006, I believe, that reflected Heritage's ideas from 1993 and reflected the legislation that was written in this Chamber by John Chafee in 1993. It worked. It worked in Massachusetts.

They fairly quickly were able to cover a lot of extra people in their State who hadn't been covered before. One of the things they wrestled with early on was portability. As it turns out, the folks who are young and invincible, like our pages here with us—I think this may be the last day or two before they head back for home.

The Presiding Officer may not know this, but the pages are here on overtime. Most of the pages returned to their home States across the country, but there are a half dozen or so volunteers that are still sticking with us to the bitter end. Hopefully, it is not too bitter an end. We hope that someday you will come back here as interns or maybe staff Members, and, who knows, maybe even as Presiding Officers or

just mortals—mere mortals like me. Thank you again for your service.

Anyway, the Romney folks found out that they had this fine setup. So if people didn't get coverage in Massachusetts, they would have to pay a fine. It went up over time. It was later that they decided that if they had to do this over again, they would have had the fine start higher and escalate faster in order to send a clear message to the young invincibles and others who didn't have coverage that you have to get serious about getting coverage. They wanted a mix of people in their exchanges so that insurance companies would be able to insure them and not lose their shirts—to make money off of it.

Anyway, when we were working on the Affordable Care Act in 2009, my first year on the Finance Committee, we were trying to figure out what to do. We proposed a lot of ideas to sort of keep our eye on the ACA. The Affordable Care Act was a way to just sort of pivot away from sick care, where we just spend money on people when they are sick, and do more to invest on how we help people stay healthy through prevention and wellness, by doing screenings for colorectal cancer, breast cancer, and prostate cancer, in ways that, if you take away the copays for people and they can go ahead and get the screenings, they save themselves a lot of money and a lot of pain and maybe from dying, which otherwise wouldn't be the case.

There are a lot of aspects of the Affordable Care Act. We raised the eligibility for folks for Medicaid.

When I came back from Southeast Asia in 1993, I went to business school in Delaware and got an MBA. The next year, I became State treasurer. I was 29. At that time, I thought of Medicaid as healthcare coverage for poor women with children. At the time, that was pretty much what it was, but not today.

Almost two-thirds of the money we spend on Medicaid is for people who are in nursing homes—our parents, our grandparents, our aunts, our uncles. A lot of them are veterans. I think 2 million are veterans. We spend a lot of money on Medicaid today to treat addiction for heroin and opioids, and we spend money on poor families, including women and children, but the nature of the coverage has changed a whole lot.

For many years, it has been a 50-50 yield. Largely, States pay 50 percent, and the Federal Government pays 50 percent. We changed that in the Affordable Care Act because we wanted the States to cover more than just the people up to 100 percent of poverty. The Federal Government stepped in and said to the States: If you would go along with this, we would like to cover people from 100 percent to 135 percent of poverty. The Federal Government,

at least for a while, would pay for that marginal increase in coverage up to 135 percent of poverty. It is a pretty good deal for the States, and about 31 States have signed up to do that. So a lot of people have coverage today who did not have it before through Medicaid.

The other thing we did in writing the Affordable Care Act was to take the idea that they have sort of glommed onto in Massachusetts with RomneyCare—which has its roots back to the 1993 proposal from Heritage and that was proposed here in the Senate by Senator Chafee—and put that into the Affordable Care Act. I know that there are some people who wanted to have a single-payer system in that their idea of healthcare reform was to cover everyone under Medicare who did not have coverage. We were just not ready to go there, so we said: Let's try something that has been put in place in one of our States, maybe with the idea that Massachusetts could be the laboratory of democracy—to find out what works and do more of that—and that was what we did.

We passed legislation that created exchanges in all 50 States, and we had an individual mandate to encourage people to get coverage and incentivize them but fine them if they did not. A lot of people say that we started too slowly, as Massachusetts did not implement it fast enough to get people signed up in the exchanges, but we learned, maybe, from our mistakes. We had the employer mandate, and we had the sliding sales tax credit in the Affordable Care Act.

Then we had the prohibitions against insurance companies that refused to cover people because they had some kind of preexisting condition. That was the part of the Affordable Care Act that had its roots, really, in Heritage and Republican Senators—really good ones. Some of them are still here. Somehow, this has turned out to be that part of the Affordable Care Act with the exchanges and so forth. It ended up being called ObamaCare, which is really ironic because he did not have anything to do with creating it. It was not his idea, but, somehow, it has been deemed to be ObamaCare. It is the part of the Affordable Care Act that has been most attacked by our Republican friends. It was their creation, their suggestion, and now they want to get rid of it.

We have had some tough debate here in recent weeks, and the Senate has decided not to repeal that part of the Affordable Care Act. I think that we are smart not to repeal it, but the idea is to help make it work. One of the best ways is to sort of calm down the exchanges—quit disrupting and destabilizing the exchanges. When the President says that we do not know if we are going to enforce the individual mandate or the subsidies that we provide for low-income people, who get their

coverage in the exchanges, to help cover their co-pays or deductibles—they do not know if they are going to keep doing that. They are basically saying of the ObamaCare exchanges to just put them in a death spiral. Let them just die. Then, maybe, the Democrats will come to the table.

I think all of that would be a huge mistake. Most of the people would suffer. As a matter of fact, a lot of the folks who voted for them are in rural States, and a lot of them are in red States around the country. I think it is cruel, and I do not think it is very smart.

Last Friday morning at 2 a.m., three Republicans—LISA MURKOWSKI, of Alaska; SUSAN COLLINS, of Maine; and JOHN MCCAIN, of Arizona—joined 48 Democrats in saying: Let's hit the pause button on degrading, further bringing down, the Affordable Care Act. Let's hit the pause button. It is not because the Affordable Care Act is perfect, because we know there are things in it that need to be fixed, but there are portions that need to be preserved as well.

We said: Let's see if we can't hit the pause button—kind of pivot—and stabilize the exchanges, first of all, then do the fix, and do the repair that needs done in the ACA. We would keep the stuff that is really good and that everyone says is good and move on. Let's not just do it as Republicans by themselves or Democrats by themselves. We have tried that. Let's try working together.

Now we have a chance to do that, and people, like the Presiding Officer, who have very good ideas will have a chance to present those ideas in hearings that will be held by Senators LAMAR ALEXANDER and PATTY MURRAY right after we come back here, just after the Labor Day holiday.

I learned in our Finance Committee today that Chairman ORRIN HATCH and Senator RON WYDEN, who is the senior Democrat on the committee, will also be holding a hearing or hearings on how do we stabilize the exchanges and how do we, maybe, find some ways to improve on what we have done in the Affordable Care Act. I can think of any number. I am sure that the Presiding Officer can as well.

I do not leave here discouraged. This is a country about which people say: You must be miserable serving in the U.S. Senate.

I say: Oh, no, not at all. I am sort of energized by what has been going on, not discouraged.

A long time ago, we fought the Civil War. One hundred fifty years ago, we fought the Civil War. My friend here from Mississippi remembers that. I grew up in the last capital of the Confederacy—Danville, VA. I remember that. One hundred fifty years ago, hundreds of thousands of people were killed, maimed, or wounded. When it was over, our President was assassinated, and his successor was impeached.

Somehow, we got through that and made it to the 20th century and fought, not one, but two World Wars. We won them both and led them both. We fought the Cold War—won it, led it. We led the world out of the Great Depression and into the 21st century.

The 21st century emerged, and the Sun came up that January day in 2001. America had the strongest economy on Earth and the most productive workforce on Earth. We are a nation of peace. We had four balanced budgets in a row. We had not balanced a budget since 1968. Then we figured out how to do that four times in a row during the last 4 years of the Clinton administration. In 2001, we were the most admired Nation on Earth and the most admired force for justice on Earth.

I like to remind people that if we can get through the 150 years after the Civil War and end up where we were on January 1, 2001, we will get through this as well.

The last thing I would say is this: When we come back, there is plenty to do. One of the things we have to do is deal with our financial plan, our budget, and figure out what to do with respect to the debt ceiling. We will be coming back and holding the hearings that I described on the Affordable Care Act and trying to stabilize the exchanges. We will begin to figure out what we ought to do beyond stabilizing the exchanges and do it as Democrats and Republicans working together.

When we passed Social Security, Medicare, the Civil Rights Act, and the GI bill, those were not all Democratic ideas or all Republican ideas. Some of the best work we do is when we work together.

We will also have the opportunity to tackle our Tax Code. We have a tax code that, in some cases, discourages companies, especially larger companies, from staying in the United States and continuing to do business here and employing people here. In some cases, we encourage them to look for other places around the world in which to locate their businesses. We need to make sure we have a tax code that encourages innovation and that encourages companies to expand and grow here. My hope is that we can, especially on the Finance Committee, really focus on that and work with our colleagues, work with the House, and work with the administration.

I am a really optimistic person about most things, but the last time we did comprehensive tax reform in this country was in 1986. At that time, we had Republican President Reagan, who was for it. He had a great Treasury Secretary, Jim Baker, who was for it. Dan Rostenkowski, the chairman of the Ways and Means Committee in the House, was for it. Tip O'Neill, the Democratic Speaker of the House, was

for it. We had Bob Packwood and Bill Bradley, a Democrat and a Republican—brilliant people on the Finance Committee. They were for it, and it still took 5 years to do it—really hard stuff.

We need to get serious about it, and we need to get going. My hope is that we will end up being revenue-neutral. We could use some revenues, but I hope it will be revenue-neutral. At the end of the day, I hope that what we do will answer these four questions: Is it fair? Does it foster economic growth? Does it make the Tax Code less complex or more complex? Finally, how does it affect our fiscal situation—our budget situation? My hope is that we can keep those questions in our minds as we formulate tax reform and answer them in an appropriate way.

I see my colleague here with whom I serve on the Finance Committee and on the Environment and Public Works Committee. He is waiting his turn, and I have talked long enough.

I will close where I started, with the words of the late Senator Philip Hart, of Michigan, who was admired by a lot of people here in this body before we came here. He said these words:

I leave as I arrived, understanding clearly the complexity of the world into which we were born and optimistic that if we give it our best shot, we will come close to achieving the goals set for us 200 years ago.

Boy, those words ring true today, don't they?

As we are about to leave, unlike our friend Philip Hart, who left the Senate, those who serve today in the Senate are going to come back in 4 weeks. My hope is that when we come back, we will come back determined to work together. That is what people want us to do. They want us to work together because, if we do, we will get a lot more things done.

My wife and I went to Africa and actually met up there with one of our sons and a friend of his two summers ago in August—2 years ago this August. I learned more about Africa in, actually, a week to 10 days than I had learned in all of my life. One of the things I learned was an African proverb that some of you already know. It goes something like this: If you want to go fast, travel alone. If you want to go far, travel together.

Think about that: If you want to go fast, travel alone. If you want to go far, travel together.

We have tried going it alone, and we have not gotten that far. My hope is that when we come back, we will travel together, and we will go a long, long way and make everyone proud of us.

I say again to my colleagues and the pages and our staffs, thank you for the good work that you have done. It is a pleasure serving with all of you.

I bid you adieu. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

BENEFIT ACT

Mr. WICKER. Mr. President, my esteemed colleague from Delaware says that we have plenty to do when we get back, and he is, certainly, correct. I would join many of my colleagues today, though, in pointing out that in the last 3 days, we have actually gotten substantial work done. Perhaps we have crammed into 3 days what using the regular order and the filibuster and the motions to proceed might have taken 3 weeks otherwise. So the leadership on both sides of the aisle are to be commended for this burst of progress we have made, and I hope we can continue that when we get back.

Earlier today, this Congress passed a significant piece of legislation offered by the Senator who occupies the Chair, my good friend, Senator JOHNSON of Wisconsin. It is the Right to Try Act, which seeks to streamline the way people who are willing to take a bit of a chance on a drug in order to save their lives—streamline the way they can have access to perhaps life-enhancing and lifesaving drugs. It is a real achievement. I congratulate my colleague from Wisconsin and congratulate the leadership facilitating this breakthrough.

Moments later, the Senate passed a companion bill authored by Senator KLOBUCHAR and me known as the Better Empowerment Now to Enhance Framework and Improve Treatments Act or the BENEFIT Act. This is another win for patients—patients who deserve to have a voice in the drug approval process. This bill, which is a companion bill to the very important Right to Try Act, will do that.

The BENEFIT Act calls for a simple amendment to the Food, Drug, and Cosmetic Act—one that could make a big difference to patients whose lives may depend on a new therapy or drug. Specifically, the Wicker-Klobuchar bill would require the use of patient experience and patient-focused drug development and related data in assessing the risk versus the benefit of these particular therapies.

The bill also includes information from patient advocacy groups and academic institutions. This is a small but important step forward.

If signed into law—and I certainly hope the House passes it and I hope the President will sign it into law—this bill would greatly enhance the data and information available to FDA when reviewing drugs, when reviewing medical products, and when reviewing therapies. It would also add to the progress Congress has made in recent years, reaffirming the importance of patients' perspectives in drug decisions—decisions that can have a profound and lasting impact on the lives of these patients. Ask any American who suffers from a disease or who is watching a loved one suffer, and they will tell us that all information should

be on the table when a breakthrough or a cure is at stake.

Last year, Senator KLOBUCHAR and I joined together to make the FDA's use of patient perspectives more transparent with what we call the Patient-Focused Impact Assessment Act. This was passed and was signed into law as part of the 21st Century Cures Act.

The BENEFIT Act, passed by the Senate today, would keep that momentum going, building on the progress we have made.

Now, what progress have we made? Let me tell my colleagues this. For years, I have sought to find a cure for the devastating, fatal disease known as Duchenne muscular dystrophy. I have worked on this issue since my early years in the House of Representatives. Young boys—almost all males—is whom this affects. These young boys face this fatal disease, and they know better than anyone what a drug can do to improve the quality of their lives.

Since the Congress passed and the President signed the MD-CARE Act dealing with Duchenne muscular dystrophy more than 15 years ago, research has led to innovative therapies that have added a decade to the lives of these young boys. What an achievement by scientists in America. What an achievement for the government to have unleashed cures and research in this area.

We need their voices heard, we need their stories heard, and we need the voices of patients with other diseases heard.

I thank my colleagues in the Senate for joining with us on a unanimous consent request to pass this legislation. I thank the leadership on this side of the aisle and our Democratic counterparts on the other side.

Particular appreciation goes to Senator ALEXANDER, the chairman of the HELP Committee, and to Senator MURRAY, the ranking Democrat on the HELP Committee, for their valuable help. Appreciation goes to perhaps a new attitude for the rest of the year in the Senate to join together with unanimous consent and move bills and nominations forward that have widespread support and consensus around the country.

I congratulate the Presiding Officer, the Senator from Wisconsin, on an outstanding achievement, and I congratulate the Senate for joining with Senator KLOBUCHAR and me to help out in another way.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MAKING OPPORTUNITIES FOR BROADBAND INVESTMENT AND LIMITING EXCESSIVE AND NEED- LESS OBSTACLES TO WIRELESS ACT

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 17, S. 19.

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

The senior assistant legislative clerk read as follows:

A bill (S. 19) to provide opportunities for broadband investment, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act” or the “MOBILE NOW Act”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Making 500 megahertz available.
- Sec. 4. Millimeter wave spectrum.
- Sec. 5. 3 gigahertz spectrum.
- Sec. 6. Communications facilities deployment on Federal property.
- Sec. 7. Broadband infrastructure deployment.
- Sec. 8. National broadband facilities asset database.
- Sec. 9. Reallocation incentives.
- Sec. 10. Bidirectional sharing study.
- Sec. 11. Unlicensed services in guard bands.
- Sec. 12. Pre-auction funding.
- Sec. 13. Immediate transfer of funds.
- Sec. 14. Amendments to the Spectrum Pipeline Act of 2015.
- Sec. 15. GAO assessment of unlicensed spectrum and Wi-Fi use in low-income neighborhoods.
- Sec. 16. Rulemaking related to partitioning or disaggregating licenses.
- Sec. 17. Unlicensed spectrum policy.
- Sec. 18. National plan for unlicensed spectrum.
- Sec. 19. Spectrum challenge prize.
- Sec. 20. Wireless telecommunications tax and fee collection fairness.
- Sec. 21. Rules of construction.
- Sec. 22. Relationship to Middle Class Tax Relief and Job Creation Act of 2012.

SEC. 2. DEFINITIONS.

In this Act:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) each committee of the Senate or of the House of Representatives with jurisdiction over a Federal entity affected by the applicable section in which the term appears.

(2) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

(3) **FEDERAL ENTITY.**—The term “Federal entity” has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(4) **NTIA.**—The term “NTIA” means the National Telecommunications and Information Administration of the Department of Commerce.

(5) **OMB.**—The term “OMB” means the Office of Management and Budget.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

SEC. 3. MAKING 500 MEGAHERTZ AVAILABLE.

(a) **REQUIREMENTS.**—

(1) **IN GENERAL.**—Consistent with the Presidential Memorandum of June 28, 2010, entitled “Unleashing the Wireless Broadband Revolution” and establishing a goal of making a total of 500 megahertz of Federal and non-Federal spectrum available on a licensed or unlicensed basis for wireless broadband use by 2020, not later than December 31, 2020, the Secretary, working through the NTIA, and the Commission shall make available a total of at least 255 megahertz of Federal and non-Federal spectrum below the frequency of 6000 megahertz for mobile and fixed wireless broadband use.

(2) **UNLICENSED AND LICENSED USE.**—Of the spectrum made available under paragraph (1), not less than—

(A) 100 megahertz shall be made available on an unlicensed basis; and

(B) 100 megahertz shall be made available on an exclusive, licensed basis for commercial mobile use, pursuant to the Commission’s authority to implement such licensing in a flexible manner, and subject to potential continued use of such spectrum by incumbent Federal entities in designated geographic areas indefinitely or for such length of time stipulated in transition plans approved by the Technical Panel under section 113(h) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)) for those incumbent entities to be relocated to alternate spectrum.

(3) **NON-ELIGIBLE SPECTRUM.**—For purposes of satisfying the requirement under paragraph (1), the following spectrum shall not be counted:

(A) The frequencies between 1695 and 1710 megahertz.

(B) The frequencies between 1755 and 1780 megahertz.

(C) The frequencies between 2155 and 2180 megahertz.

(D) The frequencies between 3550 and 3700 megahertz.

(E) Spectrum that the Commission determines had more than de minimis mobile or fixed wireless broadband operations within the band on the day before the date of enactment of this Act.

(4) **RELOCATION PRIORITIZED OVER SHARING.**—This section shall be carried out in accordance with section 113(j) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(j)).

(5) **CONSIDERATIONS.**—In making spectrum available under this section, the Secretary and Commission shall consider—

(A) the need to preserve critical existing and planned Federal Government capabilities;

(B) the impact on existing State, local, and tribal government capabilities;

(C) the international implications;

(D) the need for appropriate enforcement mechanisms and authorities; and

(E) the importance of the deployment of wireless broadband services in rural areas of the United States.

(b) **RULES OF CONSTRUCTION.**—Nothing in this section shall be construed—

(1) to impair or otherwise affect the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals;

(2) to require the disclosure of classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security; or

(3) to affect any requirement under section 156 of the National Telecommunications and Infor-

mation Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000, or any other relevant statutory requirement applicable to the reallocation of Federal spectrum.

SEC. 4. MILLIMETER WAVE SPECTRUM.

(a) **FEASIBILITY ASSESSMENT.**—Not later than 18 months after the date of enactment of this Act, the NTIA, in consultation with the Commission, shall conduct a feasibility assessment regarding the impact, on Federal entities and operations in any of the following bands, of authorizing mobile or fixed terrestrial wireless operations, including for advanced mobile service operations, in the following bands:

(1) The band between 31800 and 33400 megahertz.

(2) The band between 71000 and 76000 megahertz.

(3) The band between 81000 and 86000 megahertz.

(b) **REQUIREMENTS.**—In conducting the feasibility assessment under subsection (a), the NTIA shall—

(1) consult directly with Federal entities with respect to frequencies allocated to Federal use by such entities in the bands identified in that subsection;

(2) consider what, if any, impact authorizing mobile or fixed terrestrial wireless operations, including advanced mobile services operations, in any of such frequencies would have on an affected Federal entity; and

(3) identify any such frequencies in the bands described in that subsection that the NTIA assessment determines are feasible for authorizing for mobile or fixed terrestrial wireless operations, including any advanced mobile service operations.

(c) **REPORT TO CONGRESS AND THE COMMISSION.**—Not later than 30 days after the date the feasibility assessment under subsection (a) is complete, the NTIA shall submit to the appropriate committees of Congress a report on the feasibility assessment and provide a copy to the Commission.

(d) **FCC PROCEEDING.**—Not later than 2 years after the date of enactment of this Act or 90 days after the date it receives the feasibility assessment under subsection (c), whichever is earlier, the Commission, in consultation with the NTIA, shall publish a notice of proposed rulemaking to consider service rules to authorize mobile or fixed terrestrial wireless operations, including for advanced mobile service operations, in the following radio frequency bands:

(1) The band between 24250 and 24450 megahertz.

(2) The band between 25050 and 25250 megahertz.

(3) The band between 31800 and 33400 megahertz, except for any frequencies with Federal allocations.

(4) The band between 42000 and 42500 megahertz.

(5) The band between 71000 and 76000 megahertz, except for any frequencies with Federal allocations.

(6) The band between 81000 and 86000 megahertz, except for any frequencies with Federal allocations.

(7) Any frequencies with Federal allocations identified as feasible under subsection (b)(3).

(e) **CONSIDERATIONS.**—In conducting a rulemaking under subsection (d), the Commission shall—

(1) consult with Federal entities via the NTIA regarding the frequencies described in subsection (d)(7);

(2) consider how the bands described in subsection (d) may be used to provide commercial wireless broadband service, including whether—

(A) such spectrum may be best used for licensed or unlicensed services, or some combination thereof; and

(B) to permit additional licensed operations in such bands on a shared basis; and

(3) include technical characteristics under which the bands described in subsection (d) may be employed for mobile or fixed terrestrial wireless operations, including any appropriate coexistence requirements.

SEC. 5. 3 GIGAHERTZ SPECTRUM.

(a) BETWEEN 3100 MEGAHERTZ AND 3550 MEGAHERTZ.—Not later than 18 months after the date of enactment of this Act, and in consultation with the Commission and the head of each affected Federal agency (or a designee thereof), the Secretary shall submit to the Commission and the appropriate committees of Congress a report evaluating the feasibility of allowing commercial wireless services, licensed or unlicensed, to share use of the frequencies between 3100 megahertz and 3550 megahertz.

(b) BETWEEN 3700 MEGAHERTZ AND 4200 MEGAHERTZ.—Not later than 18 months after the date of enactment of this Act, after notice and an opportunity for public comment, and in consultation with the Secretary and the head of each affected Federal agency (or a designee thereof), the Commission shall submit to the Secretary and the appropriate committees of Congress a report evaluating the feasibility of allowing commercial wireless services, licensed or unlicensed, to share use of the frequencies between 3700 megahertz and 4200 megahertz.

(c) REQUIREMENTS.—A report under subsection (a) or (b) shall include the following:

(1) An assessment of the operations of Federal entities that operate Federal Government stations authorized to use the frequencies described in that subsection.

(2) An assessment of the possible impacts of such sharing on Federal and non-Federal users already operating on the frequencies described in that subsection.

(3) The criteria that may be necessary to ensure shared licensed or unlicensed services would not cause harmful interference to Federal or non-Federal users already operating in the frequencies described in that subsection.

(4) If such sharing is feasible, an identification of which of the frequencies described in that subsection are most suitable for sharing with commercial wireless services through the assignment of new licenses by competitive bidding, for sharing with unlicensed operations, or through a combination of licensing and unlicensed operations.

(d) COMMISSION ACTION.—The Commission, in consultation with the NTIA, shall seek public comment on the reports required under subsections (a) and (b), including regarding the bands identified in such reports as feasible pursuant to subsection (c)(4).

SEC. 6. COMMUNICATIONS FACILITIES DEPLOYMENT ON FEDERAL PROPERTY.

(a) IN GENERAL.—Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455) is amended by striking subsections (b), (c), and (d) and inserting the following:

“(b) FEDERAL EASEMENTS, RIGHTS-OF-WAY, AND LEASES.—

“(1) GRANT.—If an executive agency, a State, a political subdivision or agency of a State, or a person, firm, or organization applies for the grant of an easement, right-of-way, or lease to, in, over, or on a building or other property owned by the Federal Government for the right to install, construct, modify, or maintain a communications facility installation, the executive agency having control of the building or other property may grant to the applicant, on behalf of the Federal Government, subject to paragraph (5), an easement, right-of-way, or lease to perform such installation, construction, modification, or maintenance.

“(2) APPLICATION.—

“(A) IN GENERAL.—The Administrator of General Services shall develop a common form for applications for easements, rights-of-way, and leases under paragraph (1) for all executive agencies that, except as provided in subparagraph (B), shall be used by all executive agencies and applicants with respect to the buildings or other property of each such agency.

“(B) EXCEPTION.—The requirement under subparagraph (A) for an executive agency to use the common form developed by the Administrator of General Services shall not apply to an executive agency if the head of an executive agency notifies the Administrator that the executive agency uses a substantially similar application.

“(3) FEE.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of General Services shall establish a fee for the grant of an easement, right-of-way, or lease pursuant to paragraph (1) that is based on direct cost recovery.

“(B) EXCEPTIONS.—The Administrator of General Services may establish exceptions to the fee amount required under subparagraph (A)—

“(i) in consideration of the public benefit provided by a grant of an easement, right-of-way, or lease; and

“(ii) in the interest of expanding wireless and broadband coverage.

“(4) USE OF FEES COLLECTED.—Any fee amounts collected by an executive agency pursuant to paragraph (3) may be made available, as provided in appropriations Acts, to such agency to cover the costs of granting the easement, right-of-way, or lease.

“(5) TIMELY CONSIDERATION OF APPLICATIONS.—

“(A) IN GENERAL.—Not later than 270 days after the date on which an executive agency receives a duly filed application for an easement, right-of-way, or lease under this subsection, the executive agency shall—

“(i) grant or deny, on behalf of the Federal Government, the application; and

“(ii) notify the applicant of the grant or denial.

“(B) EXPLANATION OF DENIAL.—If an executive agency denies an application under subparagraph (A), the executive agency shall notify the applicant in writing, including a clear statement of the reasons for the denial.

“(C) APPLICABILITY OF ENVIRONMENTAL LAWS.—Nothing in this paragraph shall be construed to relieve an executive agency of the requirements of division A of subtitle III of title 54, United States Code, or the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(D) POINT OF CONTACT.—Upon receiving an application under subparagraph (A), an executive agency shall designate one or more appropriate individuals within the executive agency to act as a point of contact with the applicant.

“(c) MASTER CONTRACTS FOR COMMUNICATIONS FACILITY INSTALLATION SITINGS.—

“(1) IN GENERAL.—Notwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104–104; 110 Stat. 151) or any other provision of law, the Administrator of General Services shall—

“(A) develop one or more master contracts that shall govern the placement of communications facility installations on buildings and other property owned by the Federal Government; and

“(B) in developing the master contract or contracts, standardize the treatment of the placement of communications facility installations on building rooftops or facades, the placement of communications facility installations on rooftops or inside buildings, the technology used in connection with communications facility instal-

lations placed on Federal buildings and other property, and any other key issues the Administrator of General Services considers appropriate.

“(2) APPLICABILITY.—The master contract or contracts developed by the Administrator of General Services under paragraph (1) shall apply to all publicly accessible buildings and other property owned by the Federal Government, unless the Administrator of General Services decides that issues with respect to the siting of a communications facility installation on a specific building or other property warrant non-standard treatment of such building or other property.

“(3) APPLICATION.—

“(A) IN GENERAL.—The Administrator of General Services shall develop a common form or set of forms for communications facility installation siting applications that, except as provided in subparagraph (B), shall be used by all executive agencies and applicants with respect to the buildings and other property of each such agency.

“(B) EXCEPTION.—The requirement under subparagraph (A) for an executive agency to use the common form or set of forms developed by the Administrator of General Services shall not apply to an executive agency if the head of the executive agency notifies the Administrator that the executive agency uses a substantially similar application.

“(d) DEFINITIONS.—In this section:

“(1) COMMUNICATIONS FACILITY INSTALLATION.—The term ‘communications facility installation’ includes—

“(A) any infrastructure, including any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the licensed or permitted unlicensed wireless or wireline transmission of writings, signs, signals, data, images, pictures, and sounds of all kinds; and

“(B) any antenna or apparatus that—

“(i) is designed for the purpose of emitting radio frequency;

“(ii) is designed to be operated, or is operating, from a fixed location pursuant to authorization by the Commission or is using duly authorized devices that do not require individual licenses; and

“(iii) is added to a tower, building, or other structure.

“(2) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning given such term in section 102 of title 40, United States Code.”

(b) SAVINGS PROVISION.—An application for an easement, right-of-way, or lease that was made or granted under section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455) before the date of enactment of this Act shall continue, subject to that section as in effect on the day before such date of enactment.

(c) STREAMLINING BROADBAND FACILITY APPLICATIONS.—

(1) DEFINITION OF COMMUNICATIONS FACILITY INSTALLATION.—In this subsection, the term “communications facility installation” has the meaning given the term in section 6409(d) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455(d)), as amended by subsection (a).

(2) RECOMMENDATIONS.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the NTIA, in coordination with the Department of the Interior, the Department of Agriculture, the Department of Defense, the Department of Transportation, OMB, and the General Services Administration, shall develop recommendations to streamline the process for considering applications by those agencies under section 6409(b) of the Middle Class Tax Relief and Job Creation

Act of 2012 (47 U.S.C. 1455(b)), as amended by subsection (a).

(B) REQUIREMENTS FOR RECOMMENDATIONS.—The recommendations developed under subparagraph (A) shall include—

(i) procedures for the tracking of applications described in subparagraph (A);

(ii) methods by which to reduce the amount of time between the receipt of an application and the issuance of a final decision on an application;

(iii) policies to expedite renewals of an easement, license, or other authorization to locate communications facility installations on land managed by the agencies described in subparagraph (A); and

(iv) policies that would prioritize or streamline a permit for construction in a previously-disturbed right-of-way.

(C) REPORT TO CONGRESS.—Not later than 2 years after the date on which the recommendations required under subparagraph (A) are developed, the NTIA shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

(i) the status of the implementation of the recommendations developed under subparagraph (A); and

(ii) any improvements to the process for considering applications described in subparagraph (A) that have resulted from those recommendations, including in particular the speed at which such applications are reviewed and a final determination is issued.

SEC. 7. BROADBAND INFRASTRUCTURE DEPLOYMENT.

(a) FINDING REGARDING FEDERAL AND STATE DEPARTMENTS OF TRANSPORTATION.—Congress finds that it is the policy of the United States for the Department of Transportation and State departments of transportation—

(1) to adjust or otherwise develop right-of-way policies for Federal-aid highways to effectively accommodate broadband infrastructure;

(2) to allow for the safe and efficient accommodation of broadband infrastructure in the public right-of-way; and

(3) to the extent applicable, to coordinate with other statewide telecommunication and broadband plans when developing a statewide transportation improvement program.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE STATE AGENCY.—The term “appropriate State agency” means a State governmental agency that is recognized by the executive branch of the State as having the experience necessary to evaluate and carry out projects relating to the proper and effective installation and operation of broadband infrastructure.

(2) BROADBAND INFRASTRUCTURE.—The term “broadband infrastructure” means any buried, underground, or aerial facility, and any wireless or wireline connection, that enables users to send and receive voice, video, data, graphics, or any combination thereof.

(3) BROADBAND INFRASTRUCTURE ENTITY.—The term “broadband infrastructure entity” means any entity that—

(A) installs, owns, or operates broadband infrastructure; and

(B) provides broadband services in a manner consistent with the public interest, convenience, and necessity, as determined by the State.

(4) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia; and

(C) the Commonwealth of Puerto Rico.

(c) BROADBAND INFRASTRUCTURE DEPLOYMENT.—To facilitate the installation of broadband infrastructure and achieve the policy described in subsection (a), the Secretary of

Transportation shall ensure that each State that receives funds under chapter 1 of title 23, United States Code, meets the following requirements:

(1) BROADBAND CONSULTATION.—The State department of transportation, in consultation with appropriate State agencies, shall—

(A) identify a broadband utility coordinator, that may have additional responsibilities, whether in the State department of transportation or in another State agency, that is responsible for facilitating the broadband infrastructure right-of-way efforts within the State;

(B) establish a process for the registration of broadband infrastructure entities that seek to be included in those broadband infrastructure right-of-way facilitation efforts within the State;

(C) establish a process to electronically notify broadband infrastructure entities identified under subparagraph (B) of the State transportation improvement program on an annual basis and provide additional notifications as necessary to achieve the goals of this section; and

(D) coordinate initiatives carried out under this section with other statewide telecommunication and broadband plans and State and local transportation and land use plans, including strategies to minimize repeated excavations that involve the installation of broadband infrastructure in a right-of-way.

(2) PRIORITY.—If a State chooses to provide for the installation of broadband infrastructure in the right-of-way of an applicable Federal-aid highway project under this subsection, the State department of transportation shall carry out any appropriate measures to ensure that any existing broadband infrastructure entities are not disadvantaged, as compared to other broadband infrastructure entities, with respect to the program under this subsection.

(d) EFFECT OF SECTION.—This section applies only to activities for which obligations or expenditures are initially approved on or after the date of enactment of this Act. Nothing in this section establishes a mandate or requirement that a State install broadband infrastructure in a highway right-of-way.

SEC. 8. NATIONAL BROADBAND FACILITIES ASSET DATABASE.

(a) DEFINITIONS.—In this section:

(1) COMMUNICATIONS FACILITY INSTALLATION.—The term “communications facility installation” includes—

(A) any infrastructure, including any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the licensed or permitted unlicensed wireless or wireline transmission of writings, signs, signals, data, images, pictures, and sounds of all kinds; and

(B) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency;

(ii) is designed to be operated, or is operating, from a fixed location pursuant to authorization by the Commission or is using duly authorized devices that do not require individual licenses; and

(iii) is added to a tower, building, or other structure.

(2) COVERED PROPERTY.—The term “covered property” —

(A) means any real property capable of supporting a communications facility installation; and

(B) includes any interest in real property described in subparagraph (A).

(3) DATABASE.—The term “database” means the database established under subsection (b).

(4) EXECUTIVE AGENCY.—The term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(b) DATABASE ESTABLISHED.—Not later than June 30, 2018, the Director of the Office of Science and Technology Policy, in consultation with the Chairman of the Commission, Assistant Secretary of Commerce for Communications and Information, Under Secretary of Commerce for Standards and Technology, Administrator of General Services, and Director of OMB, shall—

(1) establish and operate a single database of any covered property that is owned, leased, or otherwise managed by an Executive agency;

(2) make the database available to—

(A) any entity that—

(i) constructs or operates communications facility installations; or

(ii) provides communications service; and

(B) any other entity that the Director of the Office of Science and Technology Policy determines is appropriate; and

(3) establish a process for withholding data from the database for national security, public safety, or other national strategic concerns in accordance with existing statutory authority and Executive order mandates with respect to handling and protection of such information.

(c) PUBLIC COMMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall seek public comment to inform the establishment and operation of the database.

(2) CONTENTS.—In seeking public comment under paragraph (1), the Director shall include a request for recommendations on—

(A) criteria that make real property capable of supporting communications facility installations;

(B) types of information related to covered property that should be included in the database;

(C) an interface by which accessibility to the database for all users will be appropriately efficient and secure; and

(D) other information the Director determines necessary to establish and operate the database.

(d) FEDERAL AGENCIES.—

(1) INITIAL PROVISION OF INFORMATION.—Not later than 90 days after the date on which the database is established under subsection (b), the head of an Executive agency shall provide to the Director of the Office of Science and Technology Policy, in a manner and format to be determined by the Director, such information as the Director determines appropriate with respect to covered property owned, leased, or otherwise managed by the Executive agency.

(2) CHANGE TO INFORMATION PREVIOUSLY PROVIDED.—In the case of any change to information provided to the Director of the Office of Science and Technology Policy by the head of an Executive agency under paragraph (1), the head of the Executive agency shall provide updated information to the Director not later than 30 days after the date of the change.

(3) SUBSEQUENTLY ACQUIRED PROPERTY.—If an Executive agency acquires covered property after the date on which the database is established under subsection (b), the head of the Executive agency shall provide to the Director of the Office of Science and Technology Policy the information required under paragraph (1) with respect to the covered property not later than 30 days after the date of the acquisition.

(e) STATE AND LOCAL GOVERNMENTS.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy (referred to in this subsection as the “Director”) shall make the database available to State and local governments so that such governments may provide to the Director for inclusion in the database similar information to the information required under subsection (d)(1) regarding covered property owned, leased, or otherwise managed by such governments.

(2) **REPORT ON INCENTIVIZING PARTICIPATION BY STATE AND LOCAL GOVERNMENTS.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with the Chairman of the Commission, the Assistant Secretary of Commerce for Communications and Information, the Under Secretary of Commerce for Standards and Technology, the Administrator of General Services, and the Director of OMB, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on potential ways to incentivize State and local governments to provide to the Director for inclusion in the database similar information to the information required under subsection (d)(1) regarding covered property owned, leased, or otherwise managed by such governments pursuant to paragraph (1) of this subsection or through other means.

(B) **CONSIDERATIONS.**—The Director, in preparing the report under subparagraph (A), shall—

(i) consult with State and local governments, or their representatives, to identify for inclusion in the report the most cost-effective options for State and local governments to collect and provide the information described in subparagraph (A), including utilizing and leveraging State broadband initiatives and programs; and

(ii) make recommendations on ways the Federal Government can assist State and local governments in collecting and providing the information described in subparagraph (A).

(C) **REPORT UPDATE.**—Not later than 2 years after the date on which the database is established under this section, the Director shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives an update to the report required under subparagraph (A) that identifies State and local governments that have contributed to the database and recommends ways to further incentivize participation by State and local governments pursuant to paragraph (1) of this subsection or through other means.

(f) **DATABASE UPDATES.**—

(1) **TIMELY INCLUSION.**—After the establishment of the database, the Director of the Office of Science and Technology Policy shall ensure that information provided under subsection (d) or (e) is included in the database not later than 7 days after the date on which the Director receives the information.

(2) **DATE OF ADDITION OR UPDATE.**—Information in the database relating to covered property shall include the date on which the information was added or most recently updated.

(g) **REPORT.**—Not later than 180 days after the date the Director of the Office of Science and Technology Policy seeks public comment under subsection (c)(1), the Director shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the progress in establishing the database under this section. The Director shall update the report annually until the date that the database is fully operational. After the database is fully operational and for the next 5 years thereafter, the Director shall provide annual reports regarding the use of the database, recommendations of how the database may provide additional utility to the entities described in subsection (b)(2), if any recommendations are warranted, and how previous recommendations have been implemented.

SEC. 9. REALLOCATION INCENTIVES.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the Commission, the Director of OMB, and the head of each affected

Federal agency (or a designee thereof), after notice and an opportunity for public comment, shall submit to the appropriate committees of Congress a report that includes legislative or regulatory recommendations to incentivize a Federal entity to relinquish, or share with Federal or non-Federal users, Federal spectrum for the purpose of allowing commercial wireless broadband services to operate on that Federal spectrum.

(b) **POST-AUCTION PAYMENTS.**—

(1) **REPORT.**—In preparing the report under subsection (a), the Secretary shall—

(A) consider whether permitting eligible Federal entities that are implementing a transition plan submitted under section 113(h) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)) to accept payments could result in access to the eligible frequencies that are being reallocated for exclusive non-Federal use or shared use sooner than would otherwise occur without such payments; and

(B) include the findings under subparagraph (A), including the analysis under paragraph (2) and any recommendations for legislation, in the report.

(2) **ANALYSIS.**—In considering payments under paragraph (1)(A), the Secretary shall conduct an analysis of whether and how such payments would affect—

(A) bidding in auctions conducted under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) of such eligible frequencies; and

(B) receipts collected from the auctions described in subparagraph (A).

(3) **DEFINITIONS.**—In this subsection:

(A) **PAYMENT.**—The term “payment” means a payment in cash or in-kind by any auction winner, or any person affiliated with an auction winner, of eligible frequencies during the period after eligible frequencies have been reallocated by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) but prior to the completion of relocation or sharing transition of such eligible frequencies per transition plans approved by the Technical Panel.

(B) **ELIGIBLE FREQUENCIES.**—The term “eligible frequencies” has the meaning given the term in section 113(g)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)).

SEC. 10. BIDIRECTIONAL SHARING STUDY.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, including an opportunity for public comment, the Commission, in collaboration with the NTIA, shall—

(1) conduct a bidirectional sharing study to determine the best means of providing Federal entities flexible access to non-Federal spectrum on a shared basis across a range of short-, mid-, and long-range timeframes, including for intermittent purposes like emergency use; and

(2) submit to Congress a report on the study under paragraph (1), including any recommendations for legislation or proposed regulations.

(b) **CONSIDERATIONS.**—In conducting the study under subsection (a), the Commission shall—

(1) consider the regulatory certainty that commercial spectrum users and Federal entities need to make longer-term investment decisions for shared access to be viable; and

(2) evaluate any barriers to voluntary commercial arrangements in which non-Federal users could provide access to Federal entities.

SEC. 11. UNLICENSED SERVICES IN GUARD BANDS.

(a) **IN GENERAL.**—After public notice and comment, and in consultation with the Secretary and the head of each affected Federal agency (or a designee thereof), with respect to frequencies allocated for Federal use, the Commis-

sion shall adopt rules that permit unlicensed services where feasible to use any frequencies that are designated as guard bands to protect frequencies allocated after the date of enactment of this Act by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), including spectrum that acts as a duplex gap between transmit and receive frequencies.

(b) **LIMITATION.**—The Commission may not permit any use of a guard band under this section that would cause harmful interference to a licensed service or a Federal service operating in the guard band or in an adjacent band.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as limiting the Commission or the Secretary from otherwise making spectrum available for licensed or unlicensed use in any frequency band in addition to guard bands, including under section 3, consistent with their statutory jurisdictions.

SEC. 12. PRE-AUCTION FUNDING.

Section 118(d)(3)(B)(i)(II) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928(d)(3)(B)(i)(II)) is amended by striking “5 years” and inserting “8 years”.

SEC. 13. IMMEDIATE TRANSFER OF FUNDS.

Section 118(e)(1) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928(e)(1)) is amended by adding at the end the following:

“(D) At the request of an eligible Federal entity, the Director of the Office of Management and Budget (in this subsection referred to as ‘OMB’) may transfer the amount under subparagraph (A) immediately—

“(i) after the frequencies are reallocated by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)); or

“(ii) in the case of an incumbent Federal entity that is incurring relocation or sharing costs to accommodate sharing spectrum frequencies with another Federal entity, after the frequencies from which the other eligible Federal entity is relocating are reallocated by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), without regard to the availability of such sums in the Fund.

“(E) Prior to the deposit of proceeds into the Fund from an auction, the Director of OMB may borrow from the Treasury the amount under subparagraph (A) for a transfer under subparagraph (D). The Treasury shall immediately be reimbursed, without interest, from funds deposited into the Fund.”

SEC. 14. AMENDMENTS TO THE SPECTRUM PIPELINE ACT OF 2015.

Section 1008 of the Spectrum Pipeline Act of 2015 (Public Law 114-74; 129 Stat. 584) is amended in the matter preceding paragraph (1) by inserting “, after notice and an opportunity for public comment,” after “the Commission”.

SEC. 15. GAO ASSESSMENT OF UNLICENSED SPECTRUM AND WI-FI USE IN LOW-INCOME NEIGHBORHOODS.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study to evaluate the availability of broadband Internet access using unlicensed spectrum and wireless networks in low-income neighborhoods.

(2) **REQUIREMENTS.**—In conducting the study under paragraph (1), the Comptroller General shall consider and evaluate—

(A) the availability of wireless Internet hot spots and access to unlicensed spectrum in low-income neighborhoods, particularly for elementary and secondary school-aged children in such neighborhoods;

(B) any barriers preventing or limiting the deployment and use of wireless networks in low-income neighborhoods;

(C) how to overcome any barriers described in subparagraph (B), including through incentives, policies, or requirements that would increase the availability of unlicensed spectrum and related technologies in low-income neighborhoods; and

(D) how to encourage home broadband adoption by households with elementary and secondary school-age children that are in low-income neighborhoods.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that—

(1) summarizes the findings of the study conducted under subsection (a); and

(2) makes recommendations with respect to potential incentives, policies, and requirements that could help achieve the goals described in subparagraphs (C) and (D) of subsection (a)(2).

SEC. 16. RULEMAKING RELATED TO PARTITIONING OR DISAGGREGATING LICENSES.

(a) **DEFINITIONS.**—In this section—

(1) **COVERED SMALL CARRIER.**—The term “covered small carrier” means a carrier (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)) that—

(A) has not more than 1,500 employees (as determined under section 121.106 of title 13, Code of Federal Regulations, or any successor thereof); and

(B) offers services using the facilities of the carrier.

(2) **RURAL AREA.**—The term “rural area” means any area other than—

(A) a city, town, or incorporated area that has a population of more than 20,000 inhabitants; or

(B) an urbanized area contiguous and adjacent to a city or town that has a population of more than 50,000 inhabitants.

(b) **RULEMAKING.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Commission shall initiate a rulemaking proceeding to assess whether to establish a program, or modify existing programs, under which a licensee that receives a license for the exclusive use of spectrum in a specific geographic area under section 301 of the Communications Act of 1934 (47 U.S.C. 301) may partition or disaggregate the license by sale or long-term lease—

(A) in order to—

(i) provide services consistent with the license; and

(ii) make unused spectrum available to—

(I) an unaffiliated covered small carrier; or

(II) an unaffiliated carrier to serve a rural area; and

(B) if the Commission finds that such a program would promote—

(i) the availability of advanced telecommunications services in rural areas; or

(ii) spectrum availability for covered small carriers.

(2) **CONSIDERATIONS.**—In conducting the rulemaking proceeding under paragraph (1), the Commission shall consider, with respect to the program proposed to be established under that paragraph—

(A) whether reduced performance requirements with respect to spectrum obtained through the program would facilitate deployment of advanced telecommunications services in the areas covered by the program;

(B) what conditions may be needed on transfers of spectrum under the program to allow covered small carriers that obtain spectrum under the program to build out the spectrum in a reasonable period of time;

(C) what incentives may be appropriate to encourage licensees to lease or sell spectrum, including—

(i) extending the term of a license granted under section 301 of the Communications Act of 1934 (47 U.S.C. 301); or

(ii) modifying performance requirements of the license relating to the leased or sold spectrum; and

(D) the administrative feasibility of—

(i) the incentives described in subparagraph (C); and

(ii) other incentives considered by the Commission that further the goals of this section.

(3) **FORFEITURE OF SPECTRUM.**—If a party fails to meet any build out requirements set by the Commission for any spectrum sold or leased under this section, the right to the spectrum shall be forfeited to the Commission unless the Commission finds that there is good cause for the failure of the party.

(4) **REQUIREMENT.**—The Commission may offer a licensee incentives or reduced performance requirements under this section only if the Commission finds that doing so would likely result in increased availability of advanced telecommunications services in a rural area.

SEC. 17. UNLICENSED SPECTRUM POLICY.

(a) **STATEMENT OF POLICY.**—It is the policy of the United States—

(1) to maximize the benefit to the people of the United States of the spectrum resources of the United States;

(2) to advance innovation and investment in wireless broadband services; and

(3) to promote spectrum policy that makes available on an unlicensed basis radio frequency bands sufficient to meet consumer demand for unlicensed wireless broadband operations.

(b) **COMMISSION RESPONSIBILITIES.**—The Commission shall ensure that the efforts of the Commission related to spectrum allocation and assignment make available on an unlicensed basis radio frequency bands sufficient to meet demand for unlicensed wireless broadband operations if doing so is, after taking into account the future needs of other spectrum users—

(1) reasonable; and

(2) in the public interest.

(c) **COMMISSION ACTION.**—Not later than 18 months after the date of enactment of this Act, the Commission shall take action to implement subsection (b).

SEC. 18. NATIONAL PLAN FOR UNLICENSED SPECTRUM.

(a) **DEFINITIONS.**—In this section:

(1) **SPECTRUM RELOCATION FUND.**—The term “Spectrum Relocation Fund” means the Fund established under section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928).

(2) **UNLICENSED OPERATIONS.**—The term “unlicensed operations” means the use of spectrum on a non-exclusive basis under—

(A) part 15 of title 47, Code of Federal Regulations; or

(B) licensing by rule under part 96 of title 47, Code of Federal Regulations.

(b) **NATIONAL PLAN.**—Not later than 1 year after the date of enactment of this Act, the Commission, in consultation with the NTIA, shall develop a national plan for making additional radio frequency bands available for unlicensed operations.

(c) **REQUIREMENTS.**—The plan developed under this section shall—

(1) identify an approach that ensures that consumers have access to additional spectrum to conduct unlicensed operations in a range of radio frequencies to meet consumer demand;

(2) recommend specific actions by the Commission and the NTIA to permit unlicensed operations in additional radio frequency ranges that the Commission finds—

(A) are consistent with the statement of policy under section 18(a);

(B) will—

(i) expand opportunities for unlicensed operations in a spectrum band; or

(ii) otherwise improve spectrum utilization and intensity of use of bands where unlicensed operations are already permitted;

(C) will not cause harmful interference to Federal or non-Federal users of such bands; and

(D) will not significantly impact homeland security or national security communications systems; and

(3) examine additional ways, with respect to existing and planned databases or spectrum access systems designed to promote spectrum sharing and access to spectrum for unlicensed operations—

(A) to improve accuracy and efficacy;

(B) to reduce burdens on consumers, manufacturers, and service providers; and

(C) to protect sensitive Government information.

(d) **SPECTRUM RELOCATION FUND.**—To be included as part of the plan developed under this section, the NTIA shall share with the Commission recommendations about how to reform the Spectrum Relocation Fund—

(1) to address costs incurred by Federal entities related to sharing radio frequency bands with radio technologies conducting unlicensed operations; and

(2) to ensure the Spectrum Relocation Fund has sufficient funds to cover—

(A) the costs described in paragraph (1); and

(B) other expenditures allowed of the Spectrum Relocation Fund under section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928).

(e) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report that describes the plan developed under this section, including any recommendations for legislative change.

(2) **PUBLICATION ON COMMISSION WEBSITE.**—Not later than the date on which the Commission submits the report under paragraph (1), the Commission shall make the report publicly available on the website of the Commission.

SEC. 19. SPECTRUM CHALLENGE PRIZE.

(a) **SHORT TITLE.**—This section may be cited as the “Spectrum Challenge Prize Act”.

(b) **DEFINITION OF PRIZE COMPETITION.**—In this section, the term “prize competition” means a prize competition conducted by the Secretary under subsection (c)(1).

(c) **SPECTRUM CHALLENGE PRIZE.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Assistant Secretary of Commerce for Communications and Information and the Under Secretary of Commerce for Standards and Technology, shall, subject to the availability of funds for prize competitions under this section—

(A) conduct prize competitions to dramatically accelerate the development and commercialization of technology that improves spectrum efficiency and is capable of cost-effective deployment; and

(B) define a measurable set of performance goals for participants in the prize competitions to demonstrate their solutions on a level playing field while making a significant advancement over the current state of the art.

(2) **AUTHORITY OF SECRETARY.**—In carrying out paragraph (1), the Secretary may—

(A) enter into a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity to administer the prize competitions;

(B) invite the Defense Advanced Research Projects Agency, the Commission, the National Aeronautics and Space Administration, the National Science Foundation, or any other Federal

agency to provide advice and assistance in the design or administration of the prize competitions; and

(C) award not more than \$5,000,000, in the aggregate, to the winner or winners of the prize competitions.

(d) **CRITERIA.**—Not later than 180 days after the date on which funds for prize competitions are made available pursuant to this section, the Commission shall publish a technical paper on spectrum efficiency providing criteria that may be used for the design of the prize competitions.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 20. WIRELESS TELECOMMUNICATIONS TAX AND FEE COLLECTION FAIRNESS.

(a) **SHORT TITLE.**—This section may be cited as the “Wireless Telecommunications Tax and Fee Collection Fairness Act”.

(b) **DEFINITIONS.**—In this section:

(1) **FINANCIAL TRANSACTION.**—The term “financial transaction” means a transaction in which the purchaser or user of a wireless telecommunications service upon whom a tax, fee, or surcharge is imposed gives cash, credit, or any other exchange of monetary value or consideration to the person who is required to collect or remit the tax, fee, or surcharge.

(2) **LOCAL JURISDICTION.**—The term “local jurisdiction” means a political subdivision of a State.

(3) **STATE.**—The term “State” means any of the several States, the District of Columbia, and any territory or possession of the United States.

(4) **STATE OR LOCAL JURISDICTION.**—The term “State or local jurisdiction” includes any governmental entity or person acting on behalf of a State or local jurisdiction that has the authority to assess, impose, levy, or collect taxes or fees.

(5) **WIRELESS TELECOMMUNICATIONS SERVICE.**—The term “wireless telecommunications service” means a commercial mobile radio service, as defined in section 20.3 of title 47, Code of Federal Regulations, or any successor thereto.

(c) **FINANCIAL TRANSACTION REQUIREMENT.**—

(1) **IN GENERAL.**—A State, or a local jurisdiction of a State, may not require a person to collect from, or remit on behalf of, any other person a State or local tax, fee, or surcharge imposed on a purchaser or user with respect to the purchase or use of any wireless telecommunications service within the State unless the collection or remittance is in connection with a financial transaction.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to affect the right of a State or local jurisdiction to require the collection of any tax, fee, or surcharge in connection with a financial transaction.

(d) **ENFORCEMENT.**—

(1) **PRIVATE RIGHT OF ACTION.**—Any person aggrieved by a violation of subsection (c) may bring a civil action in an appropriate district court of the United States for equitable relief in accordance with paragraph (2) of this subsection.

(2) **JURISDICTION OF DISTRICT COURTS.**—Notwithstanding section 1341 of title 28, United States Code, or the constitution or laws of any State, the district courts of the United States shall have jurisdiction, without regard to the amount in controversy or citizenship of the parties, to grant such mandatory or prohibitive injunctive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of subsection (c).

SEC. 21. RULES OF CONSTRUCTION.

(a) **RANGES OF FREQUENCIES.**—Each range of frequencies described in this Act shall be construed to be inclusive of the upper and lower frequencies in the range.

(b) **ASSESSMENT OF ELECTROMAGNETIC SPECTRUM REALLOCATION.**—Nothing in this Act shall be construed to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000.

SEC. 22. RELATIONSHIP TO MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.

Nothing in this Act shall be construed to limit, restrict, or circumvent in any way the implementation of the nationwide public safety broadband network defined in section 6001 of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) or any rules implementing that network under title VI of that Act (47 U.S.C. 1401 et seq.).

Mr. WICKER. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 19), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

IMPROVING RURAL CALL QUALITY AND RELIABILITY ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 19, S. 96.

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

The senior assistant legislative clerk read as follows:

A bill (S. 96) to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

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

Mr. WICKER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 96) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 96

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Rural Call Quality and Reliability Act of 2017”.

SEC. 2. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

Part II of title II of the Communications Act of 1934 (47 U.S.C. 251 et seq.) is amended by adding at the end the following:

“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

“(a) **REGISTRATION AND COMPLIANCE BY INTERMEDIATE PROVIDERS.**—An intermediate provider that offers or holds itself out as offering the capability to transmit covered voice communications from one destination to another and that charges any rate to any other entity (including an affiliated entity) for the transmission shall—

“(1) register with the Commission; and

“(2) comply with the service quality standards for such transmission to be established by the Commission under subsection (c)(1)(B).

“(b) **REQUIRED USE OF REGISTERED INTERMEDIATE PROVIDERS.**—A covered provider may not use an intermediate provider to transmit covered voice communications unless such intermediate provider is registered under subsection (a)(1).

“(c) **COMMISSION RULES.**—

“(1) **IN GENERAL.**—

“(A) **REGISTRY.**—Not later than 180 days after the date of enactment of this section, the Commission shall promulgate rules to establish a registry to record registrations under subsection (a)(1).

“(B) **SERVICE QUALITY STANDARDS.**—Not later than 1 year after the date of enactment of this section, the Commission shall promulgate rules to establish service quality standards for the transmission of covered voice communications by intermediate providers.

“(2) **REQUIREMENTS.**—In promulgating the rules required by paragraph (1), the Commission shall—

“(A) ensure the integrity of the transmission of covered voice communications to all customers in the United States; and

“(B) prevent unjust or unreasonable discrimination among areas of the United States in the delivery of covered voice communications.

“(d) **PUBLIC AVAILABILITY OF REGISTRY.**—The Commission shall make the registry established under subsection (c)(1)(A) publicly available on the website of the Commission.

“(e) **SCOPE OF APPLICATION.**—The requirements of this section shall apply regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect the regulatory classification of any communication or service.

“(g) **EFFECT ON OTHER LAWS.**—Nothing in this section shall be construed to preempt or expand the authority of a State public utility commission or other relevant State agency to collect data, or investigate and enforce State law and regulations, regarding the completion of intrastate voice communications, regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(h) **EXCEPTION.**—The requirement under subsection (a)(2) to comply with the service quality standards established under subsection (c)(1)(B) shall not apply to a covered provider that—

“(1) on or before the date that is 1 year after the date of enactment of this section, has certified as a Safe Harbor provider under section 64.2107(a) of title 47, Code of Federal Regulations, or any successor regulation; and

“(2) continues to meet the requirements under such section 64.2107(a).

“(i) DEFINITIONS.—In this section:

“(1) COVERED PROVIDER.—The term ‘covered provider’ has the meaning given the term in section 64.2101 of title 47, Code of Federal Regulations, or any successor thereto.

“(2) COVERED VOICE COMMUNICATION.—The term ‘covered voice communication’ means a voice communication (including any related signaling information) that is generated—

“(A) from the placement of a call from a connection using a North American Numbering Plan resource or a call placed to a connection using such a numbering resource; and

“(B) through any service provided by a covered provider.

“(3) INTERMEDIATE PROVIDER.—The term ‘intermediate provider’ means any entity that—

“(A) enters into a business arrangement with a covered provider or other intermediate provider for the specific purpose of carrying, routing, or transmitting voice traffic that is generated from the placement of a call placed—

“(i) from an end user connection using a North American Numbering Plan resource; or

“(ii) to an end user connection using such a numbering resource; and

“(B) does not itself, either directly or in conjunction with an affiliate, serve as a covered provider in the context of originating or terminating a given call.”.

FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 77, S. 174.

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

The senior assistant legislative clerk read as follows:

A bill (S. 174) to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

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

Mr. WICKER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 174) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 174

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Communications Commission Consolidated Reporting Act of 2017”.

SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

“(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.

“(b) CONTENTS.—Each report required under subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment;

“(3) assess whether laws, regulations, regulatory practices, or demonstrated marketplace practices pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services; and

“(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3).

“(c) EXTENSION.—If the Senate confirms the Chairman of the Commission during the third or fourth quarter of an even-numbered year, the report required under subsection (a) may be published on the website of the Commission and submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate by March 1 of the following odd-numbered year.

“(d) SPECIAL REQUIREMENTS.—

“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall include a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).

“(e) NOTIFICATION OF DELAY IN REPORT.—If the Commission fails to publish a report by the applicable deadline under subsection (a) or (c), the Commission shall, not later than 7 days after the deadline and every 60 days thereafter until the publication of the report—

“(1) provide notification of the delay by letter to the chairperson and ranking member of—

“(A) the Committee on Energy and Commerce of the House of Representatives; and

“(B) the Committee on Commerce, Science, and Transportation of the Senate;

“(2) indicate in the letter the date on which the Commission anticipates the report will be published; and

“(3) publish the letter on the website of the Commission.”.

SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e) is repealed.

(b) SATELLITE COMPETITION REPORT.—Section 4 of Public Law 109-34 (47 U.S.C. 703) is repealed.

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103(b)(1) of the Broadband Data Improvement Act (47 U.S.C. 1303(b)(1)) is amended by striking “the assessment and report” and all that follows through “the Federal Communications Commission” and inserting “its report under section 13 of the Communications Act of 1934, the Federal Communications Commission”.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended—

(1) in paragraph (1), by striking “annually publish” and inserting “publish with its report under section 13 of the Communications Act of 1934”; and

(2) in paragraph (2), in the heading, by striking “ANNUAL”.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

(1) IN GENERAL.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 9(i), by striking “In the Commission’s annual report, the Commission shall prepare an analysis of its progress in developing such systems and” and inserting “The Commission”; and

(B) in section 309(j)(8)(B), by striking the last sentence.

(i) ADDITIONAL OUTDATED REPORTS.—

(1) IN GENERAL.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 4—

(i) in subsection (b)(2)(B)(ii), by striking “and shall furnish notice of such action” and all that follows through “subject of the waiver”; and

(ii) in subsection (g)—

(I) by striking paragraph (2); and

(II) by redesignating paragraph (3) as paragraph (2);

(B) in section 215—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b);

(C) in section 227(e)—

(i) by striking paragraph (4); and

(ii) by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively;

(D) in section 303(u)(1)(B), by striking “section 713(f)” and inserting “section 713(e)”;

(E) in section 309(j)—

(i) by striking paragraph (12);

(ii) by redesignating paragraphs (13) through (17) as paragraphs (12) through (16), respectively; and

(iii) in paragraph (14)(C), as redesignated—

(I) by striking clause (iv);

(II) by redesignating clauses (v) and (vi) as clauses (iv) and (v), respectively; and

(III) in clause (v), as redesignated, in the matter preceding subclause (I)—

(aa) by striking “clause (v)” and inserting “clause (iv)”; and

(bb) by striking “paragraph (14)” and inserting “paragraph (13)”;

(F) in section 331(b), by striking the last sentence;

(G) in section 336(e), by striking paragraph (4) and inserting the following:

“(4) REPORT.—The Commission shall annually advise the Congress on the amounts collected pursuant to the program required by this subsection.”;

(H) in section 338(k)(6)(B), by striking “section 396(k)(6)(B)” and inserting “section 396(j)(6)(B)”;

(I) in section 339(c)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(iii) in paragraph (3)(A), as redesignated, by striking “paragraph (2)” and inserting “paragraph (1)”;

(iv) in paragraph (4), as redesignated, by striking “paragraphs (2) and (4)” and inserting “paragraphs (1) and (3)”;

(J) in section 396—

(i) by striking subsections (i) and (m);

(ii) by redesignating subsections (j) through (l) as subsections (i) through (k), respectively;

(iii) in subsection (j), as redesignated—

(I) in paragraph (1), by striking subparagraph (F);

(II) in paragraph (3)(B)(iii)—

(aa) by striking subclause (V);

(bb) by redesignating subclause (VI) as subclause (V); and

(cc) in subclause (V), as redesignated, by striking “subsection (1)(4)(B)” and inserting “subsection (k)(4)(B)”;

(III) in paragraph (5), by striking “subsection (1)(3)(B)” and inserting “subsection (k)(3)(B)”;

(iv) in subsection (k), as redesignated—

(I) in paragraph (1)(B), by striking “shall be included” and all that follows through “The audit report”; and

(II) in paragraph (4)—

(aa) in subparagraph (B), by striking “subsection (k)(3)(A) (ii)(II) or (iii)(II)” and inserting “clause (ii)(II) or (iii)(II) of subsection (j)(3)(A)”;

(bb) in subparagraph (C), by striking “subsection (k)(3)(A)(iii)(III)” and inserting “subsection (j)(3)(A)(iii)(III)”;

(cc) in subparagraph (D), by striking “subsection (k)(3)(A) (ii)(III) or (iii)(II)” and inserting “clause (ii)(II) or (iii)(II) of subsection (j)(3)(A)”;

(K) in section 398(b)(4), by striking the third sentence;

(L) in section 399B(c), by striking “section 396(k)” and inserting “section 396(j)”;

(M) in section 615(1)(1)(A)(ii), by striking “section 396(k)(6)(B)” and inserting “section 396(j)(6)(B)”;

(N) in section 624A(b)(1)—

(i) by striking “REPORT; REGULATIONS” and inserting “REGULATIONS”;

(ii) by striking “Within 1 year after” and all that follows through “on means of assuring” and inserting “The Commission shall issue such regulations as are necessary to assure”;

(iii) by striking “Within 180 days after” and all that follows through “to assure such compatibility.”;

(O) in section 713—

(i) by striking subsection (a);

(ii) by redesignating subsections (b), (c), (d), (e), (f), (g), (h), and (j) as subsections (a), (b), (c), (d), (e), (f), (g), and (h), respectively;

(iii) in subsection (a), as redesignated—

(I) in the matter preceding paragraph (1), by striking “such date of enactment” and inserting “the date of enactment of the Telecommunications Act of 1996”;

(II) by striking “subsection (d)” each place that term appears and inserting “subsection (c)”;

(iv) in subsection (b), as redesignated, by striking “subsection (b)” each place that term appears and inserting “subsection (a)”;

(v) in subsection (c), as redesignated, by striking “subsection (b)” and inserting “subsection (a)”;

(vi) in subsection (e)(2)(A), as redesignated, by striking “subsection (h)” and inserting “subsection (g)”;

(vii) in subsection (f), as redesignated, by striking “subsection (e)(2)” and inserting “subsection (d)(2)”.

(2) CONFORMING AMENDMENTS.—

(A) MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.—Section 6401(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1451(b)) is amended—

(i) in paragraph (1), by striking “(15)(A)” and inserting “(14)(A)”;

(ii) in paragraph (3), by striking “section 309(j)(16)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(16)(B))” and inserting “section 309(j)(15)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(15)(B))”.

(B) TITLE 17.—Chapter 1 of title 17, United States Code, is amended—

(i) in section 114(d)(1)(B)(iv), by striking “section 396(k) of the Communications Act of 1934 (47 U.S.C. 396(k))” and inserting “section 396(j) of the Communications Act of 1934 (47 U.S.C. 396(j))”; and

(ii) in section 119(a)—

(I) in paragraph (2)(B)(ii)—

(aa) in subclause (I), by striking “section 339(c)(3)” and inserting “section 339(c)(2)”;

(bb) in subclause (II), by striking “section 339(c)(4)” and inserting “section 339(c)(3)”;

(cc) in subclause (III), by striking “section 339(c)(3) of the Communications Act of 1934 (47 U.S.C. 339(c)(3))” and inserting “section 339(c)(2) of the Communications Act of 1934 (47 U.S.C. 339(c)(2))”;

(II) in paragraph (3)(E), by striking “section 339(c)(2)” and inserting “section 339(c)(1)”;

(III) in paragraph (13), by striking “section 339(c)(2)” and inserting “section 339(c)(1)”.

SEC. 4. EFFECT ON AUTHORITY.

Nothing in this Act or the amendments made by this Act shall be construed to expand or contract the authority of the Federal Communications Commission.

SEC. 5. OTHER REPORTS.

Nothing in this Act or the amendments made by this Act shall be construed to prohibit or otherwise prevent the Federal Communications Commission from producing any additional reports otherwise within the authority of the Federal Communications Commission.

SPOOFING PREVENTION ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 117, S. 134.

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

The senior assistant legislative clerk read as follows:

A bill (S. 134) to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Spoofing Prevention Act of 2017”.

SEC. 2. DEFINITION.

In this Act, the term “Commission” means the Federal Communications Commission.

SEC. 3. SPOOFING PREVENTION.

(a) EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking “in connection with any telecommunications service or IP-enabled voice service” and inserting “or any person outside the United States if the recipient of the call is within the United States, in connection with any voice service or text messaging service”.

(2) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”;

(B) in the first sentence of subparagraph (B), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”;

(C) by striking subparagraph (C) and inserting the following:

“(C) TEXT MESSAGE.—The term ‘text message’—

“(i) means a message consisting of text, images, sounds, or other information that is transmitted from or received by a device that is identified as the transmitting or receiving device by means of a 10-digit telephone number;

“(ii) includes a short message service (commonly referred to as ‘SMS’) message, and a

multimedia message service (commonly referred to as 'MMS') message; and

“(iii) does not include—

“(I) a real-time, two-way voice or video communication; or

“(II) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in clause (ii).

“(D) TEXT MESSAGING SERVICE.—The term ‘text messaging service’ means a service that enables the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

“(E) VOICE SERVICE.—The term ‘voice service’—

“(i) means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

“(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.”.

(3) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting “MISLEADING OR” before “INACCURATE”.

(4) REGULATIONS.—

(A) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking “Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission” and inserting “The Commission”.

(B) DEADLINE.—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) DEVELOPMENT OF MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Commission, in collaboration with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

(B) existing technologies, if any, that a consumer can use to protect against such scams and other fraudulent activity.

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information, including—

(i) descriptions of how a consumer can use the technologies to protect against such scams and other fraudulent activity; and

(ii) details on how consumers can access and use the technologies; and

(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

(3) UPDATES.—The Commission shall ensure that the consumer education materials required under paragraph (1) are updated on a regular basis.

(4) WEBSITE.—The Commission shall include the consumer education materials developed under paragraph (1) on its website.

(c) GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) REQUIRED CONSIDERATIONS.—In conducting the study under paragraph (1), the Comptroller General shall examine—

(A) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(D) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the study conducted under paragraph (1), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

(1) the Telephone Consumer Protection Act of 1991 (Public Law 102-243; 105 Stat. 2394) or the amendments made by that Act; or

(2) the CAN-SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

Mr. WICKER. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 134), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

KARI'S LAW ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of Calendar No. 164, S. 123.

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

The senior assistant legislative clerk read as follows:

A bill (S. 123) to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes.

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

Mr. WICKER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 123) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 123

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Kari’s Law Act of 2017”.

SEC. 2. DEFAULT CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9-1-1.

(a) IN GENERAL.—Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end the following:

“SEC. 721. DEFAULT CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9-1-1.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘multi-line telephone system’ has the meaning given the term in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471); and

“(2) the term ‘public safety answering point’ has the meaning given the term in section 222(h).

“(b) MULTI-LINE TELEPHONE SYSTEM FUNCTIONALITY.—A person engaged in the business of manufacturing, importing, selling, or leasing multi-line telephone systems may not manufacture or import for use in the United States or sell or lease or offer to sell or lease in the United States a multi-line telephone system unless the technology of the system has the capabilities described in subsections (c) and (e).

“(c) MULTI-LINE TELEPHONE SYSTEM INSTALLATION.—A person engaged in the business of installing multi-line telephone systems serving locations in the United States may not install such a system in the United States unless, upon installation, the system allows a call that is initiated when a user dials 9-1-1 from any station equipped with dialing facilities to be transmitted to the appropriate public safety answering point—

“(1) without requiring the user to dial any additional digit, code, prefix, or post-fix, including any trunk-access code (such as the digit 9); and

“(2) regardless of whether the user is required to dial a digit, code, prefix, or post-fix described in paragraph (1) for other calls.

“(d) OTHER 9-1-1 EMERGENCY DIALING PATTERNS.—Nothing in this section shall prohibit the configuration of a multi-line telephone system so that other 9-1-1 emergency dialing patterns will also initiate a call to a

public safety answering point, provided that the dialing pattern 9-1-1 remains available to users.

“(e) ON-SITE NOTIFICATION.—

“(1) IN GENERAL.—A person engaged in the business of installing multi-line telephone systems serving locations in the United States, in installing a system described in paragraph (2) in the United States, shall configure the system so that when a person at the facility where the system is installed initiates a call to 9-1-1 using the system, the system provides a notification to—

“(A) a central location at the facility; or

“(B) a person or organization with responsibility for safety or security for the location as designated by the manager or operator of the system.

“(2) APPLICATION.—A system described in this paragraph is a multi-line telephone system that is able to be configured to provide the notification described in paragraph (1) without any improvement to the system.

“(f) REGULATIONS.—

“(1) AUTHORITY.—The Commission may prescribe regulations to carry out this section.

“(2) TECHNOLOGICALLY NEUTRAL.—Regulations prescribed under paragraph (1) shall, to the extent practicable, promote the purposes of this section in a technologically neutral manner.

“(g) ENFORCEMENT.—This section shall be enforced under title V, except that section 501 applies only to the extent that the section provides for the imposition of a fine.

“(h) EFFECT ON STATE LAW.—Nothing in this section or in regulations prescribed under this section shall be construed to prevent any State from enforcing any State law that is not inconsistent with this section.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a multi-line telephone system that is manufactured, imported, offered for first sale or lease, first sold or leased, or installed after the date that is 2 years after the date of the enactment of this Act.

DEVELOPING INNOVATION AND GROWING THE INTERNET OF THINGS ACT

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 113, S. 88.

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

The senior assistant legislative clerk read as follows:

A bill (S. 88) to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things.

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

Mr. WICKER. Mr. President, I ask unanimous consent that the Fischer substitute amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 769) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

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

Mr. WICKER. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 88), as amended, was passed.

Mr. WICKER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 101 and 102.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Neil Chatterjee, of Kentucky, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2021; and Robert F. Powelson, of Pennsylvania, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2020.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Chatterjee and Powelson nominations en bloc?

The nominations were confirmed en bloc.

Ms. MURKOWSKI. Mr. President, I want to take just a moment and thank those who have worked so hard to make sure that the Federal Energy Regulatory Commission will have a functioning quorum—and more than just having a functioning quorum, the quality of individuals we are sending to the FERC as Commissioners is truly impressive to see.

Neil Chatterjee, whom, without doubt, almost all of us on this floor know, has been working here in the Senate, working in the leader's office for years, and has been an invaluable asset to me and my staff on the Energy and Natural Resources Committee. He is extremely knowledgeable, extremely committed and dedicated, and it has been a real pleasure to work with him.

I don't know Mr. Powelson as well, but having had an opportunity to advance his name before the Energy and Natural Resources Committee for confirmation, too, I know that the expertise and the credentials he will bring to the Commission are greatly appreciated.

I think we recognize that there is much we are anxious to see happen throughout the country in a new administration where we are talking a lot about infrastructure—when we are talking about our energy assets and what we can do to help facilitate the build-out of an aging infrastructure and the add-on of new infrastructure. But in order to proceed with much of this, you have to have the FERC actually operating, working to review the permits, working through the rate-making cases. It is substantive work, it is challenging work, and it is work that has now been stacked up for months and months. So knowing that the FERC will be able to commence its operations again with a quorum is really good news today.

I think it is also important to note that the White House sent just this week two additional names—those of Mr. Glick and Mr. McIntyre. The Energy and Natural Resources Committee will be considering those in early September when we return so that, hopefully, we can get a full complement to this very important Commission.

Mr. McCONNELL. Mr. President, Richard Glick and Kevin McIntyre have been nominated by the President for positions on the Federal Energy Regulatory Commission. I understand they will be heard and marked up in tandem in September and I have told the Democratic leader that they will move as a pair across the floor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

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

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

FDA REAUTHORIZATION BILL

Mr. HATCH. Mr. President, I wish to speak on the importance of maintaining a strong Food and Drug Administration. Today we approved the user fee reauthorizations for the FDA. We have done the important work of passing these essential user fee agreements out of the committee and have now debated and passed them on the Senate floor.

The HELP Committee is filled with strong personalities. These personalities reflect the passion and diversity of opinion of millions across our nation today. While we may disagree on certain policies, most of us can agree that funding the drug, device, and biologic centers of the FDA is essential.

Our future scientific endeavors require a strong FDA that communicates openly with the industry that it regulates, and this agreement sets up protocols to achieve that goal. A strong FDA also requires clear steps for product review, and only through such deliberative actions can we bring more competition and clarity to our drugs, devices, and biologic products.

I have championed multiple provisions in this bill, but there are two I would like to highlight today. First, there is the counterfeit and diverted drug language. This language makes importation neither harder nor easier. In fact, it doesn't change importation laws at all. Rather, it protects and strengthens the drug supply chain by simply increasing penalties for criminals that choose to divert drugs into the United States or sell counterfeit drugs.

Current penalties for illegally diverting drugs in the United States change arbitrarily based on the location where the drugs are manufactured. Our bill addresses this disparity by enforcing the same penalties for diverting drugs made outside the United States as for those made inside the United States. To ensure public health and to enhance consumer confidence, it is critical that Congress eliminate these differing penalties for certain types of diversion and counterfeiting.

The second provision I wish to call attention to is a bipartisan proposal from Senators BENNET, BURR, and CASEY. These fine Senators have joined together to address how clinical trials are designed early on in their development. By offering guidance on how to include the intended patient population, especially those with rare diseases, drug sponsors can craft trials

that generate useful data for health professionals and patients to review.

This bill builds upon the success of other expanded access provisions that put the patient at the heart of the healthcare system. FDA does consummate work when reviewing products for market, but including a wider patient mix, when appropriate, will enable phase I, II, and III trials to be more complex. I strongly believe that accurately portraying the intended patient population in a clinical trial is key to ensuring that drugs are both safe and effective.

I support this bill, but I also feel compelled to speak for a moment on the OPEN ACT. While not included in the package being debated today, the provisions of the Orphan Product Extension Now Accelerating Cures and Treatments Act—a bill I introduced this Congress with Senator MENENDEZ and last Congress with Senator KLOBUCHAR—would promote new therapies for rare diseases.

New therapies are essential to help the nearly 30 million Americans suffering from a rare disease or condition. Because complex rare diseases with small patient populations have limited market potential, there are few economic incentives to develop new drugs targeting those diseases. While there are 7,000 rare diseases that impact millions of Americans, 95 percent of these diseases have no treatment. All too often, misconceptions about the dangers of exclusivities keep bipartisan measures from being introduced. We must remain focused, however, and remember that, each day we delay in getting treatments to the rare disease community, patients and their families suffer.

Drug companies possess considerable scientific knowledge on drugs that have already been approved for common diseases. Some of these drugs could be repurposed for the treatment of rare diseases. Repurposing drugs is faster, less expensive, and generally less risky than traditional drug development.

The OPEN ACT would encourage such repurposing by providing an additional 6 months of market exclusivity to drugs that are repurposed and approved by FDA for a rare disease or condition.

Finding legislative ways help medical innovators treat rare diseases has been among my top priorities for over 30 years, since I first championed the bipartisan, bicameral Orphan rug Act in 1983. The OPEN ACT is a natural next step in expanding that effort to close the gap for rare diseases for which we have yet to develop treatments. In addition to increasing the number of rare disease therapies, this legislation will boost innovation and provide safer options for rare disease patients using drugs off-label. My bill enjoys enormous support with the

backing of over 225 rare disease organizations and patient advocacy groups, not to mention overwhelming support from academic medical and research centers.

Although this provision is not in the bill before us, I have had assurances from Chairman Alexander that he will continue working with me and the cosponsors of this bill to see it become law. I have spoken to Ranking Member MURRAY in the past about it, and I remain optimistic that my colleagues share my concern for the rare disease community and are willing to advance this legislation in the future. I would like to thank the chairman and ranking member for their dedication to children and families in need.

I wish to conclude by reminding my colleagues that many of the debates that have led to the bill before us today are the culmination of years of experience. When I led the effort to pass what became Hatch-Waxman, the true impact of that law dwarfed even our loftiest hopes. Hatch-Waxman was a resounding success because Senators and Congressmen worked together to improve our country's situation and reduce barriers to market entry. This bill is vital to continuing that goal, and I am pleased to see where the negotiations have landed.

TAX REFORM

Mr. HATCH. Mr. President, last week, I joined the Senate majority leader, the Speaker of the House, the chairman of the House Ways and Means Committee, the Treasury Secretary, and the Director of the National Economic Council in issuing a joint statement on tax reform.

I ask unanimous consent that the text of the joint statement be printed in the RECORD at the conclusion of my remarks.

Since the statement's release, critics and naysayers have said quite a bit, some even going so far as to declare their opposition to the statement. That is a little odd, given that the statement is not a bill or a tax plan; it is simply a statement of agreed upon principles for tax reform.

That is not to say it was insignificant. Quite the opposite, in fact. The joint statement is an important development in the overall tax reform effort for several reasons.

For example, over the past several months, the favored tax reform narrative among some in the pundit class has been that Republicans are deeply divided. According to this narrative, Republicans in the Senate, the House, and the administration all have such fundamentally different views on tax reform that it will be impossible for us all to get on the same page.

Some of that was, to use an outdated description, pure poppycock.

When the administration puts out a framework that calls for a 15 percent

corporate tax rate while the House blueprint has a 20 percent rate target, that is not really a disagreement. Both sides want to lower the corporate rate significantly, and the general idea in both cases is to reduce the rate as much as is reasonably possible.

Admittedly, there were some key differences of opinion. At the outset of this Congress, with a newly elected Republican President, it was fair to say that the House, Senate, and White House were on different pages when it came to some aspects of tax reform.

However, with last week's release of the joint statement, the leaders in this effort—in both congressional chambers and in the executive branch—have declared that, as of now, we are singing off the same song sheet. There are, of course, details that will need to be worked out, but all parties are in agreement on the key principles and have enough confidence that the process can move forward in Congress without the fear that the House, Senate, or administration will take drastically different approaches in crafting a tax reform package.

That is very significant. I have been working on tax reform for more than 6 years now, and this is the first time that we have had anything approaching this level of unity across the various Chambers and branches of government.

Another significant marker in the joint statement is the agreement that the tax-writing committees will do the lion's share of the work in producing the actual tax reform legislation and that the leaders are committed to moving through regular order, by which I mean committee markup processes prior to floor consideration.

This is key because one of the criticisms I have heard about Republicans' tax reform efforts is that the bill is being drafted behind closed doors I have even been scolded, sometimes pointedly, over why I have not held a Finance Committee hearing on "the bill," even though there is no complete bill in place at this time.

Outside groups, some overtly aligned with the Democrats, have already put forward budget scores for the House blueprint and the President's tax framework, even though there are not enough specifics in place to score anything yet. Those scores, generated by whatever is in the imagination of the outside groups, and not based on any facts, tell tall tales. They say there will be tax cuts for the rich, big businesses and a parade of horrors. Democrats here in the Senate, as well, have spoken of the horrors of the Republican "tax plan," even though there is not a detailed plan in place. Again, the horrors represent pure fiction.

It is simply not the case that a bill is being drafted behind closed doors. It was never going to be the case. I have stated several times in recent months that I intended to have a robust and

transparent process for tax reform in the Senate. The joint statement confirms that both chambers of Congress will take that kind of approach.

The Finance Committee is already hard at work. We have been talking about specific reform proposals for months now, and every member on the majority side of the committee is ready to do the work. More broadly, the committee has been at work in a bipartisan way on tax reform for many years now.

We have a number of great members on the Finance Committee, all of whom—at least on the Republican side—are committed to working toward this effort. I will continue to gather their input with an eye toward crafting a tax reform bill and moving it through the committee this fall. Once again, the committee process is going to be robust; I intend to hold multiple hearings and full markup.

The joint statement also noted that Republican leaders hoped that our Democratic colleagues would be willing to participate in this effort.

That should be no surprise. I have been calling on my Democrat friends to work with us on tax reform for months, even years.

For months now, I have been come to the floor on multiple occasions to ask my Democratic friends to come to the table.

I held a bipartisan hearing on tax reform in the Finance Committee just a few weeks ago, where we heard from experts on both sides of the aisle.

Earlier this week, the committee had another bipartisan hearing, this one on affordable housing. Of course, most of the Federal affordable housing incentives are found in the Tax Code, meaning that issue will undoubtedly be part of the larger discussion.

These hearings are just the latest in very long line of bipartisan, tax-related hearings in the Finance Committee.

So there really shouldn't be any doubt that, when I sign onto a statement that includes a call for bipartisanship, the call is both serious and sincere.

In addition, there is quite a bit of bipartisan agreement over the policy principles noted in joint statement.

As I said here on the floor just a few weeks ago, a number of Democrats—including a number of our Senate colleagues and the two most recent Democratic Presidents—have expressed support for lowering the U.S. corporate tax rate, which is the highest in the industrialized world.

Prominent Democrats, including the distinguished minority leader, have publicly supported reforms to our international tax system in order to make American businesses more competitive and prevent erosion of our tax base.

Both of these concepts are prominently mentioned in our joint statement.

The statement also talks about tax relief for middle-class families and reduced burdens on small businesses. Democrats, last time I checked, were largely in favor of this as well.

So long story short, there is nothing in the statement, either in terms of process or policy, that should discourage a number of Democrats from getting on board with this effort.

Yet, earlier this week, every member of the Senate Democratic Caucus—except three—signed onto a letter they purported to be a call for compromise and bipartisanship. However, if you read the details of the letter, it was really a set of up-front demands peppered in between political attacks.

First and foremost, my colleagues demanded in their letter that Republicans not use budget reconciliation to move a tax reform bill.

That has been a precondition for Democratic involvement in this effort for months now, among other demands unrelated to tax reform, and, as I have said many times, it is preposterous. The demand that Republicans agree up-front to a particular process is really unprecedented and, not to put too fine a point on it, a little nonsensical.

If Democrats are willing to engage in good faith on tax reform, why would they first demand that we ensure their ability to block it from ever even coming to the floor before they would be willing to engage on the substance? The logic is a little dizzying, to say the least.

On top of that, if reconciliation remains on the table, why would that stop Democrats from agreeing on the substance?

Obviously, budget reconciliation gives the majority the tools it needs to move legislation—under specified rules and conditions—without the threat of a filibuster, but nothing in the rules requires reconciliation to be partisan. In fact, historically speaking, tax bills moved through reconciliation tend to get bipartisan support. For example, the so-called Bush Tax Cuts of 2001 and 2003 were passed through reconciliation; yet there were both Republicans and Democrats voting in favor of the package.

Recent history shows that working together on the substance of policy is not precluded by the existence of a reconciliation instruction.

In 2009, with a reconciliation instruction in place, Senate Republicans in the Finance Committee participated in the healthcare reform process, with hearings, roundtables, and bipartisan discussion groups, before we were shut out of the final ObamaCare bill. Republicans did not operate as though there was a prerequisite of no reconciliation before discussion could occur.

In 2013, with a \$1 trillion tax-hike reconciliation instruction in place, Senate Republicans in the Finance Committee participated in discussions

that produced 10 bipartisan tax option papers; we participated in what was called a blank slate approach to tax reform; and we participated in discussion draft conversations. Republicans did not operate as though there was a prerequisite of no reconciliation before discussion could occur.

Now, our friends on the other side are critical of us when we follow the path they, themselves, took. They are insisting that we do what they would not do when similarly situated. They are not participating on the same constructive basis we did when we were in their place. From their leader on down, they act as if the past does not exist or that we are ignorant of it. Before applying too clever a rhetorical lash to those on this side, my friends on the other side should heed the advice of Lord Byron: "Keep thy smooth words and juggling homilies for those who know thee not."

If Democrats will work with us to reach agreement on the substance of tax reform, the process by which it moves through the Senate shouldn't really be a concern. Any implication that the process will necessarily dictate the substance is misleading.

Ideally, the tax reform process would be bipartisan, particularly here in the Senate. That would be the best-case scenario for the effort.

In a perfect world, reconciliation would not be necessary.

For that to happen, the Democrats would have to be willing to engage in a reasonable manner. In my view, opening the discussion with a demand that Republicans unilaterally disarm and commit to not using the tools we have under the rules of the Senate—the very tools that have been used by both sides in the past—smacks of disingenuousness. If they are truly willing to engage constructively on these efforts—and I hope they are—we should begin by talking about the substance, not dealing with process demands.

I hope that what we are seeing is positing. I hope that my Democratic colleagues will recognize the significance of the unity expressed in last week's joint statement and get on board for what will hopefully be a historic effort.

If they do not, Republicans should be willing to use the tools at our disposal to move tax reform without Democratic support. That would include reconciliation.

The majority leader has indicated that he is willing to go that way. I am willing to go that way as well.

However, to get us to the point, a number of things have to happen, not the least of which is the passage of budget resolution. For now, I am focusing on the substantive policies and proposals, and I will keep working with my colleagues on the Finance Committee to deliver on the tasks we were charged in the joint statement.

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

[July 27, 2017]

JOINT STATEMENT ON TAX REFORM

WASHINGTON.—Today, House Speaker Paul Ryan (R-WI), Senate Majority Leader Mitch McConnell (R-KY), Treasury Secretary Steven Mnuchin, National Economic Council Director Gary Cohn, Senate Finance Committee Chairman Orrin Hatch (R-UT), and House Ways and Means Committee Chairman Kevin Brady (R-TX) issued the following joint statement on tax reform:

"For the first time in many years, the American people have elected a President and Congress that are fully committed to ensuring that ordinary Americans keep more of their hard-earned money and that our tax policies encourage employers to invest, hire, and grow. And under the leadership of President Trump, the White House and Treasury have met with over 200 members of the House and Senate and hundreds of grassroots and business groups to talk and listen to ideas about tax reform.

"We are all united in the belief that the single most important action we can take to grow our economy and help the middle class get ahead is to fix our broken tax code for families, small business, and American job creators competing at home and around the globe. Our shared commitment to fixing America's broken tax code represents a once-in-a-generation opportunity, and so for three months we have been meeting regularly to develop a shared template for tax reform.

"Over many years, the members of the House Ways and Means Committee and the Senate Finance Committee have examined various options for tax reform. During our meetings, the Chairmen of those committees have brought to the table the views and priorities of their committee members. Building on this work, as well as on the efforts of the Administration and input from other stakeholders, we are confident that a shared vision for tax reform exists, and are prepared for the two committees to take the lead and begin producing legislation for the President to sign.

"Above all, the mission of the committees is to protect American jobs and make taxes simpler, fairer, and lower for hard-working American families. We have always been in agreement that tax relief for American families should be at the heart of our plan. We also believe there should be a lower tax rate for small businesses so they can compete with larger ones, and lower rates for all American businesses so they can compete with foreign ones. The goal is a plan that reduces tax rates as much as possible, allows unprecedented capital expensing, places a priority on permanence, and creates a system that encourages American companies to bring back jobs and profits trapped overseas. And we are now confident that, without transitioning to a new domestic consumption-based tax system, there is a viable approach for ensuring a level playing field between American and foreign companies and workers, while protecting American jobs and the U.S. tax base. While we have debated the pro-growth benefits of border adjustability, we appreciate that there are many unknowns associated with it and have decided to set this policy aside in order to advance tax reform.

"Given our shared sense of purpose, the time has arrived for the two tax-writing committees to develop and draft legislation that will result in the first comprehensive tax reform in a generation. It will be the responsibility of the members of those committees to produce legislation that achieves the goals shared broadly within Congress,

the Administration, and by citizens who have been burdened for too long by an outdated tax system. Our expectation is for this legislation to move through the committees this fall, under regular order, followed by consideration on the House and Senate floors. As the committees work toward this end, our hope is that our friends on the other side of the aisle will participate in this effort. The President fully supports these principles and is committed to this approach. American families are counting on us to deliver historic tax reform. And we will."

FDA REAUTHORIZATION BILL

Mr. REED. Mr. President, today, the Senate passed the Food and Drug Administration Reauthorization Act of 2017, FDARA, to reauthorize user fees and other programs at the FDA to ensure that new, safe, and effective treatments get to patients in need as quickly as possible to save lives and greatly increase quality of life. While I have long preferred that Congress appropriate funding to the FDA for this purpose to avoid any conflicts of interest, I have supported user fee bills and will do so again today, as it represents a bipartisan pathway for timely drug approvals. I am pleased that this legislation increases the amount of funding that drug and device companies will contribute to the approval process. However, I am disappointed that this legislation does not address drug pricing in a comprehensive way, as I have long advocated. I will continue to work with my colleagues to press for Senate action on this critical issue.

FDARA includes a number of key provisions I worked on to improve the pipeline for new pediatric drugs and devices. In particular, this legislation will reauthorize funding for critical pediatric programs such as pediatric clinical trials at the National Institutes of Health and the Pediatric Device Consortia grants under the FDA. In addition, this legislation will spur more pediatric drug development because of critical reforms to require drug companies to begin consideration of pediatric studies earlier in the drug development process. FDARA also takes important steps to spur drug development for and better consideration of the needs of neonates, recognizing that treatments for infants must be considered differently than for teenagers.

Having worked for many years to improve access to care for children with cancer and childhood cancer survivors, I am also pleased to support the bill's new requirements for more pediatric studies on treatments for cancer. These provisions are designed to spur new and better treatments for children suffering from cancer. However, I believe that we should be making these changes to support new treatments for all diseases impacting children, not just those with cancer. While we were unable to go that far in this bill, we were able to add a study of this issue.

I look forward to seeing the results and working with my colleagues to expand these requirements in subsequent legislation. I am also concerned that this legislation does nothing to limit the ability of drug companies to benefit from exemptions from current pediatric study requirements. I filed an amendment to FDARA to close the most egregious of these loopholes in which a drug company can technically be exempted from pediatric study requirements because the treatment would only be used for a rare pediatric condition. I would hope that my colleagues on both sides of the aisle could agree that this loophole must be closed.

FDARA is an important step forward and an example of strong bipartisan health legislation in this Congress. I hope that we can continue this work, and not return to the partisan efforts to repeal the Affordable Care Act that occupied this body for much of the year.

Mr. MENENDEZ. Mr. President, I am pleased the Senate advanced H.R. 2430, the FDA Reauthorization Act. This bipartisan, bicameral legislation ensures Americans will continue to have access to safe medications and the FDA has the tools they need to continue our Nation's approval process remains the gold standard. I am also pleased to see tropical disease priority review voucher state that a sponsor qualifies for a neglected tropical disease priority review voucher under existing law until September 30, 2017, so long as they submit at least one portion of a human drug application by that date.

I would like to ask Senator ISAKSON if it is our intention to allow for sponsors who have been working in good faith with the Food and Drug Administration on a human drug application for a product that addresses a neglected tropical disease to qualify for a priority review voucher, as long as they begin a rolling submission to the agency by September 30, 2017?

Mr. ISAKSON. Mr. President, as my colleague Senator MENENDEZ indicated, the intent of the language in the FDA Reauthorization Act is this: so long as the submission process for a given product is begun by the sponsor on or before September 30, 2017, the product would qualify for a priority review voucher under the neglected tropical disease priority review voucher program.

Mr. MENENDEZ. Mr. President, I thank my colleague, Senator ISAKSON, for clarifying the language. It is important to provide this clarity to ensure products, for which at least one portion of the application is submitted in accordance with Section 506(d) of the Food, Drug & Cosmetic Act by September 30, 2017, qualify for the vouchers under current law.

CONFIRMATION OF MARVIN KAPLAN

Mr. VAN HOLLEN. Mr. President, I voted in opposition to the nomination of Marvin Kaplan to the National Labor Relations Board, NLRB. The NLRB has an important responsibility to resolve labor disputes, protect worker rights, and ensure fair access to collective bargaining. Mr. Kaplan does not have experience arguing the law before the NLRB; rather, he has a history of working to erode its authority to protect the workforce.

As a staffer on the House Committee on Education and the Workforce, Mr. Kaplan has worked on legislation to overturn key NLRB decisions and delay and distort the union election process. He has provided no assurance that he would recuse himself from issues pertaining to his prior work that might lead to bias. Throughout his career, he has pursued policies that would undermine worker protections. He should not be appointed to a board that is charged with safeguarding them.

President Trump has repeatedly promised to put the American worker first. The NLRB has a key role to ensure a fair deal for workers. It is unfortunate that the President's nominees for the Board have not demonstrated a commitment to that mission.

227TH ANNIVERSARY OF THE UNITED STATES COAST GUARD

Mr. NELSON. Mr. President, on August 4, the U.S. Coast Guard will celebrate its 227th anniversary. On this special occasion, I want to commend the men and women of the Coast Guard for their valiant service on, under, and over our Nation's high seas and waters.

They have a proud history.

Most Americans know the Coast Guard for its orange and white helicopters, fast small boats, cutters, and rescue swimmers, but they probably don't know that the Coast Guard is one of our country's oldest institutions of the U.S. Government.

On August 4, 1790, President George Washington signed the Tariff Act, authorizing construction of the first 10 cutters of what would eventually become the Coast Guard. They were known as the revenue cutters, and their original mission was to enforce tariffs and trade laws and to prevent smuggling. For more than a hundred years, the cutters and their crew operated under the names Revenue Marine Service and the Revenue Cutter Service. Not until 1915, when Congress merged the Revenue Cutter Service and the U.S. Life-Saving Service, did the Coast Guard get its name.

Over time, the Coast Guard has become synonymous with saving those in peril on the sea. Their wide red bar and narrow blue bar, canted at 64 degrees, will always be a sign of assistance to mariners in danger.

Today, in times of peace, the Coast Guard operates as a part of the Department of Homeland Security, performing its 11 critical, statutory missions.

Right now, there are courageous young men and women aboard buoy tenders and icebreakers, ensuring our waterways remain open for commerce. Fast response cutters patrol the seas, enforcing the law and conducting search-and-rescue missions. Small boat stations enforce our laws while educating the public on safe-boating practices. As a ready and capable partner to a multitude of Federal, State, and local agencies, the Coast Guard does so much more, from responding to oil spills to combating drug trafficking.

In times of war or at the direction of the President, the Coast Guard valiantly serves as part of the Navy Department.

As you can see, the Coast Guard is a small but mighty organization. As ranking member of the Commerce Committee, I have had the privilege to meet many of the men and women of our Coast Guard and see their valuable work firsthand.

Through all the passing decades, some things about the Coast Guard have always been the same: the service's proud tradition and the skill and professionalism of its men and women whose sacrifices contribute to protecting our national security. The Coast Guard's core values of honor, respect, and devotion to duty are evident in everything it does. As the Coast Guard motto says, *Semper Paratus*, it is always ready for the call.

I want to congratulate and express our sincere gratitude to the men and women of the Coast Guard on 227 outstanding years of exemplary service to our Nation.

100TH ANNIVERSARY OF THE 88TH REGIONAL SUPPORT COMMAND

Ms. BALDWIN. Mr. President, today I wish to honor the 100th anniversary of the 88th Regional Support Command. I am humbled to recognize the men and women who are bravely fighting for our country's freedom.

The 88th Regional Support Command, RSC, began as the 88th Infantry Division, ID. Organized in August 1917 at Camp Dodge, IA, the members of the "Cloverleaf Division" fought among the Allied Forces in the Alsace Campaign. They returned home following the war, and the Army demobilized the unit in June 1919.

Three years later, the 88th reformed within the Organized Reserve, with headquarters in Minneapolis and subordinate units elsewhere in Minnesota, Iowa, and North Dakota. The 88th ID mobilized in 1942 to serve the United States in World War II. It was one of the first units comprised solely of

drafted soldiers. Despite a lack of experience, the 88th quickly gained a reputation as an effective unit of well-trained soldiers, which the Germans referred to as the "Blue Devils."

The 88th ID fought on the front lines during the 1944 Italian campaign. Its arrival provided much-needed relief to the allied soldiers fighting on the Italian front. Led by Major General John E. Sloan, the 88th was the first division to enter the newly liberated Rome. After 100 straight days of activation, the Blue Devils were finally scheduled to receive a much-needed respite from the war. However, MG Sloan quickly instituted a training regimen that kept his soldiers in fighting condition, and they were ordered to head north to combat the Germans and provide support for American soldiers in Northern Italy.

For 344 days, the 88th Infantry fought to protect our American values during World War II. At the beginning of the war, MG Sloan promised, "the glory of the colors will never be sullied, as long as one man of the 88th still lives." Although many lives were lost, the 88th Infantry Division was deactivated in October 1947, having fulfilled MG Sloan's promise.

In April 1996, the 88th ID was redesignated as the 88th RSC. Headquartered in Fort McCoy, WI, the 88th RSC provides logistical and administrative support for Army Reserve soldiers. Whether they are providing training logistics, equipment maintenance or medical support, the members of the 88th RSC are making a difference for servicemen and servicewomen from Wisconsin all the way to the Pacific Coast.

Today the 88th ID lives on through the 88th Regional Support Command. Having fought in the Vietnam war, Operation Desert Shield/Storm, Bosnia, Kosovo, Operation Enduring Freedom, and Operation Iraqi Freedom, the soldiers of the 88th RSC continue to support the more than 55,000 U.S. Army Reserve soldiers, families, and civilians across the United States. I am proud to recognize 100 years of their remarkable service and accomplishments.

REMEMBERING RICHARD DUDMAN

Ms. COLLINS. Mr. President, Richard Dudman, one of our Nation's most esteemed journalists, passed away at his Maine home last night. I rise today in tribute to a great American reporter and engaged citizen.

After serving in the Merchant Marine and U.S. Navy Reserve during World War II, Mr. Dudman began his journalism career at the Denver Post in 1945 and joined the St. Louis Post-Dispatch 4 years later. In his more than three decades at the Post-Dispatch, he covered Fidel Castro's Cuban revolution, the assassination of President John F. Kennedy, the Bay of Pigs invasion, the Watergate and Iran-Contra

scandals, as well as armed conflicts from the Middle East and Asia to Central and South America.

In 1970, while covering the Vietnam war, Mr. Dudman was captured by the Viet Cong and held prisoner in Cambodia, a harrowing experience he wrote about in his acclaimed book, "Forty Days With the Enemy." In 1981, on his last day as Washington bureau chief for the Post-Dispatch, he ran up Connecticut Avenue to cover the attempted assassination of President Ronald Reagan. For some of the most momentous events of the second half of the 20th Century, Richard Dudman wrote the first draft of history.

After retiring and moving to Ellsworth and Little Cranberry Island in Maine, Mr. Dudman continued to contribute to the Post-Dispatch and wrote more than 1,000 editorials for the Bangor Daily News. Among his many accolades are the prestigious George Polk Career Award in Journalism and induction into the Maine Press Association Hall of Fame.

Mr. Dudman combined his journalistic professionalism with a spirit of serving others. In 2014, he and his wife, Helen, were presented with the Golden Eagle Award from the Boy Scouts of America for their commitment to community service, a quality that ran through their remarkable 69 years of marriage.

In this time of sorrow, I offer my deep condolences to Helen and their family. I hope they will find comfort in Richard's inspiring legacy and in a life well-lived. It has been said that we all have a birth date and a death date, with a dash in between. It is what we do with our dash that counts. Richard Dudman's dash was extraordinarily long, and he made it count. He filled it with passion, professionalism, and dedication. May his memory inspire us all to do the same.

TRIBUTE TO CHIEF MASTER SERGEANT ROBERT "TREY" WALKER

Mr. BOOZMAN. Mr. President, today I wish to recognize and congratulate a tremendous airman, CMSgt Robert "Trey" Walker, on his recent promotion to the highest enlisted rank within the U.S. Air Force, effective August 1, 2017. Selection for chief master sergeant is extremely competitive, as only 1 percent of the Air Force's entire enlisted population may hold the pay grade of E-9 at any time. Chief Walker clearly epitomizes the finest qualities of a military leader, as evidenced by his distinguished career and elevation to the highest enlisted level of leadership within the Air Force.

Chief Master Sergeant Walker entered the U.S. Air Force on September 11, 1996, as a voice network systems specialist and was later selected for retraining into the field of imagery intelligence. Chief Walker's honorable serv-

ice has spanned numerous overseas and stateside assignments including four European countries, two States, and the Nation's Capital. He has also completed several deployments in support of Operations Desert Fox, Northern Watch, and Enduring Freedom. Chief Walker currently serves as the deputy chief of strategic basing and force structure in the Office of the Secretary of the Air Force's legislative liaison directorate.

Chief Master Sergeant Walker has chosen to repeatedly lead his airmen by example. Despite years of challenging work schedules and countless military obligations, Chief Walker elected to make his education a priority. Since 2005, he has earned two associate degrees, a bachelor's degree, two master's degrees, and a graduate-level certificate. Furthermore, Chief Walker's outstanding performance has garnered numerous accolades, including the 548th ISR Group's Lance P. Sijan Leadership Award, the Non-commissioned Officer Academy's Distinguished Graduate Award, the Senior Noncommissioned Officer Academy's Distinguished Graduate Award and Academic Achievement Award.

As a true testament to Chief Master Sergeant Walker's exceptional career, he was selected to represent the U.S. Air Force on Capitol Hill as its sole enlisted legislative fellow in 2016. I was fortunate to have Chief Walker spend the year in my office as an integral part of Team BOOZMAN and was pleased with his professionalism, character, and devotion to duty. His tireless efforts were critical to the passage and implementation of Public Law 144-292, the Combat-Injured Veterans Tax Fairness Act of 2016. Moreover, Chief Walker led a bipartisan effort to protect the Defense Department's basic allowance for housing by educating 18 Senators on the impact for military members. Finally, he played a key role in the successful execution of the Senate Air Force Caucus agenda by increasing service engagement opportunities with Members of Congress.

Chief Walker, congratulations on your well-deserved promotion and successful career thus far. I am so proud of your many accomplishments and wish the very best for you and your family in the future.

ADDITIONAL STATEMENTS

REMEMBERING RICHARD "DICK" GORDON, JR.

● Mr. BOOZMAN. Mr. President, today I wish to recognize the life and legacy of Arkansas World War II veteran and civic activist Richard "Dick" Gordon, Jr., who recently passed away.

Dick dedicated his life to regional conservation and civic issues. He encouraged involvement in local government and leaves behind a legacy as a respected community leader.

His father, Colonel Richard Gordon, Sr., a decorated WWI and WWII veteran, set an example that his son followed. During World War II, the younger Gordon served as second lieutenant in the Army's 13th Field artillery unit, 24th Infantry Division, and earned recognition for his service to our country.

As a community leader in the Fort Smith area, Dick made a big impact on numerous agencies and projects. He championed veterans' issues and helped address public school issues with the help of the parent teacher association. He formed the public awareness committee in Fort Smith, which allowed residents to interact more with government officials.

Dick helped develop a bird sanctuary in conjunction with the Audubon Society earning him the nickname "The Bird Man."

Additionally, Dick was active in the Fort Smith Parks and Recreation Department and the U.S. Forest Service. He used these platforms to help bring environmental consciousness to Arkansas.

His civic involvement and willingness to help the community made Dick a well-respected community leader, even though he never held elected office. Then-Fort Smith Mayor Bill Vines made Dick an honorary city director.

My thoughts and prayers are with his family and friends as they mourn his loss, but I know that they are also incredibly proud of the legacy that Dick leaves behind.●

TRIBUTE TO SPENCER M. HOULDIN

● Mr. MURPHY. Mr. President, today I wish to recognize Spencer M. Houldin of Roxbury, CT, as he nears the end of his term as the 112th chairman of the Independent Insurance Agents & Brokers of America, also known as the Big I. Spencer was installed as chairman of the Big I in September 2016, becoming the youngest person to serve as chairman in the association's 120-year history. Throughout his term, even when he and I disagreed, Spencer was always a thoughtful and dedicated advocate for independent insurance agents.

Prior to becoming the chairman, Spencer often served as a leader in the independent agency system. He chaired the Big I national Government Affairs Committee in 2009 and served as the president of the Connecticut Big I association in 2004. In these leadership positions, Spencer consistently promoted an environment where independent agents, in both Connecticut and across the country, could both thrive in their business and represent their customers with the highest quality of care.

Spencer has consistently served his community in Connecticut. He resides in Roxbury, CT, with his wife, Carol, and two sons, Chandler and Carter. Spencer is president of Ericson Insurance Services in Washington Depot,

CT, where he has 25 years of experience as a personal insurance advisor, working alongside his brother Peter. He currently sits on the board of the Western Connecticut Health Network, which is comprised of Danbury Hospital, Norwalk Hospital, and New Milford Hospital. He has been involved with the health network in various capacities over the past 20 years. He recently co-chaired a \$72 million capital campaign for Danbury and New Milford Hospitals. In July 2017, Litchfield Magazine named Spencer one of Litchfield County, Connecticut's 25 most influential people.

Today, I am pleased to join Spencer's colleagues from across Connecticut and the Nation in congratulating him as he finishes his term as chairman of the Big I.●

100TH ANNIVERSARY OF THE MINNESOTA-DAKOTAS KIWANIS DISTRICT CONVENTION

● Mr. ROUNDS. Mr. President, today I wish to recognize the 100th anniversary of the Minnesota-Dakotas Kiwanis District Convention.

Founded in 1915, Kiwanis International is a global organization of volunteers dedicated to serving the children of the world. With a motto of "One Child and one Community at a time," Kiwanis members dedicate more than 18 million volunteer hours and invest more than \$107 million in projects that strengthen communities and serve children. These projects include helping shelter the homeless, feeding the hungry, mentoring the disadvantaged, caring for the sick, developing the youth as leaders, building playgrounds, raising funds for pediatric research, and much more.

Today the Minnesota-Dakotas District of Kiwanis has over 4,000 members. With a club slogan of "Serving the children of the World," the chapter supports a range of programs, including Kiwanis Kids—elementary students—Builder's Club—middle school students—Key Club—high school students—and Circle K—college students. In addition, the chapter supports Aktion clubs for adults with disabilities. These programs allow our youth and adults to build character, leadership skills and learn more about themselves and their communities.

I congratulate the Kiwanis International Minnesota-Dakotas District of Kiwanis International on their 100th convention and thank them for their leadership and dedication to children and to their communities. May they continue to thrive for the 100 years to come.●

REMEMBERING ELIJAH "YOCKIE" DELEE

● Mr. SCOTT. Mr. President, today I would like to take a moment to recog-

nize and honor the life of a great South Carolinian and American veteran, Mr. Elijah "Yockie" DeLee, who departed this life on July 20, 2017.

Elijah was a lifelong resident of Dorchester County, SC, where he worked tirelessly as a beloved deacon at Surprise Baptist Church. He was drafted into the Vietnam war shortly after graduating high school and showed perseverance until he was honorably discharged. He possessed an entrepreneurial spirit and followed his passion for drag racing to help open South Carolina's first minority-owned dragway: Dorchester Dragway. He continued his business endeavors with the opening of DeLee One Trucking Company, still a staple in Dorchester today. In success, Elijah always exemplified respect, humility, and generosity.

For many in Dorchester, he will be remembered for his relentless spirit, tenacity for life, and heart for people. He never met a stranger and was always eager to lend a helping hand. Yockie loved and adored his family, and next to God and his faith, they were always his top priority in life. He was a true provider, mediator, demonstrator, and imitator of Godly character. He will surely be missed among family, friends, and the community of Dorchester as a great American and South Carolinian.●

150TH ANNIVERSARY OF NEW LIGHT BEULAH BAPTIST CHURCH

● Mr. SCOTT. Mr. President, I would like to congratulate and honor New Light Beulah Baptist Church in Hopkins, SC, for their 150th anniversary, which will be celebrated on August 11 to 13, 2017.

New Light Beulah Baptist Church was established in 1867 when 665 African-American members of Beulah Baptist Church chose to separate from the White members and began independent rule. Despite the sanctuary burning to the ground in 1916, the church thrived and expanded. Since then, several other churches have been formed out of New Light Beulah Baptist. In 2015, the members accepted Dr. Malcolm Taylor as their pastor, and over 360 members call New Light Beulah their place of worship today.

In August 2017, New Light Beulah Baptist Church will be the first African-American church in the lower Richland community to be registered in the National Register of Historic Places. The church has remained committed to its mission, and I encourage all South Carolinians to recognize the rich history of the church and its contribution to the Palmetto State. I acknowledge and celebrate the church's 150 years of independence as a congregation faithfully serving their community.●

REMEMBERING HORACE MERRILL

• Mr. SHELBY. Mr. President, today I wish to honor the life of Horace Sellers Merrill of Micaville, AL, who passed away on February 17, 2017. He will be remembered as a dedicated public servant who worked faithfully for the citizens of Alabama. He was committed to bettering his community and State through his public service and involvement in the community.

Mr. Merrill began a career with the Dixie Mines Mica Mining Company in the late 1950s before entering Alabama politics. In 1964, he was elected circuit clerk of Cleburne County, a position he held for 12 years. Following his term as circuit clerk, Mr. Merrill was elected probate judge and chairman of the Cleburne County Commission, where he served for 6 years.

Mr. Merrill will be remembered for his leadership in completing the Alabama welcome center and rest area on Interstate 20, as well as his efforts to utilize the Dyne Creek watershed to service the citizens of Cleburne County with a countywide water system.

Outside of his professional career, Mr. Merrill was a very active member of his community. He served as president of the Lions Club, the Jaycees, and the local Athletics Boosters Club. In his earlier years, Mr. Merrill was an accomplished athlete. He lettered in both baseball and football and then attended Southern Union Junior College on an athletic scholarship. He later served as the announcer for Little League and junior high football games in Cleburne County and helped organize the first youth baseball program in Heflin.

Additionally, Mr. Merrill was a longtime member in the Cleburne Baptist Association, serving as an officer and pastor of several churches. A member of Heflin Baptist Church for more than 50 years, Mr. Merrill served as a deacon, a Sunday school teacher, Sunday school superintendent, church training director, and sanctuary choir member.

Horace's many accomplishments and contributions to the State of Alabama will long be remembered. He touched the lives of many over the years, and he will be greatly missed.

I offer my deepest condolences to Horace's wife, Mary, and to all of their loved ones as they celebrate his life and mourn this great loss.●

RECOGNIZING THE NORTHWEST MONTANA CHAPTER OF VIETNAM VETERANS OF AMERICA

• Mr. TESTER. Mr. President, today I wish to honor the Vietnam Veterans of America and the work Mr. John Burgess and the local Flathead Valley chapter has done on behalf of his fellow veterans of the Vietnam war.

During that war, more than 2.5 million Americans fought bravely in service to their country. While more than

58,000 of those men and women gave the ultimate sacrifice, many more endured and are still here with us today. However, it has not been an easy road for these veterans. For far too long, veterans of the Vietnam war have received neither the recognition nor the benefits that they truly deserved.

As ranking member of the Senate Veterans' Affairs Committee, it has been my honor to fight for legislation that rectifies this oversight like the Blue Water Navy Vietnam Veterans Act that would allow veterans who served in the waters offshore during the Vietnam war to also be eligible for service-connected disability benefits as a result of agent orange exposure. I have also proudly sponsored the Toxic Exposure Research Act which increases research into the health conditions of descendants of veterans who were exposed to toxins during their military service, particularly those exposed to the herbicide agent orange during the Vietnam war.

Honoring these veterans takes more than just legislation; it takes dedicated people who are committed to telling their stories and honoring those who have served. The local northwest Montana chapter of the Vietnam Veterans of America in the Flathead Valley, which now has more than 100 members, has been an important partner working to ensure veterans who fought in the Vietnam war are receiving the care, honor, and distinction they have earned.

The Vietnam Veterans of America has become an invaluable part of the community, hosting bingo events at the Montana veterans home, providing residents and staff with an annual picnic, helping with many ceremonies, and working with the Flathead Valley Community College Veterans with a scholarship for veteran students.

John Burgess and the northwest Montana chapter of the Vietnam Veterans of America are carrying on this legacy of service September 7 to 10 with the arrival of the traveling Vietnam veterans memorial wall in Kalispell. Through "Bringing the Wall that Heals," countless Vietnam veterans and their families will be presented with an opportunity to find peace and closure while honoring those we have lost in service. This special event helps mark the 35th anniversary of the Vietnam Veterans Memorial.

On Veterans Day of 1996, the Vietnam Veterans Memorial Fund unveiled a half-scale replica of the Vietnam Veterans Memorial in Washington, DC, designed to travel to communities throughout the United States. Since its dedication, the "Wall That Heals" has visited more than 400 cities and towns throughout the Nation, spreading the memorial's healing legacy to millions.

To John, the northwest Montana chapter of the Vietnam Veterans of

America and all those who dedicated their lives to this country in service, on behalf of myself, Montana, and our Nation, I extend my greatest thanks for your enduring bravery, service, and self-sacrifice.●

TRIBUTE TO GEORGE S. HAERLE

• Mr. YOUNG. Mr. President, today I wish to recognize, with the highest respect, the service and life of George Shepard Haerle for his dedication to serving Indiana and the Nora Community Council, NCC. Over the course of NCC's 50-year history, George has volunteered 47 years of his own to leave an indelible mark on the Nora community. The great State of Indiana is proud of and ever thankful for George's distinguished commitment and exemplary service.

Since its founding, the Nora Community Council has covered 12 square miles with 25,000 to 28,000 Hoosier residents, including 60 local neighborhoods under the civic umbrella. As a chairman of the NCC, George commits hundreds of hours each year to promote growth, development, and the general welfare of the Nora community.

George Haerle's renowned service was rightfully recognized on July 29, 2017, when Governor Eric Holcomb bestowed upon him Indiana's most prestigious designation, a Sagamore of the Wabash. George follows in the footsteps of his father, Rudolf K. Haerle, who was also recognized as a Sagamore of the Wabash for his contributions to the State as the first president of the Civil War Round Table and a former longtime member of the Library Board of the Indiana Historical Society.

George has not only been a role model for the NCC, but he has also been an outstanding advocate for the community of Nora-Northside. His remarkable service is exceeded only by his devotion to his amazing family, including 7 daughters, 1 son, and 18 grandchildren. On behalf of myself and all Hoosiers, for his selfless and lifelong commitment, George is worthy of the highest praise. I feel truly privileged to have him as a fellow and lifelong Hoosier.●

90TH ANNIVERSARY OF BOY SCOUT TROOP NO. 533

• Mr. YOUNG. Mr. President, it is my great pleasure to pause and recognize the accomplishments of Boy Scout Troop No. 533 from my home State of Indiana. For the past 90 years, Boy Scout Troop No. 533 in Munster, IN, has been instilling the values of respect, honesty, and leadership in young Hoosiers that have had a lasting impact on our State. I am very proud of troop No. 533 for all of their service over the past 90 years and applaud their dedication to bettering their community.

Boy Scout Troop No. 533 was formed in 1927 by Munster native Mr. Muary

Kraay when he was in eighth grade. Since its founding, troop No. 533 has been active in their community. During World War II, the Boy Scouts organized parades and rallies for war bonds, planted community gardens, practiced blackout drills, and participated in wartime recycling programs. On June 14, 1947, when President Coolidge dedicated Wicker Park in Highland, IN, troop No. 533 was there to welcome him. The Boy Scouts also had a crucial role during the September 2008 flooding of the Little Calumet River. In anticipation of the flood, troop No. 533 assisted in filling sandbags, and after the flood, they assisted in yard cleanup and regravelling driveways. Over the past 90 years, Boy Scout Troop No. 533 has produced over 100 Eagle Scouts, one of the highest levels of honor a Boy Scout can achieve.

I would like to thank Boy Scout Troop No. 533 for their 90 years of outstanding public service. On behalf of all Hoosiers, congratulations on your 90th anniversary. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1757. A bill to strengthen border security, increase resources for enforcement of immigration laws, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. 1359. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes (Rept. No. 115-144).

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

S. 1057. A bill to amend the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, and for other purposes (Rept. No. 115-145).

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

S. 870. A bill to amend title XVIII of the Social Security Act to implement Medicare payment policies designed to improve management of chronic disease, streamline care coordination, and improve quality outcomes without adding to the deficit (Rept. No. 115-146).

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

S. 1393. A bill to streamline the process by which active duty military, reservists, and veterans receive commercial driver's licenses.

S. 1532. A bill to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Jay Patrick Murray, of Virginia, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

*Jay Patrick Murray, of Virginia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

*Michael Arthur Raynor, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Ethiopia.

Nominee: Raynor, Michael Arthur.

Post: Ethiopia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Raynor, Kathleen M.: None.
3. Children and Spouses: Raynor, Bradley J.—None; Raynor, Emma C.—None.
4. Parents: Raynor, Albert P.—Deceased; Raynor, Margaret B.—Deceased.
5. Grandparents: Raynor, Albert B.—Deceased; Raynor, Hazel P.—Deceased; Bradley, William—Deceased; Bradley, Beatrice M.—Deceased.
6. Brothers and Spouses: Raynor, Gregory P.—None; Raynor, Geoffrey B.—Deceased.
7. Sisters and Spouses: Raynor, Catherine L.—None.

*Maria E. Brewer, of Indiana, a Career Member of the Senior Foreign Service, Class

of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sierra Leone.

Nominee Maria E. Brewer.

Post Freetown, Sierra Leone.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.
2. Spouse: Mark A. Brewer: None.
3. Children and Spouses: Arina N. Brewer: None.
4. Parents: William C. and Maria E. Pallick: None.
5. Grandparents: Gregorio and Domitila Lerma: Deceased; John and Mary Pallick: Deceased.
6. Brothers and Spouses: William C. and Margaret Pallick: None.
7. Sisters and Spouses: N/A.

*John P. Desrocher, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Democratic Republic of Algeria.

Nominee: John Desrocher.

Post: Embassy Algiers.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: Karen Rose: none.
3. Children and Spouses: N/A.
4. Parents: Mary Desrocher, none; Roy Desrocher—deceased.
5. Grandparents: Clifford Desrocher—deceased; Lilian Desrocher—deceased; Peter Grant—deceased; Florence Grant—deceased.
6. Brothers and Spouses: Michael Desrocher: none.
7. Sisters and Spouses: Victoria Merecki: none; James Merecki: none.

By Mr. GRASSLEY for the Committee on the Judiciary.

Peter E. Deegan, Jr., of Iowa, to be United States Attorney for the Northern District of Iowa for the term of four years.

Marc Krickbaum, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years.

Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General.

D. Michael Dunavant, of Tennessee, to be United States Attorney for the Western District of Tennessee for the term of four years.

Louis V. Franklin, Sr., of Alabama, to be United States Attorney for the Middle District of Alabama for the term of four years.

Jessie K. Liu, of Virginia, to be United States Attorney for the District of Columbia for the term of four years.

Richard W. Moore, of Alabama, to be United States Attorney for the Southern District of Alabama for the term of four years.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. WHITEHOUSE (for himself and Mr. PORTMAN):

S. 1732. A bill to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology; to the Committee on Finance.

By Mr. VAN HOLLEN (for himself, Mr. CARPER, and Mr. BLUMENTHAL):

S. 1733. A bill to require the Secretary of Transportation to revise regulations relating to oversold flights to prohibit the forcible removal of passengers from such flights, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL:

S. 1734. A bill to improve the regulatory process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRAHAM (for himself, Mr. BOOKER, Mr. WHITEHOUSE, and Mr. BLUMENTHAL):

S. 1735. A bill to limit the removal of a special counsel, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself, Mr. BOOZMAN, and Mr. STRANGE):

S. 1736. A bill to amend the Consolidated Farm and Rural Development Act to adjust limitations on certain Farm Service Agency guaranteed and direct loans; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. MURPHY):

S. 1737. A bill to amend certain appropriations Acts to repeal the requirement directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York; to the Committee on Environment and Public Works.

By Mr. WARNER (for himself, Mr. ISAKSON, Mr. CARDIN, Mr. GRASSLEY, Mr. BENNET, Mr. PORTMAN, Ms. KLOBUCHAR, Mr. ROBERTS, Mr. BLUMENTHAL, Mr. PERDUE, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. COCHRAN, Mr. BROWN, Mr. WICKER, Ms. BALDWIN, Mr. KING, and Mr. COONS):

S. 1738. A bill to amend title XVIII of the Social Security Act to provide for a home infusion therapy services temporary transitional payment under the Medicare program; to the Committee on Finance.

By Mr. MURPHY:

S. 1739. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to any benefit thereunder shall continue through the month of his or her death (without affecting any other person's entitlement to benefits for that month) and that such individual's benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date of such individual's death; to the Committee on Finance.

By Mr. PAUL:

S. 1740. A bill to provide guidance and priorities for Federal Government obligations

in the event that the debt limit is reached and to provide a limited and temporary authority to exceed the debt limit for priority obligations; to the Committee on Finance.

By Mr. TILLIS (for himself and Mr. COONS):

S. 1741. A bill to ensure independent investigations by allowing judicial review of the removal of a special counsel, and for other purposes; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. BROWN, Ms. BALDWIN, Mr. WHITEHOUSE, Mr. LEAHY, Mr. MERKLEY, Mr. REED, Mr. FRANKEN, and Mr. BOOKER):

S. 1742. A bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 55 to 64 to buy into Medicare; to the Committee on Finance.

By Mr. BENNET:

S. 1743. A bill to amend the Internal Revenue Code of 1986 to create tax incentives for coal community zones, to provide education and training opportunities for individuals living and working in coal communities, and for other purposes; to the Committee on Finance.

By Ms. BALDWIN (for herself and Mr. PERDUE):

S. 1744. A bill to require the Securities and Exchange Commission to amend certain regulations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TILLIS (for himself and Mr. BURR):

S. 1745. A bill to revise the boundaries of a John H. Chafee Coastal Barrier Resources System Unit in Topsail, North Carolina; to the Committee on Environment and Public Works.

By Mr. LEE (for himself, Mr. BLUNT, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. INHOFE, Mr. JOHNSON, Mr. LANKFORD, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, and Mr. WICKER):

S. 1746. A bill to require the Congressional Budget Office to make publicly available the fiscal and mathematical models, data, and other details of computations used in cost analysis and scoring; to the Committee on the Budget.

By Mr. NELSON:

S. 1747. A bill to authorize research and recovery activities to provide for the protection, conservation, and recovery of the Florida manatee, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. NELSON):

S. 1748. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH:

S. 1749. A bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance; to the Committee on Finance.

By Mr. HATCH:

S. 1750. A bill to protect American job creation by striking the Federal mandate on employers to offer health insurance; to the Committee on Finance.

By Mr. DONNELLY (for himself, Mr. TOOMEY, Mr. MANCHIN, Mr. COTTON, and Mr. PETERS):

S. 1751. A bill to modify the definitions of a mortgage originator, a high-cost mortgage, and a loan originator; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER (for himself, Mr. FLAKE, Mr. RISCH, and Mr. HATCH):

S. 1752. A bill to amend the Healthy Forests Restoration Act of 2003 to expedite wildfire prevention projects to reduce the risk of wildfire on certain high-risk Federal land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HELLER (for himself and Mr. MENENDEZ):

S. 1753. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself, Mr. TESTER, Mr. COCHRAN, Mr. MANCHIN, Mr. DAINES, Ms. HARRIS, and Mr. BOOZMAN):

S. 1754. A bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 1755. A bill to amend title 18, United States Code, to prohibit unsafe operation of unmanned aircraft, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself, Mrs. FISCHER, Mrs. CAPITO, and Mrs. ERNST):

S. 1756. A bill to improve the processes by which environmental documents are prepared and permits and applications are processed and regulated by Federal departments and agencies, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. BARASSO, Mr. JOHNSON, Mr. TILLIS, Mr. HELLER, Mr. SCOTT, and Mr. INHOFE):

S. 1757. A bill to strengthen border security, increase resources for enforcement of immigration laws, and for other purposes; read the first time.

By Mr. BOOKER:

S. 1758. A bill to amend the Fair Credit Reporting Act to provide requirements for landlords and consumer reporting agencies relating to housing court records, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HIRONO (for herself and Mr. BOOZMAN):

S. 1759. A bill to amend title 38, United States Code, to extend authorities relating to homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL:

S. 1760. A bill for the relief of Marco Antonio Reyes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRUZ (for himself and Mr. LEAHY):

S. Res. 245. A resolution calling on the Government of Iran to release unjustly detained United States citizens and legal permanent resident aliens, and for other purposes; to the Committee on Foreign Relations.

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

S. Res. 246. A resolution designating the first week in August 2017 as "World Breastfeeding Week", and designating August 2017 as "National Breastfeeding Month"; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BENNETT, Mr. ISAKSON, and Ms. KLOBUCHAR):

S. Res. 247. A resolution designating July 29, 2017, as "Paralympic and Adaptive Sport Day"; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI):

S. Res. 248. A resolution expressing the sense of the Senate that flowers grown in the United States support the farmers, small businesses, jobs, and economy of the United States, that flower farming is an honorable vocation, and designating July as "American Grown Flower Month"; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. LANKFORD):

S. Res. 249. A resolution designating September 2017 as "National Child Awareness Month" to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 66

At the request of Mr. HELLER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 66, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 116

At the request of Mr. HELLER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 116, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 130

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 130, a bill to require enforcement against misbranded milk alternatives.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Massa-

chusetts (Mr. MARKEY) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 266

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

S. 384

At the request of Mr. BLUNT, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 393

At the request of Mr. SCOTT, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 405

At the request of Mr. COONS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 448

At the request of Mr. BROWN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 474

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 515

At the request of Mr. CASEY, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 515, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 527

At the request of Mr. BLUNT, the name of the Senator from West Vir-

ginia (Mrs. CAPITO) was added as a cosponsor of S. 527, a bill to improve access to emergency medical services, and for other purposes.

S. 534

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 534, a bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 581

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 581, a bill to include information concerning a patient's opioid addiction in certain medical records.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 625

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 625, a bill to preserve the integrity of American elections by providing the Attorney General with the investigative tools to identify and prosecute foreign agents who seek to circumvent Federal registration requirements and unlawfully influence the political process.

S. 654

At the request of Mr. TOOMEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 754

At the request of Mr. Kaine, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 754, a bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline.

S. 756

At the request of Mr. SULLIVAN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from

Florida (Mr. RUBIO) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 756, a bill to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 835

At the request of Mr. MURPHY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 835, a bill to require the Supreme Court of the United States to promulgate a code of ethics.

S. 926

At the request of Mrs. ERNST, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

S. 967

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1002

At the request of Mr. MORAN, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1113

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1198

At the request of Ms. WARREN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1198, a bill to protect individuals who are eligible for increased pension under laws administered by the Secretary of Veterans Affairs on the basis of need of regular aid and attendance from dishonest, predatory, or otherwise unlawful practices, and for other purposes.

S. 1201

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1201, a bill to allow individuals living in areas without qualified health plans offered through an Exchange to have similar access to health insurance coverage as Members of Congress and congressional staff.

S. 1307

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1307, a bill to amend the Internal Revenue Code of 1986 to expand eligibility to receive refundable tax credits for coverage under a qualified health plan.

S. 1311

At the request of Mr. CORNYN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

S. 1312

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Arizona (Mr. MCCAIN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Maine (Ms. COLLINS) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1312, a bill to prioritize the fight against human trafficking in the United States.

S. 1357

At the request of Ms. BALDWIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1357, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic family care services in Medicaid.

S. 1369

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1369, a bill to amend the Internal Revenue Code of 1986 to establish an excise tax on certain prescription drugs which have been subject to a price spike, and for other purposes.

S. 1413

At the request of Mr. COONS, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1413, a bill to authorize the Secretary of Education

to award grants to establish teacher leader development programs.

S. 1513

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1513, a bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. 1568

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1595

At the request of Mr. RUBIO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1616

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 1616, a bill to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

At the request of Mr. ROBERTS, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Missouri (Mr. BLUNT), the Senator from New Jersey (Mr. BOOKER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Ohio (Mr. BROWN), the Senator from North Carolina (Mr. BURR), the Senator from Washington (Ms. CANTWELL), the Senator from West Virginia (Mrs. CAPITO), the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER), the Senator from Pennsylvania (Mr. CASEY), the Senator from Louisiana (Mr. CASSIDY), the Senator from Delaware (Mr. COONS), the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Arkansas (Mr. COTTON), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. DONNELLY), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Illinois (Mr. DURBIN), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Arizona (Mr. FLAKE), the Senator from Minnesota (Mr. FRANKEN), the Senator from Colorado (Mr. GARDNER), the Senator from New York (Mrs. GILLIBRAND), the Senator from South Carolina (Mr. GRAHAM), the Senator from California

(Ms. HARRIS), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Nevada (Mr. HELLER), the Senator from Hawaii (Ms. HIRONO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Virginia (Mr. Kaine), the Senator from Louisiana (Mr. KENNEDY), the Senator from Maine (Mr. KING), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Utah (Mr. LEE), the Senator from West Virginia (Mr. MANCHIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Missouri (Mrs. McCASKILL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Connecticut (Mr. MURPHY), the Senator from Florida (Mr. NELSON), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Michigan (Mr. PETERS), the Senator from Ohio (Mr. PORTMAN), the Senator from Rhode Island (Mr. REED), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), the Senator from Vermont (Mr. SANDERS), the Senator from Nebraska (Mr. SASSE), the Senator from Hawaii (Mr. SCHATZ), the Senator from New York (Mr. SCHUMER), the Senator from South Carolina (Mr. SCOTT), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Michigan (Ms. STABENOW), the Senator from Alabama (Mr. STRANGE), the Senator from Alaska (Mr. SULLIVAN), the Senator from Montana (Mr. TESTER), the Senator from South Dakota (Mr. THUNE), the Senator from North Carolina (Mr. TILLIS), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from New Mexico (Mr. UDALL), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Virginia (Mr. WARNER), the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Mississippi (Mr. WICKER) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 1616, *supra*.

S. 1624

At the request of Mr. UDALL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1624, a bill to prohibit the use of chlorpyrifos on food, and for other purposes.

S. 1666

At the request of Mr. BLUMENTHAL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1666, a bill to direct the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child

safety alert system, and for other purposes.

S. 1693

At the request of Mr. PORTMAN, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. 1697

At the request of Mr. GRAHAM, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from Maryland (Mr. CARDIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Delaware (Mr. COONS), the Senator from Florida (Mr. NELSON) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 1697, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 1697, *supra*.

S. 1706

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Delaware (Mr. CARPER), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1706, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1729

At the request of Mr. ROBERTS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1729, a bill to amend title XVIII of the Social Security Act to provide for independent accreditation for dialysis facilities and assurances of high quality surveys.

S. RES. 195

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Res. 195, a resolution recognizing June 20, 2017, as "World Refugee Day".

AMENDMENT NO. 329

At the request of Ms. BALDWIN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 329 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 527

At the request of Mr. LEAHY, the name of the Senator from Massachu-

setts (Ms. WARREN) was added as a cosponsor of amendment No. 527 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 528

At the request of Mr. LEAHY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 528 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 529

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 529 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 592

At the request of Mr. DURBIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 750

At the request of Mr. WHITEHOUSE, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 750 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. TESTER, Mr. COCHRAN, Mr. MANCHIN, Mr. DAINES, Ms. HARRIS, and Mr. BOOZMAN):

S. 1754. A bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Madam President, I rise today to introduce legislation with my colleague from Montana, Senator TESTER, that would extend an important program to fund Teaching Health Centers, which support the health and well-being of families in rural and medically underserved communities. I am pleased that Senators COCHRAN, MANCHIN, DAINES, HARRIS, and BOOZMAN, have joined us as cosponsors.

In the background of the health care debate, there is another crisis that looms. We are facing a severe shortage of doctors. By 2025, we will need more than 100,000 new primary care doctors to meet the growing demand for health care services across the Country. The shortage is especially critical in rural and underserved communities, which are often those that have been hit hardest by the opioid epidemic. The most significant shortages are in family medicine, general internal medicine, pediatrics, obstetrics and gynecology, psychiatry, and dentistry.

These shortages have reached crisis levels in many places. In clinics and health centers in Aroostook County, Maine's northernmost county where I grew up, I hear stories about vacancies forcing Mainers to travel many miles simply to see a primary care doctor or dentist.

For the past six years, one program, the Teaching Health Centers Graduate Medical Education Program, has worked to fill these gaps. This program helps to train medical residents in community-based settings, including low-income, underserved rural and urban neighborhoods. For example, since 2011, the Penobscot Community Health Care Center has trained 31 residents and served more than 15,000 dental patients in Bangor, Maine.

We need to meet people in the communities in which they live and work. This program is training the next generation of physicians, and has produced real results. When compared with traditional Medicare graduate medical education residents, those who train at teaching health centers are significantly more likely to practice primary care and remain in underserved or rural communities. The numbers speak for themselves: 82 percent of Teaching Health Center, or THC, residents choose to practice primary care, compared to 23 percent of traditional Medicare Graduate Medical Education residents; and 55 percent of THC residents choose to remain in underserved communities, compared to 26 percent of traditional Medicare GME residents.

Teaching health centers are serving Americans from coast to coast. A total of 742 THC residents are serving in 27 states and the District of Columbia. The program is competitive, and trains the best of the best. For each residency position, THC programs receive more than 100 applications. In 2017, THC residents and faculty will provide more than one million primary care medical visits to underserved communities.

Teaching Health Centers have demonstrated a record of success, and it is imperative that we support them. Our legislation would reauthorize the Teaching Health Centers Graduate Medical Education Program for three years. It would also allow new programs to expand within existing centers and the creation of entirely new teaching health centers.

This bill is widely supported by leading community health and physician organizations, including the American Association of Teaching Health Centers, National Association of Community Health Centers, American Academy of Family Physicians, American Association of Colleges of Osteopathic Medicine, American Osteopathic Association, American Council of OB/GYNs, Society of Teachers of Family Medicine, and Council of Academic Family Medicine. We have also received letters of support from teaching health centers in Maine, Montana, Tennessee, Iowa, Oklahoma, North Carolina, California, Mississippi, Pennsylvania, Washington, Texas, Connecticut, New York, Illinois, Massachusetts, and Idaho.

In the face of nationwide physician shortages, our legislation would provide a solution for communities today and a path forward to train the physicians of tomorrow. I urge all of my colleagues to join in support of this important legislation, the Training the Next Generation of Primary Care Doctors Act of 2017.

Ms. COLLINS. Madam President, I ask unanimous consent that the letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

PENOBSCOT COMMUNITY HEALTH CARE,
August 2, 2017.

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

DEAR SENATOR COLLINS: On behalf of Penobscot Community Health Care's General Practice Dental Residency program, a Teaching Health Center training 3-6 residents a year (with over 28 residents trained since 2011) and serving 15,000 dental patients in Bangor, Maine, I want to express our appreciation for your relentless efforts to develop legislation to continue funding and expand the Teaching Health Center Graduate Medical Education (THCGME) program. We know that you and your staff have worked long and hard with multiple stakeholder organizations, including the American Association of Teaching Health Centers, to create the best possible legislation that will fund

adequately this vital program for at least another three years and provide for expansion to additional medically underserved areas of our country.

THCs currently train more than 742 residents nationally and are providing more than a million patient visits in underserved rural and urban communities. The continuation of this program is vital in all of the communities they are located, and preserving this program is critical to the health of hundreds of thousands around the country. This investment of federal funding in the THCGME program, coupled with private, nonfederal resources, guarantees that every dollar is used exclusively for primary care training, all in community-based settings. Residents trained in community-based settings are three times more likely than traditionally trained residents to practice primary care in a community based setting ensuring that doctors trained in these settings remain in communities where they are needed most.

Penobscot Community Health Care appreciates your leadership on this important issue and is pleased to support your legislation, which is helping to address the doctor and dentist shortage that plagues so many communities, both urban and rural. You have always championed Community Health Centers, and concurrently Teaching Health Centers, recognizing the need for accessible, affordable health care for all no matter if you live in Caribou, Maine or New York City.

Thank you for your tireless efforts and leadership in the United States Senate as you strive to preserve and improve health care for all Americans.

Sincerely,
KENNETH SCHMIDT, MPA,
President and CEO.

RESURRECTION FAMILY MEDICINE,
Memphis, TN, August 1, 2017.
Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of Resurrection Health Family Medicine Residency, a Teaching Health Center training 25 residents and providing 15,000 patient visits per year in Memphis, TN, I write to express our appreciation for your relentless efforts to develop legislation to continue funding and expand the Teaching Health Center Graduate Medical Education (THCGME) program. We know that you and your staff have worked long and hard with multiple stakeholder organizations, including the American Association of Teaching Health Centers, to create the best possible legislation that will fund adequately this vital program for at least another three years and provide for expansion to additional medically underserved areas of our country.

THCs currently train more than 742 residents nationally and are providing more than a million patient visits in underserved rural and urban communities. The continuation of this program is vital in all of the communities they are located and preserving this program is critical to the health of hundreds of thousands around the country. This investment of federal funding in the THCGME program, coupled with private, nonfederal resources, guarantees that every dollar is used exclusively for primary care training, all in community-based settings. Residents trained in community-based settings are three times more likely than traditionally trained residents to practice primary care in a community based setting ensuring that doctors trained in these settings

remain in communities, where they are needed most.

Resurrection Health Family Medicine Residency appreciates your leadership on this important issue and is pleased to support your legislation, which is helping to address the doctor shortage that plagues so many communities, both urban and rural.

Sincerely,

JEREMY CRIDER, MD,
Residency Director.

—
THE AMERICAN CONGRESS OF
OBSTETRICIANS AND GYNECOLOGISTS,
Washington, DC, August 3, 2017.

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

Hon. JON TESTER,
U.S. Senate,
Washington, DC.

DEAR SENATORS COLLINS AND TESTER: The American Congress of Obstetricians and Gynecologists (ACOG), with more than 58,000 physicians and partners dedicated to advancing women's health, is pleased to endorse the Training the Next Generation of Primary Care Doctors Act of 2017. Your bill would help improve access for women in rural and underserved areas to timely, high quality health care by training primary care physicians, including obstetrician-gynecologists.

Today, women living in half of all US counties are in areas without an ob-gyn, including one of Maine's 16 counties, and 35 of Montana's 56 counties. Furthermore, the ob-gyn workforce is aging and a large number of ob-gyns are retiring at a time when the female population is expected to increase 36% by 2050. ACOG projects an ob-gyn shortage of 18% by 2030.

Your bill will help alleviate these workforce challenges by ensuring the Teaching Health Center Graduate Medical Education (THCGME) program can continue to train ob-gyns and other primary care physicians in an efficient and effective manner. Community-based THCGME medical training programs are critical to filling workforce shortages, as physicians trained through this program are more likely to practice in underserved communities. According to the Health Resources and Services Administration (HRSA), primary care residents trained in community-based settings are three times more likely to practice in an underserved community-based setting. An investment in THCGME to improve access to care in rural and underserved communities has a long-term impact positive impact.

Thank you for introducing this legislation to improve access to high quality care for women. Should you have any questions or if we can be of assistance in any way, please contact Mallory Schwarz, ACOG Federal Affairs Manager.

Sincerely,

HAYWOOD L. BROWN, MD, FACOG,
President.

—
AMERICAN OSTEOPATHIC ASSOCIATION,
Washington, DC, August 3, 2017.

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

Hon. JON TESTER,
U.S. Senate,
Washington, DC.

DEAR SENATORS COLLINS AND TESTER: On behalf of the American Osteopathic Association (AOA) and the nearly 130,000 osteopathic physicians and osteopathic medical students we represent, thank you for introducing the "Training the Next Generation of Primary

Care Doctors Act of 2017." This important bipartisan legislation renews the commitment to the continued development of the Teaching Health Centers Graduate Medical Education (THCGME) program to help ensure a robust primary care workforce in our nation's rural and underserved communities. We are grateful for your leadership on this critical issue.

The THCGME program is a vital source of training for primary care residents to help expand access to care in rural and underserved communities throughout the country. These programs, located in 59 teaching health centers in 27 states, currently train 742 residents in much-needed primary care fields including family medicine, internal medicine, pediatrics, obstetrics and gynecology, psychiatry, geriatrics, and dentistry. The majority of these programs are accredited by the AOA or are dually accredited (DO/MD) programs, supporting nearly 800 osteopathic resident physicians through their training since the program began. And true to the intent of the THCGME program, residents who train in these programs are far more likely to practice primary care and remain in the communities in which they have trained.

As osteopathic physicians, we are trained in a patient-centered, hands-on approach to care that focuses on the whole person, including the physical, mental, and psychosocial aspects of health. Our training and philosophy includes a strong emphasis on primary care—in fact, approximately half of all osteopathic physicians practice in primary care specialties. Given this strong presence in primary care, osteopathic medicine aligns naturally with the mission and goals of the THCGME program that has proven successful in helping address the existing gaps in our nation's primary care workforce.

Your legislation provides much-needed stability through continued funding for the THCGME program, and also creates a pathway for the expansion of existing centers as well as the creation of entirely new teaching health centers. We deeply appreciate your commitment to training the future of the primary care workforce and thank you for introducing this important legislation. The AOA and our members stand ready to assist you in securing its enactment into law.

Sincerely,

MARK A. BAKER, DO,
President.

—
COUNCIL OF ACADEMIC
FAMILY MEDICINE,
Washington, DC, August 3, 2017.

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

Hon. JON TESTER,
U.S. Senate,
Washington, DC.

DEAR SENATORS COLLINS AND TESTER: On behalf of the Council of Academic Family Medicine (CAFM), including the Society of Teachers of Family Medicine, Association of Departments of Family Medicine, Association of Family Medicine Residency Directors, the North American Primary Care Research Group, we thank you for introducing the Training the Next Generation of Primary Care Doctors Act of 2017. This legislation is an important step to providing sustainable funding and growth for a critical program that helps address the primary care physician shortage in our country. We appreciate your leadership on this issue and give you our whole-hearted support for the legislation.

To help sustain this important program the proposed legislation provides suitable funding for current Teaching Health Center Graduate Medical Education (THCGME) programs to help address the crisis-level shortage of primary care physicians. The funding level included in the bill will allow for a per resident amount to be paid for training that is on par with the Health Resources and Services Administration (HRSA) funded study identifying a median cost of approximately \$157 thousand per trainee. Evidence shows that the THC program graduates are more likely to practice in rural and medically underserved communities. We are pleased that the proposed legislation supports ten new THC programs, with a priority for those serving rural and medically underserved populations and areas, recognizing the importance of growing this successful program.

The Council on Graduate Medical Education (COGME), an advisory body empaneled by Congress, has urged Congress to continue of the THCGME program stating that "THCGME programs deliver excellent value in physician training," and that the program encourages training in "delivery systems that emphasize team-based care in Patient Centered Medical Homes that maximize quality at a moderate cost"; Additionally, the Institute of Medicine (IOM), [now National Academy of Medicine] in a 2014 report identified the THCGME program as helping meet the need for primary care physicians, especially those who provide care to underserved populations and worthy of a permanent funding source.

The current authorization for this vital program expires at the end of this fiscal year. Without legislative action, the expiration of this program would mean an exacerbation of the primary care physician shortage, and a lessening of support for training in underserved and rural areas. We are grateful to you both for your exceptional leadership in supporting and sustaining this vital program by introducing this bill and helping to shepherd it toward enactment.

The CAFM organizations and our members are pleased to work with you to secure this legislation's enactment.

Sincerely,

STEPHEN A WILSON, MD,
President, Society of
Teachers of Family
Medicine.

VALERIE GILCHRIST, MD,
President, Association
of Departments of
Family Medicine.

KAREN B MITCHELL, MD,
President, Association
of Family Medicine
Residency Directors.

WILLIAM HOGG, MD,
President, North
American Primary
Care Research
Group.

—
RIVERSTONE HEALTH,
Billings, MT, August 2, 2017.

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

DEAR SENATOR COLLINS: On behalf of the Montana Family Medicine Residency and RiverStone Health Clinic, one of the nation's original eleven teaching health centers training 24 family medicine residents and serving over 15,000 residents or Yellowstone and Carbon County, NIT, I want to express our appreciation for your relentless efforts to develop legislation to continue funding

and expand the Teaching Health Center Graduate Medical Education (THCGME) program. We know that you and your staff have worked long and hard with multiple stakeholder organizations, including the American Association of Teaching Health Centers and the National Association of Community Health Centers, to create the best possible legislation that will fund adequately this vital program for at least another three years and provide for expansion to additional medically underserved areas of our country.

THCs currently train more than 742 residents nationally and are providing more than a million patient visits in underserved rural and urban communities. The continuation of this program is vital in all of the communities they are located and preserving this program is critical to the health of hundreds of thousands around the country, particularly those who lack access to healthcare absent their local community health center and its providers. This investment of federal funding in the THCGME program, coupled with private, nonfederal resources, guarantees that every dollar is used exclusively for primary care training, all in community-based settings.

Residents trained in community-based settings are three times more likely than traditionally trained residents to practice primary care in a community based setting ensuring that doctors trained in these settings remain in communities where they are needed most. Some 70% of our residency's over 100 graduates practice in MT, a state with widespread provider shortage areas and multiple counties with no medical care provider at all.

RiverStone Health and Montana Family Medicine Residency appreciate your leadership on this important issue and are pleased to support your legislation, which is helping to address the doctor shortage that plagues so many communities, both urban and rural.

Sincerely,

JOHN FELTON, MPH, MBA, FACHE,
President & CEO / Health Officer.

By Mr. CORNYN (for himself, Mr. BARRASSO, Mr. JOHNSON, Mr. TILLIS, Mr. HELLER, Mr. SCOTT, and Mr. INHOFE):

S. 1757. A bill to strengthen border security, increase resources for enforcement of immigration laws, and for other purposes; read the first time.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1757

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Building America’s Trust Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—BORDER SECURITY

Sec. 101. Definitions.

Subtitle A—Infrastructure and Equipment

Sec. 102. Strengthening the requirements for barriers along the southern border.

Sec. 103. Air and marine operations flight hours.

Sec. 104. Capability deployment to specific sectors and regions.

Sec. 105. U.S. Border Patrol physical infrastructure improvements.

Sec. 106. U.S. Border Patrol activities.

Sec. 107. U.S. Border Patrol forward operating bases.

Sec. 108. Border security technology program management.

Sec. 109. Authority to acquire leaseholds.

Sec. 110. National Guard support to secure the southern border and reimbursement of States for deployment of the National Guard at the southern border.

Sec. 111. Operation Phalanx.

Sec. 112. Merida Initiative.

Sec. 113. Prohibitions on actions that impede border security on certain Federal land.

Sec. 114. Landowner and rancher security enhancement.

Sec. 115. Limitation on land owner's liability.

Sec. 116. Eradication of carrizo cane and salt cedar.

Sec. 117. Prevention, detection, control, and eradication of diseases and pests.

Sec. 118. Exemption from government contracting and hiring rules.

Sec. 119. Transnational criminal organization illicit spotter prevention and detection.

Sec. 120. Southern border threat analysis.

Subtitle B—Personnel

PART I—INCREASES IN IMMIGRATION AND LAW ENFORCEMENT PERSONNEL

Sec. 131. Additional U.S. Customs and Border Protection agents and officers.

Sec. 132. U.S. Customs and Border Protection hiring and retention incentives.

Sec. 133. Anti-Border Corruption Reauthorization Act.

Sec. 134. Additional U.S. Immigration and Customs Enforcement personnel.

Sec. 135. Other immigration and law enforcement personnel.

PART II—JUDICIAL RESOURCES

Sec. 141. Judicial resources for border security.

Sec. 142. Reimbursement to State and local prosecutors for federally initiated, immigration-related criminal cases.

Subtitle C—Grants

Sec. 151. State criminal alien assistance program.

Sec. 152. Operation Stonegarden.

Sec. 153. Grants for identification of victims of cross-border human smuggling.

Sec. 154. Grant accountability.

Subtitle D—Authorization of Appropriations

Sec. 161. Authorization of appropriations.

TITLE II—EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING

Sec. 201. Ports of entry infrastructure.

Sec. 202. Secure communications.

Sec. 203. Border Security Deployment Program.

Sec. 204. Pilot and upgrade of license plate readers at ports of entry.

Sec. 205. Biometric technology.

Sec. 206. Biometric exit data system.

Sec. 207. Sense of Congress on cooperation between agencies.

Sec. 208. Authorization of appropriations.

TITLE III—DOMESTIC SECURITY AND INTERIOR ENFORCEMENT

Subtitle A—General Matters

Sec. 301. Ending catch and release for repeat immigration violators and criminals aliens.

Sec. 302. Deterring visa overstays.

Sec. 303. Increase in immigration detention capacity.

Sec. 304. Collection of DNA from criminal and detained aliens.

Sec. 305. Collection, use, and storage of biometric data.

Sec. 306. Pilot program for electronic field processing.

Sec. 307. Ending abuse of parole authority.

Sec. 308. Stop Dangerous Sanctuary Cities Act.

Sec. 309. Reinstatement of the Secure Communities program.

Sec. 310. Prevention and deterrence of fraud in obtaining relief from removal.

Subtitle B—Protecting Children and America’s Homeland Act of 2017

Sec. 320. Short title.

Sec. 321. Repatriation of unaccompanied alien children.

Sec. 322. Expedited due process and screening for unaccompanied alien children.

Sec. 323. Child welfare and law enforcement information sharing.

Sec. 324. Accountability for children and taxpayers.

Sec. 325. Custody of unaccompanied alien children in formal removal proceeding.

Sec. 326. Fraud in connection with the transfer of custody of unaccompanied alien children.

Sec. 327. Notification of States and foreign governments, reporting, and monitoring.

Sec. 328. Emergency immigration judge resources.

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- Subtitle C—Visa Cancellation and Revocation**
- Sec. 541. Cancellation of additional visas.
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- Subtitle D—Secure Visas Act**
- Sec. 551. Short title.
- Sec. 552. Authority of the Secretary of Homeland Security and Secretary of State.
- Subtitle E—Other Matters**
- Sec. 561. Requirement for completion of background checks.
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- Sec. 564. Appropriate remedies for immigration litigation.
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- Sec. 601. Lawful permanent residents as applicants for admission.
- Sec. 602. Date of admission for purposes of adjustment of status.
- Sec. 603. Precluding asylee and refugee adjustment of status for certain grounds of inadmissibility and deportability.
- Sec. 604. Precluding refugee adjustment of status for persecutors and human rights violators.
- Sec. 605. Removal of condition on lawful permanent resident status prior to naturalization.
- Sec. 606. Prohibition on terrorists and aliens who pose a threat to national security or public safety from receiving an adjustment of status.
- Sec. 607. Treatment of applications for adjustment of status during pending denaturalization proceedings.
- Sec. 608. Extension of time limit to permit rescission of permanent resident status.
- Sec. 609. Barring persecutors and terrorists from registry.
- Subtitle B—Prohibition on Naturalization and United States Citizenship**
- Sec. 621. Barring terrorists from becoming naturalized United States citizens.
- Sec. 622. Terrorist bar to good moral character.
- Sec. 623. Prohibition on judicial review of naturalization applications for aliens in removal proceedings.
- Sec. 624. Limitation on judicial review when agency has not made decision on naturalization application and on denials.
- Sec. 625. Clarification of denaturalization authority.
- Sec. 626. Denaturalization of terrorists.
- Sec. 627. Treatment of pending applications during denaturalization proceedings.
- Sec. 628. Naturalization document retention.
- Subtitle C—Forfeiture of Proceeds From Passport and Visa Offences, and Passport Revocation**
- Sec. 631. Forfeiture of proceeds from passport and visa offenses.
- Sec. 632. Passport Revocation Act.
- TITLE VII—OTHER MATTERS**
- Sec. 701. Other Immigration and Nationality Act amendments.
- Sec. 702. Exemption from the Administrative Procedure Act.
- Sec. 703. Exemption from the Paperwork Reduction Act.
- Sec. 704. Ability to fill and retain DHS positions in U.S. territories.
- Sec. 705. Severability.
- Sec. 706. Funding.
- TITLE VIII—TECHNICAL AMENDMENTS**
- Sec. 801. References to the Immigration and Nationality Act.
- Sec. 802. Title I technical amendments.
- Sec. 803. Title II technical amendments.
- Sec. 804. Title III technical amendments.
- Sec. 805. Title IV technical amendments.
- Sec. 806. Title V technical amendments.
- Sec. 807. Other amendments.
- Sec. 808. Repeals; construction.
- Sec. 809. Miscellaneous technical corrections.
- SEC. 2. DEFINITIONS.**
- In this Act:
- (1) **NORTHERN BORDER.**—The term “northern border” means the international border between the United States and Canada.
- (2) **SOUTHERN BORDER.**—The term “southern border” means the international border between the United States and Mexico.
- TITLE I—BORDER SECURITY**
- SEC. 101. DEFINITIONS.**
- In this title:
- (1) **APPROPRIATE CONGRESSIONAL COMMITTEE.**—The term “appropriate congressional committee” has the meaning given the term in section 2(2) of the Homeland Security Act of 2002 (6 U.S.C. 101(2)).
- (2) **COMMISSIONER.**—The term “Commissioner” means the Commissioner of U.S. Customs and Border Protection.
- (3) **HIGH TRAFFIC AREAS.**—The term “high traffic areas” has the meaning given that term in section 102(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by section 102 of this Act.
- (4) **SITUATIONAL AWARENESS.**—The term “situational awareness” has the meaning given that term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 6 U.S.C. 223(a)(7)).
- Subtitle A—Infrastructure and Equipment**
- SEC. 102. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.**
- Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1103 note) is amended—
- (1) by amending subsection (a) to read as follows:
- “(a) **IN GENERAL.**—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to the detection of illegal entrants) to construct, install, deploy, operate, and maintain tactical infrastructure and border technology in the vicinity of the United States border to deter, impede, and detect illegal activity in high traffic areas.”;
- (2) in subsection (b)—
- (A) in the subsection heading, by striking “FENCING” and inserting “**PHYSICAL BARRIERS**”;
- (B) in paragraph (1)—
- (i) in subparagraph (A), by inserting “situational awareness and” before “operational control”; and
- (ii) by amending subparagraph (B) to read as follows:
- “(B) **TACTICAL INFRASTRUCTURE.**—
- “(i) **IN GENERAL.**—Not later than January 20, 2021, the Secretary of Homeland Security, in carrying out subsection (a), shall deploy the most practical and effective tactical infrastructure available along the United States border for achieving situational awareness and operational control.
- “(ii) **TACTICAL INFRASTRUCTURE DEFINED.**—In this subparagraph, the term ‘tactical infrastructure’ includes—
- “(I) boat ramps, access gates, forward operating bases, checkpoints, lighting, and roads, and

“(II) physical barriers (including fencing, border wall system, and levee walls).”; and
 (iii) in subparagraph (C), by amending clause (i) to read as follows:

“(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of the Interior, the Secretary of Agriculture, Governors of each State on the Southern land border and Northern land border, other States, local governments, Indian tribes, representatives of U.S. Border Patrol and U.S. Customs and Border Protection, relevant Federal, State, local, and tribal agencies that have jurisdiction over the Southern land border, or in the maritime environment, and private property owners in the United States to minimize the impact on the environment, culture, commerce, and quality of life of the communities and residents located near the sites at which physical barriers and tactical infrastructure is to be constructed.”;

(C) in paragraph (2)—

(i) by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(ii) by striking “construction of fences” and inserting “the construction of physical barriers”; and

(D) by amending paragraph (3) to read as follows:

“(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security may not construct reinforced fencing, or tactical infrastructure, as the case may be, that would, in any manner, impede or negatively affect the safety of any officer or agent of the Department of Homeland Security or any other Federal agency.”;

(3) in subsection (c), by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security is authorized to waive all legal requirements the Secretary of Homeland Security, in the Secretary’s sole discretion, determines necessary to ensure the expeditious construction, installation, operation, and maintenance of the tactical infrastructure and technology under this section. Any such decision by the Secretary of Homeland Security shall be effective upon publication in the Federal Register.”; and

(4) by striking subsection (d) and inserting the following:

“(d) CONSTRUCTION, INSTALLATION AND MAINTENANCE OF TECHNOLOGY.—

“(1) IN GENERAL.—Not later than January 20, 2021, the Secretary of Homeland Security, in carrying out subsection (a), shall deploy the most practical and effective technology available along the United States border for achieving situational awareness and operational control of the border.

“(2) TECHNOLOGY DEFINED.—In this subsection, the term ‘technology’ includes border surveillance and detection technology, including—

“(A) radar surveillance systems;

“(B) Vehicle and Dismount Exploitation Radars (VADER);

“(C) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology;

“(D) sensors;

“(E) unmanned cameras; and

“(F) man-portable and mobile vehicle-mounted unmanned aerial vehicles.

“(e) DEFINITIONS.—In this section:

“(1) HIGH TRAFFIC AREAS.—The term ‘high traffic areas’ means sectors along the northern, southern, or coastal border that—

“(A) are within the responsibility of U.S. Customs and Border Protection; and

“(B) have significant unlawful cross-border activity.

“(2) SITUATIONAL AWARENESS.—The term ‘situational awareness’ has the meaning given the term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).”.

SEC. 103. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) INCREASED FLIGHT HOURS.—The Secretary of Homeland Security shall ensure that not fewer than 95,000 annual flight hours are carried out by Air and Marine Operations of U.S. Customs and Border Protection.

(b) UNMANNED AERIAL SYSTEM.—The Secretary of Homeland Security shall ensure that Air and Marine Operations operate unmanned aerial systems for not less than 24 hours per day for five days per week.

(c) CONTRACT AIR SUPPORT AUTHORIZATION.—The Commissioner shall contract for the unfulfilled identified air support mission critical hours, as identified by the Chief of the U.S. Border Patrol.

(d) PRIMARY MISSION.—The Commissioner shall ensure that—

(1) the primary mission for Air and Marine Operations is to directly support U.S. Border Patrol activities along the southern border; and

(2) the Executive Associate Commissioner of Air and Marine Operations assigns the greatest priority to support missions established by the Commissioner to carry out the requirements under this Act.

(e) HIGH-DEMAND FLIGHT HOUR REQUIREMENTS.—In accordance with subsection (c), the Commissioner shall ensure that U.S. Border Patrol Sector Chiefs—

(1) identify critical flight hour requirements; and

(2) direct Air and Marine Operations to support requests from Sector Chiefs as their primary mission.

(f) STUDY AND REPORT.—

(1) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall commence a comprehensive study on the realignment of the Air and Marine Office as a directorate of U.S. Border Patrol.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that contains the results of the study under paragraph (1), including recommendations and timeframes for implementing such realignment described in such paragraph.

SEC. 104. CAPABILITY DEPLOYMENT TO SPECIFIC SECTORS AND REGIONS.

(a) IN GENERAL.—Not later than January 20, 2021, the Secretary of Homeland Security, in implementing section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (as amended by section 102 of this Act), and acting through the appropriate component of the Department of Homeland Security, shall deploy to each sector or region of the southern border and the northern border, in a prioritized manner to achieve situational awareness and operational control of such borders, the following additional capabilities:

(1) SAN DIEGO SECTOR.—For the San Diego sector, the following:

(A) Subterranean surveillance and detection technologies.

(B) To increase coastal maritime domain awareness, the following:

(i) Deployable, lighter-than-air surface surveillance equipment.

(ii) Unmanned aerial vehicles with maritime surveillance capability.

(iii) Maritime patrol aircraft.

(iv) Coastal radar surveillance systems.

(v) Maritime signals intelligence capabilities.

(C) Ultralight aircraft detection capabilities.

(D) Advanced unattended surveillance sensors.

(E) A rapid reaction capability supported by aviation assets.

(F) Mobile vehicle-mounted and man-portable surveillance capabilities.

(2) EL CENTRO SECTOR.—For the El Centro sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Man-portable unmanned aerial vehicles.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(3) YUMA SECTOR.—For the Yuma sector, the following:

(A) Tower-based surveillance technology.

(B) Mobile vehicle-mounted and man-portable surveillance systems.

(C) Deployable, lighter-than-air ground surveillance equipment.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(4) TUCSON SECTOR.—For the Tucson sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Man-portable unmanned aerial vehicles.

(C) Tower-based surveillance technology.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) Deployable, lighter-than-air ground surveillance equipment.

(G) A rapid reaction capability supported by aviation assets.

(5) EL PASO SECTOR.—For the El Paso sector, the following:

(A) Tower-based surveillance technology.

(B) Ultralight aircraft detection capabilities.

(C) Advanced unattended surveillance sensors.

(D) Mobile vehicle-mounted and man-portable surveillance systems.

(E) Deployable, lighter-than-air ground surveillance equipment.

(F) A rapid reaction capability supported by aviation assets.

(G) Man-portable surveillance capabilities.

(6) BIG BEND SECTOR.—For the Big Bend sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Improved agent communications capabilities.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(7) DEL RIO SECTOR.—For the Del Rio sector, the following:

(A) Increased monitoring for cross-river dams, culverts, and footpaths.

(B) Improved agent communications capabilities.

(C) Improved maritime capabilities in the Amistad National Recreation Area.

(D) Advanced unattended surveillance sensors.

(E) A rapid reaction capability supported by aviation assets.

(F) Mobile vehicle-mounted and man-portable surveillance capabilities.

(G) Man-portable unmanned aerial vehicles.

(8) LAREDO SECTOR.—For the Laredo sector, the following:

(A) Maritime detection resources for the Falcon Lake region.

(B) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(C) Increased monitoring for cross-river dams, culverts, and footpaths.

(D) Ultralight aircraft detection capability.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Man-portable unmanned aerial vehicles.

(9) RIO GRANDE VALLEY SECTOR.—For the Rio Grande Valley sector, the following:

(A) Deployable, lighter-than-air ground surveillance equipment.

(B) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(C) Ultralight aircraft detection capability.

(D) Advanced unattended surveillance sensors.

(E) Increased monitoring for cross-river dams, culverts, footpaths.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(10) EASTERN PACIFIC MARITIME REGION.—For the Eastern Pacific Maritime region, the following:

(A) Not later than two years after the date of the enactment of this Act, an increase of not less than ten percent in the number of overall cutter, boat, and aircraft hours spent conducting interdiction operations over the average number of such hours during the preceding three fiscal years.

(B) Increased maritime signals intelligence capabilities.

(C) To increase maritime domain awareness, the following:

(i) Unmanned aerial vehicles with maritime surveillance capability.

(ii) Increased maritime aviation patrol hours.

(D) Increased operational hours for maritime security components dedicated to joint counter-smuggling and interdiction efforts with other Federal agencies, including the Deployable Specialized Forces of the Coast Guard.

(11) CARIBBEAN AND GULF MARITIME REGION.—For the Caribbean and Gulf Maritime region, the following:

(A) Not later than two years after the date of the enactment of this Act, an increase of not less than ten percent in the number of overall cutter, boat, and aircraft hours spent conducting interdiction operations over the average number of such hours during the preceding three fiscal years.

(B) Increased maritime signals intelligence capabilities.

(C) Increased maritime domain awareness and surveillance capabilities, including the following:

(i) Unmanned aerial vehicles with maritime surveillance capability.

(ii) Increased maritime aviation patrol hours.

(iii) Coastal radar surveillance systems with long range day and night cameras capable of providing 100 percent maritime domain awareness of the United States territorial waters surrounding Puerto Rico, Mona Island, Desecheo Island, Vieques Island, Culebra Island, Saint Thomas, Saint John, and Saint Croix.

(D) Increased operational hours for maritime security components dedicated to joint counter-smuggling and interdiction efforts with other Federal agencies, including the Deployable Specialized Forces of the Coast Guard.

(12) BLAINE SECTOR.—For the Blaine sector, the following:

(A) Coastal radar surveillance systems.

(B) Mobile vehicle-mounted and man-portable surveillance capabilities.

(C) Advanced unattended surveillance sensors.

(D) Improved agent communications systems.

(E) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(F) Man-portable unmanned aerial vehicles.

(G) Ultralight aircraft detection capabilities.

(H) Modernized port of entry surveillance capabilities.

(I) Increased maritime interdiction capabilities.

(13) SPOKANE SECTOR.—For the Spokane sector, the following:

(A) Mobile vehicle-mounted and man-portable surveillance capabilities.

(B) Advanced unattended surveillance sensors.

(C) Improved agent communications systems.

(D) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(E) Man-portable unmanned aerial vehicles.

(F) Completion of six miles of the Bog Creek road.

(G) Ultralight aircraft detection capabilities.

(H) Modernized port of entry surveillance capabilities.

(I) Increased maritime interdiction capabilities.

(14) HAVRE SECTOR.—For the Havre sector, the following:

(A) Mobile vehicle-mounted and man-portable surveillance capabilities.

(B) Advanced unattended surveillance sensors.

(C) Improved agent communications systems.

(D) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(E) Man-portable unmanned aerial vehicles.

(F) Ultralight aircraft detection capabilities.

(G) Modernized port of entry surveillance capabilities.

(15) GRAND FORKS SECTOR.—For the Grand Forks sector, the following:

(A) Mobile vehicle-mounted and man-portable surveillance capabilities.

(B) Advanced unattended surveillance sensors.

(C) Improved agent communications systems.

(D) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(E) Man-portable unmanned aerial vehicles.

(F) Ultralight aircraft detection capabilities.

(G) Modernized port of entry surveillance capabilities.

(16) DETROIT SECTOR.—For the Detroit sector, the following:

(A) Coastal radar surveillance systems.

(B) Mobile vehicle-mounted and man-portable surveillance capabilities.

(C) Advanced unattended surveillance sensors.

(D) Improved agent communications systems.

(E) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(F) Man-portable unmanned aerial vehicles.

(G) Ultralight aircraft detection capabilities.

(H) Modernized port of entry surveillance capabilities.

(I) Increased maritime interdiction capabilities.

(17) BUFFALO SECTOR.—For the Buffalo sector, the following:

(A) Coastal radar surveillance systems.

(B) Mobile vehicle-mounted and man-portable surveillance capabilities.

(C) Advanced unattended surveillance sensors.

(D) Improved agent communications systems.

(E) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(F) Man-portable unmanned aerial vehicles.

(G) Ultralight aircraft detection capabilities.

(H) Modernized port of entry surveillance capabilities.

(I) Increased maritime interdiction capabilities.

(18) SWANTON SECTOR.—For the Swanton sector, the following:

(A) Mobile vehicle-mounted and man-portable surveillance capabilities.

(B) Advanced unattended surveillance sensors.

(C) Improved agent communications systems.

(D) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(E) Man-portable unmanned aerial vehicles.

(F) Ultralight aircraft detection capabilities.

(G) Modernized port of entry surveillance capabilities.

(19) HOULTON SECTOR.—For the Houlton sector, the following:

(A) Mobile vehicle-mounted and man-portable surveillance capabilities.

(B) Advanced unattended surveillance sensors.

(C) Improved agent communications systems.

(D) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(E) Man-portable unmanned aerial vehicles.

(F) Ultralight aircraft detection capabilities.

(G) Modernized port of entry surveillance capabilities.

(b) REIMBURSEMENT RELATED TO THE LOWER RIO GRANDE VALLEY FLOOD CONTROL PROJECT.—The International Boundary and Water Commission is authorized to reimburse State and local governments for any expenses incurred before, on, or after the date of the enactment of this Act by such governments in designing, constructing, and rehabilitating the Lower Rio Grande Valley Flood Control Project of the Commission.

(c) TACTICAL FLEXIBILITY.—

(1) SOUTHERN AND NORTHERN LAND BORDERS.—The Secretary of Homeland Security may alter the capability deployment referred to in this section if the Secretary determines, after notifying the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, that such alteration is required to enhance situational awareness or operational control.

(2) MARITIME BORDER.—

(A) NOTIFICATION.—The Commandant of the Coast Guard shall notify the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives regarding the capability deployments referred to in this section, including information relating to—

(i) the number and types of assets and personnel deployed; and

(ii) the impact such deployments have on the capability of the Coast Guard to conduct its mission in each of the sectors referred to in paragraphs (10) and (11) of subsection (a).

(B) ALTERATION.—The Commandant of the Coast Guard may alter the capability deployments referred to in this section if the Commandant—

(i) determines, after consultation with the appropriate committees referred to in subparagraph (A), that such alteration is necessary; and

(ii) not later than 30 days after making a determination under clause (i), notifies the committees referred to in such subparagraph regarding such alteration, including information relating to—

(I) the number and types of assets and personnel deployed pursuant to such alteration; and

(II) the impact such alteration has on the capability of the Coast Guard to conduct its mission in each of the sectors referred to in subsection (a).

SEC. 105. U.S. BORDER PATROL PHYSICAL INFRASTRUCTURE IMPROVEMENTS.

The Secretary of Homeland Security shall upgrade existing physical infrastructure of the Department of Homeland Security, and construct and acquire additional physical infrastructure, including—

- (1) U.S. Border Patrol stations;
- (2) U.S. Border Patrol checkpoints;
- (3) mobile command centers; and

(4) other necessary facilities, structures, and properties.

SEC. 106. U.S. BORDER PATROL ACTIVITIES.

The Chief of the U.S. Border Patrol shall direct agents of the U.S. Border Patrol to patrol as close to the physical land border as possible, consistent with the accessibility to such areas.

SEC. 107. U.S. BORDER PATROL FORWARD OPERATING BASES.

(a) UPGRADES AND MAINTENANCE FOR FORWARD OPERATING BASES.—Not later than January 20, 2021, the Secretary of Homeland Security shall upgrade existing forward operating bases of U.S. Border Patrol on or near the southern border to ensure that such bases meet the minimum requirements set forth in subsection (b).

(b) MINIMUM REQUIREMENTS.—Each forward operating base operated by U.S. Customs and Border Protection shall be equipped with—

- (1) perimeter security;
- (2) short-term detention space (separate from existing housing facilities);
- (3) portable generators or shore power sufficient to meet the power requirements for the base;
- (4) interview rooms;
- (5) adequate communications, including wide area network connectivity;
- (6) cellular service;
- (7) potable water; and
- (8) a helicopter landing zone.

SEC. 108. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

“SEC. 434. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

“(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term ‘major acquisition program’ means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.

“(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

“(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

“(2) document that each such program is meeting cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

“(3) have a plan for meeting program implementation objectives by managing contractor performance.

“(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

“(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for

Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the appropriate congressional committees a plan for testing and evaluation, as well as the use of independent verification and validation resources, for border security technologies so that new border security technologies are evaluated through a series of assessments, processes, and audits to ensure compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation, as well as the effectiveness of taxpayer dollars.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 433 the following new item:

“Sec. 434. Border security technology program management.”

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 434 of the Homeland Security Act of 2002, as added by subsection (a). Such section shall be carried out using amounts otherwise authorized for such purposes.

SEC. 109. AUTHORITY TO ACQUIRE LEASEHOLDS.

Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that the acquisition of a leasehold interest in real property and the construction or modification of any facility on the leased property are necessary to facilitate the implementation of this Act, the Secretary may—

- (1) acquire a leasehold interest;
- (2) construct or modify such facility;
- (3) accept real or personal property donations of any value through U.S. Customs and Border Protection's Donations Acceptance Program under the Cross-Border Trade Enhancement Act of 2016 (Public Law 114-279) or through other public-public or public-private partnership arrangements at any location at which U.S. Customs and Border Protection operates; and
- (4) designate any leasing action as exempt from Federal lease scoring rules.

SEC. 110. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER AND REIMBURSEMENT OF STATES FOR DEPLOYMENT OF THE NATIONAL GUARD AT THE SOUTHERN BORDER.

(a) IN GENERAL.—With the approval of the Secretary of Defense, the Secretary of Homeland Security, or the Governor of a State may order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, along the southern border for the purposes of assisting U.S. Customs and Border Protection to secure the southern border.

(b) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(1) IN GENERAL.—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the southern border.

(2) NATURE OF DUTY.—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under subsection (b) shall include the temporary authority to—

- (1) construct reinforced fencing or other barriers;
- (2) conduct ground-based surveillance systems;

(3) operate unmanned and manned aircraft;
 (4) provide radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies; and

(5) construct checkpoints along the southern border to bridge the gap to long-term permanent checkpoints.

(d) **MATERIEL AND LOGISTICAL SUPPORT.**—The Secretary of Defense shall deploy such materiel and equipment, and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) **EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.**—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

(f) **REIMBURSEMENT REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall reimburse States for the cost of the deployment of any units or personnel of the National Guard to perform operations and missions in full-time State Active Duty in support of a southern border mission. The Secretary of Defense may not seek reimbursement from the Secretary of Homeland Security for any reimbursements to States for the costs of such deployments.

(2) **LIMITATION.**—The total amount of reimbursements under this section may not exceed \$35,000,000 for any fiscal year.

SEC. 111. OPERATION PHALANX.

(a) **IN GENERAL.**—The Secretary of Defense, with the concurrence of the Secretary of Homeland Security, shall provide assistance to U.S. Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern border.

(b) **TYPES OF ASSISTANCE AUTHORIZED.**—The assistance provided under subsection (a) may include—

(1) deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern border; and

(2) intelligence analysis support.

(c) **MATERIEL AND LOGISTICAL SUPPORT.**—The Secretary of Defense may deploy such materiel, equipment, and logistics support as may be necessary to ensure the effectiveness of the assistance provided under subsection (a).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for the Department of Defense \$75,000,000 to provide assistance under this section. The Secretary of Defense may not seek reimbursement from the Secretary of Homeland Security for any assistance provided under this section.

(e) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit a report to the appropriate congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code) regarding any assistance provided under subsection (a) during the period specified in paragraph (3).

(2) **ELEMENTS.**—Each report under paragraph (1) shall include, for the period specified in paragraph (3), a description of—

(A) the assistance provided;

(B) the sources and amounts of funds used to provide such assistance; and

(C) the amounts obligated to provide such assistance.

(3) **PERIOD SPECIFIED.**—The period specified in this paragraph is—

(A) in the case of the first report required under paragraph (1), the 90-day period beginning on the date of the enactment of this Act; and

(B) in the case of any subsequent report submitted under paragraph (1), the calendar year for which the report is submitted.

SEC. 112. MERIDA INITIATIVE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that assistance to Mexico, including assistance from the Department of State and the Department of Defense and any aid related to the Merida Initiative, should—

(1) focus on providing enhanced border security and judicial reform and support for Mexico's drug crop eradication efforts; and

(2) return to its original focus and prioritize security, training, and acquisition of equipment for Mexican security forces involved in drug crop eradication efforts.

(b) **ASSISTANCE FOR MEXICO.**—The Secretary of State, in coordination with the Secretary of Homeland Security, and the Secretary of Defense shall provide assistance to Mexico to—

(1) combat drug trafficking and related violence, organized crime, and corruption;

(2) build a modern border security system capable of preventing illegal migration;

(3) support border security and cooperation with United States law enforcement agencies on border incursions;

(4) support judicial reform, institution building, and rule of law activities; and

(5) provide for training and equipment for Mexican security forces involved in drug crop eradication efforts.

(c) **ALLOCATION OF FUNDS; REPORT.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, 50 percent of any assistance appropriated in any appropriations Act to implement this section shall be withheld until after the Secretary of State submits a written report to the congressional committees specified in paragraph (3) certifying that the Government of Mexico is—

(A) significantly reducing illegal migration, drug trafficking, and cross-border criminal activities; and

(B) improving the transparency and accountability of Mexican Federal police forces and working with Mexican State and municipal authorities to improve the transparency and accountability of Mexican State and municipal police forces.

(2) **MATTERS TO INCLUDE.**—The report required under paragraph (1) shall include a description of—

(A) actions taken by the Government of Mexico to address the matters described in such paragraph; and

(B) any instances in which the Secretary of State determines that the actions taken by the Government of Mexico are inadequate to address such matters.

(3) **CONGRESSIONAL COMMITTEES SPECIFIED.**—The congressional committees specified in this paragraph are—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on Homeland Security of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(d) **NOTIFICATIONS.**—Any assistance made available by the Secretary of State under this section shall be subject to—

(1) the notification procedures set forth in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1); and

(2) the notification requirements of—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(e) **SPENDING PLAN.**—

(1) **IN GENERAL.**—Not later than 45 days after the date of the enactment of this Act, the Secretary of State shall submit, to the congressional committees specified in paragraph (2), a detailed spending plan for assistance to Mexico under this section, which shall include a strategy, developed after consulting with relevant authorities of the Government of Mexico for—

(A) combating drug trafficking and related violence and organized crime; and

(B) anti-corruption and rule of law activities, which shall include concrete goals, actions to be taken, budget proposals, and a description of anticipated results.

(2) **CONGRESSIONAL COMMITTEES SPECIFIED.**—The congressional committees specified in this paragraph are—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on the Judiciary of the Senate;

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Homeland Security of the House of Representatives; and

(H) the Committee on the Judiciary of the House of Representatives.

SEC. 113. PROHIBITIONS ON ACTIONS THAT IMPEDE BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) **PROHIBITION ON INTERFERENCE WITH U.S. CUSTOMS AND BORDER PROTECTION.**—

(1) **IN GENERAL.**—The Secretary concerned shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on covered Federal land to execute search and rescue operations or to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the southern border or the northern border.

(2) **APPLICABILITY.**—The authority of U.S. Customs and Border Protection to conduct activities described in paragraph (1) on covered Federal land applies without regard to whether a state of emergency exists.

(b) **AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.**—

(1) **IN GENERAL.**—U.S. Customs and Border Protection shall have immediate access to covered Federal land to conduct the activities described in paragraph (2) on such land to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the southern border or the northern border.

(2) **ACTIVITIES DESCRIBED.**—The activities described in this paragraph are—

(A) the use of vehicles to patrol the border area, apprehend illegal entrants, and rescue individuals; and

(B) the construction, installation, operation and maintenance of tactical infrastructure and border technology as set forth in section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (as amended by section 102 of this Act).

(c) EXEMPTION FROM CERTAIN LAWS.—

(1) IN GENERAL.—The activities of U.S. Customs and Border Protection described in subsection (b)(2) may be carried out without regard to the provisions of law specified in paragraph (2).

(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are all Federal, State, and other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following laws:

(A) The National Environmental Policy Act (42 U.S.C. 4321 et seq.).

(B) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(C) The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”).

(D) Division A of subtitle III of title 54, United States Code (54 U.S.C. 300301 et seq.) (formerly known as the “National Historic Preservation Act”).

(E) The Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(F) The Clean Air Act (42 U.S.C. 7401 et seq.).

(G) The Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.).

(H) The Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(I) The Noise Control Act of 1972 (42 U.S.C. 4901 et seq.).

(J) The Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(K) The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(L) Chapter 3125 of title 54, United States Code (formerly known as the “Archaeological and Historic Preservation Act”).

(M) The Antiquities Act (16 U.S.C. 431 et seq.).

(N) Chapter 3203 of title 54, United States Code (formerly known as the “Historic Sites, Buildings, and Antiquities Act”).

(O) The Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(P) The Farmland Protection Policy Act (7 U.S.C. 4201 et seq.).

(Q) The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

(R) The Wilderness Act (Pub. L. 88-577, 16 U.S.C. 1131 et seq.).

(S) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(T) The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

(U) The Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et seq.).

(V) The Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

(W) Subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

(X) The Otoy Mountain Wilderness Act of 1999 (Pub. L. 106-145).

(Y) Sections 102(29) and 103 of the California Desert Protection Act of 1994 (Pub. L. 103-433).

(Z) Division A of subtitle I of title 54, United States Code (formerly known as the “National Park Service Organic Act”).

(AA) The National Park Service General Authorities Act (16 U.S.C. 1a-1 et seq.).

(BB) Sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Pub. L. 95-625).

(CC) Subsections (a) through (f) of section 301 of the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note).

(DD) The Act of March 3, 1899 (33 U.S.C. 401 et seq.) (commonly known as the “Rivers and Harbors Appropriation Act of 1899”).

(EE) The Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the “Bald and Golden Eagle Protection Act”).

(FF) The Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

(GG) Public Law 95-341 (42 U.S.C. 1996) (commonly known as the “American Indian Religious Freedom Act”).

(HH) The Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.).

(II) The National Forest Management Act of 1976 (16 U.S.C. 472a et seq.).

(JJ) The Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.).

(3) APPLICABILITY OF WAIVER TO SUCCESSOR LAWS.—If a provision of law specified in paragraph (2) was repealed and incorporated into title 54, United States Code, after April 1, 2008, and before the date of the enactment of this Act, the waiver described in paragraph (1) shall apply to the provision of such title that corresponds to the provision of law specified in paragraph (2) to the same extent as the waiver applied to that provision of law.

(d) PROTECTION OF LEGAL USES.—This section may not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or recreation or the use of back country airstrips, on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This section shall—

(1) have no force or effect on State lands or private lands; and

(2) not provide authority on or access to State lands or private lands.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section may be construed to supersede, replace, negate, or diminish treaties or other agreements between the United States and Indian tribes.

(g) DEFINITIONS.—In this section:

(1) COVERED FEDERAL LAND.—The term “covered Federal land” includes all land under the control of the Secretary concerned that is located within 100 miles of the southern border or the northern border.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) with respect to land under the jurisdiction of the Department of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Department of the Interior, the Secretary of the Interior.

SEC. 114. LANDOWNER AND RANCHER SECURITY ENHANCEMENT.

(a) ESTABLISHMENT OF NATIONAL BORDER SECURITY ADVISORY COMMITTEE.—The Secretary of Homeland Security shall establish a National Border Security Advisory Committee, which—

(1) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to border security matters, including—

(A) verifying security claims and the border security metrics established by the De-

partment of Homeland Security under section 1092 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 6 U.S.C. 223); and

(B) discussing ways to improve the security of high traffic areas along the northern border and the southern border; and

(2) may provide, through the Secretary, recommendations to Congress.

(b) CONSIDERATION OF VIEWS.—The Secretary of Homeland Security shall consider the information, advice, and recommendations of the National Border Security Advisory Committee in formulating policy regarding matters affecting border security.

(c) MEMBERSHIP.—The National Border Security Advisory Committee shall consist of at least one member per State who—

(1) has at least 5 years practical experience in border security operations; or

(2) lives and works in the United States within 80 miles from the southern border or the northern border.

(d) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the National Border Security Advisory Committee.

SEC. 115. LIMITATION ON LAND OWNER'S LIABILITY.

Section 287 of the Immigration and Nationality Act (8 U.S.C. 1357) is amended by adding at the end the following:

“(i) INDEMNITY FOR ACTIONS OF LAW ENFORCEMENT OFFICERS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, and subject to appropriations, any owner of land located in the United States within 100 miles of the southern border of the United States may seek reimbursement from the Department of Homeland Security and the Secretary of Homeland Security shall pay for any adverse final tort judgment for negligence (excluding attorneys’ fees and costs) authorized under Federal or State tort law, arising directly from any border patrol action, such as apprehensions, tracking, and detention of aliens, that is conducted on privately-owned land if—

“(A) such land owner has been found negligent by a Federal or State court in any tort litigation;

“(B) such land owner has not already been reimbursed for the final tort judgment, including outstanding attorneys’ fees and costs;

“(C) such land owner did not have or does not have sufficient property insurance to cover the judgment and has had an insurance claim for such coverage denied; and

“(D) such tort action was brought against such land owner as a direct result of activity of law enforcement officers of the Department of Homeland Security, acting in their official capacity, on the owner’s land.

“(2) DEFINITIONS.—In this subsection—

“(A) the term ‘land’ includes roads, water, watercourses, and private ways, and buildings, structures, machinery, and equipment that is attached to real property; and

“(B) the term ‘owner’ includes the possessor of a fee interest, a tenant, a lessee, an occupant, the possessor of any other interest in land, and any person having a right to grant permission to use the land.

“(3) EXCEPTIONS.—Nothing in this subsection may be construed to require the Secretary of Homeland Security to reimburse, under subparagraph (i)(1), a land owner for any adverse final tort judgment for negligence or to limit land owner liability which would otherwise exist for—

“(A) willful or malicious failure to guard or warn against a known dangerous condition, use, structure, or activity likely to cause harm;

“(B) maintaining an attractive nuisance;

“(C) gross negligence; or

“(D) direct interference with, or hindrance of, any agent or officer of the Federal Government who is authorized to enforce the immigration laws of the United States during—

“(i) a patrol of such landowner's land; or

“(ii) any action taken to apprehend or detain any alien attempting to enter the United States illegally or to evade execution of an arrest warrant for a violation of any immigration law.

“(4) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect any right or remedy available pursuant to chapter 171 of title 28, United States Code (commonly known as the ‘Federal Tort Claims Act’).”

SEC. 116. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

Not later than January 20, 2021, the Secretary of Homeland Security, after coordinating with the heads of the relevant Federal, State, and local agencies, shall begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River.

SEC. 117. PREVENTION, DETECTION, CONTROL, AND ERADICATION OF DISEASES AND PESTS.

(a) DEFINITIONS.—

(1) ANIMAL.—The term “animal” means any member of the animal kingdom (except a human).

(2) ARTICLE.—The term “article” means any pest or disease or any material or tangible object that could harbor a pest or disease.

(3) DISEASE.—The term “disease” has the meaning given the term by the Secretary of Agriculture.

(4) LIVESTOCK.—The term “livestock” means all farm-raised animals.

(5) MEANS OF CONVEYANCE.—The term “means of conveyance” means any personal property used for or intended for use for, the movement of any other personal property.

(6) PEST.—The term “pest” means any of the following that can directly or indirectly injure, cause damage to, or cause disease in human livestock, a plant, or a plant part:

(A) A protozoan.

(B) A plant or plant part.

(C) A nonhuman animal.

(D) A bacterium.

(E) A fungus.

(F) A virus or viroid.

(G) An infectious agent or other pathogen.

(H) An arthropod.

(I) A parasite or parasitic plant.

(J) A prion.

(K) A vector.

(L) Any organism similar to or allied with any of the organisms described in this paragraph.

(7) PLANT.—The term “plant” means any plant (including any plant part) for or capable of propagation, including a tree, a tissue culture, a plantlet culture, pollen, a shrub, a vine, a cutting, a graft, a scion, a bud, a bulb, a root, and a seed.

(8) STATE.—The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any territory or possession of the United States.

(b) DETECTION, CONTROL, AND ERADICATION OF THE SPREAD OF DISEASES AND PESTS.—

(1) IN GENERAL.—The Secretary of Agriculture may carry out operations and meas-

ures to prevent, detect, control, or eradicate the spread of any pest or disease of livestock or plant that threatens any segment of agriculture.

(2) COMPENSATION.—

(A) IN GENERAL.—The Secretary of Agriculture may pay a claim arising out of—

(i) the destruction of any animal, plant, plant part, article, or means of conveyance consistent with the purposes of this section; and

(ii) implementing measures to prevent, detect, control, or eradicate the spread of any pest disease of livestock or plant that threatens any segment of agriculture.

(B) SPECIFIC COOPERATIVE PROGRAMS.—The Secretary of Agriculture shall compensate industry participants and State agencies that cooperate with the Secretary of Agriculture in carrying out operations and measures under this subsection for up to 100 percent of eligible costs relating to—

(i) cooperative programs involving Federal, State, or industry participants to control diseases of low or high pathogenicity and pests in accordance with regulations issued by the Secretary of Agriculture; and

(ii) the construction and operation of research laboratories, quarantine stations, and other buildings and facilities for special purposes.

(C) REVIEWABILITY.—The action of any officer, employee, or agent of the Secretary of Agriculture in carrying out paragraph (1) shall not be subject to review by any officer or employee of the Federal Government other than the Secretary of Agriculture or a designee of the Secretary.

(c) COOPERATION.—

(1) IN GENERAL.—To carry out this section, the Secretary of Agriculture may cooperate with other Federal agencies, States, State agencies, political subdivisions of States, national and local governments of foreign countries, domestic and international organizations and associations, domestic nonprofit corporations, Indian tribes, and other persons.

(2) RESPONSIBILITY.—The person or other entity cooperating with the Secretary of Agriculture shall be responsible for the authority necessary to carry out operations or measures—

(A) on all land and property within a foreign country or State, or under the jurisdiction of an Indian tribe, other than on land and property owned or controlled by the United States; and

(B) using other facilities and means, as determined by the Secretary of Agriculture.

(d) FUNDING.—For fiscal year 2018, and for each succeeding fiscal year, the Secretary of Agriculture shall use such funds from the Commodity Credit Cooperation as may be necessary to carry out operations and measures to prevent, detect, control, or eradicate the spread of any pest or disease of livestock or plant that threatens any segment of agriculture.

(e) REIMBURSEMENT.—The Secretary of Agriculture shall reimburse any Federal agency, State, State agency, political subdivision of a State, national or local government of a foreign country, domestic or international organization or association, domestic nonprofit corporation, Indian tribe, or other person for specified costs, as prescribed by the Secretary of Agriculture, in the discretion of the Secretary, that result from cooperation with the Secretary of Agriculture in carrying out operations and measures under this section.

SEC. 118. EXEMPTION FROM GOVERNMENT CONTRACTING AND HIRING RULES.

(a) APPLICABILITY OF CERTAIN GOVERNMENT CONTRACTING RULES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, in implementing this title—

(A) the requirement under section 3301 of title 41, United States Code, to obtain a full and open competition through the use of competitive procedures shall not apply; and

(B) any executive agency entering into the contract may use noncompetitive procedures in accordance with section 3304 of such title.

(2) LIMITATIONS ON PROTESTS.—The determination of an executive agency under section 3304 of title 41, United States Code, to use noncompetitive procedures shall not be subject to challenge by protest to—

(A) the Comptroller General of the United States under subchapter V of chapter 35 of title 31, United States Code; or

(B) the Court of Federal Claims under section 1491 of title 28, United States Code.

(b) APPLICABILITY OF CERTAIN GOVERNMENT HIRING RULES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, in implementing this title, the Secretary of Homeland Security and the Attorney General may appoint employees on a term, temporary limited, or part-time basis without regard to—

(A) the number of such employees;

(B) the ratio between the number of such employees and the number of permanent full-time employees; and

(C) the duration of such employees' employment.

(2) RULE OF CONSTRUCTION.—Nothing in chapter 71 of title 5, United States Code, shall affect the authority of the Department of Homeland Security or the Department of Justice to hire employees under this title on a temporary limited or part-time basis.

(c) REPORTS.—The head of an executive agency entering into a contract or hiring employees pursuant to authority provided under subsection (a) or (b) shall—

(1) immediately submit to the appropriate congressional committees written notification of the use of such authority; and

(2) submit to those committees a quarterly report estimating amounts to be expended pursuant to such authority.

(d) EXECUTIVE AGENCY DEFINED.—In this section, the term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

SEC. 119. TRANSNATIONAL CRIMINAL ORGANIZATION ILLICIT SPOTTER PREVENTION AND DETECTION.

(a) UNLAWFULLY HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.—

(1) ENHANCED PENALTIES.—Chapter 9 of title II of the Immigration and Nationality Act (8 U.S.C. 1351 et seq.) is amended by adding at the end the following:

“SEC. 295. UNLAWFULLY HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

“(a) ILLICIT SPOTTING.—Any person who knowingly transmits, by any means, to another person the location, movement, or activities of any Federal, State, local, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, controlled substances, agriculture, monetary instruments, or other border controls shall be fined under title 18, imprisoned not more than 10 years, or both.

“(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Any person who knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor,

camera, or other physical or electronic device deployed by the Federal Government to control the border or a port of entry or otherwise seeks to construct, excavate, or make any structure intended to defeat, circumvent, or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control the border or a port of entry—

“(1) shall be fined under title 18, imprisoned not more than 10 years, or both; and

“(2) if, at the time of the offense, the person uses or carries a firearm or who, in furtherance of any such crime, possesses a firearm, shall be fined under title 18, imprisoned not more than 20 years, or both.

“(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) shall be punished in the same manner as a person who completes a violation of such subsection.”

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 294 the following:

“Sec. 295. Unlawfully hindering immigration, border, and customs controls.”

(b) CARRYING OR USING A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting “, alien smuggling crime,” after “crime of violence” each place that term appears; and

(B) in subparagraph (D)(ii), by inserting “, alien smuggling crime,” after “crime of violence”;

(2) by striking paragraphs (2) through (4);

(3) by redesignating paragraph (5) as paragraph (2); and

(4) by adding at the end the following:

“(3) For purposes of this subsection—

“(A) the term ‘alien smuggling crime’ means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328);

“(B) the term ‘brandish’ means, with respect to a firearm, to display all or part of the firearm, or otherwise make the presence of the firearm known to another person, in order to intimidate that person, regardless of whether the firearm is directly visible to that person;

“(C) the term ‘crime of violence’ means a felony offense that—

“(i) has as an element the use, attempted use, or threatened use of physical force against the person or property of another; or

“(ii) by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense; and

“(D) the term ‘drug trafficking crime’ means any felony punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46.”

(c) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by inserting “, or 295” after “274(a)”.

SEC. 120. SOUTHERN BORDER THREAT ANALYSIS.

(a) THREAT ANALYSIS.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a southern border threat analysis.

(2) CONTENTS.—The analysis submitted under paragraph (1) shall include an assessment of—

(A) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(i) to unlawfully enter the United States through the southern border; or

(ii) to exploit security vulnerabilities along the southern border;

(B) improvements needed at and between ports of entry along the southern border to prevent terrorists and instruments of terror from entering the United States;

(C) gaps in law, policy, and coordination between State, local, or tribal law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counterterrorism, and anti-human smuggling and trafficking efforts;

(D) the current percentage of situational awareness achieved by the Department of Homeland Security along the southern border;

(E) the current percentage of operational control (as defined in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)) achieved by the Department of Homeland Security on the southern border; and

(F) traveler crossing times and any potential security vulnerability associated with prolonged wait times.

(3) ANALYSIS REQUIREMENTS.—In compiling the southern border threat analysis under this subsection, the Secretary of Homeland Security shall consider and examine—

(A) the technology needs and challenges, including such needs and challenges identified as a result of previous investments that have not fully realized the security and operational benefits that were sought;

(B) the personnel needs and challenges, including such needs and challenges associated with recruitment and hiring;

(C) the infrastructure needs and challenges;

(D) the roles and authorities of State, local, and tribal law enforcement in general border security activities;

(E) the status of coordination among Federal, State, local, tribal, and Mexican law enforcement entities relating to border security;

(F) the terrain, population density, and climate along the southern border; and

(G) the international agreements between the United States and Mexico related to border security.

(4) CLASSIFIED FORM.—To the extent possible, the Secretary of Homeland Security shall submit the southern border threat analysis required under this subsection in unclassified form, but may submit a portion of the threat analysis in classified form if the Secretary determines such action is appropriate.

(b) BORDER PATROL STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than the later of 180 days after the submission of the threat analysis required under subsection (a) or June 30, 2018, and every five years thereafter, the Secretary of Homeland Security, acting through the Chief of the U.S. Border Patrol, and in consultation with the Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, shall issue a Border Patrol Strategic Plan.

(2) CONTENTS.—The Border Patrol Strategic Plan required under this subsection shall include a consideration of—

(A) the southern border threat analysis required under subsection (a), with an emphasis on efforts to mitigate threats identified in such threat analysis;

(B) efforts to analyze and disseminate border security and border threat information between border security components of the Department of Homeland Security and other appropriate Federal departments and agencies with missions associated with the southern border;

(C) efforts to increase situational awareness, including—

(i) surveillance capabilities, including capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aerial systems, including camera and sensor technology deployed on such assets;

(D) efforts to detect and prevent terrorists and instruments of terrorism from entering the United States;

(E) efforts to detect, interdict, and disrupt aliens and illicit drugs at the earliest possible point;

(F) efforts to focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States;

(G) efforts to ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department of Homeland Security;

(H) any technology required to maintain, support, and enhance security and facilitate trade at ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric technology, surveillance systems, and other sensors and technology that the Secretary of Homeland Security determines to be necessary;

(I) operational coordination unity of effort initiatives of the border security components of the Department of Homeland Security, including any relevant task forces of the Department of Homeland Security;

(J) lessons learned from Operation Jumpstart and Operation Phalanx;

(K) cooperative agreements and information sharing with State, local, tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the northern border or the southern border;

(L) border security information received from consultation with State, local, tribal, territorial, and Federal law enforcement agencies that have jurisdiction on the northern border or the southern border, or in the maritime environment, and from border community stakeholders (including through public meetings with such stakeholders), including representatives from border agricultural and ranching organizations and representatives from business and civic organizations along the northern border or the southern border;

(M) staffing requirements for all departmental border security functions;

(N) a prioritized list of departmental research and development objectives to enhance the security of the southern border;

(O) an assessment of training programs, including training programs for—

(i) identifying and detecting fraudulent documents;

(ii) understanding the scope of enforcement authorities and the use of force policies; and

(iii) screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking; and

(P) an assessment of how border security operations affect border crossing times.

Subtitle B—Personnel

**PART I—INCREASES IN IMMIGRATION
AND LAW ENFORCEMENT PERSONNEL**

SEC. 131. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION AGENTS AND OFFICERS.

(a) **BORDER PATROL AGENTS.**—Not later than September 30, 2021, the Commissioner of U.S. Customs and Border Protection shall hire, train, and assign sufficient agents to maintain an active duty presence of not fewer than 26,370 full-time equivalent agents.

(b) **CBP OFFICERS.**—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection as of such date, the Commissioner, subject to the availability of appropriations, shall hire, train, and assign to duty, not later than September 30, 2021—

(1) sufficient U.S. Customs and Border Protection officers to maintain an active duty presence of not fewer than 27,725 full-time equivalent officers; and

(2) 350 full-time support staff distributed among all United States ports of entry.

(c) **AIR AND MARINE OPERATIONS.**—Not later than September 30, 2021, the Commissioner of U.S. Customs and Border Protection shall hire, train, and assign sufficient agents for Air and Marine Operations of U.S. Customs and Border Protection to maintain not fewer than 1,675 full-time equivalent agents.

(d) **U.S. CUSTOMS AND BORDER PROTECTION K-9 UNITS AND HANDLERS.**—

(1) **K-9 UNITS.**—Not later than September 30, 2021, the Commissioner shall deploy not less than 300 new K-9 units, with supporting officers of U.S. Customs and Border Protection and other required staff, at land ports of entry and checkpoints on the southern border and the northern border.

(2) **USE OF CANINES.**—The Commissioner shall prioritize the use of canines at the primary inspection lanes at land ports of entry and checkpoints.

(e) **U.S. CUSTOMS AND BORDER PROTECTION HORSEBACK UNITS.**—

(1) **INCREASE.**—Not later than September 30, 2021, the Commissioner shall increase the number of horseback units, with supporting officers of U.S. Customs and Border Protection and other required staff, by not less than 100 officers and 50 horses for security patrol along the southern border.

(2) **FUNDING LIMITATION.**—Of the amounts authorized to be appropriated for U.S. Customs and Border Protection in this Act, not more than one percent may be used for the purchase of additional horses, the construction of new stables, maintenance and improvements of existing stables, and for feed, medicine, and other resources needed to maintain the health and well-being of the horses that serve in the horseback units.

(f) **U.S. CUSTOMS AND BORDER PROTECTION SEARCH TRAUMA AND RESCUE TEAMS.**—Not later than September 30, 2021, the Commissioner shall increase by not fewer than 50 the number of officers engaged in search and rescue activities along the southern border.

(g) **U.S. CUSTOMS AND BORDER PROTECTION TUNNEL DETECTION AND TECHNOLOGY PROGRAM.**—Not later than September 30, 2021, the Commissioner shall increase by not less than 50 the number of officers assisting task forces and activities related to deployment and operation of border tunnel detection technology and apprehensions of individuals using such tunnels for crossing into the United States, drug trafficking, or human smuggling.

(h) **AGRICULTURAL SPECIALISTS.**—Not later than September 30, 2021, and in addition to

the officers and agents authorized under paragraphs (a) through (g), the Secretary of Homeland Security shall hire, train, and assign to duty, 631 U.S. Customs and Border Protection agricultural specialists to ports of entry along the southern border and the northern border.

(i) **GAO REPORT.**—If the staffing levels required under this section are not achieved by September 30, 2021, the Comptroller General of the United States shall conduct a review of the reasons why such levels were not achieved.

SEC. 132. U.S. CUSTOMS AND BORDER PROTECTION HIRING AND RETENTION INCENTIVES.

(a) **DEFINITIONS.**—In this section:

(1) **COVERED AREA.**—The term “covered area” means a geographic area that the Secretary of Homeland Security determines is in a remote location or is an area for which it is difficult to find full-time permanent covered CBP employees, as compared to other ports of entry or Border Patrol sectors.

(2) **COVERED CBP EMPLOYEE.**—The term “covered CBP employee” means an employee of U.S. Customs and Border Protection performing activities that are critical to border security or customs enforcement, as determined by the Commissioner.

(3) **RATE OF BASIC PAY.**—The term “rate of basic pay” —

(A) means the rate of pay fixed by law or administrative action for the position to which an employee is appointed before deductions and including any special rate under subpart C of part 530 of title 5, Code of Federal Regulations, or a similar payment under other legal authority, and any locality-based comparability payment under subpart F of part 531 of such title, or a similar payment under other legal authority, but excluding additional pay of any other kind; and

(B) does not include additional pay, such as night shift differentials under section 5343(f) of title 5, United States Code, or environmental differentials under section 5343(c)(4) of such title.

(4) **SPECIAL RATE OF PAY.**—The term “special rate of pay” means a higher than normal rate of pay that exceeds the otherwise applicable rate of basic pay for a similar covered CBP employee at a land port of entry.

(b) **HIRING INCENTIVES.**—

(1) **IN GENERAL.**—In addition to the retention incentives that are authorized under subsection (c), and to the extent necessary for U.S. Customs and Border Protection to hire, train, and deploy qualified officers and employees and to meet the requirements under section 131, the Commissioner, with the approval of the Secretary of Homeland Security, may pay a hiring bonus of \$10,000 to a covered CBP employee, after the covered CBP employee completes initial basic training and executes a written agreement required under subparagraph (2).

(2) **WRITTEN AGREEMENT.**—The payment of a hiring bonus to a covered CBP employee under paragraph (1) is contingent upon the covered CBP employee entering into a written agreement with U.S. Customs and Border Protection to complete more than two years of employment with U.S. Customs and Border Protection beginning on the date on which the agreement is signed. Such agreement shall include—

(A) the amount of the hiring bonus;

(B) the conditions under which the agreement may be terminated before the required period of service is completed and the effect of such termination;

(C) the length of the required service period; and

(D) any other terms and conditions under which the hiring bonus is payable, subject to the requirements under this section.

(3) **FORM OF PAYMENT.**—A signing bonus paid to a covered CBP employee under paragraph (1) shall be paid in a single payment after the covered CBP employee completes initial basic training and enters on duty and executes the agreement under paragraph (2).

(4) **EXCLUSION OF SIGNING BONUS FROM RATE OF PAY.**—A signing bonus paid to a covered CBP employee under paragraph (1) shall not be considered part of the rate of basic pay of the covered CBP employee for any purpose.

(5) **EFFECTIVE DATE AND SUNSET.**—This subsection shall take effect on the date of the enactment of this Act and shall remain in effect until the earlier of—

(A) September 30, 2019; or

(B) the date on which U.S. Customs and Border Protection has 26,370 full-time equivalent agents.

(c) **RETENTION INCENTIVES.**—

(1) **IN GENERAL.**—To the extent necessary for U.S. Customs and Border Protection to retain qualified employees, and to the extent necessary to meet the requirements set forth in section 131, the Commissioner, with the approval of the Secretary of Homeland Security, may pay a retention incentive to a covered CBP employee who has been employed with U.S. Customs and Border Protection for a period of longer than two consecutive years, and the Commissioner determines that, in the absence of the retention incentive, the covered CBP employee would likely—

(A) leave the Federal service; or

(B) transfer to, or be hired into, a different position within the Department of Homeland Security (other than another position in CBP).

(2) **WRITTEN AGREEMENT.**—The payment of a retention incentive to a covered CBP employee under paragraph (1) is contingent upon the covered CBP employee entering into a written agreement with U.S. Customs and Border Protection to complete more than two years of employment with U.S. Customs and Border Protection beginning on the date on which the CBP employee enters on duty and the agreement is signed. Such agreement shall include—

(A) the amount of the retention incentive;

(B) the conditions under which the agreement may be terminated before the required period of service is completed and the effect of such termination;

(C) the length of the required service period; and

(D) any other terms and conditions under which the retention incentive is payable, subject to the requirements under this section.

(3) **CRITERIA.**—When determining the amount of a retention incentive paid to a covered CBP employee under paragraph (1), the Commissioner shall consider—

(A) the length of the Federal service and experience of the covered CBP employee;

(B) the salaries for law enforcement officers in other Federal agencies; and

(C) the costs of replacing the covered CBP employee, including the costs of training a new employee.

(4) **AMOUNT OF RETENTION INCENTIVE.**—A retention incentive paid to a covered CBP employee under paragraph (1)—

(A) shall be approved by the Secretary of Homeland Security and the Commissioner;

(B) shall be stated as a percentage of the employee's rate of basic pay for the service period associated with the incentive; and

(C) may not exceed \$25,000 for each year of the written agreement.

(5) **FORM OF PAYMENT.**—A retention incentive paid to a covered CBP employee under paragraph (1) shall be paid as a single payment at the end of the fiscal year in which the covered CBP employee entered into an agreement under paragraph (2), or in equal installments during the life of the service agreement, as determined by the Commissioner.

(6) **EXCLUSION OF RETENTION INCENTIVE FROM RATE OF PAY.**—A retention incentive paid to a covered CBP employee under paragraph (1) shall not be considered part of the rate of basic pay of the covered CBP employee for any purpose.

(d) **PILOT PROGRAM ON SPECIAL RATES OF PAY IN COVERED AREAS.**—

(1) **IN GENERAL.**—The Commissioner may establish a pilot program to assess the feasibility and advisability of using special rates of pay for covered CBP employees in covered areas, as designated on the date of the enactment of this Act, to help meet the requirements set forth in section 131.

(2) **MAXIMUM AMOUNT.**—The rate of basic pay of a covered CBP employee paid a special rate of pay under the pilot program may not exceed 125 percent of the otherwise applicable rate of basic pay of the covered CBP employee.

(3) **TERMINATION.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the pilot program shall terminate on the date that is two years after the date of the enactment of this Act.

(B) **EXTENSION.**—If the Secretary of Homeland Security determines that the pilot program is performing satisfactorily and there are metrics that prove its success in meeting the requirements set forth in section 131, the Secretary may extend the pilot program until the date that is four years after the date of the enactment of this Act.

(4) **REPORT TO CONGRESS.**—Shortly after the pilot program terminates under paragraph (3), the Commissioner shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that details—

(A) the total amount paid to covered CBP employees under the pilot program; and

(B) the covered areas in which the pilot program was implemented.

(e) **SALARIES.**—

(1) **IN GENERAL.**—Section 101(b) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1711(b)) is amended to read as follows:

“(b) **AUTHORIZATION OF APPROPRIATIONS FOR CBP EMPLOYEES.**—There are authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to increase, effective January 1, 2018, the annual rate of basic pay for U.S. Customs and Border Protection employees who have completed at least one year of service—

“(1) to the annual rate of basic pay payable for positions at GS-12, step 1 of the General Schedule under subchapter III of chapter 53 of title 5, United States Code, for officers and agents who are receiving the annual rate of basic pay payable for a position at GS-5, GS-6, GS-7, GS-8, or GS-9 of the General Schedule;

“(2) to the annual rate of basic pay payable for positions at GS-12, step 10 of the General Schedule under such subchapter for supervisory CBP officers and supervisory Border Patrol agents who are receiving the annual rate of pay payable for a position at GS-10 of the General Schedule; and

“(3) to the annual rate of basic pay payable for positions at GS-13, step 1 of the General Schedule under such subchapter for supervisory CBP officers and supervisory Border Patrol agents who are receiving the annual rate of pay payable for a position at GS-11 of the General Schedule;

“(4) to the annual rate of basic pay payable for positions at GS-14, step 1 of the General Schedule under such subchapter for supervisory CBP officers and supervisory Border Patrol agents who are receiving the annual rate of pay payable for a position at GS-12 or GS-13 of the General Schedule; and

“(5) to the annual rate of basic pay payable for positions at GS-8, GS-9, or GS-10 of the General Schedule for assistants who are receiving an annual rate of pay payable for positions at GS-5, GS-6, or GS-7 of the General Schedule, respectively.”

(2) **HARDSHIP DUTY PAY.**—In addition to compensation to which Border Patrol agents are otherwise entitled, Border Patrol agents who are assigned to rural areas shall be entitled to receive hardship duty pay, in lieu of a retention incentive bonus under subsection (b), in an amount determined by the Commissioner, which may not exceed the rate of special pay to which members of a uniformed service are entitled under section 310 of title 37, United States Code.

(3) **OVERTIME LIMITATION.**—Section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) is amended by striking “\$25,000” and inserting “\$45,000”.

SEC. 133. ANTI-BORDER CORRUPTION REAUTHORIZATION ACT.

(a) **SHORT TITLE.**—This Act may be cited as the “Anti-Border Corruption Reauthorization Act of 2017”.

(b) **HIRING FLEXIBILITY.**—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221) is amended by striking subsection (b) and inserting the following:

“(b) **WAIVER AUTHORITY.**—The Commissioner of U.S. Customs and Border Protection may waive the application of subsection (a)(1)—

“(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

“(A) has continuously served as a law enforcement officer for not fewer than three years;

“(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension;

“(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

“(D) has, within the past ten years, successfully completed a polygraph examination as a condition of employment with such officer’s current law enforcement agency;

“(2) to a current, full-time Federal law enforcement officer who—

“(A) has continuously served as a law enforcement officer for not fewer than three years;

“(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

“(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer posi-

tion under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

“(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; and

“(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

“(A) has served in the Armed Forces for not fewer than three years;

“(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

“(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

“(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

“(E) was not granted any waivers to obtain the clearance referred to subparagraph (B).

“(c) **TERMINATION OF WAIVER AUTHORITY.**—The authority to issue a waiver under subsection (b) shall terminate on the date that is four years after the date of the enactment of the Anti-Border Corruption Reauthorization Act of 2017.”

(c) **SUPPLEMENTAL COMMISSIONER AUTHORITY AND DEFINITIONS.**—

(1) **SUPPLEMENTAL COMMISSIONER AUTHORITY.**—Section 4 of the Anti-Border Corruption Act of 2010 (Public Law 111-376) is amended to read as follows:

“SEC. 4. SUPPLEMENTAL COMMISSIONER AUTHORITY.

“(a) **NONEXEMPTION.**—An individual who receives a waiver under section 3(b) is not exempt from other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

“(b) **BACKGROUND INVESTIGATIONS.**—Any individual who receives a waiver under section 3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

“(c) **ADMINISTRATION OF POLYGRAPH EXAMINATION.**—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.”

(2) **REPORT.**—The Anti-Border Corruption Act of 2010, as amended by paragraph (1), is further amended by adding at the end the following new section:

“SEC. 5. REPORTING.

“(a) **ANNUAL REPORT.**—Not later than one year after the date of the enactment of the Anti-Border Corruption Reauthorization Act of 2017, and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to the reporting period—

“(1) the number of waivers requested, granted, and denied under section 3(b);

“(2) the reasons for any denials of such waiver;

“(3) the percentage of applicants who were hired after receiving a waiver;

“(4) the number of instances that a polygraph was administered to an applicant who initially received a waiver and the results of such polygraph;

“(5) an assessment of the current impact of the polygraph waiver program on filling law enforcement positions at U.S. Customs and Border Protection; and

“(6) additional authorities needed by U.S. Customs and Border Protection to better utilize the polygraph waiver program for its intended goals.

“(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include—

“(1) an analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential employees for suitability; and

“(2) a recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).”

(3) DEFINITIONS.—The Anti-Border Corruption Act of 2010, as amended by paragraphs (1) and (2), is further amended by adding at the end the following new section:

“SEC. 6. DEFINITIONS.

“In this Act:

“(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term ‘Federal law enforcement officer’ has the meaning given the term ‘law enforcement officer’ in sections 8331(20) and 8401(17) of title 5, United States Code.

“(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term ‘serious military or civil offense’ means an offense for which—

“(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

“(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635-200 chapter 14-12.

“(3) TIER 4; TIER 5.—The terms ‘Tier 4’ and ‘Tier 5’ with respect to background investigations have the meaning given such terms under the 2012 Federal Investigative Standards.

“(4) VETERAN.—The term ‘veteran’ has the meaning given such term in section 101(2) of title 38, United States Code.”

(d) POLYGRAPH EXAMINERS.—Not later than September 30, 2021, the Secretary of Homeland Security shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraph examinations under the Anti-Border Corruption Act of 2010, as amended by this section.

SEC. 134. ADDITIONAL U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT PERSONNEL.

(a) ENFORCEMENT AND REMOVAL OFFICERS.—Not later than September 30, 2021, the Director of U.S. Immigration and Customs Enforcement shall increase the number of trained, full-time, active duty U.S. Immigration and Customs Enforcement Enforcement and Removal Operations law enforcement officers performing interior immigration enforcement functions to not fewer than 8,500.

(b) HOMELAND SECURITY INVESTIGATIONS SPECIAL AGENTS.—Not later than September 30, 2021, the Director of U.S. Immigration and Customs Enforcement shall increase the number of trained, full-time, active duty Homeland Security Investigations special agents by not fewer than 1,500.

(c) BORDER ENFORCEMENT SECURITY TASK FORCE.—Not later than September 30, 2021, the Director of U.S. Immigration and Customs Enforcement shall assign not fewer than 100 Homeland Security Investigations special agents to the Border Enforcement Security Task Force Program established under section 432 of the Homeland Security Act of 2002 (6 U.S.C. 240).

SEC. 135. OTHER IMMIGRATION AND LAW ENFORCEMENT PERSONNEL.

(a) DEPARTMENT OF JUSTICE.—

(1) UNITED STATES ATTORNEYS.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing attorney vacancies within the Department of Justice on such date of enactment, the Attorney General shall—

(A) increase by not fewer than 100 the number of Assistant United States Attorneys, and

(B) increase by not fewer than 50 the number of Special Assistant United States Attorneys in the United States Attorneys’ office to litigate denaturalization and other immigration cases in the Federal courts.

(2) IMMIGRATION JUDGES.—

(A) ADDITIONAL IMMIGRATION JUDGES.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing vacancies within the Department of Justice on such date of enactment, and subject to the availability of appropriations, the Attorney General shall increase by 200 the number of trained full-time immigration judges.

(B) FACILITIES AND SUPPORT PERSONNEL.—The Attorney General is authorized to procure space, temporary facilities, and support staff, on an expedited basis, to accommodate the additional immigration judges authorized under this subparagraph.

(3) BOARD OF IMMIGRATION APPEALS.—

(A) BOARD MEMBERS.—Not later than September 30, 2021, the Attorney General shall increase the number of Board Members authorized to serve on the Board of Immigration Appeals to 25.

(B) STAFF ATTORNEYS.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing staff attorney vacancies within the Department of Justice on the date of enactment, and subject to the availability of appropriations, the Attorney General shall increase the number of staff attorneys assigned to support the Board of Immigration Appeals by not fewer than 50.

(C) FACILITIES AND SUPPORT PERSONNEL.—The Attorney General is authorized to procure space, temporary facilities, and required administrative support staff, on an expedited basis, to accommodate the additional Board Members authorized under this subparagraph.

(4) OFFICE OF IMMIGRATION LITIGATION.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing vacancies within the Department of Justice, and subject to the availability of appropriations, the Attorney General shall increase by not fewer than 100 the number of attorneys for the Office of Immigration Litigation.

(b) DEPARTMENT OF HOMELAND SECURITY.—

(1) FRAUD DETECTION AND NATIONAL SECURITY OFFICERS.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within the Department of Homeland Security, and subject to the availability of appropriations, the Director of U.S. Citizenship and Immigration

Services shall increase by not fewer than 100 the number of trained full-time active duty Fraud Detection and National Security (FDNS) officers.

(2) ICE HOMELAND SECURITY INVESTIGATIONS FORENSIC DOCUMENT LABORATORY PERSONNEL.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within the Department of Homeland Security, the Director of U.S. Immigration and Customs Enforcement shall increase the number of trained full-time Forensic Document Laboratory Examiners by 15, Fingerprint Specialists by 15, Intelligence Officers by 10, and Administrative Staff by 3.

(3) IMMIGRATION ATTORNEYS.—

(A) ICE TRIAL ATTORNEYS.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing attorney vacancies within the Department of Homeland Security on such date of enactment, the Director of U.S. Immigration and Customs Enforcement shall increase the number of trained, full-time, active duty Office of Principal Legal Advisor attorneys by not fewer than 1,200. Such attorneys shall primarily perform duties related to litigation of removal proceedings and representing the Department of Homeland Security in immigration matters before the immigration courts within the Department of Justice, the Executive Office for Immigration Review, and enforcement of U.S. customs and trade laws. At least 50 of these additional attorney positions shall be by the Attorney General to increase the number of U.S. Immigration and Customs Enforcement attorneys serving as Special Assistant U.S. Attorneys, on detail to the Department of Justice, Offices of the U.S. Attorneys, to assist with immigration-related litigation.

(B) USCIS IMMIGRATION ATTORNEYS.—Not later than September 30, 2021, in addition to positions authorized before the date of the enactment of this Act and any existing attorney vacancies within the Department of Homeland Security on such date of enactment, the Director of U.S. Citizenship and Immigration Services shall increase the number of trained, full-time, active duty Office of Chief Counsel attorneys by not fewer than 250. Such attorneys shall primarily handle national security and public safety cases, denaturalization cases, and legal sufficiency reviews of immigration benefit decisions. At least 50 of these additional attorney positions shall be used by the Attorney General to increase the number of U.S. Citizenship and Immigration Service attorneys serving as Special Assistant U.S. Attorneys, on detail to the Department of Justice, Offices of the U.S. Attorneys, to assist with immigration-related litigation.

(C) FACILITIES AND SUPPORT PERSONNEL.—The Attorney General and Secretary of Homeland Security are authorized to procure space, temporary facilities, and to hire the required administrative and legal support staff, on an expedited basis, to accommodate the additional positions authorized under this paragraph.

PART II—JUDICIAL RESOURCES

SEC. 141. JUDICIAL RESOURCES FOR BORDER SECURITY.

(a) BORDER CROSSING PROSECUTIONS (CRIMINAL CONSEQUENCE INITIATIVE).—

(1) IN GENERAL.—Amounts appropriated pursuant to paragraph (3) shall be used—

(A) to increase the number of criminal prosecutions for unlawful border crossing in each and every sector of the southern border

by not less than 80 percent per day, as compared to the average number of such prosecutions per day during the 12-month period preceding the date of the enactment of this Act, by increasing funding for—

(i) attorneys and administrative support staff in offices of United States attorneys;

(ii) support staff and interpreters in court clerks' offices;

(iii) pre-trial services;

(iv) activities of the Office of the Federal Public Defender, including payments to retain appointed counsel under section 3006A of title 18, United States Code; and

(v) additional personnel, including deputy United States marshals in the United States Marshals Service, to perform intake, coordination, transportation, and court security; and

(B) to reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the increased border crossing prosecutions carried out pursuant to subparagraph (A).

(2) **ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.**—The chief judge of each judicial district located within a sector of the southern border is authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the magistrate judges are appointed.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for each of the fiscal years 2018 through 2021 such sums as may be necessary to carry out this subsection.

(b) **ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHERN BORDER STATES.**—

(1) **IN GENERAL.**—The President shall appoint, by and with the advice and consent of the Senate—

(A) 4 additional district judges for the District of Arizona;

(B) 2 additional district judges for the Southern District of California;

(C) 4 additional district judges for the Western District of Texas; and

(D) 2 additional district judges for the Southern District of Texas.

(2) **CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.**—The judgeships for the District of Arizona and the Central District of California authorized under section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note), in existence on the day before the date of the enactment of this Act, shall be authorized under section 133 of title 28, United States Code, and the individuals holding such judgeships on such day shall hold office under section 133 of title 28, United States Code, as amended by paragraph (3).

(3) **TECHNICAL AND CONFORMING AMENDMENTS.**—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

“Arizona 17”;

(B) by striking the items relating to California and inserting the following:

“California:
Northern 19
Eastern 12
Central 28
Southern 15”;
and

(C) by striking the items relating to Texas and inserting the following:

“Texas:
Northern 12
Southern 21
Eastern 7
Western 17”.

(c) **INCREASE IN FILING FEES.**—

(1) **IN GENERAL.**—Section 1914(a) of title 28, United States Code, is amended—

(A) by striking “\$350” and inserting “\$375”; and

(B) by striking “\$5” and inserting “\$7”.

(2) **EXPENDITURE LIMITATION.**—Incremental amounts collected pursuant to the amendments made by paragraph (1) shall be deposited as offsetting receipts in the special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(d) **WHISTLEBLOWER PROTECTION.**—

(1) **IN GENERAL.**—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(2) **CIVIL ACTION.**—An employee injured by a violation of paragraph (1) may seek appropriate relief in a civil action.

SEC. 142. REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED, IMMIGRATION-RELATED CRIMINAL CASES.

(a) **IN GENERAL.**—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution of federally initiated criminal cases declined to be prosecuted by local offices of the United States attorneys, including costs relating to pre-trial services, detention, clerical support, and public defenders' services associated to such prosecution.

(b) **EXCEPTION.**—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

Subtitle C—Grants

SEC. 151. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended—

(1) in paragraph (1)—

(A) by inserting “AUTHORIZATION.—” before “If the chief”; and

(B) by inserting “or an alien with an unknown status” after “undocumented criminal alien” each place that term appears;

(2) by striking paragraphs (2) and (3) and inserting the following:

“(2) **COMPENSATION.**—

“(A) **CALCULATION OF COMPENSATION.**—Compensation under paragraph (1)(A) shall be the average cost of incarceration of a prisoner in the relevant State, as determined by the Attorney General.

“(B) **COMPENSATION OF STATE FOR INCARCERATION.**—The Attorney General shall com-

pensate the State or political subdivision of the State, in accordance with subparagraph (A), for the incarceration of an alien—

“(i) whose immigration status cannot be verified by the Secretary of Homeland Security; and

“(ii) who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States.

“(3) **DEFINITIONS.**—In this subsection:

“(A) **ALIEN WITH AN UNKNOWN STATUS.**—The term ‘alien with an unknown status’ means an individual—

“(i) who has been incarcerated by a Federal, State, or local law enforcement entity; and

“(ii) whose immigration status cannot be definitively identified.

“(B) **UNDOCUMENTED CRIMINAL ALIEN.**—The term ‘undocumented criminal alien’ means an alien who—

“(i) has been charged with or convicted of a felony or any misdemeanors; and

“(ii)(I) entered the United States without inspection or at any time or place other than as designated by the Secretary of Homeland Security;

“(II) was the subject of exclusion or deportation or removal proceedings at the time he or she was taken into custody by the State or a political subdivision of the State; or

“(III) was admitted as a nonimmigrant and, at the time he or she was taken into custody by the State or a political subdivision of the State, has failed to maintain the nonimmigrant status in which the alien was admitted or to which it was changed under section 248, or to comply with the conditions of any such status.”;

(3) in paragraph (4), by inserting “and aliens with an unknown status” after “undocumented criminal aliens” each place that term appears;

(4) in paragraph (5)(C), by striking “to carry out this subsection” and all that follows and inserting “\$950,000,000 for each of the fiscal years 2018 through 2021 to carry out this subsection.”; and

(5) by adding at the end the following:

“(7) **DISTRIBUTION OF REIMBURSEMENT.**—Any funds provided to a State or a political subdivision of a State as compensation under paragraph (1)(A) for a fiscal year shall be distributed to such State or political subdivision not later than 120 days after the last day of the period specified by the Attorney General for the submission of requests under that paragraph for that fiscal year.”.

SEC. 152. OPERATION STONEGARDEN.

(a) **IN GENERAL.**—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

“SEC. 2009. OPERATION STONEGARDEN.

“(a) **ESTABLISHMENT.**—There is established in the Department a program, which shall be known as ‘Operation Stonegarden’, under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through the State administrative agency, to enhance border security in accordance with this section.

“(b) **ELIGIBLE RECIPIENTS.**—To be eligible to receive a grant under this section, a law enforcement agency—

“(1) shall be located in—

“(A) a State bordering Canada or Mexico; or

“(B) a State or territory with a maritime border; and

“(2) shall be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a sector office.

“(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for—

“(1) equipment, including maintenance and sustainment costs;

“(2) personnel, including overtime and backfill, in support of enhanced border law enforcement activities;

“(3) any activity permitted for Operation Stonegarden under the Department of Homeland Security’s Fiscal Year 2017 Homeland Security Grant Program Notice of Funding Opportunity; and

“(4) any other appropriate activity, as determined by the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection.

“(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not less than 36 months.

“(e) REPORT.—For each of the fiscal years 2018 through 2022, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that contains information on the expenditure of grants made under this section by each grant recipient.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$110,000,000 for each of the fiscal years 2018 through 2022 for grants under this section.”.

(b) CONFORMING AMENDMENT.—Section 2002(a) of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

“(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, and 2009 to State, local, and tribal governments, as appropriate.”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following new item:

“Sec. 2009. Operation Stonegarden.”.

SEC. 153. GRANTS FOR IDENTIFICATION OF VICTIMS OF CROSS-BORDER HUMAN SMUGGLING.

In addition to any funding for grants made available to the Attorney General for State and local law enforcement assistance, the Attorney General shall award grants to county, municipal, or tribal governments in States along the southern border for costs, or reimbursement of costs, associated with the transportation and processing of unidentified alien remains that have been transferred to an official medical examiner’s office or an institution of higher education in the area with the capacity to analyze human remains using forensic best practices, including DNA testing, where such expenses may contribute to the collection and analysis of information pertaining to missing and unidentified persons.

SEC. 154. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) AWARDING ENTITY.—The term “awarding entity” means the Secretary, the Administrator of the Federal Emergency Management Agency, the Director of the National Science Foundation, or the Chief of the Office of Citizenship and New Americans.

(2) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) UNRESOLVED AUDIT FINDING.—The term “unresolved audit finding” means a finding

in a final audit report conducted by the Inspector General of the Department of Homeland Security, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within one year after the date when the final audit report is issued.

(b) ACCOUNTABILITY.—All grants awarded by an awarding entity pursuant to this subtitle shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) AUDITS.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Homeland Security, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this subtitle or any amendments made by this subtitle to prevent waste, fraud, and abuse of funds by grantees. Such Inspectors General shall determine the appropriate number of grantees to be audited each year.

(B) MANDATORY EXCLUSION.—A recipient of grant funds under this subtitle that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this subtitle or any amendment made by this subtitle during the first two fiscal years beginning after the end of the one-year period described in subsection (A).

(C) PRIORITY.—In awarding a grant under this subtitle or any amendment made by this subtitle, the awarding entity shall give priority to eligible applicants that did not have an unresolved audit finding during the three fiscal years immediately preceding the date on which the entity submitted the application for such grant.

(D) REIMBURSEMENT.—If an entity is awarded grant funds under this subtitle or any amendment made by this subtitle during the two-year period when the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to such entity into the general fund of the Treasury; and

(ii) seek to recover the costs of the repayment under clause (i) from such entity.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) PROHIBITION.—An awarding entity may not award a grant under this subtitle or any amendment made by this subtitle to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax imposed under section 511(a) of the Internal Revenue Code of 1986.

(B) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this subtitle or any amendment made by this subtitle and uses the procedures prescribed by Internal Revenue regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—Amounts authorized to be appropriated to the Department of Homeland Security or the National Science Foundation for grant programs under this subtitle or any amendment made by this subtitle may not be used by an awarding entity to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Homeland Security or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit an annual report to Congress that identifies all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, each awarding entity shall submit a report to Congress that—

(A) indicates whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) includes a list of any grant recipients excluded under paragraph (1) during the previous year.

Subtitle D—Authorization of Appropriations

SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated for each of the fiscal years 2018 through 2021, \$2,500,000,000 to implement this title and the amendments made by this title, of which—

(1) \$10,000,000 shall be used by the Department of Homeland Security to implement Vehicle and Dismount Exploitation Radars (VADER) in border security operations;

(2) \$3,000,000 shall be used by the Department of Homeland Security to implement three dimensional, seismic acoustic detection and ranging border tunneling detection technology on the southern border;

(3) \$200,000,000 shall be used by the Department of State to implement section 113; and

(4) \$30,000,000 shall be used for judicial reform, institution building, anti-corruption, and rule of law activities under the Merida Initiative.

(b) HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM.—Section 707(p)(5) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(p)(5)) is amended by striking “to the Office of National Drug Control Policy” and all that follows and inserting “\$280,000,000 to the Office of National Drug Control Policy for each of the fiscal years 2018 through 2021 to carry out this section.”.

TITLE II—EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING

SEC. 201. PORTS OF ENTRY INFRASTRUCTURE.

(a) ADDITIONAL PORTS OF ENTRY.—

(1) **AUTHORITY.**—The Secretary of Homeland Security may construct new ports of entry along the northern border and the southern border and determine the location of any such new ports of entry.

(2) **CONSULTATION.**—

(A) **REQUIREMENT TO CONSULT.**—The Secretary of Homeland Security shall consult with the Secretary of State, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Transportation, the Administrator of General Services, and appropriate representatives of State and local governments, and Indian tribes, and property owners in the United States prior to selecting a location for any new port constructed pursuant to paragraph (1).

(B) **CONSIDERATIONS.**—The purpose of the consultations required by subparagraph (A) shall be to minimize any negative impacts of such a new port on the environment, culture, commerce, and quality of life of the communities and residents located near such new port.

(b) **EXPANSION AND MODERNIZATION OF HIGH-PRIORITY BORDER PORTS OF ENTRY.**—Not later than September 30, 2021, the Secretary of Homeland Security shall modernize the top 10 high-priority ports of entry.

(c) **PORT OF ENTRY PRIORITIZATION.**—Prior to constructing any new ports of entry pursuant to subsection (a), the Secretary shall complete the expansion and modernization of ports of entry pursuant to subsection (b) to the extent practicable.

(d) **NOTIFICATION.**—

(1) **NEW PORTS OF ENTRY.**—Not later than 15 days after determining the location of any new port of entry for construction pursuant to subsection (a), the Secretary of Homeland Security shall submit a report containing the location of the new port of entry, a description of the need for and anticipated benefits of the new port of entry, a description of the consultations undertaken by the Secretary, any actions that will be taken to minimize negative impacts of the new port, and the anticipated timeline for construction and completion of the new port of entry to—

(A) the members of Congress that represent the State or congressional district in which the new port of entry will be located;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Finance of the Senate;

(D) the Committee on the Judiciary of the Senate;

(E) the Committee on Homeland Security of the House of Representatives;

(F) the Committee on Ways and Means of the House of Representatives; and

(G) the Committee on the Judiciary of the House of Representatives.

(2) **TOP TEN HIGH-VOLUME PORTS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall notify the congressional committees listed under paragraph (1) of—

(A) the top 10 high-volume ports of entry on the southern border referred to in subsection (b); and

(B) the Secretary's plan for expanding the primary and secondary inspection lanes at each such port of entry.

SEC. 202. SECURE COMMUNICATIONS.

(a) **IN GENERAL.**—The Secretary shall ensure that each U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement officer or agent, if appropriate, is equipped with a secure two-way communication device, supported by system interoperability and LTE network capability,

that allows each such officer to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, tribal, and local law enforcement entities.

(b) **LAND BORDER AGENTS AND OFFICERS.**—The Secretary shall ensure that each U.S. Customs and Border Protection agent or officer assigned or required to patrol on foot, by horseback, or with a canine unit, in remote mission critical locations, including but not limited to the Rio Grand Valley and Big Bend, and at border checkpoints, has a multi-band, encrypted portable radio with military-grade high frequency capability to allow for beyond line-of-sight communications.

SEC. 203. BORDER SECURITY DEPLOYMENT PROGRAM.

(a) **EXPANSION.**—Not later than September 30, 2021, the Secretary shall fully implement the Border Security Deployment Program of the U.S. Customs and Border Protection and expand the integrated surveillance and intrusion detection system at land ports of entry along the southern border and the northern border.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated \$33,000,000 for fiscal year 2018 to carry out subsection (a).

SEC. 204. PILOT AND UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.

(a) **UPGRADE.**—Not later than one year after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall upgrade all existing license plate readers on the northern border and the southern borders on incoming and outgoing vehicle lanes.

(b) **PILOT PROGRAM.**—Not later than 90 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall conduct a one-month pilot on the southern border using license plate readers for one to two cargo lanes at the top three high-volume land ports of entry or checkpoints to determine their effectiveness in reducing cross-border wait times for commercial traffic and tractor-trailers.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Finance of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the House of Representatives, and the Committee on Ways and Means of the House of Representatives on the results of the pilot program under subsection (b); and

(2) make recommendations to such committees for implementing such technology on the southern border.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated \$125,000,000 for fiscal year 2018 to carry out this section.

SEC. 205. BIOMETRIC TECHNOLOGY.

(a) **BIOMETRIC STORAGE.**—The Secretary shall create a system or upgrade an existing system (if a Department of Homeland Security system already has capability and capacity for storage) to allow for storage of iris scans and voice prints of aliens that can be used by the Department of Homeland Security,

other Federal agencies, and State and local law enforcement for identification, remote authentication, and verification of aliens. The Secretary shall ensure, to the extent possible, that the system for storage of iris scans and voice prints is compatible with existing State and local law enforcement systems that are used for collection and storage of iris scans or voice prints for criminal aliens.

(b) **PILOT PROGRAM.**—Not later than 120 days after the date of enactment of this Act, U.S. Immigration and Customs Enforcement and U.S. Citizenship and Immigration Services shall conduct a six-month pilot on the collection and use of iris scans and voice prints for identification, remote authentication, and verification of aliens who are in removal proceedings, detained, or are seeking an immigration benefit.

(c) **REPORT.**—Not later than one year after the date of enactment of this Act, the Secretary shall report the results of the pilot and make recommendations for implementing use of such technology to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Homeland Security and Committee on the Judiciary of the House of Representatives.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated \$10,000,000 for fiscal year 2018 to carry out this section.

SEC. 206. BIOMETRIC EXIT DATA SYSTEM.

(a) **IN GENERAL.**—Subtitle B of title IV of the Homeland Security Act of 2002 (6 U.S.C. 211 et seq.) is amended by adding at the end the following new section:

“SEC. 418. BIOMETRIC ENTRY-EXIT.”

“(a) **ESTABLISHMENT.**—The Secretary shall—

“(1) not later than 180 days after the date of the enactment of the Building America's Trust Act, submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan to establish a biometric exit data system to complete the integrated biometric entry and exit data system required under section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), including—

“(A) an integrated master schedule and cost estimate, including requirements and design, development, operational, and maintenance costs, of such a system that takes into account prior reports on such matters issued by the Government Accountability Office and the Department;

“(B) cost-effective staffing and personnel requirements of such a system that leverages existing resources of the Department that takes into account prior reports on such matters issued by the Government Accountability Office and the Department;

“(C) a consideration of training programs necessary to establish such a system that takes into account prior reports on such matters issued by the Government Accountability Office and the Department;

“(D) a consideration of how such a system will affect wait times that takes into account prior reports on such matter issued by the Government Accountability Office and the Department;

“(E) information received after consultation with private sector stakeholders, including the—

- “(i) trucking industry;
- “(ii) airport industry;
- “(iii) airline industry;
- “(iv) seaport industry;
- “(v) travel industry; and
- “(vi) biometric technology industry;

“(F) a consideration of how trusted traveler programs in existence as of the date of the enactment of this Act may be impacted by, or incorporated into, such a system;

“(G) defined metrics of success and milestones;

“(H) identified risks and mitigation strategies to address such risks; and

“(I) a consideration of how other countries have implemented a biometric exit data system; and

“(2) not later than two years after the date of the enactment of the Building America's Trust Act, establish a biometric exit data system at—

“(A) the 15 United States airports that support the highest volume of international air travel, as determined by available Federal flight data;

“(B) the 15 United States seaports that support the highest volume of international sea travel, as determined by available Federal travel data; and

“(C) the 15 United States land ports of entry that support the highest volume of vehicle, pedestrian, and cargo crossings, as determined by available Federal border crossing data.

“(b) IMPLEMENTATION.—

“(1) PILOT PROGRAM AT LAND PORTS OF ENTRY FOR NON-PEDESTRIAN OUTBOUND TRAFFIC.—Not later than 18 months after the date of the enactment of the Building America's Trust Act, the Secretary, in collaboration with industry stakeholders, shall establish a six-month pilot program to test the biometric exit data system referred to in subsection (a)(2) on nonpedestrian outbound traffic at not fewer than three land ports of entry with significant cross-border traffic, including at not fewer than two land ports of entry on the southern land border and at least one land port of entry on the northern land border. Such pilot program may include a consideration of more than one biometric mode, and shall be implemented to determine the following:

“(A) How a nationwide implementation of such biometric exit data system at land ports of entry shall be carried out.

“(B) The infrastructure required to carry out subparagraph (A).

“(C) The effects of such pilot program on legitimate travel and trade.

“(D) The effects of such pilot program on wait times, including processing times, for such non-pedestrian traffic.

“(E) Its effectiveness in combating terrorism.

“(F) Its effectiveness in identifying visa holders who violate the terms of their visas.

“(2) AT LAND PORTS OF ENTRY FOR NON-PEDESTRIAN OUTBOUND TRAFFIC.—

“(A) IN GENERAL.—Not later than five years after the date of the enactment of the Building America's Trust Act, the Secretary shall expand the biometric exit data system referred to in subsection (a)(2) to all land ports of entry, and such system shall apply only in the case of nonpedestrian outbound traffic.

“(B) EXTENSION.—The Secretary may extend for a single two-year period the date specified in subparagraph (A) if the Secretary certifies to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland

Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that the 15 land ports of entry that support the highest volume of passenger vehicles, as determined by available Federal data, do not have the physical infrastructure or characteristics to install the systems necessary to implement a biometric exit data system.

“(3) AT AIR AND SEA PORTS OF ENTRY.—Not later than five years after the date of the enactment of the Building America's Trust Act, the Secretary shall expand the biometric exit data system referred to in subsection (a)(2) to all air and sea ports of entry.

“(4) AT LAND PORTS OF ENTRY FOR PEDESTRIANS.—Not later than five years after the date of the enactment of the Building America's Trust Act, the Secretary shall expand the biometric exit data system referred to in subsection (a)(2) to all land ports of entry, and such system shall apply only in the case of pedestrians.

“(c) EFFECTS ON AIR, SEA, AND LAND TRANSPORTATION.—The Secretary, in consultation with appropriate private sector stakeholders, shall ensure that the collection of biometric data under this section causes the least possible disruption to the movement of people or cargo in air, sea, or land transportation, while fulfilling the goals of improving counterterrorism efforts and identifying visa holders who violate the terms of their visas.

“(d) TERMINATION OF PROCEEDING.—Notwithstanding any other provision of law, the Secretary shall, on the date of the enactment of the Building America's Trust Act, terminate the proceeding entitled ‘Collection of Alien Biometric Data Upon Exit From the United States at Air and Sea Ports of Departure; United States Visitor and Immigrant Status Indicator Technology Program (“US-VISIT”)', issued on April 24, 2008 (73 Fed. Reg. 22065).

“(e) DATA-MATCHING.—The biometric exit data system established under this section shall—

“(1) match biometric information for an alien who is departing the United States against the biometric information obtained for the alien upon entry to the United States;

“(2) leverage the infrastructure and databases of the current biometric entry and exit system established pursuant to section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) for the purpose described in paragraph (1); and

“(3) be interoperable with, and allow matching against, other Federal databases that store biometrics of known or suspected terrorists and visa holders who have violated the terms of their visas.

“(f) SCOPE.—

“(1) IN GENERAL.—The biometric exit data system established under this section shall include a requirement for the collection of biometric exit data for all categories of individuals who are required to provide biometric entry data.

“(2) EXCEPTION FOR CERTAIN OTHER INDIVIDUALS.—This section shall not apply to individuals who exit and then reenter the United States on a passenger vessel (as such term is defined in section 2101 of title 46, United States Code) if the itinerary of such vessel originates and terminates in the United States.

“(3) EXCEPTION FOR LAND PORTS OF ENTRY.—This section shall not apply to a United States citizen or a Canadian citizen who exits the United States through a land port of entry.

“(g) COLLECTION OF DATA.—The Secretary may not require any non-Federal person to collect biometric data pursuant to the biometric exit data system established under this section, except through a contractual agreement.

“(h) MULTI-MODAL COLLECTION.—In carrying out subsections (a)(1) and (b), the Secretary shall make every effort to collect biometric data using multiple modes of biometrics.

“(i) FACILITIES.—All non-federally owned facilities where the biometric exit data system established under this section is implemented shall provide and maintain space for Federal use that is adequate to support biometric data collection and other inspection-related activity. Such space shall be provided and maintained at no cost to the Government.

“(j) NORTHERN LAND BORDER.—In the case of the northern land border, the requirements under subsection (a)(2)(C), (b)(2)(A), and (b)(4) may be achieved through the sharing of biometric data provided to U.S. Customs and Border Protection by the Canadian Border Services Agency pursuant to the 2011 Beyond the Border agreement.

“(k) CONGRESSIONAL REVIEW.—Not later than 90 days after the date of the enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives reports and recommendations of the Science and Technology Directorate's Air Entry and Exit Re-Engineering Program of the Department and the U.S. Customs and Border Protection entry and exit mobility program demonstrations.”

SEC. 207. SENSE OF CONGRESS ON COOPERATION BETWEEN AGENCIES.

(a) FINDING.—Congress finds that personnel constraints exist at land ports of entry with regard to sanitary and phytosanitary inspections for exported goods.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, in the best interest of cross-border trade and the agricultural community—

(1) any lack of certified personnel for inspection purposes at ports of entry should be addressed by seeking cooperation between agencies and departments of the United States, whether in the form of a memorandum of understanding or through a certification process, whereby additional existing agents are authorized for additional hours to facilitate the crossing and trade of perishable goods in a manner consistent with rules of the Department of Agriculture; and

(2) cross designation should be available for personnel who will assist more than one agency or department at land ports of entry to facilitate increased trade and commerce.

SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

In addition to any amounts otherwise authorized to be appropriated, there is authorized to be appropriated \$1,000,000,000 for each of the fiscal years 2018 through 2021 to carry out this title.

TITLE III—DOMESTIC SECURITY AND INTERIOR ENFORCEMENT

Subtitle A—General Matters

SEC. 301. ENDING CATCH AND RELEASE FOR REPEAT IMMIGRATION VIOLATORS AND CRIMINALS ALIENS.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by striking the section heading and subsections (a) through (c) and inserting the following:

“SEC. 236. APPREHENSION AND DETENTION OF ALIENS.

“(a) ARREST, DETENTION, AND RELEASE.—

“(1) IN GENERAL.—The Secretary, on a warrant issued by the Secretary, may arrest an alien and detain the alien pending a decision on whether the alien is to be removed from the United States up until the alien has an administratively final order of removal. Except as provided in subsection (c) and pending such decision, the Secretary—

“(A) may—

“(i) continue to detain the arrested alien;

“(ii) release the alien on bond of at least \$5,000, with security approved by, and containing conditions prescribed by, the Secretary; or

“(iii) release the alien on his or her own recognizance, subject to appropriate conditions set forth by the Secretary of Homeland Security, if the Secretary of Homeland Security determines that the alien will not pose a danger to the safety of other persons or of property and is likely to appear for any scheduled proceeding; and

“(B) may not provide the alien with work authorization (including an ‘employment authorized’ endorsement or other appropriate work permit) or advance parole to travel outside of the United States, unless the alien is lawfully admitted for permanent residence or otherwise would (without regard to removal proceedings) be provided such authorization.

“(b) REVOCATION OF BOND OR PAROLE.—The Secretary at any time may revoke bond or parole authorized under subsection (a), rearrest the alien under the original warrant, and detain the alien.

“(c) MANDATORY DETENTION OF CRIMINAL ALIENS.—

“(1) CRIMINAL ALIENS.—The Secretary shall take into custody and continue to detain any alien who—

“(A)(i) has not been admitted or paroled into the United States; and

“(ii) was apprehended anywhere within 100 miles of the international border of the United States;

“(B) is admissible by reason of having committed any offense covered in section 212(a)(2);

“(C) is deportable by reason of having committed any offense covered in section 237(a)(2);

“(D) is convicted for an offense under section 275(a);

“(E) is convicted for an offense under section 276;

“(F) is convicted for any criminal offense; or

“(G) is inadmissible under section 212(a)(3)(B) or deportable under section 237(a)(4)(B),

when the alien is released, without regard to whether the alien is released on parole, supervised release, and without regard to whether the alien may be arrested or imprisoned again for the same offense.

“(2) RELEASE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may release an alien described in paragraph (1) only if the Secretary decides pursuant to section 3251 of title 18, United States Code, and in accordance with a procedure that considers the severity of the offense committed by the alien, that—

“(i) release of the alien from custody is necessary to provide protection to a witness, a potential witness, a person cooperating with an investigation into major criminal activity, or an immediate family member or close associate of a witness, potential wit-

ness, or person cooperating with such an investigation, and

“(ii) the alien satisfies the Secretary that the alien is not a flight risk, poses no danger to the safety of other persons or of property, is not a threat to national security or public safety, and is likely to appear at any scheduled proceeding.

“(B) ARRESTED, BUT NOT CONVICTED, ALIENS.—

“(1) RELEASE FOR PROCEEDINGS.—The Secretary of Homeland Security may release any alien held pursuant to paragraph (1) to the appropriate authority for any proceedings subsequent to the arrest.

“(ii) RESUMPTION OF CUSTODY.—If an alien is released under clause (i), the Secretary shall—

“(I) resume custody of the alien during any period pending the final disposition of any such proceedings that the alien is not in the custody of such appropriate authority; and

“(II) if the alien is not convicted of the offense for which the alien was arrested, the Secretary shall continue to detain the alien until removal proceedings are completed.”

SEC. 302. DETERRING VISA OVERSTAYS.

(a) ADMISSION OF NONIMMIGRANTS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by striking the section heading and all that follows through subsection (a)(1) and inserting the following:

“SEC. 214. ADMISSION OF NONIMMIGRANTS.

“(a) IN GENERAL.—

“(1) TERMS AND CONDITIONS OF ADMISSION.—

“(A) REGULATIONS.—Subject to subparagraphs (B) and (C), the admission to the United States of any alien as a nonimmigrant may be for such time and under such conditions as the Secretary of Homeland Security may by regulations prescribe, including when the Secretary deems necessary the giving of a bond with sufficient surety in such sum and containing such conditions as the Secretary shall prescribe, to insure that at the expiration of such time or upon failure to maintain the status under which the alien was admitted, or to maintain any status subsequently acquired under section 248, such alien will depart from the United States.

“(B) GUAM OR CNMI VISA WAIVER NONIMMIGRANTS.—No alien admitted to Guam or the Commonwealth of the Northern Mariana Islands without a visa pursuant to section 212(l) may be authorized to enter or stay in the United States other than in Guam or the Commonwealth of the Northern Mariana Islands or to remain in Guam or the Commonwealth of the Northern Mariana Islands for a period exceeding 45 days from the date of admission to Guam or the Commonwealth of the Northern Mariana Islands.

“(C) VISA WAIVER PROGRAM NONIMMIGRANTS.—No alien admitted to the United States without a visa pursuant to section 217 may be authorized to remain in the United States as a nonimmigrant visitor for a period exceeding 90 days from the date of admission.

“(D) BAR TO IMMIGRATION BENEFITS AND TO CONTESTING REMOVAL.—

“(i) IN GENERAL.—Subject to clause (ii), except for an alien admitted as a nonimmigrant under subparagraph (A) or (G) of section 101(a)(15) or a NATO nonimmigrant, any alien who remains in the United States beyond the period of stay authorized by the Secretary of Homeland Security, without good cause as determined by the Secretary of Homeland Security, in the Secretary’s discretion, is ineligible for all immigration benefits or relief available under the immigration laws, other than a request for asylum,

withholding of removal under section 241(b)(3), or relief from removal based on a claim under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1984.

“(ii) EXCEPTION.—The Secretary may, in the Secretary’s sole and unreviewable discretion, find that a nonimmigrant is not subject to clause (i) if—

“(I) the alien was lawfully admitted to the United States as a nonimmigrant;

“(II) the alien filed a nonfrivolous application for change of status to another nonimmigrant category or extension of stay before the date of expiration of the alien’s authorized period of stay as a nonimmigrant;

“(III) the alien has not been employed without authorization in the United States, before, or during pendency of the application;

“(IV) the alien has not otherwise violated the terms of the alien’s nonimmigrant status; and

“(V) the Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, determines that the alien is not a threat to national security or public safety.

“(iii) GOOD CAUSE DEFINED.—In clause (i), the term ‘good cause’ means exigent humanitarian circumstances, such as medical emergencies or force majeure.”

(b) ISSUANCE OF NONIMMIGRANT VISAS.—Section 221(a) of the Immigration and Nationality Act (8 U.S.C. 1201(a)) is amended by adding at the end the following:

“(3) NOTIFICATION OF BARS.—The Secretary of State shall ensure that every application for a nonimmigrant visa includes a statement, to be executed under penalty of perjury, notifying the alien who is seeking a nonimmigrant visa of the bars to immigration relief and to contesting removal under section 214(a)(1)(D) if the alien fails to depart the United States at the end of the alien’s authorized period of stay.”

(c) VISA WAIVER PROGRAM WAIVER OF RIGHTS.—Section 217(b) of the Immigration and Nationality Act (8 U.S.C. 1187(b)) is amended to read as follows:

“(b) WAIVER OF RIGHTS.—An alien may not be provided a waiver under the program unless the alien has—

“(1) signed, under penalty of perjury, an acknowledgement confirming that the alien was notified and understands that he or she will be ineligible for any form of relief or immigration benefit under the Act or any other immigration laws, other than a request for asylum, withholding of removal under section 241(b)(3), or relief from removal based on a claim under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1984, if the alien fails to depart the United States at the end of the 90-day period for admission;

“(2) waived any right to review or appeal under this Act of an immigration officer’s determination as to the admissibility of the alien at the port of entry into the United States; and

“(3) waived any right to contest, other than on the basis of an application for asylum, any action for removal of the alien.”

SEC. 303. INCREASE IN IMMIGRATION DETENTION CAPACITY.

Not later than September 30, 2018, and subject to the availability of appropriations, the Secretary of Homeland Security shall increase the immigration detention capacity to a daily immigration detention capacity of not less than 48,879 detention beds.

SEC. 304. COLLECTION OF DNA FROM CRIMINAL AND DETAINED ALIENS.

(a) IN GENERAL.—Section 3(a)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(a)(1)) is amended by adding at the end the following:

“(C) The Secretary of Homeland Security shall collect DNA samples from any alien, as defined under section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)), who—

“(i) has been detained pursuant to section 235(b)(1)(B)(iii)(IV), 236, 236A, or 238 of that Act (8 U.S.C. 1225(b)(1)(B)(iii)(IV), 1226, 1226a, 1228); or

“(ii) is the subject of a final order of removal under section 240 of that Act (8 U.S.C. 1229a) based on inadmissibility under section 212(a)(2) of that Act (8 U.S.C. 1182(a)(2)) or being subject to removal under section 237(a)(2) of that Act (8 U.S.C. 1227(a)(2)).”.

(b) FURNISHING OF DNA SAMPLES FROM CRIMINAL AND DETAINED ALIENS.—Section 3(b) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(b)) is amended by striking “or the probation office responsible (as applicable)” and inserting “the probation office responsible, or the Secretary of Homeland Security”.

SEC. 305. COLLECTION, USE, AND STORAGE OF BIOMETRIC DATA.

(a) COLLECTION AND USE OF BIOMETRIC INFORMATION FOR IMMIGRATION PURPOSES.—

(1) COLLECTION.—The Secretary of Homeland Security may require any individual filing an application, petition, or other request for immigration benefit or status with the Department of Homeland Security or seeking an immigration benefit, immigration employment authorization, identity, or travel document, or requesting relief under any provision of the immigration laws to submit biometric information (including but not limited to fingerprints, photograph, signature, voice print, iris, or DNA) to the Secretary.

(2) USE.—The Secretary may use any biometric information submitted under paragraph (1) to conduct background and security checks, verify an individual's identity, adjudicate, revoke, or terminate immigration benefits or status, and perform other functions related to administering and enforcing the immigration laws.

(b) BIOMETRIC AND BIOGRAPHIC INFORMATION SHARING.—

(1) BIOMETRIC AND BIOGRAPHIC INFORMATION SHARING WITH DEPARTMENT OF DEFENSE AND FEDERAL BUREAU OF INVESTIGATION.—The Secretary of Homeland Security, the Secretary of Defense, and the Director of the Federal Bureau of Investigation—

(A) shall exchange appropriate biometric and biographic information to determine or confirm the identity of an individual and to assess whether the individual is a threat to national security or public safety; and

(B) may use information exchanged pursuant to subparagraph (A) to compare biometric and biographic information contained in applicable systems of the Department of Homeland Security, the Department of Defense, or the Federal Bureau of Investigation to determine if there is a match between such information and, if there is a match, to relay such information to the requesting agency.

(2) USE OF BIOMETRIC DATA BY THE DEPARTMENT OF STATE.—The Secretary of State shall use biometric information from applicable systems of the Department of Homeland Security, of the Department of Defense, and of the Federal Bureau of Investigation to track individuals who are—

(A)(i) known or suspected terrorists; or

(ii) identified as a potential threat to national security; and

(B) using an alias while traveling.

(3) REPORT ON BIOMETRIC INFORMATION SHARING WITH MEXICO AND OTHER COUNTRIES FOR IDENTITY VERIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of State shall submit a joint report on the status of efforts to engage with the Government of Mexico and the governments of other appropriate foreign countries located in Central America or South American—

(A) to discuss coordination on biometric information sharing between the United States and such countries; and

(B) to enter into bilateral agreements that provide for the sharing of such biometric information with the Department of State, the Department of Defense, the Department of Justice, the Federal Bureau of Investigation, and the Department of Homeland Security to use in identifying individuals who are known or suspected terrorists or potential threats to national security and verifying entry and exit of individuals to and from the United States.

(c) CONSTRUCTION.—The collection of biometric information under paragraph (1) shall not limit the Secretary of Homeland Security's authority to collect biometric information from any individual arriving to or departing from the United States.

SEC. 306. PILOT PROGRAM FOR ELECTRONIC FIELD PROCESSING.

(a) IN GENERAL.—The Secretary of Homeland Security shall establish a pilot program in at least 5 of the 10 U.S. Immigration and Customs Enforcement field offices or regions with the largest removal caseloads to allow U.S. Immigration and Customs Enforcement officers to use handheld or vehicle-mounted computers to electronically—

(1) process and serve charging documents, including notices to appear, while in the field;

(2) process and place detainers while in the field;

(3) collect biometric data for the purpose of identifying an alien and establishing both immigration status and criminal history while in the field;

(4) enter any required data, including personal information about the alien subject and the reason for issuing the document;

(5) apply the electronic signature of the issuing ICE officer or agent;

(6) apply or capture the electronic signature of the alien on any charging document or notice, including any electronic signature captured to acknowledge service of such documents or notices;

(7) set the date the alien is required to appear before an immigration judge, in the case of notices to appear;

(8) print any documents the alien subject may be required to sign, along with additional copies of documents to be served on the alien; and

(9) interface with the ENFORCE database so that all data is collected, stored, and retrievable in real-time.

(b) CONSTRUCTION.—The pilot program described in subsection (a) shall be designed to replace, to the extent possible, the current paperwork and data-entry process used for issuing such charging documents and detainers.

(c) DEADLINE.—The Secretary shall initiate the pilot program described in subsection (a) not later than 6 months after the date of the enactment of this Act.

(d) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the House of Representatives on the results of the pilot program; and

(2) provide recommendations to such committees for implementing use of such technology nationwide.

SEC. 307. ENDING ABUSE OF PAROLE AUTHORITY.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

“(5) PAROLE AUTHORITY.—

“(A) IN GENERAL.—Except as provided in subparagraph (C) or section 214(f), the Secretary of Homeland Security, in the Secretary's discretion, may parole into the United States temporarily, under such conditions as the Secretary may prescribe, including requiring the posting of a bond, and only on a case-by-case basis for urgent humanitarian reasons or significant public benefit, any alien applying for admission to the United States.

“(B) PAROLE NOT AN ADMISSION.—In accordance with section 101(a)(13)(B), parole of an alien under subparagraph (A) shall not be regarded as an admission of the alien to the United States.

“(C) PROHIBITED USES OF PAROLE AUTHORITY.—

“(i) IN GENERAL.—The Secretary may not use the authority under subparagraph (A) to parole in generalized categories of aliens or classes of aliens based solely on nationality, presence, or residence in the United States, family relationships, or any other criteria that would cover a broad group of foreign nationals either inside or outside of the United States.

“(ii) ALIENS WHO ARE NATIONAL SECURITY OR PUBLIC SAFETY THREATS.—

“(I) PROHIBITION ON PAROLE.—The Secretary of Homeland Security shall not parole in any alien who the Secretary, in the Secretary's sole and unreviewable discretion, determines is a threat to national security or public safety, except in extreme exigent circumstances.

“(II) EXTREME EXIGENT CIRCUMSTANCES DEFINED.—In subclause (I), the term ‘extreme exigent circumstances’ means circumstances under which—

“(aa) the failure to parole the alien would result in the immediate significant risk of loss of life or bodily function due to a medical emergency;

“(bb) the failure to parole the alien would conflict with medical advice as to the health or safety of the individual, detention facility staff, or other detainees; or

“(cc) there is an urgent need for the alien's presence for a law enforcement purpose, including for a prosecution or securing the alien's presence to appear as a material witness, or a national security purpose.

“(D) TERMINATION OF PAROLE.—The Secretary of Homeland Security shall determine when the purpose of parole of an alien has been served and, upon such determination—

“(i) the alien's case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States; and

“(ii) if the alien was previously detained, the alien shall be returned to the custody from which the alien was paroled.

“(E) LIMITATIONS ON USE OF ADVANCE PAROLE.—

“(i) ADVANCE PAROLE DEFINED.—In this subparagraph, the term ‘advance parole’ means advance approval for an alien applying for admission to the United States to request at a port of entry in the United States, a pre-inspection station, or a designated field office of the Department of Homeland Security, to be paroled into the United States under subparagraph (A).

“(ii) APPROVAL AND REVOCATION OF ADVANCE PAROLE.—The Secretary of Homeland Security may, in the Secretary’s discretion, grant an application for advance parole. Approval of an application for advance parole shall not constitute a grant of parole under subparagraph (A). A grant of parole into the United States based on an approved application for advance parole shall not be considered a parole for purposes of qualifying for adjustment of status to lawful permanent resident status in the United States under section 245 or 245A.

“(iii) REVOCATION OF ADVANCE PAROLE.—The Secretary may, in the Secretary’s discretion, revoke a grant of advance parole to an alien at any time, regardless of whether the alien is inside or outside the United States. Such revocation shall not be subject to administrative appeal or judicial review.”

SEC. 308. STOP DANGEROUS SANCTUARY CITIES ACT.

(a) SHORT TITLE.—This section may be cited as the “Stop Dangerous Sanctuary Cities Act”.

(b) ENSURING THAT LOCAL AND FEDERAL LAW ENFORCEMENT OFFICERS MAY COOPERATE TO SAFEGUARD OUR COMMUNITIES.—

(1) AUTHORITY TO COOPERATE WITH FEDERAL OFFICIALS.—A State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision that complies with a detainer issued by the Department under sections 236, 241, or section 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1231, or 1357)—

(A) shall be deemed to be acting as an agent of the Department; and

(B) with regard to actions taken to comply with the detainer, shall have all authority available to officers and employees of the Department.

(2) LEGAL PROCEEDINGS.—In any legal proceeding brought against a State, a political subdivision of State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1357)—

(A) no liability for false arrest or imprisonment shall lie against the State or political subdivision of a State for actions taken in compliance with the detainer, which includes maintaining custody of the alien in accordance with the instructions on the detainer form and notifying the Department prior to the alien’s release from custody; and

(B) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(i) the officer, employee, or agent shall be deemed—

(I) to be an employee of the Federal Government and an investigative or law enforcement officer; and

(II) to have been acting within the scope of his or her employment under section 1346(b) and chapter 171 of title 28, United States Code;

(ii) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and

(iii) the United States shall be substituted as defendant in the proceeding.

(c) SANCTUARY JURISDICTION DEFINED.—

(1) IN GENERAL.—Except as provided under subsection (2), for purposes of this section, the term “sanctuary jurisdiction” means any State or political subdivision of a State that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official from—

(A) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of any individual; or

(B) complying with a request lawfully made by the Department under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1357) to comply with a detainer for, or notify about the release of, an individual.

(2) EXCEPTION.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on its having a policy whereby its officials will not share information regarding, or comply with a request made by the Department under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1357) to comply with a detainer regarding, an individual who comes forward as a victim or a witness to a criminal offense.

(d) SANCTUARY JURISDICTIONS INELIGIBLE FOR CERTAIN FEDERAL FUNDS.—

(1) ECONOMIC DEVELOPMENT ADMINISTRATION GRANTS.—

(A) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—Section 201(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(b)) is amended—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(4) the area in which the project is to be carried out is not a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).”

(B) GRANTS FOR PLANNING AND ADMINISTRATIVE EXPENSES.—Section 203(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143(a)) is amended by adding at the end the following: “A sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act) may not be deemed an eligible recipient under this subsection.”

(C) SUPPLEMENTARY GRANTS.—Section 205(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3145(a)) is amended—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3)(B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(4) will be carried out in an area that does not contain a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).”

(D) GRANTS FOR TRAINING, RESEARCH, AND TECHNICAL ASSISTANCE.—Section 207 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147) is amended by adding at the end the following:

“(e) INELIGIBILITY OF SANCTUARY JURISDICTIONS.—Grant funds under this section may not be used to provide assistance to a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).”

(2) COMMUNITY DEVELOPMENT BLOCK GRANTS.—

(A) DEFINITIONS.—Section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)) is amended by adding at the end the following:

“(25) The term ‘sanctuary jurisdiction’ has the meaning given that term in subsection (c) of the Stop Dangerous Sanctuary Cities Act.”

(B) ELIGIBLE GRANTEEES.—

(i) IN GENERAL.—Section 104(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(b)) is amended—

(I) in paragraph (5), by striking “and” at the end;

(II) by redesignating paragraph (6) as paragraph (7); and

(III) by inserting after paragraph (5) the following:

“(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and”

(ii) PROTECTION OF INDIVIDUALS AGAINST CRIME.—Section 104 of the Housing and Community Development Act of 1974 (42 U.S.C. 5304) is amended by adding at the end the following:

“(n) PROTECTION OF INDIVIDUALS AGAINST CRIME.—

“(1) IN GENERAL.—No funds authorized to be appropriated to carry out this title may be obligated or expended for any State or unit of general local government that is a sanctuary jurisdiction.

“(2) RETURNED AMOUNTS.—

“(A) STATE.—If a State is a sanctuary jurisdiction during the period for which it receives amounts under this title, the Secretary—

“(i) shall direct the State to immediately return to the Secretary any such amounts that the State received for that period; and

“(ii) shall reallocate amounts returned under clause (i) for grants under this title to other States that are not sanctuary jurisdictions.

“(B) UNIT OF GENERAL LOCAL GOVERNMENT.—If a unit of general local government is a sanctuary jurisdiction during the period for which it receives amounts under this title, any such amounts that the unit of general local government received for that period—

“(i) in the case of a unit of general local government that is not in a nonentitlement area, shall be returned to the Secretary for grants under this title to States and other units of general local government that are not sanctuary jurisdictions; and

“(ii) in the case of a unit of general local government that is in a nonentitlement area, shall be returned to the Governor of the State for grants under this title to other units of general local government in the State that are not sanctuary jurisdictions.

“(C) REALLOCATION RULES.—In reallocating amounts under subparagraphs (A) and (B), the Secretary—

“(i) shall apply the relevant allocation formula under subsection (b), with all sanctuary jurisdictions excluded; and

“(ii) shall not be subject to the rules for reallocation under subsection (c).”

SEC. 309. REINSTATEMENT OF THE SECURE COMMUNITIES PROGRAM.

(a) REINSTATEMENT.—The Secretary shall reinstate and operate the Secure Communities program immigration enforcement program administered by U.S. Immigration and Customs Enforcement between 2008 and 2014.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$150,000,000 to carry out this section.

SEC. 310. PREVENTION AND DETERRENCE OF FRAUD IN OBTAINING RELIEF FROM REMOVAL.

(a) RESTRICTION ON WAIVER OF INADMISSIBILITY OF CRIMINAL GROUNDS WHEN QUALIFYING RELATIVES BENEFITTED FROM FRAUD.—Section 212(h) of the Immigration and Nationality Act (8 U.S.C. 1182(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III); and

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii);

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(3) by striking “The Attorney General may, in his discretion” and inserting “(1) The Secretary of Homeland Security may, in the Secretary’s discretion”; and

(4) in the undesignated matter following paragraph (1)(B), as redesignated, by striking “No waiver” and inserting the following:

“(2) No waiver shall be available under this subsection if a preponderance of the evidence shows that the spouse, parent, son, or daughter procured, or sought to procure, any immigration status under this title based on fraud or material misrepresentation by the alien seeking the waiver. No waiver”.

(b) RESTRICTION ON WAIVER OF INADMISSIBILITY OF FRAUD GROUNDS WHEN QUALIFYING RELATIVES BENEFITTED FROM FRAUD.—Section 212(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(i)(1)) is amended by adding at the end the following: “No waiver shall be available under this subsection if a preponderance of the evidence shows that the spouse, parent, son, or daughter procured, or sought to procure, any immigration status under this title based on fraud or material misrepresentation by the alien seeking the waiver.”.

(c) RESTRICTION ON WAIVER OF DEPORTABILITY OF FRAUD GROUNDS WHEN QUALIFYING RELATIVES BENEFITTED FROM FRAUD.—Section 237(a)(1)(H) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(1)(H)) is amended—

(1) in clause (i), by redesignating subclauses (I) and (II) as items (aa) and (bb);

(2) by redesignating clauses (i) and (ii) as subclauses (I) and (II);

(3) by inserting “(i)” before “The provisions”; and

(4) by striking “A waiver” and inserting the following:

“(ii) No waiver shall be available under this subparagraph if a preponderance of the evidence shows that the spouse, parent, son, or daughter procured, or sought to procure, any immigration status under this title based on fraud or material misrepresentation by the alien seeking the waiver. A waiver”.

(e) RESTRICTION ON CANCELLATION OF REMOVAL WHEN QUALIFYING RELATIVES BENEFITTED FROM FRAUD.—Section 240A(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(1)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

(2) by inserting “(A)” before “The Attorney General”; and

(3) by adding at the end the following:

“(B) No cancellation shall be available under this paragraph if a preponderance of the evidence shows that the spouse, parent, son, or daughter procured, or sought to procure, any immigration status under this title based on fraud or material misrepresentation by the alien seeking the waiver.”.

(e) APPLICABILITY.—The amendments made by this section shall apply to all applications for waivers or cancellation of removal submitted before, on, or after the date of enactment of this Act.

Subtitle B—Protecting Children and America’s Homeland Act of 2017

SEC. 320. SHORT TITLE.

This subtitle may be cited as the “Protecting Children and America’s Homeland Act of 2017”.

SEC. 321. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) by striking the paragraph heading and inserting “RULES FOR UNACCOMPANIED ALIEN CHILDREN.”;

(B) in subparagraph (A), in the matter preceding clause (i), by striking “who is a national or habitual resident of a country that is contiguous with the United States shall be treated in accordance with subparagraph (B)” and inserting “shall be treated in accordance with subparagraph (B) of this paragraph or subsection (b), as appropriate”; and

(C) in subparagraph (C)—

(i) by striking the subparagraph heading and inserting “AGREEMENTS WITH FOREIGN COUNTRIES.”; and

(ii) in the matter preceding clause (i), by striking “countries contiguous to the United States” and inserting “Canada, El Salvador, Guatemala, Honduras, Mexico, and any other foreign country that the Secretary determines appropriate”;

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(3) inserting after paragraph (2) the following:

“(3) MANDATORY EXPEDITED REMOVAL OF CRIMINALS AND GANG MEMBERS.—Notwithstanding any other provision of law, including section 235(a) of the William Wilberforce Trafficking Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)), the Secretary of Homeland Security shall place an unaccompanied alien child in a proceeding in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) if, the Secretary determines or has reason to believe the alien—

“(A) has been convicted of, or found to be a juvenile offender based on, any offense carrying a maximum term of imprisonment of more than 180 days;

“(B) has been convicted of, or found to be a juvenile offender based on, an offense which involved—

“(i) the use or attempted use of physical force, or threatened use of a deadly weapon;

“(ii) the purchase, sell, offering for sale, exchange, use, owning, possession, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law;

“(iii) child abuse and neglect (as defined in section 4002(a)(3) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(3));

“(iv) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

“(v) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

“(vi) driving while intoxicated or driving under the influence (as those terms are de-

fined in section 164 of title 23, United States Code); or

“(vii) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

“(C) has been convicted of, or found to be a juvenile offender based on, more than 1 criminal offense (other than minor traffic offenses);

“(D) has been convicted of, or found to be a juvenile offender based on a crime of violence or an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon;

“(E) has engaged in, is engaged in, or is likely to engage after entry, in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

“(F) has engaged in, is engaged in, or any time after a prior admission engages in activity described in section 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4));

“(G) is or was a member of a criminal gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(53));

“(H) provided materially false, fictitious, or fraudulent information regarding age or identity to the United States Government with the intent to be inaccurately classified as an unaccompanied alien child; or

“(I) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.

“(J) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.”;

(4) in paragraph (4), as redesignated—

(A) by striking “not described in paragraph (2)(A)”;

(B) by inserting “who choose not to withdraw their application for admission and return to their country of nationality or country of last habitual residence” after “port of entry”;

(5) in paragraph (6)(D), as redesignated—

(A) by striking the subparagraph heading and inserting “EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.”;

(B) in the matter preceding clause (i), by striking “, except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a)(2), shall be—” and inserting “who meets the criteria listed in paragraph (2)(A) and who chooses not to withdraw his or her application for admission and return to the unaccompanied alien child’s country of nationality or country of last habitual residence as permitted under section 235B(c)(5) of the Immigration and Nationality Act (8 U.S.C. 1225b(c)(5))—”;

(C) by striking clause (i) and inserting the following:

“(i) shall be placed in a proceeding in accordance with section 235B of the Immigration and Nationality Act (8 U.S.C. 1225b), which shall commence not later than 7 days

after the screening of an unaccompanied alien child described in paragraph (5);”;

(D) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(E) by inserting after clause (i) the following:

“(ii) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government until the child is repatriated unless the child—

“(I) is the subject of an order under section 235B(e)(1) of the Immigration and Nationality Act (8 U.S.C. 1225b(e)(1)); and

“(II) is placed or released in accordance with subsection (c)(2)(C) of this section.”;

(F) in clause (iii), as redesignated, by inserting “is” before “eligible”; and

(G) in clause (iv), as redesignated, by inserting “shall be” before “provided”.

SEC. 322. EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

(a) **HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.**—

(1) **IN GENERAL.**—Chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.) is amended by inserting after section 235A the following:

“SEC. 235B. HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

“(a) **ASYLUM OFFICER DEFINED.**—In this section, the term ‘asylum officer’ means an immigration officer who—

“(1) has had professional training in country conditions, asylum law, and interview techniques comparable to that provided to full-time adjudicators of applications under section 208; and

“(2) is supervised by an officer who—

“(A) meets the condition described in paragraph (1); and

“(B) has had substantial experience adjudicating applications under section 208.

“(b) **PROCEEDING.**—

“(1) **IN GENERAL.**—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(5) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(5)), an immigration judge shall—

“(A) conduct and conclude a proceeding to inspect, screen, and determine the status of the unaccompanied alien child who is an applicant for admission to the United States; and

“(B) in the case of an unaccompanied alien child seeking asylum, conduct fact finding to determine whether the unaccompanied alien child meets the definition of an unaccompanied alien child under section 235(g) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(g)).

“(2) **TIME LIMIT.**—Not later than 72 hours after the conclusion of a proceeding with respect to an unaccompanied alien child under this section, the immigration judge who conducted such proceeding shall issue an order pursuant to subsection (e).

“(c) **CONDUCT OF PROCEEDING.**—

“(1) **AUTHORITY OF IMMIGRATION JUDGE.**—The immigration judge conducting a proceeding under this section—

“(A) shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the unaccompanied alien child and any witnesses;

“(B) is authorized to sanction by civil money penalty any action (or inaction) in contempt of the judge’s proper exercise of authority under this Act; and

“(C) shall determine whether the unaccompanied alien child meets any of the criteria set out in subparagraphs (A) through (I) of paragraph (3) of section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)), and if so, order the alien removed under subsection (e)(2) of this section.

“(2) **FORM OF PROCEEDING.**—A proceeding under this section may take place—

“(A) in person;

“(B) at a location agreed to by the parties, in the absence of the unaccompanied alien child;

“(C) through video conference; or

“(D) through telephone conference.

“(3) **PRESENCE OF ALIEN.**—If it is impracticable by reason of the mental incompetency of the unaccompanied alien child for the alien to be present at the proceeding, the Attorney General shall prescribe safeguards to protect the rights and privileges of the alien.

“(4) **RIGHTS OF THE ALIEN.**—In a proceeding under this section—

“(A) the unaccompanied alien child shall be provided access to counsel in accordance with section 235(c)(5) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(5));

“(B) the alien shall be given a reasonable opportunity—

“(i) to examine the evidence against the alien;

“(ii) to present evidence on the alien’s own behalf; and

“(iii) to cross-examine witnesses presented by the Government;

“(C) the rights set forth in subparagraph (B) shall not entitle the alien—

“(i) to examine such national security information as the Government may proffer in opposition to the alien’s admission to the United States; or

“(ii) to an application by the alien for discretionary relief under this Act; and

“(D) a complete record shall be kept of all testimony and evidence produced at the proceeding.

“(5) **WITHDRAWAL OF APPLICATION FOR ADMISSION.**—An unaccompanied alien child applying for admission to the United States may, and at any time prior to the issuance of a final order of removal, be permitted to withdraw the application and immediately be returned to the alien’s country of nationality or country of last habitual residence.

“(6) **CONSEQUENCES OF FAILURE TO APPEAR.**—An unaccompanied alien child who does not attend a proceeding under this section, shall be ordered removed, except under exceptional circumstances where the alien’s absence is the fault of the Government, a medical emergency, or an act of nature.

“(d) **DECISION AND BURDEN OF PROOF.**—

“(1) **DECISION.**—

“(A) **IN GENERAL.**—At the conclusion of a proceeding under this section, the immigration judge, notwithstanding section 235(b), shall determine whether an unaccompanied alien child is likely to be—

“(i) admissible to the United States; or

“(ii) eligible for any form of relief from removal under this Act.

“(B) **EVIDENCE.**—The determination of the immigration judge under subparagraph (A) shall be based only on the evidence produced at the hearing.

“(2) **BURDEN OF PROOF.**—

“(A) **IN GENERAL.**—In a proceeding under this section, an unaccompanied alien child who is an applicant for admission has the burden of establishing, by clear and convincing evidence, that the alien—

“(i) is likely to be entitled to be lawfully admitted to the United States or eligible for

any form of relief from removal under this Act; or

“(ii) is lawfully present in the United States pursuant to a prior admission.

“(B) **ACCESS TO DOCUMENTS.**—In meeting the burden of proof under subparagraph (A)(ii), the alien shall be given access to—

“(i) the alien’s visa or other entry document, if any; and

“(ii) any other records and documents, not considered by the Attorney General to be confidential, pertaining to the alien’s admission or presence in the United States.

“(e) **ORDERS.**—

“(1) **PLACEMENT IN FURTHER PROCEEDINGS.**—If an immigration judge determines that the unaccompanied alien child has met the burden of proof under subsection (d)(2), the immigration judge shall—

“(A) order the alien to be placed in further proceedings in accordance with section 240; and

“(B) order the Secretary of Homeland Security to place the alien on the U.S. Immigration and Customs Enforcement detained docket for purposes of carrying out such proceedings.

“(2) **ORDERS OF REMOVAL.**—If an immigration judge determines that the unaccompanied alien child has not met the burden of proof required under subsection (d)(2), the judge shall order the alien removed from the United States without further hearing or review unless the alien claims—

“(A) an intention to apply for asylum under section 208;

“(B) a fear of persecution; or

“(C) a fear of torture.

“(3) **CLAIMS FOR ASYLUM.**—If an unaccompanied alien child described in paragraph (2) claims an intention to apply for asylum under section 208 or a fear of persecution, or fear of torture, the immigration judge shall order the alien referred for an interview by an asylum officer under subsection (f).

“(f) **ASYLUM INTERVIEWS.**—

“(1) **CREDIBLE FEAR OF PERSECUTION DEFINED.**—In this subsection, the term ‘credible fear of persecution’ means, after taking into account the credibility of the statements made by an unaccompanied alien child in support of the alien’s claim and such other facts as are known to the asylum officer, there is a significant possibility that the alien could establish eligibility for asylum under section 208 or for protection from removal based on Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

“(2) **CONDUCT BY ASYLUM OFFICER.**—An asylum officer shall conduct the interviews of an unaccompanied alien child referred under subsection (e)(3).

“(3) **REFERRAL OF CERTAIN ALIENS.**—If the asylum officer determines at the time of the interview that an unaccompanied alien child has a credible fear of persecution or torture, the alien shall be held in the custody of the Secretary for Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) during further consideration of the application for asylum.

“(4) **REMOVAL WITHOUT FURTHER REVIEW IF NO CREDIBLE FEAR OF PERSECUTION OR TORTURE.**—

“(A) **IN GENERAL.**—Subject to subparagraph (C), if the asylum officer determines that an unaccompanied alien child does not have a credible fear of persecution or torture, the Secretary shall order the alien removed from the United States without further hearing or review.

“(B) RECORD OF DETERMINATION.—The asylum officer shall prepare a written record of a determination under subparagraph (A), which shall include—

“(i) a summary of the material facts as stated by the alien;

“(ii) such additional facts (if any) relied upon by the asylum officer;

“(iii) the asylum officer’s analysis of why, in light of such facts, the alien has not established a credible fear of persecution; and

“(iv) a copy of the asylum officer’s interview notes.

“(C) REVIEW OF DETERMINATION.—

“(i) RULEMAKING.—The Attorney General shall establish, by regulation, a process by which an immigration judge will conduct a prompt review, upon the alien’s request, of a determination under subparagraph (A) that the alien does not have a credible fear of persecution.

“(ii) MANDATORY COMPONENTS.—The review described in clause (i)—

“(I) shall include an opportunity for the alien to be heard and questioned by the immigration judge, either in person or by telephonic or video connection; and

“(II) shall be concluded as expeditiously as possible, to the maximum extent practicable within 24 hours, but in no case later than 7 days after the date of the determination under subparagraph (A).

“(D) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this paragraph shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b))—

“(i) pending a final determination of an application for asylum under this subsection; and

“(ii) after a determination under this subsection that the alien does not have a credible fear of persecution or torture, until the alien is removed.

“(g) LIMITATION ON ADMINISTRATIVE REVIEW.—

“(1) IN GENERAL.—Except as provided in subsection (f)(4)(C) and paragraph (2), a removal order entered in accordance with subsection (e)(2) or (f)(4)(A) is not subject to administrative appeal.

“(2) RULEMAKING.—The Attorney General shall establish, by regulation, a process for the prompt review of an order under subsection (e)(2) against an alien who claims under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, after having been warned of the penalties for falsely making such claim under such conditions to have been—

“(A) lawfully admitted for permanent residence;

“(B) admitted as a refugee under section 207; or

“(C) granted asylum under section 208.”.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 235A the following:

“Sec. 235B. Humane and expedited inspection and screening for unaccompanied alien children.”.

(b) JUDICIAL REVIEW OF ORDERS OF REMOVAL.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “section 235(b)(1)” and inserting “section 235(b)(1) or an order of removal issued to an unaccompanied alien child after proceedings under section 235B”;

(B) in paragraph (2)—

(i) by inserting “or section 235B” after “section 235(b)(1)” each place that term appears; and

(ii) in subparagraph (A)—

(I) in the subparagraph heading, by striking “235(b)(1).—” and inserting “235(b)(1) AND 235B.—”; and

(II) in clause (iii), by striking “section 235(b)(1)(B),” and inserting “section 235(b)(1)(B) or 235B(f);”;

(2) in subsection (e)—

(A) in the subsection heading, striking “235(b)(1).—” and inserting “235(b)(1) OR 235B.—”; and

(B) by inserting “or section 235B” after “section 235(b)(1)” each place that term appears;

(C) in subparagraph (2)(C), by inserting “or section 235B(g)” after “section 235(b)(1)(C);”;

(D) in subparagraph (3)(A), by inserting “or section 235B” after “section 235(b).”.

SEC. 323. CHILD WELFARE AND LAW ENFORCEMENT INFORMATION SHARING.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) is amended by adding at the end the following:

“(5) INFORMATION SHARING.—

“(A) IMMIGRATION STATUS.—If the Secretary of Health and Human Services considers placement of an unaccompanied alien child with a potential sponsor, the Secretary of Homeland Security shall provide to the Secretary of Health and Human Services the immigration status of such potential sponsor prior to the placement of the unaccompanied alien child.

“(B) OTHER INFORMATION.—The Secretary of Health and Human Services shall provide to the Secretary of Homeland Security and the Attorney General upon request any relevant information related to an unaccompanied alien child who is or has been in the custody of the Secretary of Health and Human Services, including the location of the child and any person to whom custody of the child has been transferred, for any legitimate law enforcement objective, including enforcement of the immigration laws.”.

SEC. 324. ACCOUNTABILITY FOR CHILDREN AND TAXPAYERS.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)), as amended by section 323, is further amended by inserting at the end the following:

“(6) INSPECTION OF FACILITIES.—The Inspector General of the Department of Health and Human Services shall conduct regular inspections of facilities utilized by the Secretary of Health and Human Services to provide care and custody of unaccompanied alien children who are in the immediate custody of the Secretary to ensure that such facilities are operated in the most efficient manner practicable.

“(7) FACILITY OPERATIONS COSTS.—The Secretary of Health and Human Services shall ensure that facilities utilized to provide care and custody of unaccompanied alien children are operated efficiently and at a rate of cost that is not greater than \$500 per day for each child housed or detained at such facility, unless the Secretary certifies that compliance with this requirement is temporarily impossible due to emergency circumstances.”.

SEC. 325. CUSTODY OF UNACCOMPANIED ALIEN CHILDREN IN FORMAL REMOVAL PROCEEDING.

(a) CUSTODY OF UNACCOMPANIED ALIEN CHILDREN.—Section 235(c) of the William Wilberforce Trafficking Victims Protection

Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended—

(1) in paragraph (2), by adding at the end the following:

“(C) CHILDREN IN FORMAL REMOVAL PROCEEDINGS.—

“(i) LIMITATION ON PLACEMENT.—Notwithstanding any settlement or consent decree previously issued before date of enactment of the Building America’s Trust Act and section 236.3 of title 8, Code of Federal Regulations, or similar successor regulation, an unaccompanied alien child who has been placed in a proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government unless—

“(I) the nongovernmental sponsor is a biological or adoptive parent or legal guardian of the alien child;

“(II) the parent or legal guardian is legally present in the United States at the time of the placement;

“(III) the parent or legal guardian has undergone a mandatory biometric criminal history check;

“(IV) if the nongovernmental sponsor is the biological parent, the parent’s relationship to the alien child has been verified through DNA testing conducted by the Secretary of Health and Human Services;

“(V) if the nongovernmental sponsor is the adoptive parent, the parent’s relationship to the alien child has been verified with the judicial court that issued the final legal adoption decree by the Secretary of Health and Human Services; and

“(VI) the Secretary of Health and Human Services has determined that the alien child is not a danger to self, danger to the community, or risk of flight.

“(ii) EXCEPTIONS.—If the Secretary of Health and Human Services determines that an unaccompanied alien child is a victim of severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), a child who has been a victim of physical or sexual abuse under circumstances that indicate that the child’s health or welfare has been significantly harmed or threatened, or a child with mental health needs that require ongoing assistance from a social welfare agency, the alien child may be placed with a grandparent or adult sibling if the grandparent or adult sibling meets the requirements set out in subclauses (II), (III), and (IV) of clause (i).

“(iii) MONITORING.—

“(I) IN GENERAL.—In the case of an alien child who is 17 years of age or younger and is placed with a nongovernmental sponsor under subparagraph (2)(C), such nongovernmental sponsor shall—

“(aa) enroll in the alternative to detention program of U.S. Immigration and Customs Enforcement; and

“(bb) continuously wear an electronic monitoring device while the alien child is in removal proceedings.

“(II) PENALTY FOR MONITOR TAMPERING.—If an electronic monitoring device required by subclause (I) is tampered with, the sponsor of the alien child shall be subject to a civil penalty of \$150 for each day the monitor is not functioning due to the tampering, up to a maximum of \$3,000.

“(iv) EFFECT OF VIOLATION OF CONDITIONS.—The Secretary of Health and Human Services

shall remove an unaccompanied alien child from a sponsor if the sponsor violates the terms of the agreement specifying the conditions under which the alien was placed with the sponsor.

“(v) FAILURE TO APPEAR.—

“(I) CIVIL PENALTY.—If an unaccompanied alien child is placed with a sponsor and fails to appear in a mandatory court appearance, the sponsor shall be subject to a civil penalty of \$250 for each day until the alien appears in court, up to a maximum of \$5,000.

“(II) BURDEN OF PROOF.—The sponsor is not subject to the penalty imposed under subclause (I) if the sponsor—

“(aa) appears in person and proves to the immigration court that the failure to appear by the unaccompanied alien child was not the fault of the sponsor; and

“(bb) supplies the immigration court with documentary evidence that supports the assertion described in item (aa).

“(vi) PROHIBITION ON PLACEMENT WITH SEX OFFENDERS AND HUMAN TRAFFICKERS.—The Secretary of Health and Human Services may not place an unaccompanied alien child under this subparagraph in the custody of an individual who has been convicted of, or the Secretary has reason to believe was otherwise involved in the commission of—

“(I) a sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911));

“(II) a crime involving severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)); or

“(III) an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon.

“(vii) REQUIREMENTS OF CRIMINAL BACKGROUND CHECK.—A biometric criminal history check required by clause (i)(III) shall be conducted using a set of fingerprints or other biometric identifier through—

“(I) the Federal Bureau of Investigation;

“(II) criminal history repositories of all States that the individual lists as current or former residences; and

“(III) any other State or Federal database or repository that the Secretary of Health and Human Services determines is appropriate.”.

(b) HOME STUDIES AND FOLLOW-UP SERVICES FOR UNACCOMPANIED ALIEN CHILDREN.—Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended in paragraph (3) by—

(1) redesignating subparagraph (C) as (D); and

(2) by amending subparagraph (B) to read as follows:

“(B) HOME STUDIES.—

“(i) IN GENERAL.—Before placing the child with an individual, the Secretary of Health and Human Services shall first determine whether a home study is necessary.

“(ii) REQUIRED HOME STUDIES.—A home study shall be conducted for a child—

“(I) who is a victim of a severe form of trafficking in persons, a special needs child with a disability (as defined in section 12102 of title 42);

“(II) who has been a victim of physical or sexual abuse under circumstances that indicate that the child’s health or welfare has been significantly harmed or threatened; or

“(III) whose proposed sponsor clearly presents a risk of abuse, maltreatment, exploitation, or trafficking to the child based on all available objective evidence.

“(C) FOLLOW-UP SERVICES AND ADDITIONAL HOME STUDIES.—

“(i) PENDENCY OF REMOVAL PROCEEDINGS.—Every six months, the Secretary of Health and Human Services shall conduct follow-up services for children for whom a home study was conducted and who were placed with a nongovernmental sponsor until initial removal proceedings have been completed and the immigration judge has issued an order of removal, granted voluntary departure under section 240B, or granted the alien relief from removal.

“(ii) CHILDREN WITH MENTAL HEALTH OR OTHER NEEDS.—Every six months, for up to two years from the date of placement with a nongovernmental sponsor, the Secretary of Health and Human Services shall conduct follow-up services for children with mental health needs or other needs that could benefit from ongoing assistance from a social welfare agency.

“(iii) CHILDREN AT RISK.—Every six months, for up to two years from the date of placement with a nongovernmental sponsor, the Secretary of Health and Human Services shall conduct home studies and follow-up services, including partnering with local community programs that focus on early am and after-school programs for at risk children who need a secure environment to engage in studying, training, and skills-building programs and who are at risk for recruitment by criminal gangs or other transnational criminal organizations in the United States.”.

(c) CLARIFICATION OF SPECIAL IMMIGRANT JUVENILE DEFINITION.—Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(1) by amending subparagraph (i) to read as follows:

“(i) who, before reaching 18 years of age, was declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with either parent of the immigrant is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;”;

(2) in subparagraph (ii), by striking “and” at the end;

(3) in subparagraph (iii)(II), by inserting “and” at the end; and

(4) by adding at the end the following:

“(iv) in whose case the Secretary of Homeland Security has made the determination that the alien is an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).”.

SEC. 326. FRAUD IN CONNECTION WITH THE TRANSFER OF CUSTODY OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

“§ 1041. Fraud in connection with the transfer of custody of unaccompanied alien children

“(a) IN GENERAL.—It shall be unlawful for a person to obtain custody of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)))—

“(1) by making any materially false, fictitious, or fraudulent statement or representation; or

“(2) by making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

“(b) PENALTIES.—

“(1) IN GENERAL.—Any person who violates, or attempts or conspires to violate, this section shall be fined under this title and imprisoned for not less than 1 year.

“(2) ENHANCED PENALTY FOR TRAFFICKING.—If the primary purpose of the violation, attempted violation, or conspiracy to violate this section was to subject the child to sexually explicit activity or any other form of exploitation, the offender shall be fined under this title and imprisoned for not less than 15 years.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1040 the following:

“Sec. 1041. Fraud in connection with the transfer of custody of unaccompanied alien children.”.

SEC. 327. NOTIFICATION OF STATES AND FOREIGN GOVERNMENTS, REPORTING, AND MONITORING.

(a) NOTIFICATION.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

“(j) NOTIFICATION TO STATES.—

“(1) PRIOR TO PLACEMENT.—The Secretary of Homeland Security or the Secretary of Health and Human Services shall notify the Governor of a State not later than 48 hours prior to the placement of an unaccompanied alien child from in custody of such Secretary in the care of a facility or sponsor in such State.

“(2) INITIAL REPORTS.—Not later than 60 days after the date of the enactment of the Protecting Children and America’s Homeland Act of 2017, the Secretary of Health and Human Services shall submit a report to the Governor of each State in which an unaccompanied alien child was discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary during the period beginning October 1, 2013 and ending on the date of the enactment of the Protecting Children and America’s Homeland Act of 2017.

“(3) MONTHLY REPORTS.—The Secretary of Health and Human Services shall submit a monthly report to the Governor of each State in which, during the reporting period, unaccompanied alien children were discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary of Health and Human Services.

“(4) CONTENTS.—Each report required to be submitted to the Governor of a State under paragraph (2) or (3) shall identify the number of unaccompanied alien children placed in the State during the reporting period, disaggregated by—

“(A) the locality in which the aliens were placed; and

“(B) the age of such aliens.

“(k) NOTIFICATION OF FOREIGN COUNTRY.—The Secretary of Homeland Security shall provide information regarding each unaccompanied alien child to the government of the country of which the child is a national to assist such government with the identification and reunification of such child with their parent or other qualifying relative.

“(l) MONITORING REQUIREMENT.—The Secretary of Health and Human Services shall—

“(1) require all sponsors to agree—

“(A) to receive approval from the Secretary of Health and Human Services prior to changing the location in which the sponsor is housing an unaccompanied alien child placed in the sponsor’s custody; and

“(B) to provide a current address for the child and the reason for the change of address;

“(2) provide regular and frequent monitoring of the physical and emotional well-being of each unaccompanied alien child who has been discharged to a sponsor or remained in the legal custody of the Secretary until the child’s immigration case is resolved; and

“(3) not later than 60 days after the date of the enactment of this Act, provide to Congress a plan for implementing the requirements under paragraphs (1) and (2).”.

SEC. 328. EMERGENCY IMMIGRATION JUDGE RESOURCES.

(a) DESIGNATION.—Not later than 14 days after the date of the enactment of this Act, the Attorney General shall designate up to 100 immigration judges, including through the hiring of retired immigration judges, magistrate judges, or administrative law judges, or the reassignment of current immigration judges, that are dedicated—

(1) to conducting humane and expedited inspection and screening for unaccompanied alien children under section 235B of the Immigration and Nationality Act, as added by section 322; or

(2) to reducing existing backlogs in immigration court proceedings initiated under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229).

(b) REQUIREMENT.—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in subsection (a)(1) to comply with the requirement under section 235B(b)(1) of the Immigration and Nationality Act, as added by section 322.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 for each of the fiscal years 2018 through 2022 to implement this section.

SEC. 329. REPORTS TO CONGRESS.

(a) REPORTS ON CARE OF UNACCOMPANIED ALIEN CHILDREN.—Not later than September 30, 2019, the Secretary of Health and Human Services shall submit to Congress and make publically available a report that includes—

(1) a detailed summary of the contracts in effect to care for and house unaccompanied alien children, including the names and locations of contractors and the facilities being used;

(2) the cost per day to care for and house an unaccompanied alien child, including an explanation of such cost;

(3) the number of unaccompanied alien children who have been released to a sponsor, if any;

(4) a list of the States to which unaccompanied alien children have been released from the custody of the Secretary of Health and Human Services to the care of a sponsor or placement in a facility;

(5) the number of unaccompanied alien children who have been released to a sponsor who is not lawfully present in the United States, including the country of nationality or last habitual residence and age of such children;

(6) a determination of whether more than 1 unaccompanied alien child has been released to the same sponsor, including the number of children who were released to such sponsor;

(7) an assessment of the extent to which the Secretary of Health and Human Services is monitoring the release of unaccompanied alien children, including home studies done and electronic monitoring devices used;

(8) an assessment of the extent to which the Secretary of Health and Human Services is making efforts—

(A) to educate unaccompanied alien children about their legal rights; and

(B) to provide unaccompanied alien children with access to pro bono counsel; and

(9) the extent of the public health issues of unaccompanied alien children, including contagious diseases, the benefits or medical services provided, and the outreach to States and localities about public health issues, that could affect the public.

(b) REPORTS ON REPATRIATION AGREEMENTS.—Not later than September 30, 2018, the Secretary of State shall submit to Congress and make publically available a report that—

(1) describes—

(A) any repatriation agreement for unaccompanied alien children in effect and a copy of such agreement; and

(B) any such repatriation agreement that is being considered or negotiated; and

(2) describes the funding provided to the 20 countries that have the highest number of nationals entering the United States as unaccompanied alien children, including amounts provided—

(A) to deter the nationals of each country from illegally entering the United States; and

(B) to care for or reintegrate repatriated unaccompanied alien children in the country of nationality or last habitual residence.

(c) REPORTS ON RETURNS TO COUNTRY OF NATIONALITY.—Not later than September 30, 2019, the Secretary of Homeland Security shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who have voluntarily returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or habitual residence; and

(B) age of the unaccompanied alien children;

(2) the number of unaccompanied alien children who have been returned to their country of nationality or habitual residence, including assessment of the length of time such children were present in the United States;

(3) the number of unaccompanied alien children who have not been returned to their country of nationality or habitual residence pending travel documents or other requirements from such country, including how long they have been waiting to return; and

(4) the number of unaccompanied alien children who were granted relief in the United States, whether through asylum, any other immigration benefit or status, or deferred action.

(d) REPORTS ON IMMIGRATION PROCEEDINGS.—Not later than September 30, 2019, and once every 3 months thereafter, the Secretary of Homeland Security, in coordination with the Director of the Executive Office for Immigration Review, shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who, after proceedings under section 235(b) of the Immigration and Nationality Act, as added by section 312, were returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or residence; and

(B) age and gender of such aliens;

(2) the number of unaccompanied alien children who, after proceedings under such section 235B, prove a claim of admissibility and are placed in proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a);

(3) the number of unaccompanied alien children who fail to appear at a removal

hearing that such alien was required to attend;

(4) the number of sponsors who were levied a penalty, including the amount and whether the penalty was collected, for the failure of an unaccompanied alien child to appear at a removal hearing; and

(5) the number of aliens that are classified as unaccompanied alien children, the ages and countries of nationality of such children, and the orders issued by the immigration judge at the conclusion of proceedings under such section 235B for such children.

TITLE IV—PENALTIES FOR SMUGGLING, DRUG TRAFFICKING, HUMAN TRAFFICKING, TERRORISM, AND ILLEGAL ENTRY AND REENTRY; BARS TO READMISSION OF REMOVED ALIENS

SEC. 401. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) CRIMINAL PENALTIES FOR HUMAN SMUGGLING AND TRAFFICKING.—Section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)) is amended—

(1) in paragraph (1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) in clause (vi), as redesignated, by inserting “for not less than 10 years and” before “not more than 20 years,”; and

(C) by inserting after clause (ii) the following:

“(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent violation committed by such person under this section, shall be fined under title 18, imprisoned for not less than 5 years and not more than 25 years, or both;

“(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned for not less than 5 years and not more than 25 years, or both;

“(v) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not less than 5 years and not more than 25 years, or both;” and

(2) by adding at the end the following:

“(5) Any person who, knowing that a person is an alien in unlawful transit from one country to another or on the high seas, transports, moves, harbors, conceals, or shields from detection such alien outside of the United States when the alien is seeking to enter the United States without official permission or legal authority, shall for, each alien in respect to whom a violation of this paragraph occurs, be fined under title 18, United States Code, imprisoned not more than 10 years, or both.”.

(b) SEIZURE AND FORFEITURE.—Section 274(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1324(b)(1)) is amended to read as follows:

“(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a), the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.”.

(c) FRAUD IN CONNECTION WITH CERTAIN HUMAN RIGHTS VIOLATIONS OR WAR CRIMES.—

(1) IN GENERAL.—Chapter 213 of title 18, United States Code, is amended by adding at the end the following:

“§3302. Fraud in connection with certain human rights violations or war crimes

“(a) IN GENERAL.—Unless the indictment is found or the information is instituted within 10 years after the commission of the offense, no person shall be prosecuted, tried, or punished for a violation of any provision of section 1001, 1015, 1546, or 1621, or for attempt or conspiracy to violate any of such provisions, when the violation, attempt, or conspiracy concerns the alleged offender’s—

“(1) participation, at any time, at any place, and irrespective of the nationality of the alleged offender or any victim, in a human rights violation or war crime; or

“(2) membership in, service in, or authority over, a military, paramilitary, or police organization that participated in such conduct during any part of any period in which the alleged offender was a member of, served in, or had authority over, the organization.

“(b) DEFINITIONS.—For purposes of this section—

“(1) the term ‘extrajudicial killing under color of foreign law’ means conduct specified in section 212(a)(3)(E)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(E)(iii));

“(2) the term ‘female genital mutilation’ means conduct described in section 116;

“(3) the term ‘genocide’ means conduct described in section 1091(a);

“(4) the term ‘human rights violation or war crime’ means genocide, incitement to genocide, war crimes, torture, female genital mutilation, extrajudicial killing under color of foreign law, persecution, particularly severe violations of religious freedom by a foreign government official, or the use or recruitment of child soldiers;

“(5) the term ‘incitement to genocide’ means conduct described in section 1091(c);

“(6) the term ‘particularly severe violations of religious freedom’ has the meaning given such term in section 3(13) of the International Religious Freedom Act of 1998 (22 U.S.C. 6402(13));

“(7) the term ‘persecution’ means conduct described in section 208(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)(i));

“(8) the term ‘torture’ means conduct described in paragraph (1) or (2) of section 2340;

“(9) the term ‘use or recruitment of child soldiers’ means conduct described in section 2442(a); and

“(10) the term ‘war crimes’ means conduct described in section 2441.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 213 of title 18, United States Code, is amended by adding at the end the following:

“3302. Fraud in connection with certain human rights violations or war crimes.”

(3) APPLICATION.—The amendments made by this subsection shall apply to any offense committed on or after the date of the enactment of this Act.

SEC. 402. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the “Putting the Brakes on Human Smuggling Act”.

(b) FIRST VIOLATION.—Section 3130(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the “or” at the end;

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

(3) by adding at the end the following:

“(F) using a commercial motor vehicle in willfully aiding or abetting an alien’s illegal

entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien’s entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or

“(G) using a commercial motor vehicle in willfully aiding or abetting the transport of controlled substances, monetary instruments, bulk cash, or weapons by any individual departing the United States.”

(c) SECOND OR MULTIPLE VIOLATIONS.—Section 3130(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (H);

(3) in subparagraph (H), as redesignated, by striking “(E)” and inserting “(F)”; and

(4) by inserting after subparagraph (E) the following:

“(F) using a commercial motor vehicle on more than one occasion in willfully aiding or abetting an alien’s illegal entry into the United States by transporting, guiding, directing and attempting to assist the alien with the alien’s entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section;

“(G) using a commercial motor vehicle in willfully aiding or abetting the transport of controlled substances, monetary instruments, bulk cash, or weapons by any individual departing the United States; or”

(d) LIFETIME DISQUALIFICATION.—Section 3130(d) of title 49, United States Code, is amended to read as follows:

“(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

“(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possession with intent to manufacture, distribute, or dispense a controlled substance;

“(2) in committing an act for which the individual is convicted under—

“(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(B) section 277 of such Act (8 U.S.C. 1327); or

“(3) in willfully aiding or abetting the transport of controlled substances, monetary instruments, bulk cash, and weapons by any individual departing the United States.”

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER’S LICENSE INFORMATION SYSTEM.—Section 31309(b)(1) of title 49, United States Code, is amended—

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

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

(C) by adding at the end the following:

“(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.”

(2) NOTIFICATION BY THE STATE.—Section 31311(a)(8) of title 49, United States Code, is amended by inserting “including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,” after “60 days.”

SEC. 403. DRUG TRAFFICKING AND CRIMES OF VIOLENCE COMMITTED BY ILLEGAL ALIENS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 27 the following:

“CHAPTER 28—DRUG TRAFFICKING AND CRIMES OF VIOLENCE COMMITTED BY ILLEGAL ALIENS

“581. Enhanced penalties for drug trafficking and crimes committed by illegal aliens.

“§581. Enhanced penalties for drug trafficking and crimes committed by illegal aliens

“(a) OFFENSE.—Any alien unlawfully present in the United States, who commits, conspires to commit, or attempts to commit a an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon or a drug trafficking crime (as defined in section 924) shall be fined under this title imprisoned for not less than 5 years, or both.

“(b) ENHANCED PENALTIES FOR ALIENS ORDERED REMOVED.—Any alien unlawfully present in the United States who violates subsection (a) and was ordered removed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the grounds of having committed a crime before the violation of subsection (a), shall be fined under this title, imprisoned for not less than 15 years, or both.

“(c) REQUIREMENT FOR CONSECUTIVE SENTENCES.—Any term of imprisonment imposed under this section shall be consecutive to any term imposed for any other offense.”

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 27 the following:

“28 . Drug trafficking and crimes of violence committed by illegal aliens 581”.

SEC. 404. ESTABLISHING INADMISSIBILITY AND DEPORTABILITY.

(a) INADMISSIBLE ALIENS.—Section 212(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)) is amended by adding at the end the following:

“(iii) CONSIDERATION OF OTHER EVIDENCE.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to charging documents, plea agreements, plea colloquies, jury instructions, police reports, that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.”

(b) DEPORTABLE ALIENS.—

(1) GENERAL CRIMES.—Section 237(a)(2)(A) of such Act (8 U.S.C. 1227(a)(2)(A)) is amended—

(A) by redesignating clause (vi) as clause (vii) and inserting after clause (iv) the following:

“(v) CRIMES INVOLVING MORAL TURPITUDE.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to charging documents, plea agreements, plea colloquies, jury instructions, police reports, that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.”

(2) DOMESTIC VIOLENCE.—Section 237(a)(2)(E) of such Act (8 U.S.C. 1227(a)(2)(E)) is amended by adding at the end the following:

“(iii) CRIME OF VIOLENCE.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence or an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon, the Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to charging documents, plea agreements, plea colloquies, jury instructions, police reports, that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence or an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 405. PENALTIES FOR ILLEGAL ENTRY; ENHANCED PENALTIES FOR ENTERING WITH INTENT TO AID, ABET, OR COMMIT TERRORISM.

(a) IN GENERAL.—Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended by striking the section heading and subsections (a) and (b) and inserting the following:

“SEC. 275. ILLEGAL ENTRY.

“(a) IN GENERAL.—

“(1) BARS TO IMMIGRATION RELIEF AND BENEFITS.—Any alien who—

“(A) enters or crosses, or attempts to enter or cross, the border into the United States at any time or place other than as designated by immigration officers;

“(B) eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including failing to stop at the command of such officer); or

“(C) enters or crosses the border to the United States and, upon examination or inspection, makes a false or misleading representation or conceals a material fact, including such representation or willful concealment in the context of arrival, reporting, entry, or clearance, requirements of the customs laws, immigration laws, agriculture laws, or shipping laws, shall be ineligible for all immigration benefits or relief available under the Act and any other immigration laws, other than a request for asylum, withholding of removal under section 241(b)(3), or relief from removal based on a claim under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1984.

“(2) CRIMINAL OFFENSES.—An alien shall be subject to the penalties set forth in paragraph (3) if the alien—

“(A) enters or crosses, or attempts to enter or cross, the border into the United States at any time or place other than as designated by immigration officers;

“(B) eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including failing to stop at the command of such officer); or

“(C) enters or crosses the border to the United States and, upon examination or inspection, makes a false or misleading representation or conceals a material fact, in-

cluding such representation or concealment in the context of arrival, reporting, entry, or clearance, requirements of the customs laws, immigration laws, agriculture laws, or shipping laws.

“(3) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1)—

“(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 6 months, or both;

“(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 2 years, or both;

“(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors at least 1 of which involves controlled substances, abuse of a minor, trafficking or smuggling, or any offense that could result in serious bodily harm or injury to another person, a significant misdemeanor, or a felony, shall be fined under such title, imprisoned not more than 10 years, or both;

“(D) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both; and

“(E) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 60 months, such alien shall be fined under such title, imprisoned not more than 20 years, or both.

“(4) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) through (E) of paragraph (3) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

“(A) alleged in the indictment or information; and

“(B) proven beyond a reasonable doubt at trial; or

“(C) admitted by the defendant.

“(5) DURATION OF OFFENSES.—An offense under this subsection continues until the alien is discovered within the United States by an immigration, customs, or agriculture officer.

“(6) ATTEMPT.—Whoever attempts to commit any offense under this section shall be punished in the same manner as for a completion of such offense.

“(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—

“(1) IN GENERAL.—Any alien who is apprehended while entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

“(A) not less than \$50 or more than \$250 for each such entry, crossing, attempted entry, or attempted crossing; or

“(B) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

“(2) CIVIL PENALTIES.—Civil penalties under paragraph (1) are in addition to, and not in lieu of, any criminal or other civil penalties that may be imposed.”.

(b) ENHANCED PENALTIES.—Section 275 of the Immigration and Nationality Act, as amended by subsection (a), is further amended by adding at the end the following:

“(e) ENHANCED PENALTY FOR TERRORIST ALIENS.—Any alien who commits an offense described in subsection (a) for the purpose of engaging in, or with the intent to engage in, any Federal crime of terrorism (as defined in section 2332b(g) of title 18, United States Code) shall be imprisoned for not less than 10 years and not more than 30 years.”.

(c) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by striking the item relating to section 275 and inserting the following:

“Sec. 275. Illegal entry.”.

(d) APPLICATION.—

(1) PRIOR CONVICTIONS.—Paragraph (4) of section 275(a) of the Immigration and Nationality Act, as amended by subsection (a), shall apply only to violations of paragraph (2) of such section 275(a) committed on or after the date of enactment of this Act.

(2) BARS TO IMMIGRATION RELIEF AND BENEFITS.—Section 275(a)(1) of such Act, as amended by subsection (a), shall take effect on the date of enactment and apply to any alien who, on or after the date of enactment—

(A) enters or crosses, or attempts to enter or cross, the border into the United States at any time or place other than as designated by immigration officers;

(B) eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including failing to stop at the command of such officer); or

(C) enters or crosses the border to the United States and, upon examination or inspection, makes a false or misleading representation or conceals a material fact, including such representation or concealment in the context of arrival, reporting, entry, or clearance, requirements of the customs laws, immigration laws, agriculture laws, or shipping laws.

SEC. 406. PENALTIES FOR REENTRY OF REMOVED ALIENS.

(a) SHORT TITLES.—This section may be cited as the “Stop Illegal Reentry Act” or “Kate’s Law”.

(b) INCREASED PENALTIES FOR REENTRY OF REMOVED ALIEN.—

(1) IN GENERAL.—Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended to read as follows:

“SEC. 276. REENTRY OF REMOVED ALIEN.

“(a) IN GENERAL.—

“(1) BARS TO IMMIGRATION RELIEF AND BENEFITS.—Any alien who—

“(A) has been denied admission, excluded, deported, or removed or has departed the United States while an order of exclusion, deportation, or removal is outstanding; and thereafter

“(B) enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States, unless—

“(i) the alien is seeking admission more than 10 years after the date of the alien’s last departure from the United States if, prior to the alien’s reembarkation at a place outside the United States or the alien’s application for admission from a foreign contiguous territory, the Secretary of Homeland Security has expressly consented to such alien’s reapplying for admission; or

“(ii) with respect to an alien previously denied admission and removed, such alien establishes that the alien was not required to obtain such advance consent under this Act or any prior Act, shall be ineligible for all immigration benefits or relief available under the Act and any

other immigration laws, other than relief from removal based on a claim under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1984.

“(2) CRIMINAL OFFENSES.—Any alien who—
“(A) has been denied admission, deported, or removed or has departed the United States while an order of deportation, or removal is outstanding; and

“(B) after such denial, removal or departure, enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States, unless—

“(i) the alien is seeking admission more than 10 years after the date of the alien's last departure from the United States if, prior to the alien's reembarkation at a place outside the United States or the alien's application for admission from a foreign contiguous territory, the Secretary of Homeland Security has expressly consented to such alien's reapplying for admission; or

“(ii) with respect to an alien previously denied admission and removed, such alien establishes that the alien was not required to obtain such advance consent under this Act or any prior Act,

“shall be fined under title 18, United States Code, or imprisoned not more than 5 years, or both.

“(b) CRIMINAL PENALTIES FOR REENTRY OF CERTAIN REMOVED ALIENS.—

“(1) REENTRY AFTER REMOVAL.—Notwithstanding the penalty under subsection (a)(2), and except as provided in subsection (c), an alien described in subsection (a)—

“(A) who has been excluded from the United States pursuant to section 235(c) because the alien was excludable under section 212(a)(3)(B) or who has been removed from the United States pursuant to the provisions of title V, and who thereafter, without the permission of the Secretary of Homeland Security, enters the United States, or attempts to do so, shall be fined under title 18, United States Code, and imprisoned for a period of 15 years, which sentence shall not run concurrently with any other sentence;

“(B) who was removed from the United States pursuant to section 241(a)(4) and thereafter, without the permission of the Secretary of Homeland Security, enters, attempts to enter, or is at any time found in, the United States (unless the Secretary of Homeland Security has expressly consented to such alien's reentry) shall be fined under title 18, United States Code, imprisoned for not more than 15 years, or both; and

“(C) who has been denied admission, excluded, deported, or removed 2 or more times for any reason and thereafter enters, attempts to enter, crosses the border, attempts to cross the border, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 15 years, or both.

“(2) REENTRY OF CRIMINAL ALIENS AFTER REMOVAL.—Notwithstanding the penalty under subsection (a), an alien described in subsection (a)—

“(A) who was convicted, before the alien was subject to removal or departure, of a significant misdemeanor shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

“(B) who was convicted, before the alien was subject to removal or departure, of 2 or more misdemeanors involving drugs, crimes against the person, or both, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

“(C) who was convicted, before the alien was subject to removal or departure, of 3 or more misdemeanors for which the alien was sentenced to a term of imprisonment of not less than 90 days for each offense, or 12 months in the aggregate, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

“(D) who was convicted, before the alien was subject to removal or departure, of a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, imprisoned not more than 15 years, or both;

“(E) who was convicted, before the alien was subject to removal or departure, of a felony for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

“(F) who was convicted of 3 or more felonies of any kind, the alien shall be fined under such title, imprisoned not more than 25 years, or both; and

“(G) who was convicted, before the alien was subject to removal or departure or after such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, imprisoned not more than 25 years, or both;

“(c) MANDATORY MINIMUM CRIMINAL PENALTY FOR REENTRY OF CERTAIN REMOVED ALIENS.—Notwithstanding the penalties under subsections (a) and (b), an alien described in subsection (a)—

“(1) who was convicted, before the alien was subject to removal or departure, of an aggravated felony; or

“(2) who was convicted at least 2 times before such removal or departure of illegal reentry under this section, shall be imprisoned not less than 5 years and not more than 20 years, and may, in addition, be fined under title 18, United States Code.

“(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the crimes described, and the penalties in that subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

“(1) alleged in the indictment or information; and

“(2) proven beyond a reasonable doubt at trial; or

“(3) admitted by the defendant.

“(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

“(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

“(2) with respect to an alien previously denied admission and removed, the alien—

“(A) was not required to obtain such advance consent under the Immigration and Nationality Act or any prior Act; and

“(B) had complied with all other laws and regulations governing the alien's admission into the United States.

“(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING REMOVAL ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of a removal order described in subsection (a), (b), or (c) concerning the alien unless the alien demonstrates that—

“(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

“(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

“(3) the entry of the order was fundamentally unfair.

“(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry (if a request for consent to reapply is authorized under this section). Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

“(h) DEFINITIONS.—In this section:

“(1) CROSSES THE BORDER TO THE UNITED STATES.—The term ‘crosses the border’ refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

“(2) FELONY.—The term ‘felony’ means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

“(3) MISDEMEANOR.—The term ‘misdemeanor’ means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

“(4) REMOVAL.—The term ‘removal’ includes any denial of admission, deportation, or removal, or any agreement by which an alien stipulates or agrees to deportation, or removal.

“(5) SIGNIFICANT MISDEMEANOR.—The term ‘significant misdemeanor’ means a misdemeanor—

“(A) crime that involves the use or attempted use of physical force, or threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim;

“(B) which is a sexual assault (as such term is defined in section 40002(a)(29) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13925(a)(29));

“(C) which involved the unlawful possession of a firearm (as such term is defined in section 921 of title 18, United States Code);

“(D) which is a crime of violence (as defined in section 16 of title 18, United States Code); or

“(E) which is an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon.

“(6) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.”

(c) EFFECTIVE DATE.—Section 276(a)(1), as amended by this section, shall take effect on

the date of the enactment of this Act and shall apply to any alien who, on or after the date of enactment—

(1) has been denied admission, excluded, deported, or removed or has departed the United States while an order of exclusion, deportation, or removal is outstanding; and

(2) after such denial, exclusion, deportation or removal, enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States, unless—

(A) the alien is seeking admission more than 10 years after the date of the alien's last departure from the United States if, prior to the alien's reembarkation at a place outside the United States or the alien's application for admission from a foreign contiguous territory, the Secretary of Homeland Security has expressly consented to such alien's reapplying for admission; or

(B) with respect to an alien previously denied admission and removed, such alien establishes that the alien was not required to obtain such advance consent under this Act or any prior Act.

SEC. 407. LAUNDERING OF MONETARY INSTRUMENTS.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “section 1590 (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),” after “section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction).”

SEC. 408. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

“(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

“(B) The application for a restraining order under subparagraph (A) shall—

“(i) identify the offense for which the person has been arrested or charged;

“(ii) identify the location and description of the accounts to be restrained; and

“(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

“(C) An offense described in this subparagraph is any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

“(D) For purposes of this section—

“(i) the term ‘account’ includes any safe deposit box and any account (as defined in

paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

“(ii) the term ‘account held by the person arrested or charged’ includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

“(E) A restraining order issued under this paragraph shall not be considered a ‘seizure’ for purposes of section 983(a).

“(F) A restraining order issued under this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.”

SEC. 409. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—

(1) DEFINITIONS.—

(A) ADDITION OF ISSUERS, REDEEMERS, AND CASHIERS OF PREPAID ACCESS DEVICES AND DIGITAL CURRENCIES TO THE DEFINITION OF FINANCIAL INSTITUTIONS.—Section 5312(a)(2)(K) of title 31, United States Code, is amended by striking “or similar” and inserting “prepaid access devices, digital currencies, or other similar”.

(B) ADDITION OF PREPAID ACCESS DEVICES TO THE DEFINITION OF MONETARY INSTRUMENTS.—Section 5312(a)(3)(B) of such title is amended by inserting “prepaid access devices,” after “delivery.”

(C) DEFINITION OF PREPAID ACCESS DEVICE.—Section 5312 of such title is amended—

(i) by redesignating paragraph (6) as paragraph (7); and

(ii) by inserting after paragraph (5) the following:

“(6) ‘prepaid access device’ means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.”

(2) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing—

(A) the impact of amendments made by paragraph (1) on law enforcement, the prepaid access device industry, and consumers; and

(B) the implementation and enforcement by the Department of the Treasury of the final rule relating to “Bank Secrecy Act Regulations—Definitions and Other Regulations Relating to Prepaid Access” (76 Fed. Reg. 45403 (July 29, 2011)).

(b) MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.—Section 5316 of title 31, United States Code, is amended by adding at the end the following:

“(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value of more than \$10,000 if the monetary instrument was drawn on an account that contained or was intended to contain more than \$10,000 at the time the monetary instrument was—

“(1) transported; or

“(2) negotiated.”

SEC. 410. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking “(B) knowing that” and all that follows through “Federal law,” and inserting the following:

“(B) knowing that the transaction—

“(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

“(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,”; and

(2) in paragraph (2)(B), by striking “(B) knowing that” and all that follows through “Federal law,” and inserting the following:

“(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

“(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

“(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,”.

(b) PROCEEDS OF A FELONY.—Section 1956(c)(1) of such title is amended by inserting “, and regardless of whether or not the person knew that the activity constituted a felony” before the semicolon at the end.

TITLE V—PROTECTING NATIONAL SECURITY AND PUBLIC SAFETY

Subtitle A—General Matters

SEC. 501. DEFINITION OF ENGAGING IN TERRORIST ACTIVITY.

Subclause (I) of section 212(a)(3)(B)(iv) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)) is amended—

(1) by revising subclause (I) to read as follows:

“(I) to commit a terrorist activity or, under circumstances indicating an intention to cause death, serious bodily harm, or substantial damage to property, incite to commit a terrorist activity;”;

(2)(A) by adding at the end the following:

“(VI) to threaten, attempt, or conspire to do any of acts described in subclauses (I) through (VI).”

SEC. 502. TERRORIST GROUNDS OF INADMISSIBILITY.

(a) SECURITY AND RELATED GROUNDS.—Section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)) is amended to read as follows:

“(A) IN GENERAL.—Any alien who a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, seeks to enter the United States to engage solely, principally, or incidentally, in, or who is engaged in, or with respect to clauses (i) and (iii) has engaged in—

“(i) any activity—

“(I) to violate any law of the United States relating to espionage or sabotage; or

“(II) to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information,

“(ii) any other activity which would be unlawful if committed in the United States, or

“(iii) any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means, is inadmissible.”

(b) **TERRORIST ACTIVITIES.**—Section 212(a)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(i)) is amended—

(1) in subclause (IV), by inserting “or has been” before “a representative”;

(2) in subclause (V), by inserting “or has been” before “a member”;

(3) in subclause (VI), by inserting “or has been” before “a member”; and

(4) by amending subclause (VII) to read as follows:

“(VII) endorses or espouses, or has endorsed or espoused, terrorist activity or persuades or has persuaded others to endorse or espouse terrorist activity or support a terrorist organization.”;

(5) by amending subclause (IX) to read as follows:

“(IX)(aa) is the spouse or child of an alien who is inadmissible under this subparagraph, if the activity causing the alien to be found inadmissible occurred within the last 5 years.

“(bb) **EXCEPTION.**—This subclause does not apply to a spouse or child—

“(AA) who did not know or should not reasonably have known of the activity causing the alien to be found inadmissible under this section; or

“(BB) whom the consular officer or Attorney General has reasonable grounds to believe has renounced the activity causing the alien to be found inadmissible under this section.”; and

(6) by striking the undesignated matter following subclause (IX).

(c) **PALESTINE LIBERATION ORGANIZATION.**—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)), is amended to read as follows:

“(ii) **PALESTINE LIBERATION ORGANIZATION.**—An alien who is an officer, official, representative, or spokesman of the Palestine Liberation Organization is considered, for purposes of this Act, to be engaged in terrorist activity.”.

SEC. 503. EXPEDITED REMOVAL FOR ALIENS INADMISSIBLE ON CRIMINAL OR SECURITY GROUNDS.

(a) **IN GENERAL.**—Section 238 of the Immigration and Nationality Act (8 U.S.C. 1228) is amended—

(1) by adding at the end of the section heading the following: “**OR WHO ARE SUBJECT TO TERRORISM-RELATED GROUNDS FOR REMOVAL**”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “Attorney General” and inserting “Secretary of Homeland Security, in the exercise of discretion,”; and

(ii) by striking “set forth in this subsection or” and inserting “set forth in this subsection, in lieu of removal proceedings under”;

(B) in paragraphs (3) and (4), by striking “Attorney General” each place the term appears and inserting “Secretary of Homeland Security”;

(C) in paragraph (5)—

(i) by striking “described in this section” and inserting “described in paragraph (1) or (2)”;

(ii) by striking “the Attorney General may grant in the Attorney General’s discretion.” and inserting “the Secretary of Homeland Security or the Attorney General may grant, in the discretion of the Secretary or the Attorney General, in any proceeding.”;

(D) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6) respectively; and

(E) by inserting after paragraph (2) the following:

“(3) The Secretary of Homeland Security, in the exercise of discretion, may determine inadmissibility under section 212(a)(2) and issue an order of removal pursuant to the procedures set forth in this subsection, in lieu of removal proceedings under section 240, with respect to an alien who—

“(A) has not been admitted or paroled;

“(B) has not been found to have a credible fear of persecution pursuant to the procedures set forth in 235(b)(1)(B); and

“(C) is not eligible for a waiver of inadmissibility or relief from removal.”; and

(3) by redesignating the first subsection (c) as subsection (d);

(4) by redesignating the second subsection (c) (as so designated by section 617(b)(13) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-720)) as subsection (e); and

(5) by inserting after subsection (b) the following:

“(c) **REMOVAL OF ALIENS WHO ARE SUBJECT TO TERRORISM-RELATED GROUNDS FOR REMOVAL.**—

“(1) The Secretary of Homeland Security—

“(A) shall, notwithstanding section 240, in the case of every alien, determine the inadmissibility of the alien under subclause (I), (II), or (III) of section 212(a)(3)(B)(i), or the deportability of the alien under section 237(a)(4)(B) as a consequence of being described in one of such subclauses, and issue an order of removal pursuant to the procedures set forth in this subsection to every alien determined to be inadmissible or deportable on such a ground; and

“(B) may, in the case of any alien, determine the inadmissibility of the alien under subparagraph (A) or (B) of section 212(a)(3) (other than subclauses (I), (II), and (III) of section 212(a)(3)(B)), or the deportability of the alien under subparagraph (A) or (B) of section 237(a)(4) (as a consequence of being described in subclause (I), (II), or (III) of section 212(a)(3)(B)), and issue an order of removal pursuant to the procedures set forth in this subsection or section 240 to every alien determined to be inadmissible or deportable on such a ground.

“(2) The Secretary of Homeland Security may not execute any order described in paragraph (1) until 30 calendar days have passed from the date that such order was issued, unless waived by the alien, in order that the alien has an opportunity to apply [petition] for judicial review under section 242.

“(3) Proceedings before the Secretary of Homeland Security under this subsection shall be in accordance with such regulations as the Secretary shall prescribe. The Secretary shall provide that—

“(A) the alien is given reasonable notice of the charges and of the opportunity described in subparagraph (C);

“(B) the alien shall have the privilege of being represented (at no expense to the Government) by such counsel, authorized to practice in such proceedings, as the alien shall choose;

“(C) the alien has a reasonable opportunity to inspect the evidence and rebut the charges;

“(D) a determination is made on the record that the individual upon whom the notice for the proceeding under this section is served (either in person or by mail) is, in fact, the alien named in such notice;

“(E) a record is maintained for judicial review; and

“(F) the final order of removal is not adjudicated by the same person who issues the charges.

“(4) No alien described in this subsection shall be eligible for any relief from removal that the Secretary of Homeland Security may grant in the Secretary’s discretion.”.

(b) **CLERICAL AMENDMENT.**—The table of contents of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by striking the item relating to section 238 and inserting the following:

“Sec. 238. Expedited removal of aliens convicted of aggravated felonies or who are subject to terrorism-related grounds for removal.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act but shall not apply to aliens who are in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) on such date.

SEC. 504. DETENTION OF REMOVABLE ALIENS.

(a) **CRIMINAL ALIEN ENFORCEMENT PARTNERSHIPS.**—Section 287 of the Immigration and Nationality Act (8 U.S.C. 1357), as amended by section 116 and this section, is further amended by—

(1) by redesignating subsection (h) as subsection (j); and

(2) adding new paragraph (h) to read as follows:

“(h) **CRIMINAL ALIEN ENFORCEMENT PARTNERSHIPS.**—

“(1) **IN GENERAL.**—The Secretary of Homeland Security may enter into a written agreement with a State, or any political subdivision of such a State, to authorize the temporary placement of one or more U.S. Customs and Border Protection agents or officers or U.S. Immigration and Customs Enforcement agents or investigators at a local police department or precinct to—

“(A) determine the immigration status of any individual arrested by a State, county, or local police, enforcement, or peace officer for any criminal offense;

“(B) issue charging documents and notices related to the initiation of removal proceedings or reinstatement of prior removal orders under section 241(a)(5);

“(C) enter information directly into the National Crime Information Center (NCIC) database, Immigration Violator File, to include—

“(i) the alien’s address,

“(ii) the reason for arrest,

“(iii) the legal cite of the State law violated or for which the alien is charged,

“(iv) the alien’s driver’s license number and State of issuance (if any),

“(v) any other identification document(s) held by the alien and issuing entity for such identification documents, and

“(vi) any identifying marks, such as tattoos, birthmarks, scars, etc.”.

“(D) to collect the alien’s biometrics, including but not limited to iris, fingerprint, photographs, and signature, of the alien and to enter such information into the Automated Biometric Identification System (IDENT) and any other DHS database authorized for storage of biometric information for aliens; and”.

“(E) make advance arrangements for the immediate transfer from State to Federal custody of any criminal when the alien is released, without regard to whether the alien is released on parole, supervised release, or probation, and without regard to whether alien may be arrested imprisoned again for the same offense.

“(2) **LENGTH OF TEMPORARY DUTY ASSIGNMENTS.**—The initial period for a temporary

duty assignment authorized under this paragraph shall be 1 year. The temporary duty assignment may be extended for additional periods of time as agreed to by the Secretary of Homeland Security and the State or political subdivision of the State to ensure continuity of cooperation and coverage.

“(3) TECHNOLOGY USAGE.—The Secretary shall provide CBP and ICE agents, officers, and investigators on a temporary duty assignment under this paragraph mobile access to Federal databases containing alien information, live scan technology for collection of biometrics, and video-conferencing capability for use at local police departments or precincts in remote locations.

“(4) REPORT.—Not later than 1 year after the date of the enactment, the Secretary of Homeland Security shall submit a report to the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives on—

“(A) the number of States that have entered into an agreement under this paragraph;

“(B) the number of criminal aliens processed by the U.S. Customs and Border Protection agent or officer or U.S. Immigration and Customs Enforcement agent or investigator during the temporary duty assignment; and

“(C) the number of criminal aliens transferred from State to Federal custody during the agreement period.”.

(b) DETENTION, RELEASE, AND REMOVAL OF ALIENS ORDERED REMOVED.—

(1) REMOVAL PERIOD.—

(A) IN GENERAL.—Subparagraph (A) of section 241(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(1)(A)) is amended by striking “Attorney General” and inserting “Secretary of Homeland Security”.

(B) BEGINNING OF PERIOD.—Subparagraph (B) of section 241(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(1)(B)) is amended to read as follows:

“(B) BEGINNING OF PERIOD.—

“(i) IN GENERAL.—Subject to clause (ii), the removal period begins on the date that is the latest of the following:

“(I) If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of the removal of the alien, the date the stay of removal ends;

“(II) If the alien is ordered removed, the date the removal order becomes administratively final and the Secretary takes the alien into custody for removal;

“(III) If the alien is detained or confined (except under an immigration process), the date the alien is released from detention or confinement.

“(ii) BEGINNING OF REMOVAL PERIOD FOLLOWING A TRANSFER OF CUSTODY.—If the Secretary transfers custody of the alien pursuant to law to another Federal agency or to an agency of a State or local government in connection with the official duties of such agency, the removal period for the alien—

“(I) shall be tolled; and

“(II) shall resume on the date the alien is returned to the custody of the Secretary.”.

(C) SUSPENSION OF PERIOD.—Subparagraph (C) of section 241(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(1)(C)) is amended to read as follows:

“(C) SUSPENSION OF PERIOD.—The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien—

“(i) fails or refuses to make all reasonable efforts to comply with the order of removal or to fully cooperate with the efforts of the Secretary of Homeland Security to establish the alien's identity and carry out the order of removal, including making timely application in good faith for travel or other documents necessary to the alien's departure; or

“(ii) conspires or acts to prevent the alien's removal subject to an order of removal.”.

(2) DETENTION.—Paragraph (2) of section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(2)) is amended—

(A) by inserting “(A)” before “During”;

(B) by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(C) by adding at the end the following:

“(B) DURING A PENDENCY OF A STAY.—If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an order of removal, the Secretary of Homeland Security, in the Secretary's sole and unreviewable exercise of discretion, and notwithstanding any provision of law including 28 U.S.C. 2241, may detain the alien during the pendency of such stay of removal.”.

(3) SUSPENSION AFTER 90-DAY PERIOD.—Paragraph (3) of section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(3)) is amended—

(A) in the matter preceding subparagraph (A), by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in subparagraph (C), by striking “Attorney General” and inserting “Secretary”; and

(C) by amending subparagraph (D) to read as follows:

“(D) to obey reasonable restrictions on the alien's conduct or activities, or to perform affirmative acts, that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.”.

(4) ALIENS IMPRISONED, ARRESTED, OR ON PAROLE, SUPERVISED RELEASE, OR PROBATION.—Paragraph (4) of section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(4)) is amended—

(A) in subparagraph (A), by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(I) in clause (i), by striking “if the Attorney General” and inserting “if the Secretary”; and

(II) in clause (ii)(III), by striking “Attorney General” and inserting “Secretary”.

(5) REINSTATEMENT OF REMOVAL ORDERS AGAINST ALIENS ILLEGALLY REENTERING.—

(A) Paragraph (5) of section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended to read as follows:

“(5) REINSTATEMENT OF REMOVAL ORDERS AGAINST ALIENS ILLEGALLY REENTERING.—If the Secretary of Homeland Security finds that an alien has entered the United States illegally after having been removed, deported, or excluded or having departed voluntarily, under an order of removal, deportation, or exclusion, regardless of the date of the original order or the date of the illegal entry—

“(A) the order of removal, deportation, or exclusion is reinstated from its original date and is not subject to being reopened or reviewed notwithstanding section 242(a)(2)(D);

“(B) the alien is not eligible and may not apply for any relief under this Act, regardless of the date that an application or request for such relief may have been filed or made; and

“(C) the alien shall be removed under the order of removal, deportation, or exclusion at any time after the illegal entry.”.

“Reinstatement under this paragraph shall not require proceedings under section 240 or other proceedings before an immigration judge.”.

(B) JUDICIAL REVIEW.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

“(h) JUDICIAL REVIEW OF DECISION TO REINSTATE REMOVAL ORDER UNDER SECTION 241(A)(5).—

“(1) REVIEW OF DECISION TO REINSTATE REMOVAL ORDER.—Judicial review of determinations under section 241(a)(5) is available in an action under subsection (a).

“(2) NO REVIEW OF ORIGINAL ORDER.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, any other habeas corpus provision, or sections 1361 and 1651 of such title, no court shall have jurisdiction to review any cause or claim, arising from, or relating to, any challenge to the original order.”.

(C) EFFECTIVE DATE.—The amendments made by subparagraphs (A) and (B) shall take effect as if enacted on April 1, 1997, and shall apply to all orders reinstated or after that date by the Secretary of Homeland Security (or by the Attorney General prior to March 1, 2003), regardless of the date of the original order.

(6) INADMISSIBLE OR CRIMINAL ALIENS.—Paragraph (6) of section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(6)) is amended—

(A) by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(B) by striking “removal period and, if released,” and inserting “removal period, in the discretion of the Secretary, without any limitations other than those specified in this section, until the alien is removed.”.

(7) PAROLE; ADDITIONAL RULES; JUDICIAL REVIEW.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(A) in paragraph (7), by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) by redesignating paragraph (7) as paragraph (14); and

(C) by inserting after paragraph (6) the following:

“(7) PAROLE.—If an alien detained pursuant to paragraph (6) is an applicant for admission, the Secretary of Homeland Security, in the Secretary's discretion, may parole the alien under section 212(d)(5) and may provide, notwithstanding section 212(d)(5), that the alien shall not be returned to custody unless either the alien violates the conditions of such parole or the alien's removal becomes reasonably foreseeable, provided that in no circumstance shall such alien be considered admitted.

“(8) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS WHO WERE PREVIOUSLY ADMITTED TO THE UNITED STATES.—

“(A) APPLICATION.—The procedures set out under this paragraph—

“(i) apply only to an alien who were previously admitted to the United States; and

“(ii) do not apply to any other alien, including an alien detained pursuant to paragraph (6).

“(B) ESTABLISHMENT OF A DETENTION REVIEW PROCESS FOR ALIENS WHO FULLY COOPERATE WITH REMOVAL.—

“(i) REQUIREMENT TO ESTABLISH.—For an alien who has made all reasonable efforts to comply with a removal order and to cooperate fully with the efforts of the Secretary of Homeland Security to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions.

“(ii) DETERMINATIONS.—The Secretary shall—

“(I) make a determination whether to release an alien described in clause (i) after the end of the alien's removal period; and

“(II) in making a determination under subclause (I), consider any evidence submitted by the alien, and may consider any other evidence, including any information or assistance provided by the Department of State or other Federal agency and any other information available to the Secretary pertaining to the ability to remove the alien.

“(9) AUTHORITY TO DETAIN BEYOND THE REMOVAL PERIOD.—

“(A) IN GENERAL.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in subsection (a)(1)(C)).

“(B) LENGTH OF DETENTION.—The Secretary, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the 90 days authorized in subparagraph (A)—

“(i) until the alien is removed, if the Secretary determines that—

“(I) there is a significant likelihood that the alien will be removed in the reasonably foreseeable future;

“(II) the alien would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspiracies or acts to prevent removal;

“(III) the government of the foreign country of which the alien is a citizen, subject, national, or resident is denying or unreasonably delaying accepting the return of such alien after the Secretary asks whether the government will accept an alien under section 243(d); or

“(IV) the government of the foreign country of which the alien is a citizen, subject, national, or resident is refusing to issue any required travel or identity documents to allow such alien to return to that country;

“(ii) until the alien is removed, if the Secretary certifies in writing—

“(I) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

“(II) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have se-

rious adverse foreign policy consequences for the United States;

“(III) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

“(IV) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and either—

“(aa) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)), 1 or more crimes identified by the Secretary of Homeland Security by regulation, or 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, provided that the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

“(bb) the alien has committed 1 or more violent offenses (but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

“(V) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and the alien has been convicted of at least one aggravated felony (as defined in section 101(a)(43)); and

“(iii) pending a determination under subparagraph (B), if the Secretary has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period as provided in subsection (a)(1)(C)).

“(10) RENEWAL AND DELEGATION OF CERTIFICATION.—

“(A) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii) every 6 months without limitation, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii).

“(B) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (II), (III), or (IV) of subparagraph (B)(ii) to an official below the level of the Director of U.S. Immigration and Customs Enforcement.

“(11) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention, the Secretary of Homeland Security, in the exercise of discretion, may impose conditions on release as provided in paragraph (3).

“(12) REDETENTION.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody if the alien fails to comply with the conditions of release or to continue to satisfy the conditions described in subparagraph (8)(A), or if, upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (8)(B). Paragraphs (6) through

(14) shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

“(13) CERTAIN ALIENS WHO EFFECTED ENTRY.—If an alien has effected an entry but has neither been lawfully admitted nor physically present in the United States continuously for the 2-year period immediately prior to the commencement of removal proceedings under this Act against the alien, the Secretary of Homeland Security in the exercise of discretion may decide not to apply paragraph (8) and detain the alien without any limitations except those which the Secretary shall adopt by regulation.

“(14) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision pursuant to paragraph (6) through (14) shall be available exclusively in habeas corpus proceedings instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and regulatory) available to the alien as of right.”

(C) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) IN GENERAL.—Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following:

“(e) LENGTH OF DETENTION.—

“(1) IN GENERAL.—An alien may be detained under this section while proceedings are pending, without limitation, until the alien is subject to an administratively final order of removal.

“(2) EFFECT ON DETENTION UNDER SECTION 241.—The length of detention under this section shall not affect the validity of any detention under section 241.

“(f) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to subsection (e) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.”

(2) CONFORMING AMENDMENTS.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(A) in subsection (e), by inserting “Without regard to the place of confinement, judicial review of any action or decision made pursuant to section 235(f) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.” at the end; and

(B) by adding at the end the following:

“(f) LENGTH OF DETENTION.—

“(1) IN GENERAL.—An alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

“(2) EFFECT ON DETENTION UNDER SECTION 241.—The length of detention under this section shall not affect the validity of any detention under section 241.”

(d) ATTORNEY GENERAL'S DISCRETION IN DETERMINING COUNTRIES OF REMOVAL.—Section 241(b) of the Immigration and Nationality Act (8 U.S.C. 1231(b)) is amended—

(1) in paragraph (1)(C)(iv), by striking the period at the end and inserting “, or the Attorney General decides that removing the alien to the country is prejudicial to the interests of the United States.”;

(2) in paragraph (2)(E)(vii), by inserting “or the Attorney General decides that removing

the alien to one or more of such countries is prejudicial to the interests of the United States," after "this subparagraph."

(e) **EFFECTIVE DATES AND APPLICATION.**—

(1) **AMENDMENTS MADE BY SUBSECTION (B).**—The amendments made by subsection (b) shall take effect on the date of the enactment of this Act, and section 241 of the Immigration and Nationality Act, as amended by subsection (b), shall apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

(2) **AMENDMENTS MADE BY SUBSECTION (C).**—The amendments made by subsection (c) shall take effect upon the date of the enactment of this Act, and sections 235 and 236 of the Immigration and Nationality Act, as amended by subsection (c), shall apply to any alien in detention under provisions of such sections on or after the date of the enactment of this Act.

SEC. 505. GAO STUDY ON DEATHS IN CUSTODY.

The Comptroller General of the United States shall submit to Congress within 6 months after the date of the enactment of this Act, a report on the deaths in custody of detainees held by the Department of Homeland Security. The report shall include the following information with respect to any such deaths and in connection therewith:

(1) Whether any such deaths could have been prevented by the delivery of medical treatment administered while the detainee is in the custody of the Department of Homeland Security.

(2) Whether Department practice and procedures were properly followed and obeyed.

(3) Whether such practice and procedures are sufficient to protect the health and safety of such detainees and

(4) Whether reports of such deaths were made to the Deaths in Custody Reporting Program.

SEC. 506. GAO STUDY ON MIGRANT DEATHS.

Within 120 days of the date of enactment and by the end of each fiscal year thereafter, the Comptroller General of the United States shall submit to the Committee on the Judiciary and Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and Committee on Homeland Security of the House, a report on:

(1) the total number of migrant deaths along the southern border in the last 5 years;

(2) the total number of unidentified deceased migrants found along the southern border;

(3) the level of cooperation between U.S. Customs and Border Protection, local and State law enforcement, foreign diplomatic and consular posts, nongovernmental organizations, and family members to accurately identify deceased individuals;

(4) the use of DNA testing and sharing of such data between U.S. Customs and Border Protection, local and State law enforcement, foreign diplomatic and consular posts, and nongovernmental organizations to accurately identify deceased individuals;

(5) the comparison of DNA data with information on Federal, State, and local missing person registries; and

(6) the procedures and processes U.S. Customs and Border Protection has in place for notification of relevant authorities or family members after missing persons are identified through DNA testing.

SEC. 507. STATUTE OF LIMITATIONS FOR VISA, NATURALIZATION, AND OTHER FRAUD OFFENSES INVOLVING WAR CRIMES OR HUMAN RIGHTS VIOLATIONS.

(a) **STATUTE OF LIMITATIONS FOR VISA FRAUD AND OTHER OFFENSES.**—Chapter 213, Title 18, United States Code, is amended by adding new section 3302, as follows:

SEC. 3302. FRAUD IN CONNECTION WITH CERTAIN HUMAN RIGHTS VIOLATIONS OR WAR CRIMES.

"(a) No person shall be prosecuted, tried, or punished for violation of any provision of sections 1001 and 1015 of chapter 47, section 1425 of chapter 63, section 1546 of chapter 75, section 1621 of chapter 79, and section 2191 of chapter 212A of title 19 of the United States Code, or for attempt or conspiracy to violate any such sections, when the fraudulent conduct, misrepresentation, concealment, or fraudulent, fictitious, or false statement concerns the alleged offender's participation, at any time, at any place, and irrespective of the nationality of the alleged offender or any victim, in a human rights violation or war crime, or the alleged offender's membership in, service in, or authority over a military, paramilitary, or police organization that participated in such conduct during any part of any period in which the alleged offender was a member of, served in, or had authority over the organization, unless the indictment is found or the information is instituted with 20 years after the commission of the offense, except that an indictment may be found, or information instituted, at any time without limitation if the commission of such human rights violation or war crime resulted in the death of any person.

"(b) For purposes of subsection (a), 'human rights violation or war crime' means genocide, incitement to genocide, war crimes, torture, female genital mutilation, extrajudicial killing under color of foreign law, persecution, particularly severe violation of religious freedom by a foreign government official, or the use of recruitment of child soldiers.

"(c) For purposes of subsection (b),

"(1) 'genocide' means conduct described in section 1091(c) of chapter 50A of this title,

"(2) 'incitement to genocide' means conduct described in section 1091(c) of chapter 50A of this title,

"(3) 'war crimes' means conduct described in subsections (c) and (d) of section 2441 of chapter 118 of this title,

"(4) 'torture' means conduct described in subsections (1) and (2) of section 2340 of chapter 113C of this title,

"(5) 'female genital mutilation' means conduct described in section 116 of chapter 7 of this title,

"(6) 'extrajudicial killing under color of foreign law' means conduct specified in section 1182(a)(3)(E)(iii) of chapter 12 of title 8 of the United States Code,

"(7) 'persecution' means conduct that is a bar to relief under section 1158(b)(2)(A)(i) of chapter 12 of title 8 of the United States Code,

"(8) 'particularly severe violation of religious freedom' means conduct described in section 6402(13) of chapter 73 of title 22 of the United States Code, and

"(9) 'use or recruitment of child soldiers' means conduct described in subsection (a) and (d) of section 2442 of chapter 118 of this title."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to fraudulent conduct, misrepresentations, concealments, and fraudulent, fictitious, or false statements made or committed before, on, or after the date of enactment of this Act.

SEC. 508. CRIMINAL DETENTION OF ALIENS TO PROTECT PUBLIC SAFETY.

(a) **IN GENERAL.**—Section 3142(e) of title 18, United States Code, is amended to read as follows:

"(e) **DETENTION.**—

"(1) **IN GENERAL.**—If, after a hearing pursuant to the provisions of subsection (f), the judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community, such judicial officer shall order the detention of the person before trial.

"(2) **PRESUMPTION ARISING FROM OFFENSES DESCRIBED IN SUBSECTION (F)(1).**—In a case described in subsection (f)(1) of this section, a rebuttable presumption arises that no condition or combination of conditions will reasonably assure the safety of any other person and the community if such judicial officer finds that—

"(A) the person has been convicted of a Federal offense that is described in subsection (f)(1), or of a State or local offense that would have been an offense described in subsection (f)(1) of this section if a circumstance giving rise to Federal jurisdiction had existed;

"(B) the offense described in subparagraph (A) was committed while the person was on release pending trial for a Federal, State, or local offense; and

"(C) a period of not more than 5 years has elapsed since the date of conviction or the release of the person from imprisonment, for the offense described in subparagraph (A), whichever is later.

"(3) **PRESUMPTION ARISING FROM OTHER OFFENSES INVOLVING ILLEGAL SUBSTANCES, FIREARMS, VIOLENCE, OR MINORS.**—Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed—

"(A) an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

"(B) an offense under section 924(c), 956(a), or 2332b of this title;

"(C) an offense listed in section 2332b(g)(5)(B) of this title for which a maximum term of imprisonment of 10 years or more is prescribed; or

"(D) an offense involving a minor victim under section 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425 of this title.

"(4) **PRESUMPTION ARISING FROM OFFENSES RELATING TO IMMIGRATION LAW.**—Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required if the judicial officer finds that there is probable cause to believe that the person is an alien and that the person—

"(A) has no lawful immigration status in the United States;

"(B) is the subject of a final order of removal; or

"(C) has committed a felony offense under section 842(i)(5), 911, 922(g)(5), 1015, 1028,

1028A, 1425, or 1426 of this title, or any section of chapters 75 and 77 of this title, or section 243, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1253, 1324, 1325, 1326, 1327, and 1328)."

(b) IMMIGRATION STATUS AS FACTOR IN DETERMINING CONDITIONS OF RELEASE.—Section 3142(g)(3) of title 18, United States Code, is amended—

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

(2) by adding at the end the following:

"(C) whether the person is in a lawful immigration status, has previously entered the United States illegally, has previously been removed from the United States, or has otherwise violated the conditions of his or her lawful immigration status; and".

SEC. 509. RECRUITMENT OF PERSONS TO PARTICIPATE IN TERRORISM.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by inserting after section 2332b the following:

"§ 2332c. Recruitment of persons to participate in terrorism

"(a) OFFENSES.—

"(1) IN GENERAL.—It shall be unlawful for any person to employ, solicit, induce, command, or cause another person to commit an act of domestic terrorism or international terrorism or a Federal crime of terrorism, with the intent that the other person commit such act or crime of terrorism.

"(2) ATTEMPT AND CONSPIRACY.—It shall be unlawful for any person to attempt or conspire to commit an offense under paragraph (1).

"(b) PENALTIES.—Any person who violates subsection (a)—

"(1) in the case of an attempt or conspiracy, shall be fined under this title, imprisoned not more than 10 years, or both;

"(2) if death of an individual results, shall be fined under this title, punished by death or imprisoned for any term of years or for life, or both;

"(3) if serious bodily injury to any individual results, shall be fined under this title, imprisoned not less than 10 years nor more than 25 years, or both; and

"(4) in any other case, shall be fined under this title, imprisoned not more than 10 years, or both.

"(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.

"(d) LACK OF CONSUMMATED TERRORIST ACT NOT A DEFENSE.—It is not a defense under this section that the act of domestic terrorism or international terrorism or Federal crime of terrorism that is the object of the employment, solicitation, inducement, commanding, or causing has not been done.

"(e) DEFINITIONS.—In this section—

"(1) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b; and

"(2) the term 'serious bodily injury' has the meaning given that term in section 1365(h)."

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after the item relating to section 2332b the following:

"2332c. Recruitment of persons to participate in terrorism."

SEC. 510. BARRING AND REMOVING PERSECUTORS, WAR CRIMINALS, AND PARTICIPANTS IN CRIMES AGAINST HUMANITY FROM THE UNITED STATES.

(a) INADMISSIBILITY OF PERSECUTORS, WAR CRIMINALS, AND PARTICIPANTS IN CRIMES

AGAINST HUMANITY.—Subparagraph (E) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(E)) is amended—

(1) by striking the subparagraph heading and inserting "PARTICIPANTS IN PERSECUTION (INCLUDING NAZI PERSECUTIONS), GENOCIDE, WAR CRIMES, CRIMES AGAINST HUMANITY, OR THE COMMISSION OF ANY ACT OF TORTURE OR EXTRAJUDICIAL KILLING.—"; and

(2) by adding after subclause (iii) the following:

"(iv) PERSECUTORS, WAR CRIMINALS, AND PARTICIPANTS IN CRIMES AGAINST HUMANITY.—Any alien, including those who are superior commanders, who committed, ordered, incited, assisted, or otherwise participated in a war crime as defined in section 2441(c) of title 18, United States Code, a crime against humanity, or in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion, is inadmissible.

"(v) CRIME AGAINST HUMANITY DEFINED.—In this subparagraph, the term 'crime against humanity' means conduct that is part of a widespread and systematic attack targeting any civilian population, and with knowledge that the conduct was part of the attack or with the intent that the conduct be part of the attack—

"(I) that, if such conduct occurred in the United States or in the special maritime and territorial jurisdiction of the United States, would violate—

"(aa) section 1111 of title 18, United States Code (relating to murder);

"(bb) section 1201(a) of title 18, United States Code (relating to kidnapping);

"(cc) section 1203(a) of title 18, United States Code (relating to hostage taking), notwithstanding any exception under subsection (b) of such section 1203;

"(dd) section 1581(a) of title 18, United States Code (relating to peonage);

"(ee) section 1583(a)(1) of title 18, United States Code (relating to kidnapping or carrying away individuals for involuntary servitude or slavery);

"(ff) section 1584(a) of title 18, United States Code (relating to sale into involuntary servitude);

"(gg) section 1589(a) of title 18, United States Code (relating to forced labor);

"(hh) section 1590(a) of title 18, United States Code (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor);

"(ii) section 1591(a) of title 18, United States Code (relating to sex trafficking of children or by force, fraud, or coercion);

"(jj) section 2241(a) of title 18, United States Code (relating to aggravated sexual abuse by force or threat); or

"(kk) section 2242 of title 18, United States Code (relating to sexual abuse);

"(II) that would constitute torture as defined in section 2340(1) of title 18, United States Code;

"(III) that would constitute cruel or inhuman treatment as described in section 2441(d)(1)(B) of title 18, United States Code;

"(IV) that would constitute performing biological experiments as described in section 2441(d)(1)(C) of title 18, United States Code;

"(V) that would constitute mutilation or maiming as described in section 2441(d)(1)(E) of title 18, United States Code; or

"(VI) that would constitute intentionally causing serious bodily injury as described in section 2441(d)(1)(F) of title 18, United States Code."

"(vi) SYSTEMATIC.—In this subparagraph, the term 'systematic' means the commission

of a series of acts following a regular pattern and occurring in an organized, non-random manner.

"(vii) WIDESPREAD.—In this subparagraph, the term 'widespread' means either a single, large scale act or a series of acts directed against a substantial number of victims.

"(viii) SUPERIOR COMMANDER.—The term 'superior commander' means—

"(I) a military commander or a person with effective control of military forces or an armed group;

"(II) who knew or should have known that a subordinate or someone under his or her effective control is committing acts described in subsection (a), is about to commit such acts, or had committed such acts; and

"(III) who fails to take the necessary and reasonable measures to prevent such acts or, for acts that have been committed, to punish the perpetrators thereof."

(3) by revising in clause (iii)(II) the following:

(A) by deleting " of any foreign nation", and

(B) by inserting after "is inadmissible" the following clause:

"(III) Color of law. For purposes of this subsection and subsection 237(a)(4)(D) only, acting under 'color of law' includes acts taken as part of an armed group exercising de facto authority."

(b) BARRING WAIVER OF INADMISSIBILITY FOR PERSECUTORS.—Subparagraph (A) of section 212(d)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(A)) is amended by striking "and clauses (i) and (ii) of paragraph (3)(E)" both places that term appears and inserting "and (3)(E)".

(c) REMOVAL OF PERSECUTORS.—Subparagraph (D) of section 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(D)) is amended—

(1) by striking "NAZI" in the subparagraph heading; and

(2) by striking "or (iii)" and inserting "(iii), or (iv)";

(3) by inserting after subsection (g), as redesignated by Title VIII of this Act, the following:

"(H) Participation in female genital mutilation. Any alien who has committed, ordered, incited, assisted, or otherwise participated in female genital mutilation, is deportable."

(d) SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—Section 212(a)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(G)) is amended—

(1) in the header, by striking "Foreign government officials" and replacing it with "Any persons"; and

(2) by striking ", while serving as a foreign government official,".

(e) BARRING PERSECUTORS FROM ESTABLISHING GOOD MORAL CHARACTER.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) in paragraph (9), by striking "killings" or 212(a)(2)(G) (relating to severe violations of religious freedom)." and inserting "killings), 212(a)(2)(G) (relating to severe violations of religious freedom), or 212(a)(3)(G) (relating to recruitment and use of child soldiers);"; and

(2) by inserting after paragraph (9) the following:

"(10) one who at any time committed, ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion is inadmissible; or".

(f) INCREASING CRIMINAL PENALTIES FOR ANYONE WHO AIDS AND ABETS THE ENTRY OF

A PERSECUTOR.—Section 277 of the Immigration and Nationality Act (8 U.S.C. 1327) is amended by striking “(other than subparagraph (E) thereof)”.

(g) INCREASING CRIMINAL PENALTIES FOR FEMALE GENITAL MUTILATION.—Section 116 of Title 18, U.S.C. is amended—

(1) in subsection (a), by striking “shall be fined under this title or imprisoned not more than 5 years, or both” at the end, and inserting the following:

“has engaged in a violent crime against children under section 3559(f)(3) of this title and shall be imprisoned for life or for any term of years not less than 10.

(2) in subsection (d), by striking “shall be fined under this title or imprisoned not more than 5 years, or both.” at the end, and inserting the following:

“shall be imprisoned for life or for any term of years not less than 10.”.

(h) MATERIAL SUPPORT IN THE RECRUITMENT OR USE OF CHILD SOLDIERS.—

(1) Section 212(a)(3)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(G)) is amended by inserting after the “18,” the following new clause:

“or has provided material support in the recruitment or use of child soldiers in violation of section 2339A of title 18.”.

(2) DEPORTABILITY.—Section 237(a)(4)(G) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(G)), as amended by Title VIII of this Act, is amended by inserting after the “18,” the following new clause:

“or has provided material support in the recruitment or use of child soldiers in violation of section 2339A of title 18.”.

(i) FEMALE GENITAL MUTILATION.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended by adding at the end the following:

“(H) PARTICIPATION IN FEMALE GENITAL MUTILATION.—Any alien who has ordered, incited, assisted, or otherwise participated in female genital mutilation, is inadmissible.”.

(j) TECHNICAL AMENDMENTS.—

(1) SECTION 101(A)(42).—Section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) is amended by inserting “committed,” before “ordered”.

(2) SECTION 208(B)(2)(A)(I).—Section 208(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)(i)) is amended by inserting “committed,” before “ordered”.

(3) SECTION 241(B)(3)(B)(I).—Section 241(b)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)(i)) is amended by inserting “committed,” before “ordered”.

(k) EFFECTIVE DATE.—The amendments made by this section shall apply to any offense committed before, on, or after the date of enactment of this Act.

SEC. 511. GANG MEMBERSHIP, REMOVAL, AND INCREASED CRIMINAL PENALTIES RELATED TO GANG VIOLENCE.

(a) DEFINITION OF CRIMINAL GANG.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by inserting after subparagraph (52) the following:

“(53)(A) The term ‘criminal gang’ means an ongoing group, club, organization, or association of 5 or more persons that—

“(i) has as one of its primary purposes the commission of 1 or more of the criminal offenses set out under subparagraph (B) and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses; or

“(ii) has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting criteria set out in clause (i).

“(B) The offenses described under this subparagraph, whether in violation of Federal or State law or the law of a foreign country and regardless of whether the offenses occurred before, on, or after the date of the enactment of the Building America’s Trust Act, are the following:

“(i) A felony drug offense (as that term is defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

“(ii) An offense involving illicit trafficking in a controlled substance (as defined in section 102 of the Controlled Substances Act), including a drug trafficking crime (as defined in section 924(c) of title 18, United States Code).

“(iii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

“(iv) Any offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon.

“(v) Any offense that has as an element the use, attempted use, or threatened use of any physical object to inflict or cause (either directly or indirectly) serious bodily injury, including an injury that may ultimately result in the death of a person.

“(vi) An offense involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

“(vii) Any conduct punishable under section 1028 or 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

“(viii) A conspiracy to commit an offense described in clauses (i) through (v).

“(C) Notwithstanding any other provision of law (including any effective date), a group, club, organization, or association shall be considered a criminal gang regardless of whether the conduct occurred before, on, or after the date of the enactment of the Building America’s Trust Act.”.

(b) INADMISSIBILITY.—Paragraph (2) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

“(J) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

“(i) to be or to have been a member of a criminal gang (as defined in section 101(a)(53)); or

“(ii) to have participated in the activities of a criminal gang (as defined in section 101(a)(53)), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.”.

(c) DEPORTABILITY.—Paragraph (2) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

“(G) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

“(i) is or has been a member of a criminal gang (as defined in section 101(a)(53)), or

“(ii) has participated in the activities of a criminal gang (as defined in section 101(a)(53)) knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang, is deportable.”.

(d) DESIGNATION OF CRIMINAL GANGS.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by adding at the end the following:

“SEC. 220. DESIGNATION OF CRIMINAL GANGS.

“(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, and the Secretary of State may designate a group or association as a criminal gang if their conduct is described in section 101(a)(53) or if the group’s or association’s conduct poses a significant risk that threatens the security and the public safety of United States nationals or the national security, homeland security, foreign policy, or economy of the United States.

“(b) EFFECTIVE DATE.—Designations under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.”.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 219 the following:

“220. Designation of criminal gangs.”.

(e) ANNUAL REPORT ON DETENTION OF CRIMINAL GANG MEMBERS.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary, after consultation with the heads of appropriate Federal agencies, shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on the number of aliens detained who are described by subparagraph (J) of section 212(a)(2) and subparagraph (G) of section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(J), 1227(a)(2)(G)), as added by subsections (b) and (c).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Subparagraph (B) of section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting “who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) or who is” after “to an alien”.

(2) INELIGIBILITY FOR ASYLUM.—Subparagraph (A) of section 208(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking “or” at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

“(vi) the alien is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) (relating to participation in criminal gangs); or”.

(g) **TEMPORARY PROTECTED STATUS.**—Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) is amended—

(1) by striking “Attorney General” each place that term appears and inserting “Secretary”;

(2) in subsection (c)(2)(B)—

(A) in clause (i), by striking “States, or” and inserting “States;”;

(B) in clause (ii), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(iii) the alien is, or at any time after admission has been, an alien described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i).”.

(h) **EFFECTIVE DATE AND APPLICATION.**—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 512. BARRING ALIENS WITH CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR WHILE INTOXICATED.

(a) **AGGRAVATED FELONY DRIVING WHILE INTOXICATED.**—

(1) **DEFINITIONS.**—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(A) in subparagraph (T), by striking “and”;

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

(C) by inserting after subparagraph (U) the following:

“(V) a single conviction for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs), when such impaired driving was the cause of the serious bodily injury or death of another person or a second or subsequent conviction for driving while intoxicated (including a conviction for driving under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under State law. For purposes of this paragraph, the Secretary of Homeland Security or the Attorney General are not required to prove the first conviction for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense and need only make a factual determination that the alien was previously convicted for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs).”.

(2) **EFFECTIVE DATE AND APPLICATION.**—The amendments made by this section shall take effect on the date of the enactment of this Act and apply to any conviction entered on or after such date.

(b) **INADMISSIBILITY FOR DRIVING WHILE INTOXICATED OR UNDER THE INFLUENCE.**—

(1) **IN GENERAL.**—Paragraph (2) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)), as amended by section 507, is further amended by adding at the end the following:

“(K) **DRIVING WHILE INTOXICATED AND UNLAWFULLY PRESENT IN THE UNITED STATES.**—An alien who—

“(i) is convicted of driving while intoxicated, driving under the influence, or similar violation of State law, and

“(ii) at the time of the commission of that offense was unlawfully present in the United States because the alien entered without inspection or admission, overstayed the period of stay authorized by the Secretary, or vio-

lated the terms of the alien’s nonimmigrant visa, is inadmissible.”.

(2) **EFFECTIVE DATE AND APPLICATION.**—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act and apply to any conviction entered on or after such date.

(c) **DEPORTATION FOR DRIVING WHILE INTOXICATED OR UNDER THE INFLUENCE.**—

(1) **IN GENERAL.**—Paragraph (2) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by section 507, is further amended by adding at the end the following:

“(H) **DRIVING WHILE INTOXICATED AND WHILE UNLAWFULLY PRESENT IN THE UNITED STATES.**—An alien is deportable who—

“(i) at the time of commission of the offense is unlawfully present in the United States because the alien entered without inspection or admission, overstayed the period of stay authorized by the Secretary, or violated the terms of the alien’s nonimmigrant visa; and

“(ii) is convicted of driving while intoxicated, driving under the influence, or similar violation of State law.”.

(2) **APPLICATION.**—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and apply to any conviction entered on or after such date.

(d) **GOOD MORAL CHARACTER BAR FOR DUI OR DWI CONVICTIONS.**—

(1) **IN GENERAL.**—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)), as amended by section 506, is further amended by inserting after paragraph (1) the following:

“[(2) inadmissible under section 212(a)(2)(K) or deportable under section 237(a)(2)(H).]

“[(e) **TECHNICAL AND CONFORMING AMENDMENTS.**—Subsection (h) of section 212 of the Immigration and Nationality Act (8 U.S.C. 1182(h)) is amended—]

“[(1) by inserting ‘or the Secretary’ after ‘the Attorney General’ each place such term appears; and]

“[(2) in the matter preceding paragraph (1), by striking ‘and (E)’ and inserting ‘(E), and (K)’.”.]

“[(2) **APPLICATION.**—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and apply to any conviction entered on or after such date.]

SEC. 513. BARRING AGGRAVATED FELONS, BORDER CHECKPOINT RUNNERS, AND SEX OFFENDERS FROM ADMISSION TO THE UNITED STATES.

(a) **INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.**—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(i)—

(i) in subclause (I), by striking “, or” and inserting a semicolon;

(ii) in subclause (II), by striking the comma at the end and inserting “; or”; and

(iii) by inserting after subclause (II) the following:

“[(III) a violation of (or a conspiracy or attempt to violate) any statute relating to section 208 of the Social Security Act (42 U.S.C. 408) (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information);”;

(B) by inserting after subparagraph (K), as added by section 508, the following:

“(L) **CITIZENSHIP FRAUD.**—Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of, a violation of, or an attempt or a conspiracy to violate, subsection (a) or (b) of section 1425 of title 18, United States Code, (relating to the procurement of citizenship or naturalization unlawfully) is inadmissible.

“(M) **CERTAIN FIREARM OFFENSES.**—Any alien who at any time has been convicted under any law of, or who admits having committed or admits committing acts which constitute the essential elements of, any law relating to purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law is inadmissible.

“(N) **AGGRAVATED FELONS.**—Any alien who has been convicted of an aggravated felony as defined in section 101(a)(43) at any time is inadmissible.

“(O) **HIGH SPEED FLIGHT.**—Any alien who has been convicted of a violation of section 758 of title 18, United States Code, (relating to high speed flight from an immigration checkpoint) is inadmissible.

“(P) **FAILURE TO REGISTER AS A SEX OFFENDER.**—Any alien convicted under section 2250 of title 18, United States Code is inadmissible.

“(Q) **CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTION ORDERS; CRIMES AGAINST CHILDREN.**—

“(i) **DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.**—

“(I) **IN GENERAL.**—Any alien who at any time is or has been convicted of a crime involving the use or attempted use of physical force, or threatened use of a deadly weapon, a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment is inadmissible.

“(II) **CRIME OF DOMESTIC VIOLENCE DEFINED.**—For purposes of this clause, the term ‘crime of domestic violence’ means any crime of violence or any offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual’s acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local government.

“(ii) **VIOLATORS OF PROTECTION ORDERS.**—

“(I) **IN GENERAL.**—Any alien who at any time is or has been enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is inadmissible.

“(II) **PROTECTIVE ORDER DEFINED.**—In this clause, the term ‘protection order’ means

any injunction issued for the purpose of preventing violent or threatening acts of violence that involve the use or attempted use of physical force, or threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as an independent order in another proceeding.

“(iii) WAIVER AUTHORIZED.—For provision authorizing waiver of this subparagraph, see subsection (o).”; and

(2) in subsection (h)—

(A) in the matter preceding paragraph (1), as amended by this Act, by further amended by striking “, and (K)”, and inserting “(K), and (M)”;;

(B) in the matter following paragraph (2)—
(i) by striking “torture.” and inserting “torture, or has been convicted of an aggravated felony.”; and

(ii) by striking “if either since the date of such admission the alien has been convicted of an aggravated felony or the alien” and inserting “if since the date of such admission the alien”.

(3) by adding new subsection (o) to read as follows—

“(o) WAIVER FOR VICTIMS OF DOMESTIC VIOLENCE.—

“(1) IN GENERAL.—The Secretary of Homeland Security or Attorney General is not limited by the criminal court record and may waive the application of paragraph (2)(Q)(i) (with respect to crimes of domestic violence and crimes of stalking) and (ii) in the case of an alien who has been battered or subjected to extreme cruelty and who is not and was not the primary perpetrator of violence in the relationship upon a determination that—

“(A) the alien was acting in self-defense;

“(B) the alien was found to have violated a protection order intended to protect the alien; or

“(C) the alien committed, was arrested for, was convicted of, or pled guilty to committing a crime—

“(i) that did not result in serious bodily injury; and

“(ii) where there was a connection between the crime and the alien’s having been battered or subjected to extreme cruelty.

“(2) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this paragraph, the Secretary of Homeland Security or Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary of Homeland Security or Attorney General.”.

(b) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(3)(B)) is amended—

(1) in clause (i), by striking the comma at the end and inserting a semicolon;

(2) in clause (ii), by striking “, or” at the end and inserting a semicolon;

(3) in clause (iii), by striking the comma at the end and inserting “; or”; and

(4) by inserting after clause (iii) the following:

“(iv) of a violation of, or an attempt or a conspiracy to violate, subsection (a) or (b) of

section 1425 of title 18 (relating to the procurement of citizenship or naturalization unlawfully).”.

(c) DEPORTABILITY; CRIMINAL OFFENSES.—Paragraph (2) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by sections 507 and 508, is further amended by adding at the end the following:

“(I) IDENTIFICATION FRAUD.—Any alien who is convicted of a violation of (or a conspiracy or attempt to violate) an offense relating to section 208 of the Social Security Act (42 U.S.C. 408) (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code, (relating to fraud and related activity in connection with identification), is deportable.”.

(d) APPLICABILITY.—The amendments made by this section shall apply to—

(1) any act that occurred before, on, or after the date of the enactment of this Act;

(2) all aliens who are required to establish admissibility on or after such date of enactment; and

(3) all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date of enactment.

(e) CONSTRUCTION.—The amendments made by this section shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act (8 U.S.C. 1182(c)) if such eligibility did not exist before the date of enactment of this Act.

SEC. 514. PROTECTING IMMIGRANTS FROM CONVICTED SEX OFFENDERS.

(a) IMMIGRANTS.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)), is amended—

(1) in subparagraph (A), by amending clause (viii) to read as follows:

“(viii) Clause (i) shall not apply to a citizen of the United States who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43) or a specified offense against a minor as defined in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911(7)), unless the Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in clause (i) is filed.”; and

(2) in subparagraph (B)(i)—

(A) by redesignating the second subclause (I) as subclause (II); and

(B) by amending such subclause (II) to read as follows:

“(II) Subclause (I) shall not apply in the case of an alien lawfully admitted for permanent residence who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43) or a specified offense against a minor as defined in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911(7)), unless the Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, determines that the alien lawfully admitted for permanent residence poses no risk to the alien with respect to whom a petition described in subclause (I) is filed.”.

(b) NONIMMIGRANTS.—Section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)), is amended by striking “204(a)(1)(A)(viii)(I)” each place such term appears and inserting “204(a)(1)(A)(viii)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to petitions filed on or after such date.

SEC. 515. ENHANCED CRIMINAL PENALTIES FOR HIGH SPEED FLIGHT.

(a) IN GENERAL.—Section 758 of title 18, United States Code, is amended to read as follows:

“§ 758. Unlawful flight from immigration or customs controls

“(a) EVADING A CHECKPOINT.—Any person who, while operating a motor vehicle or vessel, knowingly flees or evades a checkpoint operated by the Department of Homeland Security or any other Federal law enforcement agency, and then knowingly or recklessly disregards or disobeys the lawful command of any law enforcement agent, shall be fined under this title, imprisoned not more than 5 years, or both.

“(b) FAILURE TO STOP.—Any person who, while operating a motor vehicle, aircraft, or vessel, knowingly or recklessly disregards or disobeys the lawful command of an officer of the Department of Homeland Security engaged in the enforcement of the immigration, customs, or maritime laws, or the lawful command of any law enforcement agent assisting such officer, shall be fined under this title, imprisoned not more than 2 years, or both.

“(c) ALTERNATIVE PENALTIES.—Notwithstanding the penalties provided in subsection (a) or (b), any person who violates such subsection shall—

“(1) be fined under this title, imprisoned not more than 10 years, or both, if the violation involved the operation of a motor vehicle, aircraft, or vessel—

“(A) in excess of the applicable or posted speed limit,

“(B) in excess of the rated capacity of the motor vehicle, aircraft, or vessel, or

“(C) in an otherwise dangerous or reckless manner;

“(2) be fined under this title, imprisoned not more than 20 years, or both, if the violation created a substantial and foreseeable risk of serious bodily injury or death to any person;

“(3) be fined under this title, imprisoned not more than 30 years, or both, if the violation caused serious bodily injury to any person; or

“(4) be fined under this title, imprisoned for any term of years or life, or both, if the violation resulted in the death of any person.

“(d) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit any offense under this section shall be punished in the same manner as a person who completes the offense.

“(e) FORFEITURE.—Any property, real or personal, constituting or traceable to the gross proceeds of the offense and any property, real or personal, used or intended to be used to commit or facilitate the commission of the offense shall be subject to forfeiture.

“(f) FORFEITURE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of this title, relating to civil forfeitures, including section 981(d), except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in that section shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security or the Attorney General. Nothing in this section shall limit the authority of the Secretary of Homeland Security to seize and forfeit motor vehicles, aircraft, or vessels under the Customs laws or any other laws of the United States.

“(g) DEFINITIONS.—For purposes of this section—

“(1) the term ‘checkpoint’ includes, but is not limited to, any customs or immigration

inspection at a port of entry or immigration inspection at a U.S. Border Patrol checkpoint;

“(2) the term ‘law enforcement agent’ means—

“(A) any Federal, State, local or tribal official authorized to enforce criminal law; and

“(B) when conveying a command described in subsection (b), an air traffic controller;

“(3) the term ‘lawful command’ includes a command to stop, decrease speed, alter course, or land, whether communicated orally, visually, by means of lights or sirens, or by radio, telephone, or other communication;

“(4) the term ‘motor vehicle’ means any motorized or self-propelled means of terrestrial transportation; and

“(5) the term ‘serious bodily injury’ has the meaning given in section 2119(2) of this title.”

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act (8 U.S.C. 1182(c)) if such eligibility did not exist before the date of enactment of this Act.

SEC. 516. PROHIBITION ON ASYLUM AND CANCELLATION OF REMOVAL FOR TERRORISTS.

(a) ASYLUM.—Subparagraph (A) of section 208(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)), as amended by section 506 and 507, is further amended—

(1) by inserting “or the Secretary” after “if the Attorney General”; and

(2) by striking clause (v), and inserting:

“(v) the alien is described in section 212(a)(3)(B)(i) or section 212(a)(3)(F), unless, in the case of an alien described in subclause (IX) of section 212(a)(3)(B)(i), the Secretary or the Attorney General determines, in his or her sole and unreviewable discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;”

(b) CANCELLATION OF REMOVAL.—Paragraph (4) of section 240A(c) of the Immigration and Nationality Act (8 U.S.C. 1229b(c)(4)) is amended—

(1) by striking “inadmissible under” and inserting “described in”; and

(2) by striking “deportable under” and inserting “described in”.

(c) RESTRICTION ON REMOVAL.—

(1) IN GENERAL.—Subparagraph (A) of section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(A)) is amended—

(A) by inserting “or the Secretary” after “Attorney General” both places that term appears;

(B) by striking “Notwithstanding” and inserting the following:

“(i) IN GENERAL.—Notwithstanding”; and

(C) by adding at the end the following:

“(ii) BURDEN OF PROOF.—The alien has the burden of proof to establish that the alien’s life or freedom would be threatened in such country, and that race, religion, nationality, membership in a particular social group, or political opinion would be at least one central reason for such threat.”

(2) EXCEPTION.—Subparagraph (B) of section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended—

(A) by inserting “or the Secretary of Homeland Security” after “Attorney General” both places that term appears;

(B) in clause (iii), striking “or” at the end;

(C) in clause (iv), striking the period at the end and inserting “; or”;

(D) inserting after clause (iv) the following:

“(v) the alien is described in section 212(a)(3)(B)(i) or section 212(a)(3)(F), unless, in the case of an alien described in subclause (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in his or her sole and unreviewable discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

“(vi) the alien is convicted of an aggravated felony.”; and

(E) by striking the undesignated matter at the end of the subparagraph (B).

(3) SUSTAINING BURDEN OF PROOF; CREDIBILITY DETERMINATIONS.—Subparagraph (C) of section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(C)) is amended by striking “In determining whether an alien has demonstrated that the alien’s life or freedom would be threatened for a reason described in subparagraph (A),” and inserting “For purposes of this paragraph,”.

(4) EFFECTIVE DATE AND APPLICATION.—The amendments made in paragraphs (1) and (2) shall take effect as if enacted on May 11, 2005, and shall apply to applications for withholding of removal made on or after such date.

(d) EFFECTIVE DATES.—Except as provided in paragraph (c)(4), the amendments made by this section shall take effect on the date of the enactment of this Act and sections 208(b)(2)(A), 240A(c), and 241(b)(3) of the Immigration and Nationality Act, as so amended, shall apply to—

(1) all aliens in removal, deportation, or exclusion proceedings;

(2) all applications pending on, or filed after, the date of the enactment of this Act; and

(3) with respect to aliens and applications described in paragraph (1) or (2) of this subsection, acts and conditions constituting a ground for exclusion, deportation, or removal occurring or existing before, on, or after the date of the enactment of this Act.

SEC. 517. AGGRAVATED FELONIES.

(a) DEFINITION OF AGGRAVATED FELONY.—Paragraph (43) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)), as amended by section 508, is further amended—

(1) in subparagraph (A), by striking “sexual abuse of a minor;” and inserting “any conviction for a sex offense, including an offense described in sections 2241 and 2243 of Title 18, United States Code, or an offense where the alien abused or was involved in the abuse of any individual under the age of 18 years, or in which the victim is in fact under the age of 18 years, regardless of the reason and extent of the act, the sentence imposed, or the elements in the offense that are required for conviction;”;

(2) in subparagraph (F), by striking “at least one year” and inserting “is at least one year, except that if the conviction records do not conclusively establish whether a crime constitutes a crime of violence or an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon, the Attorney General or Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to police reports and witness statements, that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence or an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon;”;

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

“(G) a theft offense under State or Federal law (including theft by deceit, theft by fraud, and receipt of stolen property) or burglary offense under State or Federal law for which the term of imprisonment is at least one year, except that if the conviction records do not conclusively establish whether a crime constitutes a theft or burglary offense, the Attorney General or Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to police reports and witness statements, that clearly establishes that the conduct for which the alien was engaged constitutes a theft or burglary offense;”;

(4) in subparagraph (I), by striking “or 2252” and inserting “2252, or 2252A”;

(5) in subparagraph (N), by striking “paragraph (1)(A) or (2) of” and inserting a semicolon at the end;

(6) in subparagraph (O), by striking “section 275(a) or 276 committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph;” and inserting “section 275 or 276 for which the term of imprisonment is at least 1 year;”;

(7) in subparagraph (P) by striking “(i) which either is falsely making, forging, counterfeiting, mutilating, or altering a passport or instrument in violation of section 1543 of title 18, United States Code, or is described in section 1546(a) of such title (relating to document fraud) and (ii)” and inserting “which is described in the first paragraph of section 1541, 1542, 1543, 1544, 1546(a), or 1547 of chapter 75 of title 18, United States Code, and”;

(8) in subparagraph (U), by striking “an attempt or conspiracy to commit an offense described in this paragraph” and inserting “an attempt to commit, conspiracy to commit, or facilitation of an offense described in this paragraph, or aiding, abetting, procuring, commanding, inducing, or soliciting the commission of such an offense”; and

(9) by striking the undesignated material at end of the paragraph and inserting “The term applies to an offense described in this paragraph, whether in violation of Federal or State law, or a law of a foreign country, for which the term of imprisonment was completed within the previous 20 years, and even if the length of the term of imprisonment for the offense is based on recidivist or other enhancements. Notwithstanding any other provision of law (including any effective date), the term applies regardless of whether the conviction was entered before, on, or after September 30, 1996.”

(b) DEFINITION OF CONVICTION.—Section 101(a)(48) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(48)) is amended by adding at the end the following:

“(C)(i) Any reversal, vacatur, expungement, or modification of a conviction, sentence, or conviction that was granted to ameliorate the consequences of the conviction, sentence, or conviction, or was granted for rehabilitative purposes shall have no effect on the immigration consequences resulting from the original conviction.

“(ii) The alien shall have the burden of demonstrating that any reversal, vacatur, expungement, or modification, including modification to any sentence for an offense, was not granted to ameliorate the consequences of the conviction, sentence, or conviction record, or for rehabilitative purposes.”

(c) EFFECTIVE DATE AND APPLICATION.—The amendments made by this section shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to any act that occurred before, on, or after such date of enactment.

SEC. 518. CONVICTIONS.

(a) Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)), as amended by sections 509 through 511, is further amended by adding at the end the following subparagraph:

“(L) CONVICTIONS.—

“(i) IN GENERAL.—For purposes of determining whether an underlying criminal offense constitutes a ground of inadmissibility under this subsection, all statutes or common law offenses are divisible so long as any of the conduct encompassed by the statute constitutes an offense that is a ground of inadmissibility.

“(ii) OTHER EVIDENCE.—If the conviction records (i.e., charging documents, plea agreements, plea colloquies, jury instructions) do not conclusively establish whether a crime constitutes a ground of inadmissibility, the Attorney General or the Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to police reports and witness statements, that clearly establishes that the conduct for which the alien was engaged constitutes a ground of inadmissibility.”

(b) Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by sections ____ and ____, is further amended by adding at the end the following subparagraph:

“(J) CRIMINAL OFFENSES.—

“(i) IN GENERAL.—For purposes of determining whether an underlying criminal offense constitutes a ground of deportability under this subsection, all statutes or common law offenses are divisible so long as any of the conduct encompassed by the statute constitutes an offense that is a ground of deportability.

“(ii) OTHER EVIDENCE.—If the conviction records (i.e., charging documents, plea agreements, plea colloquies, jury instructions) do not conclusively establish whether a crime constitutes a ground of deportability, the Attorney General or the Secretary of Homeland Security may consider other evidence related to the conviction, including but not limited to police reports and witness statements, that clearly establishes that the conduct for which the alien was engaged constitutes a ground of deportability.”

SEC. 519. PARDONS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as amended by section ____, is further amended by adding at the end the following:

“(54) The term ‘pardon’ means a full and unconditional pardon granted by the President of the United States, Governor of any of the several States or constitutionally recognized body.”

(b) DEPORTABILITY.—Section 237(a) of such Act (8 U.S.C. 1227(a)), as amended by sections ____ and ____, is further amended—

(1) in paragraph (2)(A), by striking clause (vi); and

(2) by adding at the end the following:

“(8) PARDONS.—In the case of an alien who has been convicted of a crime and is subject to removal due to that conviction, if the alien, subsequent to receiving the criminal conviction, is granted a pardon, the alien shall not be deportable by reason of that criminal conviction.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to a pardon granted before, on, or after such date.

SEC. 520. FAILURE TO OBEY REMOVAL ORDERS.

(a) IN GENERAL.—Section 243(a) of the Immigration and Nationality Act (8 U.S.C. 1253(a)) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1), by inserting “‘212(a) or’” before “‘237(a),’”; and

(2) by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on the date of enactment of this Act and shall apply to acts that are described in subparagraphs (A) through (D) of section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) that occur on or after the date of enactment of this Act.

SEC. 521. SANCTIONS FOR COUNTRIES THAT DELAY OR PREVENT REPATRIATION OF THEIR NATIONALS.

Section 243 of the Immigration and Nationality Act (8 U.S.C. 1253) is amended by striking subsection (d) and inserting the following:

“(d) LISTING OF COUNTRIES WHO DELAY REPATRIATION OF REMOVED ALIENS.—

“(1) LISTING OF COUNTRIES.—Beginning on the date that is 6 months after the date of enactment of the Building America’s Trust Act, and every 6 months thereafter, the Secretary shall publish a report in the Federal Register that includes a list of—

“(A) countries that have refused or unreasonably delayed repatriation of an alien who is a national of that country since the date of enactment of this Act and the total number of such aliens, disaggregated by nationality;

“(B) countries that have an excessive repatriation failure rate; and

“(C) each country that was reported as noncompliant in the prior reporting period.

“(2) EXEMPTION.—The Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, and in consultation with the Secretary of State, may exempt a country from inclusion in the list under paragraph (1) if there are significant foreign policy or security concerns that warrant such an exemption.

“(e) DISCONTINUING GRANTING OF VISAS TO NATIONALS OF COUNTRIES DENYING OR DELAYING ACCEPTING ALIEN.—

“(1) IN GENERAL.—Notwithstanding section 221(c), the Secretary of Homeland Security shall take the action described in paragraph (2)(A) and may take an action described in paragraph (2)(B), if the Secretary determines that—

“(A) an alien is inadmissible under section 212 or deportable under section 237, or the alien has been ordered removed from the United States; and

“(B) the government of a foreign country is—

“(i) denying or unreasonably delaying accepting aliens who are citizens, subjects, nationals, or residents of that country after the Secretary of Homeland Security asks whether the government will accept an alien under this section; or

“(ii) refusing to issue any required travel or identity documents to allow the alien who is citizen, subject, national, or resident of that country to return to that country.

“(2) ACTIONS DESCRIBED.—The actions described in this paragraph are the following:

“(A) An order from the Secretary of State to consular officers in that foreign country to discontinue granting visas under section 101(a)(15)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(A)(iii)) to attendants, servants, personal employees, and members of their immediate families, of the officials and employees of that country

who receive nonimmigrant status under clause (i) or (ii) of section 101(a)(15)(A) of such Act.

“(B) Denial of admission to any citizens, subjects, nationals, and residents from that country or the imposition—

“(i) of any limitations, conditions, or additional fees on the issuance of visas or travel from that country; or

“(ii) of any other sanctions authorized by law.

“(3) RESUMPTION OF VISA ISSUANCE.—Consular officers in the foreign country that refused or unreasonably delayed repatriation or refused to issue required identity or travel documents may resume visa issuance after the Secretary of Homeland Security notifies the Secretary of State that the country has accepted the aliens.”

SEC. 522. ENHANCED PENALTIES FOR CONSTRUCTION AND USE OF BORDER TUNNELS.

Section 555 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “not more than 20 years.” and inserting “not less than 7 years but not more than 20 years.”; and

(2) in subsection (b), by striking “not more than 10 years.” and inserting “not less than 3 years but not more than 10 years.”

SEC. 523. ENHANCED PENALTIES FOR FRAUD AND MISUSE OF VISAS, PERMITS, AND OTHER DOCUMENTS.

Section 1546(a) of title 18, United States Code, is amended—

(1) by striking “Commissioner of the Immigration and Naturalization Service” each place that term appears and inserting “Secretary of Homeland Security”; and

(2) by striking “Shall be fined” and all that follows through the end and inserting “Shall be fined under this title or imprisoned for not less than 12 years but not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), not less than 10 years but not more than 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), not less than 5 years but not more than 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or not less than 7 years but not more than 15 years (in the case of any other offense), or both.”

SEC. 524. EXPANSION OF CRIMINAL ALIEN REPATRIATION PROGRAMS.

(a) EXPANSION OF DEPARTMENT CRIMINAL ALIEN REPATRIATION FLIGHTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall increase the number of criminal and illegal alien repatriation flights from the United States conducted by U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement Air Operations by not less than 15 percent more than the number of such flights operated, and authorized to be operated, under existing appropriations and funding on the date of the enactment of this Act.

(b) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT AIR OPERATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall issue a directive to expand U.S. Immigration and Customs Enforcement Air Operations (ICE Air Ops) so that ICE Air Ops provides additional services with respect to aliens who are illegally present in the United States. Such expansion shall include—

(1) increasing the daily operations of ICE Air Ops with buses and air hubs in the top 5

geographic regions along the southern border;

(2) allocating a set number of seats for such aliens for each metropolitan area; and

(3) allowing a metropolitan area to trade or give some of seats allocated to such area under paragraph (2) for such aliens to other areas in the region of such area based on the transportation needs of each area.

(C) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the amounts otherwise authorized to be appropriated, there is authorized to be appropriated \$10,000,000 for each of fiscal years 2018 through 2021 to carry out this section.

Subtitle B—Strong Visa Integrity Secures America Act

SEC. 531. SHORT TITLE.

This subtitle may be cited as the “Strong Visa Integrity Secures America Act”.

SEC. 532. VISA SECURITY.

(a) **VISA SECURITY UNITS AT HIGH RISK POSTS.**—Paragraph (1) of section 428(e) of the Homeland Security Act of 2002 (6 U.S.C. 236(e)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) **AUTHORIZATION.**—Subject to the minimum number specified in subparagraph (B), the Secretary”; and

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

“(B) **RISK-BASED ASSIGNMENTS.**—

“(i) **IN GENERAL.**—In carrying out subparagraph (A), the Secretary shall assign, in a risk-based manner, and considering the criteria described in clause (ii), employees of the Department to not fewer than 50 diplomatic and consular posts at which visas are issued.

“(ii) **CRITERIA DESCRIBED.**—The criteria described in this clause (i) are the following:

“(I) The number of nationals of a country in which any of the diplomatic and consular posts referred to in clause (i) are located who were identified in United States Government databases related to the identities of known or suspected terrorists during the previous year.

“(II) Information on cooperation of such country with the counterterrorism efforts of the United States.

“(III) Information analyzing the presence, activity, or movement of terrorist organizations (as such term is defined in section 212(a)(3)(B)(vi) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)) within or through such country.

“(IV) The number of formal objections based on derogatory information issued by the Visa Security Advisory Opinion Unit pursuant to paragraph (10) regarding nationals of a country in which any of the diplomatic and consular posts referred to in clause (i) are located.

“(V) The adequacy of the border and immigration control of such country.

“(VI) Any other criteria the Secretary determines appropriate.

“(iii) **RULE OF CONSTRUCTION.**—The assignment of employees of the Department pursuant to this subparagraph is solely the authority of the Secretary and may not be altered or rejected by the Secretary of State.”.

(b) **COUNTERTERRORISM VETTING AND SCREENING.**—Paragraph (2) of section 428(e) of the Homeland Security Act of 2002 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

“(C) Screen any such applications against the appropriate criminal, national security,

and terrorism databases maintained by the Federal Government.”.

(c) **TRAINING AND HIRING.**—Subparagraph (A) of section 428(e)(6) of the Homeland Security Act of 2002 is amended by—

(1) striking “The Secretary shall ensure, to the extent possible, that any employees” and inserting “The Secretary, acting through the Commissioner of U.S. Customs and Border Protection and the Director of U.S. Immigration and Customs Enforcement, shall provide training to any employees”; and

(2) striking “shall be provided the necessary training”.

(d) **PRE-ADJUDICATED VISA SECURITY ASSISTANCE AND VISA SECURITY ADVISORY OPINION UNIT.**—Subsection (e) of section 428 of the Homeland Security Act of 2002 is amended by adding at the end the following new paragraph:

“(9) **REMOTE PRE-ADJUDICATED VISA SECURITY ASSISTANCE.**—At the visa-issuing posts at which employees of the Department are not assigned pursuant to paragraph (1), the Secretary shall, in a risk-based manner, assign employees of the Department to remotely perform the functions required under paragraph (2) at not fewer than 50 of such posts.

“(10) **VISA SECURITY ADVISORY OPINION UNIT.**—The Secretary shall establish within U.S. Immigration and Customs Enforcement a Visa Security Advisory Opinion Unit to respond to requests from the Secretary of State to conduct a visa security review using information maintained by the Department on visa applicants, including terrorism association, criminal history, counter-proliferation, and other relevant factors, as determined by the Secretary.”.

(e) **SCHEDULE OF IMPLEMENTATION.**—The requirements established under paragraphs (1) and (9) of section 428(e) of the Homeland Security Act of 2002 (6 U.S.C. 236(e)), as amended and added by this section, shall be implemented not later than three years after the date of the enactment of this Act.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$30,000,000 to implement this section and the amendments made by this section.

SEC. 533. ELECTRONIC PASSPORT SCREENING AND BIOMETRIC MATCHING.

(a) **IN GENERAL.**—Subtitle B of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), is amended by adding at the end the following new sections:

“SEC. 420. ELECTRONIC PASSPORT SCREENING AND BIOMETRIC MATCHING.

“(a) **IN GENERAL.**—Not later than one year after the date of the enactment of the Building America’s Trust Act, the Commissioner of U.S. Customs and Border Protection shall—

“(1) screen electronic passports at airports of entry by reading each such passport’s embedded chip; and

“(2) to the greatest extent practicable, utilize facial recognition technology or other biometric technology, as determined by the Commissioner, to inspect travelers at United States airports of entry.

“(b) **APPLICABILITY.**—

“(1) **ELECTRONIC PASSPORT SCREENING.**—Paragraph (1) of subsection (a) shall apply to passports belonging to individuals who are United States citizens, individuals who are nationals of a program country pursuant to section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), and individuals who are nationals of any other foreign country that issues electronic passports.

“(2) **FACIAL RECOGNITION MATCHING.**—Paragraph (2) of subsection (a) shall apply, at a

minimum, to individuals who are nationals of a program country pursuant to section 217 of the Immigration and Nationality Act.

“(c) **ANNUAL REPORT.**—

“(1) **IN GENERAL.**—The Commissioner of U.S. Customs and Border Protection, in collaboration with the Chief Privacy Officer of the Department, shall issue to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives an annual report through fiscal year 2021 on the utilization of facial recognition technology and other biometric technology pursuant to subsection (a)(2).

“(2) **REPORT CONTENTS.**—Each such report shall include—

“(A) information on the type of technology used at each airport of entry;

“(B) the number of individuals who were subject to inspection using either of such technologies at each airport of entry;

“(C) within the group of individuals subject to such inspection, the number of those individuals who were United States citizens and lawful permanent residents;

“(D) information on the disposition of data collected during the year covered by such report; and

“(E) information on protocols for the management of collected biometric data, including timeframes and criteria for storing, erasing, destroying, or otherwise removing such data from databases utilized by the Department.

“SEC. 420A. CONTINUOUS SCREENING BY U.S. CUSTOMS AND BORDER PROTECTION.

“The Commissioner of U.S. Customs and Border Protection shall, in a risk-based manner, continuously screen individuals issued any visa, and individuals who are nationals of a program country pursuant to section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), who are present, or expected to arrive within 30 days, in the United States, against the appropriate criminal, national security, and terrorism databases maintained by the Federal Government.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 419 the following new items:

“Sec. 420. Electronic passport screening and biometric matching.”

“Sec. 420A. Continuous screening by U.S. Customs and Border Protection.”.

SEC. 534. REPORTING VISA OVERSTAYS.

Section 2 of Public Law 105–173 (8 U.S.C. 1376) is amended—

(1) in subsection (a)—

(A) by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(B) by inserting before the period at the end the following: “, and any additional information that the Secretary determines necessary for purposes of the report under subsection (b).”; and

(2) by amending subsection (b) to read as follows:

“(b) **ANNUAL REPORT.**—Not later than June 30, 2018, and not later than June 30 of each year thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, a report providing, for the preceding fiscal year, numerical estimates (including information on

the methodology utilized to develop such numerical estimates) of—

“(1) for each country, the number of aliens from the country who are described in subsection (a), including—

“(A) the total number of such aliens within all classes of nonimmigrant aliens described in section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(B) the number of such aliens within each of the classes of nonimmigrant aliens, as well as the number of such aliens within each of the subclasses of such classes of nonimmigrant aliens, as applicable;

“(2) for each country, the percentage of the total number of aliens from the country who were present in the United States and were admitted to the United States as nonimmigrants who are described in subsection (a);

“(3) the number of aliens described in subsection (a) who arrived by land at a port of entry into the United States;

“(4) the number of aliens described in subsection (a) who entered the United States using a border crossing identification card (as such term is defined in section 101(a)(6) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(6)); and

“(5) the number of Canadian nationals who entered the United States without a visa and whose authorized period of stay in the United States terminated during the previous fiscal year, but who remained in the United States.”.

SEC. 535. STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM VERIFICATION.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall ensure that the information collected under the program established under section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is available to officers of U.S. Customs and Border Protection conducting primary inspections of aliens seeking admission to the United States at each port of entry of the United States.

SEC. 536. SOCIAL MEDIA REVIEW OF VISA APPLICANTS.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et. seq.) is amended by adding at the end the following new sections:

“SEC. 434. SOCIAL MEDIA SCREENING.

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Building America’s Trust Act, the Secretary of Homeland Security shall, to the greatest extent practicable, and in a risk based manner and on an individualized basis, review the social media accounts of visa applicants who are citizens of, or who reside in, high risk countries, as determined by the Secretary based on the criteria described in subsection (b).

“(b) HIGH-RISK CRITERIA DESCRIBED.—In determining whether a country is high-risk pursuant to subsection (a), the Secretary shall consider the following criteria:

“(1) The number of nationals of the country who were identified in United States Government databases related to the identities of known or suspected terrorists during the previous year.

“(2) The level of cooperation of the country with the counter-terrorism efforts of the United States.

“(3) Any other criteria the Secretary determines appropriate.

“(c) COLLABORATION.—To develop the technology required to carry out the requirements of subsection (a), the Secretary shall collaborate with—

“(1) the head of a national laboratory within the Department’s laboratory network with relevant expertise;

“(2) the head of a relevant university-based center within the Department’s centers of excellence network; and

“(3) the heads of other appropriate Federal agencies.

“SEC. 435. OPEN SOURCE SCREENING.

“The Secretary shall, to the greatest extent practicable, and in a risk based manner, review open source information of visa applicants.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by this Act, is further amended by inserting after the item relating to section 433 the following new items:

“Sec. 434. Social media screening.

“Sec. 435. Open source screening.”.

Subtitle C—Visa Cancellation and Revocation

SEC. 541. CANCELLATION OF ADDITIONAL VISAS.

(a) IN GENERAL.—Subsection (g) of section 222 of the Immigration and Nationality Act (8 U.S.C. 1202(g)) is amended—

(1) in paragraph (1)—

(A) by striking “Attorney General,” and inserting “Secretary of Homeland Security,”; and

(B) by inserting “and any other nonimmigrant visa issued by the United States that is in the possession of the alien” after “such visa”; and

(2) in paragraph (2)(A), by striking “(other than the visa described in paragraph (1)) issued in a consular office located in the country of the alien’s nationality” and inserting “(other than a visa described in paragraph (1)) issued in a consular office located in the country of the alien’s nationality or foreign residence”.

(b) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to a visa issued before, on, or after such date.

SEC. 542. VISA INFORMATION SHARING.

(a) IN GENERAL.—Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) is amended—

(1) in the introductory text, by striking “issuance or refusal” and inserting “issuance, refusal, or revocation”; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking “and on the basis of reciprocity”;

(3) in paragraph (2)(A)—

(A) by inserting “(i)” after “for the purpose of”; and

(B) by striking “illicit weapons; or” and inserting “illicit weapons, or (ii) determining a person’s deportability or eligibility for a visa, admission, or other immigration benefit;”;

(4) in paragraph (2)(B)—

(A) by striking “for the purposes” and inserting “for one of the purposes”; and

(B) by striking “or to deny visas to persons who would be inadmissible to the United States.” and inserting “; or”; and

(5) in paragraph (2), by adding at the end the following:

“(C) with regard to any or all aliens in the database, specified data elements from each record, if the Secretary of State determines that it is [required for national security or public safety and] in the national interest to provide such information to a foreign government.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 60 days after the date of the enactment of the Act.

SEC. 543. VISA INTERVIEWS.

(a) IN GENERAL.—Section 222(h) of the Immigration and Nationality Act (8 U.S.C. 1202(h)) is amended—

(1) in paragraph (1), by adding new subparagraph (D) to read as follows:

“(D) by the Secretary of State if the Secretary, in his sole and unreviewable discretion, determines that an interview is unnecessary because the alien is ineligible for a visa.”.

(2) in paragraph (2), by adding at the end a new subparagraph (G) to read as follows:

“(G) is an individual within a class of aliens that the Secretary of Homeland Security, in his sole and unreviewable discretion, has determined may pose a threat to national security or public safety.”.

SEC. 544. JUDICIAL REVIEW OF VISA REVOCATION.

Subsection (i) of section 221 of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended—

(1) by inserting “(1)” after “(i)”; and

(2) by adding at the end the following:

“(2) A revocation under this subsection of a visa or other documentation from an alien shall automatically cancel any other valid visa that is in the alien’s possession.”.

Subtitle D—Secure Visas Act

SEC. 551. SHORT TITLE.

This subtitle may be cited as the “Secure Visas Act”.

SEC. 552. AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY AND SECRETARY OF STATE.

(a) IN GENERAL.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by striking subsections (b) and (c) and inserting the following:

“(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Notwithstanding section 104(a) of the Immigration and Nationality Act (8 U.S.C. 1104(a)) or any other provision of law, and except for the authority of the Secretary of State under subparagraphs (A) and (G) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), the Secretary of Homeland Security—

“(A) shall have exclusive authority to issue regulations, establish policy, and administer and enforce the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and all other immigration or nationality laws relating to the functions of consular officers of the United States in connection with the granting and refusal of a visa; and

“(B) may refuse or revoke any visa to any alien or class of aliens if the Secretary of Homeland Security, or designee, determines that such refusal or revocation is necessary or advisable in the security interests of the United States.

“(2) EFFECT OF REVOCATION.—The revocation of any visa under paragraph (1)(B)—

“(A) shall take effect immediately; and

“(B) shall automatically cancel any other valid visa that is in the alien’s possession.

“(3) JUDICIAL REVIEW.—Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, no United States court has jurisdiction to review a decision by the Secretary of Homeland Security to refuse or revoke a visa.

“(c) EFFECT OF VISA APPROVAL BY THE SECRETARY OF STATE.—

“(1) IN GENERAL.—The Secretary of State may direct a consular officer to refuse or revoke a visa to an alien if the Secretary of

Homeland Security determines that such refusal or revocation is necessary or advisable in the foreign policy interests of the United States.

“(2) LIMITATION.—No decision by the Secretary of State to approve a visa may override a decision by the Secretary of Homeland Security under subsection (b).”

(b) VISA REVOCATION.—Section 428 of the Homeland Security Act (6 U.S.C. 236) is amended by adding at the end the following:

“(j) VISA REVOCATION INFORMATION.—If the Secretary of Homeland Security or the Secretary of State revokes a visa—

“(1) the relevant consular, law enforcement, and terrorist screening databases shall be immediately updated on the date of the revocation; and

“(2) look-out notices shall be posted to all Department port inspectors and Department of State consular officers.”

(c) CONFORMING AMENDMENT.—Section 104(a)(1) of the Immigration and Nationality Act is amended to read:

“(1) the powers, duties and functions of diplomatic and consular officers of the United States, and the power authorized by section 428(c) of the Homeland Security Act of 2002 (6 U.S.C. 236), as amended by section 542 of the Building America's Trust Act, except those powers, duties and functions conferred upon the consular officers relating to the granting or refusal of visas.”

Subtitle E—Other Matters

SEC. 561. REQUIREMENT FOR COMPLETION OF BACKGROUND CHECKS.

(a) IN GENERAL.—Section 103 of Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following:

“(h) COMPLETION OF BACKGROUND AND SECURITY CHECKS.—

“(1) REQUIREMENT TO COMPLETE.—Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security nor the Attorney General may—

“(A) approve or grant to an alien any status, relief, protection from removal, employment authorization, or any other benefit under the immigration laws, including an adjustment of status to lawful permanent residence or a grant of United States citizenship; or

“(B) issue to the alien any documentation evidencing a status or grant of any status, relief, protection from removal, employment authorization, or other benefit under the immigration laws;

until all background and security checks for the alien have been completed and the Secretary of Homeland or Attorney General has determined that the results do not preclude the approval or grant of any status, relief, protection from removal, employment authorization, or any other benefit under the immigration laws or approval, grant, or the issuance of any documentation evidencing such status, relief, protection, authorization, or benefit.

“(2) PROHIBITION ON JUDICIAL ACTION.—No court shall have authority to:

“(A) order the approval of;

“(B) grant;

“(C) mandate or require any action in a certain time period; or

“(D) award any relief for the Secretary of Homeland Security's or Attorney General's failure to complete or delay in completing any action to provide

“any status, relief, protection from removal, employment authorization, or any other benefit under the immigration laws, including an adjustment of status to lawful permanent residence, naturalization, or a grant of United States citizenship for an alien until all background and security checks have been completed and the Secretary of Homeland Security or Attorney General has determined that the results of such checks do not preclude the approval or grant of such status, relief, protection, authorization, or benefit, or issuance of any documentation evidencing such status, relief, protection, authorization, or benefit.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to any application, petition, or request for any benefit or relief or any other case or matter under the immigration laws pending with on or filed with the Secretary of Homeland Security or the Attorney General on or after such date of enactment.

SEC. 562. WITHHOLDING OF ADJUDICATION.

(a) IN GENERAL.—Section 103 of Immigration and Nationality Act (8 U.S.C. 1103), as amended by section 551, is further amended by adding at the end the following:

“(i) WITHHOLDING OF ADJUDICATION.—

“(1) IN GENERAL.—Except as provided in subsection (i)(4), nothing in this Act or any other law, including section 1361 and 1651 of title 28, United States Code, shall be construed to require, and no court can order, the Secretary of Homeland Security, the Attorney General, the Secretary of State, the Secretary of Labor, or a consular officer to grant any application, approve any petition, or grant or continue any relief, protection from removal, employment authorization, or any other status or benefit under the immigration laws by, to, or on behalf of any alien with respect to whom a criminal proceeding or investigation is open or pending (including, but not limited to, issuance of an arrest warrant or indictment), where such proceeding or investigation is deemed by such official to be material to the alien's eligibility for the status, relief, protection, or benefit sought.

“(2) WITHHOLDING OF ADJUDICATION.—The Secretary of Homeland Security, the Attorney General, the Secretary of State, or the Secretary of Labor may, in his or her discretion, withhold adjudication any application, petition, request for relief, request for protection from removal, employment authorization, status or benefit under the immigration laws pending final resolution of the criminal or other proceeding or investigation.

“(3) JURISDICTION.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to review a decision to withhold adjudication pursuant to this paragraph.

“(4) WITHHOLDING OF REMOVAL AND TORTURE CONVENTION.—This paragraph does not limit or modify the applicability of section 241(b)(3) or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations and provisos contained in the United States Senate resolution of ratification of the Convention, as implemented by section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law

105-277) with respect to an alien otherwise eligible for protection under such provisions.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act and shall apply to any application, petition, or request for any benefit or relief or any other case or matter under the immigration laws pending with or filed with the Secretary of Homeland Security on or after such date of enactment.

SEC. 563. ACCESS TO THE NATIONAL CRIME INFORMATION CENTER INTERSTATE IDENTIFICATION INDEX.

(a) CRIMINAL JUSTICE ACTIVITIES.—Section 104 of the Immigration and Nationality Act (8 U.S.C. 1104) is amended by adding at the end the following:

“(f) CRIMINAL JUSTICE ACTIVITIES.—Notwithstanding any other provision of law, any Department of State personnel with authority to grant or refuse visas or passports may carry out activities that have a criminal justice purpose.”

(b) LIAISON WITH INTERNAL SECURITY OFFICERS; DATA EXCHANGE.—Section 105 of the Immigration and Nationality Act (8 U.S.C. 1105) is amended by striking subsections (b) and (c) and inserting the following:

“(b) ACCESS TO NCIC-III.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Attorney General and the Director of the Federal Bureau of Investigation shall provide to the Department of Homeland Security and the Department of State access to the criminal history record information contained in the National Crime Information Center's Interstate Identification Index (NCIC-III) and the Wanted Persons File and to any other files maintained by the National Crime Information Center for the purpose of determining whether an applicant or petitioner for a visa, admission, or any benefit, relief, or status under the immigration laws, or any beneficiary of an application, petition, relief, or status under the immigration laws, has a criminal history record indexed in the file.

“(2) AUTHORIZED ACTIVITIES.—

“(A) IN GENERAL.—The Secretary of Homeland Security and the Secretary of State—

“(i) shall have direct access, without any fee or charge, to the information described in paragraph (1) to conduct name-based searches, file number searches, and any other searches that any criminal justice or other law enforcement officials are entitled to conduct; and

“(ii) may contribute to the records maintained by the National Crime Information Center.

“(B) SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall receive, on request by the Secretary of Homeland Security, access to the information described in paragraph (1) by means of extracts of the records for placement in the appropriate database without any fee or charge.

“(c) CRIMINAL JUSTICE AND LAW ENFORCEMENT PURPOSES.—Notwithstanding any other provision of law, adjudication of eligibility for benefits, relief, or status under the immigration laws and other purposes relating to citizenship and immigration services, shall be considered to be criminal justice or law enforcement purposes with respect to access to or use of any information maintained by the National Crime Information Center or other criminal history information or records.”

SEC. 564. APPROPRIATE REMEDIES FOR IMMIGRATION LITIGATION.

(a) LIMITATION ON CLASS ACTIONS.—No court may certify a class under rule 23 of the

Federal Rules of Civil Procedure in any civil action that—

(1) is filed after the date of enactment of this Act; and

(2) pertains to the administration or enforcement of the immigration laws.

(b) REQUIREMENTS FOR AN ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—If a court determines that prospective relief should be ordered against the Government in any civil action pertaining to the administration or enforcement of the immigration laws, the court shall—

(A) limit the relief to the minimum necessary to correct the violation of law;

(B) adopt the least intrusive means to correct the violation of law;

(C) minimize, to the greatest extent practicable, the adverse impact on national security, border security, immigration administration and enforcement, and public safety; and

(D) provide for the expiration of the relief on a specific date, which is not later than the earliest date necessary for the Government to remedy the violation.

(2) WRITTEN EXPLANATION.—The requirements described in paragraph (1) shall be discussed and explained in writing in the order granting prospective relief and shall be sufficiently detailed to allow review by another court.

(3) EXPIRATION OF PRELIMINARY INJUNCTIVE RELIEF.—Preliminary injunctive relief granted under paragraph (1) shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court—

(A) finds that such relief meets the requirements described in subparagraphs (A) through (D) of paragraph (1) for the entry of permanent prospective relief; and

(B) orders the preliminary relief to become a final order granting prospective relief prior to the expiration of the 90-day period.

(c) PROCEDURE FOR MOTION AFFECTING ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—A court shall promptly rule on a motion made by the United States Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws.

(2) AUTOMATIC STAYS.—

(A) IN GENERAL.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief made by the United States Government in any civil action pertaining to the administration or enforcement of the immigration laws shall automatically, and without further order of the court, stay the order granting prospective relief on the date that is 15 days after the date on which such motion is filed unless the court previously has granted or denied the Government's motion.

(B) DURATION OF AUTOMATIC STAY.—An automatic stay under subparagraph (A) shall continue until the court enters an order granting or denying the Government's motion.

(C) POSTPONEMENT.—The court, for good cause, may postpone an automatic stay under subparagraph (A) for not longer than 15 days.

(D) ORDERS BLOCKING AUTOMATIC STAYS.—Any order staying, suspending, delaying, or otherwise barring the effective date of the automatic stay described in subparagraph (A), other than an order to postpone the ef-

fective date of the automatic stay for not longer than 15 days under subparagraph (C), shall be—

(i) treated as an order refusing to vacate, modify, dissolve, or otherwise terminate an injunction; and

(ii) immediately appealable under section 1292(a)(1) of title 28, United States Code.

(d) SETTLEMENTS.—

(1) CONSENT DECREES.—In any civil action pertaining to the administration or enforcement of the immigration laws, the court may not enter, approve, or continue a consent decree that does not comply with the requirements of subsection (b)(1).

(2) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this subsection shall preclude parties from entering into a private settlement agreement that does not comply with subsection (b)(1).

(e) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion considered under this section.

(f) CONSENT DECREE DEFINED.—In this section, the term “consent decree”—

(1) means any relief entered by the court that is based in whole or in part on the consent or acquiescence of the parties; and

(2) does not include private settlements.

SEC. 565. USE OF 1986 IRCA LEGALIZATION INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) SPECIAL AGRICULTURAL WORKERS.—Section 210(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1160(b)(6)) is amended—

(1) by striking “Attorney General” each place that term appears and inserting “Secretary”; and

(2) in subparagraph (A), by striking “Justice” and inserting “Homeland Security”; and

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(4) inserting after subparagraph (B) the following:

“(C) AUTHORIZED DISCLOSURES.—

“(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in the Secretary's discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.”.

“(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in the Secretary's discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.”; and

(5) in subparagraph (D), as redesignated, striking “Service” and inserting “Department of Homeland Security”.

(b) ADJUSTMENT OF STATUS.—Section 245A of the Immigration and Nationality Act (8 U.S.C. 1255a), is amended in subsection (c)(5)—

(1) by striking “Attorney General” each place that term appears and inserting “Secretary of Homeland Security”; and

(2) in subparagraph (A), by striking “Justice” and inserting “Homeland Security”; and

(3) by amending subparagraph (C) to read as follows:

“(C) AUTHORIZED DISCLOSURES.—

“(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in the Secretary's discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census

information may be disclosed under section 8 of title 13, United States Code.

“(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in the Secretary's discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.”.

SEC. 566. UNIFORM STATUTE OF LIMITATIONS FOR CERTAIN IMMIGRATION, NATURALIZATION, AND PEONAGE OFFENSES.

Section 3291 of title 18, United States Code, is amended by striking “No person” and all that follows through the period at the end and inserting the following:

“No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses) and 75 (relating to passport, visa, and immigration offenses), or for a violation of any criminal provision of sections 243, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act, or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information is filed within ten years after the commission of the offense.”.

SEC. 567. CONFORMING AMENDMENT TO THE DEFINITION OF RACKETEERING ACTIVITY.

Section 1961(1) of title 18, United States Code, is amended by striking “section 1542” and all that follows through “section 1546 (relating to fraud and misuse of visas, permits, and other documents)” and inserting “sections 1541–1547 (relating to passports and visas)”.

SEC. 568. VALIDITY OF ELECTRONIC SIGNATURES.

(a) CIVIL CASES.—

(1) IN GENERAL.—Chapter 9 of title II of the Immigration and Nationality Act (8 U.S.C. 1351 et seq.) is amended by adding at the end the following new section:

“**SEC. 295. VALIDITY OF SIGNATURES.**

“(a) IN GENERAL.—In any proceeding, adjudication, or any other matter arising under the immigration laws, an individual's hand written or electronic signature on any petition, application, or any other document executed or provided for any purpose under the immigration laws establishes a rebuttable presumption that the signature executed is that of the individual signing, that the individual is aware of the contents of the document, and intends to sign it.”.

“(b) RECORD INTEGRITY.—The Secretary of Homeland Security shall establish procedures to ensure that when any electronic signature is captured for any petition, application, or other document submitted for purposes of obtaining an immigration benefit, the identity of the person is verified and authenticated, and the record of such identification and verification is preserved for litigation purposes.”.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 294 the following:

“Sec. 295. Validity of signatures.”.

(b) CRIMINAL CASES.—

(1) IN GENERAL.—Chapter 223 of title 18, United States Code, is amended by adding at the end the following:

“**§3513. Signatures relating to immigration matters**

“In a criminal proceeding in a court of the United States, where an individual's hand

written or electronic signature appears on a petition, application or other document executed or provided for any purpose under the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), the trier of fact may infer that the document was signed by that individual, and that the individual knew the contents of the document and intended to sign the document.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 223 of title 18, United States Code, is amended by inserting after the item relating to section 3512 the following:

“3513. Signatures relating to immigration matters.”.

TITLE VI—PROHIBITION ON TERRORISTS OBTAINING LAWFUL STATUS IN THE UNITED STATES

Subtitle A—Prohibition on Adjustment to Lawful Permanent Resident Status

SEC. 601. LAWFUL PERMANENT RESIDENTS AS APPLICANTS FOR ADMISSION.

Section 101(a)(13)(C) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)(C)) is amended—

(1) in clause (v), by striking the “or” at the end;

(2) in clause (vi), by striking the period and inserting a comma and “or”; and

(3) by adding at the end the following:
“(vii) is described in section 212(a)(3) or section 237(a)(4).”.

SEC. 602. DATE OF ADMISSION FOR PURPOSES OF ADJUSTMENT OF STATUS.

(a) APPLICANTS FOR ADMISSION.—Section 101(a)(13) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)) is further amended by adding at the end the following:

“(D) Adjustment of status of the alien to that of an alien lawfully admitted for permanent residence under section 245 or any other provision of law is an admission of the alien, notwithstanding subparagraph (A) of this paragraph”.

(b) ELIGIBILITY TO BE REMOVED FOR A CRIME INVOLVING MORAL TURPITUDE.—Subclause (I) of section 237(a)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(A)(i)(I)) is amended by striking “date of admission,” inserting “alien’s most recent date of admission;”.

SEC. 603. PRECLUDING ASYLEE AND REFUGEE ADJUSTMENT OF STATUS FOR CERTAIN GROUNDS OF INADMISSIBILITY AND DEPORTABILITY.

(a) GROUNDS FOR INADMISSIBILITY.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by striking “any other provision of such section (other than paragraph (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph (3))” and inserting “paragraph (1) of such section”.

(b) NEED HEADER.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by striking “(other than paragraph (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph (3))”, and inserting “(other than paragraph 2(C) or (G) or subparagraph (A), (B), (C), (E), (F) or (G) of paragraph (3))”.

(c) GROUNDS FOR DEPORTABILITY.—Section 209 of the Immigration and Nationality Act (8 U.S.C. 1159) is amended by adding at the end the following:

“(d) GROUNDS FOR DEPORTABILITY.—An alien may not adjust status under this section if the alien is deportable under any provision of section 237 except subsections (a)(5) of such section.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) any act that occurred before, on, or after the date of the enactment of this Act; and

(2) all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

SEC. 604. PRECLUDING REFUGEE ADJUSTMENT OF STATUS FOR PERSECUTORS AND HUMAN RIGHTS VIOLATORS.

(a) PROHIBITION OF REFUGEES SEEKING ADJUSTMENT OF STATUS TO LAWFUL PERMANENT RESIDENCY WHO HAVE ENGAGED IN NAZI PERSECUTION, GENOCIDE, SEVERE VIOLATIONS OF RELIGIOUS FREEDOM, TORTURE, EXTRAJUDICIAL KILLING, OR THE RECRUITMENT/USE OF CHILD SOLDIERS.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by striking “(other than paragraph (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph (3))”, and inserting “(other than paragraph 2(C) or (G) or subparagraph (A), (B), (C), (E), (F) or (G) of paragraph (3))”.

(b) REVOCATION OF LAWFUL PERMANENT RESIDENT STATUS FOR HUMAN RIGHTS VIOLATORS.—Section 240(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1229a(b)(5)) is amended by inserting at the end a new subparagraph (F) to read as follows—

“(F) Additional application to certain aliens outside the United States who are associated with human rights violations. The preceding provisions of this paragraph shall apply to any alien placed in proceedings under this section who is outside of the United States, has received notice of proceedings under section 240(a) either within or outside of the United States, and is described in section 212(a)(2)(G) (officials who have committed particularly severe violations of religious freedom), 212(a)(3)(E) (Nazi persecution, genocide, extrajudicial killing, or torture), or 212(a)(3)(G) (recruitment or use of child soldiers).”.

SEC. 605. REMOVAL OF CONDITION ON LAWFUL PERMANENT RESIDENT STATUS PRIOR TO NATURALIZATION.

Sections 216(e) and 216A(e) of the Immigration and Nationality Act (8 U.S.C. 1186a(e), 1186b(e)) are amended by striking the period at the end and inserting “, if the alien has had the conditional basis removed pursuant to this section.”.

SEC. 606. PROHIBITION ON TERRORISTS AND ALIENS WHO POSE A THREAT TO NATIONAL SECURITY OR PUBLIC SAFETY FROM RECEIVING AN ADJUSTMENT OF STATUS.

(a) APPLICATION FOR ADJUSTMENT OF STATUS IN THE UNITED STATES.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by striking the section heading and subsection (a) and inserting the following:

“SEC. 245. ADJUSTMENT OF STATUS TO THAT OF A PERSON ADMITTED FOR PERMANENT RESIDENCE.

“(a) IN GENERAL.—

“(1) ELIGIBILITY FOR ADJUSTMENT.—The status of an alien who was inspected and admitted or paroled into the United States or the status of any other alien having an approved petition for classification as a VAWA self-petitioner may be adjusted by the Secretary of Homeland Security or Attorney General, in the discretion of the Secretary of Homeland Security or Attorney General, and under such regulations as the Secretary of Homeland Security or Attorney General may prescribe, to that of an alien lawfully admitted for permanent residence if—

“(A) the alien makes an application for such adjustment;

“(B) the alien is eligible to receive an immigrant visa, is admissible to the United States for permanent residence, and is not subject to exclusion, deportation, or removal from the United States; and

“(C) an immigrant visa is immediately available to the alien at the time the alien’s application is filed.

“(2) IMMEDIATELY AVAILABLE.—For purposes of this section, the term ‘immediately available’ means that on the date of filing of the application for adjustment of status, the visa category under which the alien is seeking permanent residence is current as determined by the Secretary of State and reflected in the Department of State’s visa bulletin for the month in which the application for adjustment of status is filed.

“(3) REQUIREMENT TO OBTAIN AN IMMIGRANT VISA OUTSIDE THE UNITED STATES.—Notwithstanding any provision in this section, the Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, may—

“(A) prohibit an alien from seeking an adjustment of status under paragraph (1) while the alien is present in the United States; and

“(B) require the alien to seek permanent residence by applying for an immigrant visa at a United States embassy or consulate in the alien’s home country or other foreign country, as designated by the Secretary of State,

if the Secretary of Homeland Security determines that the alien may be a threat to national security or public safety or if the Secretary of Homeland Security determines that a favorable exercise of discretion to allow such adjustment of status in the United States is not warranted.”.

(b) PROHIBITION ON TERRORISTS AND ALIENS WHO POSE A THREAT TO NATIONAL SECURITY OR PUBLIC SAFETY ON ADJUSTMENT TO LAWFUL PERMANENT RESIDENT STATUS.—Subsection (c) of section 245 of the Immigration and Nationality Act (8 U.S.C. 1255(c)) is amended to read as follows:

“(c) ALIENS NOT ELIGIBLE FOR ADJUSTMENT OF STATUS.—Other than an alien having an approved petition for classification as a VAWA self-petitioner, subsection (a) shall not be applicable to—

“(1) an alien crewman;

“(2) subject to subsection (k), an alien (other than an immediate relative as defined in section 201(b) or a special immigrant described in subparagraph (H), (I), (J), or (K) of section 101(a)(27)) who hereafter continues in or accepts unauthorized employment prior to filing an application for adjustment of status or who is in unlawful immigration status on the date of filing the application for adjustment of status or who has failed (other than through no fault of his or her own or for technical reasons) to maintain continuously a lawful status since entry into the United States;

“(3) any alien admitted in transit without visa under section 212(d)(4)(C);

“(4) an alien (other than an immediate relative as defined in section 201(b)) who was admitted as a nonimmigrant visitor without a visa under section 212(l) or section 217;

“(5) an alien who was admitted as a nonimmigrant described in section 101(a)(15)(S);

“(6) an alien who described in section 237(a)(4)(B), (F), or (G);

“(7) any alien who seeks adjustment of status to that of an immigrant under section 203(b) and is not in a lawful nonimmigrant status;

“(8) any alien who at any time has committed, ordered, incited, assisted, or otherwise participated in the persecution of any

person on account of race, religion, nationality, membership in a particular social group, or political opinion; or

“(9) any alien who was employed while the alien was an unauthorized alien, as defined in section 274A(h)(3), or who has otherwise violated the terms of a nonimmigrant visa.”.

SEC. 607. TREATMENT OF APPLICATIONS FOR ADJUSTMENT OF STATUS DURING PENDING DENATURALIZATION PROCEEDINGS.

Section 245 of the Immigration and Nationality Act (8 U.S.C. 1451), as amended by section 605, is further amended by adding a new subsection (n) to read as follows:

“(n) Treatment of Applications During Pending Denaturalization Proceedings. No application for adjustment of status may be considered or approved by the Secretary of Homeland Security or Attorney General, and no court shall order the approval of an application for adjustment of status if the approved petition for classification under section 204 that is the underlying basis for the application for adjustment of status was filed by an individual who has a judicial proceeding pending against him or her that would result in the individual’s denaturalization under section 340.”.

SEC. 608. EXTENSION OF TIME LIMIT TO PERMIT RESCISSION OF PERMANENT RESIDENT STATUS.

Section 246 of the Immigration and Nationality Act (8 U.S.C. 1256(a)) is amended—

(1) in subsection (a) by—

(A) inserting “(1)” after “(a)”;

(B) striking “within five years” and inserting “within 10 years”;

(C) striking “Attorney General” each place that term appears and inserting “Secretary of Homeland Security”; and

(D) adding at the end the following:

“(2) In any removal proceeding involving an alien whose status has been rescinded under this subsection, the determination by the Secretary that the alien was not eligible for adjustment of status is not subject to review or reconsideration during such proceedings.”.

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting new subsection (b) to read as follows:

“(b) Nothing in subsection (a) shall require the Secretary of Homeland Security to rescind the alien’s status prior to commencement of proceedings to remove the alien under section 240 of the Act. The Secretary of Homeland Security may commence removal proceedings at any time against any alien who is removable, including those aliens who adjusted status under section 245 or 249 of the Act or any other provision of law to that of an alien lawfully admitted for permanent residence. This section of the Act contains no statute of limitations with respect to commencement of removal proceedings under section 240. An order of removal issued by an immigration judge shall be sufficient to rescind the alien’s status.”.

SEC. 609. BARRING PERSECUTORS AND TERRORISTS FROM REGISTRY.

Section 249 of the Immigration and Nationality Act (8 U.S.C. 1259) is amended to read as follows:

“(a) IN GENERAL.—The Secretary of Homeland Security, in the discretion of the Secretary and under such regulations as the Secretary may prescribe, may enter a record of lawful admission for permanent residence in the case of any alien, if no such record is otherwise available and the alien—

“(1) entered the United States before January 1, 1972;

“(2) has continuously resided in the United States since such entry;

“(3) has been a person of good moral character since such entry;

“(4) is not ineligible for citizenship;

“(5) is not described in paragraph (1)(A)(iv), (2), (3), (6)(C), (6)(E), (8), or (9)(C) of section 212(a);

“(6) is not described in paragraph (1)(E), (1)(G), (2), (4) of section 237(a); and

“(7) did not, at any time, without reasonable cause, fail or refuse to attend or remain in attendance at a proceeding to determine the alien’s inadmissibility or deportability.

“(b) RECORDATION DATE OF PERMANENT RESIDENCE.—The record of an alien’s lawful admission for permanence residence shall be the date the Secretary approves the application for such status under this section.”.

Subtitle B—Prohibition on Naturalization and United States Citizenship

SEC. 621. BARRING TERRORISTS FROM BECOMING NATURALIZED UNITED STATES CITIZENS.

(a) Section 316 of the Immigration and Nationality Act (8 U.S.C. 1427) is amended by adding at the end the following:

“(g) PERSONS ENDANGERING NATIONAL SECURITY.—

“(1) PROHIBITION ON NATURALIZATION.—

“(A) IN GENERAL.—No person may be naturalized if the Secretary of Homeland Security makes a determination, in the discretion of the Secretary, that the alien is an alien described in section 212(a)(3) or 237(a)(4) at any time, including any period prior to, or after the filing of an application for naturalization.

“(B) EXCEPTION.—Subparagraph (A), as it relates to an alien described in section 212(a)(3), shall not apply if the alien received an exemption under section 212(d)(3)(B)(i) and the only conduct or actions that make the alien come within the ambit of section 212(a)(3) and would bar the alien from naturalization are specifically covered by such exemption.

“(2) BASIS FOR DETERMINATION; PROHIBITION ON REVIEW.—A determination made under paragraph (1) may be based upon any relevant information or evidence, including classified, sensitive, or national security information.”.

(b) Section 340(d) of the Immigration and Nationality Act (8 U.S.C. 1451(e)) is amended by revising the first sentence to read as follows—

“Any person who claims United States citizenship through the naturalization of a parent or spouse in whose case there is a revocation and setting aside of the order admitting such parent or spouse to citizenship under the provisions of—

“(1) subsection (a) of this section on the ground that the order and certificate of naturalization were procured by concealment of a material fact or by willful misrepresentation, or

“(2) subsection (e) of this section pursuant to a conviction under section 1425 of title 18,

shall be deemed to have lost and to lose his citizenship and any right or privilege of citizenship which he may have, now has, or may hereafter acquire under and by virtue of such naturalization of such parent or spouse, regardless of whether such person is residing within or without the United States at the time of the revocation and setting aside of the order admitting such parent or spouse to citizenship.”.

SEC. 622. TERRORIST BAR TO GOOD MORAL CHARACTER.

(a) DEFINITION OF GOOD MORAL CHARACTER.—

(1) EXCLUSION OF TERRORIST ALIENS.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)), as amended by sections 506 and 508, is further amended—

(A) in paragraph (8), by striking “; or” and inserting “, regardless whether the crime was classified as an aggravated felony at the time of conviction, provided that, the Secretary of Homeland Security or Attorney General may, in the unreviewable discretion of the Secretary or the Attorney General, determine that this paragraph shall not apply in the case of a single aggravated felony conviction (other than murder, manslaughter, homicide, rape, or any sex offense when the victim of such sex offense was a minor) for which completion of the term of imprisonment or the sentence (whichever is later) occurred 15 or more years before the date of application”; and

(B) by inserting after paragraph (10), as added by section 506, the following:

“(11) one who the Secretary of Homeland Security or the Attorney General determines, in the unreviewable discretion of the Secretary of Homeland Security or the Attorney General of Homeland Security, to have been at any time an alien described in section 212(a)(3) or 237(a)(4), which determination—

“(A) may be based upon any relevant information or evidence, including classified, sensitive, or national security information; and

“(B) shall be binding upon any court regardless of the applicable standard of review.”; and

(2) by striking the first sentence of the undesignated paragraph at the end and inserting the following:

“[Client - made some change here and I can't figure out what it is.] The fact that any person is not within any of the foregoing classes shall not preclude a discretionary finding for other reasons that such a person is or was not of good character. The Secretary of Homeland Security or the Attorney General shall not be limited to the applicant’s conduct during the period for which good moral character is required, but may take into consideration as a basis for determination the applicant’s conduct and acts at any time.”.

(b) AGGRAVATED FELONS.—Subsection (b) of section 509 of the Immigration Act of 1990 (Public Law 101-649; 8 U.S.C. 1101 note) is amended by striking “convictions” and all that follows through the end and inserting “convictions occurring before, on, or after such date.”.

(c) EFFECTIVE DATE AND APPLICATION.—

(1) SUBSECTIONS (a) AND (b).—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act, shall apply to any act that occurred before, on, or after the date of enactment, and shall apply to any application for naturalization or any other benefit or relief, or any other case or matter under the immigration laws pending on or filed after the date of enactment of this Act.

(2) SUBSECTION (c).—The amendments made by subsection (c) shall take effect as if included in the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458).

SEC. 623. PROHIBITION ON JUDICIAL REVIEW OF NATURALIZATION APPLICATIONS FOR ALIENS IN REMOVAL PROCEEDINGS.

Section 318 of the Immigration and Nationality Act (8 U.S.C. 1429) is amended in its entirety to read as follows:

“(a) IN GENERAL.—Except as otherwise provided in this subchapter, no person shall be naturalized unless he has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of this chapter.

“(b) BURDEN OF PROOF.—The burden of proof shall be upon such person to show that he entered the United States lawfully, and the time, place, and manner of such entry into the United States, but in presenting such proof he shall be entitled to the production of his immigrant visa, if any, or of other entry document, if any, and of any other documents and records, not considered by the Attorney General to be confidential, pertaining to such entry, in the custody of the Service.

“(c) LIMITATIONS ON REVIEW.—Notwithstanding the provisions of section 405(b), and except as provided in sections 328 and 329 of this title—

“(1) No person shall be naturalized against whom there is outstanding a final finding of deportability pursuant to a warrant of arrest issued under the provisions of this chapter or any other Act.

“(2)(A) No application for naturalization shall be considered by the Secretary of Homeland Security or any court if there is pending against the applicant any removal proceeding or other proceeding to determine whether the applicant's lawful permanent resident status should be rescinded, regardless of when such proceeding was commenced.

“(B) The findings of the Attorney General in terminating removal proceedings or in cancelling the removal of an alien pursuant to the provisions of this Act, shall not be deemed binding in any way upon the Secretary of Homeland Security with respect to the question of whether such person has established his or her eligibility for naturalization as required by this Act.”.

SEC. 624. LIMITATION ON JUDICIAL REVIEW WHEN AGENCY HAS NOT MADE DECISION ON NATURALIZATION APPLICATION AND ON DENIALS.

(a) LIMITATION ON REVIEW OF PENDING NATURALIZATION APPLICATIONS.—Subsection (b) of section 336 of the Immigration and Nationality Act (8 U.S.C. 1447(b)) is amended to read as follows:

“(b) REQUEST FOR HEARING BEFORE DISTRICT COURT.—If no final administrative determination is made on an application for naturalization under section 335 prior to the end of the 180-day period beginning on the date on which the Secretary of Homeland Security completes all examinations and interviews conducted under such section, as such terms are defined by the Secretary pursuant to regulations, the applicant may apply to the district court for the district in which the applicant resides for a hearing on the matter. Such court shall only have jurisdiction to review the basis for delay and remand the matter to the Secretary for the Secretary's determination on the application.”.

(b) LIMITATIONS ON REVIEW OF DENIAL.—Subsection (c) of section 310 of the Immigration and Nationality Act (8 U.S.C. 1421(c)) is amended to read as follows:

“(c) JUDICIAL REVIEW.—

“(1) JUDICIAL REVIEW OF DENIAL.—A person whose application for naturalization under this title is denied, after a hearing before an immigration officer under section 336(a), may seek, not later than 120 days after the date of the Secretary of Homeland Security's administratively final determination on the application, review of such denial before the United States district court for the district in which such person resides in accordance with chapter 7 of title 5, United States Code.

“(2) BURDEN OF PROOF.—The burden shall be upon the petitioner to show that the denial by the Secretary of Homeland Security of the application for naturalization was not supported by facially legitimate and bona fide reasons.

“(3) LIMITATIONS ON REVIEW.—Except in a proceeding under section 340, and notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to determine, or to review a determination of the Secretary of Homeland Security made at any time regarding, whether, for purposes of an application for naturalization, an alien—

“(A) is a person of good moral character;

“(B) understands and is attached to the principles of the Constitution of the United States; or

“(C) is well disposed to the good order and happiness of the United States.”.

(c) EFFECTIVE DATE AND APPLICATION.—The amendments made by this subsection—

(1) shall take effect on the date of the enactment of this Act;

(2) shall apply to any act that occurred before, on, or after such date of enactment; and

(3) shall apply to any application for naturalization or any other case or matter under the immigration laws that is pending on, or filed after, such date of enactment.

SEC. 625. CLARIFICATION OF DENATURALIZATION AUTHORITY.

Section 340 of the Immigration and Nationality Act (8 U.S.C. 1451) is amended—

(1) in subsection (a), by striking “United States attorneys for the respective districts,” and inserting “Attorney General,”; and

(2) by striking subsection (c) and inserting the following:

“(c) BURDEN.—The burden of proof shall be on the Government to establish, by clear, unequivocal, and convincing evidence, that an order granting citizenship to an alien should be revoked and a certificate of naturalization cancelled because such order and certificate were illegally procured or were procured by concealment of a material fact or by willful misrepresentation.”.

SEC. 626. DENATURALIZATION OF TERRORISTS.

(a) DENATURALIZATION FOR TERRORISTS ACTIVITIES.—Section 340 of the Immigration and Nationality Act (8 U.S.C. 1451) is amended by—

(1) redesignating subsection (d) through (h) as subsections (f) through (j); and

(2) inserting new subsection (d) to read as follows:

“(d) COMMISSION OF TERRORIST ACTS AFTER NATURALIZATION.—

“(1) IN GENERAL.—If a person who has been naturalized shall, within 15 years following such naturalization, participate in any act described in subsection (d)(2), such act or acts shall be considered prima facie evidence that such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and, in the absence of countervailing evidence, it shall be sufficient in the proper proceeding to authorize the revocation and setting aside of the order admitting such person to citizenship and the cancellation of the certificate of naturalization as having been obtained by concealment of a material fact or by willful misrepresentation, and such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization shall be effective as of

the original date of the order and certificate, respectively.

“(2) ACTS DESCRIBED.—The acts described in this paragraph that shall subject an individual to denaturalization under subsection (d)(1) are the following:

“(A) Any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means.

“(B) Engaging in a terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B)).

“(C) Incitement of terrorist activity under circumstances indicating an intention to cause death or serious bodily harm.

“(D) Receiving military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from or on behalf of any organization that, at the time the training was received, was a terrorist organization (as defined in section 212(a)(3)(B)(vi)).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur on or after such date.

SEC. 627. TREATMENT OF PENDING APPLICATIONS DURING DENATURALIZATION PROCEEDINGS.

(a) Section 204(b) of the Immigration and Nationality Act (8 U.S.C. 1154(b)) is amended by—

(1) inserting “(1) IN GENERAL.—Except as provided in subsection (b)(2),” before “After”;

(2) revising the term “After” to read “after”; and

(3) inserting new subsection (b)(2) to read as follows:

“(2) Treatment of petitions during pending denaturalization proceedings. The Secretary shall not adjudicate or approve any petition filed under this section by an individual who has a judicial proceeding pending against him or her that would result in the individual's denaturalization under section 340 until such proceedings have concluded and, if applicable, the period for appeal has expired or any appeals have been finally decided.”.

(b) Section 340 of the Immigration and Nationality Act (8 U.S.C. 1451), as amended by section 626, is further amended by inserting new subsection (e) to read as follows:

“(e) WITHHOLDING OF IMMIGRATION BENEFITS DURING DENATURALIZATION PROCEEDINGS.—The Secretary shall not accept or approve any application, petition, or request for any immigration benefit from an individual against whom there is a judicial proceeding pending that would result in the individual's denaturalization under this section until such proceedings have concluded and, if applicable, the period for appeal has expired or any appeals have been finally decided.”.

SEC. 628. NATURALIZATION DOCUMENT RETENTION.

(a) IN GENERAL.—Chapter 2 of title III of the Immigration and Nationality Act (8 U.S.C. 1421 et seq.) is amended by inserting after section 344 the following:

“SEC. 345. NATURALIZATION DOCUMENT RETENTION.

“The Secretary shall retain the original paper naturalization application and all supporting paper documents submitted with the application at the time of filing for a minimum of 7 years for law enforcement and national security investigations and for litigation purposes, regardless of whether such documents are scanned into U.S. Citizenship and Immigration Services' electronic immigration system or stored in any electronic format.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 344 the following:

“Sec. 345. Naturalization document retention.”.

Subtitle C—Forfeiture of Proceeds From Passport and Visa Offences, and Passport Revocation.

SEC. 631. FORFEITURE OF PROCEEDS FROM PASSPORT AND VISA OFFENSES.

Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following:

“(J) Any property, real or personal, that has been used to commit or facilitate the commission of a violation of chapter 75, the gross proceeds of such violation, and any property traceable to any such property or proceeds.”.

SEC. 632. PASSPORT REVOCATION ACT.

(a) SHORT TITLE.—This section may be cited as the “Passport Revocation Act”.

(b) REVOCATION OR DENIAL OF PASSPORTS AND PASSPORT CARDS TO INDIVIDUALS WHO ARE AFFILIATED WITH FOREIGN TERRORIST ORGANIZATIONS.—The Act entitled “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926 (22 U.S.C. 211a et seq.), which is commonly known as the “Passport Act of 1926”, is amended by adding at the end the following:

“SEC. 5. AUTHORITY TO DENY OR REVOKE PASSPORT AND PASSPORT CARD.

“(a) INELIGIBILITY.—

“(1) ISSUANCE.—Except as provided under subsection (b), the Secretary of State shall refuse to issue a passport or passport card to any individual—

“(A) who has been convicted under chapter 113B of title 18, United States Code; or

“(B)(i) whom the Secretary has determined is a member of or is otherwise affiliated with an organization the Secretary has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

“(ii) has aided, abetted, or provided material support to such an organization.

“(2) REVOCATION.—The Secretary of State shall revoke a passport previously issued to any individual described in paragraph (1).

“(b) EXCEPTIONS.—

“(1) EMERGENCY CIRCUMSTANCES, HUMANITARIAN REASONS, AND LAW ENFORCEMENT PURPOSES.—Notwithstanding subsection (a), the Secretary of State may issue, or decline to revoke, a passport of an individual described in such subsection in emergency circumstances, for humanitarian reasons, or for law enforcement purposes.

“(2) LIMITATION FOR RETURN TO UNITED STATES.—Notwithstanding subsection (a)(2), the Secretary of State, before revocation, may—

“(A) limit a previously issued passport for use only for return travel to the United States; or

“(B) issue a limited passport that only permits return travel to the United States.

“(c) RIGHT OF REVIEW.—Any individual who, in accordance with this section, is denied issuance of a passport by the Secretary of State, or whose passport is revoked or otherwise limited by the Secretary of State, may request a hearing before the Secretary of State not later than 60 days after receiving notice of such denial, revocation, or limitation.

“(d) REPORT.—If the Secretary of State denies, issues, limits, or declines to revoke a

passport or passport card under subsection (b), the Secretary shall, not later than 30 days after such denial, issuance, limitation, or revocation, submit to Congress a report on such denial, issuance, limitation, or revocation, as the case may be.”.

TITLE VII—OTHER MATTERS

SEC. 701. OTHER IMMIGRATION AND NATIONALITY ACT AMENDMENTS.

(a) NOTICE OF ADDRESS CHANGE.—Subsection (a) of section 265 of the Immigration and Nationality Act (8 U.S.C. 1305(a)) is amended to read as follows:

“(a) Each alien required to be registered under this Act who is within the United States shall notify the Secretary of Homeland Security of each change of address and new address within ten days from the date of such change and shall furnish such notice in the manner prescribed by the Secretary.”.

(b) PHOTOGRAPHS FOR NATURALIZATION CERTIFICATES.—Section 333 of the Immigration and Nationality Act (8 U.S.C. 1444) is amended by adding at the end the following:

“(c) The Secretary may modify the technical requirements of this section in the Secretary’s discretion and as the Secretary may deem necessary to provide for photographs to be furnished and used in a manner that is efficient, secure, and consistent with the developments in technology.”.

SEC. 702. EXEMPTION FROM THE ADMINISTRATIVE PROCEDURE ACT.

Except where promulgation of regulations is specified in this Act, chapter 5 of title 5, United States Code (commonly known as the “Administrative Procedures Act”), and any other law relating to rulemaking, information collection, or publication in the Federal Register, shall not apply to any action to implement this Act, and the amendments made by this Act, to the extent the Secretary, the Secretary of State, or the Attorney General determines that compliance with any such law would impede the expeditious implementation of this Act or the amendments made by this Act.

SEC. 703. EXEMPTION FROM THE PAPERWORK REDUCTION ACT.

Chapter 35 of title 44, United States Code, shall not apply to any action to implement this Act or the amendments made by this Act to the extent the Secretary of Homeland Security, the Secretary of State, or the Attorney General determines that compliance with such law would impede the expeditious implementation of this Act or the amendments made by this Act.

SEC. 704. ABILITY TO FILL AND RETAIN DHS POSITIONS IN U.S. TERRITORIES.

Section 530C of Title 28, United States Code, is amended—

(1) in subsection (a) by inserting “or Department of Homeland Security” after “Department of Justice” and inserting “or Secretary of Homeland Security” after “Attorney”;

(2) in subsection (b)—

(A) in paragraph (1) introductory text by inserting “or Secretary of Homeland Security” after “Attorney General”;

(B) in paragraph (1)(K)(i) by inserting “or within US territories or commonwealths” after “outside United States” and “or Secretary of Homeland Security” after “Attorney General”;

(C) in paragraph (1)(K)(ii) “or Secretary of Homeland Security” after “Attorney General”;

(D) in paragraph (2) by—

(i) in subparagraph (A) by striking “for the Immigration and Naturalization Service” and inserting a “.” after “Drug Enforcement Administration”; and

(ii) in subparagraph (A) by adding after “.” “Further funds available to the Secretary of Homeland Security”;

(iii) in subparagraph (B) by striking “and for the Immigration and Naturalization Service” and replacing with “and for the Secretary of Homeland Security”; and

(E) in paragraph (5) by striking “IMMIGRATION AND NATURALIZATION SERVICE.—Funds available to the Attorney General . . .” and replacing with “DEPARTMENT OF HOMELAND SECURITY.—Funds available to the Secretary of Homeland Security . . .”;

(F) in paragraph (7) by inserting “or the Secretary of Homeland Security” after “Attorney General” and striking “the Immigration and Naturalization Service” and replacing with “U.S. Immigration and Customs Enforcement”;

(3) in subsection (d) by inserting “or Department of Homeland Security” after “Department of Justice”.

SEC. 705. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

SEC. 706. FUNDING.

(a) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(1) the appropriation accounts from which the rescission under subsection (a) shall apply; and

(2) the amount of the rescission that shall be applied to each such account.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under subsection (b) for rescission under subsection (a).

(c) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

- (1) the Department;
- (2) the Department of Defense; or
- (3) the Department of Veterans Affairs.

TITLE VIII—TECHNICAL AMENDMENTS

SEC. 801. REFERENCES TO THE IMMIGRATION AND NATIONALITY ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 802. TITLE I TECHNICAL AMENDMENTS.

(a) SECTION 101.—

(1) DEPARTMENT.—Paragraph (8) of section 101(a) (8 U.S.C. 1101(a)(8)) is amended to read as follows:

“(8) The term ‘Department’ means the Department of Homeland Security.”.

(2) IMMIGRANT.—Paragraph (15) of section 101(a) (8 U.S.C. 1101(a)(15)) is amended—

(A) in subparagraph (F)(i)—

(i) by striking the term “Attorney General” each place that term appears and inserting “Secretary”; and

(ii) by striking “214(l)” and inserting “214(m)”;

(B) in subparagraph (H)(i)—

(i) in [subclause (b)], by striking “certifies to the Attorney General that the intending

employer has filed with the Secretary" and inserting "certifies to the Secretary of Homeland Security that the intending employer has filed with the Secretary of Labor"; and

(ii) in [subclause (c)], by striking "certifies to the Attorney General" and inserting "certifies to the Secretary of Homeland Security"; and

(C) in subparagraph (M)(i), by striking the term "Attorney General" each place that term appears and inserting "Secretary".

(3) IMMIGRATION OFFICER.—Paragraph (18) of section 101(a) (8 U.S.C. 1101(a)(18)) is amended by striking "Service or of the United States designated by the Attorney General," and inserting "Department or of the United States designated by the Secretary".

(4) SECRETARY.—Paragraph (34) of section 101(a) (8 U.S.C. 1101(a)(34)) is amended to read as follows:

"(34) The term 'Secretary' means the Secretary of Homeland Security, except as provided in section 219(d)(4)."

(5) SPECIAL IMMIGRANT.—Section 101(a)(27)(L)(iii) (8 U.S.C. 1101(a)(27)(L)(iii)) is amended by adding a semicolon and "or" at the end.

(6) MANAGERIAL CAPACITY; EXECUTIVE CAPACITY.—Subparagraph (C) of section 101(a)(44) (8 U.S.C. 1101(a)(44)(C)) is amended by striking "Attorney General" and inserting "Secretary".

(7) ORDER OF REMOVAL.—Subparagraph (A) of section 101(a)(47) (8 U.S.C. 1101(a)(47)(A)) is amended to read as follows:

"(A) The term 'order of removal' means the order of the immigration judge, or other such administrative officer to whom the Attorney General or the Secretary has delegated the responsibility for determining whether an alien is removable, concluding that the alien is removable or ordering removal."

(8) TITLE I AND II DEFINITIONS.—Subsection (b) of section 101 is amended—

(A) in paragraph (1)(F)(i), by striking "Attorney General" and inserting "Secretary"; and

(B) in paragraph (4), by striking "Immigration and Naturalization Service." and inserting "Department."

(b) SECTION 103.—

(1) IN GENERAL.—Section 103 (8 U.S.C. 1103) is amended by striking the section heading and subsection (a)(1) and inserting the following:

"SEC. 103. POWERS AND DUTIES.

"(a)(1) The Secretary shall be charged with the administration and enforcement of this Act and all other laws relating to the immigration and naturalization of aliens, except insofar as this Act or such laws relate to the powers, functions, and duties conferred upon the President, Attorney General, the Secretary of Labor, the Secretary of Agriculture, the Secretary of Health and Human Services, the Commissioner of Social Security, the Secretary of State, the officers of the Department of State, or diplomatic or consular officers: Provided, however, That a determination and ruling by the Attorney General with respect to all questions of law shall be controlling."

(2) TECHNICAL AND CONFORMING CORRECTIONS.—Subsection of section 103 (8 U.S.C. 1103), as amended by paragraph (1), is further amended—

(A) in subsection (a)—

(i) in paragraph (2), by striking "He" and inserting "The Secretary";

(ii) in paragraph (3)—

(I) by striking "He" and inserting "The Secretary";

(II) by striking "he" and inserting "the Secretary"; and

(III) by striking "his authority" and inserting "the authority of the Secretary";

(iii) in paragraph (4)—

(I) by striking "He" and inserting "The Secretary"; and

(II) by striking "Service or the Department of Justice" and insert the "Department";

(iv) in paragraph (5)—

(I) by striking "He" and inserting "The Secretary";

(II) by striking "his discretion," and inserting "the discretion of the Secretary," and

(III) by striking "him" and inserting "the Secretary";

(v) in paragraph (6)—

(I) by striking "He" and inserting "The Secretary";

(II) by striking "Department" and inserting "agency, department,"; and

(III) by striking "Service," and inserting "Department or upon consular officers with respect to the granting or refusal of visas";

(vi) in paragraph (7)—

(I) by striking "He" and inserting "The Secretary";

(II) by striking "countries;" and inserting "countries";

(III) by striking "he" and inserting "the Secretary"; and

(IV) by striking "his judgment" and inserting "the judgment of the Secretary";

(vii) in paragraph (8), by striking "Attorney General" and inserting "Secretary";

(viii) in paragraph (10), by striking "Attorney General" each place that term appears and inserting "Secretary"; and

(ix) in paragraph (11), by striking "Attorney General," and inserting "Secretary,";

(B) by amending subsection (c) to read as follows:

"(c) SECRETARY; APPOINTMENT.—The Secretary shall be a citizen of the United States and shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary shall be charged with any and all responsibilities and authority in the administration of the Department and of this Act. The Secretary may enter into cooperative agreements with State and local law enforcement agencies for the purpose of assisting in the enforcement of the immigration laws."

(C) in subsection (e)—

(i) in paragraph (1), by striking "Commissioner" and inserting "Secretary"; and

(ii) in paragraph (2), by striking "Service" and inserting "U.S. Citizenship and Immigration Services";

(D) in subsection (f)—

(i) by striking "Attorney General" and inserting "Secretary";

(ii) by striking "Immigration and Naturalization Service" and inserting "Department"; and

(iii) by striking "Service," and inserting "Department,"; and

(E) in subsection (g)(1), by striking "Immigration Reform, Accountability and Security Enhancement Act of 2002" and inserting "Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135)".

(3) CLERICAL AMENDMENT.—The table of contents in the first section is amended by striking the item relating to section 103 and inserting the following:

"Sec. 103. Powers and duties."

(c) SECTION 105.—Section 105(a) is amended (8 U.S.C. 1105(a)) by striking "Commissioner" each place that term appears and inserting "Secretary".

SEC. 803. TITLE II TECHNICAL AMENDMENTS.

(a) SECTION 202.—Section 202(a)(1)(B) (8 U.S.C. 1152(a)(1)(B)) is amended by inserting "the Secretary or" after "the authority of",

(b) SECTION 203.—Section 203 (8 U.S.C. 1153) is amended—

(1) in subsection (b)(2)(B)(ii)—

(A) in subclause (II)—

(i) by inserting "the Secretary or" before "the Attorney General"; and

(ii) by moving such subclause 4 ems to the left; and

(B) by moving subclauses (III) and (IV) 4 ems to the left; and

(2) in subsection (g)—

(A) by striking "Secretary's" and inserting "Secretary of State's"; and

(B) by inserting "of State" after "but the Secretary".

(c) SECTION 204.—Section 204 (8 U.S.C. 1154) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B)(i)—

(i) by redesignating the second subclause (I), as added by section 402(a)(3)(B) of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248), as subclause (II); and

(ii) indenting the left margin of such subclause two ems from the left margin; and

(B) in subparagraph (G)(ii), by inserting "of State" after "by the Secretary";

(2) in subsection (c), by inserting "the Secretary or" before "the Attorney General" each place that term appears; and

(3) in subsection (e), by inserting "to" after "admitted".

(d) Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)(2)—

(A) by inserting "the Secretary of Homeland Security or" before "Attorney General" in subparagraph (A);

(B) by inserting "the Secretary of Homeland Security or" before "Attorney General" in subparagraph (D);

(2) in subsection (b)(2) by inserting "the Secretary of Homeland Security or" before "Attorney General" wherever the term appears;

(3) in subsection (c)(1), by striking "the Attorney General" and inserting "the Secretary of Homeland Security";

(4) in paragraphs (2) and (3) of subsection (c), by inserting "the Secretary of Homeland Security or" before "Attorney General"; and

(5) in subsection (d)—

(A) in paragraph (1), by inserting "the Secretary of Homeland Security or" before "the Attorney General";

(B) in paragraph (2), by striking "Attorney General" and inserting "Secretary of Homeland Security"; and

(C) in paragraph (3)—

(i) by striking "Attorney General" each place that term appears and inserting "Secretary of Homeland Security"; and

(ii) by striking "Attorney General's" and inserting "Secretary's".

(D) in paragraphs (4) through (6), by inserting "the Secretary of Homeland Security or" before "the Attorney General"; and

(e) SECTION 209.—Section 209(a)(1)(A) (8 U.S.C. 1159(a)(1)(A)) is amended by striking "Secretary of Homeland Security or the Attorney General" each place that term appears and inserting "Secretary".

(f) SECTION 212.—Section 212 (8 U.S.C. 1182) is amended—

(1) in subsection (a)—

(A) in paragraphs (2)(C), (2)(H)(ii), (2)(I), (3)(A), and (3)(B)(ii)(II), by inserting "the Secretary," before "or the Attorney General" each place that term appears;

(B) in paragraph (3)(D), by inserting “the Secretary or” before “the Attorney General” each place that term appears;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting “the Secretary or” before “the Attorney General”; and

(ii) in subparagraph (B), by inserting “, the Secretary,” before “or the Attorney General” each place that term appears;

(D) in paragraph (5)(C), by striking “or, in the case of an adjustment of status, the Attorney General, a certificate from the Commission on Graduates of Foreign Nursing Schools, or a certificate from an equivalent independent credentialing organization approved by the Attorney General” and inserting “or, in the case of an adjustment of status, the Secretary or the Attorney General, a certificate from the Commission on Graduates of Foreign Nursing Schools, or a certificate from an equivalent independent credentialing organization approved by the Secretary”;

(E) in paragraph (9)—

(i) in subparagraph (B)(v)—

(I) by inserting “or the Secretary” after “Attorney General” each place that term appears; and

(II) by striking “has sole discretion” and inserting “have discretion”;

(ii) in subparagraph (C)(iii), by inserting “or the Attorney General” after “Secretary of Homeland Security”; and

(F) in paragraph (10)(C), in clauses (ii)(III) and (iii)(II), by striking “Secretary’s” and inserting “Secretary of State’s”;

(2) in subsection (d), in paragraphs (11) and (12), by inserting “or the Secretary” after “Attorney General” each place that term appears;

(3) in subsection (e), by striking the first proviso and inserting “Provided, That upon the favorable recommendation of the Director, pursuant to the request of an interested United States Government agency (or, in the case of an alien described in clause (iii), pursuant to the request of a State Department of Public Health, or its equivalent), or of the Secretary after the Secretary has determined that departure from the United States would impose exceptional hardship upon the alien’s spouse or child (if such spouse or child is a citizen of the United States or a lawfully resident alien), or that the alien cannot return to the country of his or her nationality or last residence because the alien would be subject to persecution on account of race, religion, or political opinion, the Secretary may waive the requirement of such two-year foreign residence abroad in the case of any alien whose admission to the United States is found by the Secretary to be in the public interest except that in the case of a waiver requested by a State Department of Public Health, or its equivalent, or in the case of a waiver requested by an interested United States Government agency on behalf of an alien described in clause (iii), the waiver shall be subject to the requirements under section 214(l):”

(4) in subsections (g), (h), (i), and (k), by inserting “or the Secretary” after “Attorney General” each place that term appears;

(5) in subsection (m)(2)(E)(iv), by inserting “of Labor” after “Secretary” the second and third place that term appears;

(6) in subsection (n), by inserting “of Labor” after “Secretary” each place that term appears, except that this amendment shall not apply to references to the “Secretary of Labor”; and

(7) in subsection (s), by inserting “, the Secretary,” before “or the Attorney General”.

(g) SECTION 213A.—Section 213A (8 U.S.C. 1183a) is amended—

(1) in subsection (a)(1), in the matter preceding paragraph (1), by inserting “, the Secretary,” after “the Attorney General”; and

(2) in subsection (f)(6)(B), by inserting “the Secretary,” after “The Secretary of State.”

(h) SECTION 214.—Subparagraph (A) of section 214(c)(9) (8 U.S.C. 1184(c)(9)(A)) is amended, in the matter preceding clause (i), by striking “before”.

(i) SECTION 217.—Section 217 (8 U.S.C. 1187) is amended—

(1) in subsection (e)(3)(A), by inserting a comma after “Regulations”;

(2) in subsection (f)(2)(A), by striking “section (c)(2)(C),” and inserting “subsection (c)(2)(C),”; and

(3) in subsection (h)(3)(A), by striking “the” before “alien” and inserting “an”.

(j) SECTION 218.—Section 218 (8 U.S.C. 1188) is amended—

(1) by inserting “of Labor” after “Secretary” each place that term appears, except that this amendment shall not apply to references to the “Secretary of Labor” or to the “Secretary of Agriculture”;

(2) in subsection (c)(3)(B)(iii), by striking “Secretary’s” and inserting “Secretary of Labor’s”; and

(3) in subsection (g)(4), by striking “Secretary’s” and inserting “Secretary of Agriculture’s”.

(k) SECTION 219.—Section 219 (8 U.S.C. 1189) is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting a close parenthetical after “section 212(a)(3)(B);” and

(B) by deleting “terrorism;” and inserting “terrorism;”;

(2) in subsection (c)(3)(D), by striking “(2),” and inserting “(2);”;

(3) in subsection (d)(4), by inserting “Secretary of Homeland Security,” after “with the”.

(l) SECTION 222.—Section 222 (8 U.S.C. 1202)—

(1) by inserting “or the Secretary” after “Secretary of State” each place that term appears; and

(2) in subsection (f)—

(A) in the matter preceding paragraph (1), by inserting “, the Department,” after “Department of State”; and

(B) in paragraph (2), by striking “Secretary’s” and inserting “their”.

(m) SECTION 231.—Section 231 (8 U.S.C. 1221) is amended—

(1) in subsection (c)(10), by striking “Attorney General,” and inserting “Secretary.”;

(2) in subsection (f), by striking “Attorney General” each place that term appears and inserting “Secretary”;

(3) in subsection (g)—

(A) by striking “of the Attorney General” and inserting “of the Secretary”;

[(B) by striking “by the Attorney General” and inserting “by the Secretary”; and]

(C) by striking “Commissioner” each place that term appears and inserting “Secretary”; and

(4) in subsection (h), by striking “Attorney General” each place that term appears and inserting “Secretary”.

(n) SECTION 236.—Section 236 (8 U.S.C. 1226) is amended—

(1) in subsection (a)(2)(A), by inserting “the Secretary or” before “the Attorney General” the third place that term appears; and

(2) in subsection (e)—

(A) by striking “review.” and inserting “review, other than administrative review by the Attorney General pursuant to the authority granted by section 103(g).”; and

(B) by inserting “the Secretary or” before “Attorney General under”.

(o) SECTION 236A.—Paragraph (4) of section 236A(a) (8 U.S.C. 1226a(a)(4)) is amended by striking “Deputy Attorney General” both places that term appears and inserting “Deputy Secretary of Homeland Security”.

(p) SECTION 237.—Section 237(a) (8 U.S.C. 1227(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting “following the initiation by the Secretary of removal proceedings” after “upon the order of the Attorney General”; and

(2) in the heading of subparagraph (E) of paragraph (2), by striking “CHILDREN AND.” and inserting “CHILDREN.”.

(q) SECTION 238.—Section 238 (8 U.S.C. 1228) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “Attorney General” each place that term appears and inserting “Secretary”; and

(B) in paragraphs (3) and (4)(A), by inserting “and the Secretary” after “Attorney General” each place that term appears;

(2) in subsection (b)—

(A) in paragraph (3) and (4), by striking “Attorney General” each place the term appears and inserting “Secretary of Homeland Security”; and

(B) in paragraph (5) by inserting “or the Secretary” after “Attorney General”; and

(3) in subsection (d), as so redesignated—

(A) by striking “Commissioner” and “Attorney General” each place those terms appear and inserting “Secretary”; and

(B) in subparagraph (D)(iv), by striking “Attorney General” and inserting “United States Attorney”.

(r) SECTION 239.—Section 239(a)(1) (8 U.S.C. 1229(a)(1)) is amended by inserting “and the Secretary” after “Attorney General” each place that term appears.

(s) SECTION 240.—Section 240 (8 U.S.C. 1229a) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “, with the concurrence of the Secretary with respect to employees of the Department” after “Attorney General”; and

(B) in paragraph (5)(A), by inserting “the Secretary or” before “the Attorney General”; and

(2) in subsection (c)—

(A) in paragraph (2), by inserting “, the Secretary of State, or the Secretary” before “to be confidential”; and

[(B) in paragraph (7)(C)(iv)(I), by striking the extra comma after the second reference to the term “this title”. Note: please clarify how to execute this amendment.]

(t) SECTION 240A.—Section 240A(b) (8 U.S.C. 1229b(b)) is amended—

(1) in paragraph (3), by striking “Attorney General shall” and inserting “Secretary shall”; and

(2) in paragraph (4)(A), by striking “Attorney General” and inserting “Secretary”.

(u) SECTION 240B.—Section 240B (8 U.S.C. 1229c) is amended—

(1) in paragraphs (1) and (3) of subsection (a), by inserting “or the Secretary” after “Attorney General”; and

(2) in subsection (c), by inserting “and the Secretary” after “Attorney General”.

(v) SECTION 241.—Section 241 (8 U.S.C. 1231) is amended—

(1) in subsection (a)(4)(B)(i), by inserting a close parenthetical after “(L)”; and

(2) in paragraph (2) of subsection (g)—

(A) by striking the paragraph heading and inserting “DETENTION FACILITIES OF THE DEPARTMENT OF HOMELAND SECURITY.—”;

(B) by striking "Service," and inserting "Department"; and

(C) by striking "Commissioner" and inserting "Secretary".

(w) SECTION 242.—Section 242(g) (8 U.S.C. 1252(g)) is amended by inserting "the Secretary or" before "the Attorney General".

(x) SECTION 243.—Section 243 (8 U.S.C. 1253) is amended—

(1) in subparagraphs (A) and (B) of subsection (c)(1)—

(A) by striking "Attorney General" each place that term appears and inserting "Secretary"; and

(B) by striking "Commissioner" each place that term appears and inserting "Secretary"; and

(2) in subsection (d), by inserting "of State" after "notifies the Secretary".

(y) SECTION 244.—Section 244 (8 U.S.C. 1254a) is amended—

(1) in subsection (c)(2), by inserting "or the Secretary" after "Attorney General" each place the term appears; and

(2) in subsection (g), by inserting "or the Secretary" after "Attorney General".

(z) SECTION 245.—Section 245 (8 U.S.C. 1255) is amended—

(1) by inserting "or the Secretary" after "Attorney General" each place that term appears except in subsections (j) (other than the first reference), (l), and (m);

(2) in subsection (c), striking the comma after "section 101(a)(15)(S)" and inserting a semicolon;

(3) in subsection (k)(1), adding an "and" at the end;

(4) in subsection (1)—

(A) in paragraph (1), by inserting a comma after "appropriate"; and

(B) in paragraph (2)—

(i) in the matter preceding paragraph (1), by striking "Attorney General's" and inserting "Secretary's"; and

(ii) in subparagraph (B), by striking "(10)(E))" and inserting "(10)(E))".

(aa) SECTION 245A.—Section 245A (8 U.S.C. 1255a) is amended—

(1) by striking subparagraph (C) of subsection (c)(7); and

(2) in subsection (h)(5)—

[(A) in subparagraph (A), by striking the second reference to "The"; and Note: Please clarify how to execute this amendment]

(3) striking "(Public Law 96-122)," and inserting "(Public Law 96-422)."

(bb) SECTION 246.—Section 246(a) (8 U.S.C. 1256(a)) is amended—

(1) by inserting "or the Secretary" after "of the Attorney General";

(2) by inserting "or the Secretary" after "status, the Attorney General"; and

(3) by striking "Attorney General to rescind" and inserting "Secretary to rescind".

(cc) SECTION 249.—Section 249 (8 U.S.C. 1259) is amended by inserting "or the Secretary" after "Attorney General" each place that term appears.

(dd) SECTION 251.—Subsection (d) of section 251 (8 U.S.C. 1281(d)) is amended by striking "Attorney General" and "Commissioner" each place those terms appear and inserting "Secretary".

(ee) SECTION 254.—Subsection (a) of section 254 (8 U.S.C. 1284(a)) is amended by striking "Commissioner" each place that term appears and inserting "Secretary".

(ff) SECTION 255.—Section 255 (8 U.S.C. 1285) is amended by striking "Commissioner" each place that term appears and inserting "Secretary".

(gg) SECTION 256.—Section 256 (8 U.S.C. 1286) is amended—

(1) by striking "Commissioner" each place that term appears and inserting "Secretary";

(2) in the first and second sentences, by striking "Attorney General" each places that term appears and inserting "Secretary".

(hh) SECTION 258.—Section 258 (8 U.S.C. 1288) is amended—

(1) by inserting "of Labor" after "Secretary" each place that term appears, except that this amendment shall not apply to references to the "Secretary of Labor", [the Secretary of State,] or to subsection (e)(2);

(2) in subsection (d)(2)(A), by striking "at" after "while"; and

(3) in subsection (e)(2), by striking "the Secretary shall" and inserting "the Secretary of State shall".

(ii) SECTION 264.—Section 264(f) (8 U.S.C. 1304) is amended by striking "Attorney General is" and inserting "Attorney General and Secretary are".

(jj) SECTION 272.—Section 272 (8 U.S.C. 1322) is amended by striking "Commissioner" each place that term appears and inserting "Secretary".

(kk) SECTION 273.—Section 273 (8 U.S.C. 1323) is amended—

(1) by striking "Commissioner" each place that term appears and inserting "Secretary"; and

(2) by striking "Attorney General" each place that term appears, except in subsection (e) in the matter preceding paragraph (1), and inserting "Secretary".

(ll) SECTION 274.—Section 274(b)(2) (8 U.S.C. 1324(b)(2)) is amended by striking "Secretary of the Treasury" and inserting "Secretary".

(mm) SECTION 274B.—Paragraph (2) of section 274B(f) (8 U.S.C. 1324b(f)(2)) is amended by striking "Commissioner" and inserting "section".

(nn) SECTION 274C.—Section 274C(d)(2)(A) (8 U.S.C. 1324c(d)(2)(A)) is amended by inserting "or the Secretary" after "subsection (a), the Attorney General".

(oo) SECTION 274D.—Section 274D (8 U.S.C. 1324d) is amended in subsection (a)(2) of section 274D(a) (8 U.S.C. 1324d(a)(2)) is amended by striking "Commissioner" and inserting "Secretary".

(pp) SECTION 286.—Section 286 (8 U.S.C. 1356) is amended—

(1) in subsection (q)(1)(B), by striking ", in consultation with the Secretary of the Treasury,";

(2) in subsection (r)(2), by striking "section 245(i)(3)(b)" and inserting "section 245(i)(3)(B)";

(3) in subsection (s)(5)—

(A) by striking "5 percent" and inserting "USE OF FEES FOR DUTIES RELATING TO PETITIONS.—Five percent"; and

(4) by striking "paragraph (1) (C) or (D) of section 204" and inserting "subparagraph (C) or (D) of section 204(a)(1)"; and

(5) in subsection (v)(2)(A)(i), by adding "of" after "number".

(qq) SECTION 294.—Section 294 (8 U.S.C. 1363a) is amended—

(1) in the undesignated matter following paragraph (4) of subsection (a), by striking "Commissioner, in consultation with the Deputy Attorney General," and inserting "Secretary"; and

(2) in subsection (d), by striking "Deputy Attorney General" and inserting "Secretary".

SEC. 804. TITLE III TECHNICAL AMENDMENTS.

(a) SECTION 316.—Section 316 (8 U.S.C. 1427) is amended—

(1) in subsection (d), by inserting "or by the Secretary" after "Attorney General"; and

(2) in subsection (f)(1), by striking "Intelligence, the Attorney General and the Com-

missioner of Immigration" and inserting "Intelligence and the Secretary".

(b) SECTION 322.—Paragraph (1) of section 322(a) (8 U.S.C. 1433(a)) is amended—

(1) by inserting "is" before "(or,")"; and

(2) by striking "is" before "a citizen".

(c) SECTION 342.—

(1) SECTION HEADING.—

(A) IN GENERAL.—Section 342 (8 U.S.C. 1453) is amended by striking the section heading and inserting "CANCELLATION OF CERTIFICATES; ACTION NOT TO AFFECT CITIZENSHIP STATUS".

(B) CLERICAL AMENDMENT.—The table of contents in the first section is amended by striking the item relating to section 342 and inserting the following:

"Sec. 342. Cancellation of certificates; action not to affect citizenship status."

(2) IN GENERAL.—Section 342 (8 U.S.C. 1453) is amended—

(A) by striking "heretofore issued or made by the Commissioner or a Deputy Commissioner or hereafter made by the Attorney General"; and

(B) by striking "practiced upon, him or the Commissioner or a Deputy Commissioner";.

SEC. 805. TITLE IV TECHNICAL AMENDMENTS.

Clause (i) of section 412(a)(2)(C) (8 U.S.C. 1522(a)(2)(C)(i)) is amended by striking "insure" and inserting "ensure".

SEC. 806. TITLE V TECHNICAL AMENDMENTS.

(a) SECTION 504.—Section 504 (8 U.S.C. 1534) is amended—

(1) in subsection (a)(1)(A), by striking "a" before "removal proceedings";

(2) in subsection (i), by striking "Attorney General" inserting "Government"; and

(3) in subsection (k)(2), by striking "by".

(b) SECTION 505.—Section 505(e)(2) (8 U.S.C. 1535(e)(2)) is amended by inserting "and the Secretary" after "Attorney General".

SEC. 807. OTHER AMENDMENTS.

(a) CORRECTION OF COMMISSIONER OF IMMIGRATION AND NATURALIZATION.—

(1) IN GENERAL.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) as amended by this Act, is further amended by striking "Commissioner" and "Commissioner of Immigration and Naturalization" each place those terms appear and inserting "Secretary".

(2) EXCEPTION FOR COMMISSIONER OF SOCIAL SECURITY.—The amendment made by paragraph (1) shall not apply to any reference to the "Commissioner of Social Security".

(b) CORRECTION OF IMMIGRATION AND NATURALIZATION SERVICE.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by this Act, is further amended by striking "Service" and "Immigration and Naturalization Service" each place those terms appear and inserting "Department".

(c) CORRECTION OF DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by this Act, is further amended by striking "Department of Justice" each place that term appears and inserting "Department".

(2) EXCEPTIONS.—The amendment made by paragraph (1) shall not apply in subsections (d)(3)(A) and (r)(5)(A) of section 214 (8 U.S.C. 1184), section 274B(c)(1) (8 U.S.C. 1324b(c)(1)), or title V (8 U.S.C. 1531 et seq.).

(d) CORRECTION OF ATTORNEY GENERAL.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) as amended by this Act, is further amended by striking "Attorney General" each place that term appears and inserting "Secretary", except for in the following:

(1) Any joint references to the “Attorney General and the Secretary of Homeland Security” or “the Secretary of Homeland Security and the Attorney General”.

(2) Section 101(a)(5).

(3) Subparagraphs (S), (T), and (V) of section 101(a)(15).

(4) Section 101(a)(47)(A).

(5) Section 101(b)(4).

(6) Section 103(a)(1).

(7) Section 103(g).

(8) Section 105(b)(1).

(9) Section 105(c).

(10) Section 204(c).

(11) Section 208.

(12) Section 212(a)(2)(C).

(13) Section 212(a)(2)(H).

(14) Section 212(a)(3)(D).

(15) Section 212(a)(3)(A).

(16) Section 212(a)(3)(B)(ii)(II).

(17) Section 212(a)(3)(D).

(18) Section 212(a)(4).

(19) Section 212(a)(9)(B)(v).

(20) Section 212(a)(9)(C)(iii).

(21) Section 212(d)(11).

(22) Section 212(d)(12).

(23) Section 212(g).

(24) Section 212(h).

(25) Section 212(i).

(26) Section 212(k).

(27) Section 212(s).

[(28) Section 213A(a)(1).]

[(29) Section 213A(f)(6)(B).]

(30) Section 216(d)(2)(c).

(31) Section 219(d)(4).

(32) Section 235(b)(1)(B)(iii)(III).

(33) The second sentence of section 236(e).

(34) Section 237.

(35) Section 238(a)(1).

(36) Section 238(a)(3).

(37) Section 238(a)(4)(A).

(38) Section 238(b)(1).

(39) Section 238(b)(5).

(40) Section 238(c)(2)(D)(iv).

(41) Section 239(a).

(42) Section 239(b).

(43) Section 240.

(44) Section 240A.

(45) Section 240B(a)(1).

(46) Section 240B(a)(3).

(47) Section 240B(b).

(48) Section 240B(c).

(49) The first reference in section 241(a)(4)(B)(i).

(50) Section 241(b)(3) (except for the first reference in subparagraph (A), to which the amendment shall apply).

(51) Section 241(i) (except for paragraph (3)(B)(i), to which the amendment shall apply).

(52) Section 242(a)(2)(B).

(53) Section 242(b) (except for paragraph (8), to which the amendment shall apply).

(54) Section 242(g).

(55) Section 244(a)(3)(C).

(56) Section 244(c)(2).

(57) Section 244(e).

(58) Section 244(g).

(59) Section 245 (except for subsection (i)(1)(B)(i), subsection (i)(3)) and the first reference to the Attorney General in subsection 245(j)).

(60) Section 245A(a)(1)(A).

(61) Section 246(a).

(62) Section 249.

(63) Section 264(f).

(64) Section 274(e).

(65) Section 274A.

(66) Section 274B.

(67) Section 274C.

(68) Section 292.

(69) Section 316(d).

(70) Section 316(f)(1).

(71) Section 342.

(72) Section 412(f)(1)(A).

(73) Title V (except for subsections 506(a)(1) and 507(b), (c), and (d) (first reference), to which the amendment shall apply).

SEC. 808. REPEALS; CONSTRUCTION.

(a) REPEALS.—

(1) IMMIGRATION AND NATURALIZATION SERVICE.—

(A) IN GENERAL.—Section 4 of the Act of February 14, 1903 (32 Stat. 826, chapter 552; 8 U.S.C. 1551) is repealed.

(B) 8 U.S.C. 1551.—The language of the compilers set out in section 1551 of title 8 of the United States Code shall be removed from the compilation of such title 8.

(2) COMMISSIONER OF IMMIGRATION AND NATURALIZATION; OFFICE.—

(A) IN GENERAL.—Section 7 of the Act of March 3, 1891 (26 Stat. 1085, chapter 551; 8 U.S.C. 1552) is repealed.

(B) 8 U.S.C. 1552.—The language of the compilers set out in section 1552 of title 8 of the United States Code shall be removed from the compilation of such title 8.

(3) ASSISTANT COMMISSIONERS AND DISTRICT DIRECTOR; COMPENSATION AND SALARY GRADE.—Title II of the Department of Justice Appropriation Act, 1957 (70 Stat. 307, chapter 414; 8 U.S.C. 1553) is amended in the matter under the heading “Immigration and Naturalization Service” and under the subheading “SALARIES AND EXPENSES” by striking “That the compensation of the five assistant commissioners and one district director shall be at the rate of grade GS-16: Provided further”.

(4) SPECIAL IMMIGRANT INSPECTORS AT WASHINGTON.—The Act of March 2, 1895 (28 Stat. 780, chapter 177; 8 U.S.C. 1554) is amended in the matter following the heading “Bureau of Immigration:” by striking “That hereafter special immigrant inspectors, not to exceed three, may be detailed for duty in the Bureau at Washington: And provided further,”.

(b) CONSTRUCTION.—Nothing in this title shall be construed to repeal or limit the applicability of sections 462 and 1512 of the Homeland Security Act of 2002 (6 U.S.C. 279 and 552) with respect to any provision of law or matter not specifically addressed by the amendments made by this title.

SEC. 809. MISCELLANEOUS TECHNICAL CORRECTIONS.

(a) CORRECTION TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 5502(b) of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. 108-458, in amended by striking “(E) Participated in the commission of severe violations of religious freedom.” and inserting “(F) Participated in the commission of severe violations of religious freedom”.

(b) CONFORMING AMENDMENT TO THE CHILD SOLDIERS ACCOUNTABILITY ACT OF 2008.—Section 2(c) of the Child Soldier’s Accountability Act of 2008, Pub. L. 110-340, in amended by striking “(F) Recruitment or use of child soldiers.” and inserting “(G) Recruitment or use of child soldiers.”.

(c) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 7 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3508) is amended by striking “Commissioner of Immigration” and inserting “Secretary of Homeland Security”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 245—CALLING ON THE GOVERNMENT OF IRAN TO RELEASE UNJUSTLY DETAINED UNITED STATES CITIZENS AND LEGAL PERMANENT RESIDENT ALIENS, AND FOR OTHER PURPOSES

Mr. CRUZ (for himself and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 245

Whereas the Islamic Revolutionary Guard Corps (IRGC) of Iran has taken as hostages several United States citizens, including Siamak Namazi, Baquer Namazi, and Xiyue Wang, as well as United States legal permanent resident alien Nizar Zakka;

Whereas Siamak Namazi was detained on October 15, 2015, falsely accused and convicted on October 18, 2016, for “collaborating with a hostile government,” and has been held for extended periods in solitary confinement and subjected to prolonged interrogation;

Whereas former United Nations Children’s Fund (UNICEF) official Baquer Namazi, the 80-year old father of Siamak Namazi, was detained on February 22, 2016, falsely charged and sentenced to 10 years in prison for the identical crime as his son;

Whereas former Secretary-General of the United Nations Ban Ki-moon urged authorities in Iran to release Baquer Namazi, whose health is deteriorating, so his family can care for him;

Whereas UNICEF has issued 4 public statements on Baquer Namazi’s behalf;

Whereas Xiyue Wang, a graduate student at Princeton University, was arrested in Iran on or about August 7, 2016, while studying Farsi and researching the late Qajar dynasty as background for his doctoral dissertation, detained by Iran in Evin prison for almost a year, falsely charged with espionage, and sentenced to 10 years in prison;

Whereas Robert Levinson, a United States citizen and retired agent of the Federal Bureau of Investigation, traveled to Kish Island, Iran, and disappeared on March 9, 2007;

Whereas, according to former White House Press Secretary Josh Earnest, the United States Government had “secured a commitment from the Iranians . . . to try and gather information about Mr. Levinson’s possible whereabouts” but has not received any information thus far;

Whereas Nizar Zakka, a United States legal permanent resident alien and Lebanese national, who is also in poor health, was unlawfully detained around September 18, 2015, after speaking at a conference in Iran at the invitation of Iran, and was later falsely charged with being a spy and sentenced to 10 years at the Evin prison in Iran;

Whereas, on April 13, 2017, the United States Department of the Treasury sanctioned the Tehran Prisons Organization and its former head, Sohrab Soleimani, and former White House Press Secretary Sean Spicer noted that “[t]he sanctions against human rights abusers in Iran’s prisons come at a time when Iran continues to unjustly detain in its prisons various foreigners, including U.S. citizens Siamak Namazi and Baquer Namazi”;

Whereas, on April 25, 2017, at the meeting of the Joint Commission overseeing implementation of the Joint Comprehensive Plan

of Action, the Department of State reported that the United States delegation had "raised with the Iranian delegation its serious concerns regarding the cases of U.S. citizens detained and missing in Iran, and called on Iran to immediately release these U.S. citizens so they can be reunited with their families"; and

Whereas reports indicate that the Government of Iran has sought to condition the release of imprisoned nationals and dual-nationals on receipt of economic or political concessions, a practice banned by the International Convention Against the Taking of Hostages, adopted by the General Assembly of the United Nations on December 17, 1979, and acceded to by the Government of Iran on November 20, 2006, and other international legal norms: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Iran to release Siamak Namazi, Baquer Namazi, Xiyue Wang, Nizar Zakka, and any other United States citizen, legal permanent resident alien, or foreign national being unjustly detained in Iran;

(2) urges the President to make the release of United States citizens and legal permanent resident aliens held hostage by the Government of Iran the highest of priorities;

(3) requests that the United States and its allies whose nationals and residents have been detained consider establishing a multinational task force to work to secure the release of the detainees;

(4) urges the Government of Iran to take meaningful steps toward fulfilling its repeated promises to assist in locating and returning Robert Levinson, including immediately providing all available information from all entities of the Government of Iran regarding the disappearance of Robert Levinson to the United States Government;

(5) urges the President to take whatever steps are in the national interest to secure the release of Siamak Namazi, Baquer Namazi, Xiyue Wang, Nizar Zakka, and any other United States citizen, legal permanent resident alien, or foreign national being unjustly detained in Iran; and

(6) urges the President to take whatever steps are in the national interest to determine the whereabouts and secure the return of Robert Levinson.

SENATE RESOLUTION 246—DESIGNATING THE FIRST WEEK IN AUGUST 2017 AS "WORLD BREASTFEEDING WEEK", AND DESIGNATING AUGUST 2017 AS "NATIONAL BREASTFEEDING MONTH"

Mr. MERKLEY (for himself and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 246

Whereas the American Academy of Pediatrics recommends that breastfeeding continue for at least 12 months after the birth of a baby and for as long as the mother and baby desire;

Whereas the World Health Organization recommends continued breastfeeding for 2 years or longer after the birth of a baby;

Whereas the World Alliance for Breastfeeding Action has designated the first week of August as "World Breastfeeding Week", and the United States Breastfeeding Committee has designated August as "National Breastfeeding Month";

Whereas National Breastfeeding Month focuses on how data and measurement can be used to build and reinforce the connections between breastfeeding and a broad spectrum of other health topics and initiatives;

Whereas World Breastfeeding Week and National Breastfeeding Month provide important opportunities to address barriers to breastfeeding faced by families across the United States;

Whereas, according to the [2016] Breastfeeding Report Card of the Centers for Disease Control and Prevention, 4 of every 5 mothers, or 81.1 percent of mothers, in the United States start breastfeeding their babies;

Whereas by the end of 6 months after the birth of a baby, breastfeeding rates fall to 51.8 percent, and only 22.3 percent of babies are exclusively breastfed at 6 months of age;

Whereas 2 of every 3 mothers report that they are unable to reach their personal breastfeeding goals;

Whereas there are substantial racial and ethnic disparities in breastfeeding initiation and duration;

Whereas, in 2013, 84.3 percent of non-Hispanic White infants initiated breastfeeding, as compared to—

(1) 66.3 percent of non-Hispanic Black infants; and

(2) 68.3 percent of non-Hispanic American Indian and Alaska Native infants;

Whereas the Healthy People 2020 objectives for breastfeeding are that—

(1) 82 percent of babies are breastfed at some time;

(2) 61 percent of babies continue to be breastfed at 6 months; and

(3) 34 percent of babies continue to be breastfed at 1 year;

Whereas breastfeeding is a proven primary prevention strategy that builds a foundation for life-long health and wellness;

Whereas the evidence of the value of breastfeeding to the health of women and children is scientific, solid, and continually reaffirmed by new research;

Whereas, during the first year of the life of a baby, a family that follows optimal breastfeeding practices can save between \$1,200 and \$1,500 in expenses on infant formula;

Whereas a 2016 study of maternal and pediatric health outcomes and associated costs based on 2012 breastfeeding rates indicates that if 90 percent of infants were breastfed according to medical recommendations, 3,340 deaths, \$3,000,000,000 in medical costs, and \$14,200,000,000 in costs relating to premature death would be prevented annually; and

Whereas the great majority of pregnant women and new mothers want to breastfeed but face significant barriers in community, health care, and employment settings: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of August 2017 as "World Breastfeeding Week";

(2) designates August 2017 as "National Breastfeeding Month";

(3) supports the goals of National Breastfeeding Month; and

(4) supports policies and funding to ensure that all mothers who choose to breastfeed can access a full range of appropriate support from health care institutions, health care insurers, employers, and government entities.

SENATE RESOLUTION 247—DESIGNATING JULY 29, 2017, AS "PARALYMPIC AND ADAPTIVE SPORT DAY"

Mr. HATCH (for himself, Mr. BENNET, Mr. ISAKSON, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 247

Whereas, in 2015, roughly 53,000,000 people in the United States reported living with some type of impairment;

Whereas, in 2015, roughly 3,800,000 veterans in the United States reported living with a service-related disability;

Whereas adaptive sports for individuals with impairments have existed for more than 100 years;

Whereas, after World War II, adaptive sports were widely introduced in order to assist the large number of World War II veterans and civilians that were injured during wartime;

Whereas July 29, 1948, marks the date of the Opening Ceremony of the London 1948 Olympic Games in Stoke Mandeville, United Kingdom, where Dr. Ludwig Guttmann organized the first wheelchair competition for service men and women injured in World War II (also known as the "Stoke Mandeville Games");

Whereas the Stoke Mandeville Games, in 2017, ultimately evolved into the Paralympic Games and include athletes with physical, visual, and intellectual impairments;

Whereas the International Paralympic Movement celebrates values such as courage, determination, inspiration, and equality, and works to enable Paralympic athletes to achieve sporting excellence and inspire and excite the world;

Whereas Paralympians in the United States continue to achieve competitive excellence, preserve ideals and values of the International Paralympic Movement, and inspire all people in the United States;

Whereas 18 veterans were members of Team USA at the 2014 Paralympic Winter Games held in Sochi, Krasnodar Krai, Russia, and 35 veterans were members of Team USA at the 2016 Paralympic Summer Games held in Rio de Janeiro, Brazil;

Whereas participation in the Paralympic Games, other adaptive sport competitions, and athletic reconditioning activities such as the Paralympic Military Program plays a fundamental role for members of the Armed Forces and veterans who are reintegrating into civilian life, and can enable those individuals to gain a new purpose in life by extending their physical limits during rehabilitation in order to rebuild and recover personal identity, formulate adaptive strategies for life, and achieve athletic excellence;

Whereas a celebration of Paralympic and Adaptive Sport Day will improve communities in the United States and uplift and inspire the Paralympic champions of the future;

Whereas Paralympic and Adaptive Sport Day will encourage the youth in the United States to participate in and support the practical inclusion of all people in sports; and

Whereas Paralympic and Adaptive Sport Day creates awareness of and understanding toward individuals with impairments: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 29, 2017, as "Paralympic and Adaptive Sport Day";

(2) supports the inclusive goals and ideals of the International Paralympic Movement,

as well as opportunities for individuals with impairments to be full contributing participants in society;

(3) acknowledges the extraordinary contribution and sacrifice made by members of the Armed Forces and veterans who have sustained a traumatic injury and impairment while serving the United States;

(4) promotes a more inclusive society for all individuals with impairments through Paralympic and adaptive sports throughout the United States; and

(5) promotes the values of the International Paralympic Movement, including courage, determination, inspiration, and equality.

SENATE RESOLUTION 248—EXPRESSING THE SENSE OF THE SENATE THAT FLOWERS GROWN IN THE UNITED STATES SUPPORT THE FARMERS, SMALL BUSINESSES, JOBS, AND ECONOMY OF THE UNITED STATES, THAT FLOWER FARMING IS AN HONORABLE VOCATION, AND DESIGNATING JULY AS “AMERICAN GROWN FLOWER MONTH”

Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 248

Whereas cut flower growers in the United States are hard-working, dedicated individuals who bring beauty, economic stimulus, and pride to their communities and the nation;

Whereas the people of the United States have a long history of using flowers and greens grown in the United States to bring beauty to important events and express affection for loved ones;

Whereas consumers spend almost \$27,000,000,000 each year on floral products, including cut flowers, garden plants, bedding, and indoor plants;

Whereas nearly 30 percent of households in the United States purchase fresh cut flowers and greens from more than 16,000 florists and floral establishments each year;

Whereas the people of the United States increasingly want to support domestically produced foods and agricultural products and would prefer to buy locally grown flowers whenever possible, yet a majority of domestic consumers do not know where the flowers they purchase are grown;

Whereas in response to increased demand, the “Certified American Grown Flowers” logo was created in July 2014 in order to educate and empower consumers to purchase flowers from domestic producers;

Whereas as of April 2017, millions of stems of domestically grown flowers are now “Certified American Grown”;

Whereas domestic flower farmers produce thousands of varieties of flowers across the United States, such as peonies in Alaska, Gerbera daisies in California, lupines in Maine, tulips in Washington, lilies in Oregon, and larkspur in Texas;

Whereas the 5 flower varieties with the highest United States production are tulips, Gerbera daisies, lilies, gladiolas and irises;

Whereas people in every State have access to domestically grown flowers, yet only 1 of 5 flowers sold in the United States is domestically grown;

Whereas the domestic cut flower industry creates almost \$42,000,000 in economic impact

daily and supports hundreds of growers, thousands of small businesses, and tens of thousands of jobs in the United States;

Whereas more people in the United States are expressing interest in growing flowers locally, which has resulted in an approximately 20 percent increase in the number of domestic cut flower farms between 2007 and 2012;

Whereas most domestic cut flowers and greens are sold in the United States within 24 to 48 hours after harvest and last longer than flowers shipped longer distances;

Whereas flowers grown domestically enhance the ability of the people of the United States to festively celebrate weddings and births, and honor those who have passed;

Whereas flower-giving has been a holiday tradition in the United States for generations;

Whereas flowers speak to the beauty of motherhood on Mother’s Day; and to the spirit of love on Valentine’s Day;

Whereas flowers are an essential part of other holidays such as Thanksgiving, Christmas, Hanukkah, and Kwanzaa;

Whereas flowers help commemorate the service and sacrifice of our Armed Forces on Memorial Day and Veterans Day; and

Whereas the Senate encourages the cultivation of flowers in the United States by domestic flower farmers: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 2017 as “American Grown Flower Month”;

(2) recognizes that purchasing flowers grown in the United States supports the farmers, small businesses, jobs, and economy of the United States;

(3) recognizes that growing flowers and greens in the United States is a vital part of the agricultural industry of the United States;

(4) recognizes that cultivating flowers domestically enhances the ability of the people of the United States to festively celebrate holidays and special occasions; and

(5) urges all people of the United States to proactively showcase flowers and greens grown in the United States in order to show support for our flower farmers, processors, and distributors as well as agriculture in the United States overall.

SENATE RESOLUTION 249—DESIGNATING SEPTEMBER 2017 AS “NATIONAL CHILD AWARENESS MONTH” TO PROMOTE AWARENESS OF CHARITIES THAT BENEFIT CHILDREN AND YOUTH-SERVING ORGANIZATIONS THROUGHOUT THE UNITED STATES AND RECOGNIZING THE EFFORTS MADE BY THOSE CHARITIES AND ORGANIZATIONS ON BEHALF OF CHILDREN AND YOUTH AS CRITICAL CONTRIBUTIONS TO THE FUTURE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 249

Whereas millions of children and youth in the United States represent the hopes and the future of the United States;

Whereas numerous individuals, charities benefitting children, and youth-serving orga-

nizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to health care, social services, education, the arts, sports, and other services will result in the development of character in, and the future success of, the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time when parents, families, teachers, school administrators, and communities increase focus on children and youth throughout the United States;

Whereas the month of September is a time for the people of the United States to highlight, and be mindful of, the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2017 as “National Child Awareness Month” would recognize that a long-term commitment to children and youth is in the public interest and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

Resolved, That the Senate designates September 2017 as “National Child Awareness Month”:

(1) to promote awareness of charities that benefit children and youth-serving organizations throughout the United States; and

(2) to recognize the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 752. Mr. ALEXANDER (for Mr. MANCHIN) proposed an amendment to the bill S. 581, to include information concerning a patient’s opioid addiction in certain medical records.

SA 753. Mr. JOHNSON (for himself, Mr. DONNELLY, and Mrs. CAPITO) proposed an amendment to the bill S. 204, to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

SA 754. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2430, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; which was ordered to lie on the table.

SA 755. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2430, *supra*; which was ordered to lie on the table.

SA 756. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 757. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him

to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 758. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 759. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 760. Mr. WARNER (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 761. Mr. BROWN (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 762. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 763. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 764. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 765. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 766. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, *supra*; which was ordered to lie on the table.

SA 767. Mr. PERDUE proposed an amendment to the bill S. 765, to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces.

SA 768. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 769. Mr. WICKER (for Mrs. FISCHER) proposed an amendment to the bill S. 88, to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things.

SA 770. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 771. Ms. MURKOWSKI (for Mr. CARPER) proposed an amendment to the bill S. 1099, to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards.

SA 772. Ms. MURKOWSKI (for Mr. YOUNG) proposed an amendment to the bill S. 1182, to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

SA 773. Ms. MURKOWSKI (for Mr. SULLIVAN) proposed an amendment to the bill S.

756, to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

TEXT OF AMENDMENTS

SA 752. Mr. ALEXANDER (for Mr. MANCHIN) proposed an amendment to the bill S. 581, to include information concerning a patient's opioid addiction in certain medical records; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as "Jessie's Law".

SEC. 2. INCLUSION OF OPIOID ADDICTION HISTORY IN PATIENT RECORDS.

(a) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with appropriate stakeholders, including a patient with a history of opioid use disorder, an expert in electronic health records, an expert in the confidentiality of patient health information and records, and a health care provider, shall identify or facilitate the development of best practices regarding—

(A) the circumstances under which information that a patient has provided to a health care provider regarding such patient's history of opioid use disorder should, only at the patient's request, be prominently displayed in the medical records (including electronic health records) of such patient;

(B) what constitutes the patient's request for the purpose described in subparagraph (A); and

(C) the process and methods by which the information should be so displayed.

(2) DISSEMINATION.—The Secretary shall disseminate the best practices developed under paragraph (1) to health care providers and State agencies.

(b) REQUIREMENTS.—In identifying or facilitating the development of best practices under subsection (a), as applicable, the Secretary, in consultation with appropriate stakeholders, shall consider the following:

(1) The potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder.

(2) The benefits of displaying information about a patient's opioid use disorder history in a manner similar to other potentially lethal medical concerns, including drug allergies and contraindications.

(3) The importance of prominently displaying information about a patient's opioid use disorder when a physician or medical professional is prescribing medication, including methods for avoiding alert fatigue in providers.

(4) The importance of a variety of appropriate medical professionals, including physicians, nurses, and pharmacists, to have access to information described in this section when prescribing or dispensing opioid medication, consistent with Federal and State laws and regulations.

(5) The importance of protecting patient privacy, including the requirements related to consent for disclosure of substance use disorder information under all applicable laws and regulations.

(6) All applicable Federal and State laws and regulations.

SA 753. Mr. JOHNSON (for himself, Mr. DONNELLY, and Mrs. CAPITO) pro-

posed an amendment to the bill S. 204, to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017".

SEC. 2. USE OF UNAPPROVED INVESTIGATIONAL DRUGS BY PATIENTS DIAGNOSED WITH A TERMINAL ILLNESS.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 561A (21 U.S.C. 360bbb-0) the following:

"SEC. 561B. INVESTIGATIONAL DRUGS FOR USE BY ELIGIBLE PATIENTS.

"(a) DEFINITIONS.—For purposes of this section—

"(1) the term 'eligible patient' means a patient—

"(A) who has been diagnosed with a life-threatening disease or condition (as defined in section 312.81 of title 21, Code of Federal Regulations (or any successor regulations));

"(B) who has exhausted approved treatment options and is unable to participate in a clinical trial involving the eligible investigational drug, as certified by a physician, who—

"(i) is in good standing with the physician's licensing organization or board; and

"(ii) will not be compensated directly by the manufacturer for so certifying; and

"(C) who has provided to the treating physician written informed consent regarding the eligible investigational drug, or, as applicable, on whose behalf a legally authorized representative of the patient has provided such consent;

"(2) the term 'eligible investigational drug' means an investigational drug (as such term is used in section 561)—

"(A) for which a Phase 1 clinical trial has been completed;

"(B) that has not been approved or licensed for any use under section 505 of this Act or section 351 of the Public Health Service Act;

"(C)(i) for which an application has been filed under section 505(b) of this Act or section 351(a) of the Public Health Service Act; or

"(ii) that is under investigation in a clinical trial that—

"(I) is intended to form the primary basis of a claim of effectiveness in support of approval or licensure under section 505 of this Act or section 351 of the Public Health Service Act; and

"(II) is the subject of an active investigational new drug application under section 505(i) of this Act or section 351(a)(3) of the Public Health Service Act, as applicable; and

"(D) the active development or production of which is ongoing and has not been discontinued by the manufacturer or placed on clinical hold under section 505(i); and

"(3) the term 'phase 1 trial' means a phase 1 clinical investigation of a drug as described in section 312.21 of title 21, Code of Federal Regulations (or any successor regulations).

"(b) EXEMPTIONS.—Eligible investigational drugs provided to eligible patients in compliance with this section are exempt from sections 502(f), 503(b)(4), 505(a), and 505(i) of this Act, section 351(a) of the Public Health Service Act, and parts 50, 56, and 312 of title 21,

Code of Federal Regulations (or any successor regulations), provided that the sponsor of such eligible investigational drug or any person who manufactures, distributes, prescribes, dispenses, introduces or delivers for introduction into interstate commerce, or provides to an eligible patient an eligible investigational drug pursuant to this section is in compliance with the applicable requirements set forth in sections 312.6, 312.7, and 312.8(d)(1) of title 21, Code of Federal Regulations (or any successor regulations) that apply to investigational drugs.

“(c) USE OF CLINICAL OUTCOMES.—

“(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Public Health Service Act, or any other provision of Federal law, the Secretary may not use a clinical outcome associated with the use of an eligible investigational drug pursuant to this section to delay or adversely affect the review or approval of such drug under section 505 of this Act or section 351 of the Public Health Service Act unless—

“(A) the Secretary makes a determination, in accordance with paragraph (2), that use of such clinical outcome is critical to determining the safety of the eligible investigational drug; or

“(B) the sponsor requests use of such outcomes.

“(2) LIMITATION.—If the Secretary makes a determination under paragraph (1)(A), the Secretary shall provide written notice of such determination to the sponsor, including a public health justification for such determination, and such notice shall be made part of the administrative record. Such determination shall not be delegated below the director of the agency center that is charged with the premarket review of the eligible investigational drug.

“(d) REPORTING.—

“(1) IN GENERAL.—The manufacturer or sponsor of an eligible investigational drug shall submit to the Secretary an annual summary of any use of such drug under this section. The summary shall include the number of doses supplied, the number of patients treated, the uses for which the drug was made available, and any known serious adverse events. The Secretary shall specify by regulation the deadline of submission of such annual summary and may amend section 312.33 of title 21, Code of Federal Regulations (or any successor regulations) to require the submission of such annual summary in conjunction with the annual report for an applicable investigational new drug application for such drug.

“(2) POSTING OF INFORMATION.—The Secretary shall post an annual summary report of the use of this section on the internet website of the Food and Drug Administration, including the number of drugs for which clinical outcomes associated with the use of an eligible investigational drug pursuant to this section was—

“(A) used in accordance with subsection (c)(1)(A);

“(B) used in accordance with subsection (c)(1)(B); and

“(C) not used in the review of an application under section 505 of this Act or section 351 of the Public Health Service Act.”.

(b) NO LIABILITY.—

(1) ALLEGED ACTS OR OMISSIONS.—With respect to any alleged act or omission with respect to an eligible investigational drug provided to an eligible patient pursuant to section 561B of the Federal Food, Drug, and Cosmetic Act and in compliance with such section, no liability in a cause of action shall lie against—

(A) a sponsor or manufacturer; or

(B) a prescriber, dispenser, or other individual entity (other than a sponsor or manufacturer), unless the relevant conduct constitutes reckless or willful misconduct, gross negligence, or an intentional tort under any applicable State law.

(2) DETERMINATION NOT TO PROVIDE DRUG.—No liability shall lie against a sponsor manufacturer, prescriber, dispenser or other individual entity for its determination not to provide access to an eligible investigational drug under section 561B of the Federal Food, Drug, and Cosmetic Act.

(3) LIMITATION.—Except as set forth in paragraphs (1) and (2), nothing in this section shall be construed to modify or otherwise affect the right of any person to bring a private action under any State or Federal product liability, tort, consumer protection, or warranty law.

SEC. 3. SENSE OF THE SENATE.

It is the sense of the Senate that section 561B of the Federal Food, Drug, and Cosmetic Act, as added by section 2—

(1) does not establish a new entitlement or modify an existing entitlement, or otherwise establish a positive right to any party or individual;

(2) does not establish any new mandates, directives, or additional regulations;

(3) only expands the scope of individual liberty and agency among patients, in limited circumstances;

(4) is consistent with, and will act as an alternative pathway alongside, existing expanded access policies of the Food and Drug Administration;

(5) will not, and cannot, create a cure or effective therapy where none exists;

(6) recognizes that the eligible terminally ill patient population often consists of those patients with the highest risk of mortality, and use of experimental treatments under the criteria and procedure described in such section 561A involves an informed assumption of risk; and

(7) establishes national standards and rules by which investigational drugs may be provided to terminally ill patients.

SA 754. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2430, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, insert the following:

SEC. 906. BAN ON CHARACTERIZING FLAVORS IN NEWLY DEEMED TOBACCO PRODUCTS.

A product that is a newly deemed tobacco product under the rule entitled “Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products”, published May 10, 2016 (81 Fed. Reg. 28973), or any of component parts of such tobacco product (including the tobacco, filter, or paper) shall not contain, as a constituent (including a smoke constituent) or additive, an artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry,

or coffee, that is a characterizing flavor of the tobacco product or tobacco smoke.

SA 755. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2430, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, insert the following:

SEC. 906. TOBACCO PRODUCTS.

Notwithstanding any other provision of law, the Commissioner of Food and Drugs may not delay the deadline, set forth in the rule entitled “Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products”, published May 10, 2016 (81 Fed. Reg. 28973), for submission of premarket tobacco product applications required for new tobacco products under section 910 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j).

SA 756. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON COMPLIANCE WITH RUNWAY CLEAR ZONE REQUIREMENTS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Service secretaries, shall submit to the congressional defense committees a report on Service compliance with Department of Defense and relevant Service policies regarding Department of Defense runway clear zones.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A listing of all Department of Defense runway clear zones in the United States that are not in compliance with Department of Defense and relevant Service policies regarding Department of Defense runway clear zones.

(2) A plan for bringing all Department of Defense runway clear zones in full compliance with these policies, including a description of the resources required to bring these clear zones into policy compliance, and for providing restitution for property owners.

SA 757. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 737. TRANSFER TO DEPARTMENT OF DEFENSE OF AUTHORITY TO OPERATE NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.

(a) **IN GENERAL.**—There is transferred from the Department of Homeland Security to the Department of Defense the authority to operate the National Biodefense Analysis and Countermeasures Center (in this section referred to as the “Center”).

(b) **TRANSFER OF AMOUNTS.**—The Secretary of Homeland Security shall transfer to the Secretary of Defense such amounts as may be necessary to operate the Center for a two-year period.

(c) **TIMING OF TRANSFER.**—The Secretary of Homeland Security shall conduct an expedient transfer of authority under subsection (a) and amounts under subsection (b) within one year after the date of the enactment of this Act.

(d) **ROLE OF DEPARTMENT OF DEFENSE AFTER TRANSFER.**—After the transfer of authority under subsection (a), the Secretary of Defense shall—

(1) serve as the executive agent and custodian for operations of the Center;

(2) support the activities of the Center, particularly those activities that support Federal government customers;

(3) ensure that the needs of all customers of the Center are met; and

(4) enter into memoranda of understanding with beneficiaries of the Center to ensure equitable cost sharing in the activities of the Center.

(e) **ONGOING OPERATIONS.**—The Secretary of Homeland Security and the Secretary of Defense shall ensure that the transfer of authority under subsection (a) does not diminish or curtail the ongoing operations of the Center.

SA 758. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXEMPTION FROM CALCULATION OF MONTHLY INCOME, FOR PURPOSES OF BANKRUPTCY LAWS, CERTAIN PAYMENTS FROM DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.

Section 101(10A) of title 11, United States Code, is amended by striking subparagraph (B) and inserting the following:

“(B)(i) includes any amount paid by any entity other than the debtor (or in a joint case the debtor and the debtor’s spouse), on a regular basis for the household expenses of the debtor or the debtor’s dependents (and in a joint case the debtor’s spouse if not otherwise a dependent); and

“(ii) excludes—

“(I) benefits received under the Social Security Act;

“(II) payments to victims of war crimes or crimes against humanity on account of their status as victims of such crimes;

“(III) payments to victims of international terrorism (as defined in section 2331 of title 18) or domestic terrorism (as defined in section 2331 of title 18) on account of their status as victims of such terrorism;

“(IV) compensation under chapter 11 of title 38;

“(V) compensation under chapter 13 of title 38;

“(VI) pension under chapter 15 of title 38;

“(VII) retired pay payable to members of the Armed Forces retired under section 1201 or 1204 of title 10;

“(VIII) retired pay payable to members of the Armed Forces placed on the temporary disability retired list under section 1202 or 1205 of title 10;

“(IX) disability severance pay payable under section 1212 of title 10 to members separated from the Armed Forces under section 1203 or 1206 of that title;

“(X) retired pay payable in accordance with section 1201 or 1202 of title 10, or disability severance pay payable in accordance with section 1203 of that title, to members of the Armed Forces eligible for such pay by reason of section 1207a of that title;

“(XI) combat-related special compensation payable under section 1413a of title 10;

“(XII) any monthly annuity payable under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10 if the participant in the Plan with respect to whom the annuity is payable was retired for physical disability under chapter 61 of that title;

“(XIII) the special survivor indemnity allowance payable under section 1450(m) of title 10; and

“(XIV) any monthly special compensation payable to members of the uniformed services with catastrophic injuries or illnesses under section 439 of title 37.”

SA 759. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. _____. ACCELERATION OF ENVIRONMENTAL RESTORATION ACTIVITIES AT FORMER ARMY AMMUNITION PLANTS.

(a) **AVAILABILITY OF FUNDS.**—Of the amount authorized to be appropriated for fiscal year 2018 by section 301 and available for environmental restoration, Army, as specified in the funding table in section 4301, not less than \$100,000,000 shall be used to accelerate ongoing remediation activities at former Army ammunition plants.

(b) **REMEDIATION ACTIVITIES DEFINED.**—In this section, the term “remediation activities” includes actions required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) in connection with environmental remediation, the development, deployment, and operation of appropriate groundwater remediation to provide clean drinking water to impacted communities, the testing of groundwater contaminant levels, and engagements with such communities to incorporate preferred approaches to environmental remediation.

In the funding table in section 4201, in the item relating to the Long Range Standoff

Weapon of the Air Force, decrease the amount in the Senate Authorized column by \$100,000,000.

In the funding table in section 4301, in the item relating to Environmental Restoration, Army, increase the amount in the Senate Authorized column by \$100,000,000.

SA 760. Mr. WARNER (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1606 and insert the following:

SEC. 1606. LAUNCH SUPPORT AND INFRASTRUCTURE MODERNIZATION.

(a) **IN GENERAL.**—In support of the policy outlined in section 2273 of title 10, United States Code, the Secretary of Defense shall carry out a program to modernize infrastructure and improve support activities for processing and launch of United States national security space missions from ranges owned or operated by the Federal Government or State governments.

(b) **ELEMENTS.**—The program required by this section shall include—

(1) investments in infrastructure to improve operations at ranges in the United States that may benefit all users, to enhance the overall capabilities of those ranges, to improve safety, and to reduce the long-term cost of operations and maintenance;

(2) measures to normalize processes, systems, and products across the ranges described in paragraph (1) to minimize the burden on launch providers; and

(3) improvements in transparency, flexibility, and responsiveness for launch scheduling.

(c) **CONSULTATION.**—In carrying out the program required by this section, the Secretary should consult with current and anticipated users of ranges in the United States.

(d) **COOPERATION.**—In carrying out this section, the Secretary should consider partnerships authorized under section 2276 of title 10, United States Code.

(e) **REPORT.**—

(1) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the plan for the implementation of the launch support and infrastructure modernization program at ranges in the United States.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include—

(A) a description of plans and the resources needed to improve launch support infrastructure, utilities, support equipment, and range operations;

(B) a description of plans to streamline and normalize processes, systems, and products at ranges described in paragraph (1) to ensure consistency for range users; and

(C) recommendations for improving transparency, flexibility, and responsiveness in launch scheduling.

SA 761. Mr. BROWN (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the

bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

(a) FINDINGS.—Congress finds that—

(1) historically Black colleges and universities (HBCUs) and minority-serving institutions play a vital role in educating low-income and underrepresented students in areas of national need;

(2) HBCUs and minority-serving institutions presently are collaborating with the Department of Defense in research and development efforts that contribute to the defense readiness and national security of the Nation;

(3) by their research these institutions are helping to develop the next generation of scientists and engineers who will help lead the Department of Defense in addressing high-priority national security challenges; and

(4) it is important to further engage HBCUs and minority-serving institutions in university research and innovation, especially in prioritizing software development and cyber security by utilizing existing Department of Defense labs, and collaborating with existing programs that help attract candidates, including programs like the Air Force Minority Leaders Programs, which recruit Americans from diverse background to serve their country through service in our Nation's military.

(b) INCREASE.—Funding in Research, Development, Test, and Evaluation, Defense-wide, PE 61228D8Z, section 4201, for Basic Research, Historically Black Colleges and Universities/Minority Institutions, Line 006, is hereby increased by \$12,000,000.

(c) OFFSET.—Funding in section 4101 for Other Procurement, Army, for Automated Data Processing Equipment, Line 108, is hereby reduced by \$12,000,000.

SA 762. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. ____ . REPORTS ON COMPTROLLER GENERAL OF THE UNITED STATES RECOMMENDATIONS NOT FULLY IMPLEMENTED BY THE DEPARTMENT OF DEFENSE.

(a) SECRETARY OF DEFENSE REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Comptroller General of the United States a report listing all outstanding recommendations of the Comptroller General applicable to the Department

of Defense that have not been fully implemented.

(b) COMPTROLLER GENERAL REPORT.—Not later than 30 days after the date on which the Secretary submits the report required by subsection (a), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report detailing any discrepancies between the list of outstanding recommendations included in such report and the list of the Comptroller General of the outstanding recommendations applicable to the Department that have not been fully implemented.

(c) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of implementation of each recommendation of the Comptroller General listed in the report under subsection (a).

(2) JUSTIFICATION.—The report required by paragraph (1) shall include the following:

(A) For each recommendation listed in the report that the Department decided not to fully implement, or to implement in a different manner than recommended by the Comptroller General, a detailed justification for the decision.

(B) For each recommendation the Department decided to adopt, but has not fully implemented, a timeline for full implementation.

(C) An explanation for any discrepancies between the report and the Comptroller General report submitted under subsection (b).

(d) FORM.—Any information included in a report under this section shall, to the extent practicable, be submitted in unclassified form, but may be set forth in a classified annex.

SA 763. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. ____ . ANNUAL REPORT ON PARTICIPATION IN THE TRANSITION ASSISTANCE PROGRAM FOR MEMBERS OF THE ARMED FORCES.

Section 1144 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) ANNUAL REPORT.—(1) Not later than February 28 each year, the Secretary of Defense shall submit to Congress a report on the participation of members of the armed forces in the program under this section during the preceding year.

“(2) Each report under this subsection shall set forth, for the year covered by such report, the following:

“(A) The number of members who were eligible for participation in the program, in aggregate and by component of the armed forces.

“(B) The number of members who participated in the program, in aggregate and by component of the armed forces, for each of the following:

“(i) Preseparation counseling provided by the Department of Defense.

“(ii) Briefings provided by the Department of Veterans Affairs.

“(iii) Employment workshops provided by the Department of Labor.

“(C) The number of members who did not participate in the program due to a waiver of the participation requirement under subsection (c)(2) for each service set forth in subparagraph (B).

“(3) Each report under this subsection may also include such recommendations for legislative or administrative action as the Secretary of Defense, in consultation with the Secretary of Labor, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, considers appropriate to increase participation of members of the armed forces in each service set forth in paragraph (2)(B).”.

SA 764. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . FACILITIES REDUCTION PROGRAM.

The Secretary of the Army shall consider the following factors when making resource allocations from the Facilities Reduction Program:

(1) The potential risk of contaminated unused facilities to Army readiness and to Army missions.

(2) The cost to maintain and secure unused and obsolete facilities.

SA 765. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. ____ . DEPARTMENT OF DEFENSE FUNDING SUPPORT FOR THE NATIONAL CONSORTIUM FOR THE STUDY OF TERRORISM AND RESPONSES TO TERRORISM.

From amounts authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2018, the Secretary of Defense may provide funds to the National Consortium for the Study of Terrorism and Responses to Terrorism (START) in order to support programs and activities of the National Consortium that contribute to Department of Defense missions and capabilities.

SA 766. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. _____. IMPROVEMENT OF AUTHORITIES ON PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Subparagraph (C) of section 130i(e)(1) of title 10, United States Code, is amended to read as follows:

“(C) relates to—

“(i) the airspace above a military installation, airfield, or range;

“(ii) any area within 500 meters horizontally or vertically of a military aircraft, vessel, or convoy;

“(iii) any restricted, limited, or exclusion area of a military installation;

“(iv) any airspace that is prohibited or restricted for military purposes;

“(v) any area the presence in which of an unmanned aircraft or unmanned aircraft system could interfere with lawful defense activities, including airfield and military operations and training; or

“(vi) any area the presence in which of an unmanned aircraft or unmanned aircraft system could pose a national security risk through the unauthorized disclosure of sensitive or classified information.”.

SA 767. Mr. PERDUE proposed an amendment to the bill S. 765, to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Private Corrado Piccoli Purple Heart Preservation Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Purple Heart medal solemnly recognizes the great and sometimes ultimate sacrifice of American servicemembers like Private Corrado Piccoli.

(2) The Purple Heart medal holds a place of honor as the national symbol of this sacrifice and deserves special protections.

SEC. 3. PENALTY FOR SALE OF PURPLE HEARTS AWARDED TO MEMBERS OF THE ARMED FORCES.

Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “Whoever” and inserting “Except as provided in subsection (e), whoever”; and

(2) by adding at the end the following:

“(e) PURPLE HEART.—

“(1) PENALTY.—Whoever willfully purchases, attempts to purchase, solicits for purchase, mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells, attempts to sell, advertises for sale, trades, barter, or exchanges for anything of value any Purple Heart awarded to a member of the armed forces or former member of the armed forces by the Secretary of the military department concerned, except when authorized under regulations made pursuant to law, shall be fined under this title, imprisoned not more than 6 months, or both.

“(2) LIMITATION ON REGULATIONS.—Regulations described in paragraph (1) may not au-

thorize the sale of any Purple Heart awarded to a member of the armed forces or former member of the armed forces by the Secretary of the military department concerned, unless the sale is conducted by the member or former member to whom the Purple Heart was awarded.

“(3) DEFINITION.—In this subsection, the term ‘willfully’ means the voluntary, intentional violation of a known legal duty.”.

SA 768. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREVENTING OUTSOURCING.

(a) CONSIDERATION OF OUTSOURCING.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2327 the following new section:

“§ 2327a. Contracts: consideration of outsourcing of jobs

“(a) DISCLOSURE OF OUTSOURCING OF JOBS.—

“(1) IN GENERAL.—The head of an agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the agency to disclose in that bid or proposal if the contractor, or a subsidiary of the contractor, owns a facility for which there is an outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

“(2) OUTSOURCING EVENT.—For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101(a)) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States exceeds 50 employees.

“(b) CONSIDERATION AUTHORIZED.—(1) Agency contracting officers considering bids or proposals in response to a solicitation issued by the agency may take into account any disclosure made pursuant to subsection (a) in such bids and proposals.

“(2) The head of an agency may establish a negative preference of up to 10 percent of the cost of a contract for purposes of evaluating a bid or proposal of a contractor that makes a disclosure pursuant to subsection (a).

“(c) SENSE OF CONGRESS.—It is the sense of Congress that agency contracting officers should, using section 2304(b)(3) of this title, exclude contractors making a disclosure pursuant to subsection (a) in response to solicitations issued by the agency from the bidding process in connection with such solicitations on the grounds that the actions described in the disclosures are against the public interests of the United States.

“(d) ANNUAL REPORT.—The head of each agency shall submit to Congress each year a report on the following:

“(1) The number of solicitations made by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

“(2) The number of contracts awarded by the agency during the preceding year in which such disclosures were taken into account in the contract award.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by inserting after the item relating to section 2327 the following new item:

“2327a. Contracts: consideration of outsourcing of jobs.”.

(b) EXCLUSION OF FIRMS FROM SOURCES.—Section 2304(b) of such title is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(2) by inserting after paragraph (2) the following new paragraph:

“(3) The head of an agency may provide for the procurement of property and services covered by this chapter using competitive procedures but excluding a source making a disclosure pursuant to section 2327a(a) of this title in the bid or proposal in response to the solicitation issued by the agency if the head of the agency determines that the actions described by disclosure are against the public interests of the United States and the source is to be excluded on those grounds. Any such determination shall take into account the sense of Congress set forth in section 2327a(c) of this title.”; and

(3) in paragraph (3), as so redesignated, by striking “paragraphs (1) and (2)” and inserting “paragraphs (1), (2), and (3)”.

(c) REGULATIONS AND GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the Defense Federal Acquisition Regulation Supplement to carry out the requirements of section 2327a of title 10, United States Code, as added by this section.

(2) TRAINING AND GUIDANCE.—The Secretary of Defense shall develop and provide clear training and guidance to acquisition officials, contracting officers, and current and potential contractors regarding implementation policies and practices for section 2327a of title 10, United States Code, as added by this section.

(3) DEFINITION OF OUTSOURCING.—For purposes of defining outsourcing pursuant to paragraphs (1) and (2), the Secretary of Defense may utilize regulations prescribed by the Secretary of Labor.

(d) RULE OF CONSTRUCTION.—This section, and the amendments made by this section, shall be applied in a manner consistent with United States obligations under international agreements.

SA 769. Mr. WICKER (for Mrs. FISCHER) proposed an amendment to the bill S. 88, to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things; as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Developing Innovation and Growing the Internet of Things Act” or “DIGIT Act”.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds that—

(1) the Internet of Things refers to the growing number of connected and interconnected devices;

(2) estimates indicate that more than 50,000,000,000 devices will be connected to the Internet by 2020;

(3) the Internet of Things has the potential to generate trillions of dollars in new economic activity around the world;

(4) businesses across the United States can develop new services and products, improve

operations, simplify logistics, cut costs, and pass savings on to consumers by utilizing the Internet of Things and related innovations;

(5) the United States leads the world in the development of technologies that support the Internet and the United States technology sector is well-positioned to lead in the development of technologies for the Internet of Things;

(6) the United States Government can implement this technology to better deliver services to the public; and

(7) the Senate unanimously passed Senate Resolution 110, 114th Congress, agreed to March 24, 2015, calling for a national strategy for the development of the Internet of Things.

(b) SENSE OF CONGRESS.—It is the sense of Congress that policies governing the Internet of Things should maximize the potential and development of the Internet of Things to benefit all stakeholders, including businesses, governments, and consumers.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(3) STEERING COMMITTEE.—The term “steering committee” means the steering committee established under section 4(e)(1).

(4) WORKING GROUP.—The term “working group” means the working group convened under section 4(a).

SEC. 4. FEDERAL WORKING GROUP.

(a) IN GENERAL.—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in subsection (b).

(b) DUTIES.—The working group shall—

(1) identify any Federal regulations, statutes, grant practices, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(2) consider policies or programs that encourage and improve coordination among Federal agencies with jurisdiction over the Internet of Things;

(3) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations; and

(4) examine—

(A) how Federal agencies can benefit from utilizing the Internet of Things;

(B) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(C) the preparedness and ability of Federal agencies to adopt Internet of Things technology in the future; and

(D) any additional security measures that Federal agencies may need to take to—

(i) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

(ii) enhance the resiliency of Federal systems against cyber threats to the Internet of Things.

(c) AGENCY REPRESENTATIVES.—In convening the working group under subsection (a), the Secretary shall have discretion to appoint representatives and shall specifically consider seeking representation from—

(1) the Department of Commerce, including—

(A) the National Telecommunications and Information Administration;

(B) the National Institute of Standards and Technology; and

(C) the National Oceanic and Atmospheric Administration;

(2) the Department of Transportation;

(3) the Department of Homeland Security;

(4) the Office of Management and Budget;

(5) the National Science Foundation;

(6) the Commission;

(7) the Federal Trade Commission;

(8) the Office of Science and Technology Policy;

(9) the Department of Energy; and

(10) the Federal Energy Regulatory Commission.

(d) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders, including—

(1) the steering committee;

(2) information and communications technology manufacturers, suppliers, service providers, and vendors;

(3) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the energy, agriculture, and health care sectors;

(4) small, medium, and large businesses;

(5) think tanks and academia;

(6) nonprofit organizations and consumer groups;

(7) rural stakeholders; and

(8) other stakeholders with relevant expertise, as determined by the Secretary.

(e) STEERING COMMITTEE.—

(1) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(2) DUTIES.—The steering committee shall advise the working group with respect to—

(A) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(B) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may exist to providing any spectrum needed in the future;

(C) policies or programs that—

(i) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(ii) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(iii) may protect users of the Internet of Things; and

(iv) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(D) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(E) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(3) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(A) information and communications technology manufacturers, suppliers, service providers, and vendors;

(B) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the energy, agriculture, and health care sectors;

(C) small, medium, and large businesses;

(D) think tanks and academia;

(E) nonprofit organizations and consumer groups;

(F) rural stakeholders; and

(G) other stakeholders with relevant expertise, as determined by the Secretary.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings or recommendations of the steering committee.

(5) INDEPENDENT ADVICE.—

(A) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under paragraph (2).

(B) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study, and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(C) REPORT.—The steering committee shall ensure that the report submitted under paragraph (4) is the result of the independent judgment of the steering committee.

(6) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under subsection (f) unless, on or before that date, the Secretary files a new charter for the steering committee under section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(A) the findings and recommendations of the working group with respect to the duties of the working group under subsection (b);

(B) the report submitted by the steering committee under subsection (e)(4), as the report was received by the working group;

(C) recommendations for action or reasons for inaction, as applicable, with respect to each recommendation made by the steering committee in the report submitted under subsection (e)(4); and

(D) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(2) COPY OF REPORT.—The working group shall submit a copy of the report described in paragraph (1) to—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) any other committee of Congress, upon request to the working group.

SEC. 5. ASSESSING SPECTRUM NEEDS.

(a) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs of the Internet of Things.

(b) REQUIREMENTS.—In issuing the notice of inquiry under subsection (a), the Commission shall seek comments that consider and evaluate—

(1) whether adequate spectrum is available to support the growing Internet of Things;

(2) what regulatory barriers may exist to providing any needed spectrum for the Internet of Things; and

(3) what the role of licensed and unlicensed spectrum is and will be in the growth of the Internet of Things.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the comments submitted in response to the notice of inquiry issued under subsection (a).

SA 770. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. _____. SUNSET OF AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) SUNSET.—Section 2 of the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) is amended by adding at the end the following new subsection:

“(c) SUNSET.—The authority to use force in this resolution shall expire on the date that is three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, unless reauthorized or extended by an Act of Congress.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the need will remain to defend against specific networks of violent extremists, including al Qaeda and its affiliates, that threaten the United States; and

(2) the President must work with Congress to secure whatever authorities may be required to meet that threat in a manner that complies with the Constitution and the War Powers Resolution (50 U.S.C. 1541 et seq.).

SA 771. Ms. MURKOWSKI (for Mr. CARPER) proposed an amendment to the bill S. 1099, to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards; as follows:

On page 5, beginning on line 6, strike “General Services Administration Office of Charge Card Management” and insert “the General Services Administration”.

SA 772. Ms. MURKOWSKI (for Mr. YOUNG) proposed an amendment to the bill S. 1182, to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion; as follows:

In section 7(d), in the subsection heading, strike “GAO AUDIT” and insert “AUDIT”.

SA 773. Ms. MURKOWSKI (for Mr. SULLIVAN) proposed an amendment to the bill S. 756, to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes; as follows:

Beginning on page 3, strike line 3 and all that follows through page 3, line 23, and insert the following:

“(2) ASSISTANCE.—If the Administrator makes a determination under paragraph (1) that there is a severe marine debris event, the Administrator is authorized to make sums available to be used by the affected State or by the Administrator in cooperation with the affected State—

“(A) to assist in the cleanup and response required by the severe marine debris event; or

“(B) to conduct such other activity as the Administrator determines is appropriate in response to the severe marine debris event.”.

On page 4, beginning on line 24, strike “Federal funding for research and development” and insert “research and development, including through the establishment of a prize competition.”.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. FISCHER. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to hold a hearing on Thursday, August 3, 2017 at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to hold a Business Meeting on Thursday, August 3, 2017, immediately after the 12 p.m. vote in S-216, the Capitol, in Washington, DC.

COMMITTEE ON FINANCE

Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, August 3, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing to consider pending nominations.

COMMITTEE ON FOREIGN RELATIONS

I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, August 3, 2017 at 10 a.m., to hold a business meeting.

COMMITTEE ON THE JUDICIARY

Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on August 3, 2017, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on Thursday, August 3, 2017, at 9:45 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a Subcommittee Hearing on “Insurance Fraud in America: Current Issues Facing Industry and Consumers.”

WOMEN, PEACE, AND SECURITY ACT OF 2017

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 123, S. 1141.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1141) to ensure that the United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict.

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

Ms. MURKOWSKI. I ask unanimous consent that the bill be considered read a third time.

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

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

Ms. MURKOWSKI. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1141) was passed, as follows:

S. 1141

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Women, Peace, and Security Act of 2017”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Around the world, women remain under-represented in conflict prevention, conflict resolution, and post-conflict peace building efforts.

(2) Women in conflict-affected regions have achieved significant success in—

(A) moderating violent extremism;

(B) countering terrorism;

(C) resolving disputes through nonviolent mediation and negotiation; and

(D) stabilizing societies by enhancing the effectiveness of security services, peace-keeping efforts, institutions, and decision-making processes.

(3) Research suggests that peace negotiations are more likely to succeed and to result in durable peace agreements when women participate in the peace process.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the meaningful participation of women in conflict prevention and conflict resolution processes helps to promote more inclusive and democratic societies and is critical to the long-term stability of countries and regions;

(2) the political participation, and leadership of women in fragile environments, particularly during democratic transitions, is critical to sustaining lasting democratic institutions; and

(3) the United States should be a global leader in promoting the meaningful participation of women in conflict prevention, management, and resolution, and post-conflict relief and recovery efforts.

SEC. 4. STATEMENT OF POLICY.

It shall be the policy of the United States to promote the meaningful participation of women in all aspects of overseas conflict prevention, management, and resolution, and post-conflict relief and recovery efforts, reinforced through diplomatic efforts and programs that—

(1) integrate the perspectives and interests of affected women into conflict-prevention activities and strategies;

(2) encourage partner governments to adopt plans to improve the meaningful participation of women in peace and security processes and decision-making institutions;

(3) promote the physical safety, economic security, and dignity of women and girls;

(4) support the equal access of women to aid distribution mechanisms and services;

(5) collect and analyze gender data for the purpose of developing and enhancing early warning systems of conflict and violence;

(6) adjust policies and programs to improve outcomes in gender equality and the empowerment of women; and

(7) monitor, analyze, and evaluate the efforts related to each strategy submitted under section 5 and the impact of such efforts.

SEC. 5. UNITED STATES STRATEGY TO PROMOTE THE PARTICIPATION OF WOMEN IN CONFLICT PREVENTION AND PEACE BUILDING.

(a) **REQUIREMENT.**—Not later than one year after the date of the enactment of this Act, and again four years thereafter, the President, in consultation with the heads of the relevant Federal departments and agencies, shall submit to the appropriate congressional committees and make publicly available a single government-wide strategy, to be known as the Women, Peace, and Security Strategy, that provides a detailed description of how the United States intends to fulfill the policy objectives in section 4. The strategy shall—

(1) support and be aligned with plans developed by other countries to improve the meaningful participation of women in peace and security processes, conflict prevention, peace building, transitional processes, and decisionmaking institutions; and

(2) include specific and measurable goals, benchmarks, performance metrics, time-tables, and monitoring and evaluation plans to ensure the accountability and effectiveness of all policies and initiatives carried out under the strategy.

(b) **SPECIFIC PLANS FOR DEPARTMENTS AND AGENCIES.**—Each strategy under subsection (a) shall include a specific implementation plan from each of the relevant Federal departments and agencies that describes—

(1) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(2) the efforts of the department or agency to ensure that the policies and initiatives

carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(c) **COORDINATION.**—The President should promote the meaningful participation of women in conflict prevention, in coordination and consultation with international partners, including, as appropriate, multilateral organizations, stakeholders, and other relevant international organizations, particularly in situations in which the direct engagement of the United States Government is not appropriate or advisable.

(d) **SENSE OF CONGRESS.**—It is the sense of Congress that the President, in implementing each strategy submitted under subsection (a), should—

(1) provide technical assistance, training, and logistical support to female negotiators, mediators, peace builders, and stakeholders;

(2) address security-related barriers to the meaningful participation of women;

(3) encourage increased participation of women in existing programs funded by the United States Government that provide training to foreign nationals regarding law enforcement, the rule of law, or professional military education;

(4) support appropriate local organizations, especially women's peace building organizations;

(5) support the training, education, and mobilization of men and boys as partners in support of the meaningful participation of women;

(6) encourage the development of transitional justice and accountability mechanisms that are inclusive of the experiences and perspectives of women and girls;

(7) expand and apply gender analysis, as appropriate, to improve program design and targeting; and

(8) conduct assessments that include the perspectives of women regarding new initiatives in support of peace negotiations, transitional justice and accountability, efforts to counter violent extremism, or security sector reform.

SEC. 6. TRAINING REQUIREMENTS REGARDING THE PARTICIPATION OF WOMEN IN CONFLICT PREVENTION AND PEACE BUILDING.

(a) **FOREIGN SERVICE.**—The Secretary of State, in conjunction with the Administrator of the United States Agency for International Development, shall ensure that all appropriate personnel (including special envoys, members of mediation or negotiation teams, relevant members of the civil service or Foreign Service, and contractors) responsible for or deploying to countries or regions considered to be at risk of, undergoing, or emerging from violent conflict obtain training, as appropriate, in the following areas, each of which shall include a focus on women and ensuring meaningful participation by women:

(1) Conflict prevention, mitigation, and resolution.

(2) Protecting civilians from violence, exploitation, and trafficking in persons.

(3) International human rights law and international humanitarian law.

(b) **DEPARTMENT OF DEFENSE.**—The Secretary of Defense shall ensure that relevant personnel receive training, as appropriate, in the following areas:

(1) Training in conflict prevention, peace processes, mitigation, resolution, and security initiatives that specifically addresses the importance of meaningful participation by women.

(2) Gender considerations and meaningful participation by women, including training regarding—

(A) international human rights law and international humanitarian law, as relevant; and

(B) protecting civilians from violence, exploitation, and trafficking in persons.

(3) Effective strategies and best practices for ensuring meaningful participation by women.

SEC. 7. CONSULTATION AND COLLABORATION.

(a) **IN GENERAL.**—The Secretary of State and the Administrator of the United States Agency for International Development may establish guidelines or take other steps to ensure overseas United States personnel of the Department of State or the United States Agency for International Development, as the case may be, consult with appropriate stakeholders, including local women, youth, ethnic, and religious minorities, and other politically under-represented or marginalized populations, regarding United States efforts to—

(1) prevent, mitigate, or resolve violent conflict; and

(2) enhance the success of mediation and negotiation processes by ensuring the meaningful participation of women.

(b) **COLLABORATION AND COORDINATION.**—The Secretary of State should work with international, regional, national, and local organizations to increase the meaningful participation of women in international peacekeeping operations, and should promote training that provides international peacekeeping personnel with the substantive knowledge and skills needed to ensure effective physical security and meaningful participation of women in conflict prevention and peace building.

SEC. 8. REPORTS TO CONGRESS.

(a) **BRIEFING.**—Not later than 1 year after the date of the first submission of a strategy required under section 5, the Secretary of State, in conjunction with the Administrator of the United States Agency for International Development and the Secretary of Defense, shall brief the appropriate congressional committees on existing, enhanced, or newly established training carried out pursuant to section 6.

(b) **REPORT ON WOMEN, PEACE, AND SECURITY STRATEGY.**—Not later than 2 years after the date of the submission of each strategy required under section 5, the President shall submit to the appropriate congressional committees a report that—

(1) summarizes and evaluates the implementation of such strategy and the impact of United States diplomatic efforts and foreign assistance programs, projects, and activities to promote the meaningful participation of women;

(2) describes the nature and extent of the coordination among the relevant Federal departments and agencies on the implementation of such strategy;

(3) outlines the monitoring and evaluation tools, mechanisms, and common indicators to assess progress made on the policy objectives set forth in section 4; and

(4) describes the existing, enhanced, or newly established training carried out pursuant to section 6.

SEC. 9. DEFINITIONS.

In this Act:

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

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

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

(2) **RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.**—The term “relevant Federal departments and agencies” means—

(A) the United States Agency for International Development;

(B) the Department of State;

(C) the Department of Defense;

(D) the Department of Homeland Security; and

(E) any other department or agency specified by the President for purposes of this Act.

(3) **STAKEHOLDERS.**—The term “stakeholders” means non-governmental and private sector entities engaged in or affected by conflict prevention and stabilization, peace building, protection, security, transition initiatives, humanitarian response, or related efforts.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

SAVING FEDERAL DOLLARS THROUGH BETTER USE OF GOVERNMENT PURCHASE AND TRAVEL CARDS ACT OF 2017

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 169, S. 1099.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1099) to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Carper amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 771) was agreed to, as follows:

(Purpose: To make a technical correction)

On page 5, beginning on line 6, strike “General Services Administration Office of Charge Card Management” and insert “the General Services Administration”.

The bill (S. 1099), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1099

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Saving Federal Dollars Through Better Use of Govern-

ment Purchase and Travel Cards Act of 2017”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **IMPROPER PAYMENT.**—The term “improper payment” has the meaning given the term in section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) **QUESTIONABLE TRANSACTION.**—The term “questionable transaction” means a charge card transaction that from initial card data appears to be high risk and may therefore be improper due to non-compliance with applicable law, regulation or policy.

(3) **STRATEGIC SOURCING.**—The term “strategic sourcing” means analyzing and modifying a Federal agency’s spending patterns to better leverage its purchasing power, reduce costs, and improve overall performance.

SEC. 3. EXPANDED USE OF DATA ANALYTICS.

(a) **STRATEGY.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator for General Services, shall develop a strategy to expand the use of data analytics in managing government purchase and travel charge card programs. These analytics may employ existing General Services Administration capabilities, and may be in conjunction with agencies’ capabilities, for the purpose of—

(1) identifying examples or patterns of questionable transactions and developing enhanced tools and methods for agency use in—

(A) identifying questionable purchase and travel card transactions; and

(B) recovering improper payments made with purchase and travel cards;

(2) identifying potential opportunities for agencies to further leverage administrative process streamlining and cost reduction from purchase and travel card use, including additional agency opportunities for card-based strategic sourcing;

(3) developing a set of purchase and travel card metrics and benchmarks for high-risk activities, which shall assist agencies in identifying potential emphasis areas for their purchase and travel card management and oversight activities, including those required by the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194); and

(4) developing a plan, which may be based on existing capabilities, to create a library of analytics tools and data sources for use by Federal agencies (including inspectors general of those agencies).

SEC. 4. GUIDANCE ON IMPROVING INFORMATION SHARING TO CURB IMPROPER PAYMENTS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the inter-agency charge card data management group established under section 5, shall issue guidance on improving information sharing by government agencies for the purposes of section 3(a)(1).

(b) **ELEMENTS.**—The guidance issued under subsection (a) shall—

(1) require relevant officials at Federal agencies to identify high-risk activities and communicate that information to the appropriate management levels within the agencies;

(2) require that appropriate officials at Federal agencies review the reports issued by charge card-issuing banks on questionable transaction activity (such as purchase and travel card pre-suspension and suspension re-

ports, delinquency reports, and exception reports), including transactions that occur with high-risk activities, and suspicious timing or amounts of cash withdrawals or advances;

(3) provide for the appropriate sharing of information related to potential questionable transactions, fraud schemes, and high-risk activities with the General Services Administration and the appropriate officials in Federal agencies;

(4) consider the recommendations made by Inspectors General or the best practices Inspectors General have identified; and

(5) include other requirements determined appropriate by the Director for the purposes of carrying out this Act.

SEC. 5. INTERAGENCY CHARGE CARD DATA MANAGEMENT GROUP.

(a) **ESTABLISHMENT.**—The Administrator of General Services and the Director of the Office of Management and Budget shall establish a purchase and travel charge card data management group to develop and share best practices for the purposes described in section 3(a).

(b) **ELEMENTS.**—The best practices developed under subsection (a) shall—

(1) cover rules, edits, and task order or contract modifications related to charge card-issuing banks;

(2) include the review of accounts payable information and purchase and travel card transaction data of agencies for the purpose of identifying potential strategic sourcing and other additional opportunities (such as recurring payments, utility payments, and grant payments) for which the charge cards or related payment products could be used as a payment method; and

(3) include other best practices as determined by the Administrator and Director.

(c) **MEMBERSHIP.**—The purchase and travel charge card data management group shall meet regularly as determined by the co-chairs, for a duration of three years, and include those agencies as described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194) and others identified by the Administrator and Director.

SEC. 6. REPORTING REQUIREMENTS.

(a) **GENERAL SERVICES ADMINISTRATION REPORT.**—Not later than one year after the date of the enactment of this Act, the Administrator for General Services shall submit a report to Congress on the implementation of this Act, including the metrics used in determining whether the analytic and benchmarking efforts have reduced, or contributed to the reduction of, questionable or improper payments as well as improved utilization of card-based payment products.

(b) **AGENCY REPORTS AND CONSOLIDATED REPORT TO CONGRESS.**—Not later than one year after the date of the enactment of this Act, the head of each Federal agency described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112-194) shall submit a report to the Director of the Office of Management and Budget on that agency’s activities to implement this Act.

(c) **OFFICE OF MANAGEMENT AND BUDGET REPORT TO CONGRESS.**—The Director of the Office of Management and Budget shall submit to Congress a consolidated report of agency activities to implement this Act, which may be included as part of another report submitted to Congress by the Director.

(d) **REPORT ON ADDITIONAL SAVINGS OPPORTUNITIES.**—Not later than one year after the date of the enactment of this Act, the Administrator of General Services shall submit

a report to Congress identifying and exploring further potential savings opportunities for government agencies under the Federal charge card programs. This report may be combined with the report required under subsection (a).

EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 28, 2017, AS "HONORING THE NATION'S FIRST RESPONDERS DAY"

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 183, S. Con. Res. 15.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 15) expressing support for the designation of October 28, 2017, as "Honoring the Nation's First Responders Day."

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment, as follows:

(The part of the concurrent resolution intended to be stricken is shown in boldface brackets and the part of the concurrent resolution intended to be inserted is shown in italics.)

S. CON. RES. 15

Whereas first responders include professional and volunteer fire, police, emergency medical technician, and paramedic workers in the United States;

Whereas there are more than 25,300,000 first responders in the United States working to keep communities safe;

Whereas first responders deserve to be recognized for their commitment to safety, defense, and honor; and

Whereas October 28, 2017, would be an appropriate day to establish as "Honoring the Nation's First Responders Day": Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That [the Senate] Congress—

(1) supports the designation of October 28, 2017, as "Honoring the Nation's First Responders Day";

(2) honors and recognizes the contributions of first responders; and

(3) encourages the people of the United States to observe Honoring the Nation's First Responders Day with appropriate ceremonies and activities that promote awareness of the contributions of first responders in the United States.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the concurrent resolution, as amended, be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment was agreed to.

The concurrent resolution (S. Con. Res. 15), as amended, was agreed to.

The preamble was agreed to.

The concurrent resolution, as amended, with its preamble, reads as follows:

S. CON. RES. 15

Whereas first responders include professional and volunteer fire, police, emergency medical technician, and paramedic workers in the United States;

Whereas there are more than 25,300,000 first responders in the United States working to keep communities safe;

Whereas first responders deserve to be recognized for their commitment to safety, defense, and honor; and

Whereas October 28, 2017, would be an appropriate day to establish as "Honoring the Nation's First Responders Day": Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the designation of October 28, 2017, as "Honoring the Nation's First Responders Day";

(2) honors and recognizes the contributions of first responders; and

(3) encourages the people of the United States to observe Honoring the Nation's First Responders Day with appropriate ceremonies and activities that promote awareness of the contributions of first responders in the United States.

FACILITATING CONSTRUCTION OF A BRIDGE ON CERTAIN PROPERTY IN CHRISTIAN COUNTY, MISSOURI

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 192, S. 810.

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

The senior assistant legislative clerk read as follows:

A bill (S. 810) to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. RIVERSIDE BRIDGE PROJECT.

(a) *IN GENERAL.*—The Riverside Bridge Project is authorized to be carried out notwithstanding—

(1) any agreement entered into under, or restriction pursuant to, section 404(b)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(b)(2)); or

(2) any easement or other Federal restriction pursuant to that Act (42 U.S.C. 5121 et seq.) that requires the covered property to be maintained for open space, recreation, or wetland management.

(b) *CONDITIONS.*—As a condition of the authorization under subsection (a)—

(1) Christian County, Missouri, or an assignee shall—

(A) carry out the Riverside Bridge Project in a manner that ensures that no flood damage attributable to the Project occurs; and

(B) be liable for any such flood damage that does occur; and

(2) the Federal Government shall not be liable for future flood damage that is caused by the Project.

(c) *DISASTER ASSISTANCE PROHIBITED.*—No future disaster assistance from any Federal source may be provided with respect to the covered property or any improvements thereon.

(d) *DEFINITIONS.*—In this Act, the following definitions apply:

(1) *COVERED PROPERTY.*—The term "covered property" means the property—

(A) in Christian County, Missouri;

(B) conveyed to such County by the Riverside Inn, Inc.; and

(C) that is approximately 1.5 acres and 482 lineal feet adjacent to the westerly line of Riverside Road to the center of Finley Creek.

(2) *RIVERSIDE BRIDGE PROJECT.*—The term "Riverside Bridge Project" means the project to construct, maintain, and operate a bridge on and over the covered property.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 810), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

THE AMERICAN LEGION 100TH ANNIVERSARY COMMEMORATIVE COIN ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 1182 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1182) to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

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

Ms. MURKOWSKI. I ask unanimous consent that the Young amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 772) was agreed to, as follows:

(Purpose: To improve the bill)

In section 7(d), in the subsection heading, strike "GAO AUDIT" and insert "AUDIT".

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

Ms. MURKOWSKI. I know of no further debate on the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1182), as amended, was passed, as follows:

S. 1182

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

SECTION 1. SHORT TITLE.

This Act may be cited as “The American Legion 100th Anniversary Commemorative Coin Act”.

SEC. 2. FINDINGS.

The Congress finds that—

(1) on March 15, 1919, The American Legion was founded in Paris, France, by members of the American Expeditionary Force occupying Europe after World War I and concerned about the welfare of their comrades and communities upon their return to the United States;

(2) on September 16, 1919, Congress chartered The American Legion, which quickly grew to become the largest veterans service organization in the United States;

(3) The American Legion conferences in Washington, DC, in 1923 and 1924 crafted the first United States Flag Code, which was adopted in schools, States, cities and counties prior to being enacted in 1942, establishing the proper use, display, and respect for the colors of the United States;

(4) during World War II, The American Legion developed and presented to Congress its case for vastly improved support for medically discharged, disabled veterans, which ultimately became the Servicemen’s Readjustment Act of 1944 (58 Stat. 284; chapter 268), better known as the G.I. Bill of Rights, and was drafted by former American Legion National Commander Harry W. Colmery in Washington’s Mayflower Hotel;

(5) through the leadership and advocacy of The American Legion, the G.I. Bill was enacted in June 1944, which led to monumental changes in United States society, including the democratization of higher education, home ownership for average people in the United States, better VA hospitals, business and farm loans for veterans, and the ability to appeal conditions of military discharge;

(6) defying those who argued the G.I. Bill would break the Treasury, according to various researchers, the G.I. Bill provided a tremendous return on investment of \$7 to the United States economy for every \$1 spent on the program, triggering a half-century of prosperity in the United States;

(7) after Hurricane Hugo in 1989, The American Legion established the National Emergency Fund to provide immediate cash relief for veterans who have been affected by natural disasters;

(8) American Legion National Emergency Fund grants after Hurricanes Katrina and Rita in 2005, for instance, exceeded \$1,700,000;

(9) The American Legion fought to see the Veterans Administration elevated to Cabinet-level status as the Department of Veterans Affairs, ensuring support for veterans would be set at the highest level of the Federal Government, as a priority issue for the President;

(10) after a decades-long struggle to improve the adjudication process for veterans disputing claims decisions, The American Legion helped shape and introduce the Veterans Reassurance Act to create a venue for judicial review of veterans’ appeals;

(11) building on these efforts, legislation was passed in 1988 to create the United States Court of Veterans Appeals, today known as the United States Court of Appeals for Veterans Claims;

(12) The American Legion created the American Legacy Scholarship Fund for children of military members killed on active duty on or after September 11, 2001;

(13) in 2016, The American Legion’s National Executive Committee amended the original scholarship criteria to include children of veterans with 50 percent or greater VA disability ratings;

(14) President George W. Bush signed into law the Post-9/11 Veterans Educational Assistance Act (title V of the Supplemental Appropriations Act, 2008; 122 Stat. 2357), a next-generation G.I. Bill strongly supported by The American Legion and the most comprehensive educational benefits package since the original G.I. Bill of Rights was enacted in 1944;

(15) in August 2018, The American Legion will begin its centennial recognition at the 100th National Convention in Minneapolis, Minnesota, the site of the first American Legion National Convention; and

(16) in March 2019, the organization will celebrate its 100th birthday in Paris, France, and September 16, 2019, will mark the 100th anniversary of The American Legion’s Federal charter.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—In recognition and celebration of the 100th anniversary of The American Legion, the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall mint and issue the following coins:

(1) \$5 GOLD COINS.—Not more than 50,000 \$5 coins, which shall—

- (A) weigh 8.359 grams;
- (B) have a diameter of 0.850 inches; and
- (C) contain not less than 90 percent gold.

(2) \$1 SILVER COINS.—Not more than 400,000 \$1 coins, which shall—

- (A) weigh 26.73 grams;
- (B) have a diameter of 1.500 inches; and
- (C) contain not less than 90 percent silver.

(3) HALF-DOLLAR CLAD COINS.—Not more than 750,000 half-dollar coins which shall—

- (A) weigh 11.34 grams;
- (B) have a diameter of 1.205 inches; and
- (C) be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) IN GENERAL.—The design for the coins minted under this Act shall be emblematic of The American Legion.

(b) DESIGNATIONS AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

- (1) a designation of the denomination of the coin;
- (2) an inscription of the year “2019”; and
- (3) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(c) SELECTION.—The design for the coins minted under this Act shall be—

- (1) selected by the Secretary after consultation with—
- (A) the Commission of Fine Arts; and

(B) the Adjutant of The American Legion, as defined in the constitution and bylaws of The American Legion; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2019.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price based upon the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 7(a) with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge as follows:

- (1) A surcharge of \$35 per coin for the \$5 coin.
- (2) A surcharge of \$10 per coin for the \$1 coin described under section 3(a)(2).
- (3) A surcharge of \$5 per coin for the half-dollar coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to The American Legion for costs related to—

(1) promoting the importance of, and caring for, those who have served in uniform, ensuring they receive proper health care and disability benefits earned through military service;

(2) promoting the importance of, and caring for, those who are still serving in the Armed Forces;

(3) promoting the importance of maintaining the patriotic values, morals, culture, and citizenship of the United States; and

(4) promoting the importance of maintaining strong families, assistance for at-risk children, and activities that promote their healthy and wholesome development.

(c) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

(d) AUDIT.—Each recipient described in subsection (b) shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, are disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

Ms. MURKOWSKI. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

JAVIER VEGA, JR. MEMORIAL ACT OF 2017

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 1617 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1617) to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the “Javier Vega, Jr. Border Patrol Checkpoint.”

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 1617) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1617

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Javier Vega, Jr. Memorial Act of 2017”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) A native of La Feria, Texas, Border Patrol Agent Javier Vega, Jr., served his country first a member of the United States Marines Corps and then proudly as a border patrol agent in the canine division with his dog, Goldie.

(2) Agent Vega was assigned to the Kingsville, Texas, Border Patrol Station as a canine handler and worked primarily at the Sarita Border Patrol Checkpoint.

(3) On August 3, 2014, Agent Vega was on a fishing trip with his family near Raymondville, Texas, when 2 criminal aliens attempted to rob and attack them.

(4) Agent Vega was shot and killed while attempting to subdue the assailants and protecting his family.

(5) Agent Vega is survived by his wife, parents, 3 sons, brother, sister-in-law, niece, and dog, Goldie.

SEC. 3. DESIGNATION.

The checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, shall be known and designated as the “Javier Vega, Jr. Border Patrol Checkpoint”.

SEC. 4. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the checkpoint described in section 3 shall be deemed to be a reference to the “Javier Vega, Jr. Border Patrol Checkpoint”.

REMOVING THE SUNSET PROVISION OF SECTION 203 OF PUBLIC LAW 105-384

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 374, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 374) to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 374) was ordered to a third reading, was read the third time, and passed.

COMMEMORATING THE 40TH ANNIVERSARY OF THE SILICON VALLEY LEADERSHIP GROUP

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 209 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 209) commemorating the 40th Anniversary of the Silicon Valley Leadership Group, the preeminent public policy trade association in Silicon Valley.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon

the table with no intervening action or debate.

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

The resolution (S. Res. 209) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 28, 2017, under “Submitted Resolutions.”)

NATIONAL ESTUARIES WEEK

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 230 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 230) designating the week of September 16 through September 23, 2017, as “National Estuaries Week.”

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 230) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 24, 2017, under “Submitted Resolutions.”)

RESOLUTIONS SUBMITTED TODAY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 247, S. Res. 248, and S. Res. 249.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under “Submitted Resolutions.”)

MEASURE READ THE FIRST TIME—S. 1757

Ms. MURKOWSKI. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 1757) to strengthen border security, increase resources for enforcement of immigration laws, and for other purposes.

Ms. MURKOWSKI. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

APPOINTMENTS AUTHORITY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

REPORTING AUTHORITY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that notwithstanding the Senate's adjournment, committees be authorized to report legislative and executive matters on Friday, August 18, from 10 a.m. to 12 p.m.

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

Ms. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SAVE OUR SEAS ACT OF 2017

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 181, S. 756.

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

The senior assistant legislative clerk read as follows:

A bill (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Sullivan amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 773) was agreed to, as follows:

(Purpose: To improve the bill)

Beginning on page 3, strike line 3 and all that follows through page 3, line 23, and insert the following:

“(2) ASSISTANCE.—If the Administrator makes a determination under paragraph (1) that there is a severe marine debris event, the Administrator is authorized to make sums available to be used by the affected State or by the Administrator in cooperation with the affected State—

“(A) to assist in the cleanup and response required by the severe marine debris event; or

“(B) to conduct such other activity as the Administrator determines is appropriate in response to the severe marine debris event.”.

On page 4, beginning on line 24, strike “Federal funding for research and development” and insert “research and development, including through the establishment of a prize competition.”.

The bill (S. 756), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 756

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Save Our Seas Act of 2017” or the “SOS Act of 2017”.

SEC. 2. NOAA MARINE DEBRIS PROGRAM.

Subsection (b) of section 3 of the Marine Debris Act (33 U.S.C. 1952(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5)(C), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) work with other Federal agencies to develop outreach and education strategies to address both land- and sea-based sources of marine debris; and

“(7) work with the Department of State and other Federal agencies to promote international action to reduce the incidence of marine debris.”.

SEC. 3. ASSISTANCE FOR SEVERE MARINE DEBRIS EVENTS.

Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended by adding at the end the following new subsection:

“(d) ASSISTANCE FOR SEVERE MARINE DEBRIS EVENTS.—

“(1) IN GENERAL.—At the discretion of the Administrator or at the request of the Governor of an affected State, the Administrator shall determine whether there is a severe marine debris event.

“(2) ASSISTANCE.—If the Administrator makes a determination under paragraph (1) that there is a severe marine debris event, the Administrator is authorized to make sums available to be used by the affected State or by the Administrator in cooperation with the affected State—

“(A) to assist in the cleanup and response required by the severe marine debris event; or

“(B) to conduct such other activity as the Administrator determines is appropriate in response to the severe marine debris event.

“(3) FUNDING.—

“(A) FEDERAL SHARE.—The Federal share of the cost of an activity carried out under the authority of this subsection shall be—

“(i) if the activity is funded wholly by funds made available by an entity, including the government of a foreign country, to the Federal Government for the purpose of responding to a severe marine debris event, 100 percent of the cost of the activity; or

“(ii) for any activity other than an activity funded as described in clause (i), 75 percent of the cost of the activity.

“(B) LIMITATION ON ADMINISTRATIVE EXPENSES.—In the case of an activity funded as described in subparagraph (A)(i), not more than 5 percent of the funds made available for the activity may be used by the Administrator for administrative expenses.”.

SEC. 4. SENSE OF CONGRESS ON INTERNATIONAL ENGAGEMENT TO RESPOND TO MARINE DEBRIS.

It is the sense of Congress that the President should—

(1) support research and development, including through the establishment of a prize competition, of bio-based and other alternatives or environmentally feasible improvements to materials that reduce municipal solid waste and its consequences in the ocean;

(2) work with representatives of foreign countries that contribute the most to the global marine debris problem to learn about, and find solutions to, the contributions of such countries to marine debris in the world's oceans;

(3) carry out studies to determine—

(A) the primary means by which solid waste enters the oceans;

(B) the manner in which waste management infrastructure can be most effective in preventing debris from reaching the oceans;

(C) the long-term economic impacts of marine debris on the national economies of each country set out in paragraph (1) and on the global economy; and

(D) the economic benefits of decreasing the amount of marine debris in the oceans;

(4) work with representatives of foreign countries that contribute the most to the global marine debris problem, including land-based sources, to conclude one or more new international agreements that include provisions—

(A) to mitigate the risk of land-based marine debris contributed by such countries reaching an ocean; and

(B) to increase technical assistance and investment in waste management infrastructure, if the President determines appropriate; and

(5) encourage the United States Trade Representative to consider the impact of marine debris in relevant future trade agreements.

SEC. 5. MEMBERSHIP OF THE INTERAGENCY MARINE DEBRIS COORDINATING COMMITTEE.

Section 5(b) of the Marine Debris Act (33 U.S.C. 1954(b)) is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) by redesignating paragraph (5) as paragraph (7); and

(3) by inserting after paragraph (4) the following:

“(5) the Department of State;

“(6) the Department of the Interior; and”.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Marine Debris Act (33 U.S.C. 1958) is amended to read as follows:

“SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated for each fiscal year 2018 through 2022—

“(1) to the Administrator for carrying out sections 3, 5, and 6, \$10,000,000, of which no more than 10 percent may be for administrative costs; and

“(2) to the Secretary of the Department in which the Coast Guard is operating, for the use of the Commandant of the Coast Guard in carrying out section 4, \$2,000,000, of which no more than 10 percent may be used for administrative costs.”.

Ms. MURKOWSKI. Mr. President, I wish to take a brief detour and congratulate my colleague who has been working aggressively as we worked to address the issue of marine debris. This is something on which, as members of the Oceans Caucus, we have been working with Senator SULLIVAN, Senator WHITEHOUSE, and so many. I want to acknowledge the good work that has gone into this particular piece of legislation we have just passed.

GLOBAL WAR ON TERRORISM WAR MEMORIAL ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 873, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 873) to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 873) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR FRIDAY, AUGUST 4, 2017, THROUGH TUESDAY, SEPTEMBER 5, 2017

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro

forma session, the Senate adjourn until the next pro forma session: Friday, August 4, at 9:45 a.m.; Tuesday, August 8, at 12:30 p.m.; Friday, August 11, at 3:30 p.m.; Tuesday, August 15, at 4:30 p.m.; Friday, August 18, at 10 a.m.; Tuesday, August 22, at 7 a.m.; Friday, August 25, at 11:30 a.m.; Tuesday, August 29, at 2:30 p.m.; Friday, September 1, at 3 p.m. I further ask that when the Senate adjourns on Friday, September 1, it next convene at 3 p.m., Tuesday, September 5; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 5 p.m.; finally, that at 5 p.m., the Senate proceed to executive session under the previous order.

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

Ms. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

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

There being no objection, the Senate, at 7:01 p.m., adjourned until Friday, August 4, 2017, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES TAX COURT

ELIZABETH ANN COPELAND, OF TEXAS, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE JAMES S. HALPERN, RETIRED.

PATRICK J. URDA, OF INDIANA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE DIANE L. KROUPA, RETIRED.

DEPARTMENT OF STATE

RICHARD DUKE BUCHAN III, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SPAIN, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ANDORRA.

THOMAS J. HUSHEK, OF WISCONSIN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH SUDAN.

DEPARTMENT OF JUSTICE

SCOTT C. BLADER, OF WISCONSIN, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS, VICE JOHN W. VAUDREUIL, RESIGNED.

THE JUDICIARY

MICHAEL B. BRENNAN, OF WISCONSIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE TERENCE T. EVANS, DECEASED.

DONALD C. COGGINS, JR., OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE JOSEPH F. ANDERSON, JR., RETIRED.

TERRY A. DOUGHTY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE ROBERT G. JAMES, RETIRED.

DEPARTMENT OF JUSTICE

ROBERT M. DUNCAN, JR., OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE KERRY B. HARVEY, RESIGNED.

THE JUDICIARY

LEONARD STEVEN GRASZ, OF NEBRASKA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT, VICE WILLIAM JAY RILEY, RETIRED.

MICHAEL JOSEPH JUNEAU, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE RICHARD HAIK, SR., RETIRED.

DEPARTMENT OF JUSTICE

JOHN R. LAUSCH, JR., OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE ZACHARY T. FARDON, RESIGNED.

J. DOUGLAS OVERBEY, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE WILLIAM C. KILLIAN, RESIGNED.

CHARLES E. PEELER, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE MICHAEL J. MOORE, RESIGNED.

WILLIAM J. POWELL, OF WEST VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE WILLIAM J. IHLNFELD II, RESIGNED.

THE JUDICIARY

A. MARVIN QUATTLEBAUM, JR., OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE CAMERON MCGOWAN CURRIE, RETIRED.

HOLLY LOU TETTER, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE KATHRYN VRATIL, RETIRED.

ROBERT EARL WIER, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF KENTUCKY, VICE AMUL R. THAPAR, ELEVATED.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 3, 2017:

DEPARTMENT OF COMMERCE

MIRA RADIELOVIC RICARDEL, OF CALIFORNIA, TO BE UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION.

SMALL BUSINESS ADMINISTRATION

ALTHEA COETZEE, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

FEDERAL ENERGY REGULATORY COMMISSION

NEIL CHATTERJEE, OF KENTUCKY, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2021.

ROBERT F. POWELSON, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2020.

DEPARTMENT OF ENERGY

DAN R. BROUILLETTE, OF TEXAS, TO BE DEPUTY SECRETARY OF ENERGY.

DEPARTMENT OF THE TREASURY

DAVID MALPASS, OF NEW YORK, TO BE AN UNDER SECRETARY OF THE TREASURY.

BRENT JAMES MCINTOSH, OF MICHIGAN, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY.

ANDREW K. MALONEY, OF VIRGINIA, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

EXECUTIVE OFFICE OF THE PRESIDENT

VISHAL J. AMIN, OF MICHIGAN, TO BE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR, EXECUTIVE OFFICE OF THE PRESIDENT.

NATIONAL TRANSPORTATION SAFETY BOARD

ROBERT L. SUMWALT III, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2021.

DEPARTMENT OF JUSTICE

STEPHEN ELLIOTT BOYD, OF ALABAMA, TO BE AN ASSISTANT ATTORNEY GENERAL.

COMMODITY FUTURES TRADING COMMISSION

J. CHRISTOPHER GIANCARLO, OF NEW JERSEY, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION.

DEPARTMENT OF HOMELAND SECURITY

CLAIRE M. GRADY, OF PENNSYLVANIA, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY.

DAVID JAMES GLAWE, OF IOWA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARK ANDREW GREEN, OF WISCONSIN, TO BE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF HOMELAND SECURITY

DAVID P. PEKOSKE, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY.

DEPARTMENT OF JUSTICE

BETH ANN WILLIAMS, OF NEW JERSEY, TO BE AN ASSISTANT ATTORNEY GENERAL.

JOHN W. HUBER, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM OF FOUR YEARS.

JUSTIN E. HERDMAN, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS.

JOHN E. TOWN, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.

DEPARTMENT OF THE TREASURY

DAVID J. KAUTTER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DEPARTMENT OF VETERANS AFFAIRS

BROOKS D. TUCKER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (CONGRESSIONAL AND LEGISLATIVE AFFAIRS).

THE JUDICIARY

MICHAEL P. ALLEN, OF FLORIDA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS.

AMANDA L. MEREDITH, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS.

JOSEPH L. TOTH, OF WISCONSIN, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS.

DEPARTMENT OF VETERANS AFFAIRS

THOMAS G. BOWMAN, OF FLORIDA, TO BE DEPUTY SECRETARY OF VETERANS AFFAIRS.

JAMES BYRNE, OF VIRGINIA, TO BE GENERAL COUNSEL, DEPARTMENT OF VETERANS AFFAIRS.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

SUSAN M. GORDON, OF VIRGINIA, TO BE PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE.

DEPARTMENT OF STATE

KELLY KNIGHT CRAFT, OF KENTUCKY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA.

SHARON DAY, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

NATHAN ALEXANDER SALES, OF OHIO, TO BE COORDINATOR FOR COUNTERTERRORISM, WITH THE RANK AND STATUS OF AMBASSADOR AT LARGE.

GEORGE EDWARD GLASS, OF OREGON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PORTUGUESE REPUBLIC.

ROBERT WOOD JOHNSON IV, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

LUIS E. ARREAGA, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUATEMALA.

KRISHNA R. URS, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

KAY BAILEY HUTCHISON, OF TEXAS, TO BE UNITED STATES PERMANENT REPRESENTATIVE ON THE COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

LEWIS M. EISENBERG, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ITALIAN REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SAN MARINO.

OVERSEAS PRIVATE INVESTMENT CORPORATION

RAY WASHBURN, OF TEXAS, TO BE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION.

DEPARTMENT OF STATE

KELLEY ECKELS CURRIE, OF GEORGIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

UNITED NATIONS

KELLEY ECKELS CURRIE, OF GEORGIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

DEPARTMENT OF STATE

CARL C. RISCH, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF STATE (CONSULAR AFFAIRS).

DEPARTMENT OF COMMERCE

RICHARD ASHOOH, OF NEW HAMPSHIRE, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

NEAL J. RACKLEFF, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

ANNA MARIA FARIAS, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF THE TREASURY

CHRISTOPHER CAMPBELL, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

OVERSEAS PRIVATE INVESTMENT CORPORATION

DAVID STEELE BOHIGIAN, OF MISSOURI, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION.

DEPARTMENT OF COMMERCE

KAREN DUNN KELLEY, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF COMMERCE FOR ECONOMIC AFFAIRS.

ELIZABETH ERIN WALSH, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE.

FEDERAL COMMUNICATIONS COMMISSION

JESSICA ROSENWORCEL, OF CONNECTICUT, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2015.

DEPARTMENT OF TRANSPORTATION

MARK H. BUZBY, OF VIRGINIA, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION.

DEPARTMENT OF COMMERCE

PETER B. DAVIDSON, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE.

NATIONAL TRANSPORTATION SAFETY BOARD

ROBERT L. SUMWALT III, OF SOUTH CAROLINA, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS.

FEDERAL COMMUNICATIONS COMMISSION

BRENDAN CARR, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2018.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

JAMES J. SULLIVAN, JR., OF PENNSYLVANIA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2021.

HEATHER L. MACDOUGALL, OF FLORIDA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2023.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ELINORE F. MCCANCE-KATZ, OF RHODE ISLAND, TO BE ASSISTANT SECRETARY FOR MENTAL HEALTH AND SUBSTANCE USE, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

LANCE ALLEN ROBERTSON, OF OKLAHOMA, TO BE ASSISTANT SECRETARY FOR AGING, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

PUBLIC HEALTH SERVICE

JEROME M. ADAMS, OF INDIANA, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE FOR A TERM OF FOUR YEARS.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROBERT P. KADLEC, OF NEW YORK, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC

HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

COMMODITY FUTURES TRADING COMMISSION

BRIAN D. QUINTENZ, OF OHIO, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2020.

ROSTIN BEHNAM, OF NEW JERSEY, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2021.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MARK D. CAMERER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. DEWOLFE H. MILLER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN D. ALEXANDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOHN C. AQUILINO

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT P. ASHLEY, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DARRELL J. GUTHRIE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRIAN E. MILLER

DEPARTMENT OF COMMERCE

MICHAEL PLATT, JR., OF ARKANSAS, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF STATE

MICHAEL ARTHUR RAYNOR, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.

MARIA E. BREWER, OF INDIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SIERRA LEONE.

JOHN P. DESROCHER, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA.

IN THE ARMY

ARMY NOMINATION OF DAMIAN R. TONG, TO BE MAJOR. ARMY NOMINATIONS BEGINNING WITH DENNIS ARROYO AND ENDING WITH BRIAN P. WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH MURRAY E. CARLOCK AND ENDING WITH CARLOS V. SILVA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH ALON S. AHARON AND ENDING WITH EDWIN A. WYMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH JULIA R. PLEVANIA AND ENDING WITH HAL E. VINEYARD, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH TRESSA D. COCHRAN AND ENDING WITH KAREN F. WIGGINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH LOREN D. ADAMS AND ENDING WITH PHILIP A. WENTZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH JOANNE E. ARSENAULT AND ENDING WITH FELISHA L. RHODES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH MICHAEL E. ALVIS AND ENDING WITH JEFFREY P. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH JOHN W. ALDRIDGE AND ENDING WITH PHILIP E. ZAPANTA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH SCOTT R. CHEEVER AND ENDING WITH DIANA E. ZSCHASCHEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH EDWARD J. ALEXANDER AND ENDING WITH BRIDGET C. WOLFE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE

AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH ROBIN CREAR AND ENDING WITH NEIL P. WOODS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

ARMY NOMINATIONS BEGINNING WITH ERIC W. BULLOCK AND ENDING WITH CRYSTAL R. ROMAY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2017.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH BETTY S. ALEXANDER AND ENDING WITH JAMES S. ZMIJSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH DOMINIC J. ANTENUCCI AND ENDING WITH MATTHEW J. WOOTEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH CLEMIA ANDERSON AND ENDING WITH MICHAEL A. ZUNDEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH ERIC F. BAUMAN AND ENDING WITH EVAN R. WHITBECK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH THOMAS B. ABLEMAN AND ENDING WITH BRUCE A. YEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND AP-

PEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH ERIC W. HASS AND ENDING WITH GAIL M. MULLEAVY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER L. ALMOND AND ENDING WITH DANIEL W. WALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH ROBERT E. BRADSHAW AND ENDING WITH LEROY C. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATIONS BEGINNING WITH THOMAS E. ARNOLD AND ENDING WITH MICHAEL P. YUNKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2017.

NAVY NOMINATION OF CLAIR E. SMITH, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MORGAN E. MCCLELLAN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH ANDREW B. BRIDGFORTH AND ENDING WITH RONALD J. MITCHELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2017.

DEPARTMENT OF EDUCATION

PETER LOUIS OPPENHEIM, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION.

SENATE—*Friday, August 4, 2017*

The Senate met at 9:45 and 30 seconds a.m. and was called to order by the President pro tempore.

ADJOURNMENT UNTIL TUESDAY,
AUGUST 8, 2017, AT 12:30 P.M.

adjourned until 12:30 p.m. on Tuesday, August 8, 2017.

The PRESIDENT pro tempore. Under the previous order, the Senate stands

Thereupon, the Senate, at 9:45 and 39 seconds a.m., adjourned until Tuesday, August 8, 2017, at 12:30 p.m.

HOUSE OF REPRESENTATIVES—Friday, August 4, 2017

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 4, 2017.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Roger L. Story, National Children's Prayer Congress, Washington, D.C., offered the following prayer:

Heavenly Father, we come in the name of our Lord and Savior Jesus Christ. We thank You for the Biblical foundations which undergird our Nation.

We ask Your Holy Spirit's presence be very real in this House, giving counsel and wisdom when asked, comfort and conviction when needed. May Congress, and we, the people, bring honor and glory to Your name, as we confess our sins and ask for Your unmerited favor.

We pray this very day Congress will make a commitment to be responsible to You, O God, for actions that reflect godly character as an example to our children and a personal commitment to uphold God's desire for the life of our Nation's children, through the words Congress proclaims and decisions they make.

We now humbly ask that, in Your mercy, You will heal our land, not just on the surface, but deep down to our very core.

We pray in the name of the Father and of the Son and of the Holy Spirit. Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 1, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 1, 2017, at 1:37 p.m.:

That the Senate agree to return the papers to the House at their request H.J. Res. 76.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 2, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 2, 2017, at 12:40 p.m.:

That the Senate passed S. 860.

That the Senate passed S. 190.

That the Senate passed S. 178.

That the Senate concur in the House amendments S. 114.

That the Senate passed S. 582.

That the Senate passed S. 717.

That the Senate passed without amendment H.R. 2210.

That the Senate passed without amendment H.R. 510.

That the Senate passed with an amendment H.R. 2288.

That the Senate passed with an amendment H.R. 339.

That the Senate passed with amendments H.R. 601.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2017, at 9:22 a.m.:

That the Senate passed S. 829.

That the Senate passed S. 81.

That the Senate passed S. 1282.

That the Senate passed without amendment H.R. 3218.

Appointments:

Women's Suffrage Centennial Commission.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2017, at 2:02 p.m.:

That the Senate passed S. 581.

That the Senate passed S. 1052.

That the Senate passed S. 204.

That the Senate passed without amendment H.R. 2430.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

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

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2017, at 4:23 p.m.:

That the Senate passed S. 765.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2017, at 4:54 p.m.:

That the Senate passed S. 1616.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 4, 2017, at 9:53 a.m.:

That the Senate passed S. 19.

That the Senate passed S. 96.

That the Senate passed S. 174.

That the Senate passed S. 134.

That the Senate passed S. 123.

That the Senate passed S. 88.

That the Senate passed S. 1182.

That the Senate passed S. 756.

That the Senate passed S. 1617.

That the Senate passed S. Con. Res. 15.

That the Senate passed S. 1141.

That the Senate passed S. 810.

That the Senate passed without amendment H.R. 374.

That the Senate passed without amendment H.R. 873.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 4, 2017, at 12:13 p.m.:

That the Senate passed S. 1099.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN- GROSSMENT OF H.J. RES. 76, GRANTING CONSENT AND AP- PROVAL OF CONGRESS TO ES- TABLISH WASHINGTON METRO- RAIL SAFETY COMMISSION

The SPEAKER pro tempore. Without objection, the Clerk is directed to make the change in the engrossment of H.J. Res. 76 that has been placed at the desk.

The Clerk read as follows:

In the final whereas clause, strike the period at the end and insert the following: “: Now, therefore, be it”.

There was no objection.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 81. An act to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Energy and Commerce.

S. 88. An act to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things; to the Committee on Energy and Commerce.

S. 178. An act to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases; to the Committee on the Judiciary; in addition, to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 204. An act to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes; to the Committee on Energy and Commerce.

S. 581. An act to include information concerning a patient's opioid addiction in certain medical records; to the Committee on Energy and Commerce.

S. 582. An act to reauthorize the Office of Special Counsel, and for other purposes; to

the Committee on Oversight and Government Reform.

S. 717. An act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

S. 756. An act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes; to the Committee on Transportation and Infrastructure; in addition, to the Committee on Natural Resources for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 765. An act to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces; to the Committee on the Judiciary.

S. 810. An act to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 829. An act to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes; to the Committee on Science, Space, and Technology.

S. 1052. An act to strengthen the use of patient-experience data within the benefit-risk framework for approval of new drugs; to the Committee on Energy and Commerce.

S. 1099. An act to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards; to the Committee on Oversight and Government Reform.

S. 1282. An act to redesignate certain clinics of the Department of Veterans Affairs located in Montana; to the Committee on Veterans' Affairs.

S. 1616. An act to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman; to the Committee on Financial Services.

S. 1617. An act to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the “Javier Vega, Jr. Border Patrol Checkpoint”; to the Committee on Transportation and Infrastructure.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. HARRIS, on Wednesday, August 2, 2017:

H.R. 510. An act to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

H.R. 2210. An act to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the “Sergeant Joseph George Kusick VA Community Living Center”.

Karen L. Haas, Clerk of the House, further reported and found truly enrolled bills of the House of the following titles, which were thereupon

signed by the Speaker pro tempore, Mr. HARRIS, on Friday, August 4, 2017:

H.R. 374. An act to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes.

H.R. 873. An act to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

H.R. 2430. An act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

H.R. 3218. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. HARRIS, announced his signature to an enrolled bill of the Senate of the following title:

S. 114. An act to authorize appropriations and to appropriate amounts for the Veterans Choice Program of the Department of Veterans Affairs, to improve hiring authorities of the Department, to authorize major medical facility leases, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 28, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 3364. To provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 11 a.m. on Tuesday, August 8, 2017.

Thereupon (at 1 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Tuesday, August 8, 2017, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV,

2168. A letter from the Deputy Chief, Disability Rights Office, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting the Commission's final rule — Structure and Practices of the Video Relay Service Program [CG Docket No.: 10-51]; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No.: 03-123] received August 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868), was taken from the Speaker's table, referred to the Committee on Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROSKAM (for himself, Mr. KIND, Mr. SENSENBRENNER, Mr. FRANKS of Arizona, Mr. ISSA, Mr. CONAWAY, Ms. ESHOO, Ms. LOFGREN, and Mr. BUTTERFIELD):

H.R. 3641. A bill to make permanent the Internal Revenue Service Free File program; to the Committee on Ways and Means.

By Mr. BARR:

H.R. 3642. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to improve the access to private health care for veterans who are survivors of military sexual trauma; to the Committee on Veterans' Affairs.

By Mr. CROWLEY (for himself and Ms. FRANKEL of Florida):

H.R. 3643. A bill to amend part A of title IV of the Social Security Act to provide additional child care funding, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN:

H.R. 3644. A bill to amend title 18, United States Code, to provide for the punishment of unsafe operation of unmanned aircraft, and for other purposes; to the Committee on the Judiciary.

By Mr. REICHERT (for himself, Mr. BLUMENAUER, Mr. PAULSEN, Mr. THOMPSON of California, Mr. SMITH of Nebraska, Mr. SCHRADER, Mr. POLIS, Mr. HECK, and Ms. BONAMICI):

H.R. 3645. A bill to eliminate duties on imports of recreational performance outerwear, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Iowa:

H.R. 3646. A bill to amend the Food Security Act of 1985 to authorize the Secretary of Agriculture to carry out a precision conservation pilot program, and for other purposes; to the Committee on Agriculture.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

96. The SPEAKER presented a memorial of the Legislature of the State of Oregon, relative to House Joint Memorial No. 3, requesting that Congress support changes to the minimum appraiser qualifications criteria proposed by the Appraiser Qualifications Board of the Appraisal Foundation; to the Committee on Financial Services.

97. Also, a memorial of the Legislature of the State of Oregon, relative to House Joint Memorial No. 5, urging the Congress to continue to appropriate and expend funds as necessary to support the continued cleanup of radioactive and chemical contaminants at the Hanford Nuclear Site; jointly to the Committees on Energy and Commerce and Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROSKAM:

H.R. 3641.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which states "The Congress shall have Power To lay and collect Taxes," and Article I, Section 7, which states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. BARR:

H.R. 3642.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution

By Mr. CROWLEY:

H.R. 3643.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have Power [. . .] To regulate Commerce with foreign Nations, and among the several States . . ."

By Mr. LANGEVIN:

H.R. 3644.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, specifically Clause 3 and Clause 18.

By Mr. REICHERT:

H.R. 3645.

Congress has the power to enact this legislation pursuant to the following:

"Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. YOUNG of Iowa:

H.R. 3646.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 113: Ms. KELLY of Illinois.

H.R. 122: Mr. COHEN.

H.R. 154: Mr. CARSON of Indiana.

H.R. 252: Mr. RUSH.

H.R. 299: Mr. AMASH.

H.R. 525: Mr. BERGMAN.

H.R. 535: Mr. KNIGHT and Ms. WASSERMAN SCHULTZ.

H.R. 576: Mr. REED.

H.R. 613: Mr. TIPTON.

H.R. 619: Mr. RICHMOND.

H.R. 721: Mr. FASO and Mr. BUDD.

H.R. 828: Mr. REED.

H.R. 830: Mr. GOTTHEIMER.

H.R. 846: Mr. MCCARTHY.

H.R. 916: Mr. COFFMAN.

H.R. 930: Mr. CROWLEY.

H.R. 1149: Mr. BROOKS of Alabama.

H.R. 1155: Ms. TSONGAS.

H.R. 1164: Mrs. McMORRIS RODGERS and Mr. FASO.

H.R. 1247: Mrs. COMSTOCK.

H.R. 1406: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HIMES, Mrs. DAVIS of California, and Mr. FRELINGHUYSEN.

H.R. 1429: Mr. FITZPATRICK.

H.R. 1439: Ms. MENG.

H.R. 1606: Mr. WILLIAMS.

H.R. 1622: Ms. BROWNLEY of California.

H.R. 1656: Mr. FITZPATRICK.

H.R. 1660: Mr. COSTELLO of Pennsylvania.

H.R. 1661: Mr. SHIMKUS and Mr. LAMALFA.

H.R. 1676: Mr. MCGOVERN, Ms. HERRERA BEUTLER, and Ms. WILSON of Florida.

H.R. 1683: Mrs. COMSTOCK.

H.R. 1731: Mr. RYAN of Ohio and Mr. JOHN-SON of Ohio.

H.R. 1748: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1820: Mr. THOMPSON of California.

H.R. 1865: Mr. MCCAUL, Mr. FITZPATRICK, Mrs. WALORSKI, Mr. REED, Mr. JOYCE of Ohio, Mr. BRADY of Pennsylvania, Mr. STEWART, Mr. FRANKS of Arizona, Ms. SINEMA, Mr. RUSH, Mr. MEEKS, and Mr. O'HALLERAN.

H.R. 1880: Mr. PALLONE and Mr. GALLEGRO.

H.R. 1938: Mr. NEWHOUSE.

H.R. 2198: Mr. JONES.

H.R. 2236: Mr. EVANS and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2267: Mr. POCAN, Mr. KIHUEN, and Mr. PETERS.

H.R. 2391: Mr. BIGGS.

H.R. 2393: Mr. EVANS and Ms. CLARKE of New York.

H.R. 2408: Ms. FRANKEL of Florida, Mr. DAVID SCOTT of Georgia, Mr. DESAULNIER, Ms. ESHOO, and Ms. LOFGREN.

H.R. 2418: Mr. MCNERNEY.

H.R. 2422: Mr. YOUNG of Alaska and Mr. CUMMINGS.

H.R. 2584: Mr. TURNER, Mr. SESSIONS, Mr. CUELLAR, and Mr. PERLMUTTER.

H.R. 2690: Ms. BONAMICI.

H.R. 2713: Ms. KAPTUR.

H.R. 2723: Mr. COFFMAN.

H.R. 2790: Mr. DELANEY and Mr. SMITH of New Jersey.

H.R. 2801: Mr. ROSS and Mr. CRIST.

H.R. 2840: Ms. GABBARD.

H.R. 2855: Mr. GENE GREEN of Texas.

H.R. 2901: Ms. JENKINS of Kansas, Mr. COS-TELLO of Pennsylvania, and Mr. DONOVAN.

H.R. 2925: Ms. KUSTER of New Hampshire.

H.R. 2942: Mrs. BEATTY.

H.R. 2989: Mr. MOONEY of West Virginia.

H.R. 2996: Mr. GRAVES of Georgia and Mr. ROUZER.

H.R. 3031: Mrs. BEATTY.

H.R. 3060: Ms. CLARKE of New York.

H.R. 3071: Mr. HUDSON and Mr. CULBERSON.

H.R. 3186: Mr. SMITH of Washington.

H.R. 3222: Ms. DELBENE and Mr. RUSH.

H.R. 3227: Mr. PALLONE.

H.R. 3236: Mr. NOLAN.

H.R. 3238: Mr. CURBELO of Florida.

H.R. 3258: Mr. NADLER, Mr. PANETTA, Mr. CARSON of Indiana, Mr. KHANNA, Mr. GOMEZ, Mr. PASCRELL, and Mr. LARSEN of Wash-ington.

H.R. 3304: Mr. EVANS and Mr. HASTINGS.

H.R. 3316: Ms. JACKSON LEE, Mr. LARSEN of Washington, Mr. CICILLINE, and Mr. PAL-LONE.

H.R. 3324: Mr. CARTWRIGHT.

H.R. 3332: Mr. DEUTCH and Mr. YOUNG of Alaska.

H.R. 3380: Mr. MCNERNEY, Mr. GRIJALVA, and Ms. SLAUGHTER.

H.R. 3397: Mr. RYAN of Ohio.

H.R. 3441: Mr. DENT, Mr. CARTER of Geor-gia, Mr. ROGERS of Alabama, Mrs. WAGNER, Mr. MOOLENAAR, and Mrs. WALORSKI.

H.R. 3473: Ms. SLAUGHTER.

H.R. 3495: Mr. SMITH of Washington, Ms. WASSERMAN SCHULTZ, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 3525: Ms. SCHAKOWSKY.

H.R. 3556: Mr. STIVERS.

H.R. 3582: Ms. SLAUGHTER.

H.R. 3588: Mr. BROOKS of Alabama and Mr. BABIN.

H.R. 3591: Mr. CLEAVER, Mr. HUFFMAN, Mrs. CAROLYN B. MALONEY of New York, Mr. PA-NETTA, Ms. MAXINE WATERS of California, Mr. LARSEN of Washington, Mrs. LOWEY, and Mr. ENGEL.

H.R. 3617: Mr. ELLISON and Mr. MEEKS.

H.J. Res. 51: Mr. COURTNEY.

H.J. Res. 88: Ms. TSONGAS.

H. Con. Res. 72: Mr. MCNERNEY and Mr. KNIGHT.

H. Con. Res. 73: Mr. PALAZZO and Mr. GOSAR.

H. Res. 31: Mr. MEEKS.

H. Res. 128: Mr. ROYCE of California and Ms. CLARK of Massachusetts.

H. Res. 129: Ms. KAPTUR and Mr. BISHOP of Georgia.

H. Res. 257: Ms. JUDY CHU of California and Ms. JAYAPAL.

H. Res. 401: Mr. BRADY of Pennsylvania, Mr. FITZPATRICK, Ms. MICHELLE LUJAN GRIS-HAM of New Mexico, Mr. STIVERS, Mr. HIMES, Mrs. DAVIS of California, Mr. LARSON of Con-necticut, Mrs. DINGELL, and Mr. CRIST.

H. Res. 458: Mr. BABIN.

H. Res. 466: Mr. THOMPSON of California, Mr. ROSS, Mr. DONOVAN, and Mr. HECK.

H. Res. 488: Mr. COHEN, Mr. EVANS, Mr. MCEACHIN, Ms. LEE, Mr. WELCH, Mr. SCHNEI-DER, Mr. KRISHNAMOORTHY, Mrs. LOWEY, Mr. BLUMENAUER, Ms. LOFGREN, and Mr. SHER-MAN.

H. Res. 495: Mrs. COMSTOCK.

EXTENSIONS OF REMARKS

HONORING DEPUTY CHIEF MARK SAVAGE, PATROL SERGEANT TODD JAMES, AND TROOPER JEFFREY CHMIELEWSKI OF THE COLORADO STATE PATROL

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. LAMBORN. Mr. Speaker, I rise today to honor three heroes in the Colorado State Patrol.

Colorado State Patrol Deputy Chief Mark Savage, Patrol Sergeant Todd James, and Trooper Jeffrey Chmielewski selflessly and heroically acted quickly to save the life of Homeland Security Investigations Resident Agent in Charge Michael Flanagan.

On May 3, 2017, RAC Flanagan and the CSP Troopers were mountain biking, off duty, in Fruita, Colorado. After a day of riding, the group went to dinner at a local restaurant. During the dinner, RAC Flanagan stated he didn't feel well and suddenly lost consciousness. Thinking that RAC Flanagan may be having an asthma attack, Sergeant James ran out to the vehicle to retrieve RAC Flanagan's asthma inhaler. While Sergeant James was retrieving the inhaler outside of the restaurant, Deputy Chief Savage and Trooper Chmielewski ascertained that RAC Flanagan had no pulse and was not breathing. Relying on their training, the troopers immediately began chest compressions and mouth-to-mouth resuscitation on RAC Flanagan. Sergeant James returned from the vehicle and took over chest compressions while Deputy Chief Savage called 911.

It is estimated that RAC Flanagan had no pulse for approximately six minutes and, upon their arrival, Lower Valley Fire Department paramedics had to use a defibrillator multiple times, to restart RAC Flanagan's heart. The paramedics transported RAC Flanagan to a local hospital, where he was admitted to the ICU for repair to a damaged cardiac artery. RAC Flanagan stayed in the hospital for several days, made a full recovery, and is currently back to work on full duty status. The medical team stated that RAC Flanagan would not have survived without the quick-thinking action steps taken by the Troopers.

I know that I speak for the family, friends, and loved ones of Michael Flanagan when I offer deep and profound thanks to Mark Savage, Todd James, and Jeffrey Chmielewski. These heroes represent the best that Colorado has to offer and I am so pleased to honor them today.

A TRIBUTE TO ELLEEN WHEATLEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor a great Iowan and American, Elleen Wheatley. Elleen has the unique distinction of being the oldest living woman Marine in the State of Iowa. And on August 26, 2017, Elleen will be celebrating her 100th Birthday with family and friends at the American Legion Memorial Building in Atlantic, Iowa.

Elleen joined the Marines at the age of twenty-five while her husband and twin brother were in the Army serving overseas in World War II. In her years since her service to our country, she spent much time in the air with her husband Lester, who was a pilot, and enjoyed the farm that she and Lester purchased and planted 60 evergreen trees. Her favorite chore on the farm was mowing the yard on her Dixon mower.

Before her 99th Birthday Elleen was quoted by a local newspaper saying, "I've had a good life. Every day has been good. As I say, the Lord's been good to me."

Mr. Speaker, I join all Iowans and Americans to honor Elleen Wheatley, to thank her for her service to this great nation and to wish her a very happy 100th Birthday.

WELCOMING ADMIRAL PAUL F. ZUKUNFT TO THE GRAND HAVEN COAST GUARD FESTIVAL

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today to welcome Admiral Paul F. Zukunft, Commandant of the United States Coast Guard, to the 2017 Coast Guard Festival in Grand Haven, Michigan. 2017 marks the fourth consecutive year that Admiral Zukunft has traveled to west Michigan to celebrate the Coast Guard Festival as Commandant.

In 1977, Admiral Zukunft graduated from the U.S. Coast Guard Academy, where he received a Bachelor of Arts in government. He went on to earn a Master of Arts in management from Webster University in 1988 and a Master of Arts in national security and strategic studies from the U.S. Naval War College in 1997. All the while, he rose through the ranks of the Coast Guard.

Admiral Zukunft became the 25th Commandant of the U.S. Coast Guard on May 30, 2014. In this capacity, he leads upwards of 88,000 personnel composed of active duty, reserve, civilian and volunteer Auxiliarists. Prior

to this, Admiral Zukunft served as Commander of the Coast Guard Pacific Area, Commander of the Eleventh Coast Guard District and Director of the Joint Interagency Task Force West.

Mr. Speaker, on behalf of the Second District of Michigan, we thank Admiral Zukunft for his tireless efforts to serve and protect our nation. It is with great pleasure that I welcome Admiral Zukunft to Grand Haven, Michigan.

HONORING KATHLYN CARD-BECKLES, ESQ.

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise to honor an attorney whose distinguished career and accomplishments both personally and professionally have earned her great esteem, Ms. Kathlyn Card-Beckles.

Kathy, as she is best known, serves as the General Counsel for Card Services at JPMorgan Chase, which issues one of the largest credit card portfolios in the world. She leads teams responsible for all legal issues relating to credit cards, payments, digital and Chase merchant services. Prior to this, she led the global intellectual property team that oversaw patents, trademarks, copyrights, and trade secrets as they relate to JPMorgan.

Kathy holds a law degree from George Washington University, where she graduated with honors, in addition to a Chemical Engineering degree from the University of Delaware. In fact, before beginning her legal career, she held positions in analytical chemistry at Cytec Engineered Materials and process engineering at Frito Lay.

Upon deciding to pursue the field of law full-time, she joined the law firm of Kenyon & Kenyon, followed by stints at the U.S. Patent and Trademark Office and the Chambers of the Hon. Edward Darnich of the Court of Federal Claims. Kathy has also previously served as counsel for Tech for Social Good, a technology based philanthropy group.

In her personal life, Kathy is a board member and co-founder of the TEHEKA scholarship, which supports women studying engineering, and is a past board member of the Metropolitan Black Bar Association, a steering committee member of the JPMC Corporate Sector Women's group, a proud member of the Delta Sigma Theta Sorority, and even finds time to teach Sunday School at Abyssinian Baptist Church. In 2014, Kathy was awarded the Trailblazer Under 40 Award by the National Bar Association; in 2015 she was honored as a Black Achiever in Industry by the Harlem YMCA; and in 2016 she was honored with the Metropolitan Black Bar Association's Corporate Counsel of the Year Award.

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

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

Of course for all of her tremendous success, Kathy's true passion is family. She and her husband live with their 3 wonderful and energetic children together in Harlem. They are the apple of her eye.

This year, the Westchester Black Bar Association is honoring Kathy at their 2017 Spring Gala. They have chosen an excellent honoree for the occasion. Congratulations to Kathy on receiving this well-deserved recognition.

PERSONAL EXPLANATION

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on July 26, 2017, I missed ten recorded votes on the House floor due to family commitments. Had I been present, I would have voted NO on Roll Call 416, NO on Roll Call 417, NO on Roll Call 418, NO on Roll Call 419, NO on Roll Call 420, NO on Roll Call 421, NO on Roll Call 422, NO on Roll Call 423, NO on Roll Call 424, and YEA on Roll Call 425.

JOHN MILLER RETIRES FROM THE UNITED STATES FOREST SERVICE

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding career of John Miller, who retired from his position as the U.S. Forest Service Public Affairs Officer for the San Bernardino National Forest on July 31, 2017.

My office has had the pleasure of working with John over the past four and a half years. On numerous occasions, John demonstrated a willingness to go above and beyond to serve my constituents and forest visitors. He has repeatedly shown his dedication to the Forest Service's mission and has been instrumental in balancing multiple and sometimes competing uses of the most heavily urbanized forest in the nation.

In addition to his work as a Public Affairs Officer, John was the Public Information Officer for a Federal Interagency Management Team, and served on the U.S. Forest Service Honor Guard. John is a true professional in every sense of the word, and I wish him the best of luck as he embarks on a new chapter in his life.

PERSONAL EXPLANATION

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. RYAN of Ohio. Mr. Speaker, I was unable to cast my vote for Roll Call votes 416 and 417 on July 26, 2017, and Roll Call votes 426 through 433 on July 27, 2017. Had I been

present, my votes would have been the following: Aye on Roll Call votes 430, 431, 432, 433, and Nay on Roll call votes 416, 417, 426, 427, 428, and 429.

HONORING THE LIFE AND SERVICE OF U.S. ARMY SERGEANT JONATHON MICHAEL HUNTER

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor the life and service of U.S. Army Sergeant Jonathon Michael Hunter, who was killed in the line of duty on Wednesday, August 2, 2017, in Afghanistan.

Jonathon graduated from Columbus East High School in 2011 and went on to study music at Indiana State University on an ROTC scholarship. After a year at Indiana State, Jonathon returned home to work and decided to follow his family's military tradition by joining the U.S. Army on April 8, 2014. Jonathon was in the 1st Brigade Combat Team, 82nd Airborne Division stationed at Fort Bragg, North Carolina and was deployed to Afghanistan on July 1, 2017. He earned his Expert Infantryman Badge and was recently promoted to sergeant.

Jonathon is survived by his wife, Whitney Michelle Hunter, and parents, Mark Hunter, Kimberly Thompson and step-father Brian Thompson, to whom I extend my deepest sympathies.

On behalf of all Hoosiers, I thank Sergeant Hunter for his service and sacrifice to our nation. He represented his community, state, and country, with honor and dignity. We continue to pray for his family, friends, and all who knew Jonathon. Our hearts are with you. His service and sacrifice will always be remembered.

HONORING SHEILA REINHOLD AND RICHARD SACKS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise to honor two individuals who have become pillars of the Riverdale community. As active members Conservative Synagogue Adath Israel of Riverdale, Sheila Reinhold and Richard Sacks have helped CSAIR grow by leaps and bounds for over 20 years. It's no wonder why CSAIR has chosen to honor them with the Hazon Award at this year's Spring Gala.

Sheila and Richard moved to Riverdale in 1991 with their children Eli, Rachel and Deborah. They took different paths to CSAIR involvement. Sheila grew up in Manhattan in a Modern Orthodox home with Holocaust survivor parents from Belgium. A natural violinist, at age 15 she went to Los Angeles to study with world-famous violinist Jascha Heifetz, with whom she worked—and had all her Seders—for five years while living with a non-

Jewish host family. She then moved to Cambridge and was a Resident Musician at Harvard, where she had the opportunities to immerse herself in Judaism, and where she met Richard whose Jewish trajectory had been rather different.

Richard grew up in Albany in a secular family, never had a bar mitzvah ceremony, and never attended a Shabbat service from the age of 14 through graduate school—even when he and Sheila were dating, though he used to walk her to Shabbat services. They were married in 1977, and moved to NYC in 1978 when Richard finished his PhD and began teaching at Columbia, where he specializes in ancient myth and literature. He also regularly teaches Columbia's core great books course for first-year students, and it was this course that gave him his first experience of the joys of teaching biblical texts. Couple that with Sheila and all three children loving both CSAIR and talking Torah, and Richard's fate was sealed.

At CSAIR, their shared passion has been the quiet mitzvah of helping with shiva needs and logistics. They both have served on various committees as well. Sheila frequently plays violin at CSAIR's Yom Hashoah observance, and she has brought her performing career to CSAIR as founder and music director of Intimate Voices. Richard served a term as CSAIR's Treasurer and loves giving divrei Torah. CSAIR is fortunate to have two such devoted members. Congratulations to them on this great honor.

THE CONSTITUTION TRUMPS THE PRESIDENT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Ms. JACKSON LEE. Mr. Speaker, on January 20, 2017, with his right hand placed on the historic Lincoln Bible, Donald Trump uttered the most important sentence of his life: "I do solemnly swear that I will faithfully execute the office of President of the United States and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

These 35 words—spoken verbatim by every U.S. President at their inauguration—have achieved a hallowed status in our nation's collective memory and psyche.

These 35 words have immense symbolic meaning, but they also possess real power.

They are enshrined in Article II, Section I of the U.S. Constitution, the blueprint for our democratic system of government and the founding document upon which our society is built.

They bind their speaker in an oath to uphold the Chief Office of the Executive Branch of the United States.

These 35 words state, in the starkest of terms, the two fundamental duties of the President: to "take care that the laws be faithfully executed" and to preserve, protect and defend the Constitution.

Before January 20, 2017, every President, from George Washington to Barack Obama,

had served in elected office or the military, held a government position, or been a member of the bar prior to entering the Oval Office.

Before January 20, 2017, Donald Trump had never been elected to public office, nor served in the military, nor held a position in the government, nor been admitted to practice law before the bar.

This is noteworthy because it means that in his 70 years of living, Donald Trump had never taken a public oath to uphold the Constitution before January 20, 2017.

During his campaign, Trump often touted his lack of political experience as a strength.

Since January 20, however, it has become increasingly obvious that Trump's career as a real estate mogul, television personality, and owner of the Miss Universe beauty pageant has left him wholly unequipped to grasp the full weight, scope, meaning of—and the obligations he assumed in taking—the Presidential Oath of Office.

It is the solemn duty of the President to exercise his authority consistent with the Constitution and in a manner that supports and strengthens the rule of law.

The Constitution imposes on the Congress the responsibility to hold the Chief Executive accountable if he abuses his powers.

Such is the genius of the Framers who created the system of separated powers and checks and balances that are the hallmark of our Constitution.

Congress, especially the House of Representatives, is the political branch of the government closest to the people; therefore, if the President is called upon to answer for abuses of power, he answers to the Congress acting on behalf of the American people.

As a senior member of Congress and the House Committees on Judiciary and Homeland Security, I am ever mindful of my responsibility to preserve and protect the pillars of our democracy.

I answer to my constituents directly and indirectly to all Americans, and my public actions are constrained by my fidelity to the rule of law.

Donald Trump, unfortunately, has yet to grasp this fact or accept these democratic constraints.

This President has repeatedly acted out his selfish desire to discredit or eliminate an official investigation into Russian meddling in the 2016 Presidential election—as evidenced by his firing of former FBI Director James Comey and his contemplated dismissal of Attorney General Jeff Sessions and Special Counsel Robert Mueller.

These actions illustrate a fundamental misunderstanding of, and brazen disregard for, the rule of law, checks and balances, and separation of powers that define our democracy.

If Donald Trump fires Special Counsel Mueller, he will set into motion a sequence of events eerily reminiscent of one of the darkest chapters in our nation's history—the Watergate scandal of 1974.

In particular, Donald Trump will be reenacting the Saturday Night Massacre, when Richard Nixon's order to fire special prosecutor Archibald Cox led to the resignations of Attorney General Elliott Richardson and Deputy Attorney General William French Smith.

The public reaction and congressional response to the Saturday Night Massacre was

swift: numerous resolutions of impeachment were quickly introduced in Congress, and just nine months later, the House Judiciary Committee approved articles of impeachment charging Nixon with obstruction of justice.

As the Ranking Member of the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, it is my job to take a proactive stance on presidential abuses of power that violate the Constitution and threaten our democracy.

I am not alone in my grave concern about this President's attempts to circumvent the investigation into the tacit or active involvement of his campaign in activities of entities allied with the Russian Government to influence the outcome of the 2016 presidential election.

With each passing day, the Special Counsel, journalists, Members of Congress in both Chambers and on both sides of the aisle, and ordinary Americans are coming closer to connecting all the dots.

For this reason, I have introduced H. Res. 474, a resolution condemning any action by this President to remove Special Counsel Mueller, impede his investigation, or pardon any person for offenses against the United States arising out of Russia's meddling in the 2016 Presidential Election.

U.S. Senator LINDSEY GRAHAM has stated his intention to introduce legislation in the Senate making the firing of a Special Counsel appointed to investigate a president or his staff subject to judicial review.

The message to the President is clear and unmistakable: if he takes any action to hinder the Special Counsel's investigation into Russian interference in the 2016 presidential election, he will provoke a bipartisan backlash and be met with a proportionate congressional response to uphold the Constitution and the rule of law.

Mr. Speaker, on January 20, 2017, Donald Trump took an oath—the first of his life—to preserve and protect the Constitution and to take care that our nation's laws are faithfully executed.

We, the American people, must all do our part to hold him to his word.

PERSONAL EXPLANATION

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on July 28, 2017, I missed three recorded votes on the House floor due to family commitments. Had I been present, I would have voted YEA on Roll Call 436, YEA on Roll Call 437, and YEA on Roll Call 438.

HONORING ERICA AND EPHRAIM EDELMAN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, Conservative Synagogue Adath Israel of Riverdale is fortunate

to have two members, Ephraim and Erica Edelman, who have displayed a deep commitment and passion to the CSAIR community. It is no wonder why they are being honored with the Chai Award at this year's Spring Gala.

Ephraim and Erica came to Judaism in different ways, and to CSAIR almost accidentally. As a youth, Erica led junior services, spent summers at Camp Ramah and worked in the synagogue's Hebrew School. After attending public schools, Erica felt a need for more Jewish education, and therefore, she enrolled in List College where she received a degree in Tanach from JTS and a degree in Religion from Columbia University, followed by her Masters in Education from Hofstra University. Ephraim also went to Camp Ramah and spent Shabbat at shul surrounded by a small posse of friends, reading Torah and contributing to the service from the time he was ten years old. He went to Binghamton University and found his way into the Business School and received an MBA from Columbia University. Indeed, Camp Ramah brought Erica and Ephraim together. The two met on staff at Ramah while Erica was in college and Ephraim had already graduated. They married and moved to Riverdale in 2002, where they joined CSAIR.

The Edelmanns' involvement in CSAIR, substantial from the start, has grown over the years. Ephraim served on the Ritual Committee and often volunteered to leyn or serve as shomer; Erica led the Young Family Children's Program, creating and illustrating one of her proudest accomplishments, the "Siddur," which is still used today. Erica teaches Kindergarten at SAR Academy, where their three children, Avishai 13, Nadiv, 11, and Shefa, 8, attend. Ephraim joined the Board of Trustees, the Finance Committee, and has served as CSAIR Treasurer for the last four years.

Few have done more or been more committed to CSAIR over the years than Erica and Ephraim. They are most deserving of this wonderful honor.

FRANK ROBINSON RETIRES AS APPLE VALLEY TOWN MANAGER

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the exemplary career of Apple Valley Town Manager Frank Robinson, who officially retired from his position on July 30, 2017.

Since his hiring by the Town of Apple Valley, California in 2008, Frank worked diligently to make Apple Valley's motto of "A Better Way of Life" a reality for the citizens he served. During his tenure, a number of crucial Town projects were completed, including a state-of-the-art animal shelter, Development Services Building, and the installation of renewable energy sources to power municipal buildings. Perhaps Frank's most important accomplishment, however, was construction of the Yucca Loma Bridge, which will significantly ease traffic congestion throughout the Victor Valley.

On a personal note, I would like to thank Frank for allowing my district office staff to work out of the Apple Valley Town Hall for the past four years. He has been a gracious host and I cannot thank him enough. While Frank's leadership and vision will be missed, perhaps the greatest loss will be his penchant for always having the perfect joke ready to go. On behalf of the U.S. House of Representatives, I would like to wish Frank and his wife, Lisa, the happiest of retirements as they enter this new chapter of their lives.

RECOGNIZING TROY FERGUSON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. WALDEN. Mr. Speaker, I rise today to recognize Troy Ferguson, a veteran of the United States Marine Corps, a caring and compassionate servant to the people of Oregon's 2nd District, a leader amongst Team Walden, and a man that I am honored to call a friend.

Troy first served his country as a Marine, where he excelled in the high standards of the Marine Corps and rose to the rank of Staff Sergeant. Troy's southern upbringing and faithful Marine Corps service made him a gentleman, through and through. Troy always demonstrated the bearing of a leader, and had the character to back it up.

Troy joined my staff in 2001 as a part time worker manning the front desk. In a very short period of time, it became apparent that he had a natural talent for this business and helping constituents.

In his 16 years he did just about all the jobs that make up a district office: receptionist, constituent services representative, constituent services manager, constituent services director, field representative, legislative advisor, and regional director. Troy has been a jack-of-all-trades on my team, acquiring expertise in a wide array of issues, policy, and casework, and he mastered each area quickly.

In particular, Troy's 11 years of service in the Marine Corps equipped him with an unmatched ability to help veterans in need throughout my district. Troy played an integral role in our effort to save "The Dom"—the local VA facility in Southern Oregon—when the VA shortsightedly made an attempt to close that facility. Now renamed as the Southern Oregon Rehabilitation Center and Clinics, this facility continues to provide critical services to thousands of veterans each year.

Over the years, thousands of individual constituents received personal guidance and assistance from Troy. He was the guru of constituent services, not only on Team Walden but also in the Oregon delegation. Whether it was casework involving the IRS, veterans and military service members, or Social Security and Medicare, Troy became a recognized expert at identifying the problem and promptly finding a solution. When the delegation constituent services folks got together, Troy was looked to by all as the most knowledgeable person in the room when it came to taking care of constituents and ensuring that the

agencies had the opportunity to make things right.

On top of that, when most people struggled to master the skills of proficient writing required of congressional staffers, Troy stood out as a naturally gifted writer. He has that rare ability of organizing complex concepts and putting them on paper so that they can be easily understood by anyone. Troy was a born communicator who could deliver bad news to a constituent with compassion and good news with enthusiasm.

His ability to communicate, breadth of knowledge, and natural leadership made him a key part of welcoming new members to the team. Eager to show new staff the ropes and make them feel at home, Troy became a respected mentor and trainer to those joining Team Walden. New staffers were often advised to "Ask Troy. He'll walk you through how to get the job done and done right."

Outside of the office, Troy is a man of many gifts and talents. He is a gourmet cook—those who worked with Troy over the years have fond memories of the incredible Italian lunches he prepared for his fellow staffers. He co-founded the Jackson County Veterans Advisory Committee, and exhibits selfless service even in his off hours. As a respected member of the local veterans community in southern Oregon, Troy will continue to serve with Jackson County Veterans after he leaves my office.

He is a family man in every sense of the word. He is a devoted husband and father, and most recently, a proud grandfather.

Troy will be impossible to replace. Though he will never truly leave Team Walden, I will miss his dedication to serve Oregonians. It comes as no shock to anyone who knows Troy that his next endeavor will involve serving his community—this time with the United Way. I have no doubt Troy will bring his sense of duty to helping others, his fine character, and his leadership to his next career—just as he did for my team for 16 years.

NORTH BRONX SECTION OF THE NATIONAL COUNCIL OF NEGRO WOMEN 50TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise to honor a very special community group that for 50 years has inspired and strengthened the community, the North Bronx Section of the National Council of Negro Women. The North Bronx Section's legacy of outstanding leadership and advocacy for social justice and change has had a transformative effect on countless lives, and I am truly fortunate to represent such a fine organization in Congress.

In early 1967, six women under the leadership of Daisy S. George met to see if it was feasible to form a section of the National Council of Negro Women. This small nucleus grew into a group of more than 50, the amount required to apply for a charter. By May of that year, with a charter drawn up and adopted with by-laws and a constitution, the

North Bronx Section became official members of the Council.

By 1968, the Section had initiated a Consumer Education Program throughout the Bronx, and by 1970, operated a voter registration storefront on 225th Street. Throughout the 80's and 90's the Section was involved in all kinds of civic minded activities, from sponsoring day care and tutorial programs, to co-hosting health fairs and educational forums. They even began serving Thanksgiving Dinner in 1994, and still to this day serve over 100 meals every year to seniors, the homeless, and area residents.

All of this has been possible through strong leadership, including 14 amazing Presidents: Virdell Mills; Jayne Harris; Oneater Sinclair; Carmen Snaggs; Eva C. Daniels; Agnes Haywood; Juanita Miner; Olia Barrett; Burmadine Hind; Jessie Williams-Collins; Willie E.P. Bowman; Laura Rhodan; Jessie Davis Walls; and Patricia Kerr. These leaders have been instrumental in making the North Bronx Section the success it has been for 50 years. I want to congratulate them on this milestone.

IN RECOGNITION OF MS. MARGE PRESTON FOR HER DISTINGUISHED CAREER IN HIGHER EDUCATION

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ms. Marge Preston for her outstanding career in higher education. Ms. Preston has served the State of Michigan and its young people well through her work with Central Michigan University and Eastern Michigan University.

Ms. Preston began her career with Central Michigan University, where she spent 27 years serving in a variety of positions, including Administrative Assistant to the Vice President for Student Affairs and Coordinator of the University's Career Resource Center. In 2003, she joined Eastern Michigan University and has served the EMU community with distinction during her tenure. She began as the university's Executive Secretary to the Vice President for University Relations, and ultimately held several positions, including Executive Assistant to the Vice President of Government and Community Relations. In this capacity, Ms. Preston managed all aspects of the GCR office, including assisting the University's legal counsel with inquiries, serving as a liaison for state and federal officials and coordinating special events and projects on behalf of the EMU Vice President.

Ms. Preston has been a tireless advocate on behalf of EMU and the Ypsilanti community at large through her service to the university. As a result of her efforts, EMU has been an effective policy advocate whose work with the state and federal government has benefitted both students and educators. Ms. Preston also received recognition throughout her career, including receiving the Central Michigan University Staff Excellence Award. She was also a co-chair for EMU's United Way Campus Wide

Drive, helping raise over \$100,000, and served on the EMU Planning Committee for Michigan Women's American Council on Education's annual meeting. She has had a tremendous impact on the direction of higher education in Michigan, and her hard work and expertise will be missed.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Marge Preston for her distinguished career in higher education. Ms. Preston has effectively served the State of Michigan and its students through her work with the state's public universities.

RECOGNIZING THE FIFTH ANNUAL TASTE OF ETHIOPIA

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the 5th Annual Taste of Ethiopia. The Taste of Ethiopia promotes cultural immersion and provides community services for our extensive Ethiopian immigrant community in Colorado. The event is a unique showcase of Ethiopian music, food, art, crafts, culture, games, and dance.

Moreover, the festival is not only a great opportunity for family fun and bringing the Ethiopian community together, but it also serves to highlight the individual contributions of Ethiopian immigrants to our community. In this spirit, Mr. Speaker, I would like to recognize the following organizers of the Taste of Ethiopia for their hard work and dedication to make this event for our community possible: Nebiyu Asfaw, Sosna Dagne, Elizabeth Moltot, Adanech Denbel, Fikru Ayele, Bizuye Sebsbe, Tilahun Dessie, Aschalew Agonafer, Yalemwork Tekola, Girmu Alemayehu, Sophia Belew, Senait Keteman, Selam Ayele, Helen Tekle, Ayinalem Bayu and Yohannes Mengistu.

Mr. Speaker, the 6th District of Colorado is home to the largest Ethiopian community in the State of Colorado and it continues to be an honor for me to represent so many Ethiopian immigrants in the United States House of Representatives. I had the privilege of attending last year's Taste of Ethiopia and it is an honor for me to again be included in the Taste of Ethiopia annual celebration.

I again offer my sincere congratulations to the organizers of the Taste of Ethiopia for their tireless work to promote the Ethiopian culture in the State of Colorado.

HONORING HON. RANDALL T. ENG

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise today to recognize the Honorable Justice Randall T. Eng, a man whose life and dedication to our legal system stands as an inspiration to all New Yorkers.

Originally from Canton, China, Judge Eng was raised in New York City where he at-

tended city public schools. He received a B.A. degree from SUNY Buffalo in 1969 followed by his J.D. from St. John's University School of Law in 1972.

Following Law School, Justice Eng began his long and esteemed career in public service as an assistant district attorney in Queens, where he served from 1973 to 1980. He was the Deputy Inspector General of the New York City Correction Department from 1980 to 1981, and later became the Inspector General, a role in which he served from 1981 to 1983. Justice Eng first took the bench in the Criminal Court of the City of New York in 1983, and in 1991, he presided in Supreme Court, Queens County until being elevated to the Appellate Division in 2008. In 2012, Governor Cuomo appointed Justice Eng to lead the Second Department, where he became the first Asian American to serve as presiding Justice of an Appellate Division. Justice Eng oversees one of the busiest appellate courts in the country, helps to guide New York's judicial policy, and supervises the operation of the court's ancillary agencies, including the Office of Attorneys for Children, the Committee of Character and Fitness, and Mental Hygiene Legal Services.

In addition to his prolific legal career, Justice Eng has also proudly served his country in other distinguished ways. From 1970 to 2004, he was a member of the New York Army National Guard, retiring as State Judge Advocate with the rank of colonel.

Throughout his career, Justice Eng has been a trailblazer. In almost every legal position he has ever held, he has been the first Asian American in that position. This year, the Westchester Black Bar Association is honoring Justice Eng at their annual Spring Gala. He is most deserving of this recognition. Congratulations to Justice Eng on this wonderful honor.

IN RECOGNITION OF THE SHEN- ANDOAH VALLEY CIVIL WAR MU- SEUM

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to bring to your and our colleagues' attention an important ribbon-cutting ceremony in Winchester, Virginia, on Friday, August 4, 2017, officially announcing the renaming of the former Old Court House Civil War Museum to the "Shenandoah Valley Civil War Museum".

The ceremony was also an opportunity to honor a great civic leader of the Shenandoah Valley, Jim Wilkins, Jr., with the presentation of the Graves Family Philanthropic Leadership Award, in recognition of Mr. Wilkins' leadership on behalf of civil war battlefield preservation and other worthy causes, including the Frederick County/Winchester Law Enforcement Foundation, which he helped establish.

This name change signals a continuation of the energetic expansion of the preservation and enhancement of civil war sites by the Shenandoah Valley Battlefields Foundation, on whose Board of Directors Mr. Wilkins is an active member. Under the visionary leadership of CEO Keven Walker, the new name of the mu-

seum, coupled with new and renovated exhibits that will include youth activities and interactive learning tools, will make the museum a compelling attraction for Civil War enthusiasts and their families. The foundation will be able to tell the broader story of the Civil War in the entire Shenandoah Valley that will include Union, Confederate, civilian and African-American perspectives.

These initiatives of the Shenandoah Valley Battlefields Foundation and its partners have had a significantly positive economic impact on my Valley constituents. The Shenandoah Valley Battlefields National Historic District is an important driver of the regional economy, contributing hundreds of millions of dollars annually and sustaining thousands of jobs.

Mr. Speaker, I ask you and our colleagues to join me in thanking CEO Keven Walker, Jim Wilkins, Jr. and the Board of Directors and staff of the Shenandoah Valley Battlefields Foundation for the extraordinary energy and commitment they have brought to preserving the vitally important story of the Civil War in the Shenandoah Valley, including the newly named Shenandoah Valley Civil War Museum which promises to become a driver of the regional economy as it emerges as an important center of the history and culture of the Shenandoah Valley.

TRIBUTE TO MITCHELL J. ROSS, DIRECTOR OF THE ACQUISITIONS AND GRANTS OFFICE OF THE NATIONAL OCEANIC AND ATMOS- PHERIC ADMINISTRATION (NOAA)

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to the remarkable accomplishments of Mitchell J. Ross, the Director of the Acquisition and Grants Office of the National Oceanic and Atmospheric Administration (NOAA).

This month, August 2017, Mitchell retires after more than 20 years of faithful, honorable, and distinguished service to the United States government and the people of the United States.

Mitchell Ross began his career of service to the United States government and the people of the United States when he was appointed to the first class of Presidential Management Interns and assigned to the Department of the Navy.

Mitchell then went on to join the Naval Air Systems Command as a career civil servant and became a Contracting Officer.

After a period spent in the private sector, during which time he held leadership roles specializing in government relations, Mitchell returned to continue serving our nation in his capacity as the Director of the Acquisitions and Grants Office at the National Oceanic and Atmospheric Administration (NOAA).

The contracts and grants that are awarded by NOAA not only address critical national priorities in the environment and science, but also provide small, minority and women-owned businesses an opportunity to expand and succeed in the public sector.

Mitchell Ross was committed to helping women and minority communities secure opportunities to compete and excel.

I thank Mitchell Ross for his efforts in facilitating the development and success of a diverse array of business owners.

Mr. Speaker, Mitchell Ross' excellent performance, distinguished service, and professionalism have earned him the respect and friendship of his colleagues, and countless women and minority business-owners.

I know my colleagues join me in extending our thanks and appreciation to Mitchell Ross for his service to our nation and our very best wishes for a happy and fulfilling retirement.

He will be missed dearly.

HONORING STEVEN I. ROSENFELD

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise today to honor a member of the community who has been an instrumental force for good at the Riverdale Temple, Mr. Steven Rosenfeld.

Steven resides in Westchester County with his wife, Lori, and dog, Griffin. He is a member of Riverdale Temple, where he is President of the Men's Club. He has been actively involved in the sales and marketing of consumer products most of his adult life. Steven is also a one-time White House Fellowship candidate.

Locally, Steven has been involved in various community groups and efforts, including serving as a founding Director of the Westchester Shakespeare Festival.

A recipient of the Consumer Electronic Industry's Design and Engineering Award, and author of numerous articles, Mr. Rosenfeld is also a member of the National Academy of Recording Arts and Sciences. Mr. Rosenfeld is listed in Who's Who in America, Who's Who in Entertainment, and Who's Who in Business. He holds a Bachelor of Arts degree from Long Island University, and he was a Master's Degree candidate at St. Francis College. In addition, Steven was previously a member of the board of advisors of the Department of Psychiatry at Columbia Presbyterian Hospital.

Steven has been dedicated to the longevity of The Riverdale Temple and the community. This year, the Riverdale Temple is honoring him at their 2017 Student Sponsorship Breakfast for all of the support he has shown to the Temple and its members. The honor is well-deserved. I want to congratulate Steven on this wonderful occasion and thank him for all he has done in the community.

SUPPORTING INVESTMENT IN ALZHEIMER'S DISEASE CURE RESEARCH

HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. KHANNA. Mr. Speaker, I rise today to express my support for increased investment

in research to combat Alzheimer's disease. Over five million Americans are currently living with Alzheimer's and more than fifteen million Americans are acting as a caregiver to a family member or friend with Alzheimer's. The disease is projected to afflict thirteen million Americans by the year 2050 unless we achieve significant advances in treatment. Alzheimer's disease is the sixth leading cause of death in the United States.

Investing in Alzheimer's research is the right thing to do and good policy. The cost of caring for people with Alzheimer's disease to Medicaid and Medicare is 175 billion dollars. That makes up nineteen percent of the total Medicare budget. By 2050 that cost could grow to 758 billion dollars. Medicare for an individual with Alzheimer's or dementia costs nearly four times more than it does for a person without Alzheimer's or dementia.

As a member of the Committee on Armed Services, I am especially concerned with the number of our Veterans that suffer from dementia. Traumatic brain injuries and post-traumatic stress disorder have been linked to an increased risk for Alzheimer's and dementia. I am glad the military has recognized the importance of Alzheimer's research. Programs like the Peer Reviewed Alzheimer's Disease Program are essential to address the long-term consequences of traumatic brain injuries.

I urge my colleagues to join with me to support and increase in funding to combat Alzheimer's. We owe it to all Americans, especially those who have served, to find a way to prevent and treat this disease.

HONORING THE LIFE OF MS. NELLIE CROWSTON

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor the life of Ms. Nellie Crowston and her tireless work on behalf of students, teachers, and our entire community in Torrington, Connecticut. Nellie passed away on July 30, 2017, at the age of 79, but her contributions and legacy will live on in Torrington for many years to come.

Many in Torrington knew Nellie for her decades of work as a public school teacher. She represented the best of what it means to be an educator. Nellie's students remember her for her caring and encouraging nature. Nellie also possessed an astounding memory and regularly recognized her students around town years after they had left her classroom. Even after retiring, Nellie loved to return to the classroom as a substitute teacher and work with children. She was an inspiration to both her students and her fellow teachers.

Outside of her teaching career, Nellie was an active member of our community and contributed to a number of causes close to her heart. Her work was instrumental in saving and expanding the Torrington Alpha Delta Kappa chapter, a society for women educators. She boosted the group's membership and organized fundraisers and events that expanded its presence in our city. Her work al-

lowed Alpha Delta Kappa to provide grants to local teachers and scholarships to high school students. Nellie's dedication to service should be a model for public servants everywhere.

Mr. Speaker, Nellie Crowston was a dedicated teacher and community leader who inspired countless students and made Torrington a better place to live. It is fitting and proper that we honor her legacy here today. All those who knew her will cherish her memory.

HONORING SISTERS OF CHARITY OF NEW YORK 200TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise to honor one of the finest charitable organization's operating not just in my district, but across the entire State of New York. For two centuries, the Sisters of Charity of New York has met the challenges of the times and ministered to the needs of the poor. It is my honor to recognize their incredible work as they celebrate their 200th anniversary.

The history of the Sisters of Charity begins with its foundress, Elizabeth Ann Seton, who was later canonized as the first American-born saint. Elizabeth was born in 1774, into an upper class, well educated, Episcopalian family in New York City. A well-educated, talented young lady, she and other young prominent women in New York society served the poor, particularly widows and orphans. Ironically, Elizabeth became a penniless widow within 10 years of marrying her husband, William Magee Seton, with whom she had five children. Influenced by the kindness of her husband's friends and her attraction to the Eucharist, Elizabeth converted to Catholicism.

In 1817, after Elizabeth had opened several Catholic Schools with a small community of women concentrated on a defined lifestyle for their religious congregation, and founded the first American congregation of women religious, she sent three of her sisters to New York City to open an orphanage, establishing the foundation of the Sisters of Charity in New York.

The SCNY mission is simple: to share in the ongoing mission of Jesus by responding to the signs of the times in the spirit of St. Vincent de Paul and St. Elizabeth Ann Seton, by revealing the Father's love in our lives and in our varied ministries with and for all in need, especially the poor. Their work speaks for itself. There are 250 Sisters of Charity of New York and 121 Associates; seven sisters and 33 Associates live in Guatemala. In their 200-year history, the Congregation opened and/or staffed 185 schools, 28 hospitals, 23 childcare institutions, and other ministries to care for people on the margins of society. SCNY also sponsors ministries across the State aimed at helping others, including on the campuses of the College of Mount Saint Vincent and St. Joseph's Medical Center. From housing to anti-human trafficking programs, the breadth of SCNY's reach is truly inspiring.

All of this could only be achieved and sustained by individuals who are truly dedicated to their mission, and who care deeply for people from all walks of life. I am proud the Sisters of Charity of New York is based in my district, and I want to say thank you to its leadership and all of its members for their remarkable dedication and hard work.

IN RECOGNITION OF MUSCULAR
DYSTROPHY AWARENESS MONTH

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mrs. DINGELL. Mr. Speaker, I rise today in recognition of Muscular Dystrophy Awareness Month and on behalf of Americans diagnosed with muscular dystrophy. Initiatives like Muscular Dystrophy Awareness Month are crucial for raising public awareness about the effects of the disease while driving action and new treatments for individuals that result in improvements in care.

Muscular dystrophy is a family of diseases in which abnormal genetic mutations interfere with protein production that is critical to forming healthy muscle. The disease progressively causes weakness and loss of muscle mass in affected individuals and can result in the complete paralysis of all voluntary muscles, including those used in breathing and swallowing. Over one million individuals in the United States are affected by some form of muscular dystrophy, and there is currently no cure for the disease. However, research into muscular dystrophy has recently led to new treatments for several types of muscular diseases, and experimental treatments like gene therapy have also shown promise.

It is critical that we work to raise awareness of muscular dystrophy and related diseases while promoting research initiatives that have the potential to lead to breakthroughs in treatments and advances in care. Muscular Dystrophy Awareness Month provides a special opportunity to bring together advocates and researchers to educate the public and support efforts to better understand this disease while working to improve the quality of life for impacted individuals. Washtenaw County's participation in the Light It Up Green event underscores the community's support for individuals diagnosed with muscular dystrophy, and it is my hope that public officials continue to play a leading role in combating this disease and promoting policies that provide all Americans the opportunity to live healthy lives.

Mr. Speaker, I ask my colleagues to join me in recognizing June as Muscular Dystrophy Awareness Month. We must continue to support efforts to better understand muscular dystrophy so that there will one day be a cure for this devastating disease.

OPPOSING TRUMP ADMINISTRATION'S ATTACK ON AFFIRMATIVE ACTION IN HIGHER EDUCATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Ms. JACKSON LEE. Mr. Speaker, in less than one week, the Trump Administration has managed to level a double blow to the fight against discrimination faced by minority groups in our country.

Yesterday, the Trump Justice Department, currently headed by Attorney General Jeff Sessions, announced plans to redirect departmental resources toward investigating and suing universities over their affirmative action admissions policies.

Mr. Speaker, this preemptive attack on higher education affirmative action programs, if fully implemented, will deny educational opportunities to millions of deserving students from underrepresented communities and hamper America's ability to compete and win in an increasingly complex, competitive, multicultural global economy.

Not only does the announcement by the Justice Department threatens to undo decades of progress in trying to ensure that every child in America—regardless of race or ethnicity—has an equal opportunity to succeed, but it is directly contrary to long line of judicial precedent upholding the use of race-conscious affirmative action programs that are narrowly drawn and administered to achieve diversity in higher education.

It was only a year ago that the Supreme Court, in *Fisher v. University of Texas*, No. 14–981, 579 U.S. ____ (2016), affirmed that the admissions policy of the University of Texas at Austin complied with the principles established in *Grutter v. Bollinger*, 539 U.S. 306 (2003), which held that “obtaining the educational benefits of student body diversity is a compelling state interest that can justify the use of race in university admissions.”

Mr. Speaker, as the Member of Congress for the Eighteenth Congressional District of Texas, I am proud to be a representative from a state that has played a pivotal role in the nation's educational equity jurisprudence, beginning with the landmark case of *Sweatt v. Painter*, 339 U.S. 629 (1950), won by Thurgood Marshall and which held that segregated law schools violated the Equal Protection Clause of the Fourteenth Amendment and laid the foundation for the landmark decision in *Brown v. Board of Education*, 347 U.S. 483 (1954), which prohibited racial segregation in all schools.

Affirmative action is needed to ensure diversity on college campuses which will yield diversity in the ranks of America's future leaders.

In a globalized and increasingly interconnected world, the nation that succeeds is the one best positioned to adapt to a world of differences—cultural, religious, economic, social, racial, and political.

The key to success in a diverse global economy is learning to adapt and thrive in diverse communities where the next generation and its leaders are educated and trained.

That is why it is truly appalling that the Sessions-led Department of Justice is seeking to undermine the principles established in *Grutter v. Bollinger*: that diversity in higher education is such a compelling governmental interest that race-conscious admission policies are permissible if other alternatives are found to be inadequate.

Mr. Speaker, we have seen before the effects of university admissions policies that do not address racial disparities in access to higher education.

From 1997 to 2004, affirmative action in admissions at the University of Texas was barred by the infamous Fifth Circuit decision in *Hopwood v. Texas*, 78 F.3d 932 (5th Cir. 1996).

As a result of the University of Texas's inability to consider a qualified applicant's race in the admissions process, between 1997 and 2004 African-American students never comprised more than 4.5 percent the entering class—far below the 13 percent of Texas high school graduates who are African Americans.

Worse yet, for the students attending the University of Texas during that period, 4 out of every 5 of classes (79 percent) at the University had zero, or only one, African-American student.

It should go without saying that these are not statistics we would like to see repeated, nor is this any way to produce a generation of American leaders for the 21st century.

Affirmative action works; it is the right thing to do for our country.

Fostering educational diversity and greater opportunity is critical to our nation's future in a global economy and an increasingly interconnected world.

That is why diversity is supported by a broad cross-section of American society, including military leaders, major corporations, small business owners, educators, and students from all backgrounds.

An America that celebrates diversity in higher education will produce the leaders, inventors, entrepreneurs, diplomats, public servants, and teachers that will serve our nation well in the global economy of the 21st century.

We must stand loudly and unequivocally against any effort made by this Administration to subvert the progress we have made in guaranteeing every American student, regardless of race, ethnicity, religion or other immutable characteristics, access to higher education and in positioning our country to compete and win in the global economy of the 21st century.

HONORING ELISA MARCUS AND
DROR BIKEI

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, it is vitally important that we recognize those who strengthen our communities through their involvement. For the Conservative Synagogue Adath Israel in Riverdale, two of those individuals are Elisa Marcus and Dror Bikel, who are being honored this year with CSAIR's Kehillah Award at their annual Spring Gala.

Elisa grew up in Dayton, Ohio, where participating in shul life was a given and Shabbat meant going to synagogue and being with family and friends. Dror took a different path to Jewish involvement. Born in Berkeley, California to Israeli parents, then living in Brookline, Massachusetts, Dror was not particularly involved in formal Jewish life. While he was studying at Brandeis University, his interest in Israel and Jewish life awakened. Both Elisa and Dror spent formative years studying in Israel. They later found themselves and each other on the Upper West Side, where their friendships and involvement in the community of young Jews brought them together.

Fast forward to Riverdale and CSAIR. Through Mason Voit, CSAIR Director of Education and Family Life, Elisa was drawn to serve the shul. For three years she led the Young Children's Family Program and joined the Board of Trustees. She played an important role in a three-year review of the synagogue's mission statement and currently serves as the Vice President for Education.

Dror's passion for Krav Maga first led him to teaching evening classes in the synagogue, then to answering a call by CSAIR president Abby Pitkowski and Rabbi Katz to lead CSAIR's security program. His work led to the hiring of a security consultant to help with the acquisition and implementation of \$100,000 in grants to improve the building's access control, physical structure, and communication system.

The character of the community is something Dror and Elisa care deeply about. Their children, Ariel, 9, and Liat, 7 love being in the building, attending services, and have developed great friendships. From the beginning of their involvement, Elisa and Dror have been struck by the degree to which people care about CSAIR and want to be involved, and it shows through their dedication and service. Congratulations to them both on receiving this great honor.

HONORING DR. ROBERT (BOB)
SHILLMAN

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ROYCE of California. Mr. Speaker, I rise to honor Dr. Robert (Bob) Shillman. I have been a friend of Dr. Bob's for many years. I have nothing but admiration and respect for his success story and his efforts to promote America's free-enterprise system.

Dr. Bob received his undergraduate degree from Northeastern University, and his master's degree and Ph.D. in Electrical Engineering from MIT. He founded Cognex in 1981, which is the world's leading provider of machine vision sensors and systems. The company grew out some work he did as a fellow with the National Science Foundation in the late 1970s, which concerned programming computers to recognize handwriting.

Dr. Bob has a passion for philanthropy. He contributes to organizations that he believes are working to make the world a better place. He also promotes the advancement of edu-

cation to ensure that there are generations of engineers and entrepreneurs.

He no longer takes a salary for his work at Cognex, and at his request, each year the company donates that amount, along with any bonus that he may have the right to receive, to a public charity. He tells everyone that his Ph.D. no longer stands for Doctor of Philosophy, but for Doctor of Philanthropy.

Dr. Bob is a strong supporter of the fight for freedom and democracy around the world, and of Israel, our closest ally in the Middle East. He also shares our commitment to keeping America safe and strong.

I am proud to recognize all the contributions he has made to defend the Constitution and the freedoms it provides. As Dr. Bob has reminded us, he is one who has benefitted from these freedoms, and he would like to see that future generations of Americans have the same opportunities that have been afforded him.

I thank Dr. Bob for his generosity, commitment and patriotism.

HONORING THE MERIDEN PUERTO
RICAN FESTIVAL

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to celebrate the 50th Anniversary of the Meriden Puerto Rican Festival in Meriden, Connecticut. This cultural festival is a highlight of summer in Connecticut, and it brings us together to learn about and enjoy the food, music, dance, and history of the Puerto Rican community.

Each year, the Puerto Rican Festival attracts thousands of people to Meriden from across New England and the Northeast. Visitors can enjoy delicious Puerto Rican food from an array of vendors and enjoy performances from musicians and dancers.

The first festival was planned by Francisco Velez, who was born in Puerto Rico and came to Meriden in 1947. Inspired by the Puerto Rican cultural events in New York, Francisco wanted to share his culture and heritage with his community in Connecticut. Following the first festival in 1967, Francisco led it for more than four decades, and his vision has evolved into a signature event that brings together Meriden residents and thousands of visitors to celebrate Puerto Rican culture and the Puerto Rican community's contributions to the city and state. I also want to recognize the many volunteers who have generously given their time and skills to make this festival such a success over the past 50 years.

Mr. Speaker, the Puerto Rican Festival has brought our community together to celebrate the culture of Puerto Rico and the Puerto Rican community in our state. Therefore, it is fitting and proper that we honor the festival, and all those who have contributed to its success for the past five decades, here today.

COMMEMORATING 52ND ANNIVERSARY OF MEDICARE AND MEDICAID

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise to join my colleagues in recognizing and commemorating the 52nd Anniversary of Medicaid and Medicare.

As Medicare and Medicaid turn 52 this week, I stand with the nation to declare my unequivocal commitment to two of the most impactful government programs ever launched.

On July 30, 1965, President Lyndon B. Johnson signed Medicare and Medicaid into law as part of the Social Security Act.

This landmark legislation that truly represents Americans at our best became a reality due to the tireless efforts of great leaders like Teddy Roosevelt, Harry Truman, and Lyndon B. Johnson.

The signing of the law that established Medicare forged a promise with American seniors.

A promise that assured those who have contributed a lifetime to our nation could enjoy their golden years with peace of mind and the security of reliable, affordable, and high quality healthcare.

Likewise, Medicaid created a crucial partnership between the Government and the Governed to provide a basic health care safety net for some of the most vulnerable Americans: children of adults with low incomes, persons with disabilities and the poor.

Mr. Speaker, 52 years later, the legacy of these programs has proven how powerful government action can be to the life and well-being of our nation's most vulnerable.

In 1965, almost half of those 65 and older had no health coverage, living in fear that the colossal healthcare costs would drive them and their families into poverty.

Today, because of that monumental legislation, over 98 percent of seniors have health insurance, which has led to a five-year increase in life expectancy for those over 65.

Today, 55 million Americans rely on Medicare for health care, ranging from preventive services, hospital visits, lab tests, to critical medical supplies, and prescription drugs.

It is difficult for some to image what 1965 was really like, when today affordable, accessible and available health insurance is a reality for so many people living with disabilities.

Before Medicaid poor families with children, pregnant women, and low-income working Americans were not able to afford even the most basic medical care they needed to remain healthy and productive.

When the legislation was first passed, many claimed that Medicaid would never prosper, yet today because of expansion of Medicaid through passage of the Affordable Care Act the program provides comprehensive coverage for over 73 million children, pregnant women, low-income adults, and people living with disabilities.

Mr. Speaker, it is indisputable that both programs, Medicare and Medicaid, have been

monumental victories and the proudest accomplishments of the Democratic Party and our great Nation.

In my home state of Texas and in communities across the country, both programs have significantly changed the lives and improved health outcomes of many Americans over the past century and represent the best American values where we believe Health is a Human right not a commodity.

This is bittersweet for the residents of the state of Texas anniversary because celebrate these programs that have saved lives, helped people live longer, expanded care to marginalized communities, closed healthcare access gaps, and provided the peace of mind that comes with affordable and equitable health care.

Unfortunately, Texas has the highest percentage of uninsured (17.7) in the nation.

The State of Texas' refusal to participate in the Medicaid expansion created by the Affordable Care act puts the poor residents my state in jeopardy.

In the 18th Congressional District there are 195,400 persons with Medicaid and 74,704 with medical care provided by Medicare.

Mr. Speaker, my constituents in the 18th Congressional District of Texas favor the Affordable Care Act because they understand the insecurity and feeling of helplessness of being uninsured or underinsured.

Like those great achievements, the Patient Protection and Affordable Care Act, or ObamaCare, was vehemently opposed and derided by its adversaries, who said it was too costly, would not work, was unnecessary, or would change the character of America for the worse.

Like the critics of Social Security, Medicare, and the G.I. Bill, all of whom are silent now, they are wrong.

The Affordable Care Act has been an unqualified success.

This historic legislation has extended affordable health coverage to tens of millions of Americans, and has helped to bring and peace of mind to many of those for whom relief seemed far out of reach.

The Affordable Care Act was driven by a simple premise: that citizens of the most prosperous nation on earth should not be forced to choose between their health and their financial security.

Since the passage of the ACA in 2010, the number of uninsured Americans has fallen by more than one-third, or roughly 20 million people.

These Americans come from all walks of life.

They are women, who can no longer be denied coverage or be force to pay exorbitant amounts for coverage simply because of their sex.

They are nine million seniors and people with disabilities, who have saved \$1,600 each on expensive and lifesaving prescription medication.

And they are this country's most at risk citizens; people who are working hard and struggling make ends meet while living in near-poverty, and who have been covered by Medicaid

expansion in 31 states and the District of Columbia.

These benefits have been felt across the country, especially in home state of Texas.

In Texas alone:

1. 10,695,000 individuals with pre-existing conditions such as asthma, cancer, or diabetes—including up to 1,632,000 children—will no longer have to worry about being denied coverage or charged higher prices because of their health status or history.

2. 4,889,000 uninsured Texans have new health insurance options through Medicaid or private health plans in the ACA Marketplace.

3. 5,198,000 individuals on private insurance who have gained coverage for at least one free preventive health care service such as a mammogram, birth control, or an immunization.

In the first ten months of 2013, 233,100 seniors and people with disabilities saved on average \$866 on prescription medications.

In addition to the tangible healthcare benefits for millions of families, the Affordable Care Act has had powerful effects on the financial state of our nation.

Since the passage of the Affordable Care Act, we have extended the solvency of the Medicare Trust fund by more than a decade, and helped save taxpayers \$116 billion through new Medicare efficiencies.

The Department of Health and Human Services has estimated that hospitals saved more than \$5.7 billion in costs that would have normally gone unpaid by patients without insurance.

Contrary to the claims of the law's critics, private insurance companies have leapt at the opportunity to compete for business among the newly insured, and the healthcare industry has boomed.

Through all of these successes, however, House Republicans remain obsessed with destroying this law, and with unraveling the security it provides to millions of Americans.

Medicaid serves a notable share of children, nursing home residents, and Americans younger than 65 years, while a significant share of Medicare beneficiaries have incomes less than \$23,500, have 5 or more chronic conditions, or report a health status that is fair or poor.

Medicare and Medicaid also continue to drive innovation and these programs have become the standards for coverage, quality, and innovation in American healthcare.

Mr. Speaker, together these programs serve the nation's most vulnerable people—low-income children and adults, people with disabilities, and older persons.

Both programs continue to play crucial roles in providing equitable and affordable healthcare, leading innovation in payment and delivery reform, carrying out outreach to the most vulnerable communities, and reshaping the delivery of care for the future.

It is for these reasons, Medicare and Medicaid remain central to the nation's public health insurance system and vital to the health of Americans and prosperity of our nation.

Because of these programs, more Americans have access to affordable, equitable

health care today than at any point in our history.

And I am committed to making sure that number will continue to grow.

On this anniversary of these vital programs, we should remember that a healthy America is a prosperous America.

As we look ahead to the next half century, we can celebrate that what was put in place in 1965 has given us the foundation for a healthy and prosperous future for all Americans.

And I invite those detractors who confidently predicted that Medicare and Medicaid then, and the Affordable Care Act now, would lead to the ruination of the country to join me in saying:

Thank you LBJ. Thank you Obama.

REV. DELROY A. REID-SALMON,
PHD.

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 2017

Mr. ENGEL. Mr. Speaker, I rise to honor a leader in the community who for three decades has left a positive and lasting mark on the Bronx.

Reverend Delroy A. Reid-Salmon PhD., is the Pastor of Grace Baptist Chapel, located at 3355 Boller Avenue. This year marks Reverend Reid-Salmon's 30th Anniversary of his Ordination to the Christian Ministry, and he is being recognized for his outstanding commitment, leadership, and service to the community. Rev. Reid-Salmon has served as a positive role model for our young people, motivating and encouraging them to pursue their education while becoming active, responsible citizens. His efforts have been particularly fruitful, as the overwhelming majority of those he has mentored have obtained college degrees.

As the organizing Pastor of Grace Baptist, Reverend Reid-Salmon saw his congregation come together from modest beginnings. The Chapel started with minimal funds and only eight members on August 1, 1987. Today, they now serve over 200 members and parishioners. Reverend Reid-Salmon's exemplary service to the church and his community has never wavered; his commitment never in question.

Of course, Reverend Reid-Salmon's greatest passion is for his wife and partner in ministry, Elaine. As constituents in my district they have shown a deep affinity for helping those around them, through their work at Grace Baptist and beyond.

Grace Baptist Chapel has been fortunate to have such a caring and devoted leader for 30 years. Here's to 30 more just like it. Congratulations to Reverend Delroy A. Reid-Salmon on this joyous occasion. The honor and recognition is well-deserved.

SENATE—Tuesday, August 8, 2017

The Senate met at 12:30 and 31 seconds p.m. and was called to order by the Honorable JOHN CORNYN, a Senator from the State of Texas.

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**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 8, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN CORNYN, a Senator from the State of Texas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

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**ADJOURNMENT UNTIL FRIDAY,
AUGUST 11, 2017, AT 3:30 P.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 3:30 p.m. on Friday, August 11, 2017.

Thereupon, the Senate, at 12:31 p.m., adjourned until Friday, August 11, 2017, at 3:30 p.m.

HOUSE OF REPRESENTATIVES—Tuesday, August 8, 2017

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. LONG).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 8, 2017.

I hereby appoint the Honorable BILLY LONG to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Dr. Scott W. Wilson, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

Gracious and loving God, once again we pause for a moment to be thankful for this land of plenty and to be in awe of Your creation. We are truly blessed to be caretakers of such a beautiful and diverse country.

We pray for all of those in leadership roles that they may have wisdom and compassion. During this time of rest and renewal, strengthen our Representatives and their staffs that they may be able to take on the challenges ahead.

Be with those today in their home districts who are open to dialogue that they may have fruitful conversation. Bless all of us as we seek Your will.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 4, 2017, at 3:15 p.m.:

That the Senate passed H.J. Res. 76.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 826. An act to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, and for other purposes; to the Committee on Natural Resources; in addition, to the Committee on Agriculture; to the Committee on Transportation and Infrastructure; and to the Committee on Science, Space and Technology for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on August 7, 2017, she presented to the President of the United States, for his approval, the following bills:

H.R. 2430. To amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and bio-similar biological products, and for other purposes.

H.R. 3218. To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 873. To authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

H.R. 374. To remove the sunset provision of section 203 of Public Law 105-384, and for other purposes.

H.R. 510. To establish a system for integration of Rapid DNA instruments for use by

law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

H.R. 2210. To designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center".

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 9 a.m. on Friday, August 11, 2017.

Thereupon (at 11 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Friday, August 11, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2169. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Joseph P. Aucoin, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2170. A letter from the Assistant General Counsel, Division of Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting the Department's Major final rule — Teacher Preparation Issues [Docket ID: ED-2014-OPE-0057] (RIN: 1840-AD07) received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2171. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Civil Money Penalty Definitions; Technical Amendment [Docket No.: FDA-2017-N-0011] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2172. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's interim final rule — Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Comment Period; Correction [Docket No.: FDA-2011-F-0172] (RIN: 0910-ZA48) received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2173. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-123, "Commission on the Arts and

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

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

Humanities Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2174. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-124, "Southwest Waterfront Exemption Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2175. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Critical Work of the Child Fatality Review Committee Should Build on Recent Reforms"; to the Committee on Oversight and Government Reform.

2176. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Kosciuszko Bridge Approach Spans Demolition, Newtown Creek, Brooklyn and Queens, NY [Docket No.: USCG-2017-0486] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2177. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; BASS Master Fireworks Display; Saint Lawrence River, Ogden Island, Waddington, NY [Docket No.: USCG-2017-0386] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2178. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Oswego Harborfest Water Ski Show; Oswego Harbor, Oswego, NY [Docket No.: USCG-2017-0576] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2179. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cleveland Parade of Lights Boat Parade; Cuyahoga River, Cleveland, OH [Docket No.: USCG-2017-0482] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2180. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Milwaukee Air and Water Show, Milwaukee Harbor; Milwaukee, Wisconsin [Docket No.: USCG-2017-0419] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2181. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Whiskey Island Paddlefest, Lake Erie, Cleveland, OH [Docket No.: USCG-2017-0534] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2182. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Safety Zone; Main Branch of the Chicago River, Chicago, IL [Docket No.: USCG-2017-0614] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2183. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Commencement Bay, Tacoma, WA [Docket No.: USCG-2017-0733] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2184. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Ogdensburg Summer Seaway Festival; Saint Lawrence Seaway, Ogdensburg, NY [Docket No.: USCG-2017-0714] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2185. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Oswego County Paddlefest; Oswego River, Oswego, NY [Docket No.: USCG-2017-0666] (RIN: 1625-AA00) received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2186. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Madison Light Up the Park Fireworks Display; Lake Erie, Madison Township, OH [Docket No.: USCG-2017-0549] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2187. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Pleasure Beach Piers, Bridgeport, CT [Docket No.: USCG-2015-1088] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2188. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Selfridge Air Show, Clinton River, Harrison Township, MI [Docket No.: USCG-2017-0619] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2189. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Canal Fest Water Ski Show; Erie Canal System, Fish Creek, Sylvan Beach, NY [Docket No.: USCG-2017-0385] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2190. A letter from the Office Program Manager, Office of Regulations Policy and Management Staff, Office of the Secretary (OOREG), Department of Veterans Affairs,

transmitting the Department's final rule — Ensuring a Safe Environment for Community Residential Care Residents (RIN: 2900-AP06) received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

2191. A letter from the Director, Office of Regulations Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Loan Guaranty: Vendee Loan Fees (RIN: 2900-AP32) received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

2192. A letter from the Deputy Director, ODRM, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year 2018 Rates; Quality Reporting Requirements for Specific Providers; Medicare and Medicaid Electronic Health Record (EHR) Incentive Program Requirements for Eligible Hospitals, Critical Access Hospitals, and Eligible Professionals; Provider-Based Status of Indian Health Service and Tribal Facilities and Organizations; Costs Reporting and Provider Requirements; Agreement Termination Notices [CMS-1677-F] (RIN: 0938-AS98) received August 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

2193. A letter from the Deputy Director, ODRM, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; FY 2018 Inpatient Psychiatric Facilities Prospective Payment System — Rate Update [CMS-1673-NC] (RIN: 0938-AS97) received August 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

2194. A letter from the Correspondence and Regulation Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; FY 2018 Hospice Wage Index and Payment Rate Update and Hospice Quality Reporting Requirements [CMS-1675-F] (RIN: 0938-AT00) received August 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

2195. A letter from the Correspondence and Regulation Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2018 [CMS-1671-F] (RIN: 0938-AS99) received August 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

2196. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for FY 2018, SNF Value-Based Purchasing Program,

SNF Quality Reporting Program, Survey Team Composition, and Correction of the Performance Period for the NHSN HCP Influenza Vaccination Immunization Reporting Measure in the ESRD QIP for PY 2020 [CMS-1679-F] (RIN: 0938-AS96) received August 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 2626. A bill to amend the Homeland Security Act of 2002 and the Immigration and Nationality Act to improve visa security, visa applicant vetting, and for other purposes; with an amendment (Rept. 115-273, Pt. 1). Ordered to be printed.

Mr. McCAUL: Committee on Homeland Security. H.R. 2805. A bill to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program; with an amendment (Rept. 115-274). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Ms. JACKSON LEE introduced a bill (H.R. 3647) to amend the Immigration and Nationality Act comprehensively to reform immigration law, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

98. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution No. 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

99. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 210, opposing any action by President Donald Trump to rescind the Deferred Action for Childhood Arrivals (DACA) policy; which was referred to the Committee on the Judiciary.

100. Also, a memorial of the Legislature of the State of New Mexico, relative to House Joint Resolution 10, rescinding all previous requests that the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

101. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 1025, urging the United States Congress to recognize the importance of trade between Texas and Mexico and foster international commerce; which was referred to the Committee on Ways and Means.

102. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 1833, urging Congress to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code; which was referred jointly to the Committees on Ways and Means, Energy and Commerce, and Science, Space, and Technology.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. JACKSON LEE:

H.R. 3647.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 4 and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. HENSARLING and Mr. BROOKS of Alabama.

H.R. 38: Mrs. HANDEL.

H.R. 60: Mr. GOTTHEIMER.

H.R. 113: Mr. DONOVAN.

H.R. 448: Ms. ROSEN.

H.R. 506: Mr. BRADY of Pennsylvania and Mr. COFFMAN.

H.R. 535: Mr. MAST.

H.R. 620: Mr. COSTA and Mr. SMITH of Texas.

H.R. 681: Mr. BARR.

H.R. 878: Mrs. COMSTOCK.

H.R. 997: Mr. ROHRBACHER.

H.R. 1225: Mr. FLORES.

H.R. 1380: Mr. CARTER of Georgia.

H.R. 1406: Mrs. COMSTOCK and Miss RICE of New York.

H.R. 1444: Mrs. BEATTY.

H.R. 1515: Mr. KHANNA.

H.R. 1554: Mr. MEEHAN.

H.R. 1626: Mrs. WAGNER and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1697: Mr. CURBELO of Florida, Ms. FRANKEL of Florida, and Mr. RUSH.

H.R. 1748: Mr. COHEN.

H.R. 1861: Mr. RUSH.

H.R. 1970: Ms. JACKSON LEE.

H.R. 2123: Mrs. RADEWAGEN.

H.R. 2134: Mr. ROKITA.

H.R. 2138: Mr. NEAL.

H.R. 2259: Ms. KUSTER of New Hampshire, Ms. DELAUNO, Ms. LOFGREN, Mr. CONNOLLY, Ms. SHEA-PORTER, Mr. PALLONE, Ms. ESHOO, Mr. POCAN, and Mr. ZELDIN.

H.R. 2268: Mr. MESSER.

H.R. 2315: Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. BRADY of Pennsylvania, Mr. CHABOT, Ms. JACKSON LEE, and Mr. COHEN.

H.R. 2356: Mr. LIPINSKI.

H.R. 2359: Mr. HUIZENGA.

H.R. 2408: Mr. DELANEY.

H.R. 2519: Mr. GOTTHEIMER, Mr. WOODALL, Mr. KILMER, Mr. CICILLINE, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Mr. TONKO, Mr. PASCRELL, Ms. CASTOR of Florida, Mr. KEATING, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BEYER, Mr. GAETZ, Mr. RUPPERSBERGER, and Mr. ROGERS of Alabama.

H.R. 2585: Ms. LEE and Ms. TSONGAS.

H.R. 2684: Mr. COHEN.

H.R. 2686: Mr. HURD.

H.R. 2913: Ms. SPEIER.

H.R. 3093: Mr. HULTGREN.

H.R. 3139: Mr. ADERHOLT.

H.R. 3223: Mrs. HANDEL.

H.R. 3443: Mr. LEWIS of Georgia and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3478: Mr. DESAULNIER.

H.R. 3509: Mr. CUELLAR, Mr. ROSS, Mr. SOTO, Mr. POSEY, Mr. DIAZ-BALART, and Mr. GONZALEZ of Texas.

H.R. 3541: Ms. MOORE.

H.R. 3591: Ms. WASSERMAN SCHULTZ and Mrs. LAWRENCE.

H.J. Res. 116: Ms. KAPTUR and Ms. NORTON.

H. Con. Res. 28: Mr. BUCK.

H. Con. Res. 60: Mr. MEEHAN and Ms. SLAUGHTER.

H. Con. Res. 75: Mr. LAWSON of Florida.

H. Res. 307: Mr. MCCLINTOCK and Mrs. HANDEL.

H. Res. 401: Mr. COSTELLO of Pennsylvania.

H. Res. 443: Mr. KIND.

H. Res. 486: Mr. MCCLINTOCK.

PETITIONS, ETC.

Under clause 3 of rule XII,

61. The SPEAKER presented a petition of the Municipal Council of Clifton, NJ, relative to Resolution No. R6-17, strongly opposing the proposed elimination of the Community Development Block Grant Program in the Federal FY 2018 Budget for the Department of Housing and Urban Development; which was referred to the Committee on Financial Services.

EXTENSIONS OF REMARKS

TRIBUTE TO REVEREND DR. W.B. LEWIS

HON. DAVID E. PRICE

OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. PRICE of North Carolina. Mr. Speaker, I rise to honor the Reverend Dr. W.B. Lewis who is retiring after fifty-three years as the Pastor of First Cosmopolitan Baptist Church in Raleigh, North Carolina.

I have come to appreciate over many years the gracious hospitality and faithful witness of Rev. Lewis and this congregation. Early in my term of service—but well into his—we worked together to help land a so-called “section 202” Housing and Urban Development grant to construct rental housing for the elderly under First Cosmopolitan’s sponsorship. Those apartments stand as a symbol of Rev. Lewis’s leadership and the church’s understanding of its ministry.

Under Rev. Lewis’s leadership, First Cosmopolitan has grown into a powerful pillar of the Raleigh community. Dr. Lewis himself has become an institution of sorts within North Carolina. For four years, he served as the President of the General Baptist State Convention. He was appointed by North Carolina Governor James Hunt to serve on the board for Smart Start. His service has also included the Raleigh Interdenominational Ministerial Alliance, the Raleigh Interracial Ministerial Association, the Raleigh YMCA Board of Directors, the State Board of Chaplaincy, the Rich Park Board of Directors, the Board of Trustees at Shaw University, Prince Hall Lodge, the Masonic Order of Raleigh, Wake and Johnston Missionary Baptist Association, Wake Baptists Association Ministers, and the Deacons Union.

Reverend Lewis has rightfully been recognized on numerous occasions for his roles as a pastor, builder, teacher, mentor, spiritual and community leader, and friend to many. In 2013, he was inducted into the Wake Baptist Association “Hall of Fame”. In 2017, he was presented with the “Loving Cup”, the highest award that can be presented to an individual minister or pastor who has served with distinction, from the General Baptist State Convention of North Carolina.

During his tenure he was also instrumental in the planning and execution of two projects critical to the South East Raleigh Community: the Willie B. Lewis Family Center, and Rich Park, a 100 unit apartment complex that serves the elderly and handicapped. Reverend Lewis also co-authored “A Splendid Enterprise,” a history of the General Baptist State Convention of North Carolina. Having an artistic eye, he was also instrumental in the design of the beautiful Martin Luther King Jr. Park in Raleigh.

In celebration of his great accomplishments, Rev. Lewis will be the recipient of the order of the Long Leaf Pine, which is the highest honor bestowed upon a citizen by the Governor of the State of North Carolina. I am pleased to join the State of North Carolina and the Raleigh community in celebrating this remarkable man, whom I and many others regard as a mentor and friend. We thank Rev. Lewis for a

legacy of lives touched and a community made more welcoming and just, and we wish him the very best in retirement.

CONGRATULATING ADAM GAUZY
OF THE WASHINGTON BLUE JAYS

HON. BLAINE LUETKEMEYER

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Adam Gauzy of the Washington Blue Jays for his first place win in the 400 meter dash at the 2017 Missouri Class 4 Boys Track and Field State Championship.

Adam and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Adam Gauzy for a job well done.

HONORING MICHAEL JOSE ZELAYA

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize an exceptional young person from my district. Michael Jose Zelaya, a member of Boy Scout Troop 220 in Albuquerque, NM. Michael recently achieved the rank of Eagle Scout following 12 years in scouting. Michael’s perseverance and dedication in the Boy Scouting program has helped shape his desire to be a leader in his community.

For his Eagle Scout Service Project, Michael constructed several large barriers at the Albuquerque Bio Park. This was designed to deter aggressive gorilla behavior, enhancing both the experience for the patrons as well as the safety of the animals.

Through scouting Michael has grown as an individual and as a member of his community. With Boy Scout Troop 220, Michael and many of his fellow boy scouts have volunteered countless hours of community service. Landscape projects, food banks, trail preservation, awareness walks, tree and garden restoration, and several improvement projects at his church that kindly host the troop are just a small representation of Michael’s character and work ethic.

Over the last 12 years in scouting, Michael has hiked hundreds of miles, learned life-saving first aid and CPR, has visited the Federal Court and U.S. Marshall Facility, also learned auto mechanic basics, practiced gun safety, rifle shooting, and many more experiences; but most importantly, he has built friendships and grown in the love he has for his country.

I am confident that Michael will continue to be a leader in our community and I look forward to hearing about his continued success. Congratulations, Michael.

CONGRATULATING ALICIA BURNETT OF THE FORT ZUMWALT SOUTH BULLDOGS

HON. BLAINE LUETKEMEYER

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Alicia Burnett of the Fort Zumwalt South Bulldogs for her first place win in the 100, 200, and 400 meter dash at the 2017 Missouri Class 4 Girls Track and Field State Championship.

Alicia and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Alicia Burnett on a job well done.

CONGRATULATING BRIANNA HALLER OF THE FATIMA COMETS

HON. BLAINE LUETKEMEYER

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Brianna Haller of the Fatima Comets for her first place win in the 1600 and 3200 meter run at the 2017 Missouri Class 3 Girls Track and Field State Championship.

Brianna and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Brianna Haller on a job well done.

RECOGNIZING AIXA TORRES

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to recognize the extraordinary accomplishments of Aixa Torres on the occasion of her birthday and retirement. Ms. Torres was born in Santurce, Puerto Rico, to Domingo Arturo Torres and America Figueras. She moved with her parents and sisters to New York City in 1955, where she attended public schools. Ms. Torres graduated from the City University of New York and Lincoln University.

Among her many achievements, Ms. Torres was instrumental in working with local elected officials to push the New York City Housing Authority to fully repair old, faulty gas pipes at Smith Houses that sometimes forced residents to go without cooking gas for weeks or months at a time. Under this leadership and partnership, Smith residents can reliably use their ovens and stoves without having to worry about looming gas outages.

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

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

Ms. Torres' leadership has also been put to the test by multiple natural disasters. Her efforts resulted in the successful evacuation of hundreds of Smith residents ahead of Hurricane Irene, and her advocacy during Hurricane Sandy demonstrated that an organized community can overcome the worst of disasters. On behalf of the residents of Alfred E. Smith Houses, she recently formed a Sandy Task Force for the purpose of overseeing the Sandy Recovery and Resiliency at Smith.

After decades of community work, serving on advisory councils and public school parent associations, Ms. Torres retired in 2014 from the Department of Education as the Lower East Side's Family Advocate. In August 2004, she, along with Principal Santiago Tavares, instituted a Citywide High School Summer Graduation. In 2010, Torres also began serving as President of the Alfred E. Smith Resident Association, on Manhattan's Lower East Side.

Ms. Torres married the late George Carmona, Jr. in 1971, and had two children, George III and Liza Noemi. For more than 50 years, she has resided on the Lower East Side of Manhattan, where she lives with her daughter and grandchildren, Mia and Elijah.

CONGRATULATING THE CAMDENTON LAKERS GIRLS RELAY TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Camdenton Lakers Girls Relay Team for their first place win in the 4x400 meter relay at the 2017 Missouri Class 4 Girls Track and Field State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Camdenton Lakers Girls Relay Team on a job well done.

CONGRATULATING CHLOE RAMSEY OF THE HELIAS CATHOLIC CRUSADERS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Chloe Ramsey of the Helias Catholic Crusaders for her first place win in pole vault at the 2017 Missouri Class 4 Girls Track and Field State Championship.

Chloe and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Chloe Ramsey on a job well done.

RECOGNIZING DESIGN COLLABORATIVE

HON. JIM BANKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. BANKS of Indiana. Mr. Speaker, today I rise to recognize Design Collaborative, an architecture and engineering firm in Fort Wayne, Indiana. This year marks their 25th anniversary.

Since 1992, Design Collaborative, and its team of architects, engineers, interior designers, and graphic designers has created projects in northeast Indiana, with work focused on higher education, healthcare, and workplace design. Over the last few years, it has developed a strong portfolio in the design of spaces for financial, recreational, multi-family housing, and civic clients.

The company was founded by two architects and an engineer with dreams of improving people's worlds through the design of people-first places. Today, Design Collaborative employs over 60 people and is a model business for developing a culture and environment that attracts and retains talent to the region. They are also consistently and actively involved in the development of downtown Fort Wayne and northeast Indiana. Their work has helped make the Fort Wayne region a destination to live, work, and play.

Over 25 years, Design Collaborative has designed thousands of projects in Fort Wayne and beyond, impacting clients in Indiana, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, New Hampshire, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin.

Design Collaborative has earned multiple honors, including the 2011 American Institute of Architects Indiana Chapter Distinguished Firm of the Year, 2015 Indiana Office of Small Business Entrepreneurship Companies to Watch, 2017 Professional Services Management Journal Circle of Excellence, 7-time Best Places to Work in Indiana, and multiple local and national design awards from organizations like the American Institute of Architects, American School and University Magazine, and Illumination Engineering Society.

Since its beginning, Design Collaborative has always believed that the true measure of a project's success is the positive impact it has on the lives of the people who use it. Design Collaborative truly believes in people-first places. Its goal is to make life better for the people who live, work, learn, heal, or worship inside the spaces they design.

Mr. Speaker, I would like to congratulate the entire team at Design Collaborative on 25 years of improving people's worlds through design, and wish them another 25 years and more.

CONGRATULATING DERIC PURNELL OF THE UNION WILDCATS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Deric Purnell of the Union Wildcats for his first place win in the 100 and 200 meter dash at the 2017 Missouri Class 4 Boys Track and Field State Championship.

Deric and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Deric Purnell on a job well done.

CONGRATULATING DEVON RIDENHOUR OF THE OWENSVILLE DUTCHMEN

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Devon Ridenhour from the Owensville Dutchmen for his first place win in the long jump at the 2017 Missouri Class 3 Boys Track and Field State Championship.

Devon and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Devon Ridenhour for a job well done.

HONORING CAPTAIN JEFF PAGANINI

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Captain Jeff Paganini upon his retirement after over forty years of firefighting in the Sonoma Valley. He has been serving as Captain at Sonoma Valley Fire and Rescue since 1997.

Captain Paganini began his fire service as a work experience student at Sonoma Fire Department in 1975. Two years later, at the age of eighteen, he became a regular volunteer firefighter and spent his summer working the fire season with the California Division of Forestry. In 1978, he served as a reserve firefighter for the Napa Fire Department before joining Sonoma Valley Fire and Rescue as a paid Engineer. The department promoted Captain Paganini to Lieutenant in 1990 and Captain in 1997.

In 1980, the Department recognized then Engineer Paganini as the Sonoma County Firefighter of the Year for his quick thinking during a house fire call. When he arrived to the scene with his crew, he witnessed a woman collapse and initiated CPR, an act that saved her life. Captain Paganini touched many lives during his years of fighting fires, serving the public and mentoring other firefighters.

Many buildings and programs stand as a testament Captain Paganini's excellent career. He secured funding and helped design the museum at the Albert C. Mazza Fire Station in Sonoma. The museum shares the rich history of firefighting the Sonoma Valley and displays several original objects and photos. He played a major role in the design of a state of the art training tower that is still in use. In 2006, Captain Paganini started the "Every 15 Minutes" program at Sonoma Valley High School. This program demonstrates the fatal outcomes related to driving drunk or impaired. He used his experience and insight to set the specifications for the new ladder truck to service our communities.

Captain Paganini was instrumental in the formation and ultimate success of the Sonoma

Valley Fire and Rescue Authority, which started as a Joint Powers Authority between City of Sonoma Fire and Valley of the Moon Fire District. Through skillful negotiating and compromising, he paved the way to establishing the great organization that our community enjoys today.

Mr. Speaker, Captain Jeff Paganini has led a long career serving the people of our community. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement.

CONGRATULATING EMMA ENGELBRECHT OF THE NEW HAVEN SHAMROCKS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Emma Engelbrecht of the New Haven Shamrocks for her first place win in the triple jump at the 2017 Missouri Class 1 Girls Track and Field State Championship.

Emma and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Emma Engelbrecht for a job well done.

CONGRATULATING THE EUREKA GIRLS SOCCER TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Eureka Girls Soccer Team on their first place win in the 2017 Missouri Class 4 Girls Soccer State Championship.

This team should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Eureka Girls Soccer Team for a job well done.

HONORING THE LIFE OF MS. NELLIE CROWSTON

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor the life of Ms. Nellie

Crowston and her tireless work on behalf of students, teachers, and our entire community in Torrington, Connecticut. Nellie passed away on July 30, 2017, at the age of 79, but her contributions and legacy will live on in Torrington for many years to come.

Many in Torrington know Nellie for her decades of work as a public school teacher. She represented the best of what it means to be an educator. Nellie's students remember her for her caring and encouraging nature. Nellie also possessed an astounding memory and regularly recognized her students around town years after they had left her classroom. Even after retiring, Nellie loved to return to the classroom as a substitute teacher and work with children. She was an inspiration to both her students and her fellow teachers.

Outside of her teaching career, Nellie was an active member of our community and contributed to a number of causes close to her heart. Her work was crucial in saving and expanding the Torrington Alpha Delta Kappa chapter, a society for women educators. She boosted the group's membership and organized fundraisers and events that expanded its presence in our city. Her work allowed Alpha Delta Kappa to provide grants to local teachers and scholarships to high school students.

Nellie was also engaged in local and state politics and served on the Torrington Democratic Town Committee. She was instrumental in recruiting local candidates to run for office, organizing the Picnic Committee, and supporting voter outreach. What's more, Nellie possessed an extensive knowledge of the issues facing Connecticut and her local community. Her enthusiasm for service inspired many of her fellow educators to become politically engaged and work to improve Connecticut's schools. Nellie's dedication to service should be a model for public servants everywhere.

Mr. Speaker, Nellie Crowston was a dedicated teacher and community leader who inspired countless students and made Torrington a better place to live. It is fitting and proper that we honor her legacy here today. All those who knew her will cherish her memory.

CONGRATULATING KATE RUEDIGER OF THE NEW HAVEN SHAMROCKS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Kate Ruediger of the New Haven Shamrocks for her first place win in javelin at the 2017 Missouri Class 1 Girls Track and Field State Championship.

Kate and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Kate Ruediger on a job well done.

HONORING DANIEL SCHOELLKOPF

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize an exceptional young person from my district. Daniel Schoellkopf is an Albuquerque High School graduate who recently achieved the rank of Eagle Scout following 11 years in scouting. Daniel's dedication to his goal of reaching the highest rank in the Boy Scouting program helped shape his desire to be a leader in his community.

As part of his Eagle project, Daniel worked with the Drug Enforcement Agency on a program to encourage people to turn in unused prescription drugs at convenience centers. This effort is particularly important in New Mexico as we work to discourage the abuse of opioids, especially among young people.

During his senior year in high school, Daniel worked at Kirtland Air Force Base as a life-guard, where he was awarded the Bright Star civilian award by the U.S. Air Force. He has also worked summers at Camp Gorham north of Santa Fe.

Daniel earned a ROTC scholarship to the University of New Mexico, where he would like to study political science and eventually become an officer in the military.

Daniel recently visited my office in Washington, D.C. to raise awareness for Multiple Sclerosis (M.S.) with the M.S. Society advocacy group. The M.S. Society is a nonprofit organization dedicated to helping people with M.S. by funding research, driving change through advocacy, facilitating professional education, and providing programs and services that help people with M.S. and their families.

I am confident that Daniel will continue to be a leader in our community and I look forward to hearing about his continued success. Congratulations, Daniel.

SENATE—*Friday, August 11, 2017*

The Senate met at 3:30 and 3 seconds p.m. and was called to order by the Honorable MITCH McCONNELL, a Senator from the Commonwealth of Kentucky.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 11, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MITCH McCONNELL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

ADJOURNMENT UNTIL TUESDAY,
AUGUST 15, 2017, AT 4:30 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, August 15, 2017, at 4:30 p.m.

Thereupon, the Senate, at 3:30 and 34 seconds p.m., adjourned until Tuesday, August 15, 2017, at 4:30 p.m.

HOUSE OF REPRESENTATIVES—Friday, August 11, 2017

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 11, 2017.

I hereby appoint the Honorable SCOTT PERRY to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Alisa Lasater Wailoo, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

God of power and peace, we pause before this pro forma session to remember all who form this great body called Congress.

We give You thanks today for each Member, their families and loved ones, for Member staffs, committee staffs, House officers and their staffs, all the support staff, security and custodial teams, interns, fellows, vendors, and contractors.

Lord, thank You, thank You for all who work tirelessly in this place.

Today, we also confess that despite our efforts, and sometimes even because of them, violence and division wreak havoc in us and our world. This week, we are especially aware, Lord, of the devastation humans have the power to unleash on one another.

God of Shalom, forgive us. Remind us that You give a far greater power: peace.

Give us today the courage to face our fears, self-honesty to recognize our role in any dispute, generosity to ensure others' needs are met, stamina and humble strength.

In other words, form us for the work of peace.

Amen and amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Virginia (Mrs. COM-

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

Mrs. COMSTOCK led the Pledge of Allegiance as follows:

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

VETERANS APPEALS IMPROVEMENT AND MODERNIZATION ACT OF 2017

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2288) to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Appeals Improvement and Modernization Act of 2017".

SEC. 2. REFORM OF RIGHTS AND PROCESSES RELATING TO APPEALS OF DECISIONS REGARDING CLAIMS FOR BENEFITS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

(a) DEFINITIONS.—Section 101 of title 38, United States Code, is amended by adding at the end the following new paragraphs:

"(34) The term 'agency of original jurisdiction' means the activity which entered the original determination with regard to a claim for benefits under laws administered by the Secretary.

"(35) The term 'relevant evidence' means evidence that tends to prove or disprove a matter in issue.

"(36) The term 'supplemental claim' means a claim for benefits under laws administered by the Secretary filed by a claimant who had previously filed a claim for the same or similar benefits on the same or similar basis."

(b) NOTICE REGARDING CLAIMS.—Section 5103(a) of such title is amended—

(1) in paragraph (1), in the first sentence, by striking "The" and inserting "Except as provided in paragraph (3), the";

(2) in paragraph (2)(B)(i) by striking ", a claim for reopening a prior decision on a claim, or a claim for an increase in benefits;" and inserting "or a supplemental claim;"; and

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

"(3) The requirement to provide notice under paragraph (1) shall not apply with respect to a supplemental claim that is filed within the time-

frame set forth in subparagraphs (B) and (D) of section 5110(a)(2) of this title."

(c) MODIFICATION OF RULE REGARDING DISALLOWED CLAIMS.—Section 5103A(f) of such title is amended—

(1) by striking "reopen" and inserting "re-adjudicate"; and

(2) by striking "material" and inserting "relevant".

(d) MODIFICATION OF DUTY TO ASSIST CLAIMANTS.—Section 5103A of such title is amended—

(1) by redesignating subsections (e) through (g) as subsections (g) through (i), respectively; and

(2) by inserting after subsection (d) the following new subsections:

"(e) APPLICABILITY OF DUTY TO ASSIST.—(1) The Secretary's duty to assist under this section shall apply only to a claim, or supplemental claim, for a benefit under a law administered by the Secretary until the time that a claimant is provided notice of the agency of original jurisdiction's decision with respect to such claim, or supplemental claim, under section 5104 of this title.

"(2) The Secretary's duty to assist under this section shall not apply to higher-level review by the agency of original jurisdiction, pursuant to section 5104B of this title, or to review on appeal by the Board of Veterans' Appeals.

"(f) CORRECTION OF DUTY TO ASSIST ERRORS.—(1) If, during review of the agency of original jurisdiction decision under section 5104B of this title, the higher-level adjudicator identifies or learns of an error on the part of the agency of original jurisdiction to satisfy its duties under this section, and that error occurred prior to the agency of original jurisdiction decision being reviewed, unless the Secretary may award the maximum benefit in accordance with this title based on the evidence of record, the higher-level adjudicator shall return the claim for correction of such error and readjudication.

"(2)(A) If the Board of Veterans' Appeals, during review on appeal of an agency of original jurisdiction decision, identifies or learns of an error on the part of the agency of original jurisdiction to satisfy its duties under this section, and that error occurred prior to the agency of original jurisdiction decision on appeal, unless the Secretary may award the maximum benefit in accordance with this title based on the evidence of record, the Board shall remand the claim to the agency of original jurisdiction for correction of such error and readjudication.

"(B) Remand for correction of such error may include directing the agency of original jurisdiction to obtain an advisory medical opinion under section 5109 of this title.

"(3) Nothing in this subsection shall be construed to imply that the Secretary, during the consideration of a claim, does not have a duty to correct an error described in paragraph (1) or (2) that was erroneously not identified during higher-level review or during review on appeal with respect to the claim."

(e) DECISIONS AND NOTICES OF DECISIONS.—Subsection (b) of section 5104 of such title is amended to read as follows:

"(b) Each notice provided under subsection (a) shall also include all of the following:

"(1) Identification of the issues adjudicated.

"(2) A summary of the evidence considered by the Secretary.

"(3) A summary of the applicable laws and regulations.

“(4) Identification of findings favorable to the claimant.

“(5) In the case of a denial, identification of elements not satisfied leading to the denial.

“(6) An explanation of how to obtain or access evidence used in making the decision.

“(7) If applicable, identification of the criteria that must be satisfied to grant service connection or the next higher level of compensation.”.

(f) **BINDING NATURE OF FAVORABLE FINDINGS.**—

(1) **IN GENERAL.**—Chapter 51 of such title is amended by inserting after section 5104 the following new section:

“§5104A. Binding nature of favorable findings

“Any finding favorable to the claimant as described in section 5104(b)(4) of this title shall be binding on all subsequent adjudicators within the Department, unless clear and convincing evidence is shown to the contrary to rebut such favorable finding.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title is amended by inserting after the item relating to section 5104 the following new item:

“5104A. Binding nature of favorable findings.”.

(g) **HIGHER-LEVEL REVIEW BY AGENCY OF ORIGINAL JURISDICTION.**—

(1) **IN GENERAL.**—Chapter 51 of such title, as amended by subsection (f), is further amended by inserting after section 5104A, as added by such subsection, the following new section:

“§5104B. Higher-level review by the agency of original jurisdiction

“(a) **IN GENERAL.**—(1) A claimant may request a review of the decision of the agency of original jurisdiction by a higher-level adjudicator within the agency of original jurisdiction.

“(2) The Secretary shall approve each request for review under paragraph (1).

“(b) **TIME AND MANNER OF REQUEST.**—(1) A request for higher-level review by the agency of original jurisdiction shall be—

“(A) in writing in such form as the Secretary may prescribe; and

“(B) made within one year of the notice of the agency of original jurisdiction’s decision.

“(2) Such request may specifically indicate whether such review is requested by a higher-level adjudicator at the same office within the agency of original jurisdiction or by an adjudicator at a different office of the agency of original jurisdiction. The Secretary shall not deny such request for review by an adjudicator at a different office of the agency of original jurisdiction without good cause.

“(c) **DECISION.**—Notice of a higher-level review decision under this section shall be provided in writing and shall include a general statement—

“(1) reflecting whether evidence was not considered pursuant to subsection (d); and

“(2) noting the options available to the claimant to have the evidence described in paragraph (1), if any, considered by the Department.

“(d) **EVIDENTIARY RECORD FOR REVIEW.**—The evidentiary record before the higher-level adjudicator shall be limited to the evidence of record in the agency of original jurisdiction decision being reviewed.

“(e) **DE NOVO REVIEW.**—A review of the decision of the agency of original jurisdiction by a higher-level adjudicator within the agency of original jurisdiction shall be de novo.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title, as amended by subsection (f), is further amended by inserting after the item relating to section 5104A, as added by such subsection, the following new item:

“5104B. Higher-level review by the agency of original jurisdiction.”.

(h) **OPTIONS FOLLOWING DECISION BY AGENCY OF ORIGINAL JURISDICTION.**—

(1) **IN GENERAL.**—Chapter 51 of such title, as amended by subsection (g), is further amended by inserting after section 5104B, as added by such subsection, the following new section:

“§5104C. Options following decision by agency of original jurisdiction

“(a) **WITHIN ONE YEAR OF DECISION.**—(1) Subject to paragraph (2), in any case in which the Secretary renders a decision on a claim, the claimant may take any of the following actions on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision with respect to that claim:

“(A) File a request for higher-level review under section 5104B of this title.

“(B) File a supplemental claim under section 5108 of this title.

“(C) File a notice of disagreement under section 7105 of this title.

“(2)(A) Once a claimant takes an action set forth in paragraph (1), the claimant may not take another action set forth in that paragraph with respect to the same claim or same issue contained within the claim until—

“(i) the higher-level review, supplemental claim, or notice of disagreement is adjudicated; or

“(ii) the request for higher-level review, supplemental claim, or notice of disagreement is withdrawn.

“(B) Nothing in this subsection shall prohibit a claimant from taking any of the actions set forth in paragraph (1) in succession with respect to a claim or an issue contained within the claim.

“(C) Nothing in this subsection shall prohibit a claimant from taking different actions set forth in paragraph (1) with respect to different claims or different issues contained within a claim.

“(D) The Secretary may, as the Secretary considers appropriate, develop and implement a policy for claimants who—

“(i) take an action under paragraph (1);

“(ii) wish to withdraw the action before the higher-level review, supplemental claim, or notice of disagreement is adjudicated; and

“(iii) in lieu of such action take a different action under paragraph (1).

“(b) **MORE THAN ONE YEAR AFTER DECISION.**—In any case in which the Secretary renders a decision on a claim and more than one year has passed since the date on which the agency of original jurisdiction issues a decision with respect to that claim, the claimant may file a supplemental claim under section 5108 of this title.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title, as amended by subsection (g), is further amended by inserting after the item relating to section 5104B, as added by such subsection, the following new item:

“5104C. Options following decision by agency of original jurisdiction.”.

(i) **SUPPLEMENTAL CLAIMS.**—

(1) **IN GENERAL.**—Section 5108 of such title is amended to read as follows:

“§5108. Supplemental claims

“(a) **IN GENERAL.**—If new and relevant evidence is presented or secured with respect to a supplemental claim, the Secretary shall readjudicate the claim taking into consideration all of the evidence of record.

“(b) **DUTY TO ASSIST.**—(1) If a claimant, in connection with a supplemental claim, reasonably identifies existing records, whether or not in the custody of a Federal department or agency, the Secretary shall assist the claimant in obtaining the records in accordance with section 5103A of this title.

“(2) Assistance under paragraph (1) shall not be predicated upon a finding that new and relevant evidence has been presented or secured.”.

(2) **RULE OF CONSTRUCTION.**—Section 5108 of such title, as amended by paragraph (1), shall not be construed to impose a higher evidentiary threshold than the new and material evidence standard that was in effect pursuant to such section on the day before the date of the enactment of this Act.

(3) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title is amended by striking the item relating to section 5108 and inserting the following new item: “5108. Supplemental claims.”.

(j) **REMAND TO OBTAIN ADVISORY MEDICAL OPINION.**—Section 5109 of such title is amended by adding at the end the following new subsection:

“(d)(1) The Board of Veterans’ Appeals shall remand a claim to direct the agency of original jurisdiction to obtain an advisory medical opinion from an independent medical expert under this section if the Board finds that the Veterans Benefits Administration should have exercised its discretion to obtain such an opinion.

“(2) The Board’s remand instructions shall include the questions to be posed to the independent medical expert providing the advisory medical opinion.”.

(k) **RESTATEMENT OF REQUIREMENT FOR EXPEDITED TREATMENT OF RETURNED AND REMANDED CLAIMS.**—

(1) **IN GENERAL.**—Section 5109B of such title is amended to read as follows:

“§5109B. Expedited treatment of returned and remanded claims

“The Secretary shall take such actions as may be necessary to provide for the expeditious treatment by the Veterans Benefits Administration of any claim that is returned by a higher-level adjudicator under section 5104B of this title or remanded by the Board of Veterans’ Appeals.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 51 of such title is amended by striking the item relating to section 5109B and inserting the following new item: “5109B. Expedited treatment of returned and remanded claims.”.

(l) **EFFECTIVE DATES OF AWARDS.**—Section 5110 of title 38, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a)(1) Unless specifically provided otherwise in this chapter, the effective date of an award based on an initial claim, or a supplemental claim, of compensation, dependency and indemnity compensation, or pension, shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of application therefor.

“(2) For purposes of determining the effective date of an award under this section, the date of application shall be considered the date of the filing of the initial application for a benefit if the claim is continuously pursued by filing any of the following, either alone or in succession:

“(A) A request for higher-level review under section 5104B of this title on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision.

“(B) A supplemental claim under section 5108 of this title on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision.

“(C) A notice of disagreement on or before the date that is one year after the date on which the agency of original jurisdiction issues a decision.

“(D) A supplemental claim under section 5108 of this title on or before the date that is one year after the date on which the Board of Veterans’ Appeals issues a decision.

“(E) A supplemental claim under section 5108 of this title on or before the date that is one

year after the date on which the Court of Appeals for Veterans Claims issues a decision.

“(3) Except as otherwise provided in this section, for supplemental claims received more than one year after the date on which the agency of original jurisdiction issued a decision or the Board of Veterans’ Appeals issued a decision, the effective date shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of the supplemental claim.”; and

(2) in subsection (i), in the first sentence—

(A) by striking “reopened” and inserting “readjudicated”;

(B) by striking “material” and inserting “relevant”; and

(C) by striking “reopening” and inserting “readjudication”.

(m) DEFINITION OF AWARD OR INCREASED AWARD FOR PURPOSES OF PROVISIONS RELATING TO COMMENCEMENT OF PERIOD OF PAYMENT.—Section 5111(d)(1) of such title is amended by striking “or reopened award” and inserting “award or award based on a supplemental claim”.

(n) MODIFICATION OF LIMITATION ON FEES ALLOWABLE FOR REPRESENTATION.—Section 5904(c) of such title is amended, in paragraphs (1) and (2), by striking “notice of disagreement is filed” both places it appears and inserting “claimant is provided notice of the agency of original jurisdiction’s initial decision under section 5104 of this title”.

(o) CLARIFICATION OF BOARD OF VETERANS’ APPEALS REFERRAL REQUIREMENTS AFTER ORDER FOR RECONSIDERATION OF DECISIONS.—Section 7103(b)(1) of title 38, United States Code, is amended by striking “heard” both places it appears and inserting “decided”.

(p) CONFORMING AMENDMENT RELATING TO READJUDICATION.—Section 7104(b) of such title is amended by striking “reopened” and inserting “readjudicated”.

(q) MODIFICATION OF PROCEDURES FOR APPEALS TO BOARD OF VETERANS’ APPEALS.—

(1) IN GENERAL.—Section 7105 of title 38, United States Code, is amended—

(A) in subsection (a), by striking the first sentence and inserting “Appellate review shall be initiated by the filing of a notice of disagreement in the form prescribed by the Secretary.”;

(B) by amending subsection (b) to read as follows:

“(b)(1)(A) Except in the case of simultaneously contested claims, a notice of disagreement shall be filed within one year from the date of the mailing of notice of the decision of the agency of original jurisdiction pursuant to section 5104, 5104B, or 5108 of this title.

“(B) A notice of disagreement postmarked before the expiration of the one-year period shall be accepted as timely filed.

“(C) A question as to timeliness or adequacy of the notice of disagreement shall be decided by the Board.

“(2)(A) Notices of disagreement shall be in writing, shall identify the specific determination with which the claimant disagrees, and may be filed by the claimant, the claimant’s legal guardian, or such accredited representative, attorney, or authorized agent as may be selected by the claimant or legal guardian.

“(B) Not more than one recognized organization, attorney, or agent may be recognized at any one time in the prosecution of a claim.

“(C) Notices of disagreement shall be filed with the Board.

“(3) The notice of disagreement shall indicate whether the claimant requests—

“(A) a hearing before the Board, which shall include an opportunity to submit evidence in accordance with section 7113(b) of this title;

“(B) an opportunity to submit additional evidence without a hearing before the Board,

which shall include an opportunity to submit evidence in accordance with section 7113(c) of this title; or

“(C) a review by the Board without a hearing or the submittal of additional evidence.

“(4) The Secretary shall develop a policy to permit a claimant to modify the information identified in the notice of disagreement after the notice of disagreement has been filed under this section pursuant to such requirements as the Secretary may prescribe.”;

(C) by amending subsection (c) to read as follows:

“(c) If no notice of disagreement is filed in accordance with this chapter within the prescribed period, the action or decision of the agency of original jurisdiction shall become final and the claim shall not thereafter be readjudicated or allowed, except—

“(1) in the case of a readjudication or allowance pursuant to a higher-level review that was requested in accordance with section 5104B of this title;

“(2) as may otherwise be provided by section 5108 of this title; or

“(3) as may otherwise be provided in such regulations as are consistent with this title.”;

(D) by striking subsection (d) and inserting the following new subsection (d):

“(d) The Board may dismiss any appeal which fails to identify the specific determination with which the claimant disagrees.”;

(E) by striking subsection (e); and

(F) in the section heading, by striking “notice of disagreement and”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 7105 and inserting the following new item: “7105. Filing of appeal.”.

(r) MODIFICATION OF PROCEDURES AND REQUIREMENTS FOR SIMULTANEOUSLY CONTESTED CLAIMS.—Subsection (b) of section 7105A of such title is amended to read as follows:

“(b)(1) The substance of the notice of disagreement shall be communicated to the other party or parties in interest and a period of thirty days shall be allowed for filing a brief or argument in response thereto.

“(2) Such notice shall be forwarded to the last known address of record of the parties concerned, and such action shall constitute sufficient evidence of notice.”.

(s) REPEAL OF PROCEDURES FOR ADMINISTRATIVE APPEALS.—

(1) IN GENERAL.—Chapter 71 of such title is amended by striking section 7106.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 7106.

(t) MODIFICATIONS RELATING TO APPEALS: DOCKETS; HEARINGS.—Section 7107 of such title is amended to read as follows:

“§ 7107. Appeals: dockets; hearings

“(a) DOCKETS.—(1) Subject to paragraph (2), the Board shall maintain at least two separate dockets.

“(2) The Board may not maintain more than two separate dockets unless the Board notifies the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives of any additional docket, including a justification for maintaining such additional docket.

“(3)(A) The Board may assign to each docket maintained under paragraph (1) such cases as the Board considers appropriate, except that cases described in clause (i) of subparagraph (B) may not be assigned to any docket to which cases described in clause (ii) of such paragraph are assigned.

“(B) Cases described in this paragraph are the following:

“(i) Cases in which no Board hearing is requested.

“(ii) Cases in which a Board hearing is requested in the notice of disagreement.

“(4) Except as provided in subsection (b), each case before the Board will be decided in regular order according to its respective place on the docket to which it is assigned by the Board.

“(b) ADVANCEMENT ON THE DOCKET.—(1) A case on one of the dockets of the Board maintained under subsection (a) may, for cause shown, be advanced on motion for earlier consideration and determination.

“(2) Any such motion shall set forth succinctly the grounds upon which the motion is based.

“(3) Such a motion may be granted only—

“(A) if the case involves interpretation of law of general application affecting other claims;

“(B) if the appellant is seriously ill or is under severe financial hardship; or

“(C) for other sufficient cause shown.

“(c) MANNER AND SCHEDULING OF HEARINGS FOR CASES ON A DOCKET THAT MAY INCLUDE A HEARING.—(1) For cases on a docket maintained by the Board under subsection (a) that may include a hearing, in which a hearing is requested in the notice of disagreement, the Board shall notify the appellant whether a Board hearing will be held—

“(A) at its principal location; or

“(B) by picture and voice transmission at a facility of the Department where the Secretary has provided suitable facilities and equipment to conduct such hearings.

“(2)(A) Upon notification of a Board hearing at the Board’s principal location as described in subparagraph (A) of paragraph (1), the appellant may alternatively request a hearing as described in subparagraph (B) of such paragraph. If so requested, the Board shall grant such request.

“(B) Upon notification of a Board hearing by picture and voice transmission as described in subparagraph (B) of paragraph (1), the appellant may alternatively request a hearing as described in subparagraph (A) of such paragraph. If so requested, the Board shall grant such request.

“(d) SCREENING OF CASES.—Nothing in this section shall be construed to preclude the screening of cases for purposes of—

“(1) determining the adequacy of the record for decisional purposes; or

“(2) the development, or attempted development, of a record found to be inadequate for decisional purposes.

“(e) POLICY ON CHANGING DOCKETS.—The Secretary shall develop and implement a policy allowing an appellant to move the appellant’s case from one docket to another docket.”.

(u) REPEAL OF CERTAIN AUTHORITY FOR INDEPENDENT MEDICAL OPINIONS.—

(1) IN GENERAL.—Section 7109 of such title is repealed.

(2) CONFORMING AMENDMENT.—Section 5701(b)(1) of such title is amended by striking “or 7109”.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 7109.

(v) CLARIFICATION OF PROCEDURES FOR REVIEW OF DECISIONS ON GROUNDS OF CLEAR AND UNMISTAKABLE ERROR.—Section 7111(e) of such title is amended by striking “, without referral to any adjudicative or hearing official acting on behalf of the Secretary”.

(w) EVIDENTIARY RECORD BEFORE BOARD OF VETERANS’ APPEALS.—

(1) IN GENERAL.—Chapter 71 of such title is amended by adding at the end the following new section:

“§7113. Evidentiary record before the Board of Veterans’ Appeals

“(a) CASES WITH NO REQUEST FOR A HEARING OR ADDITIONAL EVIDENCE.—For cases in which a hearing before the Board of Veterans’ Appeals is not requested in the notice of disagreement and no request was made to submit evidence, the evidentiary record before the Board shall be limited to the evidence of record at the time of the decision of the agency of original jurisdiction on appeal.

“(b) CASES WITH A REQUEST FOR A HEARING.—(1) Except as provided in paragraph (2), for cases in which a hearing is requested in the notice of disagreement, the evidentiary record before the Board shall be limited to the evidence of record at the time of the decision of the agency of original jurisdiction on appeal.

“(2) The evidentiary record before the Board for cases described in paragraph (1) shall include each of the following, which the Board shall consider in the first instance:

“(A) Evidence submitted by the appellant and his or her representative, if any, at the Board hearing.

“(B) Evidence submitted by the appellant and his or her representative, if any, within 90 days following the Board hearing.

“(c) CASES WITH NO REQUEST FOR A HEARING AND WITH A REQUEST FOR ADDITIONAL EVIDENCE.—(1) Except as provided in paragraph (2), for cases in which a hearing is not requested in the notice of disagreement but an opportunity to submit evidence is requested, the evidentiary record before the Board shall be limited to the evidence considered by the agency of original jurisdiction in the decision on appeal.

“(2) The evidentiary record before the Board for cases described in paragraph (1) shall include each of the following, which the Board shall consider in the first instance:

“(A) Evidence submitted by the appellant and his or her representative, if any, with the notice of disagreement.

“(B) Evidence submitted by the appellant and his or her representative, if any, within 90 days following receipt of the notice of disagreement.”

(2) NOTIFICATION WHEN EVIDENCE NOT CONSIDERED.—Section 7104(d) of such title is amended—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph (2):

“(2) a general statement—

“(A) reflecting whether evidence was not considered in making the decision because the evidence was received at a time when not permitted under section 7113 of this title; and

“(B) noting such options as may be available for having the evidence considered by the Department; and”

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by inserting after the item relating to section 7112 the following new item:

“7113. Evidentiary record before the Board of Veterans’ Appeals.”

(x) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to all claims for which notice of a decision under section 5104 of title 38, United States Code, is provided by the Secretary of Veterans Affairs on or after the later of—

(A) the date that is 540 days after the date of the enactment of this Act; and

(B) the date that is 30 days after the date on which the Secretary of Veterans Affairs submits to the appropriate committees of Congress—

(i) a certification that the Secretary confirms, without delegation, that the Department of Vet-

erans Affairs has the resources, personnel, office space, procedures, and information technology required—

(I) to carry out the new appeals system;

(II) to timely address appeals under the new appeals system; and

(III) to timely address appeals of decisions on legacy claims; and

(ii) a summary of the expectations for performance outcomes that the Secretary used in making the certification under clause (i)(III) and a comparison of such expected performance outcomes with actual performance outcomes with respect to appeals of legacy claims before the effective date of the new appeals system.

(2) COLLABORATION.—In determining whether and when to make a certification under paragraph (1)(B), the Secretary shall collaborate with, partner with, and give weight to the advice of veterans service organizations and such other stakeholders as the Secretary considers appropriate.

(3) EARLY APPLICABILITY.—The Secretary may apply the new appeals system to a claim with respect to which the claimant—

(A) receives a notice of a decision under section 5104 of such title after the date of the enactment of this Act and before the applicability date set forth in paragraph (1); and

(B) elects to subject the claim to the new appeals system.

(4) PHASED ROLLOUT.—The Secretary may begin implementation of the new appeals system in phases, with the first phase of such phased implementation beginning on the applicability date set forth in paragraph (1).

(5) TREATMENT OF LEGACY CLAIMS.—With respect to legacy claims, upon the issuance to a claimant of a statement of the case or supplemental statement of the case occurring on or after the applicability date specified in paragraph (1), a claimant may elect to participate in the new appeals system.

(6) PUBLICATION OF APPLICABILITY DATE.—Not later than the date on which the new appeals system goes into effect (or the first phase of the new appeals system goes into effect under paragraph (4), as the case may be), the Secretary shall publish in the Federal Register such date.

(7) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(i) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(ii) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

(B) VETERANS SERVICE ORGANIZATION.—The term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(y) RULE OF CONSTRUCTION.—Nothing in this section or any of the amendments made by this section shall be construed to limit the ability of a claimant to request a revision of a decision under section 5109A or 7111 of title 38, United States Code.

SEC. 3. COMPREHENSIVE PLAN FOR PROCESSING OF LEGACY APPEALS AND IMPLEMENTING NEW APPEALS SYSTEM.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress and the Comptroller General of the United States a comprehensive plan for—

(1) the processing of appeals of decisions on legacy claims that the Secretary considers pending;

(2) implementing the new appeals system;

(3) timely processing, under the new appeals system, of—

(A) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i);

(B) requests for higher-level review under section 5104B of such title, as added by section 2(g); and

(C) appeals on any docket maintained under section 7107 of such title, as amended by section 2(t); and

(4) monitoring the implementation of the new appeals system, including metrics and goals—

(A) to track the progress of the implementation;

(B) to evaluate the efficiency and effectiveness of the implementation; and

(C) to identify potential issues relating to the implementation.

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

(1) Delineation of the total resource requirements of the Veterans Benefits Administration and the Board of Veterans’ Appeals, disaggregated by resources required to implement and administer the new appeals system and resources required to address the appeals of decisions on legacy claims.

(2) Delineation of the personnel requirements of the Administration and the Board, including staffing levels during the—

(A) period in which the Administration and the Board are concurrently processing—

(i) appeals of decisions on legacy claims; and

(ii) appeals of decisions on non-legacy claims under the new appeals system; and

(B) the period during which the Administration and the Board are no longer processing any appeals of decisions on legacy claims.

(3) Identification of the legal authorities under which the Administration or the Board may—

(A) hire additional employees to conduct the concurrent processing described in paragraph (2)(A); and

(B) remove employees who are no longer required by the Administration or the Board once the Administration and the Board are no longer processing any appeals of decisions on legacy claims.

(4) An estimate of the amount of time the Administration and the Board will require to hire additional employees as described in paragraph (3)(A) once funding has been made available for such purpose, including a comparison of such estimate and the historical average time required by the Administration and the Board to hire additional employees.

(5) A description of the amount of training and experience that will be required of individuals conducting higher-level reviews under section 5104B of title 38, United States Code, as added by section 2(g).

(6) An estimate of the percentage of higher-level adjudicators who will be employees of the Department of Veterans Affairs who were Decision Review Officers on the day before the new appeals system takes effect or had experience, as of such date, comparable to that of one who was a Decision Review Officer.

(7) A description of the functions that will be performed after the date on which the new appeals system takes effect by Decision Review Officers who were Decision Review Officers on the day before the date the new appeals system takes effect.

(8) Identification of and a timeline for—

(A) any training that may be required as a result of hiring new employees to carry out the new appeals system or to process appeals of decisions on legacy claims; and

(B) any retraining of existing employees that may be required to carry out such system or to process such claims.

(9) Identification of the costs to the Department of Veterans Affairs of the training identified under paragraph (8) and any additional

training staff and any additional training facilities that will be required to provide such training.

(10) A description of the modifications to the information technology systems of the Administration and the Board that the Administration and the Board require to carry out the new appeals system, including cost estimates and a timeline for making the modifications.

(11) An estimate of the office space the Administration and the Board will require during each of the periods described in paragraph (2), including—

(A) an estimate of the amount of time the Administration and the Board will require to acquire any additional office space to carry out processing of appeals of decisions on legacy claims and processing of appeals under the new appeals system;

(B) a comparison of the estimate under subparagraph (A) and the historical average time required by the Administration and the Board to acquire new office space; and

(C) a plan for using telework to accommodate staff exceeding available office space, including how the Administration and the Board will provide training and oversight with respect to such teleworking.

(12) Projections for the productivity of individual employees at the Administration and the Board in carrying out tasks relating to the processing of appeals of decisions on legacy claims and appeals under the new appeals system, taking into account the experience level of new employees and the enhanced notice requirements under section 5104(b) of title 38, United States Code, as amended by section 2(e).

(13) An outline of the outreach the Secretary expects to conduct to inform veterans, families of veterans, survivors of veterans, veterans service organizations, military service organizations, congressional caseworkers, advocates for veterans, and such other stakeholders as the Secretary considers appropriate about the new appeals system, including—

(A) a description of the resources required to conduct such outreach; and

(B) timelines for conducting such outreach.

(14) Timelines for updating any policy guidance, Internet websites, and official forms that may be necessary to carry out the new appeals system, including—

(A) identification of which offices and entities will be involved in efforts relating to such updating; and

(B) historical information about how long similar update efforts have taken.

(15) A timeline, including interim milestones, for promulgating such regulations as may be necessary to carry out the new appeals system and a comparison with historical averages for time required to promulgate regulations of similar complexity and scope.

(16) An outline of the circumstances under which claimants with pending appeals of decisions on legacy claims would be authorized to have their appeals reviewed under the new appeals system.

(17) A delineation of the key goals and milestones for reducing the number of pending appeals that are not processed under the new appeals system, including the expected number of appeals, remands, and hearing requests at the Administration and the Board each year, beginning with the one year period beginning on the date of the enactment of this Act, until there are no longer any appeals pending before the Administration or the Board for a decision on a legacy claim.

(18) A description of each risk factor associated with each element of the plan and a contingency plan to minimize each such risk.

(c) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 90 days after the Comptroller General of the United States receives the plan required by subsection (a), the Comptroller General shall—

(A) assess such plan; and

(B) notify the appropriate committees of Congress of the findings of the Comptroller General with respect to the assessment conducted under subparagraph (A).

(2) ELEMENTS.—The assessment conducted under paragraph (1)(A) shall include the following:

(A) An assessment of whether the plan complies with sound planning practices.

(B) Identification of any gaps in the plan.

(C) Formulation of such recommendations as the Comptroller General considers appropriate.

(d) PERIODIC PROGRESS REPORTS.—Not later than 90 days after the date on which the Secretary submits the plan under subsection (a), not less frequently than once every 90 days thereafter until the applicability date set forth in section 2(x)(1), and not less frequently than once every 180 days thereafter for the seven-year period following such applicability date, the Secretary shall submit to the appropriate committees of Congress and the Comptroller General a report on the progress of the Secretary in carrying out the plan and what steps, if any, the Secretary has taken to address any recommendations formulated by the Comptroller General pursuant to subsection (c)(2)(C).

(e) PUBLICATION.—The Secretary shall make available to the public on an Internet website of the Department of Veterans Affairs—

(1) the plan required by subsection (a); and

(2) the periodic progress reports required by subsection (d).

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 4. PROGRAMS TO TEST ASSUMPTIONS RELIED ON IN DEVELOPMENT OF COMPREHENSIVE PLAN FOR PROCESSING OF LEGACY APPEALS AND SUPPORTING NEW APPEALS SYSTEM.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may carry out such programs as the Secretary considers appropriate to test any assumptions relied upon in developing the comprehensive plan required by section 3(a) and to test the feasibility and advisability of any facet of the new appeals system.

(2) REPORTING REQUIRED.—Whenever the Secretary determines, based on the conduct of a program under paragraph (1), that legislative changes to the new appeals system are necessary, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives notice of such determination.

(b) DEPARTMENT OF VETERANS AFFAIRS PROGRAM ON FULLY DEVELOPED APPEALS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may, under subsection (a)(1), carry out a program to provide the option of an alternative appeals process that shall more quickly determine such appeals in accordance with this subsection.

(2) ELECTION.—

(A) FILING.—In accordance with subparagraph (B), a claimant may elect to file a fully developed appeal under the program by filing with the Secretary all of the following:

(i) The notice of disagreement under chapter 71 of title 38, United States Code, along with the written election of the claimant to have the appeal determined under the program.

(ii) All evidence that the claimant believes is needed for the appeal as of the date of the filing.

(iii) A statement of the argument in support of the claim, if any.

(B) TIMING.—A claimant shall make an election under subparagraph (A) as part of the notice of disagreement filed by the claimant in accordance with subparagraph (A)(i).

(C) TRIAGE.—The Secretary shall, upon expiration of the period specified in paragraph (3)(C)(iii), ensure that an assessment is undertaken of whether an appeal filed under subparagraph (A) of this paragraph satisfies the requirements for appeal under the program and provide appropriate notification to the claimant of the results of that assessment.

(D) REVERSION.—

(i) ELECTED REVERSION.—At any time, a claimant who makes an election under subparagraph (A) may elect to revert to the standard appeals process. Such a reversion shall be final.

(ii) AUTOMATIC REVERSION.—A claimant described in clause (i), or a claimant who makes an election under subparagraph (A) but is later determined to be ineligible for the program under paragraph (1), shall revert to the standard appeals process without any penalty to the claimant other than the loss of the docket number associated with the fully developed appeal.

(E) OUTREACH.—In providing claimants with notices of the determination of a claim during the period in which the program under paragraph (1) is carried out, the Secretary shall conduct outreach as follows:

(i) The Secretary shall provide to the claimant (and to the representative of record of the claimant, if any) information regarding—

(I) the program, including the advantages and disadvantages of the program;

(II) how to make an election under subparagraph (A);

(III) the limitation on the use of new evidence described in subparagraph (C) of paragraph (3) and the development of information under subparagraph (D) of such paragraph;

(IV) the ability of the claimant to seek advice and education regarding such process from veterans service organizations, attorneys, and claims agents recognized under chapter 59 of title 38, United States Code; and

(V) the circumstances under which the appeal will automatically revert to the standard appeals process, including by making a request for a hearing.

(ii) The Secretary shall collaborate, partner with, and give weight to the advice of the three veterans service organizations with the most members and such other stakeholders as the Secretary considers appropriate to publish on the Internet website of the Department of Veterans Affairs an online tutorial explaining the advantages and disadvantages of the program.

(3) TREATMENT BY DEPARTMENT AND BOARD.—

(A) PROCESS.—Upon the election of a claimant to file a fully developed appeal pursuant to paragraph (2)(A), the Secretary shall—

(i) not provide the claimant with a statement of the case nor require the claimant to file a substantive appeal; and

(ii) transfer jurisdiction over the fully developed appeal directly to the Board of Veterans’ Appeals.

(B) DOCKET.—

(i) IN GENERAL.—The Board of Veterans’ Appeals shall—

(I) maintain fully developed appeals on a separate docket than standard appeals;

(II) decide fully developed appeals in the order that the fully developed appeals are received on the fully developed appeal docket;

(III) except as provided by clause (ii), decide not more than one fully developed appeal for each four standard appeals decided; and

(IV) to the extent practicable, decide each fully developed appeal by the date that is one year following the date on which the claimant files the notice of disagreement.

(ii) **ADJUSTMENT.**—Beginning one year after the date on which the program commences, the Board may adjust the number of standard appeals decided for each fully developed appeal under clause (i)(III) if the Board determines that such adjustment is fair for both standard appeals and fully developed appeals.

(C) **LIMITATION ON USE OF NEW EVIDENCE.**—

(i) **IN GENERAL.**—Except as provided by clauses (ii) and (iii)—

(I) a claimant may not submit or identify to the Board of Veterans' Appeals any new evidence relating to a fully developed appeal after filing such appeal unless the claimant reverts to the standard appeals process pursuant to paragraph (2)(D); and

(II) if a claimant submits or identifies any such new evidence, such submission or identification shall be deemed to be an election to make such a reversion pursuant to paragraph (2)(D).

(ii) **EVIDENCE GATHERED BY BOARD.**—Clause (i) shall not apply to evidence developed pursuant to subparagraphs (D) and (E). The Board shall consider such evidence in the first instance without consideration by the Veterans Benefits Administration.

(iii) **REPRESENTATIVE OF RECORD.**—The representative of record of a claimant for appeals purposes, if any, shall be provided an opportunity to review the fully developed appeal of the claimant and submit any additional arguments or evidence that the representative determines necessary during a period specified by the Board for purposes of this subparagraph.

(D) **PROHIBITION ON REMAND FOR ADDITIONAL DEVELOPMENT.**—If the Board of Veterans' Appeals determines that a fully developed appeal requires Federal records, independent medical opinions, or new medical examinations, the Board shall—

(i) in accordance with subparagraph (E), take such actions as may be necessary to develop such records, opinions, or examinations in accordance with section 5103A of title 38, United States Code;

(ii) retain jurisdiction of the fully developed appeal without requiring a determination by the Veterans Benefits Administration based on such records, opinions, or examinations;

(iii) ensure the claimant, and the representative of record of a claimant, if any, receives a copy of such records, opinions, or examinations; and

(iv) provide the claimant a period of 90 days after the date of mailing such records, opinions, or examinations during which the claimant may provide the Board any additional evidence without requiring the claimant to make a reversion pursuant to paragraph (2)(D).

(E) **DEVELOPMENT UNIT.**—

(i) **ESTABLISHMENT.**—The Board of Veterans' Appeals shall establish an office to develop Federal records, independent medical opinions, and new medical examinations pursuant to subparagraph (D)(i) that the Board determines necessary to decide a fully developed appeal.

(ii) **REQUIREMENTS.**—The Secretary shall—

(I) ensure that the Veterans Benefits Administration cooperates with the Board of Veterans' Appeals in carrying out clause (i); and

(II) transfer employees of the Veterans Benefits Administration who, prior to the enactment of this Act, were responsible for processing claims remanded by the Board of Veterans' Appeals to positions within the office of the Board established under clause (i) in a number the Secretary determines sufficient to carry out such subparagraph.

(F) **HEARINGS.**—Notwithstanding section 7107 of title 38, United States Code, the Secretary

may not provide hearings with respect to fully developed appeals under the program. If a claimant requests to hold a hearing pursuant to such section 7107, such request shall be deemed to be an election to revert to the standard appeals process pursuant to paragraph (2)(D).

(4) **DURATION; APPLICABILITY.**—

(A) **DURATION.**—Subject to subsection (c), the Secretary may carry out the program during such period as the Secretary considers appropriate.

(B) **APPLICABILITY.**—This section shall apply only to fully developed appeals that are filed during the period in which the program is carried out pursuant to subparagraph (A).

(5) **DEFINITIONS.**—In this subsection:

(A) **COMPENSATION.**—The term “compensation” has the meaning given that term in section 101 of title 38, United States Code.

(B) **FULLY DEVELOPED APPEAL.**—The term “fully developed appeal” means an appeal of a claim for disability compensation that is—

(i) filed by a claimant in accordance with paragraph (2)(A); and

(ii) considered in accordance with this subsection.

(C) **STANDARD APPEAL.**—The term “standard appeal” means an appeal of a claim for disability compensation that is not a fully developed appeal.

(c) **TERMINATION OF AUTHORITY.**—The Secretary of Veterans Affairs may not carry out a program under this section after the applicability date set forth in section 2(x)(1).

SEC. 5. PERIODIC PUBLICATION OF METRICS RELATING TO PROCESSING OF APPEALS BY DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall periodically publish on an Internet website of the Department of Veterans Affairs the following:

(I) With respect to the processing by the Secretary of appeals under the new appeals system of decisions regarding claims for benefits under laws administered by the Secretary, the following:

(A) For the Veterans Benefits Administration and, to the extent practicable, each regional office of the Department of Veterans Affairs, the number of—

(i) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i), that are pending; and

(ii) requests for higher-level review under section 5104B of such title, as added by section 2(g), that are pending.

(B) The number of appeals on any docket maintained under section 7107 of such title, as amended by section 2(b), that are pending.

(C) The average duration for processing claims and supplemental claims, disaggregated by regional office.

(D) The average duration for processing requests for higher-level review under section 5104B of such title, as added by section 2(g), disaggregated by regional office.

(E) The average number of days that appeals are pending on a docket of the Board of Veterans' Appeals maintained pursuant to section 7107 of such title, as amended by section 2(t), disaggregated by—

(i) appeals that include a request for a hearing;

(ii) appeals that do not include a request for a hearing and do include submittal of evidence; and

(iii) appeals that do not include a request for a hearing and do not include submittal of evidence.

(F) With respect to the policy developed and implemented under section 7107(e) of such title, as amended by section 2(t)—

(i) the number of cases moved from one docket to another pursuant to such policy;

(ii) the average time cases were pending prior to moving from one docket to another; and

(iii) the average time to adjudicate the cases after so moving.

(G) The total number of remands to obtain advisory medical opinions under section 5109(d) of title 38, United States Code, as added by section 2(j).

(H) The average number of days between the date on which the Board remands a claim to obtain an advisory medical opinion under section 5109(d) of such title, as so added, and the date on which the advisory medical opinion is obtained.

(I) The average number of days between the date on which the Board remands a claim to obtain an advisory medical opinion under section 5109(d) of such title, as so added, and the date on which the agency of original jurisdiction issues a decision taking that advisory opinion into account.

(J) The number of appeals that are granted, the number of appeals that are remanded, and the number of appeals that are denied by the Board disaggregated by docket.

(K) The number of claimants each year that take action within the period set forth in section 5110(a)(2) of such title, as added by section 2(l), to protect their effective date under such section 5110(a)(2), disaggregated by the status of the claimants taking the actions, such as whether the claimant is represented by a veterans service organization, the claimant is represented by an attorney, or the claimant is taking such action pro se.

(L) The total number of times on average each claimant files under section 5110(a)(2) of such title, as so added, to protect their effective date under such section, disaggregated by the subparagraph of such section under which they file.

(M) The average duration, from the filing of an initial claim until the claim is resolved and claimants no longer take any action to protect their effective date under section 5110(a)(2) of such title, as so added—

(i) of claims under the new appeals system, excluding legacy claims that opt in to the new appeals system; and

(ii) of legacy claims that opt in to the new appeals system.

(N) How frequently an action taken within one year to protect an effective date under section 5110(a)(2) of such title, as so added, leads to additional grant of benefits, disaggregated by action taken.

(O) The average of how long it takes to complete each segment of the claims process while claimants are protecting the effective date under such section, disaggregated by the time waiting for the claimant to take an action and the time waiting for the Secretary to take an action.

(P) The number and the average amount of retroactive awards of benefits from the Secretary as a result of protected effective dates under such section, disaggregated by action taken.

(Q) The average number of times claimants submit to the Secretary different claims with respect to the same condition, such as an initial claim and a supplemental claim.

(R) The number of cases each year in which a claimant inappropriately tried to take simultaneous actions, such as filing a supplemental claim while a higher-level review is pending, what actions the Secretary took in response, and how long it took on average to take those actions.

(S) In the case that the Secretary develops and implements a policy under section 5104C(a)(2)(D) of such title, as amended by section 2(h)(1), the number of actions withdrawn and new actions taken pursuant to such policy.

(T) The number of times the Secretary received evidence relating to an appeal or higher-level review at a time not authorized under the new appeals system, disaggregated by actions

taken by the Secretary to deal with the evidence and how long on average it took to take those actions.

(U) The number of errors committed by the Secretary in carrying out the Secretary's duty to assist under section 5103A of title 38, United States Code, that were identified by higher-level review and by the Board, disaggregated by type of error, such as errors relating to private records and inadequate examinations, and a comparison with errors committed by the Secretary in carrying out such duty with respect to appeals of decisions on legacy claims.

(V) An assessment of the productivity of employees at the regional offices and at the Board, disaggregated by level of experience of the employees.

(W) The percentage of cases that are decided within the goals established by the Secretary for deciding cases, disaggregated by cases that involve a supplemental claim, cases that involve higher-level review, and by docket maintained under section 7107(a) of such title, as amended by section 2(t), or in the case that the Secretary has not established goals for deciding cases, the percentage of cases which are decided within one year, two years, three years, and more than three years, disaggregated by docket.

(X) Of the cases that involve higher-level review, the percentage of decisions that are overturned in whole or in part by the higher-level adjudicator, that are upheld by the higher-level adjudicator, and that are returned for correction of an error.

(Y) The frequency by which the Secretary readjudicates a claim pursuant to section 5108 of such title, as amended by section 2(i), and the frequency by which readjudication pursuant to section 5108 of such title, as so amended, results in an award of benefits.

(Z) In any case in which the Board decides to screen cases for a purpose described in section 7107(d) of such title, as amended by section 2(t)(1)—

(i) a description of the way in which the cases are screened and the purposes for which they are screened;

(ii) a description of the effect such screening has had on—

(I) the timeliness of the issuance of decisions of the Board; and

(II) the inventory of cases before the Board; and

(iii) the type and frequency of development errors detected through such screening.

(2) With respect to the processing by the Secretary of appeals of decisions on legacy claims, the following:

(A) The average duration of each segment of the appeals process, disaggregated by periods in which the Secretary is waiting for a claimant to take an action and periods in which the claimant is waiting for the Secretary to take an action.

(B) The frequency by which appeals lead to additional grant of benefits by the Secretary, disaggregated by whether the additional benefits are a result of additional evidence added after the initial decision.

(C) The number and average amount of retroactive awards of benefits resulting from an appeal.

(D) The average duration from filing a legacy claim with the Secretary until all appeals and remands relating to such legacy claim are completed.

(E) The average number of times claimants submit to the Secretary different claims with respect to the same condition, such as an initial claim, new and material evidence, or a claim for an increase in benefits.

(F) An assessment of the productivity of employees at the regional offices and at the Board, disaggregated by level of experience of the employees.

(G) The average number of days the duration of an appeal is extended because the Secretary secured or attempted to secure an advisory medical opinion under section 5109 of title 38, United States Code, or section 7109 of such title (as in effect on the day before the date of the enactment of this Act).

(H) The frequency by which claims are reopened pursuant to section 5108 of such title and the frequency by which such reopening results in an award of benefits.

(3) With respect to the processing by the Secretary of appeals of decisions on legacy claims that opt in to the new appeals system, the following:

(A) The cumulative number of such legacy claims.

(B) The portion of work in the new appeals system attributable to appeals of decisions on such legacy claims.

(C) The average period such legacy claims were pending before opting in to the new appeals system and the average period required to adjudicate such legacy claims on average after opting in—

(i) with respect to claims at a regional office of the Department of Veterans Affairs, disaggregated by—

(I) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i); and

(II) requests for higher-level review under section 5104B of such title, as added by section 2(g); and

(ii) with respect to appeals, disaggregated by docket of the Board maintained under section 7107 of such title, as amended by section 2(t).

SEC. 6. DEFINITIONS.

In this Act:

(1) CLAIMANT.—The term “claimant” has the meaning given such term in section 5100 of title 38, United States Code.

(2) LEGACY CLAIMS.—The term “legacy claim” means a claim—

(A) that was submitted to the Secretary of Veterans Affairs for a benefit under a law administered by the Secretary; and

(B) for which notice of a decision under section 5104 of title 38, United States Code, was provided by the Secretary before the date set forth in section 2(x).

(3) OPT IN.—The term “opt in” means, with respect to a legacy claim of a claimant, that the claimant elects to subject the claim to the new appeals system pursuant to—

(A) section 2(x)(3); or

(B) such other mechanism as the Secretary may prescribe for purposes of carrying out this Act and the amendments made by this Act.

(4) NEW APPEALS SYSTEM.—The term “new appeals system” means the set of processes and mechanisms by which the Secretary processes, pursuant to the authorities and requirements modified by section 2, claims for benefits under laws administered by the Secretary.

Mrs. COMSTOCK (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the Senate amendment.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

NORTHERN MARIANA ISLANDS ECONOMIC EXPANSION ACT

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 339) to amend Public Law 94-241 with respect to the Northern Mariana Islands, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Senate amendment:

Beginning on page 2, strike line 19, and all that follows through the end and insert the following:

(B) by striking “‘ending on December 31, 2019.’” and inserting “‘ending on December 31, 2019, except that for fiscal year 2017 an additional 350 permits shall be made available for extension of existing permits, expiring after the date of enactment of the Northern Mariana Islands Economic Expansion Act through September 30, 2017, of which no fewer than 60 shall be reserved for healthcare practitioners and technical operations (as that term is defined by the Department of Labor as Standard Occupational Classification Group 29-0000 or any successor provision), and no fewer than 10 shall be reserved for plant and system operators (as that term is defined by the Department of Labor as Standard Occupational Classification Group 51-8000 or any successor provision).’”.

Mrs. COMSTOCK (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

ENROLLED JOINT RESOLUTION SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker on Monday, August 7, 2017:

H.J. Res 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 9:30 a.m. on Tuesday, August 15, 2017.

Thereupon (at 9 o'clock and 7 minutes a.m.), under its previous order, the House adjourned until Tuesday, August 15, 2017, at 9:30 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2197. A letter from the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Designation of Alpha-Phenylacetoneacetonitrile (APAAN), a Precursor Chemical Used in the Illicit Manufacture of Phenylacetone, Methamphetamine, and Amphetamine, as a List I Chemical [Docket No.: DEA-379] (RIN: 1117-ZA04) received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2198. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approvals, Idaho: Logan Utah/Idaho PM2.5 Nonattainment Area [EPA-R10-OAR-2015-0067; FRL-9965-67-Region 10] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2199. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Alaska: Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards [EPA-R10-OAR-2017-0040; FRL-9965-76-Region 10] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2200. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Florida: Infrastructure Requirements for the 2010 NO₂ NAAQS [EPA-R04-OAR-2014-0507; FRL-9965-83-Region 4] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2201. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Mississippi: Prevention of Significant Deterioration Updates [EPA-R04-OAR-2017-0188; FRL-9965-70-Region 4] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2202. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; SC: Revisions to New Source Review Rules [EPA-R04-OAR-2016-0547; FRL-9965-85-Region 4] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2203. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Regional Haze Five-Year Progress Report State Implementation Plan [EPA-R03-OAR-2016-0267; FRL-9965-73-Region 3] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2204. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Open Burning [EPA-R03-OAR-2017-0204; FRL-9965-75-Region 3] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2205. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Placer County Air Pollution Control District [EPA-R09-OAR-2017-0218; FRL-9965-90-Region 9] received August 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2206. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-125, "Childhood Lead Exposure Prevention Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2207. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-126, "Duvall Court Designation Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2208. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-127, "Ebenezer Court Designation Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2209. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-128, "Inclusionary Zoning Consistency Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2210. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-129, "Brishell Jones Way Designation Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2211. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-139, "Glick Court Designation Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2212. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-140, "McGill Alley Designation Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2213. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Sufficiency Certification for the Washington Convention and Sports Authority (Trading As Events DC) Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2018."; to the Committee on Oversight and Government Reform.

2214. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "The Department of General Services Needs Guidance and Assistance to Develop Effective Internal Controls"; to the Committee on Oversight and Government Reform.

2215. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's final rule — Drawbridge Operation Regulation; St. Louis River (Duluth-Superior Harbor), between the towns of Duluth, MN and Superior, WI [Docket No.: USCG-2017-0212] (RIN: 1625-AA09) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2216. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; Atlantic Ocean, Ft. Lauderdale, FL [Docket No.: USCG-2017-0670] (RIN: 1625-AA87) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2217. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Marine City Maritime Festival Water Ski Show, St. Clair River, Marine City, MI [Docket No.: USCG-2017-0688] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2218. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Connecticut River, East Haddam, CT [Docket No.: USCG-2016-1006] (RIN: 1625-AA09) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2219. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; 28th Annual Lake Erie Open Water Swim; Lake Erie, Cleveland, OH [Docket No.: USCG-2017-0675] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2220. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lake Michigan, Calumet Harbor, Chicago, IL [Docket No.: USCG-2017-0581] (RIN: 1625-AA00) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LUETKEMEYER (for himself, Mr. BOST, Mr. CLAY, Mr. RODNEY DAVIS of Illinois, and Mr. SESSIONS):

H.R. 3648. A bill to amend the Internal Revenue Code of 1986 to protect employees in the building and construction industry who are participants in multiemployer plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM:

H.R. 3649. A bill to amend the Food Security Act of 1985 with respect to annual estimates under the conservation reserve program; to the Committee on Agriculture.

By Mr. PITTENGER (for himself and Mr. HUDSON):

H.R. 3650. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mrs. RADEWAGEN:

H.R. 3651. A bill to require the Comptroller General of the United States to conduct a feasibility study on renovating or replacing the Lyndon B. Johnson Tropical Medical Center with a new or updated facility; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself and Mr. CROWLEY):

H.R. 3652. A bill to amend the Internal Revenue Code of 1986 to make the work opportunity credit permanent; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

103. The SPEAKER presented a memorial of the Legislature of the State of New Mexico, relative to House Joint Resolution 10, rescinding all previous requests that the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

104. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 211, opposing the nomination of Scott Pruitt as Administrator of the United States Environmental Protection Agency; jointly to the Committees on Energy and Commerce, Agriculture, Transportation and Infrastructure, and Science, Space, and Technology.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are sub-

mitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LUETKEMEYER:

H.R. 3648.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common Defense and general welfare of the United States, as enumerated in Article I, Section 8, Clause 1. Additionally, Congress has the Constitutional authority to regulate commerce among the States and with Indian Tribes, as enumerated in Article I, Section 8, Clause 3.

By Mrs. NOEM:

H.R. 3649.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. PITTENGER:

H.R. 3650.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3 states: "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes . . . To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. RADEWAGEN:

H.R. 3651.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. REED:

H.R. 3652.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 246: Mr. DONOVAN, Mr. DENHAM, and Mr. GOSAR.

H.R. 285: Mr. DENHAM.

H.R. 367: Mr. LONG.

H.R. 444: Ms. ROSEN.

H.R. 502: Mr. GOMEZ and Mr. COURTNEY.

H.R. 525: Mr. CARSON of Indiana.

H.R. 669: Mr. DANNY K. DAVIS of Illinois, Mr. CICILLINE, Mr. AL GREEN of Texas, and Mr. KHANNA.

H.R. 754: Mrs. WAGNER, Ms. LEE, and Mr. CHABOT.

H.R. 812: Mr. RASKIN, Mr. TURNER, and Mr. GONZALEZ of Texas.

H.R. 825: Mr. ZELDIN.

H.R. 887: Mr. SESSIONS.

H.R. 1090: Ms. BONAMICI.

H.R. 1414: Mr. GUTIÉRREZ.

H.R. 1485: Mr. FITZPATRICK.

H.R. 1626: Mr. PALLONE.

H.R. 1796: Ms. SLAUGHTER.

H.R. 1880: Ms. GABBARD and Mr. SMITH of Washington.

H.R. 1898: Mrs. WALORSKI.

H.R. 1955: Mr. LUETKEMEYER, Ms. SHEA-PORTER, and Mr. MARSHALL.

H.R. 1970: Mr. RUPPERSBERGER.

H.R. 2011: Mr. ZELDIN.

H.R. 2345: Mr. MESSER and Mr. SCHNEIDER.

H.R. 2366: Mr. HIGGINS of New York.

H.R. 2465: Ms. HERRERA BEUTLER and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2482: Mr. CUMMINGS, Mr. HIMES, and Mr. KHANNA.

H.R. 2788: Mr. GOMEZ.

H.R. 2978: Mr. GOMEZ.

H.R. 3186: Mr. LYNCH and Ms. DELBENE.

H.R. 3309: Mr. REED.

H.R. 3310: Mr. REED.

H.R. 3385: Mr. REED.

H.R. 3386: Mr. REED.

H.R. 3394: Mr. PETERS and Mr. SCHNEIDER.

H.R. 3568: Mr. JORDAN, Mrs. NAPOLITANO, and Ms. BROWNLEY of California.

H.R. 3581: Mr. ZELDIN, Mr. MACARTHUR, and Mr. KING of New York.

H. Con. Res. 75: Ms. BROWNLEY of California, Mr. GRIJALVA, Mr. HASTINGS, Mr. GONZALEZ of Texas, Ms. BARRAGÁN, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Ms. CLARKE of New York, Mrs. BEATTY, Mr. TED LIEU of California, Ms. JUDY CHU of California, Ms. FUDGE, Mr. MCGOVERN, Mr. SMITH of Washington, and Ms. CASTOR of Florida.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 3, August 11, 2017, by Mr. GARRETT on House Resolution 458, was signed by the following Members: Mr. Garrett, Mr. Jordan, and Mr. Perry.

EXTENSIONS OF REMARKS

CONGRATULATING KYLIE MEIER
OF THE CAMDENTON LAKERS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Kylie Meier of the Camdenton Lakers for her first place win in the 300 meter hurdles at the 2017 Missouri Class 4 Girls Track and Field State Championship.

Kylie and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Kylie Meier on a job well done.

IN RECOGNITION OF PASTOR
JERRY HATTER ON THE DATE
OF HIS 26TH PASTORAL ANNI-
VERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Pastor Jerry Hatter on the date of his 26th Pastoral Anniversary Celebration. Pastor Hatter has provided spiritual guidance and leadership during his tenure as Pastor of the Brown Chapel African Methodist Episcopal Church in Ypsilanti, Michigan.

Born in Haynesville, Louisiana, Pastor Hatter moved to the Detroit area to further his education, earning an MBA from the University of Detroit in 1976. He quickly established himself as a pillar of the southeast Michigan community through his work with Ford Motor Company and in religious life. Pastor Hatter began his work with the ministry in 1986, when he began serving as a minister Deacon and later as an Associate Minister with Oak Grove AME Church in Detroit. He then graduated from Ashland Theological Seminary and began serving as a pastor for Brown Chapel AME in 1991, where he has remained for 26 years. Pastor Hatter is well-known in the community for his work and activism, providing religious guidance for the Brown Chapel congregation and leadership in caring for his community by working with organizations offering financial help, healthcare and job training. These include Good Samaritan Outreach, which provides food assistance to those in need.

Pastor Hatter's decades of service to the Ypsilanti community has helped it grow and prosper. Throughout his time with Brown Chapel, Pastor Hatter has earned a reputation as a steadfast spiritual leader and effective advocate who is dedicated to the well-being of

those less fortunate. His work with the Hope Clinic, Southeastern Michigan AME Minister's Alliance and SOS Community Services has been critical for supporting social, economic and educational well-being and promoting human dignity for all. Pastor Hatter's commitment to Ypsilanti and its residents has impacted countless lives, and it is my hope that he continues to provide leadership for Brown Chapel and the city in the coming years.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Jerry Hatter on his 26th Pastoral Anniversary Celebration. Pastor Hatter is a force for good for southeast Michigan through his spiritual guidance and outreach.

CONGRATULATING LUCAS KUHN
OF THE CHAMMOIS PIRATES

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Lucas Kuhn of the Chamois Pirates for his first place win in the 300 meter hurdles at the 2017 Missouri Class 1 Boys Track and Field State Championship.

Lucas and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Lucas Kuhn for a job well done.

IN RECOGNITION OF THE 70TH AN-
NIVERSARY OF INDIA'S INDE-
PENDENCE

HON. RAJA KRISHNAMOORTHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. KRISHNAMOORTHY. Mr. Speaker, today I rise to honor the 70th Anniversary of Indian Independence from the British Empire.

Seventy years ago, millions of Indians banded together for independence and rallied to attain freedom from Britain. Among them were more than 1,600 languages and dialects, eight major religions, and in excess of 350 million people. Despite these differences, they were united by a singular desire for democratic home rule. Ordinary men and women fought peacefully to realize this dream, and their victory stands as a testament to the enduring power of freedom.

Today, India stands as a beacon for what can be achieved. As the world's largest democracy and home to more than 1.3 billion people, India boasts the world's largest middle class and one of the world's highest economic

growth rates. Meanwhile, India's reach extends far beyond her borders. Today, there are five Indian-American members of Congress including myself, and India has become one of the United States' largest trading partners. I see India's influence every day in the U.S. Capitol and in my very own congressional district in Illinois. My district is nearly 10 percent Indian-American, one of the highest percentages in the country, and my constituents take pride in seeing how much their homeland has grown in prominence. We all share in the joy of seeing how far India has come, and I have no doubt that this progress will continue.

Looking ahead, India will continue to grow and become stronger for the same reason that the United States has endured: its belief in democracy, justice, free and fair elections, freedom of conscience and press, and the diversity of cultures and religions that withstood the tests of the Mughal Empire, British Rule, Partition, and globalization.

Seventy years ago, India's people dreamed of a free and democratic country. Today, that dream is a reality. Tomorrow and far into the future, that reality will endure.

I would like to honor Indian Independence Day on August 15, 2017.

IN RECOGNITION OF MS. MARGE
PRESTON FOR HER DISTIN-
GUISHED CAREER IN HIGHER
EDUCATION

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ms. Marge Preston for her outstanding career in higher education. Ms. Preston has served the State of Michigan and its young people well through her work with Central Michigan University and Eastern Michigan University.

Ms. Preston began her career with Central Michigan University, where she spent 27 years serving in a variety of positions, including Administrative Assistant to the Vice President for Student Affairs and Coordinator of the University's Career Resource Center. In 2003, she joined Eastern Michigan University and has served the EMU community with distinction during her tenure. She began as the university's Executive Secretary to the Vice President for University Relations, and ultimately held several positions, including Executive Assistant to the Vice President of Government and Community Relations. In this capacity, Ms. Preston managed all aspects of the GCR office, including assisting the University's legal counsel with inquiries, serving as a liaison for state and federal officials and coordinating special events and projects on behalf of the EMU Vice President.

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

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

Ms. Preston has been a tireless advocate on behalf of EMU and the Ypsilanti community at large through her service to the university. As a result of her efforts, EMU has been an effective policy advocate whose work with the state and federal government has benefitted both students and educators. Ms. Preston also received recognition throughout her career, including receiving the Central Michigan University Staff Excellence Award. She was also a co-chair for EMU's United Way Campus Wide Drive, helping raise over \$100,000, and served on the EMU Planning Committee for Michigan Women's American Council on Education's annual meeting. She has had a tremendous impact on the direction of higher education in Michigan, and her hard work and expertise will be missed.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Marge Preston for her distinguished career in higher education. Ms. Preston has effectively served the State of Michigan and its students through her work with the state's public universities.

CONGRATULATING LUKE ALLEN
OF THE CALVARY LUTHERAN
LIONS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Luke Allen from the Calvary Lutheran Lions for his first place win in the long jump and triple jump at the 2017 Missouri Class 1 Boys Track and Field State Championship.

Luke and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Luke Allen for a job well done.

HONORING WESTERN SPRINGS
VILLAGE MANAGER PAT HIGGINS
ON HIS RETIREMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Village Manager Patrick Higgins who is retiring after 40 years of service to the Western Springs community.

Pat Higgins began his career in Western Springs as an intern during his time at Northern Illinois University, where he received both a Master of Arts and Doctorate in Public Administration. Over the years he worked his way through various administrative positions and was named village manager in 2000. His 17 years in this top position make him the longest-serving manager in village history.

Pat Higgins has also been active as an educator and has served on numerous public service committees in Chicagoland. Since

2011, he has taught as an Adjunct Professor of Public Administration at Northwestern University. He has served as president of the Chicago Chapter of the American Society for Public Administration and is the current chair of the Cook/DuPage Smart Transportation Corridors Committee and the West Central Municipal Conference's Transportation Committee. Higgins was the recipient of the 2008 and 2015 Northern Illinois University Outstanding Alumnus Award in Public Administration.

Over the years I have had the opportunity to work with Pat both in my role as a Representative and also as a resident of Western Springs. I have always admired his long dedication to the village and the region, as well as his passion for teaching. He is very thoughtful and knowledgeable person who has given a great deal as a public servant. His leadership has been a major asset to the community. I am pleased to congratulate Pat, and his wife Karron, on his retirement.

Mr. Speaker, I ask my colleagues to join me in recognizing Western Springs Village Manager Patrick Higgins for his public service. He is well deserving of praise for the energy he has dedicated to improving the community. I wish him the best in his future endeavors.

TRIBUTE TO ERNEST R. GRECCO

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. HOYER. Mr. Speaker, I rise to congratulate Ernest "Ernie" R. Grecco on being honored for his fifty-five years of service to the labor movement next Tuesday evening, August 15, in Baltimore. I have known and worked closely with Ernie, who serves as President of the Baltimore Metro AFL-CIO, for thirty years. He is one of the toughest advocates for working men and women I've ever met, who has dedicated his life and his career to achieving better pay and conditions for workers and opportunity for their families in Maryland.

Ernie has worked on behalf of labor in Maryland since 1970, when he was elected Secretary-Treasurer of what was then the Distillery Workers Local 34-D. In 1976, he became Committee on Political Education (COPE) Director for the Metropolitan Baltimore Council AFL-CIO. He went on to lead the Maryland State and District of Columbia AFL-CIO COPE from 1983-1987 before taking the helm in Baltimore. Since that time, whenever working people in the greater Baltimore area have had a challenge to overcome, Ernie's been there, leading the way and bringing to bear the forces of organized labor and its allies. Under his leadership, the Baltimore Metro AFL-CIO has expanded programs for job training, placement, and community service.

Ernie also became involved in making his community a better place by serving as the Secretary of the United Way of Maryland from 1992 until this year. He also received the Samuel Gompers Award from the American Red Cross and the Joseph Beirne Award from the United Way of America. In 1995, the Inter-

national Association of Firefighters Local 734 and Local 964 established the Grecco Labor Award in Ernie's honor.

I'm proud to stand with Ernie and the hard-working men and women of labor to advocate for better wages, better conditions, and greater opportunities for all our people to make it in America. I hope my colleagues will join me in congratulating Ernie on this well deserved honor and thanking him for his service and contributions to Maryland and our country.

CONGRATULATING MIKAYLA REED
OF THE WASHINGTON BLUE JAYS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Mikayla Reed of the Washington Blue Jays for her first place win in the 1600 and 3200 meter run at the 2017 Missouri Class 4 Girls Track and Field State Championship.

Mikayla and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Mikayla Reed on a job well done.

HONORING THE LIFE AND LEGACY
OF ELIZABETH CADY STANTON

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize one of the most influential members of the women's suffrage movement.

Elizabeth Cady Stanton was born in Johnstown, New York in 1815. From a young age, Stanton showed interest in pressing social issues affecting American society, which would eventually drive her to become a force for change. At her father's law office, she witnessed the inequitable laws restricting women's freedom and abilities to inherit property. As a young mother, Stanton advocated for equal education and freedom of expression for all of her children, no matter their gender. Stanton was also heavily involved with the abolitionist movement; however, frustration over the exclusion of women from many of the local meetings and proceedings led her to focus her efforts on a different mission.

Along with fellow reformer Susan B. Anthony, Stanton launched a crusade to ensure that women's rights were brought to the forefront of national debate. While Anthony served as the movement's public face, Stanton remained behind the scenes, guiding the movement's direction and agenda.

Perhaps Stanton's most defining moment was the delivery of her Declaration of Sentiments at the Seneca Falls Convention in 1848, the first women's rights conference ever

held in the United States. At the convention, Stanton recited a familiar testimony with a subtle yet resonant sentiment, "We hold these truths to be self-evident: that all men and women are created equal".

In the years following the Civil War, Stanton continued her work for women's suffrage, serving as the president of the National Women's Suffrage Association from 1865 to 1893. In 1866, she ran for a Congressional seat in New York and received the first votes ever cast for a female candidate.

Elizabeth Cady Stanton passed away in 1902, seventeen years prior to the enactment of the 19th amendment. Her dedication to removing the barriers of gender inequality exists as an act all women can look to for inspiration and courage. And as Stanton once noted, "the best protection any woman can have . . . is courage." In New York's 21st District, we are proud of Stanton's legacy as an advocate for liberty and equality.

IN RECOGNITION OF PASTOR
GARTHER ROBBERSON JR. FOR
HIS SERVICE TO THE YPSILANTI
COMMUNITY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Pastor Garther Roberson Jr. for his decades of service to the Ypsilanti community. Pastor Roberson has provided spiritual guidance as leader of the Mt. Olive Baptist Church and community assistance through his involvement with local nonprofits and advocacy groups.

As a lifelong resident of southeast Michigan, Pastor Roberson has been a critical leader in the community throughout Ypsilanti's growth and development. Prior to becoming a pastor, he was involved with the Second Baptist Church in Ypsilanti, where he directed youth activities and served as a deacon from 1967 to 1977. After being ordained as a Reverend by Pastor B.T. Hopkins at Second Baptist Church in 1979, Roberson was named Pastor of the Mount Olive Baptist Church in Ypsilanti, where he has served since. Under Pastor Roberson's leadership, Mount Olive grew to become a pillar of the Ypsilanti community, offering support and guidance to its congregation and other individuals in need. Additionally, Pastor Roberson has been active in local charitable and religious organizations, including the President of the Minister's Alliance of Ypsilanti and the President of the Huron Valley District Congress of Christian Education, where he has utilized his experience as a faith leader to provide assistance to the city at large.

Pastor Roberson's work and moral leadership has helped revitalize the Ypsilanti community. Through his time as head of the Mount Olive Baptist Church, Pastor Roberson has become known as a friendly and welcoming presence dedicated to service and building a future for the city and its residents. He is recognized for his leadership, having served as a board member of local organiza-

tions including Hope Clinic, Students and Friends of Washtenaw Community College, and the regional branch of the National Association for the Advancement of Colored People. Pastor Roberson has been an effective advocate for the city and its residents, and I wish him well as he retires from his position in the ministry.

Mr. Speaker, I ask my colleagues to join me in honoring Pastor Garther Roberson Jr. for his work in the Ypsilanti community. Pastor Roberson's has impacted countless lives through his leadership and efforts.

CONGRATULATING NATALIE
BASHAM OF THE CAMDENTON
LAKERS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Natalie Basham of the Camdenton Lakers for her first place win in the 100 Meter Hurdles at the 2017 Missouri Class 4 Girls Track and Field State Championship.

Natalie and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Natalie Basham on a job well done.

CONGRATULATING ARTHUR AND
JULIA BULLARD ON THEIR 50TH
WEDDING ANNIVERSARY

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Arthur and Julia Bullard on their 50th wedding anniversary.

The Bullard's are beloved members of the South Florida community. They met at Roosevelt High School in West Palm Beach and married at the New Bethel Missionary Baptist Church, where they remain important leaders of their congregation. Together they have three children and six grandchildren.

Both Julia and Art have dedicated their working lives to serving the public. Julia is a highly respected educator. She worked for the Palm Beach County school district for 30 years and was the Principal of Roosevelt Elementary school for 20 years. Art worked for the U.S. Postal Service for over 30 years and was a West Palm Beach City Commissioner. He capped his hard working career as Assistant to the Mayor during my eight years as Mayor of West Palm Beach. His friendship and guidance was invaluable to me and will always be cherished.

It is my honor to recognize Arthur and Julia today, and to join with their friends and family in celebrating this milestone.

CONGRATULATING THE NEW
HAVEN SHAMROCKS GIRLS
RELAY TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the New Haven Shamrocks Girls Relay Team on their first place win in the Class 1 4x400 meter relay at the 2017 Missouri Track and Field State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the New Haven Shamrocks Girls Relay Team on a job well done.

REFLECTIONS ON THE 72ND ANNI-
VERSARY OF THE BOMBINGS OF
HIROSHIMA AND NAGASAKI

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise today to speak in remembrance of the bombings of Hiroshima and Nagasaki that ushered in the nuclear age 72 years ago this week.

The atomic bombs that devastated Hiroshima on August 6, 1945 and Nagasaki on August 9, 1945 thankfully represent the only instances where the awesome destructive power of nuclear weapons were unleashed.

While it is true that the bombings of Hiroshima and Nagasaki helped to bring a speedy and decisive end to the conflict in the Pacific theater during World War II, it is also true that devastation and carnage wrought by those explosions was a vivid reminder and compelling reason for the international community to work in concert to prevent the proliferation and use of nuclear weapons.

And for 72 years, the international community, led by the United States, has deterred every nation on earth from using nuclear weapons although it has been less successful in deterring several nation-states from developing their nuclear weapons capability.

So while we pause to remember the victims who perished in, and the lives that were saved by, the bombings of Hiroshima and Nagasaki, it is critically important that we take this moment to redouble our commitment towards nuclear nonproliferation and banishing the threat of nuclear annihilation from the earth.

Mr. Speaker, since 1945 preventing the spread of nuclear weapons and weapons technology has been a pillar of the U.S.-led, rules-based international order that has brought an unprecedented era of peace and prosperity to the United States and its allies in Europe, Asia, and the Pacific.

It is this commitment to nuclear non-proliferation that has led the United States to work with the international community to keep rogue nations from developing their own nuclear arsenals, the most recent achievement in

this regard is the Joint Comprehensive Plan of Action (JCPOA) negotiated with the Iranian government in 2015.

Multilateral efforts like the JCPOA were made possible by responsible, level-headed leadership that did not needlessly engage in brinksmanship.

Today, the world faces a grave threat from the rogue and hostile regime in Pyongyang in the Democratic People's Republic of Korea.

Mr. Speaker, it is imperative that we continually seek to reduce the risk of war, and this is not accomplished through the use of overheated, reckless, and bombastic rhetoric.

It is vitally important that the Trump Administration understand the importance of using restrained and judicious rhetoric in trying to diffuse this delicate situation.

Mr. Speaker, blustery statements and bombastic tweets will not defuse the tense situation on the Korean peninsula or frighten the regime in North Korea.

Instead, we must employ the full arsenal of America's smart power assets—diplomacy, economic sanctions—to persuade North Korea that it is in its self-interest to turn away from the dangerous path it is traveling.

The United States does not harbor hostile intentions toward North Korea and is seeking to overthrow the regime in Pyongyang.

Mr. Speaker, direct diplomatic engagement with North Korea represents America's best option and holds the promise of a favorable and peaceful outcome, just as was achieved with the JCPOA and the 1994 Agreed Framework reached with North Korea that stopped North Korea's nuclear weapons program for nine years.

On July 16, 1945, after witnessing the first test of the atomic bomb in Alamogordo, New Mexico, Dr. J. Robert Oppenheimer, the director of the Manhattan Project, remembered the line from the Hindu scripture, the Bhagavad-Gita: "Now, I am become Death, the destroyer of worlds."

Mr. Speaker, for more than 70 years the international community, led by the most indispensable of nations, the United States, has kept the nuclear genie in the bottle.

We have been successful to date in no small part due to the thoughtful, persistent, judicious, restrained application of American power by responsible, sober, determined, informed Presidents of the United States, from Harry Truman through Barack Obama.

When he took the oath of office on January 20, 2017, that torch, and the burden of leadership, was passed to Donald Trump and all

Americans are anxiously hoping and praying he can restrain his impulses and rise to the occasion.

CONGRATULATING THE WASHINGTON BLUE JAYS SCHOLAR BOWL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Washington Blue Jays Scholar Bowl Team for their first place win in the 2017 Missouri Class 4 Scholar Bowl State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Washington Blue Jays Scholar Bowl team for a job well done.

IN RECOGNITION OF THE 5TH ANNIVERSARY OF THE PITTSFIELD CHARTER TOWNSHIP FARMER'S MARKET

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the organizers and vendors of the Pittsfield Charter Township Farmers Market. For the past five years, the market has provided a forum for the community to come together and offered a wide variety of goods from local producers.

Originally founded in 2012, the Pittsfield Farmer's Market serves the community at large by offering locally produced goods to residents of Pittsfield Charter Township and surrounding areas. Several dozen vendors, all based less than 40 miles away from the market, gather each week on Thursday to offer a variety of goods, including local produce, artisan bread and baked goods, honey, fresh pasta and pasture-raised meats. The vendors are vetted to ensure a wide range of goods

are served and to further Pittsfield's commitment to supporting local Michigan growers while providing access to healthy and natural foods. The market also hosts free events each week like live music performances, tips from a certified Master Gardener and public safety demonstrations. These activities, along with the wide variety of vendor offerings, have established the market as a key pillar in the southeast Michigan community, with over 8,000 guests visiting these attractions in 2016.

The Pittsfield Farmer's Market's growth and development has helped engage the community while supporting local businesses. The success of the market has empowered Michigan growers while providing high-quality produce and goods to visitors, and the gathering space in nearby Prairie Park has served as an important forum for events and presentations hosted by the market participants. Collectively, these have helped create a strong sense of community while engaging and educating visitors. The growth and development over the last five years underscores the value of the services that the market provides, and it is my hope that the market continues to experience success while effectively serving nearby residents in the coming years.

Mr. Speaker, I ask my colleagues to join me in recognizing the Pittsfield Farmer's Market on the fifth anniversary of its founding. The market has been a tremendous success through its offering of local products and promotion of community interaction.

CONGRATULATING LAUREN GERLEMANN OF THE NEW HAVEN SHAMROCKS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 11, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Lauren Gerlemann of the New Haven Shamrocks for her first place win in the long jump at the 2017 Missouri Class 1 Girls Track and Field State Championship.

Lauren and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Lauren Gerlemann on a job well done.

SENATE—Tuesday, August 15, 2017

The Senate met at 4:30 and 6 seconds p.m. and was called to order by the Honorable JOHN KENNEDY, a Senator from the State of Louisiana.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

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

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 15, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN KENNEDY, a Senator from the State of Louisiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

ADJOURNMENT UNTIL FRIDAY,
AUGUST 18, 2017, AT 10 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 10 a.m. on Friday, August 18, 2017.

Thereupon, the Senate, at 4:30 and 39 seconds p.m., adjourned until Friday, August 18, 2017, at 10 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, August 15, 2017

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. BURGESS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 15, 2017.

I hereby appoint the Honorable MICHAEL C. BURGESS to act as Speaker pro tempore on this day.

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

PRAYER

Monsignor Stephen Rossetti, Catholic University of America, Washington, D.C., offered the following prayer:

Gracious God, it is right for us to begin this session and all of our lives recognizing You, the source of all that is just and good.

Today, may we recognize the many ways we have failed to do what is just and good.

We implore Your divine mercy for ourselves and for our Nation.

May we return to Your ways; fervently seeking to do what is just and what is good, thus acting in conformity with You.

Thank You for hearing our prayer, You who are our merciful God.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore COMSTOCK on Friday, August 11, 2017:

H.R. 339, to amend Public Law 94-241 with respect to the Northern Mariana Islands;

H.R. 2288, to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mrs. COMSTOCK, on Friday, August 11, 2017:

H.R. 339. An act to amend Public Law 94-241 with respect to the Northern Mariana Islands.

H.R. 2288. An act to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 10 a.m. on Friday, August 18, 2017.

Thereupon (at 9 o'clock and 32 minutes a.m.), under its previous order, the House adjourned until Friday, August 18, 2017, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2221. A letter from the Acting Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the 2017 Major Automated Information System (MAIS) Annual Reports, pursuant to 10 U.S.C. 2445b(a); Public Law 109-364, Sec. 816(a)(1); (120 Stat. 2323); to the Committee on Armed Services.

2222. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Captain Thomas J. Moreau, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2223. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Brigadier General James B. Jarrard, United States Army, to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-

106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2224. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a 7-Year Update on the Longitudinal Study on Traumatic Brain Injury Incurred by Members of the Armed Forces in Operation Iraqi Freedom and Operation Enduring Freedom, pursuant to 10 U.S.C. 1074 note; Public Law 109-364, Sec. 721(e); (120 Stat. 2295); to the Committee on Armed Services.

2225. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Infrastructure Requirement for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R01-OAR-2015-0198; A-1-FRL-9965-52-Region 1] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2226. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Georgia; New Source Review and Permitting Updates [EPA-R04-OAR-2017-0078; FRL-9965-60-Region 4] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2227. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Infrastructure Requirements for the 2012 PM_{2.5} National Ambient Air Quality Standard [EPA-R04-OAR-2016-0213; FRL-9965-56-Region 4] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2228. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Nevada; Regional Haze Progress Report [EPA-R09-OAR-2015-0316; FRL-9964-74-Region 9] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2229. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming; Negative Declarations [EPA-R08-OAR-2017-0171; FRL-9965-78-Region 8] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2230. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming;

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

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

Negative Declarations; Correction [EPA-R08-OAR-2017-0171; FRL-9965-11-Region 8] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2231. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2017-0034; FRL-9965-26-Region 9] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2232. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Beta cyclodextrin, methyl ethers; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0507; FRL-9963-58] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2233. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyclaniliprole; Pesticide Tolerances and Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0679; FRL-9963-02] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2234. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ethaboxam; Pesticide Tolerances [EPA-HQ-OPP-2015-0676; FRL-9961-69] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2235. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Test Methods, Performance Specifications, and Testing Regulations for Air Emission Sources; Technical Correction [EPA-HQ-OAR-2014-0292; FRL-9965-63-OAR] received August 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2236. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

2237. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. DDTC 16-55, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2238. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-38, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2239. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-30, pursuant to the reporting require-

ments of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2240. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's report on Federal agencies' use of the Physicians' Comparability Allowance (PCA) program, pursuant to 5 U.S.C. 5948(j); Public Law 103-114, Sec. 2(a); (107 Stat. 1116); to the Committee on Oversight and Government Reform.

2241. A letter from the Secretary, Judicial Conference of the United States, transmitting the Report of the Proceedings of the Judicial Conference of the United States for the March 2017 session; to the Committee on the Judiciary.

2242. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting the 2016 National Security Education Program (NSEP) annual report, pursuant to 50 U.S.C. 1906(a); jointly to the Committees on Education and the Workforce and Intelligence (Permanent Select).

2243. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that, by reason of the statutory debt limit, the Secretary will be unable to fully invest the portion of the Civil Service Retirement and Disability Fund (CSRDF) not immediately required to pay beneficiaries, pursuant to 5 U.S.C. 8348(1)(2); Public Law 89-554, Sec. 8348(1)(2) (as added by Public Law 99-509, Sec. 6002(c)); (100 Stat. 1933); jointly to the Committees on Ways and Means and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 1257. A bill to amend the Securities Exchange Act of 1934 to require the Securities Exchange Commission to refund or credit excess payments made to the Commission; with an amendment (Rept. 115-275). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1558. A bill to amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repetitively damaged by floods, and for other purposes; with an amendment (Rept. 115-276). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CROWLEY (for himself and Mr. ELLISON):

H.R. 3653. A bill to provide for MyRA accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. JACKSON LEE:

H.R. 3654. A bill to limit the removal of a special counsel, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. NORCROSS, Mr. LOBIONDO, Mr. MACARTHUR, Mr. GOTTHEIMER, Mr. PALLONE, Mr. LANCE, Mr. SIRES,

Mr. PASCRELL, Mr. PAYNE, Mr. FRELINGHUYSEN, and Mrs. WATSON COLEMAN):

H.R. 3655. A bill to designate the facility of the United States Postal Service located at 1300 Main Street in Belmar, New Jersey, as the "Dr. Walter S. McAfee Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. JAYAPAL (for herself, Mr. PALONE, Mr. SMITH of Washington, Mr. HASTINGS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COHEN, Mr. KRISHNAMOORTHY, Mr. LAWSON of Florida, Mr. EVANS, Mr. DESAULNIER, Mr. PAYNE, Ms. JACKSON LEE, Mr. FOSTER, Ms. SHEA-PORTER, Ms. VELÁZQUEZ, Mr. HUFFMAN, Mr. NADLER, Mr. JOHNSON of Georgia, Mr. BLUMENAUER, Mr. MOULTON, Mrs. DINGELL, Mr. GRIJALVA, Mr. KHANNA, Mr. BEYER, Ms. PINGREE, and Mr. VARGAS):

H. Con. Res. 77. Concurrent resolution condemning fear-mongering, racism, anti-Semitism, bigotry, and violence perpetrated by hate groups; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CROWLEY:

H.R. 3653.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1

By Ms. JACKSON LEE:

H.R. 3654.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article II, Section 2, Clause 2 of the United States Constitution.

By Mr. SMITH of New Jersey:

H.R. 3655.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 113: Mr. LYNCH, Ms. JACKSON LEE, Ms. PINGREE, Mr. YODER, Mr. CONYERS, and Ms. ROYBAL-ALLARD.

H.R. 187: Ms. WILSON of Florida.

H.R. 529: Mr. FITZPATRICK.

H.R. 564: Mr. BRADY of Pennsylvania.

H.R. 669: Mr. GUTIÉRREZ, Ms. BONAMICI, and Mr. HUFFMAN.

H.R. 1057: Mr. DAVID SCOTT of Georgia, Mr. FRELINGHUYSEN, Mr. PERRY, and Mr. JODY B. HICE of Georgia.

H.R. 1090: Mrs. BEATTY, Mrs. COMSTOCK, and Mr. CUMMINGS.

H.R. 1098: Ms. SHEA-PORTER.

H.R. 1155: Mrs. WALORSKI.

H.R. 1178: Mr. BROOKS of Alabama.

H.R. 1179: Mr. GIANFORTE.

H.R. 1298: Mr. EMMER, Mr. FLORES, and Ms. HERRERA BEUTLER.
H.R. 1314: Ms. HERRERA BEUTLER.
H.R. 1315: Mr. DIAZ-BALART.
H.R. 1322: Mr. SARBANES.
H.R. 1406: Mr. LOEBSACK.
H.R. 1437: Ms. MENG.
H.R. 1661: Mr. ENGEL, Mr. YOUNG of Iowa, Ms. CLARKE of New York, and Ms. HANABUSA.
H.R. 1828: Mrs. WALORSKI.
H.R. 1880: Ms. MOORE.
H.R. 2396: Mr. ROTHFUS and Mr. GONZALEZ of Texas.
H.R. 2482: Mr. HIGGINS of New York.

H.R. 2505: Mr. CICILLINE.
H.R. 2589: Mr. BABIN.
H.R. 2821: Mr. SESSIONS.
H.R. 2840: Mr. LAWSON of Florida.
H.R. 3046: Mr. FITZPATRICK.
H.R. 3107: Mr. MCNERNEY.
H.R. 3174: Mr. SWALWELL of California.
H.R. 3197: Mr. CICILLINE, Mr. BLUMENAUER, Mr. GAETZ, Mr. CURBELO of Florida, Mrs. DAVIS of California, Ms. JACKSON LEE, and Mr. CÁRDENAS.
H.R. 3222: Mrs. BEATTY and Ms. ROSEN.
H.R. 3332: Mr. CHABOT.
H.R. 3333: Mr. JODY B. HICE of Georgia.

H.R. 3393: Mrs. TORRES, Ms. SHEA-PORTER, Ms. SLAUGHTER, and Ms. ROSEN.
H.R. 3402: Ms. KUSTER of New Hampshire.
H.R. 3513: Mr. CARTER of Georgia.
H.R. 3529: Mr. GROTHMAN.
H.R. 3545: Mr. SESSIONS and Mr. LAHOOD.
H.R. 3650: Ms. JACKSON LEE, Mr. WALKER, and Mr. YOUNG of Alaska.
H. Con. Res. 63: Mr. TONKO.
H. Res. 129: Mr. BRADY of Texas.
H. Res. 257: Mrs. LAWRENCE.

EXTENSIONS OF REMARKS

TRIBUTE TO ROSELLE KINMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Roselle Kinman of Corning, Iowa for being honored with the 100 Great Nurses of Iowa Award.

On the Great Nurses of Iowa website it states, "We have all met at least one outstanding nurse whose courage, competence, and commitment to patients and the nursing profession stand out above all others. Each year, the 100 Great Iowa Nurses program asks for patients, coworkers, friends, and family members to nominate an outstanding nurse for recognition." Roselle was chosen because of her compassionate service to her patients. She strives for quality care and encourages other members of her team to do the same. She is a dedicated, well-respected, and valued employee in Catholic Health Initiatives surgical department.

Mr. Speaker, Roselle's efforts embody the Iowa spirit and I am honored to represent her and Iowans like her, in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Roselle for her achievements and in wishing her nothing but continued success.

THE CITY OF BUENA VISTA,
VIRGINIA

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. GOODLATTE. Mr. Speaker, For 125 years, the city of Buena Vista, Virginia, has stood at the foot of the Blue Ridge Mountains by the Maury River. Though Buena Vista has seen many changes during this time, I have always known this community to be home to hardworking people who are eager to welcome a neighbor and lend a helping hand.

The city's origins can be traced back to the opening of a simple tannery by Benjamin Moomaw. In the early days, the community was known by several names, including Green Forest—a fitting name given the beautiful surrounding landscape. On February 15, 1892, Buena Vista was granted its city charter.

Buena Vista is well-known for a number of outdoor recreation opportunities, like the 315-acre Glen Maury Park. Glen Maury Park hosts numerous music events each year, including the Maury River Fiddlers' Convention and the annual Beach Music Festival. Buena Vista is also an Appalachian Trail community and a welcome respite for many through hikers.

Whether giving a lift to an AT hiker or welcoming fiddlers to the competition stage, Buena Vista residents take pride in their city. Community is built and evidenced by the spirit of volunteerism which reigns across many projects and programs that benefit both residents and visitors, like arts promotions, beautification efforts, and local endeavors to protect historic structures.

Education has long been a hallmark of life in Buena Vista. The campus of Southern Virginia University, a private, 4-year liberal arts college, is located in the city. I would be remiss if I didn't mention that Buena Vista is also home to Parry McCluer High School, the Fighting Blues! Generations of former students come together during each sports season to support their team with resounding, "Go, Blue" cheers. Academic success is celebrated as well, not only by parents but by the community, witnessed by the multitude of academic scholarships presented to PMHS graduates each year.

The annual Labor Day Parade is a true Buena Vista tradition. Since the initial Labor Day Parade held in the early 1970s, folks from across the Commonwealth have gathered to watch as the parade marched down Magnolia Avenue from downtown Buena Vista to Glen Maury Park. It's traditionally known as the kickoff to the political season leading up to the November elections, and I always look forward to the parade and the many friends I see along the way.

The city of Buena Vista is a special place to me. After marrying my wife of more than 40 years, Maryellen, we both worked in the Buena Vista community. Maryellen was a secretary at First National Exchange Bank, and I painted school buses at the Bluebird Factory. We will never forget our experiences there.

The city has also endured several horrific flooding events over the years. Working with its partners, the Commonwealth of Virginia and the United States Army Corps of Engineers, Buena Vista implemented the James R. Olin Flood Control Project, and it was my pleasure to lend a hand in that effort.

Through it all, the city of Buena Vista has remained steadfast for 125 years. I am proud to represent Buena Vista. I congratulate the city and its people on this milestone, and I wish them great prosperity for the future.

HONORING THE 377TH AIR BASE
WING, AIR FORCE GLOBAL
STRIKE COMMAND, KIRTLAND
AIR FORCE BASE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to congratulate

the 377th Air Base Wing, Air Force Global Strike Command, Kirtland Air Force Base, for earning the 2016 Air Force Outstanding Unit Award. The award recognizes the exceptional service of the 377th Air Base Wing from January 1, 2016, to December 31, 2016.

The 377th Air Base Wing accomplished a number of achievements during 2016. The air base wing provided comprehensive combat preparedness and superior installation support to 22,000 airmen and more than 110 mission partners. The airmen executed 71 ground missions, moving 765 assets and ensuring global strategic deterrence.

The air base wing made progress to mitigate a 40-year-old environmental calamity by installing the first extraction well in December of 2016. The temporary treatment system was implemented in June 2016 and treated 17 million gallons of contaminated water, removed nearly seven grams of ethylene dibromide (EDB), and protected 36.7 million gallons of water. The permanent treatment system has treated 235.5 million gallons of water and removed 69.1 grams EDB as of July 31, 2017.

The air base wing also developed a 25-year strategic roadmap that included \$110 million in upgrades to the Kirtland Underground Munitions Maintenance and Storage Complex that houses the Department of Defense's largest stockpile of Protection Level One assets.

In addition, the air base wing expanded its tribal relations program. Air base leaders worked in collaboration with state Native American tribes to create a Memorandum of Understanding which protects tribal cultures by allowing tribes to request that the military air crews avoid low-level flights above sacred areas or religious events.

The air base wing was active in assisting local fire departments fight the Dog Head Fire that burned 17,000 acres of land and threatened four communities. With Kirtland Air Force Base's help, they saved approximately 37,000 homes.

Last, in celebration of the 75th Anniversary of Kirtland Air Force Base, the air base wing hosted an air show for the first time in five years to commemorate the occasion. The air show was hosted in coordination with more than 20 organizations, 1,200 volunteers, and more than 50,000 spectators in the audience. Additionally, service members visited elementary schools to discuss the air base wing's history and the military's commitment to the country and local surrounding community of Albuquerque, New Mexico.

Those are only a few of the achievements that prove the excellence of the 377th Air Base Wing. I am confident that the achievements of the 377th Air Base Wing will be a lasting positive impact in our community.

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

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

TRIBUTE TO THE 2017 JOHNSTON
HIGH SCHOOL BASEBALL TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Johnston High School Baseball team for winning for the Iowa 4A High School State Baseball Tournament.

I would like to congratulate each member of the team including Nathan Buckallew, Nathan Blanchard, Jackson Vines, Jack Dreyer, Derek Friestad, Andrew Nord, Adam Stiles, Noah Hogge, Derek Hackman, Caleb Kuennen, Keaton Duckett, Noah Janssen, Jacob Tobey, Peter Johnson, Drew Beazley, Brock Studer, Nick Yeast, Cade Moss, Andrew Zimmerman, Sean Meyer, Peyton Williams, Alex MacGregor, Jack Burger, and Evan Salmon; their head coach Michael Barta; the assistant coaches Tom Steffes, Quinn O'Brien, Jake Ernd, Adam Richman, James Stone, and Mitch Gearhart; and the student managers Cole Borwick and Nathan Olive.

Mr. Speaker, the example set by these students and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating these young men for their achievements in this rigorous competition and wishing them all nothing but continued success.

HONORING THE 20TH ANNIVERSARY
OF MI SUEÑO WINERY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Mi Sueño Winery and owners Rolando Herrera and Lorena Robledo Herrera upon the occasion of their twentieth Anniversary of producing excellent wines.

Rolando Herrera and Lorena Robledo were both born in Mexico. Their families immigrated to the Napa Valley to seek better lives and opportunities for their children. Lorena's family taught her to tend vines and grow grapes, and Rolando was able to study enology and viticulture at UC Davis. When the couple met, "it seemed like fate."

Rolando and Lorena founded Mi Sueño Winery in 1997, the same year that they were married. Together they have built their dream winery with love, passion and deep understanding of the art of growing exceptional grapes and creating award-winning wines. As Rolando says, "farming and making wine is not science, it's experience."

Rolando and Lorena believe that creating truly unique wines requires careful attention to every stage of the winemaking process, from start to finish. From choosing the right plot of earth, to personally planting the vineyards and selecting the most attentive distributors,

Rolando and Lorena have created a truly exceptional business and product. The White House recognized the quality of their wines by pouring three different Mi Sueño wines at state dinners. Earlier this year, the Smithsonian Institution honored them at their Fifth Annual Winemakers' Dinner.

This month Rolando, Lorena and all their children will gather to celebrate their twentieth Anniversary. Rolando and Lorena have developed different single-vineyard, barrel-selected wines named after each of their six children. Their brave story of immigration, incredible hard work and passion is a perfect example of what it means to live the American Dream.

Mr. Speaker, Mi Sueño Winery has been producing quality wine for the past 20 years. I am proud to have such a hardworking family living in our community. It is fitting and proper that we honor them here today.

H.R. 339, THE NORTHERN MARIANA
ISLANDS ECONOMIC EXPANSION
ACT

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. SABLAN. Mr. Speaker, I thank my colleagues for understanding that my bill, H.R. 339, as amended by the Senate, was time-critical and for acting swiftly upon this measure on Friday, August 11.

H.R. 339, the Northern Mariana Islands Economic Expansion Act, was intended to provide one-time relief to the economic disruption that occurred in my district, when a surge of Chinese construction workers used up one-third of the available Commonwealth-only Transitional Worker permits for fiscal year 2017. This left many of our local businesses, small and large, in the lurch. These businesses have foreign workers on their staff, who know the business and upon whom employers rely, for whom fiscal year 2017 permits became unavailable as a result of the Chinese surge. There is an annual limit on the number of these Commonwealth-only Transitional Worker, or CW-1, permits, which are specific and unique to the Marianas. For fiscal 2017, 12,998 were available. H.R. 339 provides 350 more to help out the businesses caught in this bind.

Had the Senate acted more quickly and had the Senate not decided to reduce the number of additional permits to 350, more local businesses could have been assisted. But the legislative process is collaborative and deliberative; and I respect that.

I can say that there are 306 permits that were scheduled to expire in August and September. So by providing an additional 350 permits, H.R. 339, as amended, matches up against that remaining need.

I also note that the Senate amendment takes the current permit system in a new direction by designating that at least 60 of the additional permits for fiscal 2017 must be used for workers in healthcare and at least 10 for power plant operators. These occupational categories are critical to public health and

safety. It well may be that in the future any foreign worker permits, specific to the Marianas, will also have to begin to be prioritized to ensure that the most value is added to the Marianas economy by the permitted workers.

Although H.R. 339 provides one-time relief to an immediate shortage of permits, there is further intent. The bill contains two provisions that will make the problem we are fixing now less likely to recur in future.

First, and most importantly, the bill increases the fee that employers pay, as part of the permit process, that goes to training U.S. workers to fill the jobs currently held by foreign workers in the Marianas. Had the Marianas been less dependent on foreign workers, this year's crisis would have been proportionally less intense. So, we must continue to focus on adding U.S. workers to the economy.

The fee increase is from \$150 per annual permit to \$200. And the increase is permanent. It does not apply solely to fiscal 2017, as is the case with the extra permits. It is the intention of the legislation that the fee increase apply to petitions filed on or after the date of enactment, not to petitions previously filed.

Since the beginning of the transitional worker program, these fees have provided about \$10 million to the Commonwealth of the Northern Mariana Islands government and been distributed to educational institutions. Over the same period of time, about 1,200 U.S. workers have been added to the local labor force. I understand from testimony of the Government Accountability Office to the Senate Energy and Natural Resources Committee in April of this year, that some \$3 million of the collected fees remain unused.

Effective and prompt use of the U.S. worker training funds are goals I believe should be part of the consideration for future legislation. I introduced in the 113th Congress, H.R. 2200, a bill that would have required the Commonwealth provide to the Secretary of Homeland Security a plan for the expenditure of these funds with a specific, numerical goal for job placement of U.S. workers. My legislation also required a biennial report by the Comptroller General on whether this goal had been met. That legislation did not make it to the finish line here in Congress; however, along with the allocation of permits for specific, high-value occupations, setting performance goals for the U.S. worker training fund is a policy I believe should be a part of our future considerations.

The second provision intended to prevent a recurrence of the current crisis bars the use of the CW-1 permit for new workers in construction occupations. Existing construction companies with foreign workers, who have been in their employ prior to fiscal year 2016, will be able to continue renewing the CW-1 permits of those specific individual workers. There are between 1,000 and 1,500 such individuals, I understand. Approval for a CW-1 permit for an individual in a construction occupation may not be granted, if the individual was not previously approved for a CW-1 permit before October 1, 2015. And no approvals for initial grant of CW-1 status to individuals in construction occupations, as defined in H.R. 339, may be issued, regardless of whether the employer previously petitioned for an employee in such occupation or whether that petition had been approved. This provision, too, is to be

continuously effective beyond fiscal year 2017. To avoid unnecessary economic disruption, implementation of the provision barring use of CW-1 permits for construction occupations is intended to apply to pending petitions and to petitions filed on or after the date of enactment.

This division created by H.R. 339 between legacy and new workers will allow our existing construction companies to continue meeting the demand for housing and other buildings that still remains because of the destruction caused by Typhoon Soudelor in 2015 and, also, results from the overall improvement in the Marianas economy.

Enactment of H.R. 339 does not mean, however, that the Marianas economy will not have access to construction workers to supplement the local labor force. New hires for construction of developments such as the hotels and resorts now on the drawing boards in the Marianas will be—preferably—local, U.S. workers. Alternatively, however, these developments may use visa categories other than the CW-1 to supply foreign workers. In U.S. Public Law 113-235 Congress provided the Marianas with access to an unlimited number of H-2B visas, which are specifically intended to address any temporary need for workers, such as occurs when a new hotel is built.

In fact, in order to be eligible to apply for the CW-1 permit, applicant businesses must attest that no other visa category is available. In light of the unlimited number of H-2B visas available and because the current problem stems from the use of CW-1 permits for temporary construction workers, I have on numerous occasions requested that U.S. Citizenship and Immigration Services confirm that these attestations are accurate. Enactment of H.R. 339 makes matters simpler: construction occupations are no longer eligible for CW-1 permits with the exception of renewals of permits first issued prior to fiscal 2016.

Mr. Speaker, thank you for the opportunity to provide this statement of legislative intent today to the record on H.R. 339. And thanks, again, to all my colleagues who made it possible to move forward with the Northern Mariana Islands Economic Expansion Act.

TRIBUTE TO MARY CAMPOS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mary Campos of Des Moines, Iowa, for being inducted into the 2017 Class of the Iowa Latino Hall of Fame.

The enduring qualities of Iowa Latino Hall of Fame Inductees include: significant contributions to their respective field of work, impactful changes in the social, cultural, economic or political well-being of the community, and inspiring others through their efforts. Mary is the embodiment of these qualities. She has dedicated her life to uplifting others and making sure they have the same opportunities she has had to make an impact on her community. She was also the first Latina to be appointed

to the Iowa Commission on the Status of Women.

Mr. Speaker, it is an honor to represent leaders like Mary in the United States Congress and it is with great pride that I recognize her today for receiving this esteemed designation. I ask that my colleagues in the United States House of Representatives join me in congratulating her on receiving this award, and in wishing her nothing but continued success.

PERSONAL EXPLANATION

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Ms. HERRERA BEUTLER. Mr. Speaker, the day of July 27, 2017, I am wrongly recorded on the Cartwright Amendment No. 43 to H.R. 3219. I intended to oppose this amendment.

HONORING SHERIFF STEVE FREITAS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise to honor Sheriff Steve Freitas upon the occasion of his retirement from the Sonoma County Sheriff's Office. Sheriff Freitas has dedicated 32 years to serving our community in law enforcement.

A native of San Jose, California, Sheriff Freitas moved to Sonoma County in 1988. He attended DeAnza Community College and graduated from San Jose State University with a degree in Administration Justice. He and his wife, Michelle have two sons, Michael and Zachary.

Sheriff Freitas began his career in 1985 with the Santa Clara County Sheriff's Office. In 1988, He joined the Novato Police Department. He joined the Sonoma County Sheriff's office in 1991 where he worked in several different assignments, including Detention, Courts, Patrol, Investigations and Administration. The City of Windsor selected him to be Chief of Police in 2005.

The people of Sonoma County elected and reelected Sheriff Freitas in 2010 and 2014. While serving as Sheriff, he created the Latino Advisory Committee to ensure quality communication and closer relationships with the Latino Community. He successfully guided the Office through necessary budget cuts during the recession. His hard work with Sonoma County's new law enforcement oversight agency is admirable. Sheriff Freitas will be remembered for leading the Sheriff's office to maintain the safety and security of the people of Sonoma County.

In addition to his service in law enforcement, Sheriff Freitas serves on the Boys and Girls Club of Marin and Southern Sonoma County's Leadership Council. He is a member of the Verity advisory board, the California Parenting Institute executive board and the Sonoma County Alliance.

Sheriff Freitas supports the Future Farmers of America and 4-H students at the Sonoma County Fair. He is an active Member of his church, a longtime fan of the San Jose Sharks and an avid camper. He is a valuable member of our community.

Mr. Speaker, Sheriff Freitas has led a long and distinguished career serving the people of Sonoma County. Therefore, it is fitting and proper that we honor him and extend our best wishes for an enjoyable retirement.

TRIBUTE TO ILLA PLASENCIA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Illa Plasencia of West Des Moines, Iowa for being inducted into the 2017 Class of the Iowa Latino Hall of Fame.

The enduring qualities of Iowa Latino Hall of Fame Inductees include: significant contributions to their respective field of work, impactful changes in the social, cultural, economic or political well-being of the community, and inspiring others through their efforts. Illa is the embodiment of these qualities. She has dedicated her life to uplifting others and making sure they have the same opportunities she has had to make an impact on her community. Illa served on the first Iowa Commission of Latino Affairs, the Iowa Civil Rights Commission, Iowa Commission on the Status of Women and many more.

Mr. Speaker, it is an honor to represent leaders like Illa in the United States Congress and it is with great pride that I recognize her today for receiving this esteemed designation. I ask that my colleagues in the United States House of Representatives join me in congratulating her on receiving this award, and in wishing her nothing but continued success.

IN RECOGNITION OF CHIEF JOSEPH DALY OF THE SPRINGFIELD TOWNSHIP POLICE DEPARTMENT IN DELAWARE COUNTY, PENNSYLVANIA

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. MEEHAN. Mr. Speaker, today I recognize Chief Joseph Daly of the Springfield Township Police Department in Delaware County, PA. Chief Daly has honorably served his country and the public his entire adult life. He is a veteran of the United States Marine Corps, served two tours of duty in Vietnam, and then began a forty-plus year law enforcement career. In 2009, Chief Daly became Springfield Township's Chief of Police following his stint as Chief of Police for Lower Merion Township.

The Delaware County Chamber of Commerce has rightly honored Chief Daly with their Hometown Hero award. He works tirelessly to ensure the safety of Delaware County

residents and has earned the respect of his colleagues and the public they serve. Under his leadership the Springfield Police Department received accreditation by the Pennsylvania Chiefs' of Police Association, a first for a Delaware County police department.

I commend Chief Daly for his passion and dedication to law enforcement in our community and I join the Delaware County Chamber of Commerce in calling him a Hometown Hero.

HONORING KATHERINE
AUGUSTINE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize Katherine Augustine's lifetime of achievements that have touched countless New Mexicans through her work as a nurse and advocate for Native American health. Fittingly, Katherine chronicled her amazing experiences in an autobiography that contributes to the history of New Mexico.

Katherine was born on September 30, 1929 in the Pueblo of Laguna. She went to Albuquerque Indian High School and attended Sage Memorial Hospital School of Nursing in neighboring state, Arizona. In 1951, she moved to California and started a family. She later moved back to New Mexico.

Katherine started her career at the Presbyterian Hospital Center, where she worked for 29 years. After retiring, she continued to work at the Indian Health Service at Acoma-Cañoncito-Laguna Hospital in San Fidel and the Albuquerque Indian Hospital. She also worked at the Albuquerque Tribune and the Roundhouse newspaper.

During the past 22 years, Katherine has volunteered her time with numerous organizations, helping neighbors and friends throughout the community.

She was on the Committee of the Ancient Living Village, Vice-President of the Laguna Colony of Albuquerque, served on the Council of Elders at the New Mexico Geriatric Education Center, and was a member of the Environmental Health Community Advisory Committee.

She traveled around the world to promote her favorite projects—Friendship Force of New Mexico and Sister Cities of Albuquerque.

I wish Katherine all the best with her future endeavors. Her work has and will continue to influence those in her community. Thank you and congratulations, Katherine.

TRIBUTE TO SENIOR AIRMAN
LACEY K. MILLER, THE UNITED
STATES AIR FORCE AIRMAN OF
THE YEAR

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. RUTHERFORD. Mr. Speaker, Senior Airman Lacey Miller's recognition stems from

her dedication to her country. Airman Miller bravely enlisted into the United States Air Force Reserves in February 2012. While she was in the reserves, she was attending Materiel Management School. Upon completion of technical training, she was assigned to the 911th Airlift Wing in Pittsburgh, Pennsylvania. She was then assigned to the Logistics Readiness Squadron supporting the C-130 Hercules aircraft mission set. After a year of serving the squadron, she transitioned to her current position in the Florida National Guard as a Materiel Management Journeyman assigned to the 290th Joint Communications Support Squadron at MacDill Air Force Base. Airman Miller has deployed in support of Operation Freedom Sentinel where she was assigned as a logistics liaison for nine forward operating bases in Afghanistan areas of responsibility, directly supporting Special Operations Forces in combat operations.

Airman Miller can be described as a leader—considerate, courageous, and compassionate. At a young age, Lacey took part in helping her community, as a volunteer at a Young Life Group where she mentored troubled youth. She also cares profoundly for her planet and traveled to Sweden to promote eco-friendly farming. In the fall, Senior Airman Miller will be attending the University of Florida pursuing a bachelor's degree in forestry.

Airman Lacey Miller is a phenomenal example of service and sacrifice. She is truly deserving of the recognition that the United States Air Force has bestowed on her as Airman of the Year and we thank her for her service to our great nation.

TRIBUTE TO HENRY VARGAS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Henry Vargas of Davenport, Iowa for being inducted into the 2017 Class of the Iowa Latino Hall of Fame.

The enduring qualities of Iowa Latino Hall of Fame Inductees include: significant contributions to their respective field of work, impactful changes in the social, cultural, economic or political well-being of the community, and inspiring others through their efforts. Henry is the embodiment of these qualities. He has dedicated his life to uplifting others and making sure they have the same opportunities he has had to make an impact on his community. Henry is the founder of the Davenport Civil Rights Commission that is now called the Iowa Commission of Latino Affairs and the Office of Latino Affairs.

Mr. Speaker, it is an honor to represent leaders like Henry in the United States Congress and it is with great pride that I recognize him today for receiving this esteemed designation. I ask that my colleagues in the United States House of Representatives join me in congratulating him on receiving this award, and in wishing him nothing but continued success.

IN RECOGNITION OF UPPER
MERION SENIOR SERVICE CEN-
TER ON THEIR 20TH ANNIVER-
SARY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. MEEHAN. Mr. Speaker, today I recognize the Upper Merion Senior Service Center of King of Prussia, PA for its twentieth anniversary. Caring for our senior citizens is a challenging yet immensely rewarding experience to which those at UMSSC have dedicated their lives.

The Center enables seniors in the Seventh District to live life to the fullest. They facilitate activities that allow seniors to engage in physical, educational, and recreational activities. This social environment and steadfast care helps seniors enjoy theft retirement and stay healthy.

I hope UMSSC continues to provide their services for many years to come. The senior citizens of our district deserve the best care we can provide and UMSSC is a treasured place that does just that.

I congratulate UMSSC for their twenty years of service to our community and I wish them well in their efforts to provide top quality care for Philadelphia area seniors.

TRIBUTE TO CHRIS TEACHOUT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chris Teachout of Shenandoah, Iowa for receiving the 2017 Iowa Conservation Farmer of the Year Award. The award is sponsored by the Iowa Department of Agriculture and Land Stewardship and the Iowa Farm Bureau Federation. Chris is a 5th generation Iowa farmer.

Chris received this award for his use of cover crops on his farm. The cover crop practice is a popular conservation technique which reduces erosion and improves soil and water quality. Chris is always willing to learn something new and has a proven track record of experimenting with different ideas to continuously improve the soil and water on his farm. Iowa Secretary of Agriculture Bill Northey said, "Iowa farmers continue to take on the challenge of better protecting their soil and improving water quality. This award is an opportunity to highlight and recognize a farmer that has gone above and beyond in their conservation efforts and serves as a model of land stewardship."

Mr. Speaker, I applaud and congratulate Chris for earning this award. He is a shining example of how hard work and dedication can have a positive impact on the land. It is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating him and in wishing him nothing but continued success.

IN RECOGNITION OF BARBARA
JONES, CONSUL GENERAL OF
IRELAND

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. MEEHAN. Mr. Speaker, today I recognize Consul General of Ireland Barbara Jones. Barbara has a long history of service to the Irish people. Her career as an Irish diplomat began in 1983 after receiving a graduate degree in education from University College, Dublin as well as a graduate degree in computer science from the National Institute of Higher Education at the University of Limerick.

Her posting as Consul General for the New York Consulate of Ireland concludes this month after three years of promoting Irish-American relations. I also thank the Irish Immigration Center of Philadelphia for working closely with Barbara during her tenure to en-

sure a positive and productive relationship between Ireland and the Philadelphia region.

Irish-American relations have never been stronger. This bond is due in no small part to Barbara's tireless efforts to foster meaningful connections between U.S. localities and Ireland. I hope she leaves the United States with fond memories, as I know she leaves her many friends and colleagues with their own fond memories of Barbara. I wish her well as she returns home and moves on to her next venture.

TRIBUTE TO PAULINE JONES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pauline Jones on the occasion of her 100th birthday.

Our world has changed a great deal during the course of Pauline's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Pauline has lived through seventeen United States Presidents and twenty-three Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Pauline in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Pauline on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

SENATE—*Friday, August 18, 2017*

The Senate met at 10 and 1 second a.m. and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 18, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

ADJOURNMENT UNTIL TUESDAY,
AUGUST 22, 2017, AT 7 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, August 22, 2017, at 7 a.m.

Thereupon, the Senate, at 10 and 30 seconds a.m., adjourned until Tuesday, August 22, 2017, at 7 a.m.

HOUSE OF REPRESENTATIVES—*Friday, August 18, 2017*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BANKS of Indiana).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 18, 2017.

I hereby appoint the Honorable JIM BANKS to act as Speaker pro tempore on this day.

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

PRAYER

Rabbi Arnold E. Resnicoff, Retired Chaplain, United States Navy, Washington, D.C., offered the following prayer:

Almighty God, we pray, reflect, or meditate in different ways but together ask Your blessing for this country that we love. We are far from perfect, but we have a perfect dream: liberty, justice—equality—for all.

On this date, August 18, we made progress in the past. We ratified the 19th Amendment, tearing down the wall that blocked a woman's right to vote; did what we do best when we are at our best; made a moral right a legal right, enshrining liberty in law.

This week we mourn the pain and death of neighbors—the clashes in the street, the shouted words of hate—attacks against the very dreams that remind us who and what we yearn to be.

And so we pray with words of song: America, America, God mend thine every flaw, confirm thy soul in self-control, thy liberty in law.

And let us say, Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on August 11, 2017, she presented to the President of the United States, for his approval, the following bills:

H.R. 339. To amend Public Law 94-241 with respect to the Northern Mariana Islands.

H.R. 2288. To amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.J. Res. 76. Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 9 a.m. on Tuesday, August 22, 2017.

Thereupon (at 10 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Tuesday, August 22, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2244. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Captain Fred I. Pyle, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2245. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of Defense, transmitting an additional legislative proposal that the Department of Defense requests be enacted during the first session of the 115th Congress; to the Committee on Armed Services.

2246. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Recordkeeping Requirements for Qualified Financial Contracts (RIN: 3064-AE54) received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2247. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test

Procedure for Dedicated-Purpose Pool Pumps [EERE-2016-BT-TP-0002] (RIN: 1904-AD66) received August 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2248. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; SC: Standards for Volatile Organic Compounds and Oxides of Nitrogen [EPA-R04-OAR-2017-0388; FRL-9966-22-Region 4] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2249. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Alabama; Transportation Conformity [EPA-R04-OAR-2017-0174; FRL-9966-29-Region 4] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2250. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Delaware: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R03-RCRA-2014-0407; FRL-9965-87-Region 3] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2251. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to Implement the Revocation of the 1997 Ozone NAAQS [EPA-R03-OAR-2017-0382; FRL-9966-31-Region 3] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2252. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Connecticut; Nonattainment New Source Review Permit Requirements for the 2008 8-Hour Ozone Standard [EPA-R01-OAR-2017-0150; FRL-9965-92-Region 1] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2253. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; NC; Air Curtain Burners [EPA-R04-OAR-2007-0085; FRL-9966-24-Region 4] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2254. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Promulgation of State Implementation Plan Revisions; Infrastructure

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

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

Requirements for the 2010 SO₂ and 2012 PM_{2.5} National Ambient Air Quality Standards; Colorado [EPA-R08-OAR-2013-0557; FRL-9966-06-Region 8] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2255. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Vermont; Regional Haze Five-Year Progress Report [EPA-R01-OAR-2016-0626; FRL-9966-37-Region 1] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2256. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Procedure 2 — Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2016-0382; FRL-9966-25-OAR] (RIN: 2060-AT15) received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2257. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2010 SO₂ and 2012 PM_{2.5} National Ambient Air Quality Standards; South Dakota [EPA-R08-OAR-2016-0709; FRL-9966-05-Region 8] received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2258. A letter from the Division Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting the Commission's final rule — Promoting Spectrum Access for Wireless Microphone Operations (GN Docket No.: 14-166); Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and Amendment of Part 74 of the Commission's Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap (ET Docket No.: 14-165); Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions (GN Docket No.: 12-268); and others received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2259. A letter from the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services [WT Docket No.: 10-112] received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2260. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Pub-

lic Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

2261. A letter from the Director, International Cooperation, Acquisition Technology, and Logistics, Department of Defense, transmitting Transmittal No. 12-17, pursuant to Section 27(f) of the Arms Export Control Act and Executive Order 13637; to the Committee on Foreign Affairs.

2262. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report containing information about a proposed transaction for the export and transfer of certain defense articles, pursuant to Sec. 40(g)(2) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2263. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-32, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2264. A letter from the Associate General Counsel, Department of Agriculture, transmitting three notifications of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2265. A letter from the Attorney-Advisor, FHA, Department of Transportation, transmitting a notification of a designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2266. A letter from the Attorney-Advisor, FRA, Department of Transportation, transmitting a notification of a designation of acting officer, and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2267. A letter from the Attorney-Advisor, Maritime Administration, Department of Transportation, transmitting a notification of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2268. A letter from the General Counsel, National Endowment for the Humanities, transmitting a notification of a designation of acting officer, and change in previously submitted reported information, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2269. A letter from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting a notification of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2270. A letter from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting a notification of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2271. A letter from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting a notification of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2272. A letter from the Acting Special Counsel, U.S. Office of Special Counsel,

transmitting the FY 2016 Annual Report from the U.S. Office of Special Counsel; to the Committee on Oversight and Government Reform.

2273. A letter from the Regulatory Liaison, Writer/Editor, Office of Natural Resources Revenue, Department of the Interior, transmitting the Department's final rule — Repeal of Consolidated Federal Oil and Gas and Federal and Indian Coal Valuation Reform [Docket No.: ONRR-2017-0001; DS63644000 DR2000000.CH7000 178D0102R2] (RIN: 1012-AA20) received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2274. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report to Congress concerning grants made under the Paul Coverdell National Forensic Science Improvement Grants Program, pursuant to 42 U.S.C. 3797o(b); Public Law 90-351, Sec. 2806(b) (as amended by Public Law 107-273, Sec. 5001(b)(5)); (116 Stat. 1814); to the Committee on the Judiciary.

2275. A letter from the Shareholder, Elliott Davis Decosimo, LLC, transmitting the annual financial report for CY 2016 of the Congressional Medal of Honor Society of the United States of America, pursuant to Public Law 88-504 and 36 U.S.C. 1101; to the Committee on the Judiciary.

2276. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Ashburn, GA [Docket No.: FAA-2013-0442; Airspace Docket No.: 13-ASO-12] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2277. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0696; Directorate Identifier 2017-NM-070-AD; Amendment 39-18960; AD 2017-14-16] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2278. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-3637; Directorate Identifier 2014-NM-219-AD; Amendment 39-18954; AD 2017-14-10] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2279. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2016-2016-9389; Directorate Identifier 2014-NM-153-AD; Amendment 39-18953; AD 2017-14-09] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2280. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9501; Directorate Identifier

2016-NM-137-AD; Amendment 39-18961; AD 2017-15-01] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2281. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9393; Directorate Identifier 2014-NM-199-AD; Amendment 39-18935; AD 2017-13-05] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2282. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2017-0157; Directorate Identifier 2016-CE-039-AD; Amendment 39-18965; AD 2017-15-05] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2283. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Safran Helicopter Engines, S.A., Turbohaft Engines [Docket No.: FAA-2017-0115; Directorate Identifier 2017-NE-04-AD; Amendment 39-18967; AD 2017-15-07] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2284. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9516; Directorate Identifier 2016-NM-053-AD; Amendment 39-18964; AD 2017-15-04] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2285. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2016-5443; Directorate Identifier 2016-SW-021-AD; Amendment 39-18884; AD 2017-10-10] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2286. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters (Type Certificate Previously Held by Schweizer Aircraft Corporation) [Docket No.: FAA-2016-6968; Directorate Identifier 2016-SW-020-AD; Amendment 39-18950; AD 2017-14-06] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2287. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines AG Tur-

bofan Engines [Docket No.: FAA-2017-0021; Directorate Identifier 2017-NE-01-AD; Amendment 39-18951; AD 2017-14-07] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2288. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2016-9592; Directorate Identifier 2016-NE-30-AD; Amendment 39-18952; AD 2017-14-08] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2289. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Water Act Methods Update Rule for the Analysis of Effluent [EPA-HQ-OW-2014-0797; FRL-9957-24-OW] (RIN: 2040-AF48) received August 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2290. A letter from the Director, Office of Regulation Policy and Management (OOREG), Office of the Secretary, Department of Veterans Affairs, transmitting the Department's final rule — Schedule for Rating Disabilities; Dental and Oral Conditions (RIN: 2900-AP08) received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

2291. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9567; Directorate Identifier 2016-NM-147-AD; Amendment 39-18955; AD 2017-14-11] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2292. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of the Phase-in Period for the Enforcement and Administration of Section 871(m) [Notice 2017-42] received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2293. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Information Reporting on Minimum Essential Coverage Under a Catastrophic Plan [Notice 2017-41] received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2294. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — One-Year Delay in the Application of Section 1.385-2 [Notice 2017-36] received August 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2295. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled, "Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization (QIO)

Program for Medicare Beneficiaries for Fiscal Year (FY) 2015", pursuant to 42 U.S.C. 1320c-10; Aug. 14, 1935, ch. 531, title XI, Sec. 1161 (as amended by Public Law 97-248, Sec. 143); (96 Stat. 392); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BANKS of Indiana:

H.R. 3656. A bill to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable; to the Committee on Veterans' Affairs.

By Mr. POLIQUIN:

H.R. 3657. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide headstones and markers for the graves of spouses and children of veterans who are buried in tribal cemeteries; to the Committee on Veterans' Affairs.

By Ms. CLARKE of New York (for herself, Ms. VELÁZQUEZ, Mr. MEEKS, Mr. JEFFRIES, Mr. NADLER, Mr. SEAN PATRICK MALONEY of New York, Ms. MENG, Mr. ESPAILLAT, Mr. SERRANO, Mr. PALLONE, Mrs. WATSON COLEMAN, Ms. LEE, Mr. HUFFMAN, Ms. NORTON, Mr. RICHMOND, Mr. BUTTERFIELD, Mr. ENGEL, Ms. WILSON of Florida, Ms. BARRAGÁN, Mr. EVANS, Mrs. BEATTY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. HASTINGS):

H.R. 3658. A bill to require the Secretary of Defense to change the name of any military installation or other property under the jurisdiction of the Department of Defense that is currently named after any individual who took up arms against the United States during the American Civil War or any individual or entity that supported such efforts; to the Committee on Armed Services.

By Mr. CURBELO of Florida (for himself and Mr. CROWLEY):

H.R. 3659. A bill to amend the Internal Revenue Code of 1986 to provide an exception to percentage of completion method of accounting for certain residential construction contracts; to the Committee on Ways and Means.

By Mr. ESPAILLAT (for himself, Mr. EVANS, Ms. BLUNT ROCHESTER, Mr. BUTTERFIELD, Mr. POCAN, Ms. CLARKE of New York, Ms. CLARK of Massachusetts, Mr. ELLISON, Ms. BASS, Ms. VELÁZQUEZ, Ms. WILSON of Florida, Mr. PALLONE, Mrs. LOWEY, Ms. LEE, Mrs. BEATTY, Mr. GALLEGO, Ms. NORTON, Mr. VELA, Mr. BLUMENAUER, Mr. RICHMOND, Mr. SERRANO, Ms. MOORE, Ms. DELAURO, Ms. BARRAGÁN, Mr. MEEKS, Mr. GUTIÉRREZ, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFRIES, Mr. CICILLINE, Ms. JUDY CHU of California, Ms. ADAMS, Mr. GOMEZ, Ms. MAXINE WATERS of California, and Mr. AL GREEN of Texas):

H.R. 3660. A bill to prohibit the use of Federal funds for Confederate symbols, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure, and

Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST:

H.R. 3661. A bill to establish a program to award prizes for the development of innovative, environmentally safe solutions for reducing, mitigating, and controlling harmful algal blooms, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST:

H.R. 3662. A bill to provide duty-free treatment for the sale of used yachts, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mrs. WATSON COLEMAN, Ms. JAYAPAL, Mr. CROWLEY, Ms. JACKSON LEE, Mrs. NAPOLITANO, Ms. VELÁZQUEZ, Mr. FOSTER, Ms. DEGETTE, Mr. ESPAILLAT, Mr. PETERS, Mr. PAYNE, Ms. FUDGE, Mrs. CAROLYN B. MALONEY of New York, Mr. TONKO, Mr. LAWSON of Florida, Mr. LARSEN of Washington, Mr. PALLONE, Mr. GRIJALVA, Mr. MEEKS, Mr. COHEN, Mr. WALZ, Ms. CLARKE of New York, Mr. LYNCH, Ms. BROWNLEY of California, Mr. ENGEL, Mr. LOEBSACK, Ms. SCHAKOWSKY, Mrs. DINGELL, Ms. LEE, Mr. BROWN of Maryland, Mr. CICILLINE, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. SERRANO, Mr. RASKIN, Mr. THOMPSON of Mississippi, Mr. AL GREEN of Texas, Mr. TAKANO, Ms. MENG, Mr. POCAN, Ms. MAXINE WATERS of California, Mr. GUTIÉRREZ, Mrs. LAWRENCE, Mr. BEYER, Ms. SHEA-PORTER, Mr. TED LIEU of California, Ms. BASS, Mr. SMITH of Washington, Mr. CLAY, Mr. SCHNEIDER, Mr. CONNOLLY, Mr. JEFFRIES, Ms. PINGREE, Mrs. TORRES, Mr. EVANS, Mr. SIRES, Mr. QUIGLEY, Mr. MCEACHIN, Mr. BLUMENAUER, Mr. CAPUANO, Mr. HIGGINS of New York, Mr. PASCRELL, Mr. BEN RAY LUJÁN of New Mexico, Mr. LANGEVIN, Mr. LIPINSKI, Ms. ROSEN, Mr. SHERMAN, Mrs. LOWEY, Mr. DESAULNIER, Mr. KIHUEN, Ms. SLAUGHTER, Ms. BONAMICI, Ms. MICHELLE LUJÁN GRISHAM of New Mexico, Mr. LOWENTHAL, Ms. ADAMS, Ms. KELLY of Illinois, Mr. GOMEZ, and Mr. MCGOVERN):

H. Res. 496. A resolution condemning and censuring President Donald Trump; to the Committee on the Judiciary.

By Ms. LOFGREN:

H. Res. 497. A resolution urging the Vice President and the Cabinet to fulfill their duties pursuant to Section 4 of the 25th Amendment to the U.S. Constitution; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

105. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 213, rebuking the White House for issuing an International Holocaust Remembrance Day 2017 statement that failed to mention Jews

or the anti-Semitism that led to the Nazi genocide against the Jewish people; which was referred to the Committee on Foreign Affairs.

106. Also, a memorial of the House of Representatives of the State of Florida, relative to House Resolution 281, opposing United Nations Security Council Resolution 2334 and requesting its repeal or fundamental alteration; which was referred to the Committee on Foreign Affairs.

107. Also, a memorial of the House of Representatives of the State of Florida, relative to House Resolution 281, opposing United Nations Security Council Resolution 2334 and requesting its repeal or fundamental alteration; which was referred to the Committee on Foreign Affairs.

108. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

109. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

110. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 73, respectfully urging the Congress of the United States to enact legislation protecting employee and retiree retirement benefits; which was referred jointly to the Committees on the Judiciary and Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BANKS of Indiana:

H.R. 3656.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. POLIQUIN:

H.R. 3657.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. CLARKE of New York:

H.R. 3658.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States;

By Mr. CURBELO of Florida:

H.R. 3659.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. ESPAILLAT:

H.R. 3660.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper

for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. MAST:

H.R. 3661.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MAST:

H.R. 3662.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 173: Mr. CHABOT, Mr. CULBERSON, Mr. PITTENGER, and Mr. COFFMAN.

H.R. 299: Mr. LEWIS of Georgia and Mr. MESSER.

H.R. 434: Mr. CRAMER.

H.R. 528: Mr. SOTO.

H.R. 669: Mr. COHEN, Ms. HANABUSA, and Mr. ESPAILLAT.

H.R. 676: Mr. SHERMAN.

H.R. 771: Mr. KIHUEN.

H.R. 931: Mr. HOLLINGSWORTH and Mr. EVANS.

H.R. 1090: Ms. HANABUSA.

H.R. 1119: Mr. SHUSTER.

H.R. 1156: Mr. JODY B. HICE of Georgia.

H.R. 1164: Mr. ARRINGTON, Mr. MEEHAN, Mr. PEARCE, Mr. DONOVAN, Mr. BRADY of Texas, Mr. BUCSHON, and Mr. LOBIONDO.

H.R. 1267: Ms. JACKSON LEE, Mr. TROTT, Mr. BRADY of Pennsylvania, and Mr. GRAVES of Missouri.

H.R. 1317: Mr. LAHOOD.

H.R. 1406: Mr. JOHNSON of Georgia.

H.R. 1436: Mr. MESSER.

H.R. 1445: Mr. ROGERS of Alabama.

H.R. 1448: Mr. ESPAILLAT.

H.R. 1456: Mr. VEASEY, Mr. COFFMAN, Miss RICE of New York, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, and Mr. SCHRADER.

H.R. 1566: Mr. KHANNA, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. MOORE.

H.R. 1697: Mr. TURNER.

H.R. 1825: Mr. CARTER of Georgia, Mr. DELANEY, and Mr. MARINO.

H.R. 1987: Mr. HUFFMAN.

H.R. 1998: Mr. CURBELO of Florida.

H.R. 2106: Mr. RUSH.

H.R. 2119: Mr. SOTO.

H.R. 2121: Mr. HIMES and Mr. HILL.

H.R. 2158: Ms. PINGREE.

H.R. 2315: Ms. ROS-LEHTINEN, Mr. BRADY of Texas, Mr. SCHIFF, and Mr. PAYNE.

H.R. 2319: Mr. SESSIONS, Mr. RYAN of Ohio, and Mr. GOTTHEIMER.

H.R. 2358: Ms. BONAMICI.

H.R. 2417: Ms. KAPTUR, Ms. CASTOR of Florida, Mr. LARSON of Connecticut, Mr. KRISHNAMOORTHY, Mr. CROWLEY, Mr. LYNCH, and Mr. LEWIS of Georgia.

H.R. 2488: Mrs. BEATTY.

H.R. 2519: Mr. AUSTIN SCOTT of Georgia, Mr. CONYERS, Mrs. WATSON COLEMAN, Mr. MEADOWS, Mr. FERGUSON, Mr. ESPAILLAT, Mr.

BRADY of Texas, Mr. GRIJALVA, Mr. ENGEL, Mr. SCHRADER, Mr. MCHENRY, Mr. CHABOT, Mr. BUCSHON, and Mr. ROTHFUS.

H.R. 2589: Mr. DESAULNIER, Mr. DONOVAN, Ms. GRANGER, Mr. PETERS, Mr. TONKO, Mr. COOPER, Mr. SERRANO, Mr. PRICE of North Carolina, Mr. JOYCE of Ohio, and Mr. DUFFY.

H.R. 2601: Mr. BISHOP of Georgia.

H.R. 2740: Mr. JENKINS of West Virginia, Ms. JAYAPAL, Mr. EVANS, Ms. DELBENE, Ms. PINGREE, Mr. FRANKS of Arizona, and Mr. BRADY of Pennsylvania.

H.R. 2790: Mr. LIPINSKI.

H.R. 2832: Mr. GRAVES of Georgia and Mr. ROUZER.

H.R. 2911: Mr. DENHAM and Mr. FARENTHOLD.

H.R. 2997: Mr. BACON.

H.R. 3238: Mr. DESAULNIER.

H.R. 3282: Mr. GOSAR, Mr. LAHOOD, Mr. LUETKEMEYER, and Mr. SMUCKER.

H.R. 3316: Ms. SINEMA.

H.R. 3317: Mr. MITCHELL and Mr. SMITH of New Jersey.

H.R. 3329: Ms. WASSERMAN SCHULTZ and Mr. CULBERSON.

H.R. 3332: Mr. PETERSON and Mr. MOONEY of West Virginia.

H.R. 3525: Ms. BORDALLO.

H.R. 3576: Mr. REED and Mr. VALADAO.

H.R. 3592: Mr. FITZPATRICK.

H.R. 3599: Mr. PITTENGER.

H.R. 3639: Mr. PETERS.

H.R. 3641: Ms. JACKSON LEE, Mr. CHABOT, Mr. LAHOOD, Mr. RUPPERSBERGER, Mr. JONES, Mr. CRAWFORD, and Mr. BABIN.

H. Con. Res. 63: Mrs. WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, and Mr. SCHIFF.

H. Con. Res. 75: Mr. EVANS.

H. Con. Res. 77: Mr. DELANEY, Mrs. NAPOLITANO, Mr. POCAN, Ms. LEE, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Mr. GOMEZ, Mr. DAVID SCOTT of Georgia, Mr. BUTTERFIELD, Mr. ESPAILLAT, Mr. CICILLINE, Ms. BONAMICI, Ms. WILSON of Florida, Ms. CLARKE of New York, Mr. LYNCH, Ms. HANABUSA, Ms. BARRAGAN, Ms. MCCOLLUM, Mr. ENGEL, Mrs. CAROLYN B. MALONEY of New York, Mr. CROWLEY, Mr. KILMER, Mr. TED LIEU of California, Ms. KUSTER of New Hampshire, Mr. HECK, Mr. MCGOVERN, Ms. DELBENE, Ms. BASS, Mr. LARSEN of Washington, Mrs. TORRES, Mr. JEFFRIES, Mr. LOWENTHAL, Ms. GABBARD, Mr. RASKIN, Ms. NORTON, Ms. SCHAKOWSKY, Mr. HIGGINS of New York, Mrs. LAWRENCE, Mr. ELLISON, Ms. FRANKEL of Florida, Mr. MCEACHIN, and Mr. QUIGLEY.

H. Res. 220: Mr. MOOLENAAR, Ms. GABBARD, Mrs. CAROLYN B. MALONEY of New York, Ms. KAPTUR, Mr. KIHUEN, and Mr. LEWIS of Georgia.

H. Res. 349: Mr. FRANKS of Arizona.

H. Res. 401: Mr. JOHNSON of Georgia, Mr. KING of New York, Mr. CONNOLLY, and Mr. SHERMAN.

H. Res. 456: Mr. EVANS.

H. Res. 458: Mrs. BLACKBURN, Mr. MESSER, and Mr. PITTENGER.

PETITIONS, ETC.

Under clause 3 of rule XII,

62. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to urging Congress to propose, for ratification by special ratifying conventions, an amendment to the United States Constitution which would grant to the President the authority to veto individual budgetary line-items of appropriation, that were approved by Congress, and yet retain within Congress the ordinary ability to override such a line-item veto by the standard vote of two-thirds of both houses thereof; which was referred to the Committee on the Judiciary.

DISCHARGE PETITIONS— ADDITIONS AND WITHDRAWALS

The following Member added his name to the following discharge petition:

Petition 3 by Mr. GARRETT on House Resolution 458: Mr. Banks of Indiana.

EXTENSIONS OF REMARKS

RECOGNIZING THE PROMOTION OF
AIR FORCE LIEUTENANT GEN-
ERAL STAYCE D. HARRIS

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Ms. BASS. Mr. Speaker, I would like to honor the accomplishments of Lieutenant General Stayce D. Harris, Assistant Vice Chief of Staff in the United States Air Force.

Born in Los Angeles, California, to a military family, Stayce Harris grew up with a love for traveling. In 1977 she earned an Air Force Reserve Officer's Training Corps (ROTC) Scholarship to study engineering at the University of Southern California (USC).

On graduation with a Bachelor of Science in Industrial and Systems Engineering in 1981, Harris received a commission in the United States Air Force. She served on active duty until 1991 when she joined the Air Force Reserve. Her military career spanning more than 35 years has included many ground-breaking firsts. For example, in January 2001, she became the first black woman to command a flying squadron in the Air Force. She has earned a number of decorations including the Defense Superior Service Medal, Legion of Merit and Aerial Achievement Medal, to name only a few.

Harris has sent an example for future generations of women in aviation and STEM fields, including through her involvement with professional associations, like the Air Force Association, Reserve Officers Association, Air Force Sergeants Association, Tuskegee Airmen Inc., Women Military Aviators, and the American Legion. Not only is she a decorated member of the military, she went on to fly in the private airline industry, one of the few female commercial pilots, and one of the first women to be an airline captain.

On August 19, 2016 Harris was named Lieutenant General, thereby becoming the first African-American woman to hold a three star rank in the Air Force. Her leadership and accomplishments have led her alma mater, USC, to create the Stayce D. Harris Award. Every year, the award is given to an ROTC cadet who exhibits extraordinary perseverance in the face of adversity.

Today, Harris continues to serve our country with grace and dedication. I wish her many years of continued success and achievement.

HONORING DOCTOR ARNETT
ROGIER'S FIFTEEN YEARS OF
SERVICE TO HIS COUNTRY AND
HIS HONORABLE RETIREMENT
FROM THE UNITED STATES DE-
PARTMENT OF VETERANS AF-
FAIRS

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to recognize and congratulate Dr. Arnett Rogiers on his retirement from the United States Department of Veterans Affairs after 15 years of faithful service to our country in addition to his 20 years of honorable service in the United States Marine Corps. An esteemed and respected member of the Federal Civil Service, Dr. Rogiers most recently served as a supervisory procurement resource specialist and program analyst. In this capacity, he oversaw and led a select team responsible for refining requirements for multi-million dollar contracting actions within the Strategic Acquisition Center for the Department of Veterans Affairs. His efforts have helped thousands of disabled veterans through assisting in awarding contracts that directly benefitted their medical care and well-being.

Dr. Rogiers' distinguished career began when he enlisted in the United States Marine Corps in 1974. He began his Marine career as an engineer equipment operator, transitioned to become a military policeman, was also a Marine recruiter, and eventually served as a Utilities Construction Chief. He has served in California, Hawaii, New York, North Carolina, South Carolina and overseas in the Middle East during Operations Desert Shield and Desert Storm. He retired as a Gunnery Sergeant after 20 years in 1994.

Dr. Rogiers continued his selfless devotion to serving his country as a Federal civil servant first with the U.S. Marshals Service filling the role of a contract specialist and contract officer. He then worked for the U.S. Army Contracting Agency as a senior contract specialist, and taking a promotion in the Federal Communications Commission, he ably served as the Chief of Contracts and Purchasing. Most recently, Dr. Rogiers has tirelessly devoted his energies for the Department of Veterans Affairs as a supervisory procurement resource specialist and program analyst for the Strategic Acquisition Center in Fredericksburg, Virginia.

In his spare time, he has attained three Master's Degrees, in Public Administration, Religion, and Divinity and also a Doctorate of Pastoral Leadership. His intent is to lead a congregation in Florida as he and his wife move to the Sunshine State.

As Dr. Rogiers embarks on a new chapter in life, it is my hope that he may recall, with

a deep sense of pride and accomplishment, the outstanding contributions he has recently made to the United States Department of Veterans Affairs. I would like to send him my best wishes for continued success in his future endeavors.

HONORING THE 88TH REGIONAL
SUPPORT COMMAND 100TH ANNI-
VERSARY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. KIND. Mr. Speaker, I honor the 100th Anniversary of the 88th Regional Support Command (RSC) celebrated at Fort McCoy on Saturday August 19, 2017.

The 88th RSC has a proud and storied history whose lineage and honors transferred from the 88th Infantry Division (ID). The streamers earned by the 88th ID in World War I and II are now flown with the 88th RSC flag. The 88th ID was organized on 25 August 1917, at Camp Dodge, IA. During World War I, the men of the "Cloverleaf Division", as they were called, earned a streamer for the Alsace Campaign. The Division returned to Camp Dodge and was demobilized on 10 June 1919.

On 24 June 1921, the 88th ID was reconstituted in the Organized Reserve with its headquarters in Minneapolis, MN, and with subordinate units in Minnesota, Iowa and North Dakota. After reorganization in February 1942, the 88th ID was ordered to active service on 15 July 1942, at Camp Gruber, OK. After training in several locations in the United States and overseas, the 88th ID entered the front line on 27 February 1944 in the Italian Campaign. For its service in Italy, the 88th ID was awarded campaign streamers for the Rome-Arno, North Apennines, and Po Valley Campaigns. The 88th ID earned a reputation as a well-trained and effective division, earning the nickname "Blue Devils" from the Germans. The 88th ID was inactivated at Leghorn, Italy on October 24, 1947.

On 26 December 1967, the 88th Army Reserve Command (ARCOM) was activated in Minneapolis, Minnesota, and had Command of USAR units in North Dakota, South Dakota, Nebraska, Minnesota, and Iowa. The 88th ARCOM sent units to the Republic of Vietnam (1968–1969), Desert Shield/Storm (1990–1991), and Bosnia-Herzegovina in the former country of Yugoslavia (1995).

On 16 April 1996, the 88th ARCOM was redesignated and reorganized as the 8th RSC with Command of USAR units in Ohio, Indiana, Illinois, Michigan, Wisconsin and Minnesota. The 88th RSC mobilized units for Bosnia and Kosovo, Operation Enduring Freedom (OEF) and Iraqi Freedom (OIF). On 16 July 2003, the 88th RSC was redesignated as the

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

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

88th Regional Readiness Command (RRC), and was inactivated 1 July 2009. The 88th RSC was activated 17 September 2008, and today supports USAR units in 19 states from Ohio to Washington.

I am honored that the 88th RSC is headquartered in my congressional district. I commend and thank the command leadership and staff for the service and support they provide to ensure that the Army Reserve remains a shining star in the nation's military training infrastructure.

On behalf of my constituents in Wisconsin and a grateful nation, I would like to wish a happy 100th anniversary to the command leadership and staff at the 88th RSC.

HONORING CONCURRENT TECHNOLOGIES CORPORATION'S 30TH ANNIVERSARY

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. ROTHFUS. Mr. Speaker, on August 28, 2017, Concurrent Technologies Corporation will celebrate its thirtieth anniversary. I rise to acknowledge this notable milestone and to pay recognition to the company's history and dedicated employees.

Concurrent Technologies Corporation (CTC), originally known as Metalworking Technology Inc., was formed in 1987 in Johnstown, Pennsylvania, to operate the National Center for Excellence in Metalworking Technology for the U.S. Navy.

In 1992, Metalworking Technology Inc. changed its name to Concurrent Technologies Corporation to convey more accurately the organization's expanded mission: to provide cutting-edge scientific, applied research and development solutions to its clients.

Over its 30 years, CTC, in partnership with its clients, has created numerous breakthrough technologies and innovative solutions, especially for the benefit of U.S. Warfighters. CTC takes a collaborative approach to its work, sharing credit and celebrating achievements with everyone who plays a role in its success.

Today, CTC is an independent, nonprofit, applied scientific research and development professional services organization providing innovative management and technology-based solutions to each branch of the U.S. military, various U.S. Government agencies, and industry.

Together with its affiliates, Enterprise Ventures Corporation and CTC Foundation, CTC leverages research, development, test and evaluation work to provide transformative, full lifecycle solutions that best serves its clients' needs.

CTC has been named one of the World's Most Ethical Companies four times by Ethisphere Institute. As such, CTC joins an elite group of businesses that are recognized for defining and advancing the standards of ethical business practices.

At CTC, 32 percent of all new employees are veterans, and veterans comprise 15 percent of the workforce. The company has re-

ceived multiple honors as a military-friendly organization, including the Soaring Eagle Award, Extraordinary Employer Support Award, Above and Beyond Award, Liberty Bell, Pro-Patria and Seven Seals Awards. Military Times has named Concurrent Technologies Corporation a Best for Vets Employer seven times in recent years.

The company is also a good corporate citizen whose employees volunteer thousands of hours to worthwhile local, regional, and national causes. Individually and through CTC Foundation, they actively support schools, healthcare and human service providers, economic development programs, the arts, and recreation.

Mr. Speaker, I offer my congratulations to Concurrent Technologies Corporation on completing thirty years of vital collaboration with the U.S. Department of Defense and other U.S. agencies to improve the security of our nation. Because of their efforts, the United States Warfighter is better equipped to serve our great nation and the United States is a safer place to live for all of us. I know I speak for many when I wish CTC and its affiliates, EVC and the CTC Foundation and their employees continued success in the future.

A CHALLENGE TO THE PARTY OF LINCOLN TO TAKE A STAND AGAINST ADHERENTS AND ENABLERS OF HATEFUL IDEOLOGY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise today to speak in strong condemnation of the horrific violence and domestic terrorism that took place in Charlottesville, Virginia this past weekend.

The so-called "Unite the Right" event that precipitated this violence was a despicable gathering of neo-Nazis, Klansmen, and other white supremacists in a deliberate attempt to promote a hateful ideology and instill fear in the hearts of racial, religious, and other marginalized communities.

These sorts of gatherings are, sadly, all too familiar for those of us who remember the days of Jim Crow and de jure segregation.

But when these hateful events have occurred in the past, our national leadership rose to the occasion and at the moment of crisis summoned the better angels of our nature.

When Alabama Governor George Wallace threatened to stand in the schoolhouse door and block enrollment of the first two African American students admitted to the University of Alabama, President John Kennedy federalized the Alabama National Guard to enforce the desegregation order of the federal court.

Later that evening, President Kennedy addressed the nation from the Oval Office on the subject of civil rights in America and said:

We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution.

The heart of the question is whether all Americans are to be afforded equal rights

and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated . . . And this Nation, for all its hopes and all its boasts, will not be fully free until all its citizens are free.

On Sunday, March 7, 1965, more than 600 civil rights demonstrators, including our beloved colleague, Congressman JOHN LEWIS of Georgia, were brutally attacked by state and local police at the Edmund Pettus Bridge as they marched from Selma to Montgomery in support of the right to vote.

A week later, on March 15, 1965, before a joint session of the Congress and the eyes of the nation, President Lyndon Johnson explained to the nation the significance of "Bloody Sunday":

I speak tonight for the dignity of man and the destiny of democracy. . . .

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom.

So it was at Lexington and Concord.

So it was a century ago at Appomattox.

So it was last week in Selma, Alabama.

"Bloody Sunday" was one of the defining moments in American history because it crystallized for the nation the necessity of enacting a strong and effective federal law to protect the right to vote of every American.

Rising to the moment, President Johnson declared unequivocally that the cause of racial justice "must be our cause too" because it is incumbent on all of us to "overcome the crippling legacy of bigotry and injustice."

President Johnson announced to the nation that he would send to Congress for immediate action legislation designed to eliminate illegal barriers to the right to vote by striking down "restrictions to voting in all elections—Federal, State, and local—which have been used to deny Negroes the right to vote."

On August 6, 1965, that legislation, the Voting Rights Act of 1965, was signed into law by President Johnson and for the next 48 years did more to expand our democracy and empower racial and language minorities than any act of government since the Emancipation Proclamation and adoption of the Civil War Amendments.

After 168 innocent people, including 19 children, were murdered on April 19, 1995, by a cowardly domestic terrorist who detonated a bomb at the Alfred P. Murrah Federal Building in Oklahoma City, President William Jefferson Clinton went to Oklahoma City and consoled a grieving nation:

[O]ne thing we owe those who have sacrificed is the duty to purge ourselves of the dark forces which gave rise to this evil. They are forces that threaten our common peace, our freedom, our way of life. Let us teach our children that the God of comfort is also the God of righteousness: Those who trouble their own house will inherit the wind. Justice will prevail.

Let us let our own children know that we will stand against the forces of fear. When there is talk of hatred, let us stand up and talk against it. When there is talk of violence, let us stand up and talk against it. In the face of death, let us honor life. As St. Paul admonished us, Let us 'not be overcome by evil, but overcome evil with good.'

When nine African Americans were gunned down by a white supremacist with neo-Confederate sympathies at the Mother Emanuel

AME Church in Charleston, it was President Barack Obama who spoke eloquently of the need to respond with "big-hearted generosity" and "thoughtful introspection and self-examination."

In time of national tragedy, crisis, or danger, Americans look to the President of the United States for hope, for healing, for leadership, and for inspiration.

We have blessed to have had Presidents who possessed the moral authority to touch and express the conscience of the nation and could find the words to carry us through these moments of grief and anguish.

Presidents like Abraham Lincoln, Franklin Delano Roosevelt, Dwight Eisenhower, and Ronald Reagan.

But sadly, the presidential leadership we have taken for granted has been absent since January 20, 2017 and is nowhere to be seen in the aftermath of domestic terror attack that occurred in Charlottesville, Virginia on August 12, 2017.

That act of domestic terrorism claimed the life of Heather Heyer, a 32-year old paralegal who was killed for standing up to the hatred she saw marching on her hometown.

Let us be clear: The President is wrong; "many sides" were not to blame for what took place in Charlottesville.

There were the neo-Nazis, Ku Klux Klansmen, and white supremacists chanting blood-curdling slogans steeped in racism and anti-Semitism, and then there was everyone else.

"Many sides" did not ram a vehicle at high speed into a crowd of innocent people, killing Heather Heyer and injuring 20 other persons; but a domestic terrorist and white supremacist did.

Mr. Speaker, the neo-Nazis and white supremacists came to Charlottesville to advocate hate, division, and racial superiority.

They were met by persons of goodwill who gathered to affirm racial unity and the equality of all persons ordained by the Creator.

One group idolized the most evil war criminal in human history; the other shared and is committed to making real the dream of the Rev. Dr. Martin Luther King, Jr.

It is absolutely shameful that anyone—and especially the President of the United States—would try to draw a moral equivalence between the two groups.

If there was even a shred of hope or optimism that perhaps this President would recognize and temper the animus that has been unleashed since he announced his candidacy, that hope vanished in the wake of the unhinged press conference he held Tuesday, August 15, at Trump Tower in New York City.

Before that date, never before in history had a President of the United States, the nation that led the alliance that defeated Nazism and fascism in the greatest conflict in world history, ever publicly defended or tried to normalize neo-Nazis, the Ku Klux Klan, or white supremacists.

Civil action in support of racial justice is worthy of praise, and civil action in support of white supremacism is worthy of nothing but condemnation.

I urge all Members, especially those of the Party of Lincoln, to join me in repudiating the President's suggestion that there is a moral equivalence between neo-Nazis and Klans-

men advocating racial separation and white supremacy and protesters opposing that evil, racist ideology.

If the President cannot recognize this difference, then it is time for a new President.

RECOGNIZING JOHN MORRIS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the retirement of Supervisory Special Agent John "Jack" Morris, a Unit Chief with Immigration and Customs Enforcement, Homeland Security Investigations (HSI), who has proudly served the people of the United States in federal law enforcement for over twenty-nine years.

On August 8, 1988, after graduating from The New York State University College at Oneonta, Jack began a 29-year career with the legacy Immigration and Naturalization Service, and later HSI. As a Special Agent in New York City from 1988 until 2004, Jack earned the New York Law Enforcement Investigator of the Year Award in 2001 and the U.S. Attorney's Director's Award in 2002. In 2004, Jack was promoted to the position of Supervisory Special Agent in Newark, New Jersey, where he worked with distinction until accepting a position in 2010 at HSI Headquarters in Washington, DC.

Since moving to Washington, Jack has served in various HSI positions, including Program Manager, Section Chief, Special Assistant to the Director, and Chief of the Public Safety Unit. He was also a Congressional Detailee in my office where he worked on a variety of issues, including Immigration, Homeland Security, border issues, and constituent requests.

Mr. Speaker, I am honored to have the opportunity to recognize and honor Jack Morris for his many years of service to the United States of America.

THE NATIONAL CENTER FOR ATMOSPHERIC RESEARCH MESA LAB

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. POLIS. Mr. Speaker, in the foothills of the beautiful Boulder Flatirons stands a building that has been a beacon of exemplary research, groundbreaking discoveries, and an icon of the American spirit of research. I speak of course of the National Center for Atmospheric Research Mesa Lab, which is celebrating its 50th anniversary in 2017.

The breathtaking design was crafted by I.M. Pei, the legendary Chinese-American architect. Pei's previous work in the urban jungle is apparent in the looming concrete 5 story towers that comprise the Mesa Lab. The bush-hammering technique that is used throughout the building offers a roughness to the exterior

while the pinkish aggregate mined in Lyons, CO helps the complex blend into the surrounding Flatirons.

The NCAR Mesa Lab is home to 330 world-class scientists. These pioneers work every day to fulfill the vision of NCAR's founder, Walter Orr Roberts. Blazing new trails in human understanding, atmospheric science, climate change research, solar astronomy and much more, the scientists at NCAR are an interwoven part of the Boulder community.

On behalf of my constituents I offer gratitude to have this facility and everything it stands for be a part of our family and acknowledge that though the research they have produced yields global benefit, we recognize that those benefits are only a small payment on the debt we owe for having such a fantastic asset as part of our home.

RECOGNIZING HOWARD & LIBBY HILL, AN AMERICAN LOVE STORY

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. GAETZ. Mr. Speaker, this is a love story. In 1965 a young man from Texas—his name was Howard—graduated from the Air Force Academy. While he was in pilot training at Eglin Air Force Base near Niceville, Florida, he won the heart of a girl named Elizabeth. And, as happens in many love stories, Howard and Libby became Lieutenant and Mrs. Hill on August 15, 1967. Fifty years ago.

Howard said he and Libby had "fourteen beautiful days together." And then, called by his country, he was flying combat missions over Vietnam. Within two months, his bravery, valor and achievement in battle had earned him the first of two Silver Stars he would be awarded. But four months and one day after their marriage, Howard was shot down and became a prisoner of war in the infamous Hanoi Hilton.

Lots of marriages have stress. Lots of love stories have drama. But the young marriage of Howard and Libby Hill was tested in a way few of us will ever experience—by torture and cruelty for Howard, never knowing and always fearing the worst for Libby, and by lonely waiting for five years for them both. But theirs was a love that only grew stronger under pressure—love for each other and love for their country. During Howard's time as a POW, Libby even helped other POW wives and organized support for POW/MIA families.

If the World War II generation was the greatest generation, Howard and Libby Hill and the Vietnam soldiers and their families were the toughest generation. Vietnam veterans were too often unappreciated, often shunned, sometimes spat upon by the country they gave themselves to defend. But nothing could break Howard and Libby Hill's devotion to America and to each other.

When Howard was free and home, he and Libby made a commitment to stay in the Air Force, to continue to serve their country. They stayed in uniform for 18 more years. They reared three exceptional children—their daughter BethAnn and their sons John and David.

And when they retired from active service in 1990 after his singular service as the Principal Advisor to the Secretary of Defense on POW/MIA issues, Howard was a colonel with a chestful of proof that he is one of America's best: two Silver Stars, the Distinguished Flying Cross, the Legion of Merit, eight Air Medals, two Bronze Stars, two Purple Hearts, the Defense Superior Service Medal and many more.

They came home to my hometown of Niceville, Florida. They served their community like they served their country. From nothing, Howard started a youth soccer program. Every year he recruits 200 volunteers, organizes and manages 100 teams, gives thousands of kids a chance to compete and grow, and Howard and Libby make sure that many, many boys and girls who have no money, no family support always have uniforms and shoes and a ride home. Today, our town calls our youth soccer fields "The Hill," officially named the Howard Hill Community Soccer Complex in honor of a hero of our country and a hero of our community.

In fourteen years of serving as a county-wide elected member of our School Board, never once in any campaign material did Howard Hill ever brag about his military service, his and Libby's sacrifices. But we knew.

Libby volunteered to help with everything, including founding and leading the Silver Sands Republican Women. When I asked the community leaders who had meant the most to me in my growing up to serve on the Academy Selection Board to choose the best young women and young men to be appointed to our military academies, I chose Libby Hill, a mentor and model to a generation of young people.

Mr. Speaker, I told you this is a love story. Two young people who love their country and gave themselves to it for their whole lives. A woman and a man who love each other and have given themselves to their children and to their community and to each other for fifty years.

Happy anniversary, Howard and Libby. We love you.

**RECOGNIZING THE KILMARNOCK
VOLUNTEER FIRE DEPARTMENT
FOR HOSTING THE 82ND
KILMARNOCK VOLUNTEER FIRE
DEPARTMENT CARNIVAL**

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the Kilmarnock Volunteer Fire Department and their efforts in the community in hosting the Kilmarnock Volunteer Fire Department Carnival.

This year marks the 82 year anniversary of what some Virginians recognize as the longest continually operating summer carnival in the state. For generations, the Carnival has represented the premier event of the summer in the Northern Neck for children of all ages. Whether it is riding "Big Eli" or enjoying some of the famous hot dogs, this community jewel provides for many throughout the Northern

Neck a chance to come together and celebrate time with family and friends.

I want to thank the Kilmarnock Fire Department for their tireless work in keeping this event running since 1935. I also, would like to thank the over 200 volunteers it takes each night to run the Carnival.

**CELEBRATING THE 82ND AIR-
BORNE DIVISION ON NATIONAL
AIRBORNE DAY**

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. HUDSON. Mr. Speaker, I rise today to honor the men and women of the airborne forces as they celebrate National Airborne Day.

El Paso, Texas—on August 16, 1940, the Army conducted their first test platoon jump. The idea of dropping paratroopers in combat zones behind enemy lines was first conceived by Brigadier General William Mitchell. With his guidance and leadership the first combat jump was conducted by members of the 2nd Battalion, 503rd Parachute Infantry Regiment in 1942 during WWII in North Africa. Since this successful drop, our airborne forces have become a critical component of our military.

Our airborne forces have dropped into the most intense combat the world has ever seen. Some of their most notable engagements have been the D-Day invasion at Normandy and the Battle of the Bulge, the invasion of Southern France. Without the invention of the airborne, our armed forces would have been at a disadvantage during many of our major conflicts.

The 82nd Airborne Division is headquartered right here in North Carolina at Fort Bragg. The Division was incorporated in the National Army on August 5, 1917, to support the entry of the United States into World War I. The 82nd Airborne Division was nicknamed the "All American Division" as a result of the spirit and diverse group of soldiers from all across the United States. The 82nd Airborne was the first division to be designated as an Airborne Division.

Part of the XVIII Airborne Corps, the 82nd Airborne Division is the Nation's Global Response Force and can mobilize, load, and land anywhere in the world in less than 36 hours to perform combat operations, assist United States allies, and provide humanitarian aid. The 82nd Airborne has participated in nearly every major United States conflict around the world since its inception. Some of the most notable engagements have been the Battle of Lorraine in World War I, Operation Overlord in Normandy, France in World War II, responding to the Tet Offensive during the Vietnam War, liberating Kuwait as one of the first units to engage in Operation Desert Storm, and supporting relief efforts after the devastating Hurricane Katrina.

The continued success of our airborne forces has allowed the United States to become the global fighting force it is today. Our men and women in uniform represent the best our nation has to offer and I am proud to rep-

resent a district that has a strong military presence and is home to some of the bravest patriots in the country.

Mr. Speaker, please join me today in honoring the soldiers of our airborne forces for their service and commitment to protecting the United States.

**HONORING THE SERVICE OF LAPD
DETECTIVE SHA'QUANA HALL-
POUNDERS**

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Ms. BASS. Mr. Speaker, I would like to honor the accomplishments and service of Los Angeles Police Department Detective Sha'Quana Hall-Pounders.

One of the few Black women to reach the rank of Chief Master Sergeant in the United States Air Force Office of Special Investigations, Sha'Quana Hall-Pounders delivered security and threat assessment briefings to senior Pentagon officials. As a law-enforcement officer, then-Special Agent Hall-Pounders served to protect senior White House officials at important events in our nation's capital and abroad. On returning to Los Angeles after her military service, Ms. Hall-Pounders joined the Los Angeles Police Department, where she has served on the LAPD Joint Terrorism Task Force.

Residing in the Baldwin Vista neighborhood of my district, Ms. Hall-Pounders has sought out opportunities to make a difference in the lives of her fellow Angelenos. She has assisted senior citizens and first time voters with both registration and voter education. Along with her daughter, she regularly hosts tennis clinics for young men and women in the Crenshaw District. The pair also organize educational and recreational excursions for underserved and special-needs youth in Watts, aiming to help them see a world beyond the borders of their own neighborhoods.

I appreciate her service to our country and to the communities of the 37th Congressional District of California, and I wish her continued success in her career as an LAPD officer and a leader in our community.

**IN RECOGNITION OF CRAIG
WRIGHT, RECIPIENT OF THE
EMERGENCY MEDICAL SERVICE
PROVIDER OF THE YEAR AWARD**

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing the 2016 Emergency Medical Services Provider of the Year, Craig Wright.

Mr. Wright currently works at the Naval Submarine Base Kings Bay Fire Department, where he exhibits his heroism and humility on a daily basis. His individual actions have had

positive and substantial impacts on the residents of Kings Bay.

Mr. Wright attributes his success to the unity experienced among him and his co-workers in the fire department, stating that nothing he "did individually can't be contributed to the whole team." The resulting feeling of family between the Kings Bay fire fighters yielded a Fire Department of the Year award, for the fifth year in a row. Again, Mr. Wright and all of the fire fighters emphasized their camaraderie and loyalty as the keys to their success.

Mr. Speaker, I applaud Craig Wright for his service to the Kings Bay Fire Department and to his fellow fire fighters. His commitment has strengthened the community and all of its members.

IN RECOGNITION OF GEORGE T.
FARRELL

HON. BRIAN J. MAST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. MAST. Mr. Speaker, I rise today to recognize a member of our 18th District community, Mr. George T. Farrell, who has been working diligently to engage minority voices in the electoral process through education, communication and active involvement in community events.

I met Mr. Farrell at his organization's Juneteenth Celebration in Palm Beach, Florida, during the summer of 2015. Since then, I have witnessed his steadfast commitment to developing the highest standards and best practices for increasing civic engagement among minority communities.

Mr. Farrell's organization was also recently approved by the Florida Department of State to serve as a Third-Party Voter Registration Organization. With increased grassroots activity, active social media and daily communication with thousands of citizens, I have no doubt that Mr. Farrell will continue to be successful.

Mr. Speaker, I applaud his hard work and wish him the best in the future.

PRIVATE FIRST CLASS JAMES
CALVIN (BILL) ROBERTSON
BRIDGE DEDICATION

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor lifelong Wayne County resident, Private First Class James Calvin (Bill) Robertson, decorated combat veteran, farmer, friend, and family man.

Born on the 4th of July, 1923, PFC Robertson trained as an Army Cannoneer and shipped to the Asiatic Pacific Theater of Operations in 1945 to protect American ground forces from enemy aircraft at Iwo Jima. His Anti-Aircraft Artillery unit's mission: To keep the airstrips open and safe for refueling B29 bombers on their way to targets on the Japanese mainland.

For this critical service, PFC Robertson was awarded the World War II Victory Medal, The Good Conduct Medal, The American Theater Ribbon, and the Asian-Pacific Theater Ribbon with two Bronze Service Stars. His battalion enabled American forces to invade Japan and change the trajectory of the war in favor of the Allies. But he rarely spoke of his military sacrifice, seared into our minds by the iconic U.S. Marine Corp monument of soldiers raising the American flag high above the Iwo Jima battlefield in February 1945. PFC Robertson simply acknowledged that he was there.

He returned to Wayne County in December 1945, married, and purchased farmland through which the Middle Butler Creek flows. Many family memories were made with his eight children, on this land, in this creek, and throughout his 90 years.

We dedicate the Butler Creek Bridge to the memory of Private First Class James Calvin (Bill) Robertson, World War II hero, who not only ensured the lives lost at Iwo Jima were not lost in vain, but who left a legacy of service and sacrifice.

HONORING THE LIFE OF MR.
EDWARD D. BERGIN, JR.

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor the life of Edward Bergin, Jr., who passed away on August 12, 2017 at the age of 74. Mr. Bergin served an impressive five terms as mayor of Waterbury, Connecticut, and his strong and dedicated leadership guided the city through substantial economic change. Those of us in Connecticut will remember Mayor Bergin as a devoted public servant who exemplified what an elected official strives to be. He wanted to improve his community and help every person he represented.

Mayor Bergin was a fierce advocate for Waterbury, and his roots in a blue-collar Irish family made him keenly conscious of the challenges facing the city. He grew up with a strong appreciation for public service, as his father, Edward Bergin, Sr., was elected to four terms as mayor of the city. The community knew Mayor Bergin for his commitment to Waterbury and his willingness to meet with and listen to people from all political perspectives.

As mayor, Bergin led a number of critical initiatives to preserve important parts of Waterbury's history, while also championing the city's revitalization. Mayor Bergin successfully fought to stop the demolition of the Palace Theater, which would later be restored, preserving an important part of the city's past. He also launched a large economic development project to tear down the Scovill manufacturing plant in the core of Waterbury to make room for the Brass Mill Center Mall. Mayor Bergin has a well-deserved reputation for astute management and organization of the government.

Mr. Speaker, Mayor Edward Bergin was a dedicated public servant who spent his career making Waterbury a better city. It is fitting and proper that we honor his legacy here today.

All those who knew him will cherish his memory, and the citizens of Waterbury will long remember his contributions to the city.

TRIBUTE TO JOE HERRING

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. SIMPSON. Mr. Speaker, I rise today to congratulate Joe Herring for 31 years of distinguished economic development service to the citizens of South-Central Idaho and on the occasion of his retirement from his current position as President of Region IV Development Association, Inc.

In 1980, Mr. Herring came to Idaho to pursue a graduate degree in geography and land use planning after completing his undergraduate studies at New Mexico State University. Like other transplants to Idaho, Mr. Herring was drawn to the state's wild places and exceptional natural beauty.

Mr. Herring's career in economic development began in 1980 as a land use planner in Moscow, Idaho—taking a part-time job that soon turned into a passion for assisting Idaho's rural communities. In 1986, he joined Region IV Development Association, Inc. as its Executive Director and set in motion a decades' long career working to improve the lives and livelihoods of Idaho residents. Under his leadership, the small regional planning organization grew from offering only work force training into supporting a wide variety of programs to promote job creation, economic development, community development, downtown revitalization, business financing, and many others.

During Mr. Herring's tenure, Region IV Development has been able to facilitate more than \$1.2 billion in public and private sector investment in the eight counties of South-Central Idaho. These public improvement and business projects have supported the creation of more than 5,000 new employment opportunities for Idahoans. From the development of new drinking water systems to the construction of small rural clinics, from industrial park development to building new technical education facilities, Mr. Herring's impact on communities throughout rural Idaho has been significant.

With a focus on expanding community and economic development in South-Central Idaho, Mr. Herring has founded, incorporated, and led a number of organizations that have contributed to the growth and sustainability of rural communities throughout Idaho. Looking to bring state, federal and private sector resources to bear on local issues, Mr. Herring has served Idahoans in many capacities including as chairman of the Idaho Public Transportation Advisory Council, the Idaho Rural Partnership, Rural Community Assistance Corporation, Idaho-Nevada Community Development Financial Institution, and the South-Central Community Action Partnership. Mr. Herring has shown exceptional commitment to strengthening support networks available to foster small businesses and to help rural communities attract economic investments. To that

end, Mr. Herring was responsible for bringing the Small Business Development Center to the region. He was also instrumental to the incorporation of the Southern Idaho Tourism and the Southern Idaho Economic Development Organization. Mr. Herring has led an amazing career dedicated to serving the people of Idaho.

Mr. Speaker, I sincerely thank Mr. Herring for his service and commitment to economic development in Idaho. On behalf of a grateful state, I wish him well in the next chapter of his life.

RECOGNIZING RODNEY R. LEWIS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate Rodney R. Lewis, who has been proudly serving as the Founder and Chief Executive Officer of Lewis Energy Group for more than 35 years.

Rodney R. Lewis was born in St. Louis, Missouri on July 13, 1954, but grew up in the city of Laredo, where he spent his summers working on his grandparents' ranch. He graduated from United High School in Laredo, Texas in 1972, and then from Texas A&M International University with a degree in criminal justice.

Rodney Lewis started his career in the oil industry in 1978 by working for Stampede Energy and the R.L. Burns Corporation. Eventually, through hard work and support from his family, Lewis became the proud owner of his own well, and in January of 1983, Lewis Petro Properties was created. Over its 35 years, Lewis Petro Properties grew into Lewis Energy Group, a fully integrated E&P company with its own drilling rigs, frack spreads and completion services, sand plant, gathering system and rail.

Recently, Lewis Energy Group has undertaken many notable successes. In 2003, Lewis Energy entered into an agreement with Pemex to become the first American company to produce natural gas in Mexico, and in 2005, Lewis Energy Group expanded to become an operator in Colombia. Today, Lewis Energy Group is the fourth largest natural gas producer in Texas.

Outside of managing Lewis Energy Group, Lewis also serves on the board of the National Aerospace Museum, where he assists in fundraising efforts to keep the institution going.

Mr. Speaker, I am honored to have the opportunity to recognize Rodney R. Lewis.

CONDEMNING THE TERRORIST ATTACK IN BARCELONA, SPAIN

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise in remembrance of the innocent victims who lost their lives, and those who were seriously injured, yesterday in the cowardly but horrific at-

tack perpetrated by terrorists in Barcelona, Spain.

Our hearts and prayers are with the families and loved ones of the victims and our thanks and appreciation go to the first responders who selflessly came to the aid of their fellow members of the human family.

Barcelona will emerge from the attacks stronger than ever and more firmly committed to the values and principles that have made it so great.

And as Barcelona recovers and responds, I hope its people take comfort in the certain knowledge that the people of the United States stand in solidarity with them.

Today's attack is a reminder of the common danger the free, democratic, and peace loving nations of the world face from those who reject the norms of civilized society and abuse the liberties and freedoms afforded them by free societies.

It is also a reminder that violence and instability in the Middle East resonate far beyond the region, and the international community must not retreat from addressing it.

Barcelona is a shining example of everything these terrorists despise: a vibrant, cosmopolitan European city and an open, inclusive society.

It is a city steeped in history and art, and its dynamism invites millions of visitors from around the world.

The United States will offer its full assistance to the people of Spain as they work to bring the perpetrators and the planners of this attack to justice.

We will be relentless in our fight against terrorism.

We will not allow terrorists to succeed in blinding us with fear.

To confront this threat abroad and protect the American people at home, we must be both strong and smart.

No terrorist can overcome the strength of our values.

I ask the House to observe a moment of silence in remembrance of the victims of the terrorist attack in Barcelona.

IN RECOGNITION OF ALEXANDER POZIN, WORLD WAR II VETERAN

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing Mr. Alexander Pozin, a World War II veteran, who recently celebrated his 100th birthday.

Alexander Pozin was born on May 1st, 1917, in Odessa, Ukraine. That same year in Russia, the Communist Revolution took place, leaving the Pozin family in a state of poverty. After working many different jobs to provide for his family, Pozin graduated from law school in 1939, and went on to become a successful lawyer. However, in June of 1944, Pozin was called to serve in the Russian Army as a fighter and bomber pilot in the 210th Division of the Soviet Air Force. By the end of the war, Pozin had reached the rank of lieutenant

colonel, and had earned 18 medals from the Soviet government.

Following his career in the military, Mr. Pozin moved to the United States. He became a professor at Stetson University, where he specialized in Slavic languages.

Today, Mr. Pozin is resident of St. Augustine, Florida. Here, his philanthropic endeavors have had a valuable and visible impact on the St. Augustine community. He has volunteered with Learn To Read St. Johns County, and the Council on Aging's Senior Center in St. Augustine. It is within these organizations that Mr. Pozin has connected with other individuals who weathered the storm of World War II, and shared his heroic and inspiring story.

Mr. Speaker, I applaud Mr. Alexander Pozin for his service in World War II, and for his commitment to philanthropy and his community.

THE RETIREMENT OF REV. MELVIN V. WADE, SR. FROM MOUNT MORIAH BAPTIST CHURCH AFTER 42 YEARS OF SERVICE

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 18, 2017

Ms. BASS. Mr. Speaker, I would like to honor the pastoral service of Reverend Melvin Von Wade, Sr. who will retire in September from his position as senior pastor of Mount Moriah Baptist Church of Los Angeles.

Born September 18, 1944 in Memphis, Tennessee, Melvin Von Wade earned a Bachelor's degree from Bishop College in Dallas, Texas, pursued graduate theological training at Perkins Theological Seminary in Dallas, Texas, and completed his seminary work at Faith Theological Seminary in Tacoma, Washington, where he received Master of Arts and Doctor of Ministry degrees.

Over the last 42 years, Rev. Wade has led his congregation in its efforts to serve vulnerable populations in Los Angeles. Under his stewardship, Mount Moriah developed a 40-unit senior citizens' apartment complex, the Mount Moriah Senior Villa.

Perhaps most significantly, he worked to foster cooperation between the four National Baptist Conventions. As former President of the National Missionary Baptist Convention of America (NMBCA), he organized an unprecedented meeting between the four National Baptist Conventions. Moreover, Reverend Wade has served as Second Vice President of the California Missionary Baptist State Convention; Board member Council of National Black Churches; and Board Member of the Baptist World Alliance.

In addition to his work within his faith community, Rev. Wade is known to have worked to advocate for civil rights. He is a lifetime member of the National Association for the Advancement of Colored People. I congratulate Rev. Wade and the Mount Moriah Baptist Church community on their fruitful partnership of over four decades. I wish the best to both Rev. Wade and the congregation, as each embarks on a new chapter of service.

SENATE—Tuesday, August 22, 2017

The Senate met at 7 and 1 second a.m. and was called to order by the Honorable JERRY MORAN, a Senator from the State of Kansas.

—

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 22, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JERRY MORAN, a Senator from the State of Kansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

—

**ADJOURNMENT UNTIL FRIDAY,
AUGUST 25, 2017, AT 11:30 A.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 11:30 a.m. on Friday, August 25, 2017.

Thereupon, the Senate, at 7 and 32 seconds a.m., adjourned until Friday, August 25, 2017, at 11:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, August 22, 2017

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

August 22, 2017.

I hereby appoint the Honorable BOB GOODLATTE to act as Speaker pro tempore on this day.

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

nication from the Honorable NANCY PELOSI, Democratic Leader:

AUGUST 22, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: Pursuant to section 4003(e) of the 21st Century Cures Act (Pub. L. 114-255), I am pleased to appoint Mr. Arien Malec of Oakland, California to the Health Information Technology Advisory Committee.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 11 a.m. on Friday, August 25, 2017.

Thereupon (at 9 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Friday, August 25, 2017, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2296. A letter from the Acting Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Environment, Health, Safety and Security, Department of Energy, transmitting the Department's final rule — Occupational Radiation Protection [AU-RM-16-ORP] (RIN: 1992-AA51) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2297. A letter from the Associate General Counsel for General Law, FEMA, Department of Homeland Security, transmitting two notifications of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2298. A letter from the Executive Secretary, United States Agency for International Development, transmitting nine (9) notifications of designation of acting officer, nomination, action on nomination, discontinuation of service in acting role, and change in previously submitted reported information, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2299. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report entitled, "Department of Justice Activities Under the Civil Rights of Institutionalized Persons Act Fiscal Year 2016" to

be included with the Report to Congress on the Business of the Department of Justice pursuant to 42 U.S.C. 1997f; to the Committee on the Judiciary.

2300. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31141; Amdt. No.: 3753] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2301. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31139; Amdt. No.: 3751] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2302. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron, Inc. (Bell) Helicopters [Docket No.: FAA-2017-0701; Directorate Identifier 2016-SW-063-AD; Amendment 39-18962; AD 2017-15-02] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2303. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9506; Directorate Identifier 2016-NM-090-AD; Amendment 39-18957; AD 2017-14-13] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2304. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9498; Directorate Identifier 2016-NM-105-AD; Amendment 39-18958; AD 2017-14-14] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2305. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9572; Directorate Identifier 2016-NM-151-AD; Amendment 39-18963; AD 2017-15-03] (RIN: 2120-AA64) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2306. A letter from the Management and Program Analyst, FAA, Department of

PRAYER

Reverend William Gurnee, St. Joseph's on Capitol Hill, Washington, D.C., offered the following prayer:

O God most holy and kind, You revealed through the Psalmist Your desire that Your children find respite. You promised to be a shepherd to Your people by leading them to green fields and restful waters.

The Members of this body need to spend time in their districts, and even more importantly, to rest with their families.

In a special way, we humbly ask You to bring peace to our country so that agitation will cease and we will learn to listen to each other. Give to the men and women of Congress the courage to be resolute in their convictions, the strength to be steadfast in their mercy, and above all, to be certain in their knowledge that they have served their country well.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following commu-

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Medford, OR [Docket No.: FAA-2017-0195; Airspace Docket No.: 16-ANM-14] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2307. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Albany, GA [Docket No.: FAA-2016-9488; Airspace Doc. No.: 16-ASO-18] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2308. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Orange City, IA [Docket No.: FAA-2017-0284; Airspace Docket No.: 17-ACE-5] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2309. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Laurel, MS [Docket No.: FAA-2017-0071; Airspace Docket No.: 17-ASO-3] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2310. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Fayetteville, TN [Docket No.: FAA-2017-0070; Airspace Docket No.: 17-ASO-2] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2311. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Morgantown, WV [Docket No.: FAA-2016-9480; Airspace Docket No.: 16-AEA-13] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2312. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace for the following Texas Towns; Sherman, TX; and Temple, TX, and Establishment of Class E Airspace, Temple, TX [Docket No.: FAA-2016-9544; Airspace Docket No.: 16-ASW-22] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2313. A letter from the Chairman, Inland Waterway Users Board, transmitting the Board's third annual post-budget-submission "advice and recommendations" concerning investment in the Nation's inland waterways system, pursuant to 33 U.S.C. 2251(b)(2); Public Law 99-662, Sec. 302(b)(2) (as added by Public Law 113-121, Sec. 2002(d)(1)); (128 Stat. 1262); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JENKINS of West Virginia (for himself, Mr. MCKINLEY, and Mr. MOONEY of West Virginia):

H.R. 3663. A bill to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel "Woody" Williams VA Medical Center; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Georgia (for himself, Mr. SCOTT of Virginia, Mr. NADLER, Mr. COHEN, Ms. JACKSON LEE, Ms. CLARKE of New York, Mr. BUTTERFIELD, Ms. JAYAPAL, Ms. LEE, and Mr. HASTINGS):

H.R. 3664. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that the Director of the Federal Bureau of Investigation may only be removed for certain causes, and for other purposes; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitu-

tion to enact the accompanying bill or joint resolution.

By Mr. JENKINS of West Virginia:
H.R. 3663.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 clause 17

By Mr. JOHNSON of Georgia:

H.R. 3664.

Congress has the power to enact this legislation pursuant to the following:

art. I, sec. 8, cl. 18.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 83: Mr. JODY B. HICE of Georgia.

H.R. 179: Mr. MCEACHIN.

H.R. 502: Mr. BISHOP of Georgia and Ms. FUDGE.

H.R. 592: Ms. BROWNLEY of California.

H.R. 643: Mr. JODY B. HICE of Georgia.

H.R. 1300: Ms. WASSERMAN SCHULTZ.

H.R. 1396: Mr. GUTIÉRREZ.

H.R. 1406: Mr. GONZALEZ of Texas.

H.R. 1539: Mrs. BEATTY.

H.R. 1731: Mr. YARMUTH and Mr. LOEBSACK.

H.R. 2005: Mr. CONYERS and Mr. GRIJALVA.

H.R. 2505: Mr. SCOTT of Virginia.

H.R. 2713: Mr. MCEACHIN, Ms. SCHAKOWSKY, Mr. ROGERS of Alabama, Mr. EVANS, and Mr. THOMPSON of Pennsylvania.

H.R. 2790: Mr. POCAN.

H.R. 2813: Ms. LOFGREN.

H.R. 2840: Ms. SLAUGHTER.

H.R. 2902: Mr. COSTELLO of Pennsylvania,

Mrs. BEATTY, and Mr. LOWENTHAL.

H.R. 3031: Mr. SABLAN.

H.R. 3117: Mr. PEARCE.

H.R. 3174: Mr. MEEHAN.

H.R. 3282: Mr. COFFMAN.

H.R. 3429: Mr. RUSH.

H.R. 3640: Mr. BRADY of Texas.

H. Con. Res. 8: Mr. CRIST.

H. Con. Res. 63: Mr. GOTTHEIMER.

H. Con. Res. 77: Mr. GALLEGO, Mrs. LOWEY, Mr. POLIS, and Mr. CONYERS.

H. Res. 401: Mr. SEAN PATRICK MALONEY of New York.

H. Res. 488: Mr. RICHMOND, Mr. SWALWELL of California, Mr. GUTIÉRREZ, Mr. SMITH of Washington, Mr. RASKIN, and Ms. BROWNLEY of California.

H. Res. 497: Mr. AL GREEN of Texas, Mr. GUTIÉRREZ, Ms. VELÁZQUEZ, and Ms. MATSUI.

EXTENSIONS OF REMARKS

IN RECOGNITION OF MR. BOB ALLISON FOR HIS DISTINGUISHED CAREER IN RADIO AND MEDIA

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mr. Bob Allison for his outstanding career in Michigan broadcast media and community activism. For the past 55 years, Mr. Allison has brought joy to countless households through his "Ask Your Neighbor" radio program and work in the Detroit community.

In February 1962, Mr. Allison launched his "Ask Your Neighbor" program on WWJ-AM in Detroit, Michigan, and the program quickly became a staple of southeast Michigan culture. A light and conversational radio program, "Ask Your Neighbor" is a two-hour call-in show featuring area residents sharing recipes, helpful tips and community news moderated by Mr. Allison. The program is well-known as a civil forum that brings listeners together, with Mr. Allison receiving acclaim for his polite and genial rapport with callers. In addition, Mr. Allison also hosted "Bowling for Dollars", a popular game show in the 1970s that awarded prizes based on contestants' performance in a game of bowling. He is also known for his work and involvement with charitable causes in the Detroit community. An accomplished pianist, Mr. Allison has performed at local service club meetings, weddings and other events. He and his wife, Maggie, have also generously underwritten many charitable endeavors and nonprofits, including donations to Wayne State University's Department of Dance and local healthcare organizations.

Mr. Allison's career and work have helped shape the direction of Detroit culture and played an important role in the city's development. His kind demeanor and involvement with local organizations have made him beloved figure, and he is well-known among the community for his philanthropic work. He continues to serve as a host of "Ask Your Neighbor", which remains popular among Detroit-area listeners. He has been a strong voice for the city and its residents, it is my hope that he remains engaged in the community in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. Bob Allison for his career in media and involvement with Detroit-area nonprofit and charitable organizations. Mr. Allison has impacted countless lives through his work.

IN RECOGNITION OF UPPER MERION SENIOR SERVICE CENTER ON THEIR 20TH ANNIVERSARY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 2017

Mr. MEEHAN. Mr. Speaker, today I recognize the Upper Merion Senior Service Center of King of Prussia, PA for its twentieth anniversary. Caring for our senior citizens is a challenging yet immensely rewarding experience to which those at UMSSC have dedicated their lives.

The Center enables seniors in the Seventh District to live life to the fullest. They facilitate activities that allow seniors to engage in physical, educational, and recreational activities. This social environment and steadfast care helps seniors enjoy their retirement and stay healthy.

I hope UMSSC continues to provide their services for many years to come. The senior citizens of our district deserve the best care we can provide and UMSSC is a treasured place that does just that.

I congratulate UMSSC for their twenty years of service to our community, and I wish them well in their efforts to provide top quality care for Upper Merion area seniors.

IN RECOGNITION OF PASTOR PHILLIP L. FERRELL FOR HIS 25 YEARS OF SERVICE TO THE SOUTHEAST MICHIGAN COMMUNITY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Pastor Phillip L. Ferrell for his 25 years as Pastor of the Mt. Hermon Baptist Church in Belleville, Michigan. Pastor Ferrell has provided important spiritual leadership and community assistance during his decades of service.

A lifelong resident of southeast Michigan, Pastor Ferrell has been a strong voice for justice and recognized leader in the community. He gave his first sermon in 1990 and served under Rev. Garther Roberson Jr. in the Mount Olive Baptist Church in Ypsilanti, Michigan, as an Associate Pastor until 1992. In June 1992, Pastor Ferrell was named as Pastor of the Mt. Hermon Baptist Church, where he has served since. Throughout his tenure, Pastor Ferrell has distinguished himself as a pillar of the southeast Michigan community. In addition to serving as a spiritual leader through his work with the church, Pastor Ferrell has been in-

volved with nonprofits as a member of the Washtenaw County Literacy Council, which provides tutoring and books for needy children, as well as the local branch of the NAACP. These efforts have helped provide important aid to area residents in need.

Pastor Ferrell's leadership has helped create a vibrant and thriving community in southeast Michigan. He is well regarded among his peers, having served as President of the Ministers' Alliance of Ypsilanti, Ann Arbor and Vicinity. In this position, Pastor Ferrell helped promote unity and social justice by leading a group of ministers based in southeast Michigan in coordinating their outreach and efforts to address issues facing the region. He currently serves as Treasurer for the organization and continues to remain active in a number of other charitable causes and religious groups. He has been an effective advocate in the ministry and in the community, and it is my hope that Pastor Ferrell continues to serve as a leader and remain engaged with these causes in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Pastor Phillip Ferrell for his 25 years as Pastor of the Mt. Hermon Baptist Church. Pastor Ferrell's religious leadership and activism have impacted countless lives.

HONORING THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the National Society Daughters of the American Revolution, Sarah Barton Murphy Chapter, as they celebrate their 62nd Anniversary in Farmington, Missouri.

The chapter is an incredible asset to the community, especially as they commemorate the 130th Anniversary of U.S. Constitution Week, September 17 through 23, 2017.

To help preserve our American heritage through this national observance, the Sarah Barton Murphy Chapter encourages 5th grade students in St. Francois County to participate in "Ring Bells for Freedom." They promote county library displays and books on Colonial founders to help residents retrace the American story.

The Chapter asks all residents of St. Francois County to study our nation's birth through the events that led to the drafting of the Constitution and its signing on September 17, 1787.

The Sarah Barton Murphy Chapter of the National Society of the Daughters of the American Revolution works tirelessly to keep their communities aware of America's amazing

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

heritage. I am honored to recognize the chapter today before the United States House of Representatives.

IN RECOGNITION OF ROBERT
CUNNINGHAM JR. FOR HIS OUT-
STANDING CAREER WITH THE
DEARBORN FIRE DEPARTMENT

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Robert Cunningham Jr. for his distinguished career with the Dearborn Fire Department. For the past 25 years, Mr. Cunningham has served the City of Dearborn and its residents with distinction.

As the Battalion Chief for the Dearborn Fire Department, Mr. Cunningham oversees the operation of several fire stations and fire companies that serve the City of Dearborn as well as nearby Melvindale. As a key member of the 140-man department, Mr. Cunningham helped coordinate the response to fires and other emergencies, and served as a liaison between the department and the communities in which it operates. Throughout his career, Mr. Cunningham established a reputation as a dedicated and welcoming presence in the community, and is well known among his peers for his leadership and expertise. He has received multiple commendations for his service, including a Certificate of Special Recognition for going above and beyond the call of service, as well as multiple Meritorious Company Commendations and Fire Chief Unit Life Saving Awards for his actions in the line of duty.

Mr. Cunningham's work with the Dearborn Fire Department played a key role in protecting the health and safety of the residents of Dearborn and surrounding communities. As a leader in the department, Mr. Cunningham helped the firefighters handle an increasing number of calls for service throughout his tenure, including 15,000 in 2016 alone. His courageous actions throughout his career helped save lives while safeguarding his fellow firefighters and emergency responders. Mr. Cunningham's career and actions embody the values of public service, and he will be missed as he retires from his current position.

Mr. Speaker, I ask my colleagues to join me in honoring Robert Cunningham Jr. for his career with the Dearborn Fire Department. Mr. Cunningham's work has helped save lives and make Dearborn a safe place to live and work.

SENATE—Friday, August 25, 2017

The Senate met at 11:30 and 1 second a.m. and was called to order by the Honorable ROB PORTMAN, a Senator from the State of Ohio.

—

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 25, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROB PORTMAN, a Senator from the State of Ohio, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. PORTMAN thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL TUESDAY,
AUGUST 29, 2017, AT 2:30 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, August 29, 2017, at 2:30 p.m.

Thereupon, the Senate, at 11:30 and 37 seconds a.m., adjourned until Tuesday, August 29, 2017, at 2:30 p.m.

HOUSE OF REPRESENTATIVES—Friday, August 25, 2017

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. LONG).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 25, 2017.

I hereby appoint the Honorable BILLY LONG to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Vincent De Rosa, St. Francis Xavier Catholic Church, Washington, D.C., offered the following prayer:

Lord God, we praise You, who rule all things. We thank You for another day and another opportunity to serve You in our citizens. We ask Your forgiveness for past failings, whether by act or omission.

We intercede for this venerable House: grant the strength required to be humble before the necessities of our people, especially those most in need.

May Your strong hand be our defense, Your mercy our salvation, Your truth our guide, and Your grace our comfort, so that we may all along and at last be faithful to our mission.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until noon on Tuesday, August 29, 2017.

Thereupon (at 11 o'clock and 2 minutes a.m.), under its previous order, the

House adjourned until Tuesday, August 29, 2017, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2314. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Michelle J. Howard, United States Navy, and her advancement to the grade of admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2315. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's NUREG — Volumes 1 and 2, NUREG-2192, Generic Aging Lessons Learned for Subsequent License Renewal (GALL-SLR) Report and Standard Review Plan for Review of Subsequent License Renewal Applications for Nuclear Power Plants received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2316. A letter from the Director, International Cooperation, Acquisition, Technology, and Logistics, Office of the Under Secretary, Department of Defense, transmitting Transmittal No. 06-17, pursuant to the reporting requirements of Section 27(f) of the Arms Export Control Act and Executive Order 13637; to the Committee on Foreign Affairs.

2317. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's annual report for 2016 on Voting Practices in the United Nations, pursuant to Sec. 406 of Public Law 101-246, as amended by Public Law 108-447; to the Committee on Foreign Affairs.

2318. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Fiscal Year 2016 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Oversight and Government Reform.

2319. A letter from the Associate General Counsel for General Law, Office of the Secretary, Department of Homeland Security, transmitting a notification of a vacancy and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2320. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Department of the Interior, transmitting the Department's final rule — Waiving Departmental Review of Appraisals and Valuations of Indian Property [167A2100DD/AAKC001030/A0A501010.999900] (RIN: 1093-AA20) received August 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2321. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, De-

partment of State, transmitting the Department's final rule — Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended (RIN: 1400-AD30) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 965. A bill to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Historical Park", and for other purposes, with an amendment (Rept. 115-277). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1807. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana (Rept. 115-278, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 1807 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MAST:

H.R. 3665. A bill to require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in the Greater Everglades region, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself and Mr. O'ROURKE):

H.R. 3666. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at Fort McClellan, Alabama, and for other purposes; to the Committee on Veterans' Affairs.

MEMORIALS

Under clause 3 of rule XII,

111. The SPEAKER presented a memorial of the General Assembly of the State of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Maryland, relative to Senate Joint Resolution No. 2 and House Joint Resolution No. 3, rescinding all previous requests that the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MAST:

H.R. 3665.

Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. TONKO:

H.R. 3666.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States, but all Duties, Imposts, and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. DOGGETT.

H.R. 564: Mr. MARINO.

H.R. 619: Ms. FUDGE.

H.R. 721: Mr. SMITH of Washington.

H.R. 770: Mr. LARSON of Connecticut.

H.R. 1171: Mr. CARTER of Texas, Ms. HERERA BEUTLER, and Mr. PETERSON.

H.R. 1243: Mr. RUPPERSBERGER and Mrs. CAROLYN B. MALONEY of New York.

H.R. 1299: Mr. CAPUANO and Ms. JAYAPAL.

H.R. 1374: Mr. LIPINSKI.

H.R. 1448: Mr. TED LIEU of California, Mrs. CAROLYN B. MALONEY of New York, Mr. DEFAZIO, and Mr. MCGOVERN.

H.R. 1474: Ms. ESHOO and Mr. DEFAZIO.

H.R. 1496: Mr. HUFFMAN, Mr. GARAMENDI, Ms. SPEIER, Ms. JUDY CHU of California, Mr. SCHIFF, Mr. LOWENTHAL, Mr. DESAULNIER, Mrs. LAWRENCE, Mr. DANNY K. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. ELLISON, Ms. KELLY of Illinois, Ms. NORTON, Mr. BLUMENAUER, Mr. PAYNE, Mr. BUTTERFIELD, Mr. PASCRELL, and Mr. LANGEVIN.

H.R. 1554: Ms. KUSTER of New Hampshire.

H.R. 1555: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1566: Mr. CONNOLLY.

H.R. 1660: Mr. REICHERT.

H.R. 1661: Mr. ROYCE of California.

H.R. 1739: Mrs. BEATTY.

H.R. 1795: Mr. ROE of Tennessee and Mr. RASKIN.

H.R. 1828: Mr. KRISHNAMOORTHY.

H.R. 2044: Ms. MCCOLLUM.

H.R. 2148: Mr. GOTTHEIMER.

H.R. 2267: Mr. DEUTCH, Ms. TITUS, Mr. SCHNEIDER, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 2315: Mr. GONZALEZ of Texas.

H.R. 2327: Mr. PALAZZO, Ms. ADAMS, Ms. LEE, Mr. DELANEY, Mr. MURPHY of Pennsylvania, and Mr. BACON.

H.R. 2408: Mrs. BEATTY.

H.R. 2414: Mr. WELCH and Mr. DESAULNIER.

H.R. 2472: Ms. KAPTUR, Mrs. COMSTOCK, Ms. KELLY of Illinois, Ms. MENG, Mr. ENGEL, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2535: Mr. LIPINSKI and Ms. BONAMICI.

H.R. 2556: Mrs. BEATTY.

H.R. 2587: Ms. KAPTUR.

H.R. 2663: Mr. DOGGETT and Mr. SMITH of Texas.

H.R. 2679: Ms. ROS-LEHTINEN.

H.R. 2713: Mr. BOST.

H.R. 2840: Mr. DOGGETT and Mr. CAPUANO.

H.R. 2926: Ms. JENKINS of Kansas and Mr. ROKITA.

H.R. 2978: Mr. DESAULNIER.

H.R. 2996: Mr. HARRIS.

H.R. 2999: Mr. DEFAZIO.

H.R. 3076: Mrs. MIMI WALTERS of California, Mr. THOMAS J. ROONEY of Florida, Mr. WEBSTER of Florida, and Mrs. COMSTOCK.

H.R. 3124: Mr. PETERS, Mr. GRIJALVA, Ms. CLARKE of New York, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. HECK.

H.R. 3239: Mr. COFFMAN.

H.R. 3255: Mr. BEYER.

H.R. 3304: Ms. KAPTUR and Ms. MOORE.

H.R. 3311: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3329: Mr. HASTINGS and Mr. HIGGINS of New York.

H.R. 3332: Mr. FARENTHOLD, Mr. FLEISCHMANN, Ms. SLAUGHTER, and Mrs. BUSTOS.

H.R. 3395: Mr. DONOVAN and Mr. BARLETTA.

H.R. 3452: Mr. FARENTHOLD.

H.R. 3521: Mr. THOMPSON of Mississippi.

H.R. 3528: Mr. HIGGINS of New York.

H.R. 3591: Mr. KRISHNAMOORTHY, Mrs. DINGELL, Mr. CONNOLLY, Mr. DEFAZIO, Mr. DESAULNIER, Mr. TAKANO, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 3634: Ms. NORTON and Mr. COFFMAN.

H.R. 3635: Mr. MEEHAN and Mr. SESSIONS.

H.R. 3640: Mr. JONES.

H.R. 3660: Mrs. LAWRENCE, Mr. QUIGLEY, Mr. RASKIN, Ms. WASSERMAN SCHULTZ, Mr. KHANNA, Mr. WELCH, Ms. HANABUSA, and Mr. FOSTER.

H. Con. Res. 27: Mr. CONNOLLY, Mrs. NAPOLITANO, Ms. SLAUGHTER, and Ms. SCHAKOWSKY.

H. Con. Res. 63: Mr. QUIGLEY.

H. Res. 257: Mr. GARRETT, Mrs. BEATTY, Mr. MAST, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, Ms. JACKSON LEE, and Mr. BRAT.

H. Res. 401: Mr. SIRES and Mr. POCAN.

H. Res. 456: Mr. MCGOVERN.

H. Res. 458: Mr. OLSON.

H. Res. 466: Mr. LEWIS of Georgia and Ms. DELBENE.

H. Res. 496: Mr. RICHMOND, Ms. BARRAGÁN, Ms. CLARK of Massachusetts, Mr. DOGGETT, Ms. DELAURO, Mr. POLIS, Mr. HIMES, Ms. KUSTER of New Hampshire, Mr. CUMMINGS, Mr. WELCH, Mr. NORCROSS, Mr. KILDEE, Mr. PRICE of North Carolina, Mr. GARAMENDI, Ms. FRANKEL of Florida, Ms. MATSUI, Ms. SÁNCHEZ, Mr. SWALWELL of California, Mr. CÁRDENAS, Mr. COURTNEY, Ms. ESTY of Connecticut, Mr. LARSON of Connecticut, Ms. ESHOO, Mr. DAVID SCOTT of Georgia, Mr. KHANNA, Mr. CONYERS, Mr. CARBAJAL, Ms. WASSERMAN SCHULTZ, Mr. HECK, Ms. LOFGREN, Mr. BERA, Mr. NEAL, Mr. KENNEDY, Ms. MCCOLLUM, Mr. LEVIN, Mr. KILMER, Mr. DELANEY, Mr. SCHIFF, Mrs. DAVIS of California, and Mr. CARTWRIGHT.

H. Res. 497: Ms. SPEIER, Ms. HANABUSA, Mr. COHEN, Ms. JACKSON LEE, and Ms. WILSON of Florida.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF JARROD DOUGHERTY AND HIS MEMORY AS A DEDICATED STUDENT AND LOVING SON

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. RUIZ. Mr. Speaker, I rise to honor the life of Jarrod Dougherty, a young constituent who unexpectedly passed away in an accident on May 8, 2017. His charisma, energy, and talent will be enormously missed. I had the pleasure of meeting Jarrod when he visited my office in Washington, D.C. earlier this year as part of St. Theresa Catholic School's tour. I will never forget our conversation.

Jarrold was a bright and talented student from my Congressional District. He was born on June 29, 2003, in Indio, CA and spent his childhood in Palm Springs and Cathedral City. He attended Cielo Vista Charter School and St. Theresa School where he was beloved by his peers and teachers.

Outside of school, Jarrod was involved in our local community. He was an active member of the Victory Christian Center and the Palm Springs Youth League Baseball Organization. He was passionate about sports, and his favorite teams were the LA Dodgers, Minnesota Vikings, Dallas Stars, and Notre Dame Fighting Irish.

Jarrold enjoyed spending time with his family and his dogs. With a smile and a great sense of humor, he brought joy to those who knew him. He was a blessing to his parents, Jarrod and Cassandra, who often referred to him as Jr., Bub, Bubba, or Bubbass. Another one of his nicknames was Country, given his love for country music.

Mr. Speaker, I am proud to honor the memory of Jarrod Dougherty. I am grateful for the opportunity to have met such a charming young man, and on behalf of California's 36th Congressional District, I extend my deepest sympathies to his family and loved ones.

HONORING THE LIFE AND MEMORY OF OFFICER PAUL KOZIEL

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. BARLETTA. Mr. Speaker, it is with a heavy heart that I honor the life and memory of Paul Koziel, and express my deepest condolences to his colleagues, family, and friends.

On August 20, 2017, Officer Koziel passed away suddenly at the young age of 48. He epitomized the definition of public servant, having served as a police officer across several communities in Pennsylvania's 11th District.

Over the course of his storied career, Officer Koziel served in Kline Township, West Hazleton, and Allentown. He joined the Allentown force in 2003 and quickly rose through the ranks. In 2012, he advanced to the Criminal Investigations Team, followed by the Crisis Negotiation Team in 2016, and finally, the Lehigh County Insurance Fraud Task Force earlier this year. Officer Koziel's hard work and dedication to public service was rightfully recognized in two Merit Commendations and a Bravery Commendation.

Regrettably, Officer Koziel was taken from us too soon. In addition to his mother, he is survived by his wife, Susan, his brothers and sisters Mary, Julia, Dorothea, and Michael, as well as his faithful pets, Josey Wales, Lily, Dirty Harry, Julius, Coco, Pixie, Vera, and Gypsy.

Mr. Speaker, please join me in honoring the life and memory of Paul Koziel.

IN RECOGNITION OF TAD DAVIS' TENURE OF SERVICE TO THE TOWN OF SPRING LAKE AND THE SURROUNDING COMMUNITY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize Tad Davis for his years of service to our community upon his appointment as the Principal Deputy Assistant Secretary of Defense for Energy, Installations, and Environment at the Department of Defense.

Mr. Davis has admirably and faithfully served citizens across North Carolina's 8th Congressional District for decades. I had the privilege of working hand-in-hand with Mr. Davis when he was Garrison Commander of Fort Bragg, the epicenter of the universe and the nation's largest military installation. During those years, he was a fantastic steward of Fort Bragg's resources and helped lead the charge for much-needed modernization and expansion at the base.

Over the last two years, Mr. Davis has served as the Town Manager of the town of Spring Lake, North Carolina. During his tenure, Mr. Davis assisted the Board of Alderman and Mayor Chris Rey in reestablishing sound financial management procedures, led the Town's preparation for and response to several natural disasters, most notably Hurricane Matthew, and worked closely with a multitude of state and local organizations, local businesses, Fort Bragg/Pope Army Air Field, nonprofits, churches and the citizens of Spring Lake to make the town truly a great place to live, work, play and worship.

Tad is also known as a pillar of the community. Despite the long hours he put in as Town Manager, he was still heavily engaged with a

host of local community organizations, including the Fayetteville Technical Community College Foundation Board of Directors; the Regional Land Use Advisory Commission Board of Directors, the Sustainable Sandhills Board of Directors, FAMPO, the Cape Fear Regional Theater, the Fayetteville Symphony, the Sandhills Family Heritage Association, the Arts Council, Cumberland County Schools, the Sons of the American Revolution, AUSA, MOAA, and American Legion Post 230.

Tad Davis has amassed an outstanding military and professional career serving people without seeking personal acclaim or recognition—I think it's only fitting that we honor Mr. Davis from the floor of the U.S. House of Representatives today. Tad's leadership will be missed in Cumberland County and the 8th District, but our country will benefit from his new role at the Pentagon under Secretary of Defense James Mattis.

Mr. Speaker, please join me today in recognizing the nomination of Tad Davis for his years of service to Spring Lake and our community, and his appointment to the Pentagon.

RECOGNIZING TRINE UNIVERSITY

HON. JIM BANKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. BANKS of Indiana. Mr. Speaker, I rise today to recognize Trine University.

A recent article by ABC 21 in Fort Wayne recognized the accomplishments of the University.

There has been a school of engineering at Angola's Trine University since 1902 and if you think a small-town college can't leave its mark on the world, think again.

Within the walls of the university's Brock Center stands the Hall of Innovation, a hall of fame, really, honoring over two hundred Trine alumni who have more than 900 patents to their credit and many of their inventions we can't imagine doing without. Robert Dietz, Class of '52, invented the ground fault circuit interrupter, that electrical outlet you find in bathrooms that keep you from being electrocuted. Ralph Freathy invented the record changer, the device that lets you stack records eight or ten high for continuous music. Robert Molitor, Class of '42, invented the modern golf ball and Charles Montagna, Class of '49, invented the loop the loop racetrack for Hot Wheels cars . . . many of us remember that. Speaking of cars, Daniel Wisner, Class of '54, invented cruise control.

"A good solution made by a good engineer that has lasted the test of time," says Innovation One director Jason Blume. "The engineers that have walked these halls and this campus in northeast Indiana, they're worldwide in impacting the world in every way that we can."

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The Hall of Fame isn't restricted to men. Judy Scheftic, Class of '84, developed a method for purifying metals and Angie Mannon, Class of '87, figured out a better way to cool automotive turbochargers and superchargers. 208 brilliant alums are honored here, another 23 will be added during homecoming week next month and many more after that no doubt. An impressive contribution to life on planet earth, made quietly and continuously in a bright little corner of 21 Country.

"If we look in the future this space is gonna be too small to have all the impact and innovation," says Blume. "I don't know what we'll see in the next hundred years."

CELEBRATING 70 YEARS OF STEEL WAREHOUSE

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate Steel Warehouse Company and join them in celebrating 70 years of success.

Three generations ago, the Lerman family set up a small shop, which quickly expanded its capabilities and began serving South Bend, Indiana, and the surrounding communities. Now 70 years later, with more than 600 employees, Steel Warehouse has established a global industrial network to deliver high-quality materials to their customers. This family-owned business sets a high bar within the steel industry, and I am so grateful for the outstanding innovation and quality of service Steel Warehouse provides.

A leader in its field, Steel Warehouse uses the incredible strength of large, powerful machinery while harnessing the brainpower of its highly skilled engineers, operators, and technicians. The company's commitment to steady growth has enabled it to expand far beyond its headquarters in South Bend. In fact, with fourteen locations, Steel Warehouse employs workers across the U.S., Mexico and Brazil, and utilizes a growing relationship with steel mills throughout the Midwest and around the world to purchase the best supply for its customers.

Not only have this company's capabilities increased immensely with new technology and growing markets in the Midwest, the Lerman family's unique adaptability and dynamic ingenuity has created a business model built on creativity and problem-solving. As the State of Indiana continues to lead the nation in steel production, Steel Warehouse is an extraordinary example for businesses across Indiana and the United States.

It is a privilege and an honor to represent Steel Warehouse, the Lerman family, and the hardworking employees who have played such a positive role in northern Indiana's growing economy for decades. Mr. Speaker, on behalf of Indiana's 2nd District, I want to thank Steel Warehouse for an incredible 70 years, and I look forward to the continued growth and expansion that lies ahead.

CONGRATULATING DANIEL KORTEN AND KRISTINA GAYAGORY

HON. BONNIE WATSON COLEMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mrs. WATSON COLEMAN. Mr. Speaker, today I rise to congratulate Daniel Korten and Kristina Carl (KC) Gayagory on their upcoming wedding on September 9, 2017.

Daniel of East Brunswick and KC of Ventnor met each other working at the Dow Jones' offices in South Brunswick, New Jersey. Daniel and KC went on their first date on August 6, 2011. What started from a single date grew into a loving and flourishing relationship of more than six years.

In that time they have traveled the globe, embarked on new and exciting careers, and have moved across the country. Each step on their journey has been filled with wonder as their love for one another grew. Through thick and thin, Daniel and KC have proven that true love exists and that when you find that special person, you will never be alone.

On Saturday, September 9, 2017, Daniel and KC will confess their love for one another in front of their friends and families—marking the special occasion as the beginning of the next chapter of their journey together. I wish them both a long, joyful, and healthy marriage. May their love only grow stronger and may they always be blessed.

Mr. Speaker, I ask my colleagues in Congress to join me in congratulating Daniel and KC.

DELTA SIGMA THETA SORORITY, INC., DR. PAULETTE C. WALKER

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Ms. CASTOR of Florida. Mr. Speaker, I rise today to recognize the outstanding work of a visionary and a dedicated leader of Delta Sigma Theta Sorority, Inc., Dr. Paulette C. Walker. Dr. Walker has dedicated her life to improving the lives of others through education and public service. Today, I am grateful to recognize her selfless dedication and honor her valuable contributions to our community.

Dr. Walker served as the 25th National President of the Delta Sigma Theta Sorority, Inc. A Detroit native she is now a proud Floridian calling the Tampa Bay area home since February 1990. Dr. Walker has served Delta Sigma Theta Sorority, Inc. on the local, regional and national levels for more than 45 years.

Dr. Walker was initiated into Delta Sigma Theta Sorority, Inc. through the Epsilon Epsilon Chapter in 1966 and earned her bachelor's degree in mathematics education from Michigan State University, master's degree in guidance and counseling from the University of Michigan, and her doctorate of education in administration and supervision also from UM.

Dr. Walker's research was on curriculum and instruction as well as administration and

supervision with a focus on urban schools. She has also served as a classroom teacher, middle school and high school counselor, director of counseling, assistant principal and district-wide supervisor of state and federal projects. Her education, experience and expertise even combined to help her co-author a book, "We Can Have Better Urban Schools."

In July 2011, she retired as the Director of Undergraduate Programs and Internship in the College of Education at the University of South Florida.

Throughout her career, Dr. Walker received numerous awards from several professional, civic and religious organizations. These flowed from her hard work and belief that every person has a special gift that should be shared with the world. She is the recipient of the Hank Nuwer Anti-Hazing Hero Award; Ronald McNair Scholars Research Mentor Award; Ronald McNair Scholars Role Model Mentor Award; Outstanding Undergraduate Advisor Award from the University of South Florida; Certificate of Merit, Institutional Award, American College Testing Program and National Academic Advising Association; and the President's Affirmative Act Award, University of South Florida.

Dr. Walker is an active member of Mt. Olive AME Church in Tampa, Florida where she serves on the Trustee Board. Her other professional and community affiliations include: Board of Supervisors for Coahoma County; Member of the Council of Presidents—The National Pan-Hellenic Council; PACE Center for Girls Advisory Board; Moffitt Cancer Center African American Advisory Board; Mt. Olive Tampa Community Development Center, Mt. Pleasant Charter School Advisory Board. The State of Florida has recognized how valuable her counsel can be and appointed her to the Governor's Commission on African American Affairs. Also, at the state level she serves on the American Cancer Society's Hank Warren Advisory Board. Our neighbors also don't lack for her service and vision as she serves in Hillsborough County on the Literacy Volunteers of America Board of Directors, American Diabetes Association Board of Directors, Bible-Based Christian Fellowship Academy Board of Directors and Moffitt Cancer Center Community Council Research Board.

Mr. Speaker, on the behalf of my neighbors in my hometown and indeed the entire Tampa Bay community where she has touched so many lives, we thank Dr. Paulette C. Walker for inspiring everyone to find their special gift and serve the world. I am proud to honor the "Devastating Diva of Delta Sigma Theta, Sorority, Inc.," Dr. Paulette C. Walker for her uncompromising commitment to her country, state and community for more than 50 years.

CELEBRATING THE 150TH ANNIVERSARY OF SUGAR NOTCH

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. BARLETTA. Mr. Speaker, it is a great honor for me to join the residents of Sugar Notch, Pennsylvania in celebrating the borough's 150th Anniversary.

The last 150 years have proven transformative for the borough, demonstrating its vitality and strong sense of community. Originally a part of Hanover Township, Sugar Notch first began to develop its independent identity when its early pioneers constructed log homes and harvested maple syrup from local forests. On April 3rd of 1867, Sugar Notch officially became a borough, home to 53 households and a large boarding house. From there, it carved out its place in Luzerne County and in the Commonwealth's history. The construction of railroads helped bring a thriving coal industry to the borough. Several small businesses and schools quickly followed, and, by 1870, Sugar Notch's original population had more than doubled.

Over the years, the Sugar Notch community grew and thrived. It contributed not just to Pennsylvania, but also to the entire nation, sending many soldiers to serve in the U.S. Armed Forces. In 1948, the borough displayed its dedication to its servicemembers by erecting a memorial bearing the names of local war heroes. It was the first memorial in the U.S. to honor the late President Franklin D. Roosevelt, and the unveiling of the memorial drew more than 4,000 attendees, as well as former First Lady Eleanor Roosevelt.

This year, the borough of Sugar Notch celebrates its 150th Anniversary, recognizing its long record of history and service. The event will be marked by a reenactment of the dedication of the FDR Memorial, and the publication of a commemorative booklet that will no doubt pass on the borough's story to future generations. I am honored to represent Sugar Notch, Pennsylvania and take great pride in the borough's history, success, and sense of community.

Mr. Speaker, please join me in recognizing the borough of Sugar Notch's 150th Anniversary.

HONORING MRS. EMMA L. KERN
BLACK ON THE OCCASION OF
HER 80TH BIRTHDAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. HASTINGS. Mr. Speaker, I rise to honor Mrs. Emma L. Kern Black on the occasion of her 80th birthday, which was celebrated on January 8, 2017.

Emma was born in Kosciusko, Mississippi to Mr. Jimmy and Manella Kern in 1937. Graduating as valedictorian of her high school in 1955, Emma went on to receive her Bachelor of Science degree from Jackson State College and receive her Master of Science from the University of Wisconsin-Madison in 1965. During her time in college, Emma became a member of organizations such as Delta Sigma Theta Sorority, Inc., Phi Theta Kappa Honor Society, the Sunday School Organization and the Who's Who in Colleges and Universities.

With a love for education, Emma began her career as a third grade teacher at Oak Park Elementary School in Laurel, Mississippi in 1959 until 1964. Emma went on to serve in the Broward County Public School System as

a primary early childhood education specialist until her retirement in 1995. During her career, Emma collaborated and led multiple educational projects and served on student and teacher evaluation teams representing the Southern Association of Schools and Colleges. Emma additionally was an adjunct professor at Nova University of Broward County.

As an active member of First Baptist Church Piney Grove in Fort Lauderdale, Emma served as organizer, musician and director of the Junior Choir for 26 years and Sunday School teacher and musician for over 40 years. This dedication and devotion resulted in her being recognized with the "Women in Religion" award by the Broward County Chapter of Charmettes, Inc. in 2002. Emma's community activities involve: The Lakeside Homeowners Association; the Board of Adjustment for the City of Oakland; Rock Island Elementary School Improvement Team; the Broward County School Readiness Coalition; the Cradle Nursey Boards of Director; the National Association for the Advancement of Colored People (NAACP); the Urban League of Broward County; as well as being a Golden Life Member of Delta Sigma Theta Sorority Alumni Chapter of Fort Lauderdale; a member of the Jackson State University Alumni Association; and Broward County Retired Teachers Association.

After more than 40 years of public service, Emma enjoys traveling domestically and internationally with her husband Dr. Malcolm Black, whom she met the first night of college at a freshmen gathering on campus.

Mr. Speaker, I have had the great privilege of knowing Mrs. Emma Kern Black for many years. I am so happy to be able to honor her on the occasion of her 80th birthday, and wish her many more years of happiness and success.

TRIBUTE IN HONOR OF MR. IRWIN
STOVROFF

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. JONES. Mr. Speaker, I rise today to recognize a remarkable man who has dedicated his life to improving the lives of veterans.

Irwin Stovroff, originally from Buffalo, NY, was shot down over France in August of 1944, during his last mission as a Bombardier with the 44th Bomb Group during World War II. Upon parachuting down to safety, Stovroff landed in Nazi-occupied territory. Fearing the Nazis would discover his Jewish roots, Stovroff removed his dog tags before his capture. Upon capture, Stovroff was recognized by one of the Nazi interrogators from his hometown in New York. In fact, Stovroff had been the Nazi interrogator's newspaper boy. Fortunately, the Nazi interrogator saved his life by putting a "question mark" on his records.

After liberation from the Nazi POW camp, Stovroff returned to the United States where he finished his education, married, and started a family. He led a successful post-military career in furniture, but at the age of 75, began

to volunteer at a VA Medical Center in South Florida.

While working over the years to get our veterans the benefits and care they so deserve, Stovroff noticed that the Department of Veterans Affairs does not receive any funding to provide service dogs to veterans. Knowing the great benefit that service dogs can have on the rehabilitation of veterans, he was determined to change that.

In 2006, at the age of 84, Stovroff launched Vets Helping Heroes, an organization dedicated to financing the acquisition and training of service dogs for wounded veterans and active duty military personnel. Along with his board of directors and donors, Stovroff has now raised over \$4.5 million to pay for trained service dogs for more than 400 wounded veterans.

As Mr. Stovroff continues to help and change the lives of veterans, it is my hope that he feels a deep sense of accomplishment and pride for the outstanding contributions he has made to our veterans and military. I believe I can speak on behalf of our country in thanking him for his extraordinary efforts.

CELEBRATING THE KEYSTONE JOB
CORPS CENTER'S 150TH ANNIVERSARY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. BARLETTA. Mr. Speaker, it is a great honor for me to recognize the Keystone Job Corps on its 50th Anniversary.

For the past 50 years, the Keystone Job Corps Center has helped young people in Pennsylvania's 11th District realize their potential through work training and continued education. Keystone, and its dedicated faculty, make it possible for students to find their path forward—whether that be immediately entering the workforce, or through other higher education opportunities.

But Keystone's investment in its students does not stop there. The center teaches students how to be active members of their communities. I witnessed this firsthand when I was Mayor of Hazleton. I saw Keystone students work tirelessly to restore old sidewalks around City Hall. They even took part in a downtown beautification project—designing trash receptacles that are admired to this day. They continue to participate in the United Way's annual Thanksgiving Dinner and volunteer with Habitat for Humanity.

In a similar way, the Hazleton area community gives back to Keystone. Keystone has a strong relationship with the Butler Township Police Department—one that has been ongoing for the past five decades. Officers will come to campus to talk to students interested in a career in security, and discuss the rewards of being in law enforcement. Local church leaders will come to the center to give students a chance to talk to someone if something is bothering them. Retired members of the community will drop by to tutor students. I've even been able to provide Keystone students with a unique insight into our nation's

political process through internships in my offices here in Pennsylvania's 11th Congressional District. Keystone has become a staple in the Hazleton area community—something that is clearly seen in the partnerships it has developed.

As someone who grew up in Hazleton, I am eternally grateful for the work the center does on behalf of its students and our community. As a Member of Congress and as the Republican Chair of the Congressional Job Corps Caucus, I commend Keystone and its faculty for working every day to change the course of a young person's life through engagement and education. I congratulate the Keystone Job Corps Center on all it has accomplished in the last 50 years, and I wish its staff, faculty, and students all the best throughout the next 50 years.

Mr. Speaker, please join me in recognizing the Keystone Job Corps on its 50th Anniversary.

CELEBRATING THE SIXTH
COUNCILL TRAINING ALL-
SCHOOL REUNION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today I am proud to bring greetings to the Sixth Councill Training All-School Reunion. As the first black Congresswoman from Alabama, I know I owe a debt of gratitude to the Councill Training School family.

As Huntsville's only school for African Americans before desegregation, Councill Training School represents an important piece of civil rights history in Alabama. Until desegregation in 1970, the school educated the entire black population of Huntsville, servicing students from kindergarten to twelfth grade.

Councill Training School is near and dear to my heart. Both of my parents began their careers as educators at Councill Training School after graduating from Alabama State University. My mother, Nancy Gardner was the school librarian while my father, Coach Andrew A. Sewell, was the basketball, football, and track coach. It was on the hallowed grounds of Councill Training School that my parents met and fell in love. In June of 1963, they married and bought their first house. My mother often tells me the story of how when I was born a few years later, the head cheerleader at the time named me, and I immediately became the "Councill Training School Baby". Councill Training School was our family's first home, and will always hold a special place in our heart.

The legacy of Councill Training School is one of excellence and pride, and will live on

in the hearts of the students, faculty, staff and community that it shaped. I am honored to be able to join the classes of 1948 through 1970 in celebrating the Sixth Councill Training School Reunion and hope there are many more to come.

HONORING THE LIFE AND LEGACY
OF MR. DONALD RICHARD WILSON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor the life and legacy of Mr. Donald Richard Wilson, who sadly died on July 25, 2017 at the age of 77. Mr. Wilson, as he was affectionately known by so many, was born on April 22, 1940 to William (Gus) and Annie Mae Wilson. He remained a lifelong resident of Palm Beach County. During his youth, he, along with his two brothers was raised with strict Christian discipline by their mother, Annie Mae Wilson. She worked tirelessly to insure that the boys would receive the best possible education and upbringing she could provide.

A product of the Palm Beach County Public School System, Donald graduated in 1958 from Roosevelt High School, going on to Bethune Cookman, and Florida A&M Universities. After college, he returned home with a degree in elementary education and Gloria, his wife, who was the love of his life for fifty-three years.

Baptized at an early age in St. Paul AME Church, Donald remained a member in good standing throughout his life. He sang in the choir and chaired the Cultural and Artistic Committee and the Steward Board. Donald retired from the Palm Beach County School District in 1996, having served for 35 years as a teacher and administrator. For 22 years, he officiated in children's football and basketball games. A man who truly loved his city, he served on Riviera Beach's City Council for six years.

Donald Wilson was significantly involved in getting the first black firefighters hired in Riviera Beach. He helped produce many Afro Arts festivals and fathered the Riviera Beach Jazz & Blues Festival. Donald was principally involved in awarding over 2,500 athletic scholarships, 2,000 academic scholarships and 750 personal need scholarships to black students, during his 51-year tenure as Vice President of the Youth Recreation Association of Riviera Beach.

Mr. Speaker, Donald Wilson was a wonderful husband, father, grandfather and friend to so many. He was a highly respected member of his community. Donald left behind a great legacy to which everyone who knew him will

always point as a life well lived. I was proud to call him my friend, and will dearly miss him.

HONORING MAJOR GENERAL DANIEL L. YORK FOR 36 YEARS OF SERVICE TO THE UNITED STATES ARMY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 25, 2017

Mr. LAMBORN. Mr. Speaker, I rise today to honor Major General Daniel L. York for his thirty-six years of distinguished service to a grateful nation. His tremendous leadership and commitment to excellence reflect the highest standards of our nation's military. MG York's steadfast devotion to our Creator and the Christian faith during his many years in the United States Army have surely left an enduring testimony with his family, friends and all who shared in his military career. I am very proud to be his friend and brother in Christ and I wish him many blessings in retirement.

Major General York most recently served as the North American Aerospace Defense Command and United States Northern Command Special Assistant to the Commander for Reserve Matters. As an Army Reservist, he has over thirty years of service commanding at the company, battalion, brigade, and division level. He earned the coveted Ranger Tab, Parachutist Badge, Air Assault Badge, Jungle Expert Badge, Rappel Master, and Expert Infantryman Badge.

Major General York graduated from West Point with a Bachelor of Science degree in Engineering and a Masters of Divinity from Bethel (West) Seminary and a Masters of Strategic Studies degree from the U.S. Army War College.

As a civilian leader in his community, Major General York serves as the Director of First Cause, an International Leadership Development NGO he created in 2000, active in six countries. He is also a Senior Advisor for Thayer Leader Development Group at West Point. In 2012 he founded VetREST a non-profit created to help Veterans with Post Traumatic Stress (PTS). He serves as the Board Chairman for VetREST and is helping the organization establish chapters nationwide. Major General York also started and pastored three churches and speaks both nationally and internationally on leadership and related topics.

Major General York is married to the former Kathleen Hardy and they have three children and three grandchildren.

SENATE—Tuesday, August 29, 2017

The Senate met at 2:32 and 5 seconds p.m. and was called to order by the Honorable ROY BLUNT, a Senator from the State of Missouri.

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**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 29, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROY BLUNT, a Senator from the State of Missouri, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. BLUNT thereupon assumed the Chair as Acting President pro tempore.

—————

**ADJOURNMENT UNTIL FRIDAY,
SEPTEMBER 1, 2017, AT 3 P.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 3 p.m. on Friday, September 1, 2017.

Thereupon, the Senate, at 2:32 and 39 seconds p.m., adjourned until Friday, September 1, 2017, at 3 p.m.

HOUSE OF REPRESENTATIVES—Tuesday, August 29, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 29, 2017.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Alisa Lasater Willoo, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

God of us all, today we think of the people of Texas engulfed in a tremendous storm.

We pray for their immediate safety; for security personnel and emergency

responders; for one unified effort; and that the compassion and generosity of the American people will rise to the needs of this tragic moment.

Lord, we also pray that as Jesus rose up in the stern, that You will awaken us to the storms of our own making; the whirlwinds of distrust, because we fall for the temptation to spin situations, and don't always tell the whole truth to ourselves and one another; the gale winds of anger, because we refuse to see the injustices and wounds from which these frustrations flow; the floods from the endless news cycle and social media, causing us to miss Your still, small, sacred voice.

So speak, Lord, now to each of us, and through Your word, anchor our hearts in Your truth that speaks only in love; in Your compassion for all who suffer; and in Your promises, until we, like Noah, remember the rainbow, and trust You to lead us together through the storm.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 1 p.m. on Friday, September 1, 2017.

Thereupon (at 12 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Friday, September 1, 2017, at 1 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second and third quarters of 2017, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DANIEL SILVERBERG, EXPENDED BETWEEN MAY 7 AND MAY 12, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Daniel Silverberg	5/8	5/9	India		133.00		14,401.00				14,534.00
	5/9	5/10	Bhutan		442.00		750.00				1,192.00
	5/10	5/11	Afghanistan		33.00						33.00
	5/11	5/11	India		168.00						168.00
Committee total					776.00		15,151.00				15,927.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DANIEL SILVERBERG, June, 17, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO DENMARK, BELGIUM, LITHUANIA, AND ESTONIA, EXPENDED BETWEEN MAY 25 AND JUNE 1, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steny Hoyer	5/25	5/29	Denmark		1,555.00		10,700.00		*6,514.00		18,769.00
Shuwanza Goff	5/25	5/29	Denmark		1,555.00		10,700.00				12,555.00
Hon. Steny Hoyer	5/29	5/30	Belgium		345.00		5,519.00				5,864.00
	5/30	5/31	Lithuania		320.00						320.00
Shuwanza Goff	5/31	6/1	Estonia		264.00						264.00
	5/29	5/30	Belgium		345.00		5,503.00				5,848.00
	5/30	5/31	Lithuania		320.00						320.00
	5/31	6/1	Estonia		264.00						264.00
Committee total					4,968.00		32,422.00		6,514.00		44,204.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

*Embassy overtime.

HON. STENY H. HOYER, July 31, 2017.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GEORGIA, ESTONIA, AND FINLAND, EXPENDED BETWEEN JUNE 30 AND JULY 6, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kelly Dixon	7/1	7/3	Georgia		862.32		10,775.26				11,637.58
	7/3	7/4	Estonia		226.00						226.00
	7/4	7/6	Finland		621.19						621.19
Jeff Billman	7/1	7/3	Georgia		862.32		10,775.26				11,637.58
	7/3	7/4	Estonia		226.00						226.00
	7/4	7/6	Finland		621.18						621.18
Matt Bravo	7/1	7/3	Georgia		862.32		10,775.26				11,637.58
	7/3	7/4	Estonia		226.00						226.00
	7/4	7/6	Finland		621.19						621.19
Anne Gooch	7/1	7/3	Georgia		862.32		10,775.26				11,637.58
	7/3	7/4	Estonia		226.00						226.00
	7/4	7/6	Finland		621.18						621.18
Parker Poling	7/1	7/3	Georgia		862.32		10,775.26				11,637.58
	7/3	7/4	Estonia		226.00						226.00
	7/4	7/6	Finland		621.18						621.18
Committee total					8,547.52		53,876.30				62,423.82

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KELLY DIXON, Aug. 3, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Darren Soto	4/6	4/11	Kuwait		770.00		15,812.00				16,582.00
Committee total					770.00		15,812.00				16,582.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, July 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Marcy Kaptur	4/18	4/19	Poland		278.06						278.06
	4/19	4/21	Germany		492.19						492.19
	4/21	4/22	Italy		128.00		2,516.46				2,644.46
Hon. Rodney P. Frelinghuysen	4/7	4/8	Qatar		389.00		10,559.41				10,948.41
	4/8	4/11	Iraq		33.00		6,180.00				6,213.00
	4/11	4/13	Turkey		808.30		56.13		138.40		1,002.83
	4/13	4/15	Lebanon		150.00		4,348.80				4,498.80
Hon. C.A. "Dutch" Ruppersberger	4/7	4/8	Qatar		389.00		10,559.41				10,948.41
	4/8	4/11	Iraq		33.00		6,180.00				6,213.00
	4/11	4/13	Turkey		808.30		56.13		138.40		1,002.83
	4/13	4/15	Lebanon		150.00		4,348.80				4,498.80
B.G. Wright	4/7	4/8	Qatar		389.00		10,559.41				10,948.41
	4/8	4/11	Iraq		33.00		6,180.00				6,213.00
	4/11	4/13	Turkey		808.30		56.13		138.40		1,002.83
	4/13	4/15	Lebanon		150.00		4,348.80				4,498.80
Hon. Pete Aguilar	5/25	5/26	Canada		112.00		532.71				644.71
Hon. Charles W. Dent	5/25	5/26	Canada		112.00		266.21		194.98		573.19
Hon. Tim Ryan	5/28	5/29	Spain		79.00						79.00
	5/29	6/1	Bahrain (Kuwait)		366.00						366.00
	6/1	6/3	Germany		208.00						208.00
	6/3	6/4	Norway		120.00						120.00
Hon. Hal Rogers	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Susan Adams	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Joseph Carlile	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Clelia Alvarado	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Hon. David P. Joyce	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Winifred Chang	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017—Continued

Name of member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Ken Calvert	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Jennifer Hing	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Hon. Charles J. "Chuck" Fleischmann	4/7	4/8	Switzerland		535.32		185.46		553.17		1,273.95
	4/8	4/12	Egypt		1,855.63		75.45		808.97		2,740.05
	4/12	4/12	Lebanon						900.83		900.83
	4/12	4/14	Jordan		710.82				346.54		1,057.36
	4/14	4/15	Belgium		372.00		90.82		448.56		911.38
Hon. C.A. "Dutch" Ruppersburger	5/5	5/7	France		1,364.00		579.50		739.50		2,683.00
	5/7	5/9	Poland		524.87		99.75		315.14		939.76
	5/9	5/10	Estonia		233.91		84.73		176.22		494.86
	5/10	5/12	Ukraine		372.18		69.27		104.10		545.55
Hon. Charles W. Dent	4/18	4/20	Japan		893.47		7,455.63		8.93		8,358.03
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		234.34		222.51		1,494.85
Hon. David G. Valadao	4/18	4/20	Japan		893.47		7,976.73		8.93		8,879.13
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		234.34		222.51		1,494.85
Hon. Debbie Wasserman Schultz	4/18	4/20	Japan		893.47		8,862.83		8.93		9,765.23
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		234.34		222.51		1,494.85
Sarah Young	4/18	4/20	Japan		893.47		7,455.63		8.93		8,358.03
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		346.56		222.51		1,607.07
Matt Washington	4/18	4/20	Japan		893.47		7,455.63		8.93		8,358.03
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		298.82		222.51		1,559.33
Shannon O'Keefe	4/18	4/20	Japan		893.47		8,251.23		8.93		9,153.63
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		234.34		222.51		1,494.85
Hon. Barbara Lee	4/18	4/20	Japan		893.47		6,981.13		8.93		7,883.53
	4/20	4/21	Japan		260.61		164.28		72.78		497.67
	4/21	4/24	Korea		1,038.00		234.34		222.51		1,494.85
Jennifer Miller	5/7	5/9	Iraq		22.00		18,629.16				18,651.16
	5/9	5/11	Qatar		777.16		161.19		40.56		978.91
	5/11	5/13	Jordan		713.25		70.21		92.59		876.05
Rebecca Leggieri	5/7	5/9	Iraq		22.00		18,546.66				18,568.66
	5/9	5/11	Qatar		777.16		80.00		40.56		897.72
	5/11	5/13	Jordan		713.25		70.21		92.59		876.05
Nancy Fox	5/7	5/9	Iraq		22.00		15,376.46				15,398.46
	5/9	5/11	Qatar		777.16		177.81		40.56		995.53
	5/11	5/13	Jordan		713.25		70.21		92.59		876.05
Hon. Martha Roby	5/9	5/9	United Arab Emirates				6,664.50		101.27		6,765.77
	5/9	5/10	Afghanistan				3,782.86				3,782.86
	5/11	5/12	Iraq						3,090.00		3,090.00
	5/12	5/12	Turkey				2,177.30		115.89		2,293.19
Hon. Henry Cuellar	5/11	5/14	Greenland		274.00				444.00		718.00
David Bortnick	5/29	6/3	Guatemala		983.33		2,216.27		1,099.47		4,299.07
Hon. Steven M. Palazzo	4/7	4/7	Belgium				69.91				69.91
	4/7	4/9	Poland		542.05		108.02		187.02		837.09
	4/9	4/9	Romania		216.31				618.74		835.05
	4/10	4/12	Estonia		458.56				542.93		1,001.49
	4/12	4/14	Ukraine		721.87				2,029.93		2,751.08
Committee total					62,526.95		196,353.84		40,256.01		299,136.80

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. RODNEY P. FRELINGHUYSEN, Chairman, July 27, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Travel to Germany, March 31–April 2, 2017:											
Hon. Michael R. Turner	3/31	4/3	Germany		921.00						921.00
Commercial transportation							2,577.86				2,577.86
Hon. Susan Davis	3/31	4/3	Germany		921.00						921.00
Commercial transportation							3,113.87				3,113.86
Hon. Paul Cook	3/31	4/3	Germany		921.00						921.00
Commercial transportation							2,577.86				2,577.86
Douglas Bush	3/31	4/3	Germany		921.00						921.00
Commercial transportation							2,577.86				2,577.86
Travel to Cuba, April 3, 2017:											
Hon. Vicky Hartzler	4/3	4/3	Cuba								
Hon. Jim Banks	4/3	4/3	Cuba								
Hon. Liz Cheney	4/3	4/3	Cuba								
Hon. Matt Gaetz	4/3	4/3	Cuba								
Hon. Steve Knight	4/3	4/3	Cuba								
Hon. Trent Kelly	4/3	4/3	Cuba								
Hon. Seth Moulton	4/3	4/3	Cuba								
Hon. A. Donald McEachin	4/3	4/3	Cuba								
Hon. Don Bacon	4/3	4/3	Cuba								
Hon. Anthony Brown	4/3	4/3	Cuba								
Hon. Thomas Suozzi	4/3	4/3	Cuba								
Hon. Sam Graves	4/3	4/3	Cuba								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Salud Carbajal	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Robert Simmons	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Dr. Christopher Bright	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Andrew Peterson	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Elizabeth Conrad	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
William Spencer Johnson	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Andrew Schulman	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Craig Collier	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Alison Lynn	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Mark Morehouse	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Margaret Dean	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Catherine Sendak	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Brian Garrett	4/3	4/3	Cuba .....	.....	.....	.....	.....	.....	.....	.....	.....
Travel to Poland, Romania, Ukraine, Estonia, Germany, Belgium, April 6–17, 2017:											
Hon. Mike Rogers	4/7	4/7	Belgium .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/7	4/9	Poland .....	.....	542.05	.....	.....	.....	.....	.....	542.05
.....	4/9	4/10	Romania .....	.....	216.32	.....	.....	.....	.....	.....	216.32
.....	4/10	4/12	Estonia .....	.....	458.56	.....	.....	.....	.....	.....	458.56
.....	4/12	4/14	Ukraine .....	.....	721.86	.....	.....	.....	.....	.....	721.86
Hon. Ralph L. Abraham	4/7	4/7	Belgium .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/7	4/9	Poland .....	.....	542.05	.....	.....	.....	.....	.....	542.05
.....	4/9	4/10	Romania .....	.....	216.32	.....	.....	.....	.....	.....	216.32
.....	4/10	4/12	Estonia .....	.....	458.56	.....	.....	.....	.....	.....	458.56
.....	4/12	4/14	Ukraine .....	.....	721.86	.....	.....	.....	.....	.....	721.86
Hon. Jim Banks	4/7	4/7	Belgium .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/7	4/9	Poland .....	.....	542.05	.....	.....	.....	.....	.....	542.05
.....	4/9	4/10	Romania .....	.....	216.32	.....	.....	.....	.....	.....	216.32
.....	4/10	4/12	Estonia .....	.....	458.56	.....	.....	.....	.....	.....	458.56
.....	4/12	4/14	Ukraine .....	.....	721.86	.....	.....	.....	.....	.....	721.86
Hon. Scott DesJarlais	4/7	4/7	Belgium .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/7	4/9	Poland .....	.....	542.05	.....	.....	.....	.....	.....	542.05
.....	4/9	4/10	Romania .....	.....	216.32	.....	.....	.....	.....	.....	216.32
.....	4/10	4/12	Estonia .....	.....	458.56	.....	.....	.....	.....	.....	458.56
.....	4/12	4/14	Ukraine .....	.....	721.86	.....	.....	.....	.....	.....	721.86
Timothy Morrison	4/7	4/7	Belgium .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/7	4/9	Poland .....	.....	542.05	.....	.....	.....	.....	.....	542.05
.....	4/9	4/10	Romania .....	.....	216.32	.....	.....	.....	.....	.....	216.32
.....	4/10	4/12	Estonia .....	.....	458.56	.....	.....	.....	.....	.....	458.56
.....	4/12	4/14	Ukraine .....	.....	721.86	.....	.....	.....	.....	.....	721.86
*Delegation Expenses .....	.....	.....	Romania .....	.....	.....	.....	.....	.....	3,712.41	.....	3,712.41
.....	.....	.....	Poland .....	.....	.....	.....	650.70	.....	1,122.14	.....	1,772.84
.....	.....	.....	Ukraine .....	.....	.....	.....	.....	.....	12,179.58	.....	12,179.58
.....	.....	.....	Estonia .....	.....	.....	.....	.....	.....	3,257.57	.....	3,257.57
.....	.....	.....	Belgium .....	.....	.....	.....	.....	.....	419.45	.....	419.45
Travel to Afghanistan, Kuwait, United Arab Emirates, Jordan, April 9–15, 2017:											
Hon. Elise M. Stefanik	4/10	4/11	Afghanistan .....	.....	33.00	.....	.....	.....	.....	.....	33.00
.....	4/11	4/13	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/13	4/14	United Arab Emirates .....	.....	538.00	.....	.....	.....	.....	.....	538.00
.....	4/14	4/15	Jordan .....	.....	355.41	.....	.....	.....	.....	.....	355.41
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,938.56	.....	.....	.....	17,938.56
Hon. Thomas Suozzi	4/10	4/11	Afghanistan .....	.....	33.00	.....	.....	.....	.....	.....	33.00
.....	4/11	4/13	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/13	4/14	United Arab Emirates .....	.....	538.00	.....	.....	.....	.....	.....	538.00
.....	4/14	4/15	Jordan .....	.....	355.41	.....	.....	.....	.....	.....	355.41
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,938.56	.....	.....	.....	17,938.56
Hon. Anthony Brown	4/10	4/11	Afghanistan .....	.....	33.00	.....	.....	.....	.....	.....	33.00
.....	4/11	4/13	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/13	4/14	United Arab Emirates .....	.....	538.00	.....	.....	.....	.....	.....	538.00
.....	4/14	4/15	Jordan .....	.....	355.41	.....	.....	.....	.....	.....	355.41
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,938.56	.....	.....	.....	17,938.56
Peter Villano	4/10	4/11	Afghanistan .....	.....	33.00	.....	.....	.....	.....	.....	33.00
.....	4/11	4/13	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/13	4/14	United Arab Emirates .....	.....	538.00	.....	.....	.....	.....	.....	538.00
.....	4/14	4/15	Jordan .....	.....	355.41	.....	.....	.....	.....	.....	355.41
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,938.56	.....	.....	.....	17,938.56
Craig Greene	4/10	4/11	Afghanistan .....	.....	33.00	.....	.....	.....	.....	.....	33.00
.....	4/11	4/13	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/13	4/14	United Arab Emirates .....	.....	538.00	.....	.....	.....	.....	.....	538.00
.....	4/14	4/15	Jordan .....	.....	355.41	.....	.....	.....	.....	.....	355.41
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,938.56	.....	.....	.....	17,938.56
*Delegation Expenses .....	.....	.....	Jordan .....	.....	.....	.....	311.81	.....	981.32	.....	1,293.13
.....	.....	.....	United Arab Emirates .....	.....	.....	.....	.....	.....	4,868.46	.....	4,868.46
Travel to Egypt, Chad, Tunisia, Algeria, April 9–15, 2017:											
Mark Morehouse	4/10	4/11	Egypt .....	.....	273.00	.....	.....	.....	.....	.....	273.00
.....	4/11	4/11	Chad .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/12	4/13	Algeria .....	.....	257.27	.....	.....	.....	.....	.....	257.27
.....	4/13	4/15	Tunisia .....	.....	742.00	.....	.....	.....	.....	.....	742.00
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,194.06	.....	.....	.....	17,194.06
Katy Quinn	4/10	4/11	Egypt .....	.....	273.00	.....	.....	.....	.....	.....	273.00
.....	4/11	4/11	Chad .....	.....	.....	.....	.....	.....	.....	.....	.....
.....	4/12	4/13	Algeria .....	.....	257.27	.....	.....	.....	.....	.....	257.27
.....	4/13	4/15	Tunisia .....	.....	742.00	.....	.....	.....	.....	.....	742.00
Commercial transportation .....	.....	.....	.....	.....	.....	.....	17,194.06	.....	.....	.....	17,194.06
*Delegation Expenses .....	.....	.....	Egypt .....	.....	.....	.....	.....	.....	118.55	.....	118.55
Travel to Afghanistan, Kuwait, Turkey, April 17–24, 2017:											
Kari Bingen	4/18	4/20	Afghanistan .....	.....	66.00	.....	.....	.....	.....	.....	66.00
.....	4/20	4/22	Turkey .....	.....	331.16	.....	.....	.....	.....	.....	331.16
.....	4/22	4/23	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
Andrew Peterson	4/18	4/20	Afghanistan .....	.....	66.00	.....	.....	.....	.....	.....	66.00
.....	4/20	4/22	Turkey .....	.....	331.16	.....	.....	.....	.....	.....	331.16
.....	4/22	4/23	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
Jennifer Bird	4/18	4/20	Afghanistan .....	.....	66.00	.....	.....	.....	.....	.....	66.00
.....	4/20	4/22	Turkey .....	.....	431.16	.....	.....	.....	.....	.....	431.16
.....	4/22	4/23	Kuwait .....	.....	.....	.....	.....	.....	.....	.....	.....
Catherine Sendak	4/20	4/21	Turkey .....	.....	431.16	.....	.....	.....	.....	.....	431.16
William Spencer Johnson	4/18	4/20	Afghanistan .....	.....	66.00	.....	.....	.....	.....	.....	66.00
.....	4/20	4/22	Turkey .....	.....	331.16	.....	.....	.....	.....	.....	331.16

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Katy Quinn	4/22	4/23	Kuwait								
Lindsay Kavanaugh	4/18	4/20	Turkey		431.16						431.16
	4/20	4/22	Afghanistan		66.00						66.00
	4/22	4/23	Turkey		431.16						431.16
	4/22	4/23	Kuwait								
Travel to Germany, Italy, Poland, United Kingdom with CODEL Cook, April 17–24, 2017:											
Hon. Steve Russell	4/18	4/19	Poland		194.06						194.06
	4/19	4/21	Germany		298.22						298.22
	4/21	4/23	Italy		624.00						624.00
	4/23	4/25	United Kingdom		762.00						762.00
Travel to Afghanistan, Iraq with CODEL Roby, May 8–12, 2017:											
Hon. Susan Davis	5/9	5/10	Afghanistan		33.00						33.00
	5/10	5/12	Iraq		22.00						22.00
Commercial transportation							12,595.36				12,595.36
Margaret Dean	5/9	5/10	Afghanistan		33.00						33.00
			Iraq		22.00						22.00
Commercial transportation							12,595.36				12,595.36
Craig Greene	5/9	5/10	Afghanistan		33.00						33.00
			Iraq		22.00						22.00
Commercial transportation							12,595.36				12,595.36
Nicholas Mikula	5/9	5/10	Afghanistan		33.00						33.00
			Iraq		22.00						22.00
Commercial transportation					14,737.66				14,737.66		
Travel to Jordan, Israel with CODEL Ros-Lehtinen, May 26–June 1, 2017:											
Hon. Matt Gaetz	5/27	5/29	Jordan		638.98						638.98
	5/29	6/1	Israel		1,668.00						1,668.00
Commercial transportation							7,759.98				7,759.98
Travel to Japan, South Korea, Vietnam, Singapore, May 26–June 5, 2017:											
Hon. William M. “Mac” Thornberry	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		655.37						655.37
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Bradley Byrne	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		655.37						655.37
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Madeleine Bordallo	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Mike Gallagher	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Seth Moulton	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Stephanie Murphy	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Salud Carbajal	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
Hon. Austin Scott	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		655.37						655.37
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		810.00						810.00
David Sienicki	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		808.00						808.00
John Phillip MacNaughton	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		808.00						808.00
Alison Lynn	5/28	5/29	South Korea		346.09						346.09
	5/30	6/1	Vietnam		626.62						626.62
	6/1	6/2	Japan		527.42						527.42
	6/2	6/4	Singapore		808.00						808.00
*Delegation Expenses			Singapore						1,696.00		1,696.00
			South Korea						5,363.68		5,363.68
			Vietnam						10,179.95		10,179.95
			Japan						2,174.54		2,174.54
Travel to Kosovo, Serbia, May 29–June 2, 2017:											
Hon. Michael Turner	5/30	5/31	Kosovo		202.22						202.22
	5/31	6/1	Serbia		271.96						271.96
Travel to Estonia, May 30–June 5, 2017:											
Hon. James Langevin	5/31	6/3	Estonia		232.00						232.00
Commercial transportation							3,739.66				3,739.66
Lindsay Kavanaugh	5/31	6/3	Estonia		232.00						232.00
Commercial transportation							3,739.66				3,739.66
*Delegation Expenses			Estonia						301.68		301.68
Committee total					54,437.78		203,653.91		46,375.33		304,467.02

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Adam Kinzinger	4/6	4/7	France		934.00		(³)				934.00
	4/8	4/10	Latvia		260.87						260.87
	4/12	4/13	Poland		569.92						569.92
	4/12	4/13	Holland		266.00						266.00
Hon. Bob Latta	4/6	4/11	Kuwait		1,150.00		21,014.36				22,164.36
	4/9	4/9	Iran				3,090.00				3,090.00
Hon. Susan Brooks	5/9	5/10	Afghanistan		33.00		9,879.96				9,912.96
	5/11	5/13	Iraq		22.00		3,090.00				3,112.00
Hon. Bill Johnson	5/10	5/12	Thailand		372.64		16,392.66		731.16		17,496.46
	5/13	5/16	Sri Lanka		752.00				2,628.00		3,380.00
Andrew Zach	5/10	5/12	Thailand		372.64		16,181.16				16,553.80
	5/13	5/16	Sri Lanka		752.00						752.00
Hon. Chris Collins	5/11	5/14	Greenland		718.00		(³)				718.00
Hon. Gus Bilirakis	5/26	5/28	Jordan		710.74		10,037.48				10,748.22
	5/29	6/1	Israel		1,582.00						1,582.00
Hon. Bill Flores	5/25	5/29	Australia		1,254.00		20,277.16		5,576.00		27,107.16
	5/30	5/30	Malaysia		254.08				1,196.82		1,450.90
	5/31	6/3	South Korea		704.18				2,200.54		2,904.72
Hon. Joe Barton	5/25	5/29	Australia		1,254.00		14,739.46				15,993.46
	5/30	5/30	Malaysia		245.08						245.08
Hon. David McKinley	5/25	5/29	Australia		1,254.00		18,047.66				19,301.66
	5/30	5/30	Malaysia		254.08						254.08
	5/31	6/3	South Korea		704.18						704.18
Hon. Earl "Buddy" Carter	5/25	5/29	Australia		1,254.00		18,534.66				19,788.66
	5/30	5/30	Malaysia		254.08						254.08
	5/31	6/3	South Korea		704.18						704.18
Ann Thompson	5/25	5/29	Australia		1,254.00		18,047.66				19,301.66
	5/30	5/30	Malaysia		254.08						254.08
	5/31	6/3	South Korea		704.18						704.18
Committee total					18,843.93		169,332.22		12,332.52		200,508.67

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. GREG WALDEN, Chairman, July 28, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SUSAN W. BROOKS, Chairwoman, July 26, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Juan Vargas	4/7	4/10	Egypt		819.00						819.00
	4/10	4/10	Lebanon								
	4/11	4/13	Jordan		1,029.00		13,734.36				14,763.36
Hon. Claudia Tenney	4/7	4/10	Egypt		766.00						766.00
	4/10	4/10	Lebanon								
	4/11	4/13	Jordan		975.00		14,010.36				14,985.36
Hon. Keith Rothfus	4/10	4/12	Afghanistan		100.00		(³)				100.00
	4/12	4/13	Kuwait		286.95		(³)				286.95
	4/13	4/14	UAE		347.56						347.56
	4/14	4/15	Jordan		302.00		18,041.56				18,343.56
Hon. Robert Pittenger	4/18	4/19	Poland		278.00		(³)				278.00
	4/19	4/21	Germany		492.22		(³)				492.22
	4/21	4/23	Italy		880.00		(³)				880.00
	4/23	4/25	England		1,036.00		(³)				1,036.00
Hon. Dave Trott	5/7	5/8	Greece		580.52		(³)				580.52
	5/8	5/9	Bosnia		167.24		(³)				167.24
	5/9	5/11	Albania		470.00		(³)				470.00
	5/11	5/11	Macedonia				(³)				
	5/11	5/13	Kosovo		682.62		(³)				682.62
	5/13	5/15	Italy		1,122.00		(³)				1,122.00
Hon. Kyrsten Sinema	5/25	5/26	Canada		300.60		³ 345.46				646.06
Hon. Ted Budd	5/28	5/30	Japan		528.26						528.26
	5/30	6/1	S. Korea		642.00		11,923.20				12,565.20
Hon. Steve Stivers	5/30	5/31	Kosovo		173.80						173.80
	5/31	6/1	Serbia		183.01		12,180.76				12,363.77
Hon. Robert Pittenger	6/18	6/20	Latvia		485.00		11,569.36				12,054.36
Committee total					12,646.78		81,805.06				94,451.84

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. JEB HENSARLING, Chairman, July 31, 2017.

August 29, 2017

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REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Amy Porter	5/9	5/10	Brazil		424.53		8,099.16				
	5/10	5/12	Argentina		750.91						
Jessica Kelch	5/9	5/10	Brazil		424.53		7,199.46				
	5/10	5/12	Argentina		750.91						
Leah Campos	5/10	5/10	Brazil		157.00		2,515.16				
	5/10	5/12	Argentina		781.96						
Eric Jacobstein	5/9	5/10	Brazil		425.64		2,526.16				
	5/10	5/11	Argentina		390.98						
Hon. Paul Cook	4/18	4/19	Poland		278.00				* 112.17		
	4/19	4/21	Germany		492.22		(³)		* 3,481.31		
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
Hon. Albio Sires	4/18	4/19	Poland		278.00		(³)				
	4/19	4/21	Germany		492.22		(³)				
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
Hon. Mo Brooks	4/18	4/19	Poland		278.00		(³)				
	4/19	4/21	Germany		492.22		(³)				
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
Hon. Adriano Espallat	4/18	4/19	Poland		278.00		(³)				
	4/19	4/21	Germany		492.22		(³)				
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
J. Brady Howell	4/18	4/19	Poland		278.00		(³)				
	4/19	4/21	Germany		492.22		(³)				
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
Jean Marter	4/18	4/19	Poland		278.00		(³)				
	4/19	4/21	Germany		492.22		(³)				
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
Kyle Parker	4/18	4/19	Poland		278.00		(³)				
	4/19	4/21	Germany		492.22		(³)				
	4/21	4/23	Italy		880.00		(³)				
	4/23	4/25	United Kingdom		1,036.00		(³)				
Hon. Dana Rohrabacher	4/7	4/8	Netherlands		481.00		15,126.16		* 1,067.00		
	4/8	4/10	Spain		662.30				* 1,948.53		
	4/10	4/11	Portugal		208.00				* 1,058.00		
	4/11	4/13	Germany		579.65				* 2,414.84		
Paul Behrends	4/13	4/15	Poland		664.07		419.91				
	4/7	4/8	Netherlands		481.00		12,258.76				
	4/8	4/10	Spain		662.30						
	4/10	4/11	Portugal		208.00						
	4/11	4/13	Germany		579.65						
Philip Bednarczyk	4/13	4/15	Poland		664.07		419.91				
	4/7	4/8	Netherlands		481.00		3,666.56				
	4/8	4/10	Spain		662.30						
	4/10	4/11	Portugal		208.00						
	4/11	4/13	Germany		579.65						
Douglas Anderson	5/27	5/30	Japan		1,306.53		6,709.26				
	5/30	6/2	Hong Kong		1,543.65						
Janice Kaguyutan	5/27	5/30	Japan		1,342.00		6,709.26				
	5/30	6/2	Hong Kong		1,517.00						
Thomas Hill	5/28	5/29	Finland		316.30		2,720.76		* 718.29		
	5/29	6/1	Czech Republic		1,156.30						
Timothy Mulvey	5/28	5/29	Finland		316.30		2,720.76				
	5/29	6/1	Czech Republic		1,156.30						
Thomas Hill	4/8	4/10	Algeria		532.00		6,932.32				
	4/10	4/15	Morocco		901.00						
Russell Solomon	4/8	4/10	Algeria		532.00		3,070.66				
	4/10	4/13	Morocco		606.83						
Mark Iozzi	4/8	4/10	Algeria		532.00		6,932.20				
	4/10	4/11	Morocco		901.00						
Greg Simpkins	4/8	4/11	Kenya		978.92		6,051.78				
	4/11	4/13	Tanzania		530.00		468.00		* 39.56		
Lesley Warner	4/8	4/11	Kenya		988.92		8,129.64				
	4/11	4/13	Tanzania		542.50		467.50				
Jessica Calio	5/30	5/31	Kosovo		202.22		3,555.86				
	5/31	6/1	Serbia		271.96		(³)				
Hon. Ileana Ros-Lehtinen	5/9	5/10	Afghanistan		33.00		12,406.06				
	5/10	5/12	Iraq		22.00		(³)				
	5/29	6/1	Israel		1,332.00				* 11,737.53		
	6/1	6/1	United Kingdom						* 22.31		
	5/27	5/29	Jordan		774.11		7,936.58				
Eddy Acevedo	5/29	6/1	Israel		1,457.00						
	5/27	5/29	Jordan		799.11		12,891.58				
Golan Rodgers	5/29	6/1	Israel		1,532.00						
	5/27	5/29	Jordan		824.11		3,412.48				
Casey Kustin	5/29	6/1	Israel		1,482.00						
	5/27	5/29	Jordan		824.11		12,955.68				
Hon. James Sensenbrenner	6/17	6/20	Peru		1,098.00		4,687.90				
Leah Campos	6/17	6/20	Peru		1,098.00		1,073.99				
Hon. Christopher Smith	5/28	5/30	Uganda		446.00		7,289.16				
	5/30	6/1	South Sudan		25.00						
Hon. Karen Bass	5/28	5/30	Uganda		560.00		7,289.16				
	5/30	6/1	South Sudan		180.00						
Greg Simpkins	5/28	5/30	Uganda		476.00		7,289.16				
	5/30	6/1	South Sudan		10.00						
Lesley Warner	5/28	5/30	Uganda		560.00		7,289.16				
	5/30	6/1	South Sudan		94.00						
Joan Condon	4/9	4/10	Kenya		349.53		12,315.68				
	4/10	4/11	South Sudan		90.00						
	4/11	4/13	Kenya		819.07				* 1,072.85		
	4/13	4/15	Uganda		524.00				* 436.00		
Kristen Marquardt	4/9	4/10	Kenya		349.53		12,582.68				
	4/10	4/11	South Sudan		90.00						
	4/11	4/14	Kenya		1,230.00						
	4/14	4/15	Uganda		280.00						
Elizabeth Heng	6/20	6/22	London		814.00		1,046.06				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Committee total					64,377.29		217,164.57		* 24,108.39		305,650.25

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

*Indicates delegation costs.

HON. EDWARD R. ROYCE, Chairman, July 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Michael McCaul	5/5	5/7	France		1,363.00		(³)				1,363.00
	5/7	5/9	Poland		524.87		(³)				524.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.18		(³)				372.18
Hon. Will Hurd	5/8	5/9	Poland		440.87		(³)				440.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.18		(³)				372.18
Hon. Martha McSally	5/5	5/7	France		1,363.00		(³)				1,363.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.18		(³)				372.18
Hon. Clay Higgins	5/5	5/7	France		1,364.00		(³)				1,364.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.18		(³)				372.18
Hon. Kathleen M. Rice	5/5	5/7	France		1,364.00		(³)				1,364.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.18		(³)				372.18
B. Shields	5/5	5/7	France		1,282.00		(³)				1,282.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.18		(³)				372.18
S. Phalen	5/5	5/7	France		1,282.00		(³)				1,282.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.17		(³)				372.17
L. Burke	5/5	5/7	France		1,282.00		(³)				1,282.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.17		(³)				372.17
C. Duval	5/8	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.17		(³)				372.17
H. Goins	5/5	5/7	France		1,282.00		(³)				1,282.00
	5/7	5/9	Poland		356.87		(³)				356.87
	5/9	5/10	Estonia		233.91		(³)				233.91
	5/10	5/12	Ukraine		372.17		(³)				372.17
Hon. Val Butler Demings	5/9	5/10	Afghanistan		33.00		(³)				33.00
	5/10	5/12	Iraq		22.00		(³)				22.00
Committee total					20,518.56						20,518.56

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. MICHAEL T. MCCAUL, Chairman, July 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Reynold Schweickhardt	4/17	4/21	England		1,646.34		918.86				2,565.20
Kimberly Betz	4/17	4/21	England		1,646.34		917.66				2,564.00
Cole Fedder	4/17	4/21	England		1,646.34		918.66				2,565.20
George Hull	4/17	4/21	England		1,646.34		918.66				2,565.20
Khalil Aboud	4/17	4/21	England		1,509.34		918.66				2,428.00
Committee total					8,094.70		4,593.30				12,688.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. GREGG HARPER, Chairman, July 27, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Bob Goodlatte	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,996.55		3,102.38

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve King	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,916.55		3,022.38
Hon. Matt Gaetz	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,916.55		3,022.38
Hon. David Cicilline	5/09	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		828.31		910.20		1,446.31		3,184.82
Branden Ritchie	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,836.46		2,942.29
Joseph Edlow	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,836.46		2,942.29
Aaron Hiller	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,836.46		2,942.29
Eric Bagwell	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,836.46		2,942.29
Jessica Collins	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,836.46		2,942.29
Beth Breeding	5/06	5/15	Greece, Bosnia, Albania, Macedonia, Kosovo, Italy, and Vatican City.		1,105.83		(³)		1,836.46		2,942.29
Bart Forsythe	6/18	6/20	Peru		372.00		1,073.99		726.00		2,171.99
Committee total					11,152.78		1,984.19		19,020.72		32,157.69

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. BOB GOODLATTE, Chairman, July 28, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Darrell Issa	4/7	4/10	Egypt		819.00		14,177.00				14,996.00
	4/10	4/13	Jordan		1,029.00						1,029.00
Cordell Hull	4/7	4/10	Egypt		819.00		15,443.00				16,262.00
	4/10	4/13	Jordan		1,029.00						1,029.00
Hon. Dennis Ross	4/7	4/11	Kuwait		1,570.00		12,194.00				13,764.00
Hon. Stephen Lynch	4/7	4/11	Kuwait		1,570.00		12,194.00				13,764.00
Michael Howell	4/7	4/11	Kuwait		1,570.00		12,194.00				13,764.00
Valerie Shen	4/7	4/11	Kuwait		1,570.00		12,194.00				13,764.00
*Delegation Expenses	4/7	4/11	Kuwait						528.00		528.00
*Delegation Expenses	4/9	4/9	Iraq				21,630.00				21,630.00
Hon. Jody Hice	5/28	5/30	Japan		935.00		12,592.00				13,527.00
	5/30	6/1	S. Korea		692.00						692.00
John Thorlin	5/28	5/30	Japan		935.00		12,031.00				12,966.00
	5/30	6/1	S. Korea		692.00						692.00
Hon. Gary Palmer	5/28	5/30	Japan		585.00		11,655.00				12,240.00
	5/30	6/1	S. Korea		448.00						448.00
*Delegation Expenses	5/28	5/30	Japan						1,635.00		1,635.00
*Delegation Expenses	5/30	6/1	S. Korea						936.00		936.00
Committee total					14,263.00		136,304.00		3,099.00		153,666.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

HON. DARRELL E. ISSA, August 1, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there are no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STEVE CHABOT, Chairman, July 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Phil Roe	5/30	5/31	Lithuania		199.99		(³)		100.24		300.23
Hon. Neal Dunn	4/6	4/11	Kuwait		630.00		19,014.46		1,308.00		20,952.46
Committee total					829.99		19,014.46		1,408.24		21,252.69

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. DAVID P. ROE, Chairman, Aug. 4, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Linda Sánchez	3/31	4/3	Germany		953.00		2,613.56				3,566.56
Hon. Kenny Marchant	5/5	5/7	France		1,363.00		(³)				1,363.00
	5/7	5/9	Poland		524.87						524.87
	5/9	5/10	Estonia		233.91						233.91
	5/10	5/11	Ukraine		372.18						372.18
Hon. Mike Bishop	5/27	5/30	Japan		935.26		12,066.46				13,001.72
	5/30	6/1	South Korea		692.00						692.00
Hon. George Holding	5/27	5/29	Jordan		710.74		10,033.48				10,744.22
	5/29	6/1	Israel		1,582.00						1,582.00
Committee total					7,366.96		24,713.50				32,080.46

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. KEVIN BRADY, Chairman, July 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Scott Glabe	4/1	4/3			653.00						653.00
Commercial airfare							2,224.56				2,224.56
Hon. Thomas Rooney	4/7	4/9			820.00						820.00
	4/9	4/10			396.15						396.15
Commercial airfare							12,301.08				12,301.08
Scott Glabe	4/7	4/9			820.00						820.00
	4/9	4/10			396.15						396.15
Commercial airfare							12,301.08				12,301.08
Marissa Skaggs	4/7	4/9			820.00						820.00
	4/9	4/10			396.15						396.15
Commercial airfare							12,301.08				12,301.08
Hon. Chris Stewart	4/9	4/13			791.43		445.67				1,237.10
	4/13	4/14			480.00						480.00
Military airfare											
Hon. Brad Wenstrup	4/9	4/13			791.43		445.67				1,237.10
	4/13	4/14			480.00						480.00
Military airfare											
Andrew House	4/12	4/16			1,530.00						1,530.00
Commercial airfare							15,173.76				15,173.76
Hon. Mike Quigley	4/10	4/13			516.31			267.93			784.24
Commercial airfare							11,408.96				11,408.96
Thomas Eager	4/10	4/13			516.31			267.93			784.24
Commercial airfare							11,162.96				11,162.96
Hon. Devin Nunes	4/18	4/20			487.00			308.50			795.50
	4/20	4/22			541.00			476.00			1,017.00
	4/22	4/25			624.00			661.00			1,285.00
	4/25	4/25						5.96			5.96
Commercial airfare							13,220.86				13,220.86
George Pappas	4/18	4/20			487.00			308.50			795.50
	4/20	4/22			541.00			476.00			1,107.00
	4/22	4/25			624.00			661.00			1,285.00
	4/25	4/25						5.96			5.96
Commercial airfare							11,676.06				11,676.06
Chelsey Campbell	5/7	5/9			803.00						803.00
	5/9	5/10			234.51			31.83			266.34
	5/10	5/12			492.00			6.96			498.96
Commercial airfare							16,616.56				16,616.56
Nicholas A. Ciarlante	5/7	5/9			803.00						803.00
	5/9	5/10			234.51			31.83			266.34
	5/10	5/12			492.00			6.96			498.96
Commercial airfare							11,939.66				11,939.66
Kimberlee Kerr	5/7	5/9			803.00						803.00
	5/9	5/10			234.51			31.83			266.34
	5/10	5/12			492.00			6.96			498.96
Commercial airfare							11,939.66				11,939.66
Hon. Rick Crawford	5/8	5/10			738.00		459.00				1,197.00
	5/10	5/11			242.00						242.00
	5/11	5/13			724.00			16.50			740.50
Commercial airfare							2,560.98				2,560.98
Hon. Trey Gowdy	5/8	5/10			738.00		459.00				1,197.00
	5/10	5/11			242.00						242.00
	5/11	5/13			724.00			16.50			740.50
Commercial airfare							2,807.26				2,807.26
Doug Presley	5/8	5/10			738.00		459.00				1,197.00
	5/10	5/11			242.00						242.00
	5/11	5/13			724.00			16.50			740.50
Commercial airfare							1,902.08				1,902.08
Allen R. Souza	5/8	5/10			738.00		459.00				1,197.00
	5/10	5/11			242.00						242.00
	5/11	5/13			724.00			16.50			740.50
Commercial airfare							1,902.08				1,902.08
Damon Nelson	5/27	5/31			1,020.00			132.93			1,152.93
	5/31	6/3			489.00						489.00
Commercial airfare							12,375.96				12,375.96
Mark R. Stewart	5/27	5/31			1,020.00			132.93			1,152.93
	5/31	6/3			489.00						489.00
Commercial airfare							12,375.96				12,375.96
Bob Minehart	5/27	5/31			1,020.00			132.93			1,152.93
	5/31	6/3			489.00						489.00
Commercial airfare							12,375.96				12,375.96
Hon. Frank LoBiondo	5/26	5/30			1,282.00		1,168.00	871.50			3,321.50
	5/30	6/2			178.00			100.00			278.00
	6/3	6/3						112.00			112.00
Commercial airfare							15,477.66				15,477.66

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
George Pappas	5/26	5/30	.....	.....	1,282.00	.....	1,168.00	.....	871.50	.....	3,321.50
	5/30	6/2	.....	.....	178.00	.....	.....	.....	100.00	.....	278.00
	6/3	6/3	.....	.....	.....	.....	.....	.....	112.00	.....	112.00
Commercial airfare .....			.....	.....	.....	.....	15,477.66	.....	.....	.....	15,477.66
Commercial total .....			.....	.....	31,562.46	.....	224,605.22	.....	6,186.94	.....	262,354.62

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.⁴ In accordance with title 22, United States Code, Section 1754(b)(2), information as would identify the foreign countries in which Committee Members and staff have traveled is omitted.

HON. DEVIN NUNES, Chairman, July 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Co-Chairman, July 27, 2017.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2322. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Potassium salts of naphthalenesulfonic acids formaldehyde condensates; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0500; FRL-9964-21] received August 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2323. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Poly(oxy-1,2-ethanediyl), a-isooctyl-w-hydroxy; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0755; FRL-9963-98] received August 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2324. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's good cause final rule — National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry: Alternative Monitoring Method [EPA-HQ-OAR-2016-0442; FRL-9966-64-OAR] (RIN: 2060-AT57) received August 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2325. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Triacontanol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0259; FRL-9964-94] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2326. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Georgia: Permit Exemptions and Definitions; Withdrawal [EPA-R04-OAR-2007-0113; FRL-9966-66-Region 4] received August 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2327. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval SC: Multiple Revisions to Air Pollution Control Standards [EPA-R04-OAR-2017-0385; FRL-9966-20-Region 4] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2328. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval: North Carolina; Transportation Conformity [EPA-R04-OAR-2017-0454 FRL-9966-41-Region 4] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2329. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Alabama: PSD Replacement Units [EPA-R04-OAR-2017-0371; FRL-9966-47-Region 4] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2330. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; AL; VOC Definitions and Particulate Emissions [EPA-R04-OAR-2017-0436; FRL-9966-38-Region 4] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2331. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Iowa; Amendment to the Administrative Consent Order, Grain Processing Corporation, Muscatine, Iowa [EPA-R07-OAR-2017-0143; FRL-9966-59-Region 7] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2332. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; SC: Miscellaneous Revisions to Multiple Rules [EPA-R04-OAR-2017-0387; FRL-9966-34-Region 4] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2333. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Community Right-to-Know; Adopting 2017 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting [EPA-HQ-OPPT-2017-0197; FRL-9964-77] (RIN: 2070-AK32) received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2334. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fatty acids, rape-oil, triesters with polyethylene glycol ether with glycerol (3:1); Tolerance Exemption [EPA-HQ-OPP-2017-0108; FRL-9964-53] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2335. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prothioconazole; Pesticide Tolerances [EPA-HQ-OPP-2016-0286; FRL-

9964-40] received August 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2336. A communication from the President of the United States, transmitting an Executive Order with respect to Venezuela that takes additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—61); to the Committee on Foreign Affairs and ordered to be printed.

2337. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Revisions to the Freedom of Information Act Regulation (RIN: 3133-AD44) received August 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

2338. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Kenosha, WI [Docket No.: FAA-2017-0210; Airspace Docket No.: 17-AGL-10] received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2339. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Dixon, WY [Docket No.: FAA-2017-0315; Airspace Docket No.: 17-ANM-5] received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2340. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace Areas, and Establishment of Class E Airspace; Bishop, CA [Docket No.: FAA-2016-9474; Airspace Docket No.: 16-AWP-24] received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2341. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Colorado City, AZ [Docket No.: FAA-2017-0258; Airspace Docket No.: 16-AWP-15] received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2342. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Willits, CA [Docket No.: FAA-2017-0046; Airspace Docket No.: 17-AWP-3] received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2343. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Del Norte, CO [Docket No.: FAA-2017-0237; Airspace Docket No.: 16-ANM-10] received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2344. A letter from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the annual report for CY 2016 of the Foreign Claims Settlement Commission of the United States, pursuant to 22 U.S.C. 1622(c); Mar. 10, 1950, ch. 54, Sec. 3(c) (as amended by Aug. 9, 1955, ch. 645, Sec. 1); (69 Stat. 562); jointly to the Committees on Foreign Affairs and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1074. A bill to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation" (Rept. 115-279). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1547. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City (Rept. 115-280). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2075. A bill to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls Wilderness Study Area in the State of Oregon to facilitate fire prevention and response activities in order to protect adjacent private property, and for other purposes; with amendments (Rept. 115-281). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2371. A bill to require the Administrator of the Western Area Power Administration to establish a pilot project to provide increased transparency for customers, and for other purposes (Rept. 115-282). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FASO (for himself and Ms. KUSTER of New Hampshire):

H.R. 3667. A bill to amend the Consolidated Farm and Rural Development Act to provide for a 5-year extension of the appropriate technology transfer for rural areas program; to the Committee on Agriculture.

By Mrs. NAPOLITANO (for herself, Mr. ESTES of Kansas, and Mr. POLIQUIN):

H. Res. 498. A resolution honoring the lives of Lance Corporal Ruben Velasco of West Covina, California, Corporal Nathaniel Ordway of Wichita, Kansas, and Captain Benjamin Cross of Bethel, Maine, who perished on August 5, 2017, during military operations off the coast of Australia; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FASO:

H.R. 3667.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. MCEACHIN.

H.R. 36: Mr. WESTERMAN, Mr. SESSIONS, Mr. BISHOP of Utah, Mr. WILLIAMS, Mr. MARINO, Mr. CRAWFORD, Mr. SCHWEIKERT, Mr. WOMACK, and Mr. LABRADOR.

H.R. 435: Mr. RASKIN.

H.R. 669: Ms. ESHOO.

H.R. 788: Mr. MARINO and Mrs. WALORSKI.

H.R. 947: Mr. ESPAILLAT.

H.R. 948: Ms. BARRAGAN.

H.R. 997: Mr. BYRNE.

H.R. 1022: Mr. DEUTCH.

H.R. 1083: Mr. ELLISON.

H.R. 1145: Ms. JAYAPAL.

H.R. 1154: Mr. CURBELO of Florida.

H.R. 1164: Mrs. MIMI WALTERS of California.

H.R. 1212: Mr. KING of Iowa and Mr. YOUNG of Iowa.

H.R. 1270: Mr. LYNCH.

H.R. 1438: Mr. KIHUEN.

H.R. 1516: Mr. DANNY K. DAVIS of Illinois.

H.R. 1566: Ms. SLAUGHTER.

H.R. 1612: Mr. HIMES.

H.R. 1818: Mr. CRIST, Mr. KILMER, Miss RICE of New York, Ms. WILSON of Florida, Ms. MCSALLY, Mr. SMITH of New Jersey, Ms. ROYBAL-ALLARD, and Mr. HUFFMAN.

H.R. 1949: Ms. ADAMS.

H.R. 1970: Mr. GROTHMAN.

H.R. 2133: Mr. BILIRAKIS, Mr. POSEY, Mr. LAHOOD, Mr. WOMACK, Mr. CURBELO of Florida, Mr. DUNN, Mr. DIAZ-BALART, and Mr. BUCHANAN.

H.R. 2309: Mr. RYAN of Ohio, Mr. TAKANO, Ms. KAPTUR, Mr. POCAN, Mr. LYNCH, Ms. SHEA-PORTER, Ms. MCCOLLUM, and Mr. SERRANO.

H.R. 2341: Mr. SMUCKER.

H.R. 2417: Mr. O'ROURKE.

H.R. 2422: Mr. LIPINSKI and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 2505: Mr. SESSIONS.

H.R. 2543: Mr. COURTNEY.

H.R. 2642: Ms. SHEA-PORTER.

H.R. 2723: Mr. KING of Iowa and Mr. JODY B. HICE of Georgia.

H.R. 2785: Mr. JONES.

H.R. 2790: Mrs. LOWEY.

H.R. 3186: Ms. FUDGE and Mr. GOMEZ.

H.R. 3229: Mr. GOODLATTE.

H.R. 3272: Mr. ZELDIN, Mr. COSTELLO of Pennsylvania, Mr. MCKINLEY, Mr. GONZALEZ of Texas, Mr. FARENTHOLD, Mr. DEUTCH, Mr. CARSON of Indiana, Mr. COHEN, Ms. SHEA-PORTER, Mr. PALLONE, Ms. BARRAGAN, Mr. KIHUEN, Ms. NORTON, and Ms. ROYBAL-ALLARD.

H.R. 3296: Mr. POLIS.

H.R. 3312: Mrs. MURPHY of Florida, Mrs. WAGNER, Mr. BARR, and Mr. HULTGREN.

H.R. 3330: Mr. MOONEY of West Virginia.

H.R. 3332: Mr. MEEKS, Ms. ESHOO, Mr. BYRNE, and Ms. NORTON.

H.R. 3493: Mr. DEFazio, Mr. KIHUEN, Mr. MOULTON, Mr. LARSON of Connecticut, Mr. TED LIEU of California, and Mr. CASTRO of Texas.

August 29, 2017

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H.R. 3634: Mr. CROWLEY.

H.R. 3641: Mr. DUNCAN of South Carolina,
Mr. HILL, Mr. PETERS, Mr. BYRNE, Ms.
SLAUGHTER, Mr. CONNOLLY, and Mr. HOLDING.

H.R. 3658: Mr. PAYNE, Mrs. LOWEY, Ms.
DELAURO, Ms. ADAMS, Mr. RASKIN, Mr.
LAWSON of Florida, and Mr. RUSH.

H.J. Res. 95: Ms. NORTON, Mr. HASTINGS,
Mr. JOHNSON of Georgia, Ms. LEE, and Mr.
CRIST.

H. Con. Res. 77: Mr. GUTIÉRREZ.

H. Res. 496: Mr. PANETTA, Mr. SCHRADER,
Mr. THOMPSON of California, Mr. KEATING,
Mr. SARBANES, and Mr. GOTTHEIMER.

EXTENSIONS OF REMARKS

CONGRATULATING MS. AUDREY
MAY WILSON

HON. BONNIE WATSON COLEMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. WATSON COLEMAN. Mr. Speaker, I rise to congratulate Ms. Audrey May Wilson née Butler on her upcoming 80th birthday on September 3, 2017.

Audrey was born in Clarendon, Jamaica on September 3, 1937. Passionate by wanting to help others, Audrey moved to England to study nursing where she graduated from the Dreadnought Seamen's School of Nursing in London. While in London, she was introduced to her husband Raymond Wilson by her lifelong best friend and Raymond's aunt, Joyce Grant. The two fell in love and got married on December 5, 1972.

Throughout her five esteemed decades of nursing, Audrey worked in various hospitals in England and Jamaica before coming to the States. Shortly after arriving, Audrey became the Head Nurse at the United Hospital Medical Center in Newark, New Jersey. After several years in Newark, she moved to Connecticut to work at John Dempsey Medical Center for over a decade before returning back to New Jersey. Finally, in 2012 Audrey retired from the Trenton Psychiatric Hospital, Employee Health Division, capping off her tremendous career of service.

Audrey and her husband resided in Pennington, New Jersey, where they have lived for the past 18 years. For the past two decades, they both have been active members of the Princeton Alliance Church. Audrey has one daughter, Audra, and her step son Magne. She is a proud grandmother to Ava and her two-step grandchildren, Troy and Mykai.

Mr. Speaker, I sincerely hope that my colleagues will join me in congratulating Audrey on her birthday and to thank her for her amazing career to helping others.

HONORING AMY KURLAND

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Amy Kurland, founder of the Bluebird Café, pioneer of "in the round" acoustic sessions, and gatekeeper to Nashville songwriters.

Born in Tulsa, Oklahoma, and transplanted to the mid-South, Ms. Kurland followed her instincts and in 1982 opened "the Ellis Island of Nashville"—a cozy, 100-seat venue for the unheard and unsigned songwriters in the heart of the music industry.

Her intuition and influence pioneered a listening room template used worldwide and featured in books, movies, and television. Her solid reputation as an advocate and "den mother" of songwriters launched careers and collaborations. Her keen ability to recognize

and execute opportunities enabled the Bluebird to sponsor nationwide tours, host charity benefits, and develop partnerships with travel destinations. A series of bold and audacious decisions have only escalated the venue's visibility and success.

After 25 years, Ms. Kurland entrusted the Bluebird Café to the folks at Nashville Songwriters Association International and devoted her attention and expertise to philanthropic pursuits in education, leadership, social justice, and alcohol and drug recovery.

We honor Amy Kurland with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

HONORING MARTHA MOORE

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Martha Moore, multi-market media force, Nashville PR queen, and go-to expert on independent public relations.

Born in Washington, DC and transplanted to the mid-South via University of Tennessee-Knoxville, Ms. Moore kicked off her Nashville career in 1976 with WLAC Radio before transitioning to press and artist relations with MCA/ABC Records and Mercury/Polygram.

In 1988, she marshalled her impeccable industry pedigree and vast connections, and launched her own independent, boutique PR firm. Known for her strategic planning and attention to detail, she wasted no time in crashing through the industry glass ceiling by signing Johnny Cash as her first client. Her charisma and personal motivation propelled invaluable connections with the foreign press. Her creativity and dependability fostered strategic partnerships with powerhouse firms. Her professional relationships with songwriters and performers generate an evolving and eclectic client roster, and are a testament to her passion for success in a demanding, but rewarding career.

We honor Martha Moore with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

CONGRATULATING CHIEF
MARILYN DENISE HENDERSON

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mr. LAWSON of Florida. Mr. Speaker, I rise today to congratulate Chief Marilyn Denise Henderson on her retirement from the Florida Department of Corrections Office of Inspector General as the Assistant Chief of Investigation. I want to thank Chief Henderson for giving over 30 years of public service in law enforcement to the State of Florida. With her knowledge, integrity, and leadership she has been able to service the people of this great

State. I know that the staff at the Florida Department of Corrections will miss her immensely.

Chief Henderson has been an asset to the community, not only in public service, but in her commitment to charity fundraisers and the faith based community. It is an honor to have people such as her in our community working diligently to make it better.

I want to welcome Chief Henderson to her new role as a retired professional. I hope she can enjoy the new freedoms that this position affords, such as cycling, attending Miami Dolphin games, and spending time with friends and family.

Once more, Mr. Speaker, I rise to congratulate Chief Henderson on her retirement and wish her a life full of happiness.

HONORING JUDITH PERCIVAL-
NEWBY

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Judith Percival-Newby, producer, manager, .com founder, and tech marketer, serving the music/entertainment industry worldwide.

Born in Canada, Ms. Newby developed a passion for promoting and developing talent in Toronto's live music, transferring her profile-raising skills to Nashville in tour coordination, management/booking, and special-event PR, cracking the glass ceiling by leading a management company and directing promotions for iconic country artists.

In 1986 she launched a sole proprietorship, offering personal management and career development services to more than 50 major performing artists. Seeking more industry control and foreseeing the evolution of internet marketing, she co-founded TappedInto and developed a proprietary webcasting platform that captured the 1999 WTO Free Trade/Fair Trade Seattle street protests in the first-ever, global "news webcast" immortalized in the movie *Battle In Seattle*.

Her ability to find inexpensive, turnkey solutions for marketing rising artists is noteworthy. Her use of technology to enhance global outreach is outstanding. Her commitment to civic and community service through Elephant Aid International, Alive Hospice, Music of the Heart Sangha, and the American Eagle Foundation fits precisely with her history of active involvement.

We honor Judith Percival-Newby with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING JOYCE M. RICE

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Joyce M. Rice, advisor, banking pioneer, and director of writer/publisher relations in the country, pop, and Christian music genres.

A Nashville native, Ms. Rice developed her unique expertise in commercial lending with the Federal Reserve Bank and First American National Bank. In 1983, she designed and opened First American's satellite office on Music Row, specifically catering to the entertainment industry, proving the potential of lending to the music business. She revolutionized music banking by championing royalty-advanced loans. After 15 dynamic years with BMI, Ms. Rice retired, having started her career as a respectable bank teller and ending it as an innovator and trailblazer in the banking and music industries.

Her commitment to charitable and community projects through Nashville and National Academy of Television Arts, the Mark Collie Foundation, Chet Atkins Place, and the W.O. Smith Nashville Community Music School fits precisely with her history of active involvement.

We honor Joyce M. Rice with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

HONORING BONNIE SUGARMAN

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Bonnie Sugarman, performing arts leader, award-winning talent director, and live-tour innovator.

A Chicago native, Ms. Sugarman credits her live-tour expertise to E.O. Stacy of Music Corporation of America, founding father of entertainment at fairs. She burst onto the Nashville stage via Los Angeles, volunteering to launch the new Music City office for the Agency for the Performing Arts (APA), expanding her expertise in fairs and festivals to building long-term relationships with venues, promoters and talent buyers.

Throughout her decades-long tenure, she's maintained an advantageously low agent-to-artist ratio, centered on quality music and people, and remained passionate about developing and sustaining successful artists.

Ms. Sugarman cracked the glass ceiling when she became the first woman to receive the NATD's "Agent of the Year" award, then

shattered it as the first agent to win the award for two consecutive years. The prestigious Hubert Long Award further acknowledged her significant and positive impact on the music industry through artist development. Her service on the Academy of Country Music board and leadership of NATD fit precisely with her history of active involvement.

We honor Bonnie Sugarman with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

**CONGRATULATING JOHN SCHULTZ
ON HIS RETIREMENT AFTER 44
YEARS AT UPS****HON. JACKIE WALORSKI**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate John Schultz on his recent retirement after 44 years at UPS.

John has been delivering packages to families, individuals, and businesses in Elkhart since 1973. He quickly became a friendly face in the neighborhood, and hard work, determination, and inspiration led John to become one of the longest-serving drivers for UPS. John exemplifies the characteristics we should all strive for in our daily lives. He is kind, thoughtful, and high-spirited, and his steadfast work ethic has allowed him to succeed in his various roles with UPS and continue to proudly support his family.

I am so grateful that our community has someone like John to look up to as a role model for perseverance in both career and everyday life. During his tenure with UPS, the technological advancements and growing economy made his role and responsibilities dynamic and ever-changing. John dealt expertly with the changing times and emerged as a leader in the field. He was trusted by his peers and superiors, and he carried out each job with integrity, always keeping safety, his training, and customer service in mind.

Mr. Speaker, on behalf of Indiana's 2nd District, I want to thank John for his commitment to safe, responsible driving, and for serving our community for many wonderful years. I applaud his hard work and achievements over the years and wish him all the best in this next chapter.

HONORING SUSAN TURNER

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Susan Turner, talented and dedicated promoter and advocate.

Since her beginnings with Capital Records-Atlanta in 1974, Ms. Turner earned promotion after promotion in an impressive array of positions for RCA, Disc Mastering, and artist management firms until 1991, when she joined promotion legend Bruce Shindler to form an independent company.

The transformation of Shindler-Turner Promotions to Turner & Associates resulted in a 14-year reign as one of the top three Billboard and R&R independent promotion companies, working product for 99 percent of the major labels with 253 No. 1 singles.

Her 2004 retirement only enhanced her commitment to charitable and community projects through Franklin County's (Fla.) Humane Society, "The Dixie Does Nashville" show (Fla.), and Just For Kids LLC (Tenn.) which fit precisely with her history of active involvement.

We honor Susan Turner with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

HONORING LULA CLAY NAFF

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 2017

Mrs. BLACKBURN. Mr. Speaker, today we honor Lula Clay Naff, America's First Lady of theatre management, innovative booker and 35-year manager of the historic Ryman Auditorium.

Born in 1875 in Fall Branch, Tennessee, Mrs. Naff almost single-handedly elevated the Ryman as the must-see, must-do Nashville venue for musicians, speakers, and actors. She rose to prominence as a young, widowed mother, years before the 19th Amendment granted women the right to vote, let alone oversee a 2,360-seat event space.

Her remarkable decision-making skills and bold instincts shifted a religious setting to an entertainment destination. Her shrewd booking acumen filled pews with some of the biggest names in music, theatre and public speaking. She was a trailblazer for working women and a visionary for performance arts. As Mrs. Naff widened the Ryman's roster, the venue grew in respect and prestige. The Grand Old Opry's 31-year run on the Ryman stage was her swansong and a showcase for her influence.

She retired in 1955 at the age of 80 as Manager Emeritus, having elevated the Ryman through a half-century of diverse, cultural events. In 2015, the Ryman opened Café Lula to commemorate Mrs. Naff's legacy and longevity in shaping one of Nashville's greatest event destinations.

We honor Lula Naff with a SOURCE Award, recognizing her vital contribution to the success of Music Row and the Nashville entertainment industry.

SENATE—Friday, September 1, 2017

The Senate met at 3 and 3 seconds p.m. and was called to order by the Honorable STEVE DAINES, a Senator from the State of Montana.

—————

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 1, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable STEVE DAINES, a Senator from the State of Montana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. DAINES thereupon assumed the Chair as Acting President pro tempore.

—————

**ADJOURNMENT UNTIL TUESDAY,
SEPTEMBER 5, 2017, AT 3 P.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, September 5, 2017, at 3 p.m.

Thereupon, the Senate, at 3 and 33 seconds p.m., adjourned until Tuesday, September 5, 2017, at 3 p.m.

HOUSE OF REPRESENTATIVES—Friday, September 1, 2017

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. FRANCIS ROONEY of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 1, 2017.

I hereby appoint the Honorable FRANCIS ROONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Rabbi Arnold E. Resnicoff, Retired Chaplain, U.S. Navy, Washington, D.C., offered the following prayer:

God, author of liberty, we pray, reflect, meditate in different ways, but sing “My Country, ‘Tis of Thee,” for unalienable rights, our Nation’s backbone, come from You.

Life, liberty, pursuit of happiness—pursuing justice too—doors opened; walls and ceilings shattered; freedom shining through.

Today, in 1939, Hitler invades Poland. War spreads: liberty, life denied beyond a chosen few.

Humanity itself rejected with the Nazi stamp: “life—unworthy of life.”

We fought, died for freedom’s cause.

Lincoln taught: remember those who fought, gave their all, by continuing their unfinished work with increased devotion to their cause. Then they don’t die in vain.

Neo-Nazis, racists, bigots, would quench the flame of freedom’s holy light.

We pray for, rescue Harvey’s victims, but hatred’s storm clouds gather, threaten all.

Help us reaffirm our vision—brighter, more inclusive than before: every human life created equal, holy, none less human than our own.

And may we say, amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 481, the House stands adjourned until 2 p.m. on Tuesday, September 5, 2017.

Thereupon (at 1 o’clock and 3 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 5, 2017, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

2345. A communication from the President of the United States, transmitting an alternative plan for monthly basic pay increases for members of the uniformed services for 2018, pursuant to 37 U.S.C. 1009(e)(1); Public Law 96-342, Sec. 803; (94 Stat. 1091) (H. Doc. No. 115-64); to the Committee on Armed Services and ordered to be printed.

2346. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

2347. A communication from the President of the United States, transmitting an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2018, pursuant to 5 U.S.C. 5303(b)(1)(A); Public Law 89-554, Sec. 5303(b)(1)(A) (as amended by Public Law 101-509, Sec. 529); (104 Stat. 1430) and 5 U.S.C. 5304a(a); Public Law 101-509, title I, Sec. 101(a)(1); (104 Stat. 1436) (H. Doc. No. 115-63); to the Committee on Oversight and Government Reform and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3202. A bill to require the Secretary of Homeland Security to submit a report on cyber vulnerability disclosures, and for other purposes (Rept. 115-283). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3284. A bill to amend the Homeland Security Act of 2002 to establish a Joint Counterterrorism Awareness Workshop Series, and for other purposes (Rept. 115-284). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 69. Resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run (Rept. 115-285). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DUNCAN of South Carolina (for himself, Mr. AUSTIN SCOTT of Georgia, and Mr. WITTMAN):

H.R. 3668. A bill to provide for the preservation of sportsmen’s heritage and enhance recreation opportunities on Federal land, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, the Judiciary, Energy and Commerce, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ESTES of Kansas (for himself and Mr. MCCAUL):

H.R. 3669. A bill to improve and streamline security procedures related to general aviation and commercial charter air carrier utilizing risk-based security standards, and for other purposes; to the Committee on Homeland Security.

By Mr. CROWLEY:

H.R. 3670. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer; to the Committee on Ways and Means.

By Ms. GABBARD (for herself, Mr. RASKIN, Ms. LEE, Ms. BARRAGAN, and Mr. TED LIEU of California):

H.R. 3671. A bill to justly transition away from fossil fuel sources of energy to 100 percent clean energy by 2035, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, Education and the Workforce, Science, Space, and Technology, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NAPOLITANO:

H. Res. 499. A resolution honoring the Covina Pony League Baseball Team of Covina, California, for winning the 2017 Pony League World Series Championship; to the Committee on Oversight and Government Reform.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DUNCAN of South Carolina:

H.R. 3668.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 gives Congress the right to lay and collect taxes, as well as to regulate interstate commerce. Article IV, Section 3, Clause 2 gives Congress the authority to make all needful Rules and regulations respecting US Territory. With this bill, Congress is exercising both powers.

By Mr. ESTES of Kansas:

H.R. 3669.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. CROWLEY:

H.R. 3670.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 of Article 1:

The Congress shall have the power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. GABBARD:

H.R. 3671.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution including Article 1, Section 8, Clause 3 (Commerce Clause) and Article 1, Section 8, Clause 18 (Necessary and Proper Clause)

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. GOODLATTE.

H.R. 434: Mr. VALADAO and Mr. KNIGHT.

H.R. 644: Mr. ABRAHAM, Mr. JENKINS of West Virginia, Mr. BISHOP of Utah, Mr. RATCLIFFE, and Mr. COLLINS of Georgia.

H.R. 767: Mrs. BEATTY.

H.R. 785: Mr. MEADOWS and Mrs. MIMI WALTERS of California.

H.R. 849: Mr. NORMAN.

H.R. 949: Mr. DONOVAN.

H.R. 1243: Mr. SCOTT of Virginia.

H.R. 1247: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1267: Mr. DUFFY and Mr. VELA.

H.R. 1291: Mr. CAPUANO and Mr. MOULTON.

H.R. 1299: Miss RICE of New York and Mr. WELCH.

H.R. 1318: Mr. HASTINGS, Ms. GABBARD, Mr. CARSON of Indiana, and Mr. STIVERS.

H.R. 1322: Mr. LOEBSACK.

H.R. 1374: Mr. DOGETT and Mr. VISCLOSKEY.

H.R. 1406: Mrs. BEATTY, Mr. CRIST, and Mr. GRIJALVA.

H.R. 1556: Mr. CONYERS, Mr. CLAY, Mr. LOWENTHAL, Ms. KAPTUR, Mr. ELLISON, Mr. POCAN, Ms. JACKSON LEE, Mr. GUTIÉRREZ, Ms. MAXINE WATERS of California, and Ms. SCHAKOWSKY.

H.R. 1635: Mr. CLEAVER and Mr. TED LIEU of California.

H.R. 1727: Mr. KIHUEN and Mr. O'ROURKE.

H.R. 1861: Mr. CURBELO of Florida and Ms. GRANGER.

H.R. 2147: Ms. MOORE.

H.R. 2230: Mr. VEASEY and Mr. MESSER.

H.R. 2242: Mr. TED LIEU of California and Mr. KHANNA.

H.R. 2472: Mr. HARPER.

H.R. 2723: Mr. SMITH of Nebraska.

H.R. 2901: Mr. THOMPSON of California.

H.R. 2929: Mr. RUPPERSBERGER.

H.R. 2938: Mr. KRISHNAMOORTHY.

H.R. 3167: Mr. GAETZ.

H.R. 3192: Mr. BEN RAY LUJÁN of New Mexico, Mr. TONKO, Mr. RUSH, Ms. BARRAGAN, Mr. COHEN, Mr. ENGEL, Mr. KHANNA, and Ms. MATSUI.

H.R. 3222: Mr. DESAULNIER, Mr. SOTO, and Ms. LOFGREN.

H.R. 3239: Mr. GOTTHEIMER.

H.R. 3324: Mr. THOMPSON of California and Mr. LONG.

H.R. 3379: Ms. SPEIER.

H.R. 3548: Mr. PITTINGER, Mr. DESJARLAIS, Mr. LANCE, Mr. CHABOT, Mr. JODY B. HICE of Georgia, Mr. FLEISCHMANN, Mr. GALLAGHER, and Mr. BYRNE.

H.R. 3591: Mr. DELANEY, Ms. ROSEN, Mr. O'HALLERAN, Mr. GARAMENDI, and Mr. LEVIN.

H.R. 3617: Ms. LEE.

H.R. 3643: Ms. VELÁZQUEZ and Ms. CASTOR of Florida.

H.R. 3660: Mr. MCGOVERN.

H. Con. Res. 8: Mr. GONZALEZ of Texas.

H. Con. Res. 63: Mr. PASCRELL.

H. Con. Res. 77: Mr. WELCH, Mr. CLAY, Mrs. WATSON COLEMAN, Mr. PANETTA, and Ms. MAXINE WATERS of California.

H. Res. 129: Mr. WOODALL.

H. Res. 256: Mr. CARTER of Georgia.

H. Res. 401: Mr. MOULTON, Mr. SCHIFF, and Mr. RUPPERSBERGER.

H. Res. 496: Mr. SUOZZI, Mr. VARGAS, and Ms. DELBENE.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE SACRAMENTO JAPANESE AMERICAN CITIZENS LEAGUE SCHOLARSHIP AWARD RECIPIENTS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize this year's Sacramento Japanese American Citizens League's (JACL) high school scholarship recipients. As the members of the Sacramento JACL, the student's and their families gather to celebrate, I ask all of my colleagues to join me in recognizing these deserving young men and women.

Each year, the JACL provides scholarships to a select group of high school students who have demonstrated outstanding academic excellence and achievement, as well as community service and a desire to pursue higher education. This year, five outstanding students will receive scholarships provided by dedicated members of JACL, VFW Post 8985, and the community. This year, Kiyomi A. Sun is receiving the Harry and Kinu Masaki Memorial Scholarship and the Nisei VFW Post 8985 Scholarship. Allie T. Umemoto is receiving the Kiyoto and Rika Kawakami Memorial Scholarship, and the Noboru and Akiko May Shirai Memorial Scholarship. Kyle W. W. Kawakami is receiving the Fumio Jesse and Kiyoko Miyao Memorial Scholarship and The Nikkei Singles Club Scholarship. Cody M. Kurahara the Harry and Kinu Masaki Memorial Scholarship and the Nisei VFW Post 8985 Scholarship. And last but not least, Nozomi M. Schmoock is receiving the Sacramento JACL Chapter Scholarship.

The Sacramento Japanese American Citizens League is dedicated to protecting communities affected by bigotry and injustice as well as advancing the civil rights of all Americans. It also helps to guide the Japanese American community to further social and economic equality. I trust that the students being recognized will carry this tradition forward to protect and help fight for the civil rights of all of our citizens and remain engaged in their communities.

Mr. Speaker, as these students are being honored by the Japanese American Citizens League members, I ask my colleagues to join me in wishing them success in their future endeavors.

IN HONOR OF SERGEANT ERIC SOSSOMAN'S SERVICE TO OUR COMMUNITY WITH THE CABARRUS COUNTY SHERIFF'S DEPARTMENT

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. HUDSON. Mr. Speaker, I rise today to honor Sergeant Eric Sossoman for his 28 years of service with the Cabarrus County Sheriff's Department in North Carolina's Eighth Congressional District.

Growing up in Cabarrus County, Sergeant Sossoman always had a profound sense of duty to his hometown. In 1989, he began his career at the Sheriff's Department, starting in communications the very day Hurricane Hugo ripped through our state. Since then, Sergeant Sossoman has held many positions with the Sheriff's Department, including the Civil Division where he became the Department's first Social Services officer, the Crime Prevention Division, Recruitment and Retention Division and as a member of the SWAT team.

Throughout his career, Sergeant Sossoman has exhibited unwavering commitment to our community and we are fortunate to have had him as a leader for all these years. Some of the many notable accomplishments during his career include bringing back the Crime Stoppers program, which was so successful that he was named the President of the North Carolina Association of Crime Stoppers, and coordinating the county's annual Law Day, which honors fallen officers from Cabarrus County, the state and nationwide.

It is my hope that Sergeant Sossoman will enjoy his retirement and remain a role model for all those he helped over the years.

Mr. Speaker, please join me today in honoring the career of Sergeant Eric Sossoman for his service to our community. We all wish him well as he begins the next chapter of his life in retirement.

HONORING THE 40TH ANNIVERSARY OF SERVICE BY REVEREND DR. AMOS C. BROWN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Ms. PELOSI. Mr. Speaker, I rise with pride today to join my beloved city in recognizing the 40th Anniversary of Reverend Dr. Amos C. Brown as the pastor of the Third Baptist Church of San Francisco and honoring his lifetime of moral leadership, political activism and spiritual guidance.

Born and raised in Jackson, Mississippi, Reverend Brown's history of activism and his

deep involvement in the civil rights movement began at an early age. He was only a teenager when he assumed leadership of his local NAACP chapter and was driven cross-country to San Francisco by activist Medgar Evers to meet the Reverend Martin Luther King Jr. Later, Brown attended Morehouse College where he was hand-selected by King as one of his eight students, inspiring him to seek a lifetime of service on behalf of civil rights and social justice. He was arrested together with Dr. King during a lunch counter sit-in Atlanta department store, and became one of the fearless Freedom Riders in 1961.

Brown received both a Mastery of Divinity from Crozer Theological Seminary and a Doctor of Ministry from United Theological Seminary. Our city was fortunate to welcome the Pastor and his beloved wife Jane Smith Brown in 1976, when they made San Francisco their home and the Third Baptist Church their place of worship and leadership.

Brown's vision of the church as a holy place of prayer, and also a place of civic engagement and social action, transformed the Third Baptist Church into a congregation at the forefront of the fight for civil rights. His unwavering belief in future generations drove the church to establish a summer school program, an after-school academic enrichment program, "Back on Track", and the Charles A. Tindley Academy of Music.

Brown's influence also extended beyond his local community when the church sponsored 80 children from Tanzania to receive heart surgery in the United States, and his congregation sponsored more African refugees than any other local congregation in the nation. This global reach and visionary leadership was recognized when Brown was appointed as a delegate to the 2001 United Nations Conference on Race and Intolerance in Durban, South Africa, representing the National Board of the NAACP.

Closer to home, Brown was awarded the Martin Luther King Jr. Ministerial Award for outstanding leadership and contributions to the Black Church in America and he was inducted into the International Hall of Fame of the King International Chapel at Morehouse College. He has served as the president of the NAACP Branch in San Francisco, as a San Francisco Community College Trustee and as a San Francisco County Supervisor.

A passionate fighter and voice for the most vulnerable in our community, Reverend Amos Brown has served as a source of change, strength and faith for 40 years. I congratulate him, along with his wife Jane and his children Amos C. Brown Jr., David Josephus and Kizzie Marie, on this milestone celebration and extend my best wishes as he continues to lead and inspire our community.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE CRANE FAMILY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Richard, Cindy and Jennifer Crane for receiving the annual Leadership in Agriculture Award from the Santa Rosa Metro Chamber.

Richard Hope Crane arrived in California in 1849 as part of the great California Gold Rush. A few years later, the family settled in Santa Rosa. They built Crane Melon Barn on Petaluma Hill Road in 1868. The Barn is made entirely of redwood and has survived several major earthquakes with no damage. Richard's son, Oliver, developed and began selling Crane Melons out of the Barn in the 1920's.

Today, the Crane family owns and operates Crane Canyon Ranch, The Crane Melon Barn and Crane Vineyard. In addition to their famous Crane Melons, the family ranch sells watermelons, heirloom tomatoes, Crane Melon Honey, organic Sonoma County walnuts and metal sculptures by Richard. Crane Vineyard is a four-acre pinot noir vineyard on the ranch. Rick and Jennifer are fifth and sixth generation Sonoma County farmers.

The Crane family are active members of our community, with members serving on the Sonoma County Fair Board, Harvest Fair Board, Farm Bureau, 4-H Foundation Board and Farm Trails.

The Santa Rosa Metro Chamber has recognized long-standing leadership in the community and successful maintenance of agricultural enterprises with its Leadership in Agriculture Award for over forty years. The Crane family is very deserving of this award. They work hard to develop excellent produce, serve our community, and maintain the great tradition of family farming in Sonoma County.

Mr. Speaker, the Crane family has been farming in Sonoma County for six generations. They are leaders in sustainable farming and contribute honorably to our community. I am proud to have such a hardworking family living in our District. It is fitting and proper that we honor them here today.

EXPRESSING SOLIDARITY WITH
THE PEOPLE OF TEXAS AF-
FECTED BY HURRICANE HARVEY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise to report to the House on Hurricane Harvey, the historic storm that has devastated the Gulf Coast and my city of Houston, Texas.

As a senior member and a resident of the city of Houston, I was there and witnessed the devastation that the storm wrought.

Hurricane Harvey has declared war on America's Gulf Coast, and as Americans, we must respond.

We will need emergency supplemental appropriations for Southeast Texas, and the

Houston metroplex, to provide support to local, state, and federal government agencies in assisting with flood remediation, recovery, victim services, and reconstruction following the catastrophic damage caused by historic flooding.

So far, Harvey has dumped an estimated 11 trillion gallons of water in the Houston area.

The relentless rain has inundated homes, decimated area roadways and turned neighborhoods into unrecognizable lakes.

Large portions of the Bayou City have been overwhelmed by rainfall amounts that occur only once in every thousand years.

To comprehend the level of destruction, the volume of water that has fallen could fill the Astrodome more than 24 thousand times over and power Niagara Falls for 15 days.

The disastrous events this week have been punctuated by the tragic loss of life.

In Houston, at least 44 people have lost their lives, including veteran police officer Sgt. Steve Perez, 60, who had worked for 34 years with the Houston Police Department.

Sgt. Perez was trying to serve and protect others when he was swept away by the rising waters.

Sgt. Perez, who worked in the traffic enforcement division, left home around 4 a.m. Sunday to drive to his duty station downtown but could not find a path because flooding caused by tropical storm Harvey had made many roads impassable.

A family of six attempting to flee their home perished when their vehicle was swept into Greens Bayou.

Samuel "Sammy" Saldivar was driving eastbound on Green River Road near John Ralston Road Sunday when rising water in Greens Bayou overcame the van.

Sammy was travelling with his elderly parents, Manuel Saldivar, 84, and Belia, 81.

Also in the van were the great-grandchildren of his parents: Daisy Saldivar, 6, Xavier Saldivar, 8, Dominic Saldivar, 14, and Devy Saldivar, 16.

A Neither Houston nor any city in the nation has ever experienced flooding of this magnitude.

Our valiant emergency responders are overtaxed and citizen rescues have become a critical source of assistance in saving lives.

So far the Coast Guard alone has saved more than 6,000 Lives in Houston.

At times like this, I am so proud to be an American and to call Houston home.

We are a close community that comes together to overcome any challenge that stands in our way.

Mr. Speaker, this is why we need Congress and the President to provide immediate emergency funding and resources commensurate with the crisis at hand, and that means a minimum of \$150 billion is needed now and much more later.

I ask the House to observe a moment of silence in memory of all those who perished in Hurricane Harvey.

HONORING MS. LEE PAULSEN

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor Ms. Lee Paulsen, the Hon-

orary Grand Marshal for the 56th Annual Labor Day Parade in Newtown, Connecticut. Since 1962, this annual celebration has brought together the people of Newtown and western Connecticut, and this year's organizers invited Lee to head the parade in recognition of her decades of selfless work to help those most in need in our community.

Lee moved to Newtown in 1972 with her family, and she quickly became known among her neighbors for her generosity. She has worked at the FAITH Food Pantry since its inception in 1983, and her efforts have been instrumental in keeping its doors open to those in need through economic downturns, the relocation of the food pantry, and other challenges facing the organization.

Her neighbors in Newtown know Lee for her kindness, humility, and sincere commitment to helping others. Those who work with Lee note that she does not seek recognition or attention, but nonetheless, everyone knows Lee as an inspiring and altruistic person. The Labor Day Parade's fitting theme, Labor of Love, this year recognizes Lee's decades of work and encourages all of us to reflect on how we can contribute to our community. Lee sets a remarkable example as a caring citizen, and she has made Newtown a more generous and welcoming place through her years of work at FAITH.

Mr. Speaker, Lee Paulsen has been a leading member of our community who shares her time and knowledge to help those in need in Newtown. Therefore, it is fitting and proper that we honor her here today, and thank her for inspiring others to engage in a Labor of Love.

L. RAFAEL REIF AND THE DE-
FERRED ACTION FOR CHILDHOOD
ARRIVALS PROGRAM

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. CAPUANO. Mr. Speaker, I rise today to share the powerful words of L. Rafael Reif, president of the Massachusetts Institute of Technology, on DACA, "Deferred Action for Childhood Arrivals." Mr. Reif notes MIT's commitment to intellectual excellence, merit, and national service in support of DACA. He is himself a proud naturalized citizen of the United States.

[From the Boston Globe, Aug. 31, 2017]

TRUMP SHOULD NOT REPEAL DACA

(By L. Rafael Reif)

President Trump is reportedly considering a repeal of "DACA," the Deferred Action for Childhood Arrivals program. The immediate pressure: a threat of legal action by a number of states to end the program, which sets a Sept. 5 deadline for the White House to act.

As the president of one of America's leading technical universities—an institution built on intellectual excellence, a meritocratic openness to talent, and a long tradition of national service—I believe repealing DACA would be a mistake. Repeal would be no more than a rejection of a policy and of thousands of human beings. Repeal is not, however, a solution for the country or

for the young people directly involved. I strongly urge the president and Congress to find a path that better serves us all.

Created in 2012 by executive action, DACA addresses the problem of young people brought to this country without documentation when they were under 16, a group sometimes known as Dreamers. DACA invites them to declare themselves openly to the government. In return, provided that they meet strict criteria, such as having earned a high school diploma, being enrolled in higher education or engaged in the military, and having committed no serious crime, DACA allows them a Social Security number, a driver's license, authorization to work—and perhaps above all, relief from the fear of being deported. DACA is not a path to permanent citizenship; it grants a temporary but renewable opportunity for a normal life. And it applies only to the fixed pool of those who were brought to the US as children before June 2007.

Repeal would run counter to our national interest in at least two ways. First, it would remove productive workers from our economy, while costing the US government tens of billions in lost future tax revenues and the direct costs of deportation. And because Dreamers are, by definition, products of the US education system, driving them out would be throwing away a tremendous national investment. We should treat these educated, English-speaking strivers not as a burden, but as a resource.

Repeal also strikes me as a violation of deep American principles. The plight of the Dreamers presents a profound question of fairness. Often starting from harsh personal circumstances, these young people have done what any American family might dream of for their child: Study hard, aim high, and earn a degree or a place in college or the military, on the road to a productive career. They are undocumented through no fault of their own. And when offered an opportunity to come out of the shadows, they did—because they trusted that our government would not punish them for it.

Could we ask for more, from any American?

Yet, as we see at MIT and at campuses across the country, the threat of DACA repeal is subjecting these young people to brutal uncertainty. Now, because of decisions made for them when they were children, they fear losing the opportunities they earned, the communities they think of as home, and the nation they love.

The surest way to provide the certainty these students deserve is for Congress to pass legislation protecting these Dreamers. As many polls have found, the vast majority of Americans oppose repeal of DACA. And many members of Congress, on both sides of the aisle, have proposed humane and sensible legislative solutions.

So I ask, in this urgent moment, that we unite as Americans in calling on Congress to bring a bill to the floor as soon as possible—and calling on Trump to allow Congress the time to get this right.

I came to this country 43 years ago. The US immigration system worked well for me. It granted me a student visa and eventually a green card. Years later, on a beautiful day that I will never forget, I became an American citizen. I have the particular patriotism of an immigrant, rooted in deep gratitude and appreciation for a country founded on a dream of fairness. I urge Trump and the Congress to find a sound, stable legislative path to keep that promise if fairness for the Dreamers, too.

IN RECOGNITION OF THE 75TH ANNIVERSARY OF MARINES LANDING AT GUADALCANAL

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize the 75th Anniversary of our United States Marines' landing at Guadalcanal in the Solomon Islands during World War II. Three-quarters of a century after this momentous event, the memory and sacrifice of these brave men should not be forgotten.

On August 7, 1942, Marines joined by our allies landed on the shores of the Solomon Islands to deny their use to our then-adversary, Imperial Japan. These Marines were joined by U.S. Navy vessels, as well as by ships and troops supplied by our Australian and British allies, in a series of 26 land and naval battles that collectively became known as the Battle of Guadalcanal. Two of our future presidents served there: John F. Kennedy and Richard M. Nixon. Other Solomon Islanders served bravely as the famous Coastwatchers, providing the early warnings that allowed our outnumbered Marines to prevail against their enemies. Today, we look to the future with the knowledge that the Marines' landing on this day three-quarters of a century ago was an important turning point in World War II's Pacific Theater.

To commemorate this important event, Marines and private citizens are currently in the process of dedicating a new monument atop the battlefield known as Bloody Ridge in Guadalcanal. Their efforts are supported and aided by the citizens and government of the Solomon Islands. The approaching ceremony to occur on the famous Bloody Ridge battle site recognizes the unity of spirit that today prevails among our allies and former adversaries, all of which are now charged with maintaining peace in the Pacific Ocean.

Mr. Speaker, as the efforts to create a monument to the heroism displayed by so many at Guadalcanal move forward, I ask my colleagues to join me in remembering the 75th anniversary of our Marines' historic landing at Guadalcanal.

HONORING SOPHIA BOQUIST

HON. BRIAN K. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Sophia Boquist for earning her Congressional Award Silver Medal. These awards are given to outstanding young individuals who meet specific standards for voluntary public service, personal development, physical fitness, and exploration. Sophia volunteered in a community award ceremony, cleaned a park trail, volunteered at the Travis Manion Foundation Heroes' Run and worked as a volunteer aide at the Ivy Hill Therapeutic Equestrian Center. Additionally, Sophia spent time developing her ability as a pianist and her skill as

a diver. As a final step, Sophia showed great leadership in planning and executing a two-day canoe trip down the Delaware River. Sophia's commitment to public service and motivation to better herself should serve as an example to all of us.

IN SUPPORT OF H. RES. 274

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. TED LIEU of California. Mr. Speaker, I rise to highlight the Baha'i Faith as Iran's largest religious minority group which has been subjected to state-sponsored persecution that has intensified since the Islamic Revolution of 1979. State-sponsored media has disseminated over 1,500 anti-Baha'i pieces every month in 2016, inciting hatred against the Baha'i community.

After Baha'is were barred from attending or teaching in Iranian universities, the Baha'i Institute for Higher Education (BIHE), an informal higher education system, was created in 1987 by members of the Baha'i community in Iran. In recent years, faculty and staff have been arrested and imprisoned for their participation in BIHE.

We must be very clear that education is not a crime. In any diplomatic engagement with Iran, I urge the administration to make human rights and religious freedom, including the persecuted Baha'is, an integral part of the dialogue.

I fully support House Resolution 274, which condemns the government of Iran's state sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

REMEMBERING JOSEPH CALABRIA

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. DONOVAN. Mr. Speaker, I rise in memory of Staten Island's Joseph Calabria, who passed away on July 28, 2017, at the age of 86.

A lifelong New Yorker, Joseph grew up in Brooklyn where he met his childhood sweetheart Josephine at a dance hall on Coney Island, whom he married in 1957. He nobly fought for his country during the Korean War. After joining the Army in October 1951, Joseph was responsible for delivering supplies and munitions to his fellow soldiers. When the war ended, he served his country further by tirelessly advocating for veterans.

As the former Commander of the local Korean War Veterans chapter, Joseph never stopped fighting for his brothers who wore the uniform. He was instrumental in changing the name of the Richmond Parkway to the Korean War Veterans Parkway. Moreover, he was influential in renaming P.S. 6 after Corporal Allan F. Kivlehan. These were no small feats, but Joseph never grew tired of fighting for

those who put their life on the line for their country.

Joseph was also proud of his blue-collar roots. Working as a longshoreman for over forty years, he showed his compassion for the fellow working man by supporting them as a delegate for Local 856. Furthermore, Joseph was also a loving father to four wonderful children and a devoted grandfather to two.

Mr. Speaker, Joseph Calabria has spent his life in service to veterans, community, and country. I am saddened that he is no longer with us, but I know his compassion and patriotism will live on. He led a selfless life and for that, I salute him.

CONGRATULATING THE JEFFERSON CITY JAYS' BASEBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Jefferson City Jays' Baseball Team on their first place win in the 2017 Missouri Class 5 Baseball State Championship. This team and their coaches should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

The team members include senior players Cole Ahrens, Kade Franks, Hayden Hirschvogel, Gaven Strobel, Gunnar See, Jacob Weirich, Brandon Williams, and Grant Wood. The junior players include Nolan Binkley, Tyler Bise, Payton Bodestab, Cade Galbraith, Mason Hansen, Reece Neighbors, Michael Skinner, Ryan Sturm, Joseph Travis, and Chad Volmert. The sophomore players include Landon Dunlap, Tucker Schwartz, Jack Shinkle, Blake Terry, and Justin Wood. The coaches that led this team to victory are Head Coach Brian Ash and Assistant Coaches J.R. Simmons, Kyle Lasley, Jim Womack, Steve Lochhead, and Brett Skinner.

Throughout this winning year, the Jays had a record of 31 wins and 2 losses. Additionally, they received a ranking of No. 1 in Missouri and No. 18 in the nation by Baseball America Sports Writers. This state championship win was the first Jays baseball state title in 28 years.

The team and the Jefferson City community are particularly proud of Head Coach Brian Ash and Assistant Coach J.R. Simmons. Coach Ash has been honored as the USA Today Missouri Coach of the Year as well as the National High School Coach of the Year by the American Baseball Coaches Association. Assistant Coach J.R. Simmons has been honored as the Regional Assistant Coach of the Year by the National High School Baseball Coaches Association. These awards are a testament to the dedication these coaches have to their team and their sport.

I ask you to join me in recognizing the Jefferson City Jays' Baseball Team for a job well done.

RECOGNIZING WHITE OAKS MALL'S 40TH ANNIVERSARY

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. LAHOOD. Mr. Speaker, I would like to recognize the White Oaks Mall on celebrating their 40th Anniversary. For forty years, White Oaks Mall has provided Springfield area shoppers with a wide range of options.

In 1977, when White Oaks Mall first opened their doors, it was the largest retail shopping space outside of Chicago, covering nearly one million square feet. Currently, the mall features a wide variety of stores for consumers to choose ranging from fashion, sporting goods, electronics, home décor, dining and more. The mall also features entertainment for parents and children as they can enjoy a round of glow-in-the-dark miniature golf.

The White Oaks Mall has been and continues to be an institution for the greater Springfield area. Congratulations on a prosperous forty years, and I wish them many more years of success.

RECOGNIZING THE CONTRIBUTIONS OF THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION, SARAH BARTON MURPHY CHAPTER

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the National Society Daughters of the American Revolution, Sarah Barton Murphy Chapter, as they celebrate their 62nd Anniversary in Farmington, Missouri. The chapter is an incredible asset to the community, especially as they commemorate the 230th Anniversary of U.S. Constitution Week, September 17 through 23, 2017.

To help preserve our American heritage through this national observance, the Sarah Barton Murphy Chapter encourages 5th grade students in St. Francois County to participate in "Ring Bells for Freedom." They promote displays in six libraries in three counties and books on Colonial founders to help residents retrace the American story.

The Chapter asks all residents of St. Francois County to study our nation's birth through the events that led to the drafting of the Constitution and its signing on September 17, 1787.

The Sarah Barton Murphy Chapter of the National Society of the Daughters of the American Revolution works tirelessly to keep their communities aware of America's amazing heritage. I am honored to recognize the chapter today before the United States House of Representatives.

IN RECOGNITION OF MARJORIE BENBOW AND HER APPOINTMENT TO THE NORTH CAROLINA STATE BOARD OF COMMUNITY COLLEGES

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize Marjorie "Margie" Benbow on her recent appointment to the North Carolina State Board of Community Colleges and the North Carolina Community College Board of Trustees.

I've known Margie for many years, and believe she will make an excellent addition to these boards. Educated in North Carolina, Ms. Benbow graduated from the University of North Carolina at Chapel Hill and went on to receive both her Juris Doctor and Masters of Business Administration from Wake Forest University. Since finishing school, she has applied her education to community service and helping those who need it most.

Over the years, Ms. Benbow has dedicated her life to furthering the state of North Carolina. Currently practicing law at Moretz & Skufca, Ms. Benbow focuses on technology transfer, licensing, corporate matters and distillery & brewery law while simultaneously serving on the Rowan-Cabarrus College Board of Trustees. Prior to her legal work, she served as Science and Technology Officer for the state's fourth-largest hospital system and as the Executive Director for the region's North Carolina Biotechnology Center. Ms. Benbow has served in nearly every leadership role imaginable. She served on the boards of the NC School of Science and Math, NC Sustainable Energy Association, Charlotte Ventureprise, NC Motorsports Foundation, Institute of Political Leadership, Charlotte Area Science Network and Leadership North Carolina.

Ms. Benbow is an excellent nomination to the North Carolina State Board of Community Colleges. Her dedication to North Carolina earned her a spot as one of Charlotte's 50 Most Influential Women and one of Charlotte USA's 20 Most Dynamic Women. I am extremely grateful for Ms. Benbow's service to our community and I wish her continued success.

Mr. Speaker, please join me today in congratulating Marjorie Benbow on her appointment to the North Carolina State Board of Community Colleges and the North Carolina Community College Board of Trustees.

REMEMBERING MR. MARIO GUTIERREZ

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 1, 2017

Ms. MATSUI. Mr. Speaker, it is with profound sadness that I rise to honor the life of Mr. Mario Gutierrez. I ask my colleagues to join me in tribute to Mario's truly remarkable

life. His work has saved countless lives, and there will be a significant void without him.

Mario's impact on telehealth is immeasurable. His work at CCHP has profoundly impacted the telehealth policy landscape on both the state and federal level. He served as a program director with The California Endowment for twelve years and as a senior program officer with The Sierra Health Foundation for six years. Mario always viewed telehealth as a means to ultimately achieve what

he firmly believed and fought to accomplish: to make sure that every person, no matter how poor or how isolated, could access high-quality healthcare.

Mario's work researching and supporting telehealth innovations has helped children in remote rural communities receive life-saving treatment from world-renowned physicians, and has explored the potential of connecting health care providers in Mexico with undocumented individuals needing care in California.

Mario and his wife would often spearhead and lead medical missions to other countries to provide medical care for people in need, who may have never otherwise received vital medical treatment.

Mr. Speaker, I ask my colleagues to join me in celebrating the life of Mr. Mario Gutierrez and in offering our condolences to his wife, family, and colleagues. His life's work will continue to improve the lives of so many people and those who knew him will truly miss him.

SENATE—Tuesday, September 5, 2017

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal and sovereign God, the Earth in its fullness belongs to You. Teach us to live by Your precepts and follow Your plans. Guide our lawmakers in the challenging decisions they face. May they build up rather than tear down, using their powers to keep dreams from becoming nightmares. Give them the wisdom to know that history will judge them by whether they act with courage or cowardice.

Lord, lead our Senators in their efforts to guide our citizens to the better angels of our nature. May our lawmakers make the commitment to stand for right though the heavens fall.

And, Lord, we pray for those affected by Hurricane Harvey and for those bracing for Hurricane Irma.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 1757

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 1757) to strengthen border security, increase resources for enforcement of immigration laws, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

HURRICANE HARVEY DISASTER RELIEF AND OTHER ISSUES BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, I want to begin by extending the Senate's heartfelt sympathies to those affected by Hurricane Harvey. We have seen the devastation across Texas, Louisiana, and the gulf coast. We know the recovery will not be easy, nor will it be quick.

We also understand the Federal Government's important role in assisting impacted communities. Last week, the President submitted a supplemental emergency funding request that will allow this critical work to continue. It will also allow our country to be better prepared for future natural disasters. It is especially important, given the potential for another major hurricane to strike our country this very week.

As I said when the President submitted his emergency funding request, the Senate will work closely with his administration and the House of Representatives to deliver that much needed relief. I am glad to see the House Appropriations Committee has already taken important steps to get us there, and I look forward to the House sending over legislation so the Senate can act on it as soon as possible.

I know that securing this emergency funding is very important for the President, and I know that preventing a default or shutdown amidst such a historic natural disaster is also very important to him—and even more so now with another major hurricane on the way.

These are the President's immediate priorities: pass disaster relief, prevent a default, and fund the government. These are my immediate priorities as well, and I am sure all of our colleagues feel the same way. We have to get all three of these things done, and we have to do it very quickly.

In the case of the debt limit, we need to act quickly, given the new uncertainty from the large costs of storm recovery. As the President's Budget Director wrote in his letter to Congress last week, "Given the need for additional spending as a result of disaster response and initial recovery from Hurricane Harvey, the Administration continues to urge Congress to act expeditiously to ensure that the debt ceiling does not affect these critical response and recovery efforts. Otherwise it may not be possible to get those critical resources to Americans who desperately need them."

Here is why. As Treasury Secretary Mnuchin explained, "[O]ur first priority is to make sure that the state

gets money, it is critical, and to do that we need to make sure we raise the debt limit. So if Congress appropriates the money, but I don't have the ability to borrow more money and pay for it, we're not going to be able to get that money to the state."

He called for Congress to "put politics aside" and get these things done as quickly as possible. That was the Secretary of the Treasury.

I look forward to continuing to discuss these important issues with the President's team and congressional leaders of both parties at the White House tomorrow. I look forward to discussing other important and shared priorities as well.

Nominees, for instance. It was good to see the Senate clear a large package of nominees before we left for the State work period. Now our work continues. There are other vacancies to fill. There are nominees, for instance, for positions that are critical to recovery from Hurricane Harvey. We have to work together to get those nominees confirmed quickly, and we have to keep working together to fill other vacant positions in the Federal Government as well.

Another issue of extraordinary importance is tax reform. We will actually have another meeting at the White House today on that issue specifically. It is clear the President is very engaged on this issue. As he wrote in an op-ed over the weekend, "Our self-destructive tax code costs Americans millions of jobs, trillions of dollars and billions of hours spent on compliance and on paperwork. . . . We owe it to the American people to fix this broken system. American businesses want to prosper on our shores, and middle-class families are ready for more growth, more jobs, and higher pay."

That is the aim of tax reform, and that is the message I hope the President will continue to take around the country, including his trip this week to North Dakota. In the meantime, work will continue among Members and committees in both Chambers to keep moving forward on this important issue.

In addition to these issues, I also look forward to tomorrow's discussion about the national security challenge that is before us. Administration officials will be coming to Congress later that day to give a briefing on challenges like North Korea and Afghanistan. I am looking forward to that important meeting. These are complicated issues, and they will require smart responses from both the administration and from Congress.

Here in Congress, we will have an opportunity to address some of them soon

as we work to pass related legislation such as the annual Defense authorization bill. The chairman of the Armed Services Committee, Senator MCCAIN, will take the lead on that legislation. We have kept Senator MCCAIN and his family in our thoughts over the State work period. We are glad to have him back with us. We know he will again manage this year's legislation with skill and dedication.

There are obviously other important issues before us as well. There are many goals we share with the administration. There is a lot we want to get done, and we have three critically important things before us right now that we need to do quickly: pass disaster relief, prevent a default so those emergency resources can actually get to Americans who need them, and keep the government funded. Those are the three important things before us now.

We will continue working with the administration and our friends on both sides to accomplish those things.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. TILLIS). The Democratic leader is recognized.

HURRICANE HARVEY DISASTER RELIEF AND OTHER ISSUES BEFORE THE SENATE

Mr. SCHUMER. Mr. President, first, I welcome the Presiding Officer and every other Senator back from the district work period. As we all know, much has happened since we last were here.

North Korea has tested several ballistic missiles and reportedly tested a nuclear weapon, alarming well-meaning nations around the world.

In Charlottesville, neo-Nazis and White supremacists marched through the streets, reminding us we are not done fighting the darkest elements of American society—racism, bigotry, hate.

Right now, large parts of the fourth largest city in our country remain underwater. I extend my most heartfelt sympathies to the people of Houston and to those across parts of Texas and Louisiana who are just beginning a long road to recovery from Hurricane Harvey. Having lived through Hurricane Sandy in my home State of New York, I remember the agonies of families who lost their homes, lost their businesses, and, particularly in the first month, had a sense of helplessness about what had happened to them. Our thoughts and prayers are with everyone in Houston.

We thank all the first responders and the rescue organizations—the police and fire departments—that are on the scene, as well as those everyday American heroes. Americans always rise to

the occasion to lend a hand, such as the folks who drove to Houston with boats hooked to their cars to help rescue stranded families. In rough times, Americans pull together, and Congress will do its part to provide relief and aid to the people of Houston this month.

Needless to say, we have a busy work period ahead of us. In addition to a recovery package for Houston, we have to pass appropriations to keep the government open, raise the debt ceiling, protect the Dreamers, provide certainty on the cost-sharing program that helps keep healthcare premiums down, and much more. The to-do list is lengthy. Nearly all the items I mentioned will require votes from Senators from both sides of the aisle. The best way to tackle and ultimately pass legislation on those issues is for us to work in a bipartisan way this month.

Mr. President, on taxes, unfortunately, we are off to a very bad start because President Trump has scheduled a meeting on tax reform today with only Republican legislative leaders. Just as they did with healthcare, Republicans seem to be excluding Democrats from the legislative process from the very beginning.

The majority leader announced prior to the break that he would likely pursue changes to the Tax Code on reconciliation, meaning the Republicans would only need the votes of their own party. Now they are meeting about the issue without even inviting Democrats to join in preliminary discussions.

Very simply, if Republicans hope to avoid the same pitfalls that ultimately brought down their effort to repeal and replace the Affordable Care Act, they ought to abandon the misguided idea that one party can enact major changes to the Tax Code. An effort such as this requires two parties, and the result for the American people will be better if we all work together. The American people understand clearly that if Democrats were included in the debate, tax reform would be much more likely to help the middle class. If Republicans are the only ones in the room on tax reform, the vast majority of the benefits are likely to go to those at the very top. That is what the Republican Party has stood for for years.

Mr. President, on another matter, over the past 6 weeks, North Korea has repeatedly tested the resolve of the United States with the launch of several ballistic missiles. The rogue regime has threatened to launch a missile in close proximity to Guam, a U.S. territory, and has, in fact, fired a missile over the territory of our ally Japan.

The United States must respond to these increasingly bellicose actions with firmness and levelheadedness. The President of the United States has to lead the way. The President of the United States should be firm, level, and above all else, credible. The President's

words matter—especially on issues of national security—but thus far, President Trump has responded to North Korea with bluff and bluster, hyperbole and exaggerated language: “fire and fury like the world has never seen.” That is the kind of language we typically hear from the North Korean regime, not from the President of the United States.

The harsh fact is that because President Trump bluffs and blusters, he will be much less effective in dealing with North Korea in the long run. Foreign leaders—especially our allies—don't know whether they can trust his words when there is so much hyperbole involved, and it undermines his ability to lead in a geopolitical crisis.

I urge the President to speak with caution, to speak with prudence, and to always speak credibly as well as strongly. It is paramount that North Korea understand the position of the United States and that when the President of the United States makes a statement, it believe we are prepared to act accordingly.

Mr. President, finally, on the DACA Program, today the administration announced it would terminate the program after a period of 6 months. Most Americans know how heartless this DACA decision is, ripping families apart, telling people who worked so hard for years to become Americans that they now have to leave the country. These are folks who were brought here as children through no fault of their own. They may have known no other country but ours and have voluntarily registered themselves with the government in order to live, work, and give back to our great country. Make no mistake—they contribute greatly to our country. These hard-working people and their contributions are vital to our economy, vital to our communities, schools, and institutions, such as the military.

They are also vital to tens of thousands of businesses, small and large, that will be hurt if the administration's order stands. Ninety-one percent of DACA recipients are employed, paying taxes and paying into Social Security. A study by the Center for American Progress earlier this year found that ending DACA would drain \$433 billion from our national GDP over 10 years. Even the Libertarian Cato Institute estimated that ending DACA would cost employers nearly \$2 billion over 2 years. The human and economic toll of rescinding DACA will be far-reaching.

It is telling that Attorney General Sessions—not President Trump—made the announcement today that the administration would be ending DACA, and he did it without taking a single question. It shows that President Trump is not proud of what the administration has done today; otherwise he would have come forward himself. It

shows that he is probably ashamed of this decision.

It was with unbelievable hypocrisy that both Attorney General Sessions and the White House Press Secretary said today that the decision was about upholding the rule of law. If this White House had such reverence for the rule of law, the President would not have fired Jim Comey or attacked the Federal judiciary for ruling against the travel ban or pardoned Sheriff Joe Arpaio for no reason other than he was a political ally.

Congress now has an ability and an obligation to act. Democrats will do everything we can to prevent President Trump's terribly wrong order from becoming reality.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

H.J. RES. 76

The PRESIDING OFFICER. For the information of the Senate, pursuant to the order of August 3, 2017, the Senate received H.J. Res. 76 from the House of Representatives on August 4, 2017, and the joint resolution was passed, and the motion to reconsider was considered made and laid upon the table.

The Senator from Texas.

HURRICANE HARVEY

Mr. CORNYN. Mr. President, I just returned from Texas, where, as the world knows, Hurricane Harvey has devastated the gulf coast and now ranks among the costliest natural disasters in American history. Today I want to share with you what my State has experienced in the wake of this storm that has battered so many homes and broken so many hearts. The storm calamitously resulted in the loss of at least 60 lives, with probably more to come as the water recedes and as people's bodies are discovered. Of course, we mourn with those families who have lost loved ones.

You have seen the pictures, but let me describe what my fellow Texans have experienced firsthand. It started when Harvey ran into a patch of warm water in the Gulf of Mexico the week before last. As Harvey rumbled toward Texas, the ocean churned and the storm grew in size and strength. By the time it made landfall in the Coastal

Bend region south of Houston, the hurricane was a Goliath—Category 4. The rain fell, the wind howled, and the water rose in towns like Rockport, Port Lavaca, and Aransas Pass. Streets became swamps, and homes filled up like bathtubs.

First were those smaller coastal communities that I just mentioned, but then one of the largest cities in the Nation, Houston, and nearby areas were hit. Third, let's not forget places like Port Arthur, Beaumont—where I was yesterday with Majority Leader MCCARTHY from the House of Representatives and my other colleagues—as well as other parts of Jefferson and surrounding counties that were hit when the storm barreled east and then finally abated.

Five days and 50 inches of rainfall—every known record was shattered. The National Hurricane Center was awed by the storm that it called “relentless.” The Washington Post appropriately called it “merciless” because it was. Sunday, August 27, was the wettest day ever in Houston, where nearly a third of the yearly rainfall came in 24 hours. A third of our annual expected rainfall in Houston came in 24 hours. Not only that, we now know Harvey was the most extreme rain event in the history of the continental United States, a catastrophe so unheard of that it comes perhaps only once in 1,000 years. Let that sink in for a moment—a 1,000-year rain event.

The storm's intensity easily could have overwhelmed first responders. Medical, law enforcement, and rescue personnel easily could have said: You know, I am exhausted. I haven't slept for days. I haven't been able to change my clothes. I can't do this anymore.

They could have easily said all of those things, but instead they kept wading into the water—the Harris County sheriff's water rescue team, the Texas National Guard, the U.S. Coast Guard, people like Sergeant Steve Perez, a 34-year veteran of the Houston Police Department who drowned in his patrol car during the storm. His wife told him not to go to work on that day, but Sergeant Perez's response was “We've got work to do.” He drove for over 2 hours trying to find a safe route to allow him to report for duty and to protect the community he loved. I hope Sergeant Perez's sacrifice will serve as an example to the rest of us to strive to serve others indiscriminately, no matter the potential cost.

Texas's neighbors could have easily stayed home too—after all, our friends in Louisiana learned tough lessons of their own from Hurricane Katrina—but they did not. They quickly mobilized. Calling themselves the Cajun Navy and the Cajun Coast Search and Rescue, they hitched their fishing boats to their pickup trucks and said: “GTT,” “gone to Texas”—gone to Texas to join the other rescuers, both uniformed and volunteers.

What did they all do?

They saved people who were floating on air mattresses, the few belongings they could carry that were stuffed into garbage bags, and people who were stranded on rooftops. They navigated around submerged trees and stop signs and cars, working with little to no sleep, dripping wet with sweat pouring from their faces, and smelling like the murky water that surrounded them. It seems that I heard about these stories over and over and over again during my trips to Corpus Christi, Rockport, Austin, and all around the State. These are the stories I heard in Houston, Beaumont, and other cities—all of them devastated, but in none of them was their spirit destroyed.

My State and our Nation have responded to this terrible natural disaster. As I did a small part in loading bags of ice and water and serving spaghetti to evacuees in Austin, I was struck by how many people—public officials, volunteers, businesses, and nonprofits, great and small—had offered and given their support, and I want to say that we are grateful to all of them.

In particular, Governor Greg Abbott's leadership has been critical. He and his team of emergency management personnel, led by Chief Nim Kidd, were well prepared in advance, and they moved swiftly following the state of emergency being declared in more than 50 of the 254 Texas counties. Yet it was not just State and local officials who acted with such dispatch. The Federal Government stepped up, too, starting with the President of the United States, who personally, along with the First Lady, made two trips to the affected region. He brought members of his Cabinet, who had previously called me and my other colleagues from the Texas delegation over and over and over again, asking: What more can we do?

I thank the President and the Vice President, who also came personally, clearing brush in Rockport, TX, in a demonstration of how to be a good neighbor and in his concern and commitment to the affected region.

I want to say that FEMA, the Federal Emergency Management Agency, also deserves recognition as part of this effort. Throughout the storm and in the days following, Administrator Brock Long has been a steady hand at the helm in his support of State and local teams with strategy, equipment, and personnel. Yet it was not just FEMA. It was the Small Business Administration, HUD, and the Department of Homeland Security. All of the heads of those agencies were there in person in Texas, asking over and over again: What more can we do?

It is not just government and government officials. It is organizations like the Red Cross, which ran shelters around the State, faith-based organizations, and people who just wanted to be

good neighbors, doing anything and everything they could to volunteer—to serve food, provide dry clothes, and a safe place to sleep.

Now we know that FEMA's flood insurance programs, while they are being implemented, are about to run out of money by the end of this week. In the wake of Hurricane Harvey, the inspections have begun, and recovery housing teams are on the ground. Countless others—local, State, and Federal actors—are working around the clock to aid rescue and recovery efforts. Yet, as I said in Texas last week, the road ahead is going to be long and winding. In many ways, once the TV cameras leave and the waters recede, as people are just now coming home, the depth of their losses will just be sinking in with their places of business gone, all of their possessions destroyed, their cars inoperable. People are hurting. Housing and food, water and electricity, and transportation are a few of the things people have lost that most of us take for granted but not those who suffered at the hands of Hurricane Harvey.

This is why I am working with Senator CRUZ and the entire Texas congressional delegation on an appropriations request for disaster recovery. The many communities that have been impacted by this massive storm will need our help and need it quickly. As I said, FEMA, literally, will run out of funds at the end of this week. Unless we act with dispatch to appropriate an emergency supplemental this week, as the House will do tomorrow, and unless we raise the debt ceiling, there will not be any way that Congress will be able to actually appropriate that emergency funding and get it to the Federal Emergency Management Agency in order to help those who are in so much need. But working together, we are going to deliver that help.

As President Trump said last week, "Texas can handle anything." I think the President is pretty much right. We have seen our share of catastrophes, and we have always bounced back. Texans are tough and resilient, and we always, always band together.

A few years ago, after another tragedy in West Texas that took the lives of a number of first responders in a terrible explosion, I remember running into a county commissioner who said: Texas doesn't just describe where you are from; it describes who your family is.

I know we all love our States, and we love our country, but I am particularly proud of how my State and Texans have stepped forward to help each other in this time of need. I know that all of my colleagues in this Chamber have spent time with their families and their friends this past weekend in honor of Labor Day. As the summer now draws to a close, let's remember that many in Texas were not celebrating that holiday. They are strug-

gling in shelters, not knowing what is left of their homes that they have been forced to flee.

With August now behind us, our work, like theirs, is just beginning. Tomorrow, as I said, the House will vote on a, roughly, \$8 billion aid package—the first of several steps toward delivering relief to Texans. I appreciate House Majority Leader KEVIN MCCARTHY, who traveled with me yesterday to Houston and Beaumont to survey the damage in Texas. He had previously been with me and the Governor in Austin and talked about coordinating the Federal and State response. I look forward to working with Leader MCCARTHY and all of my colleagues in both Chambers of the Congress on addressing the needs caused by this terrible storm.

By the way, I appreciate all of the texts, the phone calls, and the emails that I have received from colleagues on both sides of the aisle throughout this terrible storm, expressing their concerns and offering their prayers and their help. I appreciate it.

My colleagues, I will just say this. Let's remember Sergeant Steve Perez, the police officer who died in Houston, whom I described earlier, the officer who could have stayed home. As his wife said: It is just too dangerous to go out there amidst the flood. Like him, let's do our duty and look for a way to work together.

Friends, let's get to work and do our job, not only in providing relief for the victims of Hurricane Harvey, but there is so much more that we need to do, working together.

I will close because I see the distinguished Democratic whip here, who I know has made the condition of the Dreamers—the children who came with their parents when they came to the United States in violation of our immigration laws. Of course, children are not responsible for what their parents have done. I actually believe that the President has given us an opportunity by what he did today. After all, what President Obama did, no matter how much we understand it, was essentially declared illegal by a Federal court. The President has no authority to do this unilaterally. That is what the Federal courts told President Obama, so President Trump has appropriately now said: Congress, you do your job. And we will.

I look forward to the debate. I look forward to working on this important issue, but I dare say that just addressing DACA and the Dreamers by themselves is not acceptable. We are going to do as much as we can to address our broken immigration system, to restore public confidence in our border security and the enforcement of our laws, and, once again, become a nation that is, yes, a nation of immigrants but also a nation of laws.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, at the outset, let me say that I share the feelings of so many across the Nation who really try to understand and appreciate the immensity of the tragedy that struck Texas, Louisiana, and nearby places with Hurricane Harvey.

We followed the news. I have family in Texas who, through emails, kept us informed as to what was occurring and the horrible stories of people who lost their homes, their businesses, their lives. There is the story that Senator CORNYN has told about Officer Perez, who lost his life in service to the people whom he represented as a law enforcement officer. It touched us. It touched us dearly. We know that there have been extraordinary cases of heroism and bravery by individuals across the board. Many of them will never be reported and will be known only to a handful of people, but it really was an endorsement of the American spirit—the Texas spirit—when it comes to fighting this disaster.

So I say to the Senator from Texas that I am not one of those Senators who picks and chooses natural disasters only in my State to support. I have supported Federal assistance for natural disasters all across the United States because I know what happened when they hit Illinois and when I needed others to stand by me. I am prepared to stand by Texas, stand by Louisiana, stand by all of those who are victims of Hurricane Harvey. I believe that, as an American family, we have a responsibility to stand together, and I thank the Senator from Texas for his statement.

DACA

Mr. DURBIN. Mr. President, I want to tell a story about one of the great volunteers in Texas. His name is Jesus Contreras. He is a young man who has a great story, who was one of the heroes of Hurricane Harvey in his own small way.

At the age of 6, Jesus was brought from Mexico to the United States by his parents. It was not a family decision. His mom and dad made the decision and brought him to Houston, TX, where he grew up and got good grades in school. He wanted to go to college. He went to the Lone Star College in Houston and became a paramedic—a paramedic who responded to Hurricane Harvey.

He spent 6 straight days out there, helping people who were in desperate need. Because of his training as a paramedic, he was able to give them emergency first aid and insulin when they were suffering from the impact of diabetes, and he did it day after day after day. He would go home, take a shower, and go right back out again. He finally took a day off and got some rest, and he went back and did it all over again.

The important part of this story is that Jesus Contreras is a paramedic because of the DACA Program, which you have just heard described on the floor by the Senator from Texas. It was President Obama's DACA Program that allowed him to stay in the United States, after having been brought here as a 6-year-old, and to go to school and become a paramedic. The DACA Program did that because it protected him from deportation, and it allowed him to legally work here in the United States as a paramedic. It was only because of DACA that this young man was able to step up and be part of that huge group of people who came forward in Houston, TX, and other cities and made such a difference in the lives of so many people.

So when I hear the DACA Program dismissed as just overreach by a President, illegal, and unconstitutional, I beg my colleagues: Take a look at the human side of this story for a moment. Take a look at the human side of 780,000 people, just like Jesus, who have been protected from deportation, and what they have done with their lives. He didn't vote to leave Mexico. His parents did. He didn't vote for them not to file papers once he arrived in the United States. His parents did. That is what the Dream Act and DACA are all about.

If I am speeding down the highway and a patrolman pulls me over and gives me a speeding ticket, they don't give a ticket to my grandson sitting in the backseat. He wasn't driving the car.

In this situation, the Dreamers and those protected by DACA were young people brought to this country and who know no other country.

For year after year, he stood up in the classroom and pledged allegiance to the only flag he knew. He believes himself to be American. Listen to what he wrote to me. This is what Jesus Contreras wrote to me:

Houston is my home and these are my people. I love my career—it's given me an opportunity to help people in ways I never imagined I could. DACA means everything to me—I would lose my license and certifications without it. I would be sent back to a country I don't know and would lose everything.

Is that what we want to see happen here? Do we want to set up a circumstance where this young man doesn't have a chance to continue to serve people as he did during Hurricane Harvey in Houston, TX? Of course not.

The announcement by the President today that he is going to bring an end to DACA, I guess, came as no major surprise, but I listened carefully to what President-Elect Trump and what President Trump said about DACA and Dreamers over the months. He said to me personally—he looked me in the eye and said: Don't worry about these kids. We are going to take care of the Dreamers. He said publicly: We love

the Dreamers. Well, now we have a chance to do something about it.

I just had a press conference with Senator LINDSEY GRAHAM, Republican, of South Carolina. He and I have come together to introduce the Dream Act, which says, once and for all, that we need permanent law to protect these young people. It is not a new concept. I introduced the bill 16 years ago. If you said someone was a Dreamer 16 years ago, they would have said: Is he with the British rock group? People didn't know what a Dreamer was. They know today. It is people like Jesus, brought to this country as kids and who are just asking for a chance to be part of America—and they are willing to sacrifice.

When he went through Lone Star College, as an undocumented student, Jesus Contreras didn't qualify for one penny of Federal assistance—no government loans for him. He had to work his way through school. It takes that kind of determination to make it through school and to become an important part of America.

So today I am disappointed by what has happened—the announcement by Attorney General Sessions, who has never ever, in my time in the Senate, supported any immigration reform. He has never voted for the Dream Act. The fact that he was the first public voice saying that he was going to rescind—that the administration would rescind—DACA was no surprise. That is where he has been for as long as I have known him, publicly and politically. But I hope that the President now, because of the good things he said in the past about the Dream Act and DACA, will be part of the solution and will help us in the 6 months to pass something that makes a difference.

I listened to the Senator from Texas stack up a whole list of things we need to have before we can help people like Jesus. There are a lot of things we need to do. Comprehensive immigration reform is one of them. I was one of the persons who put it together and voted for it when it had 68 votes in the Senate a few years ago. We need that. But, for goodness' sake, we have a time-sensitive issue now with the Dreamers and DACA. We need to do something about it and do it quickly. That is why Senator GRAHAM and I are calling for passing the Dream Act in this September session. We know it is there. We have heard positive things said about it by Speaker RYAN, the Republican Speaker of the House, and even by Senator MCCONNELL, Senator HATCH, and many who cosponsored it. We have to bring this measure up and get it done, once and for all.

In the meantime, 780,000 young people in America protected by DACA heard the news today, and their hearts were broken. They know now that the clock is running. It is the deportation clock. If we don't act—and act in a

timely fashion—young people like this man here, who risked his life and helped the people in Houston during Hurricane Harvey, may be deported, and he will certainly lose any opportunity he has to continue to be a licensed paramedic.

Will America be better if Jesus Contreras has to leave the United States? Would Houston have been better during this crisis if he had not been there? I don't think so. We know better. We know that these young people really care and really want to be a part of our Nation. They are willing to turn in all their family information, go through background checks, and pay a filing fee under DACA. You know they want to be a part of this country. They want to serve in the military. They want to be of service to the people they live with in their communities. Now it is up to us.

So let's not make excuses. Let's make some law. Let's do it the right way. Let's pass the Dream Act now. Let's make this a priority as we return this September. Let's get it done with the other priorities we need to consider this month.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. STRANGE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session for the consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Timothy J. Kelly, of the District of Columbia, to be United States District Judge for the District of Columbia.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Arkansas.

HURRICANE HARVEY AND THE AMERICAN SPIRIT

Mr. COTTON. Mr. President, today I join my colleagues and all Arkansans in support of and in prayers for the people of Southeast Texas and all of the victims of Hurricane Harvey. I also want to express our thanks on behalf of a grateful nation. All of you reminded us of the American spirit at a time when we needed it pretty badly.

August was not an easy month for our country. First, in Charlottesville, then in Berkeley, we saw some pretty

disgusting things—racism, anarchism, mob violence. If all you knew about America was what you saw on cable news and social media, you might think it was disintegrating into two armed camps of Communists and neo-Nazis. Images reminiscent of dark days in the last century appeared on our screens—torchlight marches, black-masked thugs, political violence in the streets, beatings, and even a murder—but none of these contemptible people represent America, certainly not what is best about America. They cannot even begin to understand what makes this country great because this country's destiny was always to be more than a new battleground for old hatreds. It was meant to be a mighty fortress for the rights of all Americans. Our destiny is to be the home of mankind's aspiration for freedom, not the twisted delusions of grandeur of pathetic losers. The vast majority of Americans—whatever color, faith, age, or region—celebrate this creed, and they welcome this destiny.

That is exactly why we should not amplify irrelevant, fringe voices. It creates the illusion that a trivial, impotent minority is, in fact, a large and powerful movement against the dictates of common sense and experience. To my knowledge, I have never met a neo-Nazi, a White supremacist, or a leftwing anarchist, nor have the Arkansans with whom I spoke in the last month, but while watching TV or surfing the web in the last month, you would think they number in the tens of millions. The drive for ratings and clicks seemed to leave a lot of Americans wondering, Is this America? Is this whom we have become?

Then Hurricane Harvey made landfall. The stories and the images that followed, once again, proved the old maxim: Adversity does not teach character; it reveals character. What it revealed is an American spirit as strong, as brave, and as loving as ever.

Law enforcement and other first responders performed bravely and skillfully, as always, but what was striking was how ordinary citizens answered the call to duty. There was Jim McIngvale, better known as Mattress Mack. Anyone who has ever lived in Houston knows that you cannot watch TV without seeing a Mattress Mack commercial, but Mack was not selling mattresses that day—he was saving families. He turned two furniture stores into relief centers and opened his doors to anyone who sought shelter. Soon, he had 400 people at each store, sleeping on recliners, sofas, love seats—you name it. He gave out his personal cell number for people to call for help. If they could not reach his store because of the flooding, he sent his delivery trucks to go get them. When asked about his generosity, Mattress Mack replied: "I'm a big believer that it's better to give than to take."

But not everyone had a Mattress Mack to go to. Some people had to call their local Chick-fil-As. Jeffrey Urban went to work just to make sure that everything was all right when he noticed a familiar phone number flashing across the caller ID. It was J.C. Spencer, a regular customer, who called that morning to place a once-in-a-lifetime order: two grilled chicken burritos with extra egg—and a boat. Urban called the owner, Cindy Smith, who sent her husband with his boat to the Spencers' home, but there was not enough room in the boat for both of them and their possessions. Luckily, two heroes on jet skis arrived—Keith Christensen and Winston Savice, Jr. When J.C. took a photo of his wife Karen sitting atop a jet ski while Winston sped her to safety, an internet sensation was born.

After weeks of our living rooms being filled with the sounds and imagery of hatred, we were suddenly overcome by stories of bravery and self-sacrifice. There was local reporter Brandi Smith, who flagged down a rescue crew to help a truckdriver who was trapped in his vehicle. There was Houston SWAT Officer Daryl Hudeck, who carried a young mother, Catherine Pham, and her 13-month-old son Aiden to dry land. There was Catholic priest David Bergeron, who kayaked around his neighborhood and offered to say Mass for anyone in town. Then there was an unknown man from Texas City, who said, when asked what he was doing with his boat under a flooded underpass, that he and his friends were there to save some lives.

So many of these images have already become iconic: Sheriff's Deputy Rick Johnson carrying two children through the floodwaters and the Cajun Navy from Louisiana being lined up like soldiers on a highway, as far as the eye could see, readying for battle. Yet perhaps the most telling image of all was the human chain. When Andrea Smith went into labor in her flooded apartment, her neighbors formed a human chain to help her reach a dump truck that had come to take her to the hospital. There was no pride of place, no rank, no distinction—just humble, selfless Americans who joined hands to help a neighbor in time of need.

You could say that human chain was a symbol because, when you step back and soak it all in, you realize this is America, that this is who we are as a nation, not those ideological zealots, not racists and Communists. Their blinded eyes cannot see the dignity and love in that unbroken human chain.

We have never lost this spirit of America, but we do occasionally lose sight of it, which is why we ought to pay tribute to these normal, public-spirited Americans—the people in that human chain, the people who heeded the call, who put their stranded countrymen first. They do not mistake malice for power, and they understand that

the greatest power of all is love. They are an inspiration to all of us in this Chamber and, indeed, to all the world. They are the reason we can look to Houston, a city much embattled though not embittered, and take pride in what we see—not human devastation but human valor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today I am pleased to support the nomination of Tim Kelly to be a judge on the DC district court. Tim serves as my chief counsel for national security, senior crime counsel, and majority staff director for the Caucus on International Narcotics Control. That is quite a professional title, isn't it? And he has done an excellent job serving not only this chairman of the Judiciary Committee but all of the Judiciary Committee.

Tim's career boasts a wide range of legal experience. After Tim graduated from Georgetown University Law Center in 1997, he served as a law clerk to Judge Buckwalter of the Eastern District of Pennsylvania. He worked as an associate at Arnold & Porter, and he dedicated 6 months of his career to work for the Legal Aid Society. Tim spent a significant portion of his career serving as a Federal prosecutor, including several years as an assistant U.S. attorney for the District of Columbia, where he prosecuted a wide range of criminal cases in the very court for which he is being considered today. He also served as trial attorney in the Public Integrity Section of the Department of Justice, where he prosecuted public corruption cases. He has tried approximately 30 cases during his career, as well as negotiated dozens of guilty pleas.

Tim is a very talented attorney and is well liked by everyone—by staff and Members on both sides of the aisle. His collegiality and ability to get along with folks will serve him well on the bench. I know he will show proper respect to the litigants and attorneys who appear before him, as well as the staff who will serve his court.

Tim's counsel and advice have served the members of the Judiciary Committee well. Just to point to one example of his work on behalf of this committee, I would note he was the lead Senate Republican Judiciary staffer on the Comprehensive Addiction and Recovery Act of last year, which happened to be signed into law by President Obama. This bill will help countless numbers of folks struggling with drug addiction.

Tim's vast legal experiences and his thoughtful approach to his work will help him be an excellent Federal judge. I believe he has the temperament to hear any case that will come before him with a fair mind, seeking to do justice for all.

Of course, others have recognized Tim's merits as well. The American Bar Association gave him a unanimous "well qualified" rating, which is the highest rating the ABA gives, and he has received awards for his work from the Department of Justice, the Department of Energy, and the Federal Bureau of Investigation.

Tim will make an excellent judge, and I am honored to support his nomination today. I urge all of my colleagues to vote in favor of his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the Kelly nomination?

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 2, as follows:

[Rollcall Vote No. 188 Ex.]

YEAS—94

Alexander	Capito	Crapo
Baldwin	Cardin	Cruz
Barrasso	Carper	Daines
Bennet	Casey	Donnelly
Blumenthal	Cassidy	Duckworth
Blunt	Collins	Durbin
Booker	Coons	Enzi
Boozman	Corker	Ernst
Brown	Cornyn	Feinstein
Burr	Cortez Masto	Fischer
Cantwell	Cotton	Flake

Franken	Lee	Sasse
Gardner	Manchin	Schatz
Graham	Markey	Schumer
Grassley	McCain	Scott
Harris	McCaskill	Shelby
Hassan	McConnell	Stabenow
Hatch	Merkley	Strange
Heinrich	Murkowski	Sullivan
Heitkamp	Murphy	Tester
Heller	Murray	Thune
Hirono	Nelson	Tillis
Hoeben	Paul	Toomey
Inhofe	Perdue	Udall
Isakson	Peters	Van Hollen
Johnson	Portman	Warner
Kaine	Reed	Whitehouse
Kennedy	Risch	Wicker
King	Roberts	Wyden
Klobuchar	Rounds	Young
Lankford	Rubio	
Leahy	Sanders	

NAYS—2

Gillibrand

Warren

NOT VOTING—4

Cochran
Menendez

Moran
Shaheen

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that with respect to the nomination of Timothy Kelly, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-32, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Thailand for defense articles and services estimated to cost \$24.9 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREG M. KAUSNER
(For Charles W. Hooper,
Lieutenant General, USA, Director).
Enclosures.

TRANSMITTAL NO. 17-32

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of Thailand

(ii) Total Estimated Value:

Major Defense Equipment * \$23.2 million.

Other \$ 1.7 million.

Total \$24.9 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Five (5) RGM-84L Harpoon Block II Surface Launched Missiles.

One (1) RTM-84L Harpoon Block II Exercise Missile.

Non-MDE includes: Also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representatives technical assistance, engineering and logistics support services, and other related elements of logistics and program support.

(iv) Military Department: Navy (XX-P-AKR).

(v) Prior Related Cases, if any: TH-P-AKP.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: August 9, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Thailand—RGM-84L Harpoon Surface Launched Block II Missiles

The Government of Thailand has requested the possible sale of up to five (5) RGM-84L Harpoon Block II Surface Launched Missiles and one (1) RTM-84L Harpoon Block II Exercise Missile. Also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representatives technical assistance, engineering and logistics support services, and other related elements of logistics and program support. The estimated cost is \$24.9 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to strengthen the U.S.-Thai strategic relationship and to improve the security of an important partner.

The proposed sale will provide enhanced capabilities in effective defense of critical sea lines. Thailand intends to use the missiles on its DW3000 Class Frigate. The proposed sale of the Harpoon Block II missiles and support will increase the Royal Thai Navy's maritime partnership potential. Thailand has purchased Harpoon missiles previously and will have no difficulty absorbing these missiles into its armed forces.

The proposed sale will not alter the basic military balance in the region.

The principal contractor will be the Boeing Company, St. Louis, MO. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require annual trips to Thailand involving U.S. Government personnel and contractor representatives for technical reviews, support, and oversight for approximately five years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-32

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The RGM-84L Harpoon Surface Launched Block H missile system, to include publications, documentation, operations, supply, maintenance, and training to be conveyed with this proposed sale have the highest classification level of CONFIDENTIAL. The Harpoon Block II missile is a non-nuclear tactical weapon system currently in service in the U.S. Navy and in 29 other foreign nations. It provides a day, night, and adverse weather, standoff surface-to-surface capability and is an effective Anti-Surface Warfare missile. The RGM-84L incorporates components, software, and technical design information that are considered sensitive.

2. The following components being conveyed by the proposed sale are considered sensitive and are classified CONFIDENTIAL:

- a. The Radar Seeker
- b. The GPSANS System
- c. Operational Flight Program Software
- d. Missile operational characteristics and performance data

These elements are essential for the Harpoon Block II missile to selectively engage hostile targets under a wide range of operational, tactical and environmental conditions. With respect to GPS, Thailand has been approved for Precision Positioning Service (PPS).

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Thailand can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Thailand.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-36, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Romania for defense articles and services estimated to cost \$1.25 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 17-36

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Romania.

(ii) Total Estimated Value:
Major Defense Equipment * \$.900 billion.
Other \$.350 billion.
Total \$1.250 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Fifty-four (54) High Mobility Artillery Rocket Systems (HIMARS) Launchers.

Eighty-one (81) Guided Multiple Launch Rocket Systems (GMLRS) M31A1 Unitary.

Eighty-one (81) Guided Multiple Launch Rocket Systems (GMLRS) M30A1 Alternative Warhead.

Fifty-four (54) Army Tactical Missile Systems (ATACMS) M57 Unitary.

Twenty-four (24) Advanced Field Artillery Tactical Data Systems (AFATDS).

Fifteen (15) M1151A1 HMMWVs, Utility, Armored.

Fifteen (15) M1151A1 HMMWVs, Armor Ready 2-Man.

Non-MDE includes:

Fifty-four (54) M1084A1P2 HIMARS Resupply Vehicles (RSVs) (5 ton, Medium Tactical Cargo Vehicle with Material Handling Equipment).

Fifty-four (54) M1095 MTV Cargo Trailers w/ RSV kit.

Ten (10) M1089A1P2 FMTV Wreckers (5 Ton Medium Tactical Vehicle Wrecker with Winch).

Also included are thirty (30) Low Cost Reduced Range (LCRR) practice rockets, support equipment, communications equipment, sensors, spare and repair parts, test sets, batteries, laptop computers, publications and technical data, facility design, training and training equipment, systems integration support, Quality Assurance Teams and a Technical Assistance Fielding Team, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support.

(iv) Military Department: Army.

(v) Prior Related Cases, if any: None.

(vi) Sales Commission. Fee. etc. Paid. Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: August 17, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Romania—High Mobility Artillery Rocket Systems (HIMARS) and Related Support and Equipment

The Government of Romania has requested the possible sale of fifty-four (54) High Mobility Artillery Rocket Systems (HIMARS) Launchers, eighty-one (81) Guided Multiple Launch Rocket Systems (GMLRS) M31A1 Unitary, eighty-one (81) Guided Multiple Launch Rocket Systems (GMLRS) M30A1 Alternative Warhead, fifty-four (54) Army Tactical Missile Systems (ATACMS) M57 Unitary, twenty-four (24) Advanced Field Artillery Tactical Data Systems (AFATDS), fifteen (15) M1151A1 HMMWVs, Utility, Armored, and fifteen (15) M1151A1 HMMWVs, Armor Ready 2-Man. Also included with this request are: fifty-four (54) M1084A1P2 HIMARS Resupply Vehicles (RSVs) (5 ton, Medium Tactical Cargo Vehicle with Material Handling Equipment), fifty-four (54) M1095 MTV Cargo Trailer with RSV kit, and ten (10) M1089A1P2 FMTV Wreckers (5 Ton Medium Tactical Vehicle Wrecker with Winch), thirty (30) Low Cost Reduced Range (LCRR) practice rockets, support equipment, communications equipment, sensors, spare and repair parts, test sets, batteries, laptop computers, publications and technical data, facility design, training and training equipment, systems integration support, Quality Assurance Teams and a Technical Assistance Fielding Team, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support. The total estimated program cost is \$1.25 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally that has been, and continues to be an important force for political stability and economic progress within Europe. The proposed sale of the HIMARS system will support Romania's needs for its own self-defense and support NATO defense goals.

The Government of Romania intends to use these defense articles and services to modernize its armed forces and strengthen its homeland defense and deter regional threats. This will contribute to Romania's military goal of updating its capabilities while further enhancing interoperability with the United States and other NATO allies. Romania will have no difficulty absorbing this system into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Lockheed-Martin in Grand Prairie, Texas and Camden, Arkansas. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require approximately the assignment of up to 10 U.S. Government or contractor representatives to travel to Romania for a period of up to one year for equipment de-processing/fielding, system checkout, training, and technical and logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-36

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The High Mobility Artillery Rocket Systems (HIMARS) is a highly mobile, all-

weather indirect area fire artillery system. The HIMARS mission is to supplement cannon artillery to deliver a large volume of firepower within a short time against critical time-sensitive targets. At shorter ranges, HIMARS complements tube artillery with heavy barrages against assaulting forces as well as in the counter-fire, or defense suppression roles. The highest level of classified information that could be disclosed by a proposed sale, production, or by testing of the end item is SECRET; the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Reverse engineering could reveal SECRET information. Launcher platform software, weapon operational software, command and control special application software, and command and control loadable munitions module software are considered UNCLASSIFIED. The system specifications and limitations are classified SECRET. Vulnerability data is classified up to SECRET. Countermeasures, counter-countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET.

2. The highest classification level for release of the ATACMS Unitary M57 FMS Variant is SECRET, based upon the software. The highest level of classified information that could be disclosed by a sale or by testing of the end item is SECRET; the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Reverse engineering could reveal CONFIDENTIAL information. Fire Direction System, Data Processing Unit, and special Application software is classified SECRET. Communications Distribution Unit software is classified CONFIDENTIAL. The system specifications and limitations are classified CONFIDENTIAL. Vulnerability Data, countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET or CONFIDENTIAL.

3. Guided Multiple Launch Rocket System Alternative Warhead (GMLRS-AW) M30A1. The GMLRS-AW, M30A1, is the next design increment of the GMLRS rocket. The GMLRS-AW M30A1 hardware is over 90% common with the M31A1 GMLRS Unitary hardware. Operational range is between 15-70 kilometers. Accuracy of less than 15 meters Circular Error Probability at all ranges, when using inertial guidance with Global Positioning System (GPS) augmentation. Uses a proximity sensor fuze mode with a 10 meter height of burst. The Alternative Warhead carries a 200 pound fragmentation assembly filled with high explosives which, upon detonation, accelerates two layers of pre-formed tungsten fragments optimized for effectiveness against large area and imprecisely located targets. The GMLRS-AW provides an area target attack capability that is treaty compliant (no un-exploded ordnance). It provides a 24 hour, all weather, long range attack capability against personnel, soft and lightly armored targets, and air defense targets. The GMLRS-AW uses the same motor, guidance and control systems fuze mechanisms, and proximity sensors as the M31A1 GMLRS Unitary. The highest classification level for release of the GMLRS-AW is SECRET, based upon the software, sale or testing of the end item. The highest level of classification that must be disclosed for production, maintenance, or training is CONFIDENTIAL.

4. The GPS PPS component of the HIMARS munitions (GMLRS Unitary, Alternative Warhead, and ATACMS Unitary) is also contained in the Fire Direction System, is classified SECRET, and is considered SEN-

SITIVE. To that end, no GPS PPS design information, including GPS software algorithms, will be disclosed in the course of this sale to country. Susceptibility of GMLRS to diversion or exploitation is considered low risk. GMLRS employs an inertial navigational system that is aided by a Selective Availability Anti-Spoofing Module (SAASM) equipped GPS receiver. To that end, this system requires encryption keys controlled by, and issued by, the National Security Agency.

5. AFATDS is a multi-service (U.S. Army and U.S. Marine Corps) automated, expert decision support system used for Command, Control, Communications and integration and synchronization of fires on ground targets during all phases of military conflict. AFATDS provides the automated tools that significantly augment the capability of fire support coordinators, fire support assets commanders, and their respective staffs at every echelon during the planning and execution of fire support on the dynamic battlefields in support of the Maneuver Commander and his plans.

6. The classification of the request for assistance and customized AFATDS with sanitized and customized JMEM and LMM, and/or with functionally compatible but UNCLASSIFIED modular substitutes for COMSEC, JMEM, and LMM capabilities, is available for Foreign Military Sales (FMS) with the following restrictions and caveats. The software source code and design specifications are UNCLASSIFIED but considered highly sensitive and are not available for EMS. The following items, while they are unclassified they are not individually freely and openly releasable, however, they can be offered for FMS as individually and specifically included items of complete system procurements: executable code, training manuals, user manuals, and system documentation such as external system architecture diagrams, high level internal software architecture diagrams, the Version Description Document, and the System Administrator Manual as customized for each individual FMS customer. The highest level of information that is necessarily disclosed during maintenance of these sanitized systems and applications is UNCLASSIFIED/FOUO. The highest level of sensitive information that is necessarily disclosed by the sale of these sanitized systems and applications is UNCLASSIFIED/FOUO. The highest level of information that is necessarily disclosed to allow system administration of these sanitized systems and applications UNCLASSIFIED/FOUO. The highest level of information that is necessarily disclosed in training of these sanitized systems and applications is UNCLASSIFIED/FOUO. The highest level of information that could be revealed by reverse engineering or testing of these systems is UNCLASSIFIED/FOUO. Through scanning or testing these sanitized systems and applications, specific vulnerabilities could be disclosed, and will be treated at UNCLASSIFIED/FOUO. The identification of these vulnerabilities with U.S.-only systems is CLASSIFIED, per Section 6.3. Participants of the FMS process shall not make references to U.S.-only system maintenance, administration, or technical details because they could be considered SECRET.

7. Susceptibility of ATACMS Unitary M57 FMS Variant, GMLRS M30A1 and M31A1 to diversion or exploitation is considered low risk. Components of the system are also considered highly resistant to reverse engineering. Detailed knowledge of the technical capabilities of the system could enable an enemy to tailor defenses and adjust tactics

and procedures to minimize the effectiveness of the system.

8. Susceptibility of AFATDS to diversion or exploitation is considered low risk. Software of the system are also considered highly resistant to reverse engineering. Detailed knowledge of the technical capabilities of the system could enable an enemy to tailor defenses and adjust tactics and procedures to minimize the effectiveness of the system. Training and user manuals are unclassified but considered sensitive and not for general release to foreign nationals, except that they will be provided with the system when the system is procured through foreign military sales. Installation instructions are unclassified but considered sensitive and not for general release to foreign nationals, except that they will be provided with the system when the system is procured through FMS.

9. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software, the information could be used to develop countermeasures, which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

10. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the enclosed Military Policy Justification. Moreover, the benefits to be derived from this sale outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons. A determination has been made that Romania can provide the same degree of protection for the sensitive technology being released as the U.S. Government.

11. All defense articles and services listed in this transmittal have been authorized for release and export to Romania.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-45, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$360 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures:

TRANSMITTAL NO. 17-45

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia

(ii) Total Estimated Value:
Major Defense Equipment* \$0 million.
Other \$360 million.
Total \$360 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE includes: Ten-year upgrade program for twenty-four (24) MH-60R Multi-Mission Helicopters and associated training devices, spare and repair parts, support and test equipment, engineering and technical services, U.S. Government and contractor

engineering, technical and logistics support services, Engineering Change Proposals (ECPs), ECPs for training devices, classified software (JMPS/MDLs), Engineering Technical Assistance (ETA), Logistics Technical Assistance (LTA), Other Technical Assistance (OTA), supply support, support equipment, and other related elements of logistics and program support.

(iv) Military Department: Navy (AT-P-GRS).

(v) Prior Related Cases, if any: AT-P-GXO, AT-P-SCF, AT-P-GTC.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex

(viii) Date Report Delivered to Congress: August 30, 2017

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—Upgrade Program for (24) MH-60R Multi-Mission Helicopters

The Government of Australia has requested a follow-on case for a possible ten-year upgrade program for twenty-four (24) MH-60R Multi-Mission Helicopters and associated training devices, spare and repair parts, support and test equipment, engineering and technical services, U.S. Government and contractor engineering, technical and logistics support services, Engineering Change Proposals (ECPs), ECPs for training devices, classified software (JMPS/MDLs), Engineering Technical Assistance (ETA), Logistics Technical Assistance (LTA), Other Technical Assistance (OTA), supply support, support equipment, and other related elements of logistics and program support. The total estimated program cost is \$360 million.

This sale will support the foreign policy and national security of the United States by helping to improve the security of a major non-NATO ally that continues to be an important force for political stability and economic progress in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed upgrades to the MH-60R helicopters will improve Australia's antisubmarine and surface warfare capability, provide an improved search and rescue capability, enhance its anti-ship surveillance capability, and will help it carry out international commitments for transport, surveillance, and search and rescue operations with the United States and other allies. The proposed upgrades will also provide Australia the resources necessary to properly maintain its multi-mission helicopters. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Sikorsky, a Lockheed Martin Company, Stratford, CT and Lockheed Martin, Owego, NY. There are no offsets proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-45

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Commonwealth of Australia requirement for spiral upgrades to the twenty-four (24) Multi-Mission MH-60R Helicopters could include:

a. Mission Capability Areas: Surface Warfare/Surveillance/Flight Management, Navigation & Communication/Data Management & Fusion

b. Mission Capability Areas: Anti-Submarine Warfare/Flight Management, Navigation & Communication

c. Mission Capability Areas: Flight Management, Navigation & Communication/Data Management & Fusion

d. Mission Capability Areas: Flight Management, Navigation & Communication/Data Management & Fusion/Air Vehicle Service Life

e. Mission Capability Areas for Development: Kinematic Performance/Airborne Survivability

f. Mission Capability Areas for Development: Obsolescence Management

g. Mission Capability Areas: Surveillance/Data Management & Data/Air Vehicle Service Life

h. Software Lab

i. USN Test Maintenance Cost

2. The spiral development case may contain sensitive technology; however, defined requirements are not known at this time and will be assessed on a case by case basis.

3. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to Australia.

NATIONAL SENIOR CENTER MONTH

Mr. CASEY. Mr. President, September marks National Senior Center Month. More than 11,000 senior centers across the country serve more than 1 million older adults every day. For many older Americans, senior centers are the heart of their communities, offering a place for everything from meals to recreational activities to health and wellness programs. Senior centers also create a sense of comity and community, giving older Americans a place to connect while reducing the social isolation that often burdens our older citizens.

This summer, as ranking member of the U.S. Senate Special Committee on Aging, I visited numerous senior centers across the Commonwealth of Pennsylvania, in rural, urban, and suburban areas, to discuss the issues on the minds of older Pennsylvanians. At each stop, older Pennsylvanians told me about the important role that senior centers play in their daily lives, as a gathering place and a resource, providing not only necessary nutrition programs, but also benefits counseling,

employment assistance, volunteer opportunities, transportation assistance, and so much more.

Senior centers and senior center staff deserve our support. Communities piece together numerous sources to fund their senior center operations, including Federal, State, and local government resources, private-sector donations and grants, and the man-hours of countless volunteers. Many of the county commissioners who joined me during these visits expressed their support for the Community Development Block Grant, which regrettably is slated for elimination by the administration. Counties throughout Pennsylvania depend on the Community Development Block Grant program to fund important infrastructure in our communities. Now is not the time to scale back our investment in these needs. I stand with our community leaders in support of the Community Development Block Grant program, and I will fight to protect these vital resources from elimination.

I am delighted to join with leaders from across the aging network in Pennsylvania and throughout the country in honoring the work of senior centers and recognizing September as National Senior Center Month.

30TH ANNIVERSARY OF THE CARIBOU COMMUNITY-BASED OUTPATIENT CLINIC

Ms. COLLINS. Mr. President, 30 years ago, Caribou, ME, served as the proving ground upon which America has built a nationwide system of community-based outpatient clinics that delivers much improved access to medical services for America's rural veterans. The anniversary celebration on September 7 recognizes the determined commitment of Cary Medical Center, the Department of Veterans Affairs, local veterans, and an entire community that transformed healthcare for the men and women who defend our Nation and our freedom.

Our Nation's first CBOC held its formal opening in Caribou, my hometown, on June 13, 1987. The impact was immediate—no longer would the veterans of Aroostook County have to endure an up-to 10-hour round trip to the nearest VA hospital for medical exams or to meet with a VA physician. Today the Caribou CBOC treats a veteran population of 3,500 men and women who served our country, with more than 9,000 care visits annually. The pioneering work done in Caribou led to benefits for America's 3.5 million rural veterans who now receive care closer to home at more than 950 CBOCs throughout the country.

The story of the great advancement in healthcare began 8 years before that formal opening, when seven Aroostook County veterans devoted themselves to the mission of improving access to critical healthcare services in this region.

The original members of Aroostook County Veterans Medical Facility Research and Development, Inc.—Percy Thibault, Meo Bosse, John Rowe, Ray Guerrette, Wesley Adams, Walter Corey, and Leonard Woods, Jr.—faced many obstacles along the way and overcame them all. These patriots exemplified a special quality of the American veteran: they continued to contribute long after their service in uniform was done.

That great mission would not have been accomplished without the dedication and expertise of Cary Medical Center and the involvement of Bill Flagg. As the American Hospital Association noted in its Award of Honor presentation in 2011, Cary Medical Center has made exemplary contributions in the critical area of veterans' healthcare and has established a national model. In addition to playing a vital role in establishing the VA's first CBOC in Caribou, Cary Medical Center was one of five pilot sites for the highly successful Access Received Closer to Home, or ARCH, program. Maine's program, led by Kris Doody and a tremendous team of professionals, has been called a standard bearer for how to provide rural veterans access to the care they need in their communities. Before he became VA Secretary, I had the opportunity to join Dr. David Shulkin on a visit to both the Caribou CBOC and Cary Medical Center, where he praised the innovative work being done being done to provide veterans with top quality healthcare close to where they live. Veterans in Aroostook County and throughout America are grateful for Cary's leadership.

Our State has long history as a leader in working to expand and improve veterans' access to quality healthcare. One year ago, we celebrated the 150th anniversary of the very first national hospital for veterans: Togus, in Maine, which opened its doors in November of 1866. In 2014, we celebrated the opening of the women's clinic at Togus in recognition of the fact that more and more women serve our country in uniform.

I am determined to continue those early efforts on behalf of our rural veterans. The recent enactment of the VA Choice and Quality Employment Act of 2017, which I cosponsored with my Maine colleague Senator ANGUS KING, is an important step toward keeping this obligation to our veterans, both urban and rural. As well as providing additional funding for healthcare access in the community, the legislation authorizes 28 leases for VA facilities across the country, including a much-needed CBOC in Portland. The result of this crucial legislation is increased access to quality care for all who have defended our freedom.

Maine is home to more than 125,000 veterans. To put that in perspective, Maine has more veterans per capita

than all but two of the other States in the country. We are proud of our State's contributions to protecting our Nation and of Maine's impressive record in caring for our veterans.

President Abraham Lincoln signed the legislation establishing a national network of hospitals for Civil War veterans on March 3, 1865. The very next day, he concluded his second inaugural address with a commitment "to bind up our nation's wounds, to care for him who shall have borne the battle. . . ."

We must uphold that commitment. Our veterans have sacrificed so much for our country. We owe them all that we can do to ensure they receive the best care possible. The veterans and grateful citizens who fought for the Caribou CBOC knew that, and, on this 30th anniversary, we honor their dedication by carrying on their work.

TRIBUTE TO LIEUTENANT GENERAL FREDRICK B. "BEN" HODGES

Mr. INHOFE. Mr. President, today I wish to pay tribute to a great leader and an exceptional Army officer, LTG Frederick B. "Ben" Hodges who is currently serving as the commanding general of U.S. Army Europe in Wiesbaden, Germany, as he prepares for his transition and retirement from Active Duty.

LTG Ben Hodges has served our Army and our Nation for more than 35 years. He has been a true professional and a dedicated soldier, leader, and officer. Throughout his career, he has commanded our great soldiers at many levels, he has deployed to combat numerous times in defense of the Nation, and he has been assigned the most critical positions in our Army. Lieutenant General Hodges continues to provide outstanding leadership, advice, and sound professional judgment on numerous critical issues of enduring importance to the Army, Congress, and this Nation.

A native of Quincy, FL, Lieutenant General Hodges graduated from the U.S. Military Academy in May 1980 and was commissioned as a second lieutenant of infantry. After his first assignment in an infantry unit in Germany, he commanded infantry units at the company, battalion, and brigade levels in the 101st Airborne Division and in support of Operation Iraqi Freedom during the initial invasion of Iraq as Bastogne 6, leading the 327th Infantry Regiment.

Throughout his magnificent career, Lieutenant General Hodges has served in a variety of important positions within the U.S. Army, proving over and over again his exceptional leadership and staff skills. These positions include service as a tactics Instructor at the Infantry school, aide-de-camp to the Supreme Allied Commander Europe, and service as both the deputy chief and then chief of legislative, liaison for the U.S. Army in Washington, D.C.

Lieutenant General Hodges' assignments as a general officer include deputy commander for stability, Regional Command-South, International Security Assistance Force supporting Operation Enduring Freedom in Afghanistan from August 2009 until October 2010. Before arriving in Germany, Lieutenant General Hodges also held a leadership position at NATO, serving as the first commander of Allied Land Command, Izmir, Turkey, from November 2012 to October 2014.

For the past 3 years, Lieutenant General Hodges has been the commanding general of United States U.S. Army Europe. During this period of extraordinary change and challenge in Europe's security environment, Lieutenant General Hodges has improved relationships with NATO allies and European partners. Through his leadership, Lieutenant General Hodges has successfully led his command through some of the most complex issues our Army has faced in recent years with unparalleled results. While increasing the transparency of Army operations within Europe, Lieutenant General Hodges has led his command through the rapid growth in the frequency and complexity of multinational training exercises, thus increasing interoperability and strengthening NATO's commitment to deter potential aggression. The foundations set by Lieutenant General Hodges will allow NATO and our Army to meet every mission requirement in Europe.

On behalf of Congress and the United States of America, I thank LTG Ben Hodges, his wife, Holly, and their entire family for their continued commitment, sacrifice, and contribution to this great Nation. I join my colleagues in wishing him future success in all aspects of life and I am sure that many soldiers will continue to emulate him as a role model for service, sacrifice, and leadership.

ADDITIONAL STATEMENTS

REMEMBERING PHYLLIS SCHLAFLY

• Mr. BLUNT. Mr. President, today I am proud to stand to honor Phyllis Schlafly, a woman who was not only an incredible Missourian, but an incredible American. She was a strong conservative, engaged citizen, proud wife and mother, powerful speaker, passionate lawyer, devout Catholic, and good friend of mine. We lost her a year ago, and I take this moment today to pay tribute to her and the impact she had on our Nation.

There is no doubt that the name Phyllis Schlafly will be mentioned in the history of conservatism.

Upon Phyllis's receiving of the Women of Achievement Award in 1963, publisher of St. Louis Globe-Democrat

Richard Amberg stated that “Phyllis Schlafly stands for everything that has made America great and for those things which will keep it that way.”

Our late President, Ronald Reagan, said to Phyllis Schlafly, “Eagle Forum has set a high standard of volunteer participation in the political and legislative process. . . . You’ve been out front on so many of the most important issues of our time. . . . Your work is an example to all those who would struggle for an America that is prosperous and free. . . . Our nation needs the kind of dedicated individual volunteer service you and Eagle Forum have demonstrated over the last 20 years.”

Phyllis was born and raised in St. Louis, MO. She attended college at Washington University and received her master of arts degree at Radcliffe College. She married John Fred Schlafly, Jr., in 1949 and had six children. In 1972, Phyllis established Eagle Forum, and her work to strengthen conservative principles flourished from there. Her voice became the conservative conscience of the GOP, and she was never afraid to let me or any other member of the Republican Party know when she felt we were not true to those ideals.

While I wish today to commemorate her upon the anniversary of her death, I would be remiss if I didn’t point out that her passing did not end her life’s work.

Her legacy of strong conservative values continues today through organizations, books, and through the passion she ignited in fellow conservatives. Whether or not one agrees or disagrees with her points of view, one must acknowledge her crucial part in the history of American politics.

When she began speaking publicly in the 1960s, Phyllis blazed a trail and encouraged women and mothers everywhere to step into American politics and issues of the day. She wasn’t afraid to voice the thoughts she had that others agreed with, yet were too afraid to speak; nor was she afraid to challenge those with whom she disagreed. Phyllis demonstrated to all of us that every voice matters and reminded us that a powerful voice lies not in whoever is talking the loudest but whoever sees potential for change.

Phyllis was a pioneer for women in the world of politics, especially for conservative women, and simultaneously encouraged all Americans to get involved in issues bigger than themselves.

She advocated tirelessly throughout her life and never retired. She was one of the first conservatives to publicly endorse then-candidate Donald Trump. At her 2016 funeral, President Trump said, “Her legacy will live on every time some underdog—outmatched and outgunned—defies the odds and delivers a win for the people.”

Phyllis Schlafly lived a life of dedication and perseverance. She continu-

ously served our Nation through her inspiring speeches, encouraging attitude, and passion for the future. We miss her and thank her for all the work she has done. Today we honor her and her legacy and take a moment to recognize the longstanding impact she has had on our Nation.●

TRIBUTE TO DR. JERRY C. DAVIS

● Mr. BLUNT. Mr. President, today I wish to pay tribute to Dr. Jerry C. Davis, president of College of the Ozarks in Point Lookout, MO. Dr. Davis is the recipient of the prestigious E. Burr Gibson Lifetime Achievement Award, given by the Council for Advancement and Support of Education, CASE.

The lifetime achievement award honors individuals in higher education who have made a significant and lasting impact in the field of institutional advancement through their professional accomplishments. It also honors those who have earned the deep respect and admiration of their professional colleagues.

Dr. Davis is one of the longest sitting college presidents in the entire United States, serving for over 40 years. He became president of Alice Lloyd College in Kentucky in 1977 and served until 1988, when he became president of the College of the Ozarks, where he remains today.

Throughout his tenure as president, he has transformed the College of the Ozarks into a unique higher education institution with an endowment over \$500 million. Nearly every student graduates debt-free by working at on-campus jobs—a significant achievement at a time when student loans are a major burden for many students and families around the country.

Dr. Davis is also responsible for creating the College of the Ozarks Patriotic Travel Program. This program pairs veterans with college students to help instill appreciation for the sacrifices of American servicemen and women by traveling back to the battlefields of our Nation’s wars. To date, over 300 students have traveled to Vietnam, Japan, and South Korea with over 150 veterans.

Dr. Davis’s deep love for his country is also reflected by his work to honor those that have sacrificed for our Nation by building memorials on campus. Under Dr. Davis’s leadership, the college built memorials honoring Missouri Vietnam veterans, the heroes of 9/11, and Missouri Gold Star families. In the spring of 2018, the college will dedicate a new memorial honoring the Korean war.

Dr. Davis has received many awards and accolades for both his specific institutions and in the realm of higher education. He has been active at multiple levels of both the Southern and North Central Accrediting Agencies,

serving on more than 50 accreditation teams and chairing over half of them. Dr. Davis also served two terms as president of the American Association of Presidents of Independent Colleges and Universities.

In 2015, Dr. Davis and the College of the Ozarks received the National Freedom Award. This award is the highest honor given by the U.S. Department of Defense to employers for support of National Guard and Reserve Employees.

Dr. Davis’s leadership has truly transformed the College of the Ozarks, and there is no doubt why he was selected to receive this lifetime achievement award. I know that the students, alumni, local community, and all those connected to the College of the Ozarks are grateful for his leadership, as am I.

Thank you.●

TRIBUTE TO GAIL BATES

● Ms. HASSAN. Mr. President, today I wish to recognize Gail Bates and not only wish her a happy birthday but also reflect on her years of service to the State of New Hampshire and our country.

Gail Bates was born Gail Oberlin in Cleveland, OH, on June 10, 1917 and received a degree from Vassar College in Italian and art history, then was awarded her master’s in social work from Columbia University.

When the United States of America joined the Allies and went to war in 1941, Gail answered her country’s call, serving in the American Red Cross from 1943 to 1945. She was stationed overseas to England with the Ninth Air Force, where she served with Red Cross Aero Clubs and worked long hours, supporting aircrews and soldiers from 6 AM to midnight. As a member of the Aero Club, Gail worked to provide food, coffee, music, and other reminders of home to American soldiers stationed so far from our shores.

On D-Day, Gail first heard of the Allied landings in Normandy while eating breakfast in a London cafe. She would soon join the Allied armies in continental Europe, arriving in Sainte-Mère-Eglise, France, in July, where she hosted a party for the children of Sainte-Mère-Eglise, providing a brief respite from war for the first liberated town in France. Following Allied victories in eastern France and Belgium, Gail accompanied General George Patton and his Third Army into Germany and was one of only two women who served in the Red Cross Aero Club in Berlin.

After the war, while working at the American Alpine Association, Gail met and then married Bob Bates, an educator and mountaineer, and they traveled the world together. Both avid mountaineers, they traveled to many remote areas around the world, including the Andes, the Himalayas, and the

Karakorum Range. In 1962, Bob was recruited by Sargent Shriver to be director of the first group of Peace Corps volunteers in Nepal, and Bob and Gail lived together in Kathmandu, where they made many lifelong friends and invited a young Nepali woman, Tsering Yangdon, who is now a member of their extended family, to study at the University of New Hampshire.

As much as the world called to them, however, Bob and Gail never lost their attachment to and love for their local community. They protected historic New Hampshire buildings and preserved our open spaces and beautiful, wild areas of nature. In 1996, Gail established an endowed fund to permanently support the Robert H. Bates Mountaineering Room at Phillips Exeter Academy in the Class of 1945 Library. The collection contains many of Bob's collected mountaineering books and memorabilia.

As Senator for New Hampshire, I want to honor Gail's lifetime of service and good citizenship. I join with Gail's friends and family, as well as many, many people across the Granite State, in wishing her a very happy 100th birthday.●

TRIBUTE TO SHANE DOAN

● Mr. McCAIN. Mr. President, I come to the floor today to honor a National Hockey League—NHL—legend, an Olympian, and a point of pride for Arizonans. After 21 seasons, 1,540 games, and 972 points scored, Shane Doan can now retire his skates with pride. A pillar in the Arizona community and a legend to hockey fans worldwide, Shane has left an indelible mark on the game, inspiring future generations of hockey players.

Shane's career started in 1992 in the Western Hockey League's Kamloops Blazers—during which the team won back-to-back Memorial Cups. The 1995 Memorial Cup secured Shane the Stafford Smythe Memorial Trophy, honoring him as tournament's Most Valuable Player, MVP. Later that year, Shane was picked up by the NHL as a first-round draft pick with the Winnipeg Jets. Shane excelled with the team, who played him in the Stanley Cup, eventually naming him "Rookie of the Year."

Shane moved with his team to Phoenix, AZ, where he would remain until the end of his career, the 2016–17 season. Throughout his years as an Arizona Coyote, Shane accomplished many personal awards and franchise records, including selection for the 2006 Canadian Olympic Hockey Team, the King Clancy Trophy in 2009–10, the Mark Messier NHL Leadership Award in 2011–12, and selection for the NHL All-Star Team in 2003–04 and again in 2008–09. In December 2015, Shane secured the franchise record for career goals, at 379 goals, and again in February 2016 for

franchise points, at 929 points. Upon his retirement, Shane was the longest serving active captain in the NHL, having lead the Coyotes for 14 years.

As an avid sports fan, I am honored to have had Shane playing for the Arizona Coyotes for 20 years. I have been privileged to get to know Shane over the course of his career and can confidently say that he is a model of leadership and sportsmanship to those around him, both on and off the ice. I join with hockey fans in Arizona and across the world in congratulating Shane on his illustrious career and wish him, his wife, Andrea, and his kids Gracie, Josh, Karys, and Carson all the best as they enter this new chapter of life.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on August 4, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on August 4, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HARRIS) had signed the following enrolled bills:

S. 114. An act to authorize appropriations and to appropriate amounts for the Veterans Choice Program of the Department of Veterans Affairs, to improve hiring authorities of the Department, to authorize major medical facility leases, and for other purposes.

H.R. 374. An act to remove the sunset provision of section 203 of Public Law 105–384, and for other purposes.

H.R. 510. An act to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

H.R. 873. An act to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

H.R. 2210. An act to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center".

H.R. 2430. An act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

H.R. 3218. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bills were signed on August 4, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on August 11, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 339) to amend Public Law 94–241 with respect to the Northern Mariana Islands.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2288) to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on August 11, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mrs. COMSTOCK) had signed the following enrolled bills and joint resolution:

H.R. 339. An act to amend Public Law 94–241 with respect to the Northern Mariana Islands.

H.R. 2288. An act to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs and for other purposes.

H.J. Res. 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bills and joint resolution were signed on August 11, 2017, during the adjournment of the Senate, by the Acting President pro tempore (Mr. McCONNELL).

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 4003(e) of the 21st Century Cures Act (Public Law 114-255), the Minority Leader appoints the following individual on the part of the House of Representatives to the Health Information Technology Advisory Committee: Mr. Arien Malec of Oakland, California.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1757. A bill to strengthen border security, increase resources for enforcement of immigration laws, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on August 7, 2017, she had presented to the President of the United States the following enrolled bill:

S. 114. An act to authorize appropriations and to appropriate amounts for the Veterans Choice Program of the Department of Veterans Affairs, to improve hiring authorities of the Department, to authorize major medical facility leases, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2462. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Beta Cyclodextrin, Methyl Ethers; Exemption from the Requirement of a Tolerance" (FRL No. 9963-58) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2463. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyclaniliprole; Pesticide Tolerances and Exemption from the Requirement of a Tolerance" (FRL No. 9963-02) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2464. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ethaboxam; Pesticide Tolerances" (FRL No. 9961-69) received in the Office of

the President of the Senate on August 1, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2465. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of Defense 2017 Major Automated Information System (MAIS) Annual Reports (MARs) and an index of the 35 MARs; to the Committee on Armed Services.

EC-2466. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-2467. A communication from the Acting Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Designation of Alpha-Phenylacetone nitrile (APAAAN), a Precursor Chemical Used in the Illicit Manufacture of Phenylacetone, Methamphetamine, and Amphetamine, as a List I Chemical" ((RIN1117-ZA04) (Docket No. DEA-379)) received in the Office of the President of the Senate on August 1, 2017; to the Committee on the Judiciary.

EC-2468. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Privacy Act of 1974; Implementation" (CPCLD Order No. 007-2017) received in the Office of the President of the Senate on July 26, 2017; to the Committee on the Judiciary.

EC-2469. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Test Methods, Performance Specifications, and Testing Regulations for Air Emission Sources; Technical Correction" (FRL No. 9965-63-OAR) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2470. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Connecticut; Infrastructure Requirement for the 2010 Sulfur Dioxide National Ambient Air Quality Standard" (FRL No. 9965-52-Region 1) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2471. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Kentucky; Infrastructure Requirements for the 2012 PM_{2.5} National Ambient Air Quality Standard" (FRL No. 9965-56-Region 4) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2472. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Georgia; New Source Review and Permitting Updates" (FRL No. 9965-60-Region 4) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2473. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9965-26-Region 9) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2474. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming; Negative Declarations; Correction" (FRL No. 9965-11-Region 8) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2475. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Nevada; Regional Haze Progress Report" (FRL No. 9964-74-Region 9) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2476. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming; Negative Declarations" (FRL No. 9965-78-Region 8) received in the Office of the President of the Senate on August 1, 2017; to the Committee on Environment and Public Works.

EC-2477. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "The Department of General Services Needs Guidance and Assistance to Develop Effective Internal Controls"; to the Committee on Homeland Security and Governmental Affairs.

EC-2478. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Sufficiency Certification for the Washington Convention and Sports Authority (Trading as Events DC) Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-2479. A communication from the Associate General Counsel, Office of the General Counsel, Department of Agriculture, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary of Agriculture, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2480. A communication from the Associate General Counsel, Office of the General Counsel, Department of Agriculture, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Research, Education, and Economics, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2481. A communication from the Associate General Counsel, Office of the General

Counsel, Department of Agriculture, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2482. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2483. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2484. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Joseph P. Aucoin, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2485. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled "Section 721 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), 7-Year Update, Longitudinal Study on Traumatic Brain Injury Incurred by Members of the Armed Forces in Operation Iraqi Freedom and Operation Enduring Freedom"; to the Committee on Armed Services.

EC-2486. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2487. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Delaware County, IN, Unincorporated Areas)" ((44 CFR Part 64) (Docket No. FEMA-2017-0002)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2488. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Recordkeeping Requirements for Qualified Financial Contracts" (RIN3064-AE54) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2489. A communication from the Regulatory Liaison, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Repeal of Consolidated Federal Oil and Gas and Federal and Indian Coal Valuation Reform" (RIN1012-AA20) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2017; to the Committee on Energy and Natural Resources.

EC-2490. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the

report of a rule entitled "Energy Conservation Program: Test Procedure for Dedicated-Purpose Pool Pumps" ((RIN1904-AD66) (Docket No. EERE-2016-BT-TP-0002)) received in the Office of the President of the Senate on August 7, 2017; to the Committee on Energy and Natural Resources.

EC-2491. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Placer County Air Pollution Control District" (FRL No. 9965-90-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2492. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Open Burning" (FRL No. 9965-75-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2493. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "SC: Revisions to New Source Review Rules" (FRL No. 9965-85-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2494. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Regional Haze Five-Year Progress Report State Implementation Plan" (FRL No. 9965-73-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2495. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Mississippi: Prevention of Significant Deterioration Updates" (FRL No. 9965-70-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2496. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Florida; Infrastructure Requirements for the 2010 NO₂ NAAQS" (FRL No. 9965-83-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2497. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Alaska: Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9965-76-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to

the Committee on Environment and Public Works.

EC-2498. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approvals, Idaho: Logan Utah/Idaho PM_{2.5} Nonattainment Area" (FRL No. 9965-67-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Environment and Public Works.

EC-2499. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for Fiscal Year 2018, SNF Value-Based Purchasing Program, SNF Quality Reporting Program, Survey Team Composition, and Correction of the Performance Period for the NHSN HCP Influenza Vaccination Immunization Reporting Measure in the ESRD QIP for PY 2020" ((RIN0938-AS98) (CMS-1677-F)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Finance.

EC-2500. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization (QIO) Program for Medicare Beneficiaries for Fiscal Year (FY) 2015"; to the Committee on Finance.

EC-2501. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Fiscal Year 2018 Inpatient Psychiatric Facilities Prospective Payment System—Rate Update" ((RIN0938-AS97) (CMS-1673-NC)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Finance.

EC-2502. A communication from the Correspondence and Regulation Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2018" ((RIN0938-AS99) (CMS-1671-F)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Finance.

EC-2503. A communication from the Correspondence and Regulation Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Fiscal Year 2018 Hospice Wage Index and Payment Rate Update and Hospice Quality Reporting Requirements" ((RIN0938-AT00) (CMS-1675-F)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Finance.

EC-2504. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting on Minimum Essential Coverage Under a Catastrophic Plan" (Notice 2017-41) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Finance.

EC-2505. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "One-Year Delay in the Application of Subsection 1.385-2" (Notice 2017-36) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Finance.

EC-2506. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of the Phase-In Period for the Enforcement and Administration of Section 871(m)" (Notice 2017-42) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Finance.

EC-2507. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year 2018 Rates; Quality Reporting Requirements for Specific Providers; Medicare and Medicaid Electronic Health Record (EHR) Incentive Program Requirements for Eligible Hospitals, Critical Access Hospitals, and Eligible Professionals; Provider-Based Status of Indian Health Service and Tribal Facilities and Organizations; Costs Reporting and Provider Requirements; Agreement Termination Notices" ((RIN0938-AS98) (CMS-1677-F)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Finance.

EC-2508. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the designation of a group as a Foreign Terrorist Organization by the Secretary of State (OSS-2017-866); to the Committee on Foreign Relations.

EC-2509. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Teacher Preparation Issues" (RIN1840-AD07) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2510. A communication from the General Counsel, National Endowment for the Humanities, transmitting, pursuant to law, a report relative to a vacancy in the position of Chairperson, National Endowment for Humanities, received in the Office of the President of the Senate on August 3, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2511. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Critical Work of the Child Fatality Review Committee Should Build on Recent Reforms"; to the Committee on Homeland Security and Governmental Affairs.

EC-2512. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the Physicians' Comparability Allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC-2513. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 22-123, "Commission on the Arts and Humanities Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2514. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Federal Emergency Management Agency, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2515. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2516. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States" for the March 2017 session; to the Committee on the Judiciary.

EC-2517. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act during fiscal year 2016; to the Committee on the Judiciary.

EC-2518. A communication from the Assistant Attorney General, transmitting, pursuant to law, a report relative to grants made under the Paul Coverdell National Forensic Science Improvement Grants Program; to the Committee on the Judiciary.

EC-2519. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Ensuring a Safe Environment for Community Residential Care Residents" (RIN2900-AP06) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Veterans' Affairs.

EC-2520. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Loan Guaranty: Vendee Loan Fees" (RIN2900-AP32) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Veterans' Affairs.

EC-2521. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, National Preparedness, Federal Emergency Management Agency, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2522. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine City Maritime Festival Water Ski Show, St. Clair River, Marine City, MI" ((RIN1625-AA00) (Docket No. USCG-2017-0688)) received in the Office of the President of the Senate on August 3, 2017; to

the Committee on Commerce, Science, and Transportation.

EC-2523. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Canal Fest Water Ski Show; Erie Canal System, Fish Creek, Sylvan Beach, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0385)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2524. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Main Branch of the Chicago River, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2017-0331)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2525. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Oswego County Paddlefest; Oswego River, Oswego, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0666)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2526. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Milwaukee Air and Water Show, Milwaukee Harbor; Milwaukee, Wisconsin" ((RIN1625-AA00) (Docket No. USCG-2017-0419)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2527. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cleveland Parade of Lights Boat Parade; Cuyahoga River, Cleveland, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0482)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2528. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Oswego Harborfest Water Ski Show; Oswego Harbor, Oswego, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0576)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2529. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Michigan, Calumet Harbor, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2017-0581)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2530. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 28th Annual Lake Erie Open Water Swim; Lake Erie, Cleveland, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0675)) received in the Office of the President

of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2531. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Atlantic Ocean, Ft. Lauderdale, FL" ((RIN1625-AA00) (Docket No. USCG-2017-0670)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2532. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kosciuszko Bridge Approach Spans Demolition, Newtown Creek, Brooklyn and Queens, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0486)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2533. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Whiskey Island Paddlefest, Lake Erie, Cleveland, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0534)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2534. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Commencement Bay, Tacoma, WA" ((RIN1625-AA00) (Docket No. USCG-2017-0733)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2535. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ogdensburg Summer Seaqay Festival; Saint Lawrence Seaway, Ogdensburg, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0714)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2536. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Selfridge Air Show, Clinton River, Harrison Township, MI" ((RIN1625-AA00) (Docket No. USCG-2017-0619)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2537. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pleasure Beach Piers, Bridgeport, CT" ((RIN1625-AA00) (Docket No. USCG-2015-1088)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2538. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Madison Light Up the Park Fireworks Display; Lake Erie, Madison Township, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0549)) received in the Office of the President of the Senate on August 3, 2017; to

the Committee on Commerce, Science, and Transportation.

EC-2539. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; BASS Master Fireworks Display; Saint Lawrence River, Ogden Island, Waddington, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0386)) received during adjournment of the Senate in the Office of the President of the Senate on August 4, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2540. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; St. Louis River (Duluth-Superior Harbor), between the towns of Duluth, MN and Superior, WI" ((RIN1625-AA09) (Docket No. USCG-2017-0212)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2541. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Connecticut River, East Haddam, CT" ((RIN1625-AA09) (Docket No. USCG-2016-1006)) received in the Office of the President of the Senate on August 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2542. A communication from the Division Chief, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Promotion Spectrum Access for Wireless Microphone Operations, Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, and Repurposed 600 MHz Band . . ." ((GN Docket No. 14-166; ET Docket No. 14-165; GN Docket No. 12-268; WT Docket No. 08-166; WT Docket No. 08-167; and ET Docket No. 10-24) (FCC 17-95)) received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2543. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Under Secretary of Transportation for Policy, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2544. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of General Counsel, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2545. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Governmental Affairs, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2546. A communication from the Attorney-Advisor, Office of General Counsel, De-

partment of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Maritime Administrator, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2547. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Railroad Administration, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2548. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Highway Administration, received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2549. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Hass Avocados From Columbia" ((RIN0579-AE29) (Docket No. APHIS-2016-0022)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2550. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1-Triacontanol; Exemption from the Requirement of a Tolerance" (FRL No. 9964-94) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2551. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prothioconazole; Pesticide Tolerances" (FRL No. 9964-40) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2552. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fatty acids, rape-oil, triesters with polyethylene glycol ether with glycerol (3:1); Tolerance Exemption" (FRL No. 9964-53) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2553. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the 2016 annual report on the Farm Credit System; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2554. A communication from the Acting Administrator of the Livestock, Poultry, and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes" (Docket No. AMS-LPS-16-0051) received during adjournment of the Senate in the Office of the

President of the Senate on August 16, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2555. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the 2016 annual report on the Farm Credit System; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Potassium salts of naphthalenesulfonic acids formaldehyde condensates; Exemption from the Requirement of a Tolerance" (FRL No. 9964-21) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Poly(oxy-1,2-ethanediyl), a-isoctyl-w-hydroxy; Exemption from the Requirement of a Tolerance" (FRL No. 9963-98) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2558. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Admiral Michelle J. Howard, United States Navy, and her advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-2559. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-2560. A communication from the Acting Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2561. A communication from the Acting Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Under Secretary of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2562. A communication from the Acting Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2563. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Occupational Radiation Protection" (RIN1992-AA51) received during adjournment of the Senate in the Of-

fice of the President of Senate on August 15, 2017; to the Committee on Energy and Natural Resources.

EC-2564. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC-2565. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Procedure 2—Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources" (FRL No. 9966-25-OAR) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2566. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2010 SO₂ and 2012 PM_{2.5} National Ambient Air Quality Standards; South Dakota" (FRL No. 9965-05-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2567. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2010 SO₂ and 2012 PM_{2.5} National Ambient Air Quality Standards; Colorado" (FRL No. 9966-06-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2568. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delaware: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9965-87-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2569. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Water Act Methods Update Rule for the Analysis of Effluent" (FRL No. 9957-24-OW) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2570. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to Implement the Revocation of the 1997 Ozone NAAQS" (FRL No. 9966-31-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2571. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Air Plan Approval; Vermont; Regional Haze Five-Year Progress Report" (FRL No. 9966-37-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2572. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "SC: Standards for Volatile Organic Compounds and Oxides of Nitrogen" (FRL No. 9966-22-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2573. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; NC; Air Curtain Burners" (FRL No. 9966-24-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2574. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Connecticut; Non-attainment New Source Review Permit Requirements for the 2008 8-Hour Ozone Standard" (FRL No. 9965-92-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2575. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Alabama; Transportation Conformity" (FRL No. 9966-29-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2017; to the Committee on Environment and Public Works.

EC-2576. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval SC: Multiple Revisions to Air Pollution Control Standards" (FRL No. 9966-20-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2577. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; North Carolina: Transportation Conformity" (FRL No. 9966-41-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2578. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Alabama; PSD Replacement Units" (FRL No. 9966-47-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2579. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; AL; VOC Definitions and Particulate Emissions" (FRL No. 9966-38-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2580. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Iowa; Amendment to the Administrative Consent Order, Grain Processing Corporation, Muscatine, Iowa" (FRL No. 9966-59-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2581. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; SC: Miscellaneous Revisions to Multiple Rules" (FRL No. 9966-34-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2582. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Community Right-to-Know; Adopting 2017 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting" (RIN2070-AK32) (FRL No. 9964-77) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Environment and Public Works.

EC-2583. A communication from the National Permits Coordinator, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Control Order for Introduced Migratory Bird Species in Hawaii" (RIN1018-AZ69) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Environment and Public Works.

EC-2584. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Seasons and Bag and Possession Limits for Certain Migratory Game Birds" (RIN1018-BB40) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Environment and Public Works.

EC-2585. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Subsistence Harvest in Alaska; Use of Inedible Bird Parts in Authentic Alaska Native Handicrafts for Sale" (RIN1018-BB24) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Environment and Public Works.

EC-2586. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry: Alternative

Monitoring Method" (FRL No. 9966-64-OAR) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Environment and Public Works.

EC-2587. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia: Permit Exemptions and Definitions; Withdrawal" (FRL No. 9966-66-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2017; to the Committee on Environment and Public Works.

EC-2588. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2016 National Healthcare Quality and Disparities Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-2589. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Teacher Preparation Issues" (RIN1840-AD07) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2590. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-125, "Childhood Lead Exposure Prevention Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2591. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-126, "Duvall Court Designation Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2592. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-127, "Ebenezer Court Designation Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2593. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-128, "Inclusionary Zoning Consistency Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2594. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-129, "Brishell Jones Way Designation Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2595. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-139, "Glick Court Designation Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2596. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-140, "McGill Alley Designation Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2597. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Fiscal Year

2016 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Homeland Security and Governmental Affairs.

EC-2598. A communication from the Acting Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2017; to the Committee on Finance.

EC-2599. A communication from the Acting Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2017; to the Committee on Finance.

EC-2600. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau of Legislative and Public Affairs, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2601. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2602. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2603. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2604. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Democracy, Conflicts, and Humanitarian Assistance, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2605. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Democracy, Conflicts, and Humanitarian Assistance, U.S. Agency for International Development (USAID), received during adjournment of the

Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2606. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Deputy Administrator, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2607. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Administrator, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2608. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Administrator, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Foreign Relations.

EC-2609. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0142—2017-0148); to the Committee on Foreign Relations.

EC-2610. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the 2016 annual report on voting practices in the United Nations and the Uniform Resource Locator (URL) for the report; to the Committee on Foreign Relations.

EC-2611. A communication from the Assistant Secretary for Indian Affairs, Department of the Interior, transmitting, pursuant to law, two (2) reports entitled “Indian Dam Safety” and “Irrigation”; to the Committee on Indian Affairs.

EC-2612. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended” (RIN1400-AD30) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2017; to the Committee on the Judiciary.

EC-2613. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to the foreign aviation authorities to which the Administration provided services during fiscal year 2016; to the Committee on Commerce, Science, and Transportation.

EC-2614. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9393)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2615. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9572)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2616. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9498)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2617. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9567)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2618. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9516)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2619. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9501)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2620. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9506)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2621. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2015-3637)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2622. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Sikorsky Aircraft Corpora-

tion Helicopters” ((RIN2120-AA64) (Docket No. FAA-2016-5443)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2623. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters (Type Certificate Previously Held by Schweizer Aircraft Corporation)” ((RIN2120-AA64) (Docket No. FAA-2016-6968)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2624. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshift Engines” ((RIN2120-AA64) (Docket No. FAA-2017-0115)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2625. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Fokker Services B.V. Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-9389)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2626. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc., Airplanes” ((RIN2120-AA64) (Docket No. FAA-2017-0696)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2627. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bell Helicopter Textron, Inc. (Bell) Helicopters” ((RIN2120-AA64) (Docket No. FAA-2017-0701)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2628. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; CFM International S.A. Turbomeca Engines” ((RIN2120-AA64) (Docket No. FAA-2016-9592)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2629. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; International Aero Engines

AG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2017-0021)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2630. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0157)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2631. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (70); Amdt. No. 3753" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2632. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (109); Amdt. No. 3751" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2633. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Orange City, IA" ((RIN2120-AA66) (Docket No. FAA-2017-0284)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2634. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Albany, GA" ((RIN2120-AA66) (Docket No. FAA-2016-9488)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2635. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Fayetteville, TN" ((RIN2120-AA66) (Docket No. FAA-2017-0070)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2636. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Laurel, MS" ((RIN2120-AA66) (Docket No. FAA-2017-0071))

received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2637. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Medford, OR" ((RIN2120-AA66) (Docket No. FAA-2017-0195)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2638. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Asburn, GA" ((RIN2120-AA66) (Docket No. FAA-2013-0442)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2639. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace for the following Texas Towns; Sherman, TX; and Temple, TX, and Establishment of Class E Airspace, Temple, TX" ((RIN2120-AA66) (Docket No. FAA-2016-9544)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2640. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Morgantown, WV" ((RIN2120-AA66) (Docket No. FAA-2016-9480)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2641. A communication from the Deputy Chief of the Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services" ((WT Docket No. 10-112) (FCC 17-105)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2642. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-2643. A communication from the Vice Chairman and Executive Director of the Administrative Conference of the United States, transmitting, a report of two recommendations adopted by the Administrative Conference of the United States at its 67th Plenary Session; to the Committee on

Homeland Security and Governmental Affairs.

EC-2644. A communication from the Acting Special Counsel, Office of the Special Counsel, transmitting, pursuant to law, a report entitled "Annual Report to Congress for Fiscal Year 2016" and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-2645. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Nurse Corps Loan Repayment and Scholarship Programs Report to Congress for Fiscal Year 2016"; to the Committee on Health, Education, Labor, and Pensions.

EC-2646. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Annual Progress Report to Congress on the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory Program"; to the Committee on Health, Education, Labor, and Pensions.

EC-2647. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs"; to the Committee on Health, Education, Labor, and Pensions.

EC-2648. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Health Service Corps Report to Congress for the Year 2016"; to the Committee on Health, Education, Labor, and Pensions.

EC-2649. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Premarket Approval of Pediatric Uses of Devices—Fiscal Year 2016"; to the Committee on Health, Education, Labor, and Pensions.

EC-2650. A communication from the Executive Director of the National Advisory Committee on Institutional Quality and Integrity, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the National Advisory Committee's Annual Report on Institutional Quality and Integrity for Fiscal Year 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2651. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Device Classification Procedures; Change of Address; Technical Amendment" (Docket No. FDA-2013-N-1529) received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2652. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Gamma-Linolenic Acid Safflower Oil" ((RIN0910-ZA48) (Docket No. FDA-2012-F-0949)) received during adjournment of the

Senate in the Office of the President of the Senate on August 21, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2653. A communication from the Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0908); to the Committee on Foreign Relations.

EC-2654. A communication from the Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0907); to the Committee on Foreign Relations.

EC-2655. A communication from the Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0909); to the Committee on Foreign Relations.

EC-2656. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to the United Kingdom and Germany to support the integration, installation, operation, testing, and use of Inertial Measurement Units in the Paveway Program in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-064); to the Committee on Foreign Relations.

EC-2657. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Schedule for Rating Disabilities; Dental and Oral Conditions" (RIN2900-AP08) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2017; to the Committee on Veterans' Affairs.

EC-2658. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0927); to the Committee on Foreign Relations.

EC-2659. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2660. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of a vacancy for the position of Under Secretary for Management, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2661. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmit-

ting, pursuant to law, the report of a vacancy for the position of Under Secretary for Management, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2662. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of a vacancy for the position of General Counsel, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2663. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of a vacancy for the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Select Committee on Intelligence.

EC-2664. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, the report of a vacancy for the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Select Committee on Intelligence.

EC-2665. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port Huron Float-Down, St. Clair River, Port Huron, MI" ((RIN1625-AA00) (Docket No. USCG-2017-0764)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2666. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; St. Mary's River, Sault Ste. Marie, MI" ((RIN1625-AA00) (Docket No. USCG-2017-0789)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2667. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Willamette River, Lake Oswego, OR" ((RIN1625-AA00) (Docket No. USCG-2017-0772)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2668. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pacific Gas and Electric Evolution, King Salmon, CA" ((RIN1625-AA00) (Docket No. USCG-2017-0699)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2669. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Great Lakes—Regulated Navigation Areas and Safety Zones" ((RIN1625-AA00) (Docket No. USCG-2017-0084)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2670. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Demolition of SC-41 Bridge, Wando River, Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2017-0348)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2671. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; South Branch of the Chicago River, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2017-0702)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2672. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Stampede TLP, Green Canyon 468, Outer Continental Shelf on the Gulf of Mexico" ((RIN1625-AA00) (Docket No. USCG-2017-0110)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2673. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Ice Covered Waterways in the Fifth Coast Guard District" ((RIN1625-AA00) (Docket No. USCG-2015-0051)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2674. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Choptank River, Cambridge, MD" ((RIN1625-AA08) (Docket No. USCG-2017-0571)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2675. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Mobile River, Mobile, AL" ((RIN1625-AA08) (Docket No. USCG-2017-0710)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2676. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Islamorada Grand Prix of the Seas, Islamorada, FL" ((RIN1625-AA08) (Docket No. USCG-2017-0556)) received during adjournment of the Senate in the Office of the President of the Senate on August

23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2677. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Potomac River, National Harbor, MD" ((RIN1625-AA08) (Docket No. USCG-2017-0654)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2678. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, New Smyrna Beach, FL" ((RIN1625-AA09) (Docket No. USCG-2017-0205)) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2679. A communication from the Acting Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2017 Update" (Docket No. EP 542) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2680. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; Universal Service Reform-Mobility Fund" ((FCC 17-102) (WC Docket No. 10-90 and WT Docket No. 10-208)) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2681. A communication from the Chief of Staff, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; ETC Annual Reports and Certifications" ((FCC 17-87) (WC Docket No. 10-90 and WC Docket No. 14-58)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2682. A communication from the Assistant Bureau Chief for Management, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of Section 25.281(b) Transmitter Identification Requirements for Video Uplink Transmissions" ((FCC 17-100) (IB Docket No. 12-267)) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2683. A communication from the Acting Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 1, 2, 15, 90, and 95 of the Commission's Rules to Permit Radar Services in the 76-81 GHz Band" ((FCC 17-94) (ET Docket No. 15-26)) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2684. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2685. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of August 3, 2017, the following reports of committees were submitted on August 18, 2017:

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. 1761. An original bill to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 772. A bill to amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants (Rept. No. 115-147).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted on August 3, 2017:

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

*Brenda Burman, of Arizona, to be Commissioner of Reclamation.

*Douglas W. Domenech, of Virginia, to be an Assistant Secretary of the Interior.

*Susan Combs, of Texas, to be an Assistant Secretary of the Interior.

*Paul Dabbar, of New York, to be Under Secretary for Science, Department of Energy.

*Mark Wesley Menezes, of Virginia, to be Under Secretary of Energy.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

On August 18, 2017, under the authority of the order of the Senate of August 3, 2017, the following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR:

S. 1761. An original bill to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TESTER:

S. 1762. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify when certain academic assessments shall be administered; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 1763. A bill for the relief of Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, and Vianney Esbeydi Sanchez Mendoza; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr.

PAUL, Mrs. GILLIBRAND, Mr. LEE, Mr.

FRANKEN, and Ms. MURKOWSKI):

S. 1764. A bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 170

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 170, a bill to provide for non-preemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 206

At the request of Mr. KAINE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 337

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine

(Mr. KING) was added as a cosponsor of S. 337, a bill to provide paid family and medical leave benefits to certain individuals, and for other purposes.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 397

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 397, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 425

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 430

At the request of Mr. COTTON, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 430, a bill to provide for compliance enforcement regarding Russian violations of the Intermediate-Range Nuclear Forces (INF) Treaty, and for other purposes.

S. 431

At the request of Mr. THUNE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 526

At the request of Mrs. FISCHER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 526, a bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

S. 537

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 537, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 611

At the request of Mrs. FEINSTEIN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 611, a bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 705

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 705, a bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

S. 732

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 732, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 808

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 811

At the request of Mr. ENZI, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 811, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 816

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 816, a bill to amend the Internal Revenue Code of 1986 to allow rollovers from 529 programs to ABLE accounts.

S. 817

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 817, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 818

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 818, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 856

At the request of Mrs. MCCASKILL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 856, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

S. 873

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Ms. DUCKWORTH) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 873, a bill to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund.

S. 910

At the request of Mr. SCHUMER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1034

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1034, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1158

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1158, a bill to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

S. 1256

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1256, a bill to award a Congressional

Gold Medal to the 23d Headquarters, Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a "Ghost Army" that conducted deception operations in Europe during World War II.

S. 1292

At the request of Mr. RUBIO, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1292, a bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes.

S. 1437

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1437, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 1538

At the request of Mr. PETERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1538, a bill to amend the Small Business Act to establish awareness of, and technical assistance for, the creation of employee stock ownership plans, and for other purposes.

S. 1568

At the request of Mr. MARKEY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Maryland (Mr. CARDIN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Vermont (Mr. SANDERS), the Senator from Delaware (Mr. COONS), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Mrs. FEINSTEIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1580

At the request of Mr. RUBIO, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1580, a bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 1613

At the request of Mr. RISCH, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1613, a bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize

the funding of wildlife conservation, and for other purposes.

S. 1615

At the request of Mr. GRAHAM, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 1615, a bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 1636

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1636, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 1659

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1659, a bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions.

S. 1676

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1676, a bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes.

S. 1718

At the request of Mr. NELSON, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1742

At the request of Ms. STABENOW, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1742, a bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 55 to 64 to buy into Medicare.

S. 1752

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1752, a bill to amend the Healthy Forests Restoration Act of 2003 to expedite wildfire prevention projects to reduce the risk of wildfire on certain high-risk Federal land, and for other purposes.

S.J. RES. 47

At the request of Mr. CRAPO, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S.J. Res. 47, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United

States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements".

S. RES. 154

At the request of Mr. JOHNSON, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 154, a resolution promoting awareness of motorcycle profiling and encouraging collaboration and communication with the motorcycle community and law enforcement officials to prevent instances of profiling.

AMENDMENT NO. 522

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 522 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 523

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 523 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 592

At the request of Mr. DURBIN, the names of the Senator from California (Ms. HARRIS) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 594

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 594 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 687

At the request of Ms. WARREN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of

amendment No. 687 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1763 A bill for the relief of Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, and Vianney Esbeydi Sanchez Mendoza; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I offer private immigration relief legislation to provide an immigrant visa or lawful permanent resident status to Maria Mendoza Sanchez, Eusebio Sanchez, and Vianney Sanchez. The family represents the essence of the American dream. I believe they merit Congress' special consideration for this relief.

In August 2014, my office assisted Maria and Eusebio with Immigration and Customs Enforcement (ICE) during their request for a stay of removal. Under the previous administration, ICE found that their case was worthy of a favorable exercise of discretion. This was an acknowledgement that they posed no public safety risk, had no criminal records, and therefore should not be priorities for deportation.

Despite this, in 2017, the Trump administration, told Maria and Eusebio that they were no longer eligible for a stay of removal and that they should prepare for deportation. Mario and Eusebio pled with ICE to reconsider this sudden change in policy and I supported their request—believing it would be senseless and callous to remove them from our Country. However, all possible avenues to delay their deportation were denied by immigration officials.

In August 2017, after living productive lives in this Country for 23 years, Maria and Eusebio were deported back to Mexico. Their deportation was truly heartbreaking for me, their family, and their community. I personally met Maria and Eusebio and can attest that they are the kind of people we should welcome into the United States with open arms. They are hardworking, law-abiding people who have been self-supporting, have paid their taxes, and owned a home in East Oakland.

Prior to her deportation, Maria worked as a registered nurse in a local hospital in Oakland, CA. She provided care to patients afflicted with conditions such as trauma, stroke, and cancer. Her supervisor said that her "genuine compassion, appreciation for her work, and deep knowledge of nursing practices made her an excellent addi-

tion to [our hospital]." Another letter of support said that Maria "is a great asset to our hospital, community, and country. She is the epitome of what Americans should be." Maria's bilingual skills made her a strategic asset in assisting patients at work, which serves uninsured, underserved, and low-income populations. Her deportation is a great loss to many of the patients that relied on her critical assistance as they went through medical treatment.

Similar to Maria, Eusebio was a hardworking contributor to their community. He was a truck driver for a San Francisco-based company, and his employer has described him as "very reliable, trustworthy, [a] team player, and exceptional worker." His friends describe him as someone who "is a good person, responsible at work, willing to help when we need assistance."

Together, Eusebio and Maria have raised four children—three of whom are U.S. citizens. Their oldest daughter, Vianney, age 23, has protection under the Deferred Action for Childhood Arrivals, DACA, program. She graduated from the University of California at Santa Cruz with a degree in Psychology. She has aspirations of using her education to work in public service and help her community. She is passionate about doing work that allows her to focus on improving the lives of residents of Oakland and the Bay Area. As a result of Maria and Eusebio's deportation, Vianney will be assuming responsibility of her two younger sisters. I believe that Vianney's determination to make sure her sisters are properly cared for, after dealing with the crushing experience of being separated from her parents, is a testament to her remarkable strength and resilience, and a sign of the kind of values instilled in her by her now deported parents.

The Sanchez's second daughter, Melin, age 21, is a U.S. citizen. She is currently enrolled at the University of California at Santa Cruz, where she is studying molecular cell and developmental biology. She has aspirations of becoming a pediatrician. Maria and Eusebio paid her college tuition and supported her as she studied for the MCAT and volunteered at a hospital. Their deportation leaves Melin's college tuition in peril.

The Sanchez's third daughter, Elizabeth, age 16, is a U.S. citizen and is currently enrolled at the NEA Community Learning Center in Alameda. Elizabeth was diagnosed with a speech delay and learning disabilities at a young age, but with the support of her parents, was able to make great progress and is doing well in school. She needs the support of her parents and continuing to separate her from them will significantly affect her ability to pursue her dreams.

The Sanchez's son, Jesus, age 12, is a U.S. citizen. He was born with a con-

genital heart disease, which requires continued medical attention. Jesus has accompanied his parents on their return to Mexico. Maria and Eusebio's deportation will have an extraordinary impact on Jesus. He can no longer continue his education in the U.S., the only Country he has ever known. Additionally, Jesus obtained health insurance coverage for his medical condition through his parents. As a result of their deportation, he will lose access to medical care in the U.S.

Maria, Eusebio, and Vianney have become respected members of their community in California. This is exemplified in the overwhelming support they received to shield them from deportation. Separating this family is not what our country stands for. Maria and Eusebio want nothing more than to continue to provide for their children and continue contributing to this great country they called home. Their deportation has greatly affected their ability to do so.

I believe that Maria and Eusebio's deportation has been a tremendous loss for their children and community. In addition, I believe Vianney needs further protection. This family warrants our compassion, and I will keep fighting for them.

I ask my colleagues to support this private bill.

AMENDMENTS SUBMITTED AND PROPOSED

SA 774. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 775. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 776. Mr. VAN HOLLEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 777. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 778. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 779. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 780. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 781. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 782. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her

to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 783. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 784. Mr. WICKER (for himself, Mr. THUNE, Mr. PETERS, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 785. Mr. WICKER (for himself, Mr. THUNE, Mr. PETERS, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 786. Mr. WICKER (for himself, Mr. THUNE, Mr. PETERS, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 787. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1107, to amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges, and for other purposes.

SA 788. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 774. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON THE GLOBAL FOOD SYSTEM AND VULNERABILITIES RELEVANT TO DEPARTMENT OF DEFENSE MISSIONS.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the heads of such components of the Department of Defense as the Secretary considers appropriate, submit to the congressional defense committees an assessment of Department of Defense policies and operational plans for addressing the national security implications of global food system vulnerabilities.

(b) **CONTENTS.**—The report required by subsection (a) shall include, at a minimum, the following:

(1) An evaluation of vulnerabilities in the global food system that may affect the national security of the United States and the Department of Defense roles, missions, and capabilities in addressing such vulnerabilities, including information technology, data management, and surveillance capabilities for detection and assessment of food system shocks with the potential to result in the deployment of the Armed Forces or directly affect bilateral security interests with allies or partners.

(2) A characterization of how Department of Defense strategy, policies, and plans, including the Unified Command Plan, defense planning scenarios, operational plans, theater cooperation plans, and other relevant planning documents and procedures, account for food system vulnerabilities as precursors to and components of protracted major state conflicts, civil wars, insurgencies, or terrorism.

(3) An evaluation of United States interests, including the interests of allies and strategic partners, and potential United States military operations, including thresholds for ordering such operations, in regions where food system instability represents an urgent and growing threat, including due to the presence of destabilizing non-state actors who may weaponize access to food.

(4) An identification of opportunities to initiate or further develop cooperative military to military relationships to build partner capacity to avoid, minimize, or control global and regional food system shocks.

SA 775. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. _____. FULL AND OPEN COMPETITION FOR PROCUREMENT OF GROUND MOBILITY VEHICLE OF THE ARMY.

The Secretary of the Army shall initiate a full and open competition during fiscal year 2018 for the procurement of a commercially available off-the-shelf Ground Mobility Vehicle that meets Army Airborne Infantry Brigade Combat Team requirements.

SA 776. Mr. VAN HOLLEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XV, add the following:

SEC. _____. REPORT ON BUDGET REQUESTS FOR FUNDING FOR THE DEPARTMENT OF DEFENSE FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) In a January 18, 2017 report issued by the U.S. Government Accountability Office (GAO) on the Department of Defense's Overseas Contingency Operations, the GAO found that the criteria developed in 2010 by the Office of Management and Budget (OMB) in collaboration with the Department of Defense (DoD) for determining whether items belonged in the base budget or in OCO were outdated.

(2) The GAO also found that these outdated criteria did not address the full scope of ac-

tivities included in DoD's fiscal year 2017 OCO budget request.

(3) According to the GAO, DoD officials agree that updated guidance is not needed but noted that OMB deferred the decision to update criteria until the new administration was in place in 2017.

(4) The GAO also found that, without reevaluating and revising the criteria, decision makers may be hindered in their ability to set priorities and make funding trade-offs.

(5) In response to these findings, the GAO recommends that DOD, in collaboration with OMB, reevaluate and revise the criteria for determining what can be included in DOD's OCO budget requests; and that DOD develop a complete and reliable estimate of enduring OCO costs to report in future budget requests.

(b) **REPORT.**—Not later than December 31, 2017, the Secretary of Defense shall, with the concurrence of the Director of the Office of Management and Budget, submit to the congressional defense committees a report setting forth the following:

(1) The criteria used by the Department of Defense to determine whether funds requested for the Department for a fiscal year for purposes of the budget of the President for the fiscal year (as submitted to Congress pursuant to section 1105 of title 31, United States Code) are to be requested as funds for the Department for programs, activities, and operations for the fiscal year for overseas contingency operations.

(2) A current estimate of the recurring annual costs of the Department for programs, activities, and operations for overseas contingency operations.

SA 777. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3101, add the following:

(c) MODIFICATION OF AUTHORITY TO CARRY OUT ALBUQUERQUE COMPLEX UPGRADES CONSTRUCTION PROJECT.—

(1) **IN GENERAL.**—The Administrator for Nuclear Security may enter into an incrementally funded contract for Project 16-D-515, the Albuquerque Complex upgrades construction project, Albuquerque, New Mexico.

(2) **LIMITATION.**—The total cost for the Albuquerque Complex upgrades construction project may not exceed \$174,700,000.

(3) FUNDING OF INCREMENTS.—

(A) **INCREMENT 1.**—The amount authorized to be appropriated by section 3101 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2754) for fiscal year 2017 and available for Project 16-D-515 as specified in the funding table in section 4701 of that Act (Public Law 114-328; 130 Stat. 2890) shall be deemed to be an amount authorized to be appropriated for increment 1 of the Albuquerque Complex upgrades construction project.

(B) **INCREMENT 2.**—The amount authorized to be appropriated by this section for fiscal year 2018 and available for Project 16-D-515 as specified in the funding table in section 4701 of this Act shall be available for increment 2 of the Albuquerque Complex upgrades construction project.

SA 778. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3116. PLUTONIUM CAPABILITIES.

(a) **REPORT.**—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees and the Secretary of Defense a report on the recommended alternative endorsed by the Administrator for recapitalization of plutonium science and production capabilities of the nuclear security enterprise. The report shall identify the recommended alternative endorsed by the Administrator and contain the analysis of alternatives, including costs, upon which the Administrator relied in making such endorsement.

(b) **CERTIFICATION.**—Not later than 60 days after the date on which the Secretary of Defense receives the report required by subsection (a), the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees the written certification of the Chairman regarding whether—

(1) the recommended alternative described in subsection (a)—

(A) is acceptable to the Secretary of Defense and the Nuclear Weapons Council and meets the requirements of the Secretary for plutonium pit production capacity and capability;

(B) is likely to meet the pit production timelines and milestones required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a);

(C) is likely to meet pit production timelines and requirements responsive to military requirements;

(D) is cost effective and has reasonable near-term and lifecycle costs that are minimized, to the extent practicable, as compared to other alternatives;

(E) contains minimized and manageable risks as compared to other alternatives; and

(F) can be acceptably reconciled with any differences in the conclusions made by the Office of Cost Assessment and Program Evaluation of the Department of Defense in the business case analysis of plutonium pit production capability issued in 2013; and

(2) the Administrator has—

(A) documented the assumptions and constraints used in the analysis of alternatives described in subsection (a); and

(B) tested and documented the sensitivity of the cost estimates for each alternative to risks and changes in key assumptions.

(c) **ASSESSMENT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Director of Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall, in consultation with the Director of the Cost Assessment and Program Evaluation of the Department of Defense, provide to the congressional defense committees a briefing containing the assessment of the Directors of the analysis of alternatives described in subsection (a).

(2) **ELEMENTS.**—The briefing required by paragraph (1) shall include—

(A) descriptions of the scope, risks, and costs for alternatives not considered in the analysis of alternatives that the Directors deem viable; and

(B) any views of the Administrator regarding such alternatives.

(d) **REVIEW BY COMPTROLLER GENERAL.**—Not later than 60 days after receiving the report required by subsection (a) and the briefing required by subsection (c), the Comptroller General of the United States shall brief the congressional defense committees on—

(1) the alternatives considered by the Administrator in the analysis of alternatives described in subsection (a) and the alternatives described in subsection (c)(2)(A);

(2) the accuracy of such alternatives; and

(3) any other issues the Comptroller General considers relevant.

SA 779. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON CONTRACTING WITH CERTAIN TELECOMMUNICATIONS PROVIDERS.

(a) **LIST OF COVERED CONTRACTORS.**—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall develop a list of covered contractors, to be updated as frequently as the Director determines appropriate, and shall make such list available to the Secretary of Defense.

(b) **PROHIBITION ON CONTRACTS.**—The Secretary of Defense may not enter into a contract with a covered contractor on the list described under subsection (a).

(c) **REMOVAL FROM LIST.**—To be removed from the list described in subsection (a), a covered contractor may submit a request to the Director in such manner as the Director determines appropriate. Upon certification of the request, the Director shall remove the covered contractor from the list.

(d) **WAIVER.**—The President may waive the requirements of subsection (b) if the President determines that the waiver is justified for national security reasons.

(e) **COVERED CONTRACTOR DEFINED.**—The term “covered contractor” means a provider of telecommunications or telecommunications equipment that has been found by the Director to have knowingly assisted or facilitated a cyber attack carried out by or on behalf of the government of the Democratic People’s Republic of Korea or persons associated with such government.

(f) **EFFECTIVE DATE.**—This section shall apply with respect to contracts of a covered contractor entered into on or after the date of the enactment of this Act.

SA 780. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCREASED TERM LIMIT FOR INTER-GOVERNMENTAL SUPPORT AGREEMENTS TO PROVIDE INSTALLATION SUPPORT SERVICES.

Section 2679(a)(2)(A) of title 10, United States Code, is amended by striking “five years” and inserting “ten years.”

SA 781. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title V, add the following:

SEC. _____. ELIMINATION OF STATUTORY DEADLINE FOR SUBMITTAL BY OFFICERS OF WRITTEN COMMUNICATIONS TO PROMOTION SELECTION BOARDS ON MATTERS OF IMPORTANCE TO THEIR SELECTION.

(a) **IN GENERAL.**—Section 614(b) of title 10, United States Code, is amended—

(1) in the first sentence, by striking “, to arrive not later than the day before the date the board convenes,”; and

(2) in the second sentence, by striking “timely”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to promotion selection boards convened on or after that date.

SA 782. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PERMANENT RESIDENT STATUS FOR MARIA GUADALUPE MENDOZA SANCHEZ, EUSEBIO SANCHEZ MEJIA, AND VIANNEY ESBEYDI SANCHEZ MENDOZA.

(a) **IN GENERAL.**—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, and Vianney Esbeydi Sanchez Mendoza shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) **ADJUSTMENT OF STATUS.**—If Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez

Mejia, or Vianney Esbeydi Sanchez Mendoza enters the United States before the filing deadline specified in subsection (c), Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, or Vianney Esbeydi Sanchez Mendoza, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) **DEADLINE FOR APPLICATION AND PAYMENT OF FEES.**—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) **REDUCTION OF IMMIGRANT VISA NUMBERS.**—Upon granting immigrant visas or permanent residence to Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, and Vianney Esbeydi Sanchez Mendoza, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, and Vianney Esbeydi Sanchez Mendoza under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Maria Guadalupe Mendoza Sanchez, Eusebio Sanchez Mejia, and Vianney Esbeydi Sanchez Mendoza under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) **PAYGO.**—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the Senate, provided that such statement has been submitted prior to the vote on passage.

SA 783. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PARTICIPATION OF VETERANS SERVICE ORGANIZATIONS IN TRANSITION ASSISTANCE PROGRAM.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of Defense, in collaboration with the Secretary of Labor, the Secretary of Homeland Security, and the Secretary of Veterans Affairs, should establish a process by which a representative of a veterans service organization may be present at any portion of the program carried out under section 1144 of title 10, United States Code, relating to the submittal of claims to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 540 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on participation of veterans service organizations in the program carried out under section 1144 of title 10, United States Code.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) An assessment of the compliance of facilities of the Department of Defense with the directives included in the memorandum of the Secretary of Defense entitled “Installation Access and Support Services for Non-profit Non-Federal Entities” and dated December 23, 2014.

(B) The number of military bases that have complied with such directives.

(C) How many veterans service organizations have been present at a portion of a program as described in paragraph (1).

(3) **VETERANS SERVICE ORGANIZATION DEFINED.**—In this subsection, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38.

SA 784. Mr. WICKER (for himself, Mr. THUNE, Mr. PETERS, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title V, add the following:

SEC. ____ . FUNDS FOR THE PAYMENT OF CONTINUATION PAY TO MEMBERS OF THE COAST GUARD.

There is appropriated, out of any money in the Treasury not otherwise appropriated, to the Retired Pay account under the heading “Department of Homeland Security-United States Coast Guard”, such sums as may be necessary for each fiscal year for purposes of paying continuation pay under section 356 of title 37, United States Code, to members of the Coast Guard during such fiscal year.

SA 785. Mr. WICKER (for himself, Mr. THUNE, Mr. PETERS, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title VI, add the following:

SEC. ____ . FUNDS FOR THE PAYMENT OF CONTINUATION PAY TO MEMBERS OF THE COAST GUARD DURING FISCAL YEARS 2018 AND 2019.

There is appropriated, out of any money in the Treasury not otherwise appropriated, to the Retired Pay account under the heading “Department of Homeland Security-United States Coast Guard” for each fiscal year as follows, for purposes of paying continuation

pay under section 356 of title 37, United States Code, to members of the Coast Guard during such fiscal year, amounts as follows:

(1) For fiscal year 2018, \$3,286,277.

(2) For fiscal year 2019, \$9,272,945.

SA 786. Mr. WICKER (for himself, Mr. THUNE, Mr. PETERS, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title VI, add the following:

SEC. ____ . AVAILABILITY OF FUNDS FOR THE PAYMENT OF CONTINUATION PAY TO MEMBERS OF THE COAST GUARD.

(a) **IN GENERAL.**—Chapter 11 of title 14, United States Code, is amended by inserting after section 423 the following new section:

“§ 423a. Appropriations for retirement pay: available for payment of continuation pay

“Appropriations available for retirement pay for members of the Coast Guard shall, in addition to the enumerated purpose of such appropriation, also be available for payment of continuation pay under section 356 of title 37.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 11 of such title is amended by inserting after the item relating to section 423 the following new item:

“423a. Appropriations for retirement pay: available for payment of continuation pay.”

SA 787. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1107, to amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bankruptcy Judgeship Act of 2017”.

SEC. 2. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.

(a) **TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005.**—Section 2(a)(2) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended—

(1) in subparagraph (A), by striking “and (H)” and inserting “(H), (I), and (J)”;

(2) in subparagraph (C)—

(A) in clause (i), by striking “6” and inserting “11”;

(B) in clause (ii), by striking “5” and inserting “10”;

(3) in subparagraph (D)(i), by striking “6” and inserting “11”;

(4) by striking subparagraph (E) and inserting the following:

“(E) **DISTRICT OF MARYLAND.**—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the district of Maryland—

“(i) in the case of the 1st and 2d vacancies, occurring more than 5 years after the date of the enactment of this Act,

“(ii) in the case of the 3d vacancy, occurring more than 10 years after the date of enactment of this Act, and

“(iii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.”;

(5) in subparagraph (F)(i), by striking “6” and inserting “11”;

(6) in subparagraph (G)(i), by striking “6” and inserting “11”;

(7) in subparagraph (H)(i), by striking “6” and inserting “11”;

(8) by adding at the end the following:

“(I) DISTRICT OF NEVADA.—The 1st vacancy in the office of a bankruptcy judge for the district of Nevada—

“(i) occurring more than 10 years after the date of the enactment of this Act, and

“(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

“(J) EASTERN DISTRICT OF NORTH CAROLINA.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of North Carolina—

“(i) occurring more than 10 years after the date of the enactment of this Act, and

“(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.”.

(b) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 1992.—Section 2(b)(2) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended—

(1) in subparagraph (A)(i), by striking “5” and inserting “10”;

(2) in subparagraph (B)(i), by striking “5” and inserting “10”.

SEC. 3. TEMPORARY OFFICE OF BANKRUPTCY JUDGE AUTHORIZED.

(a) APPOINTMENTS.—The following bankruptcy judges shall be appointed in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of that title:

(1) Two additional bankruptcy judges for the district of Delaware.

(2) One additional bankruptcy judge of the middle district of Florida.

(3) One additional bankruptcy judge for the eastern district of Michigan.

(b) VACANCIES.—

(1) DISTRICT OF DELAWARE.—The 6th and 7th vacancies in the office of a bankruptcy judge for the district of Delaware—

(A) occurring more than 10 years after the date of enactment of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121); and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(2) MIDDLE DISTRICT OF FLORIDA.—The 1st vacancy in the office of a bankruptcy judge for the middle district of Florida—

(A) occurring more than 5 years after the date of enactment of this Act; and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) EASTERN DISTRICT OF MICHIGAN.—The 2d vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

(A) occurring more than 11 years after the date of enactment of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121); and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

SEC. 4. BANKRUPTCY FEES.

(a) AMENDMENTS TO TITLE 28 OF THE UNITED STATES CODE.—Section 1930(a)(6) of title 28, United States Code, is amended—

(1) by striking “(6) In” and inserting “(6)(A) Except as provided in subparagraph (B), in”; and

(2) by adding at the end the following:

“(B) During each of fiscal years 2018 through 2022, if the balance in the United States Trustee System Fund as of September 30 of the most recent full fiscal year is less than \$200,000,000, the quarterly fee payable for a quarter in which disbursements equal or exceed \$1,000,000 shall be the lesser of 1 percent of such disbursements or \$250,000.”.

(b) DEPOSITS OF CERTAIN FEES FOR FISCAL YEARS 2018 THROUGH 2022.—Notwithstanding section 589a(b) of title 28, United States Code, for each of fiscal years 2018 through 2022—

(1) 98 percent of the fees collected under section 1930(a)(6) of such title shall be deposited as offsetting collections to the appropriation “United States Trustee System Fund”, to remain available until expended; and

(2) 2 percent of the fees collected under section 1930(a)(6) of such title shall be deposited in the general fund of the Treasury.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply to quarterly fees payable under section 1930(a)(6) of title 28, United States Code, as amended by this section, for disbursements made in any calendar quarter that begins on or after the date of enactment of this Act.

SEC. 5. CLARIFICATION OF RULE ALLOWING DISCHARGE TO GOVERNMENTAL CLAIMS ARISING FROM THE DISPOSITION OF FARM ASSETS UNDER CHAPTER 12 BANKRUPTCIES.

(a) IN GENERAL.—Subchapter II of chapter 12 of title 11, United States Code, is amended by adding at the end the following:

“§ 1232. Claim by a governmental unit based on the disposition of property used in a farming operation

“(a) Any unsecured claim of a governmental unit against the debtor or the estate that arises before the filing of the petition, or that arises after the filing of the petition and before the debtor’s discharge under section 1228, as a result of the sale, transfer, exchange, or other disposition of any property used in the debtor’s farming operation—

“(1) shall be treated as an unsecured claim arising before the date on which the petition is filed;

“(2) shall not be entitled to priority under section 507;

“(3) shall be provided for under a plan; and

“(4) shall be discharged in accordance with section 1228.

“(b) For purposes of applying sections 1225(a)(4), 1228(b)(2), and 1229(b)(1) to a claim described in subsection (a) of this section, the amount that would be paid on such claim if the estate of the debtor were liquidated in a case under chapter 7 of this title shall be the amount that would be paid by the estate in a chapter 7 case if the claim were an unsecured claim arising before the date on which the petition was filed and were not entitled to priority under section 507.

“(c) For purposes of applying sections 523(a), 1228(a)(2), and 1228(c)(2) to a claim described in subsection (a) of this section, the claim shall not be treated as a claim of a kind specified in subparagraph (A) or (B) of section 523(a)(1).

“(d)(1) A governmental unit may file a proof of claim for a claim described in subsection (a) that arises after the date on which the petition is filed.

“(2) If a debtor files a tax return after the filing of the petition for a period in which a claim described in subsection (a) arises, and the claim relates to the tax return, the debtor shall serve notice of the claim on the governmental unit charged with the responsibility for the collection of the tax at the address and in the manner designated in section 505(b)(1). Notice under this paragraph shall state that the debtor has filed a petition under this chapter, state the name and location of the court in which the case under this chapter is pending, state the amount of the claim, and include a copy of the filed tax return and documentation supporting the calculation of the claim.

“(3) If notice of a claim has been served on the governmental unit in accordance with paragraph (2), the governmental unit may file a proof of claim not later than 180 days after the date on which such notice was served. If the governmental unit has not filed a timely proof of the claim, the debtor or trustee may file proof of the claim that is consistent with the notice served under paragraph (2). If a proof of claim is filed by the debtor or trustee under this paragraph, the governmental unit may not amend the proof of claim.

“(4) A claim filed under this subsection shall be determined and shall be allowed under subsection (a), (b), or (c) of section 502, or disallowed under subsection (d) or (e) of section 502, in the same manner as if the claim had arisen immediately before the date of the filing of the petition.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subchapter II of chapter 12 of title 11, United States Code, is amended—

(A) in section 1222(a)—

(i) in paragraph (2), by striking “unless—” and all that follows through “the holder” and inserting “unless the holder”;

(ii) in paragraph (3), by striking “and” at the end;

(iii) in paragraph (4), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(5) subject to section 1232, provide for the treatment of any claim by a governmental unit of a kind described in section 1232(a).”;

(B) in section 1228—

(i) in subsection (a)—

(I) in the matter preceding paragraph (1)—

(aa) by inserting a comma after “all debts provided for by the plan”; and

(bb) by inserting a comma after “allowed under section 503 of this title”; and

(II) in paragraph (2), by striking “the kind” and all that follows and inserting “a kind specified in section 523(a) of this title, except as provided in section 1232(c).”; and

(ii) in subsection (c)(2), by inserting “, except as provided in section 1232(c)” before the period at the end; and

(C) in section 1229(a)—

(i) in paragraph (2), by striking “or” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(4) provide for the payment of a claim described in section 1232(a) that arose after the date on which the petition was filed.”.

(2) TABLE OF SECTIONS.—The table of sections for subchapter II of chapter 12 of title 11, United States Code, is amended by adding at the end the following:

“1232. Claim by a governmental unit based on the disposition of property used in a farming operation.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) any bankruptcy case—

(A) that is pending on the date of enactment of this Act;

(B) in which the plan under chapter 12 of title 11, United States Code, has not been confirmed on the date of enactment of this Act; and

(C) relating to which an order of discharge under section 1228 of title 11, United States Code, has not been entered; and

(2) any bankruptcy case that commences on or after the date of enactment of this Act.

SA 788. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1045, add the following:

(b) POSTPONEMENT OF DEADLINE FOR COMPLETION OF CONVERSION.—Notwithstanding the deadline otherwise specified in paragraph (1) of section 1053(a) of the National Defense Authorization Act for Fiscal Year 2016, as amended by this section, for the completion of the conversion of military technician positions as described in that subsection, the deadline for the completion of such conversion shall be 180 days after the date on which the Secretary of Defense submits to Congress the report required by section 1067.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Steve Daines:									
China	Renminbi		1,311.43						1,311.43
Japan	Yen		480.00						480.00
Senator John Kennedy:									
China	Renminbi		1,311.43						1,311.43
Japan	Yen		480.00						480.00
Wallace Hsueh:									
China	Renminbi		1,311.43						1,311.43
Japan	Yen		480.00						480.00
Senator Thad Cochran:									
France	Euro		710.00						710.00
Morocco	Dirham		1,438.93						1,438.93
Kay Webber Cochran:									
France	Euro		709.00						709.00
Morocco	Dirham		237.00						237.00
Linda Good:									
France	Euro		1,082.00						1,082.00
Morocco	Dirham		1,199.84						1,199.84
Ty Mabry:									
France	Euro		1,082.00						1,082.00
Morocco	Dirham		1,199.84						1,199.84
Senator Richard Shelby:									
England	Pound		3,464.56						3,464.56
United States	Dollar				12,868.86				12,868.86
Jeremy Weirich:									
England	Pound		3,464.56						3,464.56
United States	Dollar				10,099.16				10,099.16
Paul Grove:									
Thailand	Baht		246.00						246.00
Cambodia	Riel		557.00						557.00
Sri Lanka	Rupee		517.00						517.00
Nepal	Rupee		257.00						257.00
United States	Dollar				9,064.56				9,064.56
Paul Grove:									
Russia	Ruble		926.00						926.00
United States	Dollar				3,293.86				3,293.86
Jason Wheelock:									
Russia	Ruble		926.00						926.00
United States	Dollar				3,293.86				3,293.86
Senator Lamar Alexander:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		678.00						678.00
France	Euro		640.00						640.00
Sarah Fairchild:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		618.00						618.00
France	Euro		615.00						615.00
Senator Thad Cochran:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		678.00						678.00
France	Euro		612.00						612.00
Kay Webber Cochran:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		678.00						678.00
France	Euro		612.00						612.00
Ty Mabry:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		678.00						678.00
France	Euro		612.00						612.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Linda Good:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		678.00						678.00
France	Euro		612.00						612.00
Senator Roy Blunt:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Dan Burgess:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Senator John Kennedy:									
Belgium	Euro		752.30						752.30
Lithuania	Euro		317.00						317.00
Estonia	Euro		250.66						250.66
Finland	Euro		678.00						678.00
France	Euro		612.00						612.00
Heideh Sharmoradi:									
South Africa	Rand		2,277.56						2,277.56
United States	Dollar				9,397.86				9,397.86
Rajat Mathur:									
South Africa	Rand		2,277.56						2,277.56
United States	Dollar				9,397.86				9,397.86
Dabney Hegg:									
South Africa	Rand		2,178.56						2,178.56
United States	Dollar				9,397.86				9,397.86
Senator Jerry Moran:									
France	Euro		4,598.00						4,598.00
Caroline Ross:									
France	Euro		4,598.00						4,598.00
Jeremy Weirich:									
France	Euro		4,598.00						4,598.00
Adam Telle:									
France	Euro		4,598.00						4,598.00
Anne Caldwell:									
France	Euro		4,598.00						4,598.00
Senator Richard Shelby:									
France	Euro		4,598.00						4,598.00
Brian Potts:									
France	Euro		4,598.00						4,598.00
Senator Thad Cochran:									
France	Euro		2,857.00						2,857.00
Kay Webber Cochran:									
France	Euro		2,857.00						2,857.00
Linda Good:									
France	Euro		4,598.00						4,598.00
Bruce Evans:									
France	Euro		4,598.00						4,598.00
Senator Richard Durbin:									
Korea	Won		483.00						483.00
Chris Homan:									
Korea	Won		692.00						692.00
Alexander Carnes:									
Zimbabwe	Euro		608.00						608.00
Malawi	Kwacha		148.70						148.70
United States	Dollar				7,086.16				7,086.16
Adam Yezerski:									
Zimbabwe	Euro		608.00						608.00
Malawi	Kwacha		152.19						152.19
United States	Dollar				7,086.16				7,086.16
Delegation Expenses:*									
Japan	Yen				744.50		1,559.41		2,303.91
China	Renminbi				1,775.04		4,529.89		6,304.93
Delegation Expenses:*									
Morocco	Dirham						3,369.52		3,369.52
France	Euro						3,239.00		3,239.00
Delegation Expenses:*									
United Kingdom	Pound				2,106.51		498.93		2,605.44
Delegation Expenses:*									
Cambodia	Riel						106.64		106.64
Thailand	Baht				168.30		112.30		280.60
Nepal	Rupee						378.03		378.03
Sri Lanka	Rupee				30.00		1,373.00		1,403.00
Delegation Expenses:*									
Russia	Ruble						1,230.00		1,230.00
Delegation Expenses:*									
Belgium	Euro				2,340.84		3,928.60		6,269.44
Estonia	Euro						1,113.92		1,113.92
France	Euro						7,631.20		7,631.20
Lithuania	Euro						1,042.49		1,042.49
Delegation Expenses:*									
France	Euro						32,595.20		32,595.20
Delegation Expenses:*									
Korea							119.88		119.88
Total			100,793.23		88,151.39		62,828.01		251,772.63

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR THAD COCHRAN,
Chairman, Committee on Appropriations, Aug. 4, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
United States	Dollar				13,018.66				13,018.66
Belgium	Euro		713.16						713.16
Christian Brose:									
United States	Dollar				13,018.66				13,018.66
Belgium	Euro		799.82						799.82
Elizabeth O'Bagy:									
United States	Dollar				13,018.66				13,018.66
Belgium	Euro		799.82						799.82
Mikayla Mowzoon:									
United States	Dollar				11,678.66				11,678.66
Belgium	Euro		926.26						926.26
Delegation Expenses: *									
Belgium	Euro				2,078.81				2,078.81
Senator John McCain:									
United States	Dollar				12,586.46				12,586.46
Slovenia	Euro		149.64						149.64
Croatia	Kuna		356.46						356.46
Serbia	Dinar		219.46						219.46
Bosnia	Mark		209.00						209.00
Montenegro	Euro		160.58						160.58
Kosovo	Euro		141.99						141.99
Albania	Lek		137.16						137.16
Dustin Walker:									
United States	Dollar				12,587.06				12,587.06
Slovenia	Euro		162.03						162.03
Croatia	Kuna		390.06						390.06
Serbia	Dinar		224.46						224.46
Bosnia	Mark		209.00						209.00
Montenegro	Euro		160.58						160.58
Kosovo	Euro		131.49						131.49
Albania	Lek		164.66						164.66
Elizabeth O'Bagy:									
United States	Dollar				13,268.91				13,268.91
Slovenia	Euro		223.19						223.19
Croatia	Kuna		396.21						396.21
Serbia	Dinar		305.46						305.46
Bosnia	Mark		209.00						209.00
Montenegro	Euro		191.22						191.22
Kosovo	Euro		169.58						169.58
Albania	Lek		228.21						228.21
Mikayla Mowzoon:									
United States	Dollar				13,205.46				13,205.46
Slovenia	Euro		282.26						282.26
Croatia	Kuna		383.50						383.50
Serbia	Dinar		331.58						331.58
Bosnia	Mark		212.75						212.75
Montenegro	Euro		200.98						200.98
Kosovo	Euro		206.68						206.68
Albania	Lek		267.16						267.16
Delegation Expenses: *									
Slovenia	Euro					1,423.67			1,423.67
Croatia	Kuna					1,294.00			1,294.00
Serbia	Dinar					511.00			511.00
Bosnia	Mark					60.42			60.42
Kosovo	Euro					1,277.66			1,277.66
Albania	Lek					949.00			949.00
Thomas Goffus:									
United States	Dollar				13,932.60				13,932.60
Uzbekistan	Som		331.00						331.00
Kazakhstan	Tenge		564.97						564.97
Afghanistan	Afghani		18.00						18.00
Mariah McNamara:									
United States	Dollar				9,091.56				9,091.56
Afghanistan	Afghani		47.75						47.75
Delegation Expenses: *									
Uzbekistan	Som					160.00			160.00
Kazakhstan	Tenge					34.17			34.17
Turkey	Lira				510.96				510.96
Anish Goel:									
United States	Dollar				7,188.89				7,188.89
Japan	Yen		1,499.61						1,499.61
Taiwan	Dollar		932.48						932.48
Ozge Guzelsu:									
United States	Dollar				3,112.66				3,112.66
Japan	Yen		1,060.83						1,060.83
Taiwan	Dollar		527.24						527.24
Delegation Expenses: *									
Japan	Yen				1,976.28				1,976.28
Taiwan	Dollar				327.12				327.12
Jason Potter:									
United States	Dollar				12,142.75				12,142.75
Italy	Euro		780.65						780.65
Delegation Expenses: *									
Italy	Euro					558.52			558.52
Cord Sterling:									
United States	Dollar				9,271.36				9,271.36
Japan	Yen		2,649.42						2,649.42
South Korea	Won		1,543.00						1,543.00
ThucMinh Nguyen:									
United States	Dollar				7,998.00				7,998.00
Japan	Yen		3,570.19						3,570.19
South Korea	Won		787.30						787.30
Delegation Expenses: *									
Japan	Yen				3,197.19				3,197.19
South Korea	Won				1,461.08				1,461.08
Adam Barker:									
United States	Dollar				22,045.06				22,045.06
Algeria	Dinar		264.24						264.24
Tunisia	Dinar		432.00						432.00
Mariah McNamara:									
United States	Dollar				13,084.10				13,084.10

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Egypt	Pound		272.37						272.37
Chad	Franc		196.81						196.81
France	Euro		492.21						492.21
Delegation Expenses: *									
Tunisia	Dinar						67.98		67.98
France	Euro				307.00				307.00
Daniel Lerner:									
United States	Dollar				12,657.46				12,657.46
Germany	Euro		1,098.02						1,098.02
Delegation Expenses *									
Germany	Euro						71.54		71.54
Jonathan Epstein:									
United States	Dollar				9,154.26				9,154.26
South Korea	Won		484.00						484.00
Delegation Expenses *									
South Korea	Won				482.22				482.22
Thomas Goffus:									
United States	Dollar				7,298.56				7,298.56
Germany	Euro		285.00						285.00
Ukraine	Hryvnia		405.74						405.74
Lithuania	Euro		348.33						348.33
Latvia	Euro		272.18						272.18
Estonia	Euro		277.28						277.28
Dustin Walker:									
United States	Dollar				14,125.26				14,125.26
Germany	Euro		278.00						278.00
Ukraine	Hryvnia		407.74						407.74
Lithuania	Euro		348.33						348.33
Latvia	Euro		261.18						261.18
Estonia	Euro		277.28						277.28
William G.P. Monahan:									
United States	Dollar				13,143.01				13,143.01
Germany	Euro		285.00						285.00
Ukraine	Hryvnia		405.74						405.74
Lithuania	Euro		348.33						348.33
Latvia	Euro		262.18						262.18
Estonia	Euro		277.28						277.28
Delegation Expenses *									
Estonia	Euro				349.34				349.34
Ukraine	Hryvnia				933.23				933.23
Lithuania	Euro						36.09		36.09
Latvia	Euro				603.08				603.08
Estonia	Euro				349.34				349.34
Senator John McCain:									
United States	Dollar				16,905.71				16,905.71
Australia	Dollar		92.39						92.39
Vietnam	Dong		545.61						545.61
Singapore	Dollar		292.23						292.23
Christian Brose:									
United States	Dollar				16,905.71				16,905.71
Australia	Dollar		215.75						215.75
Vietnam	Dong		560.04						560.04
Singapore	Dollar		587.54						587.54
Elizabeth O'Bagy:									
United States	Dollar				17,479.99				17,479.99
Australia	Dollar		215.75						215.75
Vietnam	Dong		560.04						560.04
Singapore	Dollar		587.54						587.54
ThucMinh Nguyen:									
United States	Dollar				17,516.59				17,516.59
Australia	Dollar		150.73						150.73
Vietnam	Dong		652.00						652.00
Singapore	Dollar		637.43						637.43
Delegation Expenses: *									
Australia	Dollar						1,755.00		1,755.00
Vietnam	Dong						3,393.46		3,393.46
Singapore	Dollar				1,687.00				1,687.00
Senator Jack Reed:									
United States	Dollar				17,624.76				17,624.76
Elizabeth King:									
United States	Dollar				17,624.76				17,624.76
Michael Noblet:									
United States	Dollar				17,746.24				17,746.24
Delegation Expenses: *									
Iraq	Dinar				9,270.00				9,270.00
Ozge Guzelsu:									
United States	Dollar				9,995.67				9,995.67
Singapore	Dollar		1,565.00						1,565.00
Delegation Expenses: *									
Singapore	Dollar				850.00				850.00
Senator Gary C. Peters:									
United States	Dollar				11,405.76				11,405.76
Latvia	Euro		194.00						194.00
Lithuania	Euro		526.25						526.25
Jordan Wells:									
United States	Dollar				13,301.46				13,301.46
Latvia	Euro		218.00						218.00
Lithuania	Euro		577.25						577.25
Delegation Expenses: *									
Lithuania	Euro						456.09		456.09
Senator James M. Inhofe:									
France	Euro		3,994.97						3,994.97
Anthony Lazarski:									
France	Euro		4,045.10						4,045.10
Delegation Expenses: *									
France	Euro						6,349.71		6,349.71
Daniel Lerner:									
United States	Dollar				10,071.66				10,071.66
United Kingdom	Pound sterling		1,017.22						1,017.22
Allison Lazarus:									
United States	Dollar				10,119.18				10,119.18

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United Kingdom	Pound sterling		921.93						921.93
Kirk McConnell:									
United States	Dollar				10,074.26				10,074.26
United Kingdom	Pound sterling		653.30						653.30
Delegation Expenses: *									
United Kingdom	Pound sterling				2,100.00				2,100.00
Total			50,765.16		469,882.46		18,398.31		539,045.93

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JOHN McCAIN,
Chairman, Committee on Armed Services, Aug. 2, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Thune:									
France	Euro		4,598.00						4,598.00
Total			4,598.00						4,598.00

SENATOR JOHN THUNE,
Chairman, Committee on Commerce, Science, and Transportation,
July 27, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Lisa Murkowski:									
Norway	Krone		184.23						184.23
Senator John Barrasso:									
Norway	Krone		184.23						184.23
Senator Steve Daines:									
Norway	Krone		184.23						184.23
Angela Becker-Dippmann:									
Norway	Krone		184.00						184.00
Brian Hughes:									
Norway	Krone		184.23						184.23
Isaac Edwards:									
Norway	Krone		184.23						184.23
Severin Wiggenhorn:									
Norway	Krone		184.23						184.23
Anne Hoefler:									
Norway	Krone		185.43						185.43
Delegation Expenses: *									
Norway	Krone						31,522.24		31,522.24
Total			1,474.81				31,522.24		32,997.05

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR LISA MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, June 28, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Michael Bennett:									
Israel	Shekel		471.85						471.85
Jordan	Dinar		271.20						271.20
Lebanon	Pound		43.27						43.27
Germany	Euro		379.78						379.78
Maria Mahler-Haug:									
Israel	Shekel		493.68						493.68
Jordan	Dinar		271.20						271.20
Lebanon	Pound		43.27						43.27
Germany	Euro		379.78						379.78
Jonathan Davidson:									
Israel	Shekel		493.68						493.68
Jordan	Dinar		271.17						271.17
Lebanon	Pound		313.27						313.27
Germany	Euro		379.78						379.78
Delegation Expenses: *									
Israel	Shekel						5,258.53		5,258.53

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jordan	Dinar						780.32		780.32
Lebanon	Pound						11,152.32		11,152.32
Germany	Euro						863.43		863.43
Jeffrey Wrase:									
Italy	Euro		893.36						893.36
United Kingdom	Pound		1,228.81						1,228.81
United States	Dollar				11,580.06				11,580.06
Jay Khosla:									
Italy	Euro		1,032.68						1,032.68
United Kingdom	Pound		1,189.21						1,189.21
United States	Dollar				11,580.06				11,580.06
Christopher Campbell:									
Czech Republic	Koruna		734.80						734.80
Italy	Euro		1,711.26						1,711.26
United States	Dollar				12,494.56				12,494.56
Delegation Expenses: *									
Czech Republic	Koruna						39.41		39.41
United Kingdom	Pound						2,150.00		2,150.00
Laura Atcheson:									
Norway	Krone		184.23						184.23
Delegation Expenses: *									
Norway	Krone						3,095.94		3,095.94
Everett Eissenstat:									
Switzerland	Swiss Franc		1,271.22						1,271.22
Belgium	Euro		527.40						527.40
United States	Dollar				11,704.86				11,704.86
Douglas Petersen:									
Switzerland	Swiss Franc		1,328.91						1,328.91
Belgium	Euro		619.15						619.15
United States	Dollar				11,704.86				11,704.86
Jayne White:									
Switzerland	Swiss Franc		1,274.43						1,274.43
United States	Dollar				12,208.46				12,208.46
Greta Peisch:									
Switzerland	Swiss Franc		1,372.55						1,372.55
United States	Dollar				12,208.46				12,208.46
Delegation Expenses: *									
United States	Dollar						64.26		64.26
Christopher Campbell:									
Canada	Dollar		687.15						687.15
Mexico	Peso		1,114.89						1,114.89
United States	Dollar				2,887.45				2,887.45
Delegation Expenses: *									
Mexico	Peso						633.00		633.00
Total			18,981.98		86,368.77		24,037.21		129,387.96

* Delegation Expenses include Embassy Overtime, Security, Transportation, as well as official expenses in accordance with the responsibilities of the host country.

SENATOR ORRIN HATCH,
Chairman, Committee on Finance, July 26, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
China	Yuan		600.10						600.10
Japan	Yen		339.76						339.76
Hong Kong	Dollar		271.91						271.91
United States	Dollar				804.31				804.31
Delegation Expenses: *									
China	Yuan						1,225.71		1,225.71
Japan	Yen						519.80		519.80
Hong Kong	Dollar						637.71		637.71
Senator John Barrasso:									
Vietnam	Dong		447.12						447.12
Singapore	Dollar		666.92						666.92
United States	Dollar				13,352.06				13,352.06
Delegation Expenses:									
Vietnam	Dong						484.78		484.78
Singapore	Dollar						281.16		281.16
Senator Cory Booker:									
Poland	Zloty		408.16						408.16
Ukraine	Hryvnia		544.34						544.34
United States	Dollar				12,746.66				12,746.66
Sophia Lalani:									
Poland	Zloty		408.16						408.16
Ukraine	Hryvnia		744.61						744.61
United States	Dollar				13,395.36				13,395.36
Delegation Expenses: *									
Poland	Zloty						147.60		147.60
Ukraine	Hryvnia						2,417.91		2,417.91
Senator Christopher Coons:									
Uganda	Shilling		431.30						431.30
South Sudan	Pound		2.70						2.70
United States	Dollar				9,241.38				9,241.38
Thomas Mancinelli:									
Uganda	Shilling		655.30						655.30
South Sudan	Pound		0.70						0.70
United States	Dollar				9,438.88				9,438.88
Delegation Expenses: *									
Uganda	Shilling						3,765.00		3,765.00
Senator Christopher Coons:									
Vietnam	Dong		929.12						929.12

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Singapore	Dollar		1,050.17						1,050.17
United States	Dollar				12,384.06				12,384.06
Thomas Mancinelli:									
Vietnam	Dong		1,027.32						1,027.32
Singapore	Dollar		1,130.56						1,130.56
United States	Dollar				12,339.56				12,339.56
Delegation Expenses: *									
Vietnam	Dong						969.56		969.56
Singapore	Dollar						562.32		562.32
Senator Bob Corker:									
Uganda	Shilling		554.47						554.47
United States	Dollar				14,723.36				14,723.36
Delegation Expenses: *									
Uganda	Shilling						4,228.00		4,228.00
Senator Cory Gardner:									
Korea	Won		839.95						839.95
Philippines	Peso		746.47						746.47
United States	Dollar				9,754.36				9,754.36
Igor Khrestin:									
Korea	Won		889.18						889.18
Philippines	Peso		776.72						776.72
United States	Dollar				7,004.36				7,004.36
Delegation Expenses: *									
Korea	Won						1,263.77		1,263.77
Senator Ron Johnson:									
Slovakia	Euro		374.62						374.62
Montenegro	Euro		427.58						427.58
United States	Dollar				12,995.36				12,995.36
Lydia Westlake:									
Slovakia	Euro		400.84						400.84
Montenegro	Euro		420.58						420.58
United States	Dollar				12,995.36				12,995.36
Delegation Expenses: *									
Slovakia	Euro						1,267.47		1,267.47
Montenegro	Euro						1,298.00		1,298.00
Senator Rob Portman:									
China	Yuan		760.24						760.24
Hong Kong	Dollar		489.76						489.76
Japan	Yen		316.73						316.73
Tyler Brace:									
China	Yuan		750.97						750.97
Hong Kong	Dollar		385.23						385.23
Japan	Yen		310.50						310.50
Delegation Expenses: *									
China	Yuan						2,451.42		2,451.42
Hong Kong	Dollar						1,275.42		1,275.42
Japan	Yen						1,039.60		1,039.60
Thomas Callahan:									
Jordan	Dinar		2,169.45						2,169.45
United States	Dollar				1,365.76				1,365.76
Joseph Curtsinger:									
Jordan	Dinar		2,139.45						2,139.45
United States	Dollar				1,365.76				1,365.76
Delegation Expenses: *									
Jordan	Dinar						443.86		443.86
Sarah Downs:									
Peru	Sol		1,047.10						1,047.10
Argentina	Peso		1,063.60						1,063.60
United States	Dollar				1,932.30				1,932.30
Caleb McCarr:									
Peru	Sol		1,047.10						1,047.10
Argentina	Peso		1,063.60						1,063.60
United States	Dollar				1,932.30				1,932.30
Delegation Expenses: *									
Peru	Sol						970.54		970.54
Argentina	Peso						1,271.56		1,271.56
Brooke Eisele:									
Czech Republic	Crowns		794.07						794.07
Moldova	Leu		383.00						383.00
United States	Dollar				5,369.86				5,369.86
Delegation Expenses: *									
Moldova	Leu						82.00		82.00
Trey Hicks:									
Kenya	Shilling		290.00		500.00				790.00
Uganda	Shilling		574.00		330.00				904.00
United States	Dollar				5,739.66				5,739.66
Delegation Expenses: *									
Kenya	Shilling						807.61		807.61
Uganda	Shilling						952.00		952.00
David Kinzler:									
Israel	Shekel		1,430.00						1,430.00
Turkey	Lira		374.00						374.00
United States	Dollar				3,118.18				3,118.18
Dana Stroll:									
Israel	Shekel		1,147.85						1,147.85
Turkey	Lira		350.00						350.00
United States	Dollar				3,115.18				3,115.18
Delegation Expenses: *									
Israel	Shekel						777.94		777.94
Turkey	Lira						322.09		322.09
Josh Klein:									
Germany	Euro		1,524.26		171.26				1,695.52
United States	Dollar				2,119.06				2,119.06
Carolyn Leddy:									
Malaysia	Ringgit		434.95						434.95
Singapore	Dollar		989.82						989.82
United States	Dollar				3,291.16				3,291.16
Delegation Expenses: *									
Malaysia	Ringgit						152.70		152.70
Singapore	Dollar						129.00		129.00
Damian Murphy:									
France	Euro		885.56						885.56

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Germany	Euro		1,182.44						1,182.44
United States	Dollar				1,646.86				1,646.86
Margaret Taylor:									
France	Euro		885.56						885.56
Germany	Euro		1,182.44						1,182.44
United States	Dollar				1,646.86				1,646.86
Delegation Expenses: *									
France	Euro						28.00		28.00
Charlotte Oldham-Moore:									
Mexico	Peso		1,308.70						1,308.70
United States	Dollar				1,142.28				1,142.28
Sarah Arkin:									
Mexico	Peso		1,304.00						1,304.00
United States	Dollar				1,142.38				1,142.38
Delegation Expenses: *									
Mexico	Peso						3,953.00		3,953.00
Rolfe Michael Schiffer:									
Korea	Won		901.27						901.27
Japan	Yen		777.23						777.23
United States	Dollar				1,539.66				1,539.66
Delegation Expenses: *									
Korea	Won						608.01		608.01
Japan	Yen						1,501.98		1,501.98
Michael Schiffer:									
Philippines	Peso		566.28						566.28
Indonesia	Rupiah		918.64						918.64
Singapore	Dollar		1,292.86						1,292.86
United States	Dollar				3,460.46				3,460.46
Delegation Expenses: *									
Indonesia	Rupiah						176.72		176.72
Lowell Schwartz:									
Romania	Leu		115.00						115.00
Poland	Zloty		219.00						219.00
Belgium	Euro		354.00						354.00
United States	Dollar				2,798.06				2,798.06
Delegation Expenses: *									
Romania	Leu						207.49		207.49
Belgium	Euro						114.77		114.77
Brandon Yoder:									
Brazil	Real		727.82						727.82
Argentina	Peso		823.17						823.17
United States	Dollar				2,988.06				2,988.06
Delegation Expenses: *									
Brazil	Real						65.35		65.35
Argentina	Peso						170.00		170.00
Total			48,368.31		187,890.17		36,569.85		272,828.33

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR BOB CORKER,
Chairman, Committee on Foreign Relations, July 26, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Andrew Polesovsky:									
United States	Dollar				5,253.35				5,253.35
Belgium	Euro		286.00						286.00
Singapore	Dollar		2,237.00						2,237.00
Hong Kong	Dollar		1,880.00						1,880.00
Will Dargusch:									
United States	Dollar				5,253.35				5,253.35
Belgium	Euro		294.00						294.00
Singapore	Dollar		2,224.00						2,224.00
Hong Kong	Dollar		1,815.00						1,815.00
Roberto Berrios:									
United States	Dollar				5,253.35				5,253.35
Belgium	Euro		284.00						284.00
Singapore	Dollar		2,215.00						2,215.00
Hong Kong	Dollar		1,953.00						1,953.00
Portia Bamiduro:									
United States	Dollar				5,253.35				5,253.35
Belgium	Euro		261.00						261.00
Singapore	Dollar		2,288.00						2,288.00
Hong Kong	Dollar		1,842.00						1,842.00
Delegation Expenses: *									
Belgium	Euro						2,714.65		2,714.65
Delegation Expenses: *									
Singapore	Dollar						768.00		768.00
Delegation Expenses: *									
Hong Kong	Dollar						3,356.00		3,356.00
Senator Heidi Heitkamp:									
Norway	Krone		180.00						180.00
Delegation Expenses: *									
Norway	Krone						3,940.28		3,940.28
Total			17,759.00		21,013.40		10,778.93		49,551.33

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs,
July 12, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
DeMarcus Finnell:									
Germany	United States				1,500.91				1,500.91
Total					1,500.91				1,500.91

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JAMES E. RISCH,
Chairman, Committee on Small Business and Entrepreneurship,
July 26, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Kamala Harris			710.82						710.82
			79.00						79.00
			256.00						256.00
					18,458.86				18,458.86
Nate Adler			610.82						610.82
			75.00						75.00
			256.00						256.00
					17,730.36				17,730.36
Delegation Expenses *							132.64		132.64
Brian Walsh			617.33						617.33
			577.00						577.00
					5,901.39				5,901.39
Ryan Kaldahl			571.58						571.58
			507.00						507.00
					4,040.09				4,040.09
Rick Nussio			571.78						571.78
			469.00						469.00
					8,261.68				8,261.68
Robert Kadlec			33.00						33.00
					3,369.20				3,369.20
Kerry Suttan			33.00						33.00
					3,369.00				3,369.00
Delegation Expenses *							14,254.00		14,254.00
Matt Pollard			543.39						543.39
			350.49						350.49
			300.66						300.66
					5,485.96				5,485.96
Senator John Cornyn			184.23						184.23
					3,940.28				3,940.28
Senator Richard Burr			115.00						115.00
			877.30						877.30
					11,981.76				11,981.76
Senator James Lankford			59.50						59.50
			477.30						477.30
					13,212.86				13,212.86
Chris Joyner			115.00						115.00
			877.30						877.30
					6,957.51				6,957.51
Christian Cook			115.00						115.00
			877.30						877.30
					11,981.76				11,981.76
Robert Kadlec			115.00						115.00
			877.30						877.30
					11,981.76				11,981.76
Emily Harding			93.00						93.00
			477.30						477.30
					11,981.76				11,981.76
Delegation Expenses *							19,040.20		19,040.20
Chris Joyner			1,089.46						1,089.46
					9,170.50				9,170.50
Total			12,911.86		147,824.73		33,426.84		194,163.43

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR RICHARD BURR,
Chairman, Committee on Intelligence, August 3, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ambassador David Killian:									
Japan	Yen		2,067.39						2,067.39
South Korea	Won		1,188.27		7,525.56				8,713.83

September 5, 2017

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CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Massaro:									
Japan	Yen		2,067.38						2,067.38
South Korea	Won		1,188.27		7,525.56				8,713.83
Delegation Expenses: *									
Japan	Yen						4,084.32		4,084.32
South Korea	Won						604.23		604.23
Everett Price:									
Armenia	Dram		1,308.00		11,053.16				12,361.16
Delegation Expenses: *									
Armenia	Dram								
Allison Hollabaugh:									
Austria	Euro		861.28		1,749.46				2,610.74
Delegation Expenses: *							39.24		39.24
Austria	Euro								
Jordan Warlick:									
Georgia	Lari		765.00		1,858.46				2,623.46
Delegation Expenses: *							721.45		721.45
Georgia	Lari								
Robert Hand:									
Czech Republic	Koruna		1,224.47						1,224.47
Denmark	Krone		1,157.40		3,084.86				4,242.26
Delegation Expenses: *									
Czech Republic	Koruna								
Denmark	Krone								
Erika Schlager:									
Romania	Leu		1,254.24						1,254.24
Hungary	Forint		1,172.00		10,624.76				11,796.76
Delegation Expenses: *							103.46		103.46
Romania	Leu								
Hungary	Forint								
Alex Tiersky:									
Czech Republic	Koruna		1,874.61						1,874.61
Austria	Euro		1,066.27		10,450.26				11,516.53
Delegation Expenses: *									
Czech Republic	Koruna								
Austria	Euro								
Scott Rauland:									
Moldova	Leu		536.00		13,127.16				13,663.16
Delegation Expenses: *							39.80		39.80
Moldova	Leu								
Mischa Thompson:									
France	Euro		2,880.00						2,880.00
Belgium	Euro								
Spain	Euro		1,313.32		11,371.16				12,684.48
Delegation Expenses: *							743.00		743.00
France	Euro						219.74		219.74
Spain	Euro								
Janice Helwig:									
Austria	Euro		35,952.00		6,011.48				41,963.48
Delegation Expenses: *									
Austria	Euro								
Janice Helwig:									
Germany	Euro		933.00		557.30				1,490.30
Delegation Expenses: *							300.00		300.00
Germany	Euro								
Total			58,808.90		84,939.18		6,855.24		150,603.32

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR ROGER WICKER,
Chairman, Commission on Security and Cooperation in Europe,
July 13, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), INTERNATIONAL NARCOTICS CONTROL CAUCUS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Janet Drew:									
United States	Dollar				994.16				994.16
Colombia	Pesos		596.58						596.58
Kelly Lieupo:									
United States	Dollar				994.16				994.16
Colombia	Pesos		609.82						609.82
Total			1,206.40		1,988.32				3,194.72

SENATOR CHUCK GRASSLEY,
Chairman, Senate Caucus on International Narcotics Control,
June 28, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), DEMOCRATIC LEADER FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Michael Kuiken:									
United States	Dollar				13,273.66				13,273.66

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), DEMOCRATIC LEADER FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Singapore	Dollar		1,321.00		422.00				1,743.00
Total			1,321.00		13,695.66				15,016.66

SENATOR CHARLES E. SCHUMER,
Democratic Leader, July 21, 2017.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM APR. 1 TO JUNE 30, 2017

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas P. Hawkins: United States	Dollar				11,745.56				11,745.56
Afghanistan	Dollar		32.00						32.00
Thomas P. Hawkins: United States	Dollar				16,206.51				16,206.51
Qatar	Riyal		670.30						670.30
Iraq	Dinar		50.00		3,090.00				3,140.00
United Arab Emirates	Dirham		882.46				88.99		971.45
Dr. Brian Monahan: Belgium	Euro		818.87						818.87
Lithuania	Euro		317.07						317.07
Estonia	Euro		267.24						267.24
Finland	Euro		684.58						684.58
France	Euro		628.57						628.57
Total			4,351.09		31,042.07		88.99		35,482.15

SENATOR MITCH MCCONNELL,
Majority Leader, Aug. 7, 2017.

BANKRUPTCY JUDGESHIP ACT OF
2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1107 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1107) to amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Grassley substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 787) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1107), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY,
SEPTEMBER 6, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, September 6; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m.; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators BENNET and CANTWELL.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

HURRICANE HARVEY

Mr. BENNET. Mr. President, before I begin, now that we have returned from

the August break, I want to take a moment to acknowledge the devastation caused by Hurricane Harvey. I know the thoughts of everyone in this Chamber are with the thousands of Americans who are waiting to return home and restart their lives. I hope the Senate will act quickly to allow them to do so.

I would also say that we know there is a lot of concern in the Presiding Officer's State about what is yet to come, so we need to get about our business.

DACA

Mr. BENNET. Mr. President, tonight I rise to address another issue—the Trump administration's decision to end the program known as DACA.

DACA provided deportation relief to nearly 800,000 undocumented immigrants who came to this country as children. Those kids grew up in America alongside America's children, playing on our Little League teams, running for student government, marching in the school band. Just like America's kids, they showed up to class, they did their homework, and they pushed forward with every expectation of building a future for themselves and for their communities. The only difference between them is that the kids covered by DACA came to America as undocumented immigrants.

Many of these kids didn't even know they didn't have legal status. I know this firsthand because I used to be the Superintendent of the Denver Public

Schools. It was about ninth grade that children would realize—children who had no country other than the United States as their home—that they didn't have legal status because they had come here through no fault of their own without documented status.

A lot of these kids found out the hard way, applying for jobs that asked for papers they didn't have, applying for financial aid they were ineligible to receive, and coping with the possibility of being ripped away from friends and family at any time. DACA ended that. It stopped it. Nationwide, it protected nearly 800,000 young adults from deportation and gave them lawful presence in the only country they knew to build a future. That is precisely what they have done.

Since DACA was enacted, the young people who enrolled in the program have grown into young adults. They have found jobs. They pay taxes. They have started businesses. They have bought homes. They are raising families.

In Colorado, over 17,000 young people came forward to take the government at its word, to share their information, and to apply for deferred action. Each one of them placed their faith in us to protect them and their families until we came to a long-term solution about their status. Today, President Trump has betrayed that trust. Worse, his decision to rescind DACA betrays the very character of our country.

America does not strip parents from their children. We do not strip brothers from sisters. America does not round up neighbors to send them to places they have not known since they were 2 years old or 6 months old, if they knew them at all. We do not use kids and families as some kind of bargaining chip for legislation. That is not who we are. This decision will not only hurt families and communities, but it will hurt our economy, as 90 percent of DACA recipients work, and 7 in 10 have bachelor's degrees or higher. They pay taxes. Over the next 2 years, ending DACA could force hundreds of thousands of people to lose their jobs. Colorado alone stands to lose over \$850 million in economic activity every single year as a result of this rash decision. That is why business leaders all across my State have decried this decision as not only cruel but costly.

President Trump campaigned to strengthen families and our economy. With this decision, he is taking aim at both. Now parents all across America are planning where to send their kids if they are deported. Young professionals worry about what will happen to their mortgages, their car payments, and their student loans if they are fired and forced to leave. Business owners wonder how they will make up for the hard workers whom they have come to rely on over the years. Once again, President Trump has unleashed needless

anxiety and uncertainty across America.

This weekend, I was thinking we would never have been in this position if Congress had acted to fix our broken immigration system to ensure legal status for everybody protected by deferred action. Like the Presiding Officer, I was part of the Gang of 8, which wrote the immigration bill in the Senate. It was four Democrats and four Republicans who worked together over a period of 8 months in a process that I think the American people would be justifiably proud of. For once in Washington, people sat down in a bipartisan way to actually solve the problems that face this country. We were not making trades. We were not holding each other hostage in that room. We knew that securing the border was an important good, and we knew a pathway to citizenship was an important good.

We delivered both to the floor of this Senate. In fact, the bill had very meaningful border security. It is the only bill that has passed either the House or the Senate that has had any border security and internal security as well and, as I mentioned, a pathway to citizenship for the undocumented people who are here, including everybody who is protected by DACA. It was a good bill—I think it was a great bill—and it got 68 votes in the Senate. If the House had done what the American people had wanted us to do, it would have passed our bill, and we would not have had to go through the agony of what the Trump administration is doing to immigrants in this country right now.

I think Congress needs to act swiftly to clean up the damage the administration has unleashed, and that starts with passing the Dream Act. Now is the time for our Republican colleagues to come forward on this important piece of legislation that historically has been supported by Republicans.

Tonight, I thank my colleague from Colorado, Senator CORY GARDNER, for doing just that and joining me as a co-sponsor of the Dream Act. We have an opportunity to come together as Republicans and Democrats in order to give young people the certainty they deserve and the legal path to stay in the only country they know. This is not about left versus right, although I say that about everything in this place, but in this case it really is true. This is about doing right for the young people who are, in every sense, our fellow Americans.

It is about doing the right thing for people in Colorado, like Marissa Molina. Marissa was 9 years old when her parents took her from Mexico to Colorado. She grew up in Glenwood Springs on the West Slope. She worked hard and planned on going to college until she realized, like so many young people whom I have met, that she was ineligible for in-state tuition because

of her legal status, but she was determined to make it work anyway. She cleaned houses with her mom and tutored other students in Spanish. All of that helped, but it was not enough. By her junior year, Marissa's family had little money left, and she nearly had to drop out.

Then DACA went into effect, and Marissa was able to secure Federal student loans and graduate summa cum laude from Fort Lewis College in Durango. Determined to give back, Marissa spent 2 years teaching in my old school district, in the Denver Public Schools. She did not have any background in education, but she wanted to pay it forward by helping other kids achieve.

Like Marissa, Marco Dorado came to Denver when he was just 3 years old. His parents have worked in our community for over two decades in order to provide for him and his three siblings. Marco was the first person in his family to graduate from high school, but after graduating, he could not get a job because he did not have a Social Security card. He could not get a driver's license, and he could not get a student loan—a bright future frozen in place. Marco felt trapped in a system with no way forward.

Then the last President announced DACA in 2012. Marco got his Social Security card, his driver's license, and financial aid to attend the University of Colorado. As he studied for a degree in finance, he worked between classes and interned at our State capitol. There, he learned something about politics, and he was voted student body president by his peers at CU, at the University of Colorado.

In every practical sense there is, Marco is an American. He has no memory of life before America. He grew up in our schools, played alongside our kids, attended our colleges, and has been working to improve this democracy. His two younger brothers and sisters, as is so often the case, were born here.

A decent and compassionate administration would find a way for Marco to stay in the only community he knows. A smart and forward-looking administration would seize on this young man's talent and commitment to our Nation. A wise administration would recognize in Marco and Marissa the best qualities of America—hard work, family, perseverance, and service. Instead—and I regret this—we have the Trump administration, which threatens to rip them from their families, tear them from the communities they have built in Colorado, and deprive our Nation of their obvious and considerable talent.

The administration's decision today has thrown hundreds of thousands of people like Marco and Marissa into needless chaos and fear. For what—to satisfy the smallest fringe of the far

right? A majority of the Republicans in my State not only support the Dream Act but support a pathway to citizenship for the undocumented people who are here. Unfortunately, today's decision is just the latest example of the violence this President has done to our country's traditions.

Because of his rhetoric against immigrants, against Muslims, his equivocation about White nationalists, there is a deep unease in this country. I have heard it in townhalls across Colorado. In times like these, it falls on all of us—not just on the people in the Senate—to put our hands on someone else's shoulder and say: I am glad you are here. Thank you for the contribution you have made by working in our fields and in our factories. We are grateful for what you have done for our communities. We are glad you are studying at the University of Denver or CSU or CU. Though we need legislation to undo the administration's actions today, this goes well beyond any law on the books. It goes to who we are as a nation.

Earlier this year, at my home, I hosted five college students who had received protection under the DACA Program. I made them breakfast, and we sat around the backyard to talk. I heard the worries they had that no young person in this country should have to bear, but I also heard an incredible sense of aspiration that any American would recognize—dreams of finishing college, launching a business, leading a nonprofit, starting a family. That is no surprise because these kids are American in every way that counts, and like young people across the country, they envision a bright future for themselves. We have taught them to do that since they were kids. Now we should let them realize it.

I thank my colleague from Washington for her patience.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Washington.

Ms. CANTWELL. Mr. President, I join my colleague from Colorado to come to the floor to talk about the President's misguided decision earlier today to end the Deferred Action for Childhood Arrivals Program.

This program, put in place by the last administration, gave the certainty and predictability to so many young children who were brought to the United States through not their own actions but through others' actions. As my colleague talked about, there is story after story of young people who have literally applied for college aid only to find out they were not here legally and could not pursue that kind of financial assistance. That is why, since 2001, I have been a supporter of the Dream Act. Tonight, I cannot believe this is the message from this President.

In a remarkable act of courage and trust, 17,500 young DACA recipients are working and contributing to the economy in my State, the State of Washington. These recipients must submit biographical information and biometric information, and allow State Department, Homeland Security, and other Federal agencies to complete background checks. They have never committed a felony, and they must have a job, be in school, or have served in the military. So ending this program is literally taking workers out of our State, taking the gross domestic product of over \$1 billion that it will cost our Nation over the next several years.

The President's decision to end DACA runs counter to the longstanding and proud history in our State of welcoming immigrants. Dreamers invest in their communities. They pay State and local taxes. In fact, the Chamber of Commerce supports this program as does a majority of Americans, and over 300 business leaders agree that Dreamers help us build a better and more prosperous America. Just today, one of the key Microsoft executives—one of our key companies—said he would rather have legislation to protect these individuals in immigration reform than to have tax reform. That is how important it is to our State.

I am glad my colleagues Senators DURBIN and GRAHAM held a bipartisan press conference to talk about supporting this important legislation to move forward.

Tonight, as we are returning to the U.S. Senate, with lots of priorities, we need to make sure we are giving young people—young people who have benefited from the security of participating in our economy—the certainty that they will continue to be here in the United States and to serve in our military. I hope my colleagues will take this seriously and move toward legislation.

We have worked on a bipartisan basis on this legislation for more than a decade. Yet it is simple. You either want to protect these young individuals or you do not. I hope my colleagues will give us a chance to rectify this as soon as possible.

WORLD TRADE ORGANIZATION RULING

Ms. CANTWELL. Mr. President, I would also like to say a word about the World Trade Organization's announcement that was just made yesterday, one in which the World Trade Organization said that the Boeing 777X Program did not receive prohibited subsidies. This is a huge win for 80,000 Boeing employees in the State of Washington as well as for the 1,700 suppliers and individual businesses across our State who support our strong aerospace economy.

It is also a loss to the European Union in its efforts to retaliate against

the United States for our challenge to illegal launch aid to Airbus that began more than 10 years ago. This shows it was right to raise these concerns by the United States and that the retaliation by Airbus was wrong.

Last year, the WTO ruled that the EU had not taken steps to comply with its previous ruling regarding \$17 billion in illegal launch aid to Airbus, and that it had given another \$5 billion in illegal launch aid to the A350 Program even after these kinds of subsidies had been declared illegal.

We need an aerospace market that is truly competitive, one that is not distorted by illegal subsidies. So these cases matter because the outcome impacts jobs here in the United States, and aerospace is one of the biggest manufacturers in the United States.

We know in our State that there are lots of challenges and there is lots of competition, but we want that competition to be on a level playing field. We want to make sure that, in the aerospace industry, people are playing by the rules. This is the third time the WTO has said that the massive illegal subsidies the EU has provided to Airbus are wrong, that they have failed to take the steps to comply, and that they need to change their behavior.

If the EU will not play by the rules, then we should take the necessary steps to force an end to these anti-competitive schemes. I say this because the WTO's ruling today—while I know many of my colleagues think this process played out all too long—did resolve the issue as it related to the EU gave Airbus.

Enforcement of these trade rules is important to U.S. competitiveness. I want to continue to strengthen our ability to enforce these kinds of rules and continue to make sure that the U.S. Government has all the resources and personnel it needs to make sure our trading partners meet their commitments, and our aerospace workforce in the United States is second to none. I want to continue to fight every battle to make sure they can be competitive.

I thank everyone at the Office of the U.S. Trade Representative for working so hard on this case for more than a decade. It is finally time to move on and to make sure that the EU is in line with these past WTO rulings and that we continue to fight for a fair and competitive aerospace market.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:47 p.m., adjourned until Wednesday, September 6, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

GREGORY IBACH, OF NEBRASKA, TO BE UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS, VICE EDWARD M. AVALOS, RESIGNED.

WILLIAM NORTHEY, OF IOWA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES, VICE MICHAEL T. SCUSE.

STEPHEN ALEXANDER VADEN, OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE, VICE JEFFREY MICHAEL PRIETO.

DEPARTMENT OF DEFENSE

ROBERT BEHLER, OF PENNSYLVANIA, TO BE DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE, VICE J. MICHAEL GILMORE.

THOMAS B. MODLY, OF MARYLAND, TO BE UNDER SECRETARY OF THE NAVY, VICE JANINE ANNE DAVIDSON.

DEAN L. WINSLOW, OF DELAWARE, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JONATHAN WOODSON, RESIGNED.

EXPORT-IMPORT BANK OF THE UNITED STATES

MARK L. GREENBLATT, OF MARYLAND, TO BE INSPECTOR GENERAL, EXPORT-IMPORT BANK, VICE OSVALDO LUIS GRATACOS MUNET, RESIGNED.

SECURITIES AND EXCHANGE COMMISSION

ROBERT J. JACKSON, JR., OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2019, VICE MARY JO WHITE.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUZANNE ISRAEL TUFTS, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE KEITH A. NELSON, RESIGNED.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

JAMES BRIDENSTINE, OF OKLAHOMA, TO BE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE CHARLES F. BOLDEN, JR., RESIGNED.

DEPARTMENT OF COMMERCE

TIMOTHY GALLAUDET, OF CALIFORNIA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE MARK E. SCHAEFER, RESIGNED.

DEPARTMENT OF ENERGY

BRUCE J. WALKER, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF ENERGY (ELECTRICITY DELIVERY AND ENERGY RELIABILITY), VICE PATRICIA A. HOFFMAN.

STEVEN E. WINBERG, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY), VICE CHRISTOPHER SMITH.

NUCLEAR REGULATORY COMMISSION

JEFFERY MARTIN BARAN, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2023. (REAPPOINTMENT)

ENVIRONMENTAL PROTECTION AGENCY

MATTHEW Z. LEOPOLD, OF FLORIDA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE AVI GARBOW.

DAVID ROSS, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE PETER SILVA SILVA, RESIGNED.

DEPARTMENT OF STATE

LARRY EDWARD ANDRE, JR., OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI.

THOMAS L. CARTER, OF SOUTH CAROLINA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

MICHAEL T. EVANOFF, OF ARKANSAS, TO BE AN ASSISTANT SECRETARY OF STATE (DIPLOMATIC SECURITY), VICE GREGORY B. STARR, RESIGNED.

NINA MARIA FITE, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

DANIEL L. FOOTE, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZAMBIA.

RICHARD GRENELL, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF GERMANY.

KENNETH IAN JUSTER, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF

THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDIA.

W. ROBERT KOHORST, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CROATIA.

BARBARA LEE, OF CALIFORNIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

EDWARD MASSO, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ESTONIA.

EDWARD T. MCMULLEN, JR., OF SOUTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SWISS CONFEDERATION, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PRINCIPALITY OF LIECHTENSTEIN.

JENNIFER GILLIAN NEWSTEAD, OF NEW YORK, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE BRIAN JAMES EGAN, RESIGNED.

DAVID DALE REIMER, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MAURITIUS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SEYCHELLES.

CHRISTOPHER SMITH, OF NEW JERSEY, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SECOND SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

ERIC P. WHITAKER, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

DEPARTMENT OF LABOR

CHERYL MARIE STANTON, OF SOUTH CAROLINA, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, VICE DAVID WEIL, RESIGNED.

DAVID G. ZATEZALO, OF WEST VIRGINIA, TO BE ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH, VICE JOSEPH A. MAIN.

EXECUTIVE OFFICE OF THE PRESIDENT

FREDERICK M. NUTT, OF VIRGINIA, TO BE CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE DAVID ARTHUR MADER.

FEDERAL LABOR RELATIONS AUTHORITY

JAMES THOMAS ABBOTT, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2020, VICE PATRICK PIZZELLA, TERM EXPIRED.

COLLEEN KIKO, OF NORTH DAKOTA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 29, 2022, VICE ERNEST W. DUBESTER, TERM EXPIRED.

GENERAL SERVICES ADMINISTRATION

EMILY WEBSTER MURPHY, OF MISSOURI, TO BE ADMINISTRATOR OF GENERAL SERVICES, VICE DENISE TURNER ROTH.

EXECUTIVE OFFICE OF THE PRESIDENT

MARGARET WEICHERT, OF GEORGIA, TO BE DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE BETH F. COBERT.

CENTRAL INTELLIGENCE

CHRISTOPHER R. SHARPLEY, OF VIRGINIA, TO BE INSPECTOR GENERAL, CENTRAL INTELLIGENCE AGENCY, VICE DAVID B. BUCKLEY, RESIGNED.

DEPARTMENT OF JUSTICE

JOHN C. DEMERS, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE JOHN P. CARLIN, RESIGNED.

DEPARTMENT OF COMMERCE

ANDREI IANCU, OF CALIFORNIA, TO BE UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE, VICE MICHELLE K. LEE, RESIGNED.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

ADAM I. KLEIN, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 29, 2018, VICE DAVID MEDINE, RESIGNED.

ADAM I. KLEIN, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2024. (REAPPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

TOM MARINO, OF PENNSYLVANIA, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY, VICE MICHAEL A. BOTTICELLI, RESIGNED.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

JONATHAN F. MITCHELL, OF WASHINGTON, TO BE CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES FOR THE TERM OF FIVE YEARS, VICE PAUL R. VERKUL, RESIGNED.

DEPARTMENT OF VETERANS AFFAIRS

CHERYL L. MASON, OF VIRGINIA, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS, VICE JAMES PHILIP TERRY, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STAYCE D. HARRIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JACQUELINE D. VAN OVOST

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. JEFFERY D. AEBISCHER
COL. NATHAN B. ALHOLINNA
COL. BORIS R. ARMSTRONG
COL. KIMBERLY A. BAUMANN
COL. ROBERT L. BELL
COL. SHAWN N. BRATTON
COL. JEFFREY L. BUTLER
COL. MICHAEL E. CALLAHAN
COL. KEVIN J. CAMPBELL
COL. THOMAS S. CAUTHEN
COL. LAWRENCE L. CHRISTENSEN
COL. SHAWN A. CLOUTHER
COL. DARWIN L. CRAIG
COL. ROBERT C. DESKO
COL. KEVIN M. DONOVAN
COL. BOBBI J. DOORENBOS
COL. DAVID M. DZIOBKOWSKI
COL. RANDAL K. EFFERSON
COL. HOWARD L. EISSLER III
COL. SHAWN D. FORD
COL. JED J. FRENCH
COL. DANIEL E. GABRIELLI
COL. MARK P. GAUL
COL. RAINER G. GOMEZ
COL. PATRICK M. GUINEE
COL. PENNY C. HODGES-GOETZ
COL. JEREMY C. HORN
COL. CASSANDRA D. HOWARD
COL. PAUL D. JOHNSON
COL. EDWARD S. JONES
COL. GARY W. KIRK
COL. HEIDI L. KJOS
COL. MEAGHAN Q. LECLERC
COL. GREGOR J. LEIST
COL. SUZANNE B. LIPCAMAN
COL. KEITH G. MACDONALD
COL. ROLF E. MAMMEN
COL. GERALD E. MCDONALD
COL. CHRISTOPHER G. MCGRAW
COL. MICHAEL R. MORGAN
COL. REBECCA L. O'CONNOR
COL. DUKE A. PIRAK
COL. JEFFREY L. RYAN
COL. JON S. SAFSTROM
COL. WILLIAM L. SPARROW
COL. JAMES R. STEVENSON, JR.
COL. JEFFREY D. STOREY
COL. BRYAN J. TEFF
COL. EDWARD L. VAUGHAN IV
COL. APRIL D. VOGEL
COL. CHARLES M. WALKER
COL. CHRISTOPHER S. WALKER
COL. DAVID A. WEISHAAR
COL. WENDY B. WENKE
COL. GREGORY T. WHITE
COL. BRENT W. WRIGHT
COL. WILLIAM T. YATES
COL. DANIEL S. YENCHESKY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JOHN E. CARDWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JOSEPH D'COSTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL A. BILLS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DANIEL J. CHRISTIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. KENNETH H. MOORE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MATTHEW P. EASLEY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHNNY R. BASS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. TONY L. WRIGHT

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

STEPHEN J. AUGUSTINE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

WILLIAM J. VIT, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

THERESA A. JONES

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAMES S. SHIGEKANE
ANDREW H. STEPHAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARC AALDERINK
TIMOTHY M. AANERUD
AMY M. ABBOTT
DAVID N. ABEL
RYAN P. ABEL
JUSTIN M. ABERTH
TIMOTHY JAY ABLAY
MATTHEW B. ABLES
SEAN M. ABLING
THOMAS J. ACKERMAN
JOHN M. ADAM
COLLIN M. ADAMS
EDWARD L. ADAMS, JR.
JASON A. ADAMS
JONATHAN ALAN ADAMS
BRITTON D. ADAMSON
BRYAN M. ADOMANIS
TODD SAMUIL AFSHAR
MICHAEL V. AGCANAS
DAVID L. AGEE
JARRET I. AHN
NATHAN K. AIKEN
JUSTIN MICHAEL AILOR
ASIF ALAM
CHRISTOPHER JOHN ALBAN
EARL ROBIN BARIA ALEJANDRO
JOSHUA ROBERT ALEXANDER
ZACHARY N. ALEXANDER
BRANDON J. ALFORD
GREGORY L. ALLEN
JACOB J. ALLEN
SEAN P. ALLEN
SEAN R. ALLEN
JOSE L. ALMANZAR
AMANDA D. ALPAUGH

DAVID M. ALPERT
JOSHUA E. ALTCHULER
AMANDA C. ALTMAN
CRAIG A. AMBROSE
MARK R. AMOS
PHILLIP D. AMRINE
DANIEL JOSEPH ANAYA
JACK W. ANDERSON
MATTHEW KYLE ANDERSON
NATHAN D. ANDERSON
NICHOLAS J. ANDERSON
REBECCA L. ANDERSON
ALEXANDER T. ANNEN
JONATHAN R. APPELEY
MICHAEL D. ARCHER
ANDREW M. ARMSTRONG
JOSHUA CHARLES ARMSTRONG
JACOB J. ARNDT
DANE M. ARNHOLT
RUBEN R. ARREDONDO
MICHAEL J. ARTH
THOMAS W. ASELTINE
DUSTIN JAMES ASH
WALEED J. ASHIQ
DANIEL W. ASPELUND
ANDREW T. ATANASOFF
KATHLEEN A. ATANASOFF
ANDREW D. ATKINSON
KELLY ELIZABETH ATKINSON
CHAD M. ATKINSON ADAMS
JUSTIN D. ATWOOD
WADE A. AUSLOOS
TYLER K. AWAKUNI
DAVID A. AYRES
STEPHEN N. AYRES
KYLE L. BABBITT
NATHAN C. BABBITT
MATTHEW M. BABCOCK
ROBERT W. BABER
DOMINIC D. BABINEAUX
BRIAN WILLIAM BABIS
KEVIN DAVID BADINSKI
FLYNN L. BAILEY
SEAN G. BAILEY
CHRISTOPHER A. BAISCH
ADAM G. BAKER
JEREMY R. BAKER
KELSI DENISE BAKER
KEVIN M. BAKER
RUSSELL A. BAKER
MARC I. BALABAN
JOEL G. BALDWIN
ERICA J. BALFOUR
CHRISTOPHER ROBERT BALL
RICHARD W. BALL
CARY A. BALSER
RYAN R. BAMFORD
DANIEL N. BANAKOS
LYNDSEY R. BANKS
RALIENE F. BANKS
SEAN D. BARBER
MICHAEL DANE BARGIEL
ASHLY T. BARNES
REMINGTON R. BARNES
GORDON L. BARNHILL
ADAM J. BARR
WILLIAM F. BARRETT
CHANDLER A. BARTHOLOMEW
DREW P. BATEMAN
WILLIAM A. BAUER
BRYANT K. BAUM
KAYLEE E. BAZZELL
KEVIN M. BEAULIEU
NICHOLAS P. BECK
BRYAN G. BECKER
CHRISTOPHER M. BECKETT
SHANNON J. BEERS
THOMAS W. BEHRENS
DANIEL J. BEIRNE
MARK A. BELKOWSKI
JAMES M. BELL
ELIZABETH A. BELLEAU
RONALD S. BELLUE, JR.
THOMAS A. BENDER
ADAM DAVID BENNETT
SARAH E. BENNETT
STEVEN A. BENNETT
ALEX J. BENSON
DAVID C. BENTLEY
JOHN R. BERG
ANDREW J. BERGER
PHILLIP E. BERGERON
AUSTIN C. BERGSTROM
DIANA C. BERKELAND
NICOLLE SCOTT BERNARD
LUCAS M. BERRECKMAN
JUSTIN S. BERRY
JOHN D. BERTIERI
DUSTIN J. BERTRAND
DAVID LAYTE BERVIG
LEMUEL BETHUME
DANIEL E. BETTINGER
CODY A. BIAS
ROSS M. BIECHLER
ALEXANDER E. BIGALSKI
BRENT L. BIENENFELD
ALEJANDRO MARCELO BIHAR
CHRISTOPHER S. BILLIU
TIMOTHY T. BILLS
KARI L. BINGER
MARK T. BIRDWELL
ROBERT E. BIRELEY, JR.

JOSEPH O. BIRKHOLO
JORDAN M. BIRT
DAVID M. BISHOP
TAYLOR B. BLANK
BRADLEY D. BLANKENSHIP
JOHN R. BLANKENSHIP
JOSHUA ALEXANDER BLANKENSHIP
DEVON A. BLEDSOE
MILESTYSON I. BLOCKER
DANIEL L. BLOMBERG
SETH J. BLYDEN
BRIAN A. BOARDMAN
MATTHEW D. BOATMAN
SARAH L. BODENHEIMER
CHRISTOPHER P. BOELSCHER
LAUREN JONES BOGLE
IVAN E. BOHLENDER
JOSHUA M. BOHNERT
MATTHEW JOHN BOLADO
QUINCY A. BOLES
CASEY R. BOLEY
TRENT L. BOLTE
TOBIN J. BOLTON
MATTHEW B. BOOTH
ROBERT K. BOOTH
KATHERINE C. BOPP
PETER J. BORCHELT
GEOFFREY D. BORDER
JOEL A. BORGAN
MATTHEW E. BORGER
THOMAS A. BORSETH
GREGG R. BOULANGER
MICHAEL T. BOWEN
PAUL T. BOWEN
AARON T. BOWENS
ANTHONY C. BOWMAN
JOSHUA L. BOWMAN
CHRISTOPHER A. BOYER
JESSE S. BOYTTER
DANIEL M. BRADFIELD
MICHAEL ANTOINE BRADFORD
JOSHUA PHILIP BRADY
BRIAN A. BRANAGAN
DAVID BRANDON, JR.
KENNETH J. BRANDON
ALEXANDER HOYT BRANNON
CHARLES A. BRANTIGAN
TROY MICHAEL BRELAND
PATRICIA C. BRENNAN
JAMES R. BRESNAHAN
JOHN F. BREWER, JR.
JOHN S. BREWER
ALEX C. BREWSTER
BRIAN M. BREWSTER
TONY D. BRIDGEWATER
AARON BRIESMASTER
TERRENCE ANTHONY BRIGGS
CHRISTOPHER ALLEN BRIGHT
ANDREW J. BRINKER
NEAL S. BRINKWORTH
GEOFFREY S. BRITZKE
KEVIN W. BROOKS
RANDALL EDWARD BROOME
JASON P. BROUSSEAU
NICHOLAS GREGORY BROUGHAM
ADAM B. BROWN
CHRISTOPHER K. BROWN
CHRISTOPHER R. BROWN
CHRISTOPHER S. BROWN
DANIEL T. BROWN
ERIC M. BROWN
JONATHAN T. BROWN
KENDALL G. BROWN
CHRISTOPHER W. BRUCK
ANTONIO N. BRUNSON
JOSEPH P. BUCHANAN
JEFFREY D. BUCHHOLTZ
MATTHEW H. BUCHHOLTZ
JOSEPH SAMIR BUCKMAN ELLIS
KRISTI NICOLE BUCZEK
PHILIP W. BUDENBENDER
MARK KYLE BUDGEON
JOSEPH A. BUDZYN
MANUEL A. BUELNA, JR.
BRANDON M. BUELOW
GABRIEL T. BUGAJSKI
JOHN D. BURCH
KENNETH A. BURCH
ROBERT DAVID BURCKNER
BRETT BURDYSHAW
STEVEN M. BURGESS
JEREMIAH BURLISON
ERIC WILLIAM BURLEY
AMIE MARIE BURNETT
CHRISTOPHER J. BURNETT
WILLIAM A. BURNETTE
MATTHEW A. BURNHAM
WILLIAM J. BURROWS
MATTHEW COREY BURTON
ALYSON E. BUSCH
ANDREA M. BUSH
BRIAN G. BUSH
JOHN M. BUSICK
VITO A. BUSSMANN
JONATHAN D. BUTCHER
ANDREW S. BUTLER
ERIC M. BUTLER
KEVIN S. BYRAM
JAMES BRYSON BYRD
JAMES M. BYRNE
MICHAEL WILLIAM BYRNES
TIMOTHY E. CABANA

JOHN D. CACIC
CAMDON R. CADY
JOSEPH N. CALCITRAI
ERIK CALDERON GONZALEZ
BRITTAIN M. CALDWELL
ALAN LINDSAY CALFEE
MARIA E. CALHOUN
REX M. CALLLUNG
ROBERT W. CALL
COREY L. CALLAHAN
JOSHUA C. CALLAHAN
RICHARD C. CALLAHAN
JAMES D. CAMP
ALECIA CELESTE CAMPBELL
ALFRED J. CANNIN
KENNETH J. CANTY
ETHAN E. CAPARELLI
CHRISTOPHER MATTHEW CARDINALE
DAVID A. CARDONA
JAMES A. CARFAGNO
JUSTIN R. CARL
CHRISTOPHER P. CARLEN
DAVID CHRISTOPHER CARLO
CRAIG M. CARLSON
EVAN J. CARLSON
JEREMY R. CARLSON
JOSHUA J. CARLSON
KYLE B. CARNAHAN
JOSEPH D. CARPENTIERI
JOSHUA J. CARROLL
SHAYNE R. CARROLL
ALICIA M. CARTER
BRITTANY S. CARTER
JEFFERY H. CARTER
JENNIFER Y. CARTER
MICHAEL J. CARTER
ROBERT C. CARTER
CESAR O. CARVAJAL
DANIEL R. CASCIO
DANIEL L. CATINO
TIMOTHY A. CAUSEY
MICHAEL E. CAVANAUGH
STEPHEN B. CECIL
WILLIAM M. CERAT
MARK J. CERNI
SILAS D. CHADWICK
RYAN F. CHAMBERLIN
STEVEN M. CHANDLER
ALBERT C. CHANEY
CATHERINE R. CHAPPELL
IVONNE JANELLA CHARBONNEAU
MATTHEW T. CHARBONNEAU
BENSON CHEN
RAFAEL E. CHENG
NATASSIA N. CHERNE
IAN A. CHESLEY
ARUN L. CHITTUR
BENJAMIN A. CHRISTENSEN
TEMESHA R. CHRISTENSEN
ELLIS OSCAR CHRISTIAN, JR.
KEVIN A. CHRISTIAN
BRYAN S. CHRISTOPHER
HOYOON CHUNG
ANTHONY F. CIAMILLO, JR.
JOSEPH PAUL CIARAVINO
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 JONATHAN RYAN ULVEN
 ABRAHAM N. G. UMANAH
 CHRISTOPHER K. UMPHRES
 MELISSA D. URBANSKY
 MICHAEL THEODORE URBANSKY
 CANDICE J. URRUTIA
 JASON R. UTULO
 ZACHARY PAUL VALDEZ
 KELLY M. VAN GUNDY
 JASON D. VAN PARYS
 JOSEPH RALPH VAN VALEN III
 ZACHARY S. VAN VALKENBURG
 MATTHEW J. VANBAREN
 BRANDON W. VANDERSCHAAF
 JOHN BENNETT VANDERVOORT
 SCOTT JONATHAN VANOORT
 AJVISH VARATHARAJ
 CHRISTOPHER BRYANT VARNIER
 JASON K. VAUGHT
 CLAIRE A. VAZQUEZ
 JONATHAN E. VAZQUEZ
 KRISTIN L. VENTURA
 MONICA VERDOZA

CLYDE LAWRENCE VICKERY, JR.
JOSEPH ANDREW VIEGAS
JARED A. VIETH
REINIER T. VILLANUEVA
MICHAEL J. VINACCO
JOHN S. VINCENT
JOSEPH F. VISALLI
DEVIN A. VITTT
AARON L. VOGELER
BRANDON D. VOGT
DAVID J. VON ADELUNG
JONATHAN VON AHNEN
ADAM D. VRANEK
DAVID F. WACLAWSKI
BRADFORD WILLIAM WADE
BRIAN JAMES WAGNER
ELIZABETH R. WAGNER
ERIC RANDOLPH WAHL
RICHARD K. WAHL
ANTHONY J. WALENZ
MATTHEW S. WALKER
NATHANAE L. WALKER
SANDRA WALKER
CHARLES A. WALLACE
ERIK L. WALLACE
PATRICK J. WALSH
ROBBIE L. WALSH
KASIE K. WALTER
BENJAMIN E. WALTERS
WILLIAM D. WALTERS
COURTNEY J. WALTMAN
SEAN J. WALTMAN
JOHN P. K. WALTON
WILLIAM K. WAMSER
DIMITRIUS B. WARD
JAROD M. WARD
CHAD J. WARNER
DUSTIN C. WARNER
STEPHEN D. WARNER
TYLER JACOB WARREN
BRIANNE L. WASHINGTON
LEE E. WASHINGTON
JONATHAN A. WATERLANDER
CHERYL A. WATKINS
BRENT L. WATSON
MARK J. WATSON
JASON T. WATTS
RYAN KELLY WEAVER
CHRISTOPHER C. WEBER
JEFFREY S. WEGER
MATTHEW D. WEINBERG
DANIEL L. WELCH
JONATHAN M. WELCH
MATTHEW D. WELCH
DANIEL J. WELSH
JOHNROSS R. WENDLER
CHARLES E. WENIGER
BRIAN JOSEPH WENSEL
TIFFANY LYNN WERNER
TIMOTHY WILLARD WEST
NIKITA DANIELLE WETHERBEE
PHILIP L. WHITE
RYAN J. WHITE
ROBERT M. WHITNEY
DANIEL JAMES WHITZEL
APRIL S. WIDMAN
CHRISTOPHER G. WIEDENMANN
BRENDAN K. WIER
RYAN M. WIESE
KARL J. WIESE
BENJAMIN M. WIFORD
TAYLOR R. WIGHT
JOHN P. WILDER
DAVID WEBSTER WILFONG, JR.
TIMOTHY M. WILHELM
WILLIAM C. WILKERSON
WILLIAM C. WILKES
ALEXANDER M. WILKIE
CARLOS G. WILKINSON
SYDNEY C. WILKINSON
HERBERT T. WILLIAMS V
JEREMY D. WILLIAMS
JONATHAN R. WILLIAMS
KRISTOPHER J. WILLIAMS
ROSANNA M. WILLIAMS
RYAN E. WILLIAMS
SEAN A. WILLIAMS
STERLING D. WILLIAMS
COREY T. WILLINGER
NELSON L. WILLINGHAM
BRADLEY R. WILLS
CRAIG E. WILLS II
MITCHELL R. WILLS
BRIAN T. WILSON
MATTHIAS J. WILSON
ROBERT D. WILSON
TAYLOR M. WILSON
SETH WING
RACHAEL M. WINIECKI
KYLE R. WINSETT
DAVID E. WINSLOW
KENNETH J. WINTERS
MICHAEL S. WINTERS
JASON T. WIRTH
GREGORY M. WITZIG
MARK J. WOJTCWICZ
BRANDON S. WOLF
ERIC T. WOLF
NATHANIEL EARL WOLFE
CHRISTOPHER A. WOLFF
KELLY C. WOMBLE
BENJAMIN S. WONG

JONATHAN M. WONG
TITUS D. WONG
CHRISTOPHER M. WOOD
MITCHELL RYAN WOOD
ZACK R. WORD
WILLIAM V. WORK
BENJAMIN N. WORRALL
BENJAMIN A. WRIGHT
DANIEL A. WRIGHT
LLOYD J. WRIGHT
SAMUEL E. WRIGHT III
TIMOTHY K. WU
ANDREW D. WUEBOLD
MARK WADE WULF
MARK J. WULLSCHLEGER
JEREMY N. WYATT
DANIEL C. WYNN
SEONGMIN YANG
JAMES E. YARNELL
MATTHEW H. YARRINGTON
DON J. YATES
PAUL WAYNE YEAGLEY
CHRISTOPHER R. YOST
CHRISTOPHER C. YOUNG
PATRICK R. YOUNG
STEVEN H. YOUNG
ELIAS YOUSEFI
DAVID J. YU
JINKYONG YU
SEAN ZABRISKIE
RYAN D. ZACCAGNINI
LINDSAY M. ZACK
MATTHEW STEVEN ZALEWSKI
JESSICA L. ZAMPARINI
ROQUE ZARATE III
DANIEL G. ZEDACK
STEPHEN F. ZEGLER
KRISTEN M. ZEIGLER
ANTHONY P. ZELASKO
JOANNA J. ZEMEK
PHILLIP A. ZENCEY
CHASE A. ZICKEPOOSE
FRANK W. ZIENTEK
JOSEPH R. ZITTO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

IAN S. ANDERSON
BRIYITH K. AVALOS
JACOB S. BAILEY
KATHRYN L. BAKER
CHRISTIAN E. BANASKY
JEREMY JAMES BARNETT
NATHANIEL MASON BEATY
CHAD A. BECHTLE
BENJAMIN R. BEIDEL
CARL EDWARD BEMIS
MOSSAAB BENHAMMOU
DOUGLAS W. BENNETT
KIMBERLY BERTRAND
CHARITY D. BOLLING
KEVIN C. BOURNE
CORY A. BRIGGS
AMBER F. BRITT
JONATHAN E. BROWN
JUSTIN M. BRUBAKER
LANDRUS BURRESS
BLAKE D. CALLENDER
DENISE E. CAMPBELL
CANDRA RENEE CASE
BRETT A. CHRISTY
MOLLY E. CLARK
REBEKHA L. COLLINS
CLINTON S. COMER
ADAM COOMBER
ADAM KENT COOPER
CALLIE J. COOPER
BRANDEN R. CROCKETT
NED B. CROFTS
BENJAMIN I. CRUZ
JAIME B. DEL RIO
ADAM D. DELL
JAMIE L. DELUCA
WILLIAM H. DIAMOND, JR.
BRADLEY R. DISPENSE
ANDREW N. DUNKLE
EZEKIEL J. DURAN
MAGGIE L. DUTCHER
AMANDA SIMMONS DUTY
EILEEN J. EBENGER
BRADLEY M. ERVIN
RACHEL E. ESTRADA
KAYLAEN D. EVANS
DANIELA F. FELDHUSEN
STEDVEN LIEBEN K. FELICIANO
ABBY DIEHL FIELDS
JORDAN A. FIELDS
DANIEL R. GALLE
IAN N. GASPAR
GAEL H. GAUTHIER
JUSTIN S. GLEED
DOMINIQUE D. GOUGIS
AMANDA KANWISCHER GUTIERREZ
NADIA HALIM
JASON DANIEL HAMILTON
AMMON J. HARDY
LANDON L. HATFIELD
PHILLIP E. HOYT
SARA G. HUTCHINS
FREDERICK D. HUTCHISON

VICKY INTHAVONG
JASON J. JACOBSEN
KRISTELLE JEANMICHEL
TRYPHENA H. JENKINS
DANAE A. JOHNSON
MELANIE M. JOHNSON
ROBERT D. JOHNSTON
EDWARD C. JONES
ROBERT B. JUSTINIANO
RYAN J. KALPINSKI
BRENDA K. KELLER
SARAH E. KERCHER
JEWEARLY S. KHO
BROOKE R. KIBEL
HEATHER R. KINCAIDE
LINDI K. KIRKLAND
STACY N. KNUSTON
ALEXANDER KRYVENIA
KATIE L. LAM
NATHAN A. LEY
JAMIE K. LONGMIRE
PHILLIP M. LOPEZ
ADRIAN N. MARRERO
LAUREN K. MATTHEWS
BRITTANY E. MCCRIGHT
ANDREW J. METELKO
DAVID S. J. MILLAY
JASON K. MITCHELL
JAMES D. MONAGHAN
JOCELYN T. MOORE
HEATHER L. MORRIS
PATRICK S. MORRIS
KATHERINE M. MURPHY
SIMON N. MURPHY
ERIC J. NOLL
RYAN S. OGLVY
SAMUEL D. OLDHAM
RACHAEL M. OLMSTEAD
VIDALIA OWENS
ALEXANDER S. PATLOVANY
CODY W. PETERSON
LAUREN K. PFENDLER
CAROLYN R. PRICE MOORE
JOSHUA A. RACKLEY
STEVEN RAMOS
ERIK N. RINGDAHL
WILLIAM C. ROASA
MARCIA P. ROBINSON
ROGELIO RODRIGUEZ
HOLLY R. ROLLINS
CHAD A. ROUNDS
ANDREA E. RUSSELL
AMIT P. SAINI
JAMES A. SALAS
BRANDY E. SANDE
MARION V. SANDERS
VANESSA F. SCHEIRER
DANIELLE J. SCHUSTER
MIESHA R. SHEFFEY
JOSHUA D. SHUMWAY
STEPHEN A. SMITH
TIMOTHY J. SMITH
DAVID L. SNOWDEN
ALLISON M. STEPHENS
KRISTOPHER T. SURDUKOWSKI
JENNIFER M. SWANN
ELIZABETH A. TESCH
JOSHUA J. TURNER
COLE F. VANICEK
SARA R. VENA
EMANUEL J. VONDRAN
KEVIN T. WAICKAUSKAS
TERRANCE L. WALKER
SAMANTHA M. WARREN
KATHLEEN L. WATTS
ERIC L. WEATHERHOLT
EANAH MAURAYAH WHALEY
JOANNA E. WIESE
MATTHEW K. WILLIAMS
RAMONE A. WILLIAMS
PAUL A. WILLIAMSON
BURKE R. WILSON
ANGELICA C. WORSHAM
CHEN YANG
GREGORY S. YOUTZ
JOAN DIAZ ZUNIGA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JENNIFER L. BAKER
JON E. BLACK
BRIAN R. BLANCHARD
MAJELLA G. BROWN
RYAN L. BUHITE
EDGAR G. CADUA
BRUCE W. CALLAHAN
PATRICK A. CUTTER
JARED H. DAHLE
LUANNE DANES
RYAN C. DANLEY
JAMES W. DAVIS
TIMOTHY J. DAVIS
JAMES C. ENDERBY
EMILY F. ESCHBACHER
HEATHER WINFREE FENZL
JOEL T. FOSTER
JONATHAN D. FRANK
SAUL J. FREEDMAN
DANIELLE E. GALT
ERIC A. GREEN

JENNIFER BRADLEY HARWARD
GRETCHEN L. HAYWOOD
THOMAS J. HEIER
KYLIE C. HESTER
CRAIG A. HOLDER
LISA M. HOYT
DAVID R. JARNOT
JENNIFER N. JOHNSON
AARON W. LAMBERT
TAK L. LI
TODD A. LIGMAN
JUSTIN D. LUSK
LANCE M. MABRY
ISAIAH D. MANIGAULT
TRACY L. MARKLE
JESSICA M. MELCHIOR
DANIEL B. MICHEL
PAUL R. NELSON
MATTHEW K. NIELSEN
ROBERT V. NIEWOONDER
KRIS A. OSTROWSKI
ALICIA OTTATI
ELISHA N. PARKHILL
CHRISTINA PEACE
KERRY A. PHELAN
JUSTIN E. SANDHOLM
ERNEST L. SCOTT
STEPHEN M. STOUWER
MARC P. SYLVANDER
APRIL J. TAYLOR
ANDREW J. WAGNER
DORIAN R. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANE V. CAMPBELL
MAUREEN A. FARRELL
WILLIAM R. HURTLE
DEREK J. LARBE
JASON J. LENNIEN
CHRISTIAN L. LYONS
TIFFANY JAYNE REITNAUER MORGAN
BRIAN T. MUSSELMAN
SHANNON L. PHARES
DARREN P. RHOTON
JAMES E. SHIELDS
JULIA N. SUNDSTROM
DAVID C. WALMSLEY
RICHARD L. WOODRUFF, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DERRICK C. LONG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

NATALIE E. VANATTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN F. LOPES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TERRANCE R. LATSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ASHLEY R. SELLERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TRISTAN D. HARRINGTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ELIAS M. CHELALA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROBERT P. L. BAILEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARIAH C. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARK W. CANARY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID E. MEACHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHRISTOPHER D. MCDEVITT

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRUCE M. COCCOLI
ROBERT D. FENTON, JR.
JAMES C. FOWLER
MICHAEL T. FOWLER
JAMES B. HAYNIE
EDWARD K. KOLEDO
GREGORY O. OLSON
SCOTT J. SHERIDAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

THOMAS A. BROOKS
HARRY E. BYRD, JR.
SUSAN D. CASWELL
DAVID P. CURLIN
DONALD W. EHRKE
PAUL D. FRITTS
ALFRED C. GRONDSKI, JR.
JAMES P. HALL
DANIEL W. HARDIN
LOREN B. HUTSELL
ALAN M. IRIZARRY
JAMES D. KEY
HYEONJOONG KIM
SCOTT B. KOEMAN
CHARLES H. LAHMON
MONICA R. LAWSON
TIMOTHY E. MARACLE
JEFFREY T. MCKINNEY
DAVID W. MEYER
DEREK W. MURRAY
MASAKI NAKAZONO
SHINRI M. NISHIMURA
BRIAN G. PALMER
JAMES PEAK
SEAN A. PHILLIPS
TOMMIE L. PICKENS
STEPHEN PRATEL, SR.
ANTHONY P. RANDALL
BRIAN D. REED
KENNETH C. SHARPE
HENRY C. SOUSSAN
JEFFREY T. VAN NESS
GEORGE L. WALLACE
SANG J. WON
D012739

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

EDWARD A. JARRETT
CASEY T. SCHOBER

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CURTIS J. ALLEN
PATRICK G. BALASTA
ANDREW C. BISCHOFF
TODD W. BLANCHETTE
JOHN L. CIESCO
SAMUEL B. CLARK
DAVID H. COWAN
DAVID M. HARTMAN
CAMILLE N. MORGAN
ABOUBAKAR N. NGOUCHAMA
CHRISTOPHER S. PELTON
MICHAEL A. POLLOCK
SUAREZ J. REYES
PAMELA R. ROBINSON
ENGLEBERT Q. ROY
RANDY L. SHIELDS
TIMOTHY E. SHILES
ANA M. STROBBE
BRADLEY A. WRIGHT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JASON A. TEWS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CHRISTOPHER P. CARROLL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GABRIEL PEREZ
ERIC R. TRUEMPER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ANTON A. ADAM
HELENA M. ATKINS
JUSTIN L. BENNETT
VERONICA BENNETT
BRIAN M. BIEBER
TERI A. BOLINSKY
GARRETT E. BOND
ERIK J. BRACELAND
JOSEPH C. BREWEN
STEVEN F. M. BRIGGS
MATTHEW G. CARROLL
PAUL E. CHAPMAN
BENJAMIN M. CHIME, JR.
JAMES P. CONKLIN
GALE A. COOK III
ADAM C. COOMBS
DAVID P. COUCHMAN
CHRISTOPHER T. CROMIE
PAUL C. DAMORE
CONNOR R. DARR
ROBERT J. DOGGETT, JR.
JAMES R. DONAHUE
GIBB A. H. DUNGEY
CAPREECE M. DUNKLIN
AUSTIN D. FOLSTER
JIMMY A. FOSTER, JR.
SHANNA M. GAINER
HONORATO B. GAMBOA III
KENDRICK R. GARRETT
DAVID K. GIBSON
JEFFREY E. GOOD
CHRISTIAN A. C. GRAU
CHEA V. HALEHERNANDEZ
WESLEY Y. HAN
JOSHUA R. HART
CASEY J. HEBERT
BRYCE B. HICKS
MELISSA A. HILLMAN
BENJAMIN E. B. HIXSON
JASON D. HOUSE
EDWIN F. JIMENEZ
AMANDA M. JONES
KORY D. KREBS
MACDONALD A. LARYEA
ADAM W. LAWRENCE
DALE P. LESSNER
TAISHAN LIN
VINCENT J. LINLEY
GEROME A. LOPEZ
JUAN A. LUEVANO
ARNOLD M. LUMINARIAS
TU K. LUONG
NICHOLAS C. MADER
ZACHARY C. MANRIQUEZ
TUCKER H. MCKENNEY
DANILO MEULENER, JR.
BRIJ MOHAN
MABI S. MORGAN
KATHRYN L. NEWSOM
DANIEL A. NIN
TABITHA V. NOEL
CHRISTOPHER T. NORMAN
TYLER S. ORDWAY
LAUREN E. PETERS
JASON A. PIRRALLO
THOMAS T. POE
CHRISTY F. RIEGER
ELLIOT W. RILEY
PAVEENA RITTHAWORN
CLIFFORD S. RIVERA
JUAN C. SANCHEZ
ROBERT J. SCHMERMUND
JOSHUA R. SHIVER
MARIA C. SIERRA
AARON K. SMITH
JAMES M. STEELE
AERRICK L. STEINWAND
KENNETH D. SWING, JR.
WIN THAW
JASON E. THOMAS
JUSTIN C. TINSLEY
RICHARD K. TISDALE
JOSE J. P. TOBIAS
ALESSANDRO F. TORNATORE
LONG K. TRAN
ANTHONY C. URECH
JULIO A. VARGAS
CHASE A. VIZZIER
CALLAN T. WALSH

ASHLY L. WISNIEWSKI
YING P. ZHONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ADRIENNE T. BENTON
JUSTIN P. BERNARD
LARRY J. BRANT
JOHNATHAN R. BUSH
KEITH M. CARTER
PON CHANTHAPHON
HYLANIE K. CHANWILLIAMS
DANIEL E. CLARK
KAELAN F. CLAY
MARK C. COOK
ROBERT L. CRABB
CHARLES R. FERGUSON
TRAVIS J. GARDNER
BENTON L. GARRETT
STEPHEN T. GRIFFIN
ROBERT O. GUILLIAMS
KEVIN L. JOHNSON
TRENTEN W. LONG
CHAD C. MCCAIN
ERIC J. MELVIN
TIMOTHY J. MILLER
MICHAEL J. MONROIG
DRU A. NELSON
JOHN W. POTTER
MATTHEW A. RILEY
JONATHAN D. ROZENDAAL
JEREMY C. SELITTO
JOSHUA A. SHERWIN
ANTHONY D. STALLINGS
CHRISTOPHER J. SUTTON
JOHN W. TARR
JASON P. ULVEN
AARON R. WESSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SALAHUDDIN A. ADENKHALIF
ANGEL AVILES
JOSHUA L. BAKER
CLAYTON B. BEAME
MICHAEL A. BERL
STEVEN R. BISCHAK
DEREK M. BOOGAART
JOHN A. BRAYMAN
DANIEL J. BROWN
KRISTAL A. BROWN
ELISE M. CHAPDELAINE
LIWEI CHEN
NATHAN V. CHENARAK
CARL J. CLEMENCICH III
SETH D. COCHRAN
CRAIG L. CULBERTSON
JOHN F. DALY III
LEONARD W. DENNIS IV
RICHARD DIAZ
MATTHEW R. EVANS
CHRISTOPHER S. FAIRFIELD
JIL L. FREDRIKSEN
KENNETH GARCIA
BRANDON O. GOSCH
RONDAL W. HALE
LAWRENCE D. HALL
ERIC R. HOWER
KEVIN J. KACZMARSKI
RENEKIA M. KESLAR
JOHN L. KIMMEL
CLINTON B. LAWSON
SAMUEL M. LEE
YIU B. LEE
CHRISTOPHER C. LINCK
RYAN D. LIVINGSTON
CAROLINE N. MAYER
KAREN E. MCALLISTER
JULIE M. MILLER
INARAQUEL MIRANDAVARGAS
ETHAN T. MOECKL
STEPHEN E. MOYER
JUSTUS K. OCONNOR
ANDREW J. PETRALIA
HENRY POLLOCKMARIEN
SONNY D. ROWLAND
HERIBERTO SANCHEZRIVERA
MICHAEL L. SAPIENZA
KYLE M. SCHLAIS
JOSHUA M. SHARP
PETER A. SMAGUR
SARAH K. URSETTI
TOMMY L. VAUGHN II
CALVIN J. WARREN
RYAN M. WHITE
VICTOR T. F. WONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SANTIAGO A. ABADAM II
STEPHANIE A. ADAMS
DIANA V. AN
NNEOMA G. ANYANWU
ADAM L. ARROGANTE

COURTNEY J. BAILEY
GRAEME A. BANNERMAN
RAMNEL E. BARCENAS
SUNNY C. BARTHOLOMEW
TODD A. BATTEAU
SHEREE L. BLACKWELL
TIMOTHY W. BORING
LINDSEY H. BOYD
WHITNEY W. BROCK
CORNELIUS L. BROTHERS
AARON S. CAGLEY
JONATHAN R. CARMACK
CHRISTINA W. CARTER
MEISHA V. CAUDLE
VALENTIN CHAPA III
WENDY S. CHOATE
NATALIE A. CLAYPOOL
MARK S. CRIDER
CARI D. CROSS
EMILY N. CROWELL
SHAWN K. CROWTHER
DANIELLE R. CURTIS
STEPHANIE D. DANIELS
ERICA M. DIAMOND
ALAINA M. DOWNEY
DARCY M. DUNLAP
ADAM R. EATON
LAURI A. ELROD
KELLY L. ELSEA
ANGELA M. EVANS
ERIC J. POSTER
DANIEL GARCIA, JR.
CODY R. GREMORE
SHANNON W. GRIFFITHS
SARAH M. GUTIERREZ
TIFFANY L. HARRIMAN
CHRISTOPHER M. HAUSVIK
MICHAEL L. HEIMES
SARAH J. HERVEY
CARL S. HILL
LORELEI M. HUGHES
SEAN A. HUTCHISON
AMANDA M. JACK
JAMES F. JEFF III
CHRISTOPHER A. JOHNSON
DAVID V. JOHNSON
JOSHUA E. JONES
MARC W. JUAREZ
THOMAS R. KASTER
ANGELITA S. KISENA
HENRY J. LANG
MICHAEL P. LANIER
KATHRYN R. LYNN
ANGUS J. MACDONALD
RICKSON H. MADLANGBAYAN
LINDSEY J. MANKO
RUBEN V. MARTINEZ
CYNTHIA P. MATTERS
MERIAM V. MAYS
ALEXIS K. MCDERMOTT
KARA MCDOWELL
JAMES E. MCLAMB
NATALIE M. MILLS
KELLY P. MINOR
CEDRICK T. MITCHELL
LEWIS L. MONROE
TALITHA R. MOTON
REBECCA R. NEUHART
ELSPETH L. PHILLIPS
CHRISTINA L. PINKSTON
DAVID E. POTTER
QUINN C. RICHARDS
ASHLEY O. ROBERTSON
SARAH L. ROGERS
MICHAEL A. RUTLAND
JEFFREY S. SAMUELS
TRENT M. SASSMAN
ANNA S. SCHLENKER
MEGEN J. SCOTT
JOSEPH J. SHANNON
PATRICIA H. SMITH
TRAVIS W. STOREY
KAMI R. TABOR
PAUL M. V. TANJUTCO III
KIMBERLY A. TOZER
LISA F. L. UMPA
NICHOLAS J. WALKER
RYAN E. WALTER
LYNEISE K. WATSON
ERIN P. WEBB
KATHRYN I. M. WEISS
TODD R. WENTZ
KEITH A. WEST
JESSICA L. B. WHEPLEY
JULIAN L. WILCOX
TSION Y. WILLIAMS
LELA J. WILSONHAMMEL
STEPHEN J. WILTSHIRE
CARYN A. WOMBLE
LARRY J. YATCHAK
STACEY L. YON
JAIME M. YORK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SARAH A. AGUERO
MARYAM B. AUSTIN
JAMES M. BELFORTI
ZACHARY P. BRANCH
WILLIAM B. BURROUGHS

JENNIFER M. BUYSKE
JAMES D. CARSON
LAUREN M. CHERRY
NAKKU CHUNG
BARBARA J. COLBERG
CHRISTIAN L. COLBURN
JOHN T. COLE
SARAH E. CUMMINGS
GREGORY E. DIXON
SARAH R. DORSETT
BENJAMIN E. DOSKOCIL
HANNAH F. EAVES
BRIGHAM B. FUGAL
ELAN R. W. GHAZAL
DENNIS E. HARBIN
JONATHAN M. HAWKINS
ERIN T. JANOWSKI
EILEEN M. JOY
MAREN A. KAISER
ELIZABETH K. KIESSLING
JESSICA E. KONINGSOR
PAUL S. LAPLANTE
KEVIN R. LARSON
MAURA K. LEARY
ANDREA M. LOGAN
JOEY A. LONJERS
THOMAS M. LOPEZ
KEVIN M. LOUGHMAN
GENEVIEVE P. LOUTTINSKY
ALEXANDRA E. MARIN
AARON E. MARTIN
ROBERT A. MCRIGHT
JACOB E. MEUSCH
ROBERT J. MILLER
ALEXANDRA NICA
DOUGLAS R. OTTENWESS
INGRID E. PAIGE
CHAO PAN
CARINA M. PODGORSKI
LISA M. REDMOND
EMMA E. ROBERTSON
SCOTT J. UPRIGHT
TRACY L. WALLER
DENNIS E. WESTMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOKO A. ABUBAKAR
JAMES L. ALLEN
MELISSA F. AMESCUA
PETER E. ANGELL
NOAH M. APUSEN
RYAN J. AYLSWORTH
JOANNA L. BABBITT
ROBERT Y. BARRAGAN II
ROBERT A. BARTHOLOMEW
DALE M. BAUMBACH, JR.
LANCE A. BEAHM
CHRISTOPHER M. BEAUMONT
ANDREW S. BENSON
DANETT K. BISHOP
CHRISTINA M. BOLOGNA
BROOK M. BORDEN
LAUREN C. BROWN
SARAH V. BROWNING
ROBERT S. BRYSON
LUCRECHA D. CALLEANCE
MELANIE C. CARMODY
CONTRILLUS D. CARTER
CHERIE L. CHENAULT
ALLISON A. CLARK
STEPHEN W. CONE
SERGIO J. CORONEL, JR.
ANNA C. CROSBY
ANNE M. DASILVA
AMANDA N. DILLINGER
JEFFREY J. DIXON
AARON D. ECKARD
WILLIAM T. EICKMEYER
MILES A. ERWIN
EPHRAIM C. ESCOBAR
JACQUELINE M. EVANS
MICHAEL D. EVANS
STANLEY FAVARD
JESSICA O. L. FORDE
JONATHAN J. FOWLER
MANUEL A. C. GONZALEZ
KRISTA L. GREENE
WILLIAM L. GRISHAM
JEREMY G. GRISWOLD
YEN C. GUCKEYSON
GREGORY A. HALOL
GARRET T. HAND
JULIA L. HARDYCARR
TIMOTHY E. HARMON
ERICA R. HARRIS
JACOB G. HASTY
GRISelda E. HAYWOOD
CYNTHIA R. HIERS
CARRIE J. HOBBY
SHERRILL D. HOCKENBERRY
ROBERT D. HONTZ
NATHANIEL R. HYDES
FELTONIA M. JAMES
MARKELLY JEANPIERRE
KAMILAH M. JOHNSON
GENNELL M. KIDDER
JOSHUA A. KNAPP
KARLA L. T. KRASNOSELSKY
JOSEPH F. LABARBERA

DAVID K. LANE
 RYAN T. LARSON
 TODD C. LEROUX
 TRACY M. LEWIS
 ASHLYN LOBENBERG
 JEFFREY S. MAGONE
 KRYSTAL N. MARTIN
 MATTHEW R. MARTIN
 DUSTY S. MATTHEWS
 SAMUEL V. MENDOZA
 CALVIN P. MILLER
 MICHELLE C. MILLER
 MATTHEW J. MONTGOMERY
 JEFFERSON M. MOODY
 LAURA E. MOODY
 TYRONE NAGAPOOLLAY
 REGINALD K. NG
 JOHN C. NORTH
 AARON M. OMLOR
 MERRICK S. PETTEBONE
 ELIZABETH J. PLOWMAN
 RAYMOND POSEY, JR.
 CARL A. POWELL
 JAMES B. POWELL
 ADAM M. PRESTON
 NORMA C. QUICHIZJUDD
 ROBERT R. RAMIREZ
 REBECCA C. RAUSA
 CARRIE N. RAYMOND
 JAMES M. REGEIMBAL, JR.
 BRIAN T. REYNOLDS
 MAILE L. RICHERT
 EVAN N. ROMRELL
 ANNA L. ROSENDAHL
 DAVID ROZOVSKI
 BRIDGET I. RUIZ
 WILLIAM J. RUPPEL, JR.
 KRISTEN M. RUSCIO
 CAMILLE P. RYANS
 TRISTA J. RYNO
 JOSEPH M. SANK
 DAVID W. SATTERTHWAITE
 DANIEL L. SCHEELER
 SONNY L. SHOTWELL
 CASSIE T. SIPE
 ANTHONY M. SKRYPEK II
 BENJAMIN H. SMITH
 CHRISTOPHER J. SOWERS
 PETER J. SPRENGER
 LANCE STEPHENS
 LINDSEY A. STOIL
 AARON J. STOLL
 MASHIANA L. SUTTON
 MELINDA D. SWAYNE
 JASON SWITZER
 CARLO J. TRAVERSO
 RICARDO M. TUBBS
 DANIEL H. WEDEMAN, JR.
 DAVID M. WOLFE
 YUI Y. WONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BROOKE T. AHLSTROM
 HIROYA AKO
 MICHAEL J. BATCHELLER
 MATHEW R. BURDICK
 KEVIN J. BURNS
 CHARLIE E. CAGE
 DERRICK C. CALL
 TERESA A. CAPRISTO
 JUSTIN J. P. CARL
 DENISE CHIU
 JEFFREY M. CLARK
 MARK J. DEROCHER
 JESSICA R. DILLON
 KIM T. DO
 JAMES S. FELIZ
 KOBY R. FERGUSON
 TYLER J. FINLAYSON
 ALYSE D. FLEMING
 TYLER P. FLEMING
 DANIEL L. FORBES
 STEPHEN W. GEORGE
 JENNIFER C. GRIFFETH
 ELIZABETH A. GRIFFIS
 ASHLEY N. HARLEY
 DUSTIN B. HAUPT
 AMIE M. HEIM
 RYAN A. HERSHEY
 RYAN C. HOLMES
 TIMOTHY W. HOWARTH
 FRANCIS IM
 PHILLIP A. JENKINS
 TYLER R. JOHANSEN
 RYAN Y. KANG
 JOSHUA C. KATS
 INGA M. KEITHLY
 ELIZABETH A. KLANDERMAN
 JONATHAN J. KOLON
 MOLLY E. KOPACZ
 CHRISTIAN P. LARES
 GRANT R. LAYTON
 KY T. LE
 JAMES G. LINKOUS
 MISHA F. LOCKEY
 DANIELLE M. MARQUIS
 RODNEY D. MARTIN
 TORI A. MAYWALT
 CHRISTOPHER J. MCLELLAN

P. J. MERRELL
 EZRA I. MERRITT
 ROBIN C. NEAL
 JONATHAN B. NEGRON
 MANDY M. OLSON
 JUSTIN C. ORR
 CHRISTOPHER R. ORTIZ
 JUSTIN G. PAGE
 SETH L. PERRINS
 ELIZABETH A. POLAK
 YAMEL A. RAMIREZ
 STEVEN R. RASSI
 EBONY D. REED
 EDMOND REXHA
 OMEED A. REZAETIRABADI
 SAMUEL I. RICHARDS
 KEVIN W. RYAN
 RICHARD E. SAWAYA
 MATTHEW E. SEEDALL
 THOMAS C. SEO
 MATTHEW G. SHERBAN
 SABRINA J. SINCERESOMBIE
 EMILY M. SUMMERLIN
 KEENAN S. SUMMERLIN
 BRENT A. TIBBET
 CHRISTOPHER M. TULLY
 JOHN H. UPTON III
 DIANE T. L. VO
 JEREMY D. WANO
 MARK C. WARNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MIGUEL M. ALAMPAY
 MATTHEW J. ALLRED
 AMANDA C. ANTONIO
 DYLAN C. ARNOLD
 MICHAEL R. AUSTIN
 JOSEPH T. AZZARELLO
 OLEG BALTER
 WILLIAM E. BARBER
 HELEN M. BARNHART
 NICOLE J. BEHM
 AARON BERNADETTE
 JOSHUA Z. BLOOMBERG
 JACQUES M. BOUCHARD
 JASON M. BOWIE
 GREGORY E. BOWLIN
 CHRISTOPHER T. BOYER
 DANIEL S. BRENNAN
 MICHELLE C. BRENNER
 ALYSON J. BRINKER
 AMBER L. BRITTAIN
 LEITH I. BROWN
 NATHANIEL A. BROWN
 AMANDA E. BUCKNUM
 AI H. T. BUI
 KENNETH L. BULL
 BRIAN J. BURKE
 EVAN R. R. BUTLIN
 JOSEPH A. CAHILL
 HARRY F. CALISCH III
 CARLOS H. CASAMALHUAPA
 BIANCA K. CHUN
 SEAMUS M. COBB
 MAXWELL I. COOPER
 BRANDON M. COSTELLO
 GREGORY R. CZAJA
 AARON A. DALEY
 DANIEL J. DESANTIS
 SARAH M. DOLAN
 MICHAEL M. DORE
 JACOB L. N. DUONG
 THEODORA C. DWORAK
 LAUREN K. EHRLICHMAN
 CHRISTA A. EICKHOFF
 JEFFREY C. EICKHOFF
 KRYSTIN A. ENGELHARDT
 SHAMIS FALLAH
 DAVID A. FEAKER, JR.
 MICHAEL J. FEDEWA, JR.
 ROBERT L. FENEQUITO
 ROBERT D. FILLER
 MICHAEL T. FINNERN, JR.
 LAURA M. FLUKE
 CRAIG R. FOLSOM
 BRIAN S. FORD
 ANDREW J. FRISKI
 JOEL A. FULKERSON
 MELISSA R. GARCIA
 MICHAEL C. GARDNER
 JASON M. GARTON
 JAIME P. GASTWIRT
 MEGHAN E. GINN
 SARAH C. GODWIN
 JENNIFER F. GREGORY
 DANIEL W. GRIFFIN
 FELIPE H. GRIMALDO
 CHARLES L. GROOMES IV
 DARREN M. C. HALL
 JOYCE N. HALL
 MATTHEW T. HALL
 MICHAEL C. HANN
 JOSEPH P. HAPPEL
 JASON M. HARDWICK
 DAVID M. HARRIS
 KYLE M. HARVEY
 RICHARD J. HEROLD
 SERGIO HICKEY
 BRANDON L. HILL

DAVID H. HILL
 KRISTIN A. HINE
 ISAAC ILAQA
 CATHERINE K. IMES
 SYLVESTER C. IZAH
 MARICELA JACOBORUBIO
 STEPHEN D. JASZKOWIAK
 JEPHTHA T. JOHNSON
 CHRISTIE A. JOYA
 RYAN E. KACHUR
 JASON A. KAISER
 ALEXANDER F. KELLEY
 MATTHEW W. KELLY
 RICHARD A. KEMP
 JEREMY R. KENISON
 BRIAN J. KENNERLEY
 ELIZABETH D. KERR
 DANIEL KIM
 THOMAS B. KINER
 BRADLEY J. KINNEY
 ERIC J. KOCH
 KRISTA K. KOCH
 JENNIFER L. KUTCHER
 SEBASTIAN W. LARA
 DEREK T. LARSON
 PAUL R. LEWIS II
 JOHN F. LINABURY
 EMILY B. LIPSKY
 ANDREW T. LOOMIS
 MICHAEL J. LUCA, JR.
 ERIC M. LUEHRS
 DONOVAN L. MABE
 JOSHUA W. MAJOR
 SAMUEL A. MALUIL
 BRITTANY B. MARSHALL
 JILL K. MARTINI
 JONATHAN A. MAYHEW
 TARA C. MCCLUSKEY
 DEBRA L. MCKEE
 BRIAN E. MCKINNEY
 KENNETH D. MCMANUS
 NICHOLAS J. MICHOLS
 ROXANNE C. MICKELSON
 RYAN J. MIKAC
 BENJAMIN T. MILLER
 ALAN R. MINER
 CESAR R. MOJICAVAZQUEZ
 JEFFREY R. MOORE
 JOHN B. MOORE
 NATHAN A. MOSS
 KENNETH R. MOTOYAMA
 PAUL A. MOULLET
 CHRISTOPHER J. MULLIN
 JENNA N. NADOLSKY
 EDDIE E. NANCE
 SEAN L. NARDI
 MARY A. NELSON
 JOHN J. NEVIN
 JANET M. NUNN
 ROBERT M. OBRYAN
 ROBERT J. OLEJNIK
 ADAM J. OLEWNIK
 JENNIFER L. OTTINO
 MARY S. PADEN
 ERIC A. PASMAN
 RAYMON A. PATRON
 ANDREW S. PETERS
 PHILIP D. PETERSON
 GIBRAN J. PIERLUISSIJOVET
 JULIE R. POLONCZYK
 CHAD R. PUSATERI
 ROBERT M. PUTKO
 CHRISTOPHER H. RENNINGER
 JEFFREY M. RICE
 JANELLE K. RILEY
 TYRONE L. ROBINSON
 REBECCA J. ROHRER
 NICHOLAS J. ROHRHOFF
 JOHN W. ROMAN
 FRANCES L. ROSARIO
 PHILIP A. ROTHBERG
 JIN O. SANDBERG
 DANIEL P. SANFORD
 ALIYE Z. SANOU
 SAMEER K. SAXENA
 STACEY S. SCHMIEDECKE
 ISAAC E. SCHWARTZ
 SAJEEWANE M. SEALES
 SARAH A. D. SEBBY
 MENA A. SHAKER
 SWAPNIL SHARMA
 BRENNAN J. SHUTT
 EDMUND J. SIEBEL
 JESSICA J. SIERZCHULA
 SEAN M. SIMMONS
 ANTHONY J. SKINNER
 MEGAN E. SKINNER
 SHAWN A. SLAYTON
 RYAN L. SLOAD
 ANDREW B. SMITH
 RUTH E. SMITH
 KATHERINE A. SNYDER
 JOANNE D. SO
 RYAN D. STANCIL
 JUSTIN M. STARK
 SHARON K. STORTZ
 DAVID S. STRICKLAND
 HALEY T. STRICKLAND
 ANDREW J. SULLIVAN
 JOSHUA C. TATUM
 RYAN N. K. TENOLD
 CRAIG A. THOMAS

KATIE L. TOPPING
ANNA M. TORGESON
BRIAN D. TRAN
JAN M. VANGENT
DOMINIC L. VANNIELEN
MATTHEW C. VASQUEZ
CAREY B. VINCENT
BENJAMIN S. VIPLER
JOHN D. WAGNER
SCOTT A. WALLACE
MARGARET H. WALTERS
JASON M. WANG
JASON C. WHITE
RUSSELL P. WIER
KENNETH R. WILLAERT
BENJAMIN B. WILLIAMSON
CLAY T. WINKLER
MARK W. WIRTZ
KATHRYN R. WOLF
ANDREA C. WURZER
SAMIRA ZAMANI
ASHLEY L. ZANDER

ZACHARY A. ZANFES

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES MA-
RINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MEGAN L. BUSTIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES MA-
RINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROBERT M. BARCLAY

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN
SERVICE OF THE UNITED STATES AGENCY FOR INTER-
NATIONAL DEVELOPMENT TO BE A FOREIGN SERVICE

OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN
THE DIPLOMATIC SERVICE OF THE UNITED STATES OF
AMERICA:

MICHAEL ASHKOURI, OF VIRGINIA
JILL JUPITER-JONES, OF MARYLAND
JOHN H. PIGGOTT, OF VIRGINIA
JEFFRIES BLUNT DE GRAFFENRIED, JR., OF FLORIDA
OMAR ROBLES, OF CALIFORNIA

CONFIRMATION

Executive nomination confirmed by
the Senate September 05, 2017:

THE JUDICIARY

TIMOTHY J. KELLY, OF THE DISTRICT OF COLUMBIA,
TO BE UNITED STATES DISTRICT JUDGE FOR THE DIS-
TRICT OF COLUMBIA.

HOUSE OF REPRESENTATIVES—Tuesday, September 5, 2017

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 5, 2017.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, we give You thanks for giving us another day.

In the wake of a great American holiday, we ask Your special blessing on American workers: those fortunate to have jobs during these difficult economic times, and those desiring work. May they know and be confident of the nobility and sacredness of their labor.

Lord, the task facing the Nation's Congress is a difficult one, which will call upon each Member to consider what is best for American workers first. It is the challenge facing all Americans.

Give the Members wisdom in their work, that our economy might continue to rebound, and our countrymen and -women throughout these United States be able to provide for their families to build lives we have all come to expect for our citizens.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. GAETZ) come forward and lead the House in the Pledge of Allegiance.

Mr. GAETZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

DACA

(Mr. GAETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GAETZ. Madam Speaker, I take to the floor of the House today to support President Trump's decision as it relates to DACA.

America must be a nation of laws, and those laws must be passed by the Congress. This is the promise made in our Constitution and ensured by our enduring liberty. President Obama was incorrect to unilaterally act in this program; President Trump is correct to put the power back in the hands of the people's representatives.

America must also be a nation of borders, and we erode the virtue and value of those borders when we draw people across those borders illegally. There is nothing compassionate about telling the rest of the world that, so long as a child arrives here, that child will be treated as if they have the same virtues and values of American citizens, if they committed the criminal offense of unlawful entry into the country.

Challenges we have seen with undocumented minors being sent has created humanitarian crises, and I believe that DACA and other programs that draw those across our borders illegally have contributed to those crises. I support the President. We should end DACA.

DACA

(Ms. BARRAGÁN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BARRAGÁN. Madam Speaker, I rise today because I am fired up. I am angry about the decision that the President made today on DACA.

I want to thank the thousands of people who have risen up across this country—from Houston, to Philly, to Los Angeles, to Denver—to say that they are going to have their voices heard. They need to continue to sound that voice.

What about the promise the government made to these young people that said: If you come forward and come out of the shadows, we are going to protect your information? What about that promise?

I want every DREAMer to know that I stand with them and that I am going

to fight like hell here in Congress to make sure that we protect them and to make sure that we honor the promise that we made. These people are our doctors, our teachers, our neighbors, and, in my case, my cousin.

I call on Congress and my colleagues across the aisle who have been speaking up on this issue in support of DACA protections to do more than speak, and to act—to act now and to act fast.

CONGRESS SHOULD MAKE IMMIGRATION POLICIES

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, today President Trump delivered on his promise to the American people. He said he would discontinue the DACA immigration program, which allows hundreds of thousands of illegal immigrants to stay in the country and receive work permits.

By ending the unconstitutional DACA program, he has overturned the last of President Obama's amnesty agenda and returned to the rule of law. President Obama, a former constitutional law professor, said many times that DACA was unconstitutional.

Congress and the administration should strengthen our laws against illegal immigration and ensure that our immigration policies put unemployed Americans first. The U.S. labor participation rate is at a 40-year low.

President Trump is right to discontinue the DACA program and let Congress address immigration policies, including securing the border.

EDUCATION FUNDING

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Madam Speaker, I rise today to discuss education: the building block to a successful future.

As a father and, now, a grandfather for the second time, I know our education system is of the utmost importance. Education is truly one of the pillars of my life.

I am a strong advocate for limiting the scope of the Federal Government in education decisions. Our school boards and teachers understand what works best for these individual students, and providing them control to make their own decisions ensures the best results for our students.

I am encouraged to see the House retain and increase many of the Federal funding levels for education, including funding for career and technical education State grants. I am very pleased to see Congress increase funding for IDEA, the Individuals with Disabilities Education Act, by \$200 million.

I urge my colleagues to also talk to their local teachers, administrators, and students to see what works and what doesn't.

Educating the next generation is one of the most sacred responsibilities, and I thank those like I met with who dedicate their lives to that cause.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

RESTRAINING EXCESSIVE SEIZURE OF PROPERTY THROUGH THE EXPLOITATION OF CIVIL ASSET FORFEITURE TOOLS ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1843) to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows

H.R. 1843

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clyde-Hirsch-Sowers RESPECT Act" or the "Restraining Ex-

cessive Seizure of Property through the Exploitation of Civil Asset Forfeiture Tools Act".

SEC. 2. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking "Any property" and inserting the following:

"(A) IN GENERAL.—Any property"; and

(2) by adding at the end the following:

"(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

"(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

"(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

"(I) make a good faith effort to find all persons with an ownership interest in such property; and

"(II) provide each such person with a notice of the seizure and of the person's rights under clause (iv).

"(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

"(iv) POST-SEIZURE HEARING.—If a person with a property interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324."

SEC. 3. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

"SEC. 139G. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

"Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title."

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting before the item relating to section 140 the following new item:

"Sec. 139G. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material for H.R. 1843, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if a person deposits \$10,000 or more into a financial institution, that institution must submit a currency transaction report to the Treasury Department. Avoiding this reporting requirement by purposefully staying below the \$10,000 limit is a Federal crime known as structuring.

Structuring was made illegal in 1986 to prevent large-scale criminal enterprises, terrorists, and money launderers from hiding their illegally earned money from authorities by consistently depositing just shy of that \$10,000 limit. This makes complete sense.

When structuring is believed to have occurred, the Internal Revenue Service can use its civil asset forfeiture authority to seize funds and force the owner of the funds to prove that they were obtained legally. Let me tell you, I am not laying awake at night, and neither are my colleagues here, worrying about terrorists and mobsters not being able to get access to their money. So far, so good. The law makes sense.

But now let me tell you about somebody who had their money seized by the IRS. Andrew Clyde served three combat tours in Iraq, and then he came home and opened a store in Georgia.

Mr. Clyde had an insurance policy that only covered up to \$10,000 in off-premise losses. So, like any reasonable person, Mr. Clyde never brought more than \$10,000 in cash with him when he made his nightly deposits. The IRS seized \$950,000 from him.

Now, just marinate in that for a minute, Mr. Speaker. Imagine trying to run your business, and one day the Federal Government comes in and takes away all of your money. You don't know why, but it is just gone. You would assume that the IRS would then talk to Mr. Clyde, hear his rationale, and say: Well, it is my mistake.

You are clearly not a mobster or a terrorist. Thank you for your service. Here is your life savings back.

But that is not what happened. Instead, the IRS threatened him with criminal structuring charges until he agreed to settle with the agency, and gave them \$50,000, after he had spent nearly \$100,000 in legal fees.

Andrew Clyde lost \$150,000 simply because he wanted to make sure that his cash deposits were low enough to be insured.

We are here today to make sure this never happens again. The RESPECT Act makes commonsense changes to civil asset forfeiture practices. First and foremost, the IRS would have to show probable cause that the funds they are seizing were derived from or connected to an illegal source.

Additionally, it would provide protections for taxpayers whose money was taken, requiring a hearing within 30 days of the money being seized. These commonsense steps prevent the Federal Government from acting with impunity and harassing the very citizens that they are supposed to protect.

I want to thank a number of individuals for their work on this legislation. I would like to thank JOHN LEWIS, the ranking member of the Oversight Subcommittee. I want to thank my lead sponsor, JOE CROWLEY, the lead Democrat on this legislation. I want to thank Mr. NEAL for his leadership, and I want to thank Chairman BRADY.

We have been at this for a long time. We first started investigating this issue at an Oversight Subcommittee hearing in February of 2015, and we made some progress. IRS Commissioner Koskinen apologized to the victims of this practice on behalf of his agency. In fact, a year later, he changed the IRS procedures to restrict the use of civil asset forfeiture cases in which the money was earned illegally, a commonsense decision that we will codify with this legislation.

I am also heartened to say that in March of this year, the IRS finished its process of reviewing all 454 contested cases that occurred before the rule change. The agency either returned or recommended that the Department of Justice return approximately 80 percent of those funds. The IRS returned over \$6 million to honest Americans who were victims of this government overreach.

While the IRS returned over \$6 million, they have also recommended that the Department of Justice return a whopping \$16 million. Unfortunately, the Department of Justice still has a long way to go in tackling the backlog of undecided cases. We will be addressing this issue with an amendment in the upcoming appropriations bill.

Mr. Speaker, in closing, Americans deserve a government that they can trust. I look forward to working with my colleagues to pass this legislation

to prevent future victims of abusive civil asset forfeiture practices, and fight for those who have been affected.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I stand today in support of H.R. 1843, the Restraining Excessive Seizure of Property through the Exploitation of Civil Asset Forfeiture Tools Act—more simply, the RESPECT Act.

Fundamentally, this legislation is about stopping abusive civil asset seizure practices. Too often, honest small business owners were treated like criminals and had their bank accounts seized by the Federal Government for making frequent deposits from cash sales.

The law at issue today is the Bank Secrecy Act, which set up new reporting requirements for certain activities, like depositing more than \$10,000 in cash. The purpose of the law is to limit criminal business activity conducted in cash, money laundering, drug transactions, and criminal enterprises. Thus, systematically depositing amounts just short of this threshold, is deemed an illegal attempt to structure bank transactions to avoid the reporting requirement.

Over the past 2 years, a number of law-abiding small businesses with high volumes of cash sales testified before the Ways and Means Subcommittee on Oversight describing just how this law was being applied by the IRS and the Department of Justice to seize their bank accounts. Congressmen on both sides of the aisle immediately denounced this practice and sought to have the seized amounts returned.

In October of 2014, the IRS changed its policy on enforcement. Now it only will seize funds of taxpayers where the money is being deposited from an illegal source. H.R. 1843 codifies this policy change, excludes interest received by taxpayers on the return of seized property from tax, and provides notice and hearing rights to taxpayers.

The IRS, however, is only one side of the issue. United States Attorney General Jeff Sessions also must act to right this wrong against these small business owners. The IRS referred 255 petitions to the Department of Justice from small business owners seeking the return of their property. As of June 2017, the Department still had over 180 petitions to review. The Department of Justice should and must work faster.

I thank Congressman ROSKAM, my friend; and the Democrat lead cosponsor, my friend as well, Congressman JOE CROWLEY, for their hard work on this legislation; and also the ranking member of the Oversight Committee, JOHN LEWIS, for his leadership on this issue.

In closing, I want to take a look at how the position taken by the IRS and

the Department of Justice affected a small bakery in Connecticut. For almost 100 years—three generations—the Vocatura family has operated a bakery in Norwich, Connecticut. They sell sandwiches and fresh bread, lots of low-dollar purchases. Until recently, they didn't accept credit cards; so most of their business was in cash.

According to press reports, between March 2007 and April 2013, the Vocatura brothers made hundreds of deposits in amounts ranging from \$7,000 to \$9,900. The bank tellers told them that they had to fill out lots of extra paperwork for deposits over \$10,000, so the Vocatura brothers made sure to deposit their receipts more often. They didn't realize they were breaking the law by consciously avoiding making deposits over \$10,000.

In May of 2013, the IRS enforced the structuring laws and seized the bakery's checking account with more than \$68,000 on hand. The IRS held on to the Vocatura's money for 3 years without ever bringing a case before a judge. The brothers filed a motion, demanding the return of their money; and in 2016, the IRS capitulated.

This story is similar to others that we have heard. This legislation would ensure that no other small business is put in this position. I urge support on both sides of the aisle for this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the chairman yielding me the time, the ranking member for being here, and also Mr. ROSKAM and Mr. CROWLEY, both for their sponsorship and cosponsorship of this legislation.

H.R. 1843, the Clyde-Hirsch-Sowers RESPECT Act is one of those things that you really, at times, have a hard time understanding why we are debating on the floor of the House. It is that much common sense. And as my grandmother used to say: Common sense is not common.

So here we are. If anyone has any doubt about the need to restrain the forfeiture power of the IRS, they need to look no further than what happened to one of my constituents, as has already been mentioned, Andrew Clyde, whose namesake is on the bill. He is a law-abiding small business owner who served multiple combat tours. He had and has a successful gun store in northeast Georgia when the IRS seized his business bank accounts under a little-known procedure called civil asset forfeiture.

Now, we already talked a moment about just what that means, but let me go into a little bit more depth about that. What actually happened here is that Mr. Clyde was not charged with a

crime when they seized his assets. In fact, he was never charged with a crime. In fact, the government's only allegation against him was he regularly made large cash deposits.

In other words, following what his own insurance would protect when he made those off-premise accounts, he was following good business practices. Despite this, the IRS had the audacity to negotiate with him about how much of his own money they would give back to him. The law, as it stands today, gives them the authority to do so; thus, the need for the legislation.

Now, rules have been changed and put in place, but this needs to be codified. I sat with Mr. Clyde on several occasions and talked about this case, and to hear the pain in his voice when he had to spend \$100,000 in legal bills, plus, at the same time, to get the IRS to give back his money, he had to beg the government for his own property.

No one should have had to go through this, and that is why I respect the authors of this legislation, and I appreciate their hearings and concern about this. Because whether it is a bakery, a gun store, or any business, no American should have to face the IRS or the Justice Department when they have never been charged with a crime—they were never charged with a crime—and had their money taken from them.

This is one that I am proud of to see an American who stood up and said: No, this is not right.

Unfortunately, it cost him money, but today, this wrong is being righted. We are going to continue to see this pushed through.

Mr. Speaker, I respect Andrew Clyde, his business, and all the others who stood up and said: This is not right.

I applaud the authors, and I say: Now is the time to finish this. Let's make sure that this never happens to another American citizen.

Mr. NEAL. Mr. Speaker, I yield myself such time as I may consume.

Before I introduce the primary cosponsor of this legislation, I want to respond to something the previous speaker said.

Commissioner Koskinen said a number of times in testimony before the Ways and Means Committee that he doesn't write the law. That is the question that is in front of us at this moment. He says that the IRS follows the law, which we expect agencies to do at the behest of those who are duly elected.

So in this instance, I would suggest that while we don't like what the IRS has done in these particular examples that have been correctly cited by both sides, we also have the obligation to alter, change, or amend the law so that this doesn't happen to the innocent going forward.

□ 1715

So this was not simply about the Commissioner or IRS agents waking up

one day and saying: What kind of havoc and peril can we create today? It was instead the prescription for law that we have offered to them.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. CROWLEY), who is a primary cosponsor of this.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time, and I want to thank, as well, the cosponsor—actually, the lead sponsor—Mr. ROSKAM, for his work here today.

Today is a good day for the American taxpayers as, hopefully, the House of Representatives will soon, once again, pass the Clyde-Hirsch-Sowers RESPECT Act to enact vital reforms to the Federal Government's civil asset forfeiture process.

Civil asset forfeiture is an important tool that the IRS and other Federal agencies use to go after ill-gotten funds from drug dealers, human traffickers, terrorists, and other criminals. This bill will not weaken that vital law enforcement tool one iota, and that is an important point to make. But this legislation will codify into law much-needed reforms to the process to stop what we believe is an abuse of the asset seizures practiced, abusive seizures such as the government's ability to take a person's bank account without ever charging them with a crime.

The Oversight Subcommittee on the Ways and Means Committee, under the guidance of Chairman PETER ROSKAM, undertook a painstaking, multiyear investigation to get to the bottom of these abusive practices. This investigation included holding a series of congressional hearings—that doesn't always happen anymore around here, PETER, as you know—meeting with officials from a number of Federal agencies, including the IRS. I want to thank Commissioner Koskinen for his input and frankness as well, as the ranking member has just indicated.

The subcommittee continued keeping pressure on the IRS and the Justice Department to proactively reach out and return any assets seized from people who were never, ever charged with a crime. These actions culminated in this bipartisan legislation that passed the Ways and Means Committee unanimously.

This bill, the Clyde-Hirsch-Sowers RESPECT Act, aims to take what we have learned and fix the system to better protect all law-abiding citizens. Specifically, it prohibits the IRS from taking any asset related to structuring unless the funds are from an illegal source or the funds were structured to conceal other criminal activity.

Additionally, to provide due process to affected taxpayers, the bill requires the IRS to notify an account holder of a seizure within 30 days—fairly reasonable. Once an account is seized, the bill allows the person whose assets were

seized to seek a hearing within 30 days. Now, we know that those engaged in illegal activity and illegal actions will usually not contest the seizure. But for those who committed no crime, this bill simply levels the playing field for them.

My colleague, Mr. ROSKAM, and I will continue to keep the pressure on the Federal Government to quickly return the assets of those innocent taxpayers—those who are not charged with any crimes but whose bank accounts and other items are still being held by their own government.

But passage of this bill isn't the last part of the fight on wrongful asset forfeiture. This bill is expected to pass this House unanimously, as it did last year, because we all recognize and believe in the basic American judicial premise of innocent until proven guilty. However, I am concerned by the Trump administration's statements and those of Attorney General Jeff Sessions, in particular, that the government intends to increase these asset seizures without any intention of charging affected Americans with crimes.

Let me be clear: I support civil asset seizures when the government can make the case that the money was derived from illicit activity. As I said before, nothing in this bill hinders the ability of the government to do just that. But we must fight any effort by the Trump administration to expand wrongful civil asset forfeiture and continue to take innocent people's own money without charging them with a crime.

Finally, as I close, I want to remind my colleagues of the importance of a larger discussion on much-needed criminal justice reform and an issue I hope this Congress can begin to tackle this year.

Just like the Clyde family, the Hirsch family, and the Sowers family who we named this bill after, far too many American families have seen the U.S. justice system unfairly work against them rather than for them. We need to address that issue of criminal justice reform in the same bipartisan way that Chairman ROSKAM and the entire Ways and Means Committee dealt with this particular issue.

With that, Mr. Speaker, I look forward to passage of this bill. I thank Mr. ROSKAM, again, for the sponsorship of this legislation working together in a very bipartisan way to get this bill out of committee to the floor and pass the House.

Mr. ROSKAM. Mr. Speaker, I have no remaining speakers on this side, and I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I think that this is a good step in the right direction. I hope that we will also encourage the Department of Justice in addition to what we are attempting to do here. As Mr. ROSKAM knows, they are part of

the challenge in front of us as well, but I think this is a certain, forthright step on behalf of those who have been maligned in terms of reputation and their business activities in this moment.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I think Mr. CROWLEY and Mr. NEAL hit the nail on the head, as did Mr. COLLINS.

Let me just sort of sum up then. This is a story about a citizen, a citizen who is scandalized by the Federal Government that is there to protect the citizen, and the citizen said: Do you know what? This doesn't seem right to me. You don't get to do this.

You can imagine what it was like for these people who got caught up in this and were told by IRS agents and Department of Justice lawyers the nature of that intimidation and how heavy-handed and aggressive that is. Yet these people said: No, no, no. That is not right. That is not the way this country is supposed to work.

So they brought it to people's attention, and, Mr. Speaker, people on both sides of the aisle were scandalized by what they heard about this and were troubled by it and said: We can do something about it.

So as a result of this, you have got something that is moving through. Look, it is a tumultuous time in our public life, and there are many deep divisions within this House and across the country about all kinds of issues. But do you know what? Nobody is here defending the status quo of how these people were treated.

So the institution worked. The institution heard what was going on, and now people have come together on both sides of the aisle to move forward on this basis.

I want to echo Mr. NEAL's admonition to the Department of Justice. It is not good enough for the Department of Justice to go into a passive-aggressive mode and to say: Well, we are just going to wait these people out.

That is not good enough. We need to make sure that the Department of Justice is acting forthrightly, is reviewing these cases, and is moving them with dispatch.

Mr. Speaker, I thank my colleagues, Mr. CROWLEY, Mr. LEWIS, Mr. NEAL, and Chairman BRADY. I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RATCLIFFE). The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 1843, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FINANCIAL STABILITY OVERSIGHT COUNCIL INSURANCE MEMBER CONTINUITY ACT

Mr. HULTGREN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3110) to amend the Financial Stability Act of 2010 to modify the term of the independent member of the Financial Stability Oversight Council.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Financial Stability Oversight Council Insurance Member Continuity Act".

SEC. 2. FINANCIAL STABILITY OVERSIGHT COUNCIL.

Section 111(c) of the Financial Stability Act of 2010 (12 U.S.C. 5321(c)) is amended by adding at the end the following:

"(4) TERM OF INDEPENDENT MEMBER.—Notwithstanding paragraph (1), if a successor to the independent member of the Council serving under subsection (b)(1)(J) is not appointed and confirmed by the end of the term of service of such member, such member may continue to serve until the earlier of—

"(A) 18 months after the date on which the term of service ends; or

"(B) the date on which a successor to such member is appointed and confirmed."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HULTGREN) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. HULTGREN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULTGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3110, the Financial Stability Oversight Council Insurance Member Continuity Act. I am proud to sponsor this legislation, which is a technical, but extremely important, correction to the Dodd-Frank Act.

I am very grateful for the support of my colleagues on the Financial Services Committee for helping advance this bill. I especially want to thank Ranking Member WATERS, the lead cosponsor. In fact, we were able to unanimously report this bill out of committee 60 votes to zero when it was marked up in July.

The bill amends the Dodd-Frank Act to allow the Financial Stability Oversight Council's independent member with insurance expertise to remain a voting member of the council beyond his or her term until a successor is ap-

pointed. The extended term would conclude at the earlier of either 18 months or until Senate confirmation of a successor.

The Financial Stability Oversight Council, or FSOC, was created as part of the Dodd-Frank Act. The general purpose of this regulatory body is to provide a forum for discussion of our financial markets and coordination of financial regulations when appropriate.

Under existing law, the 10 voting members of the FSOC include an independent member with insurance expertise who is appointed by the President and confirmed by the Senate. The independent member is the only member appointed by the President to specifically serve on the council and is the only voting member which is expected to have insurance expertise.

Dodd-Frank established a 6-year term for the independent member whose term expires on September 30, 2017. Absent the appointment and confirmation of a successor, the expiration of the independent member's term would leave the council without a voting member who has insurance expertise because Dodd-Frank did not make clear if the position can be filled by an acting official.

My legislation is about ensuring that the FSOC is able to benefit from the perspective of a voting member with insurance expertise without any unnecessary lapses, or to quote a letter that the National Association of Insurance Commissioners sent to the ranking member and me: "It is important that the council have members that have a deep understanding of the unique aspects of the insurance industry and our State-based insurance regulatory system."

I couldn't agree more. In the case of Illinois, we have a very robust insurance market because of the carefully crafted regulatory system we have developed. This allows great companies to thrive and protects the interests of their policyholders. This might not be the case if the FSOC lacks sufficient understanding of our insurance markets and regulatory system.

What was not intended by Dodd-Frank is for the position to be vacant while the President and Senate work to confirm a new appointee. Other voting positions on the FSOC have the benefit of somebody being able to serve in an acting capacity until someone new is confirmed. In fact, the Dodd-Frank Act clearly states that positions on the FSOC can be filled by someone in an acting capacity.

My legislation would simply bring continuity with other FSOC voting members.

This is especially timely given that the term of the individual currently filling this position, Roy Woodall, ends on September 30 of this year. Since President Trump has not yet announced who should fill this role, and

given that the Senate will not likely have sufficient time to react between now and the end of September, we must have this signed into law without delay.

I understand that the Senate Banking Committee will be marking up companion legislation later this week, and I am hopeful it can quickly advance through this Chamber and the Senate Chamber so that this technical issue can be resolved before the end of Mr. WOODALL's term.

I again would like to thank Ranking Member WATERS and all of my colleagues on both sides of the aisle for working with me. I urge support of this noncontroversial legislation, and I am hopeful it can move swiftly to the President's desk.

Mr. Speaker, I reserve the balance of my time.

□ 1730

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to thank Mr. HULTGREN and, as he mentioned, Ranking Member WATERS and a number of members of the committee who are supporting this. I, myself, am a cosponsor of the legislation.

This is a bill that is quite simple: it makes a technical correction to Dodd-Frank to address an issue regarding the term of the independent member with insurance expertise on the Financial Stability Oversight Council, or FSOC. The current term, as Mr. HULTGREN indicated, is set to expire on September 30, and it remains unclear as to whether a successor will be confirmed in a timely fashion.

Dodd-Frank does address how to fill a vacancy, pending the appointment of an agency head, but it does not address the question as it relates to the insurance member. As such, this bill would allow the current independent insurance member to remain a voting member of the FSOC for the earlier of either 18 months or the appointment of a successor. Of course, this will ensure that FSOC continues to have a member that can bring important insurance expertise to the discussions and that the entire roster of voting members on the FSOC is complete.

This legislation, I think, is a really good example of the cooperation that we can see across the aisle in order to make commonsense corrections to improve Dodd-Frank. Perhaps this is something that can form the basis of further work.

As my friend, Mr. HULTGREN, said, the bill passed the Financial Services Committee by a unanimous 60-0 vote. So I thank him for bringing this bill up. I thank the many Democrats and Republicans who have joined us in cosponsoring this legislation, and I look forward to swift enactment.

Mr. Speaker, in closing, noting the bipartisan nature of this bill, I suppose

I ought to learn to quit while we are ahead. This is good legislation. It is common sense. It fixes a problem. It continues the continuity of the FSOC and makes sure we have a full membership of that committee, including insurance representation.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation, and I yield back the balance of my time.

Mr. HULTGREN. Mr. Speaker, I yield myself the balance of my time.

I echo much of what my good friend from Michigan (Mr. KILDEE) has said. Again, I want to thank the ranking member for her work on this legislation with me.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HULTGREN) that the House suspend the rules and pass the bill, H.R. 3110.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HULTGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

BOB DOLE CONGRESSIONAL GOLD MEDAL ACT

Mr. HULTGREN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1616) to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1616

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bob Dole Congressional Gold Medal Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Bob Dole was born on July 22, 1923, in Russell, Kansas.

(2) Growing up during the Great Depression, Bob Dole learned the values of hard work and discipline, and worked at a local drug store.

(3) In 1941, Bob Dole enrolled at the University of Kansas as a pre-medical student. During his time at KU he played for the basketball, football, and track teams, and joined the Kappa Sigma Fraternity, from which he would receive the "Man of the Year" award in 1970.

(4) Bob Dole's collegiate studies were interrupted by WWII, and he enlisted in the United States Army. During a military offensive in Italy, he was seriously wounded while trying to save a fellow soldier. Despite his grave injuries, Dole recovered and was

awarded two Purple Hearts and a Bronze Star with an Oak Cluster for his service. He also received an American Campaign Medal, a European-African-Middle Eastern Campaign Medal, and a World War II Victory Medal.

(5) While working on his law degree from Washburn University, Bob Dole was elected into the Kansas House of Representatives, serving from 1951-1953.

(6) Bob Dole was elected into the U.S. House of Representatives and served two Kansas districts from 1961-1969.

(7) In 1969, Bob Dole was elected into the U.S. Senate and served until 1996. Over the course of this period, he served as Chairman of the Republican National Committee, Chairman of the Finance Committee, Senate Minority Leader, and Senate Majority Leader.

(8) Bob Dole was known for his ability to work across the aisle and embrace practical bipartisanship on issues such as Social Security.

(9) Bob Dole has been a life-long advocate for the disabled and was a key figure in the passing of the Americans with Disabilities Act in 1990.

(10) After his appointment as Majority Leader, Bob Dole set the record as the nation's longest-serving Republican Leader in the Senate.

(11) Several Presidents of the United States have specially honored Bob Dole for his hard work and leadership in the public sector. This recognition is exemplified by the following:

(A) President Reagan awarded Bob Dole the Presidential Citizens Medal in 1989 stating, "Whether on the battlefield or Capitol Hill, Senator Dole has served America heroically. Senate Majority Leader during one of the most productive Congresses of recent time, he has also been a friend to veterans, farmers, and Americans from every walk of life. Bob Dole has stood for integrity, straight talk and achievement throughout his years of distinguished public service."

(B) Upon awarding Bob Dole with the Presidential Medal of Freedom in 1997, President Clinton made the following comments, "Son of the soil, citizen, soldier and legislator, Bob Dole understands the American people, their struggles, their triumphs and their dreams . . . In times of conflict and crisis, he has worked to keep America united and strong . . . our country is better for his courage, his determination, and his willingness to go the long course to lead America."

(12) After his career in public office, Bob Dole became an active advocate for the public good. He served as National Chairman of the World War II Memorial Campaign, helping raise over \$197 million to construct the National WWII Memorial, and as Co-Chair of the Families of Freedom Scholarship Fund, raising over \$120 million for the educational needs of the families of victims of 9/11.

(13) From 1997-2001, Bob Dole served as chairman of the International Commission on Missing Persons in the Former Yugoslavia.

(14) In 2003, Bob Dole established The Robert J. Dole Institute of Politics at the University of Kansas to encourage bipartisanship in politics.

(15) Bob Dole is a strong proponent of international justice and, in 2004, received the Golden Medal of Freedom from the President of Kosovo for his support of democracy and freedom in Kosovo.

(16) In 2007, President George W. Bush appointed Bob Dole to co-chair the President's Commission on Care for America's Returning

Wounded Warriors, which inspected the system of medical care received by U.S. soldiers returning from Iraq and Afghanistan.

(17) Bob Dole was the co-creator of the McGovern-Dole International Food for Education and Child Nutrition Program, helping combat child hunger and poverty. In 2008, he was co-awarded the World Food Prize for his work with this organization.

(18) Bob Dole is co-founder of the Bipartisan Policy Center which works to develop policies suitable for bipartisan support.

(19) Bob Dole is a strong advocate for veterans, having volunteered on a weekly basis for more than a decade on behalf of the Honor Flight Network.

(20) Bob Dole serves as Finance Chairman of the Campaign for the National Eisenhower Memorial, leading the private fundraising effort to memorialize President Dwight D. Eisenhower in Washington, DC.

(21) Bob Dole was acknowledged by many organizations for his achievements both inside and outside of politics, including being awarded the "U.S. Senator John Heinz Award for Outstanding Public Service By An Elected Official", the Gold Good Citizenship Award, the American Patriot Award, the Survivor's Gratitude Award, the U.S. Association of Former Members of Congress Distinguished Service Award, a Distinguished Service Medal, the French Legion of Honor medal, the Horatio Alger Award, the U.S. Defense Department's Distinguished Public Service Award, the National Collegiate Athletic Association's Teddy Roosevelt Award, the Albert Schweitzer Medal "for outstanding contributions to animal welfare", the 2004 Sylvanus Thayer Award, and honorary degrees from the University of Kansas, Fort Hays State University, and the University of New Hampshire School of Law.

(22) Throughout his life-long service to our country, Bob Dole has embodied the American spirit of leadership and determination, and serves as one of the most prolific role models both in and outside of politics.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a gold medal of appropriate design to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

(b) DESIGN AND STRIKING.—For the purpose of the award referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Il-

linois (Mr. HULTGREN) and the gentleman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. HULTGREN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULTGREN. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, statesman, member of the Greatest Generation, lifetime public servant—these are fitting words as we consider S. 1616, unanimously passed legislation to honor Senator Bob Dole with a Congressional Gold Medal.

The Congressional Gold Medal is the highest expression of national appreciation for distinguished achievements and contributions that the Congress can bestow upon one of our fellow citizens.

I would like to thank Congresswoman LYNN JENKINS and the 86 bipartisan cosponsors for coming together to introduce this legislation to honor Bob Dole.

Recipients of the Congressional Gold Medal "have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement."

For Bob Dole's lifetime of public service—as a soldier wounded in battle; State legislator; United States Representative; United States Senator; nominee for both President and Vice President; tireless advocate for the disabled, our veterans, and the hungry—awarding this great American with a Congressional Gold Medal is the least we can do today. I encourage all of my colleagues to join me in supporting this.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to say a word about Mr. HULTGREN, who just took up the previous bill, H.R. 3110, the Financial Stability Oversight Council Insurance Member Continuity Act. I enjoyed working with him. It was a wonderful experience. I think we can do a lot more of that.

Mr. Speaker, having said that, I am pleased to rise today in support of S. 1616, legislation to award a Congressional Gold Medal to former Senator Bob Dole in recognition of his distinguished service to the Nation.

In his younger years, Bob Dole made clear that he truly exemplified the best

of the Nation's Greatest Generation. When his studies were interrupted by World War II, he enlisted in the United States Army, where he risked his own life to save a fellow soldier. In recognition of his brave service, which left him badly wounded by machine-gun fire and with a permanent disability, he was awarded two Purple Hearts and a Bronze Star with an Oak Cluster, among other honors.

Following his service in the U.S. Army, Senator Dole began a long and distinguished career in public office, serving first in the Kansas House of Representatives, followed by multiple terms in the U.S. House of Representatives. In 1999, Dole was elected to the United States Senate, where he served for 27 years and rose to be majority leader before running for President.

Over the course of his political career, Senator Dole developed a reputation as an outspoken and pragmatic leader who was willing to work across party lines to advance the health and welfare of the American public.

For example, in speaking about the importance of Social Security and the need to protect Medicare for America's senior citizens, Dole said in a speech at the 1996 Republican National Convention: "And I have learned in my own life, from my own experience, that not every man, woman, or child can make it on their own. And that in time of need, the bridge between failure and success can be the government itself. And given all that I have experienced, I shall always remember those in need. . . ."

In addition to working to safeguard important programs like Social Security and Medicare, former Senator Dole was also a strong advocate for the disabled, and he played a central role in passing the landmark Americans with Disabilities Act of 1990, the Nation's first comprehensive civil rights law to protect people with disabilities from discrimination in employment, public services, and public accommodations.

Although he was not elected President, as the nominee of the Republican Party, he made clear that he would not accommodate racial or religious intolerance, stating that if anyone had "mistakenly attached himself to our party in the belief that we are not open to citizens of every race and religion . . . the exits, which are clearly marked, are for you to walk out of. . . ."

After leaving the Senate in 1996, former Senator Dole continued to dedicate himself to a range of causes, particularly those aimed at helping those in need. For example, Senator Dole served as co-chair of the Families of Freedom Scholarship Fund, which raised more than \$100 million for the educational needs of the families of victims of 9/11, and he served as the co-creator of the McGovern-Dole International Food for Education and Child

Nutrition Program, which aimed to alleviate child hunger.

While Senator Dole and I have had our share of policy differences over the years, it was always possible to have a civil disagreement that didn't lead to disrespect. A true gentleman, statesman, and legislator, Senator Dole could debate the issues with the best of us, all while maintaining a good sense of humor.

For all of these reasons, it comes as no surprise that the legislation before us today has already garnered the unanimous support of the United States Senate, and it is fitting that the House today is doing its part to give the highest honor this body can bestow to former Senator Bob Dole. I urge all of my colleagues to join me in quickly passing this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. HULTGREN. Mr. Speaker, first, I would like to thank my friend, the ranking member, MAXINE WATERS, for her kind words.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Kansas (Ms. JENKINS), sponsor of the House companion legislation.

Ms. JENKINS of Kansas. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Bob Dole Congressional Gold Medal Act, which recognizes Senator Dole's service to this great Nation as a soldier, legislator, and statesman.

As a kid growing up in rural Kansas, there were many times I could be found wearing a Styrofoam cap and a sandwich board in support of my Senator. I introduced this legislation, which calls for the Secretary of the Treasury to strike a single gold medal of appropriate design in honor of Senator Bob Dole, and I am humbled to have the opportunity to honor him for his lifetime of service on the floor of the United States House of Representatives.

Throughout Senator Dole's life, he has consistently exemplified humility, hard work, and leadership. He was born and raised in a small town, Russell, in north-central Kansas. As a young man, he served heroically in the Army during World War II, where he was gravely wounded while trying to save a fellow soldier during a military offensive in Italy.

Senator Dole later went on to carry out one of the most storied careers in politics, where he set the record as the Nation's longest serving Republican leader in the United States Senate. He is seen as a political statesman who reached across the aisle for the good of the country. To this day, Senator Dole continues to serve his country and fellow man by fighting for our veterans and working to help curb child hunger and poverty.

Senator Dole's passion, dedication, and service to our country is a testament to his character and a great

blessing to the State of Kansas and our Nation. He is not only an American hero, but a role model, mentor, and a dear friend of mine. There is no person I would rather see be honored with the Congressional Gold Medal than Senator Bob Dole.

Please join me in supporting this legislation to honor Senator Dole for his unwavering service to our country.

Mr. HULTGREN. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. YODER).

Mr. YODER. Mr. Speaker, I thank the gentleman from Illinois for yielding.

Mr. Speaker, I join my colleague, Ms. JENKINS, and I appreciate her support in leading this legislation as we support S. 1616, a bill to award the Congressional Gold Medal to Senator Bob Dole.

Service, sacrifice, and statesmanship—these are the words that describe Senator Bob Dole, one of Kansas' proudest native sons and one of the greatest men to serve and walk the Halls of Congress.

Born and raised in Russell, Kansas, Senator Dole attended my alma mater, the University of Kansas, where he excelled as a three-sport varsity athlete for the Jayhawks.

His college career was interrupted by World War II, when he answered his country's call and enlisted in the U.S. Army. He would distinguish himself in the service, earning several decorations and becoming seriously wounded in combat in Italy.

Although those wounds would cause a lifelong disability for him, Senator Dole did not shy away from the challenges they presented. He instead used that personal experience to help others, becoming a fierce advocate for disability rights and the father of the Americans with Disabilities Act.

His career in public service spanned over 46 years, with his first election to the Kansas House of Representatives in 1951 and ending with his Presidential campaign and retirement from the Senate in 1996. His legislative and political accomplishments during that time are almost too many to count.

His top priority has always been service to others, whether it is people with disabilities, Kansas farmers, or his fellow veterans. Senator Dole has always put his country ahead of himself, and he stayed grounded in his strong Kansas roots.

I can think of no one more fitting to be recognized with a Congressional Gold Medal. As a member of the Kansas delegation, I am truly honored to follow in the footsteps of Senator Dole by serving our great State and our great country in Congress. He is an inspiration to me and an enduring example of what statesmanship and public service should look like.

I ask my colleagues in the House to support this bill and to join me in

working daily to uphold Senator Dole's legacy of service and civility in Congress.

□ 1745

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise in support of the legislation my colleague, the gentlewoman from Kansas (Ms. JENKINS), has introduced that would give Bob Dole the Congressional Gold Medal.

I am a liberal from Massachusetts, but Bob Dole is one of my heroes. I admire him not only for his statesmanship and for his civility, but I particularly admire him because he has led the effort in this country and around the world to end hunger.

Nobody that I can think of, other than George McGovern, who worked with Bob Dole during the 1970s, did more to try to strengthen our nutrition programs and to make sure that nobody in this country, the richest country in the history of the world, went hungry. And he worked in a bipartisan way and ensured that these programs were strengthened so that we were making great progress toward ending hunger in America.

And then he joined with George McGovern in the formation of the McGovern-Dole International Food for Education Program. Essentially, this is a program that expands school feeding initiatives all around the world, and millions and millions and millions of children are not only getting fed and getting a nutritious meal, but they are getting fed in a school setting. So they are getting the nutrition they need, and they are getting the education that they need so they can be literate and hopefully lead their countries out of poverty.

The developing world cannot develop with an illiterate population, and Senator Dole understood the importance of education but also the importance of nutrition in helping people develop to their potential.

And this McGovern-Dole program has also been incredible in getting more young girls into schools. In some countries where education isn't valued for girls, all of a sudden parents are sending their girls to school because they will get fed, and they will get the nutrition that they need.

So Senator Dole, in my opinion, not only deserves this, but he deserves the respect and admiration of everybody in this Chamber, Democrat and Republican alike.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. MCGOVERN. Mr. Speaker, he should be an example and an inspiration to us all. These are very difficult

times for our country, and these are very tumultuous times in Washington, but you look at the example of Senator Dole and you realize how good this place can be, how good Congress can be, and how effective Congress can be.

You don't have to agree on everything to agree on something, and I think that was Senator Dole's guiding principle. Where he could agree with people on the other side of the aisle, he reached across and got things done. Where there were disagreements, you know, he fought passionately for his point of view.

But he represents the kind of civility and the kind of decency that we need more of in Washington, and so I am proud to support this legislation. I congratulate my colleague, Congresswoman JENKINS, for leading this effort, and I urge all my colleagues to support it.

Mr. HULTGREN. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Speaker, I rise today to honor a true American hero and one of Kansas' most treasured sons.

I am pleased the House is acting today to award Bob Dole with our Nation's highest civilian honor, the Congressional Gold Medal. Bob's life and legacy stands strong, constant reminders of the fundamental values that are at the very core of Kansas and our Nation: honor, hard work, sacrifice, and a constant yearning to preserve our liberty and many blessings for future generations.

When Bob was wounded by enemy fire in the mountains of Italy while trying to save a fellow soldier, his brothers in arms didn't know if he was going to make it.

Bob, of course, wouldn't give up. He spent years recovering in hospitals and continued putting his life in service to others. He did so with distinction right here in this House and in the United States Senate. He also served in the Kansas House of Representatives and as chair of the Republican National Committee.

Through it all, Bob Dole, a true servant leader, has stood as an example of how things are when our politics are at our best, when mutual respect is never lost, and when joy and good humor always have a seat at the table.

Today, as Republicans and Democrats, we come together to honor Bob, not because we always agree, but because, like Bob, we agree that there are greater causes than ourselves.

Addressing the Republican National Convention as Presidential candidate in 1996, Bob closed his remarks by saying: "My life is proof that America is a land without limits. And with my feet on the ground and my heart filled with hope, I put my faith in you and in the God who loves us all. For I am convinced that America's best days are yet to come."

Thank you, Bob, for your faith, for your most honored service to Kansas and to our country, and for all you sacrificed to bring America closer to her best days.

Mr. Speaker, I urge all of my colleagues to support this.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HULTGREN. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I rise today to honor Kansas' favorite son, a hero and mentor of mine, and the former occupant of the congressional office I now hold, Robert J. Dole. Senator Bob Dole never forgot where he is from, Russell, Kansas. Perhaps that is what made him so effective and so beloved by his constituents.

Now at 94 years young, Senator Dole continues to work every day for the causes he supports. He continues as a shining example of international leadership, whether it is in the causes he still champions or the work he did in Congress to help feed millions of people around the world. All this work, he does with humility and wit that endeared him to the Nation and that has been engrained in him as a Kansan.

Many weekends, he can still be seen greeting our Nation's veterans at the World War II Memorial, which he helped build, and he works today on promoting the national memorial to President Eisenhower, his hero and another great Kansan.

I cannot think of one living American more deserving of Congress' highest civilian award, which is why I am thrilled that tonight, this very night, the House will join the Senate in passing the Bob Dole Congressional Gold Medal Act.

I encourage the President to quickly sign this. I look forward to this vote as much as any I have taken. I am honored to call him friend. I am honored to participate in this vote.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield back the balance of my time.

Mr. HULTGREN. Mr. Speaker, I also have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HULTGREN) that the House suspend the rules and pass the bill, S. 1616.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DIRECTING THE SECURITIES AND EXCHANGE COMMISSION TO ALLOW CERTAIN ISSUERS TO BE EXEMPT FROM REGISTRATION REQUIREMENTS

Mr. HULTGREN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2864) to direct the Securities and Exchange Commission to allow certain issuers to be exempt from registration requirements, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPLICATION OF EXEMPTION.

The Securities and Exchange Commission shall amend—

(1) section 230.251 of title 17, Code of Federal Regulations, to remove the requirement that the issuer not be subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) immediately before the offering; and

(2) section 230.257 of title 17, Code of Federal Regulations, with respect to an offering described in section 230.251(a)(2) of title 17, Code of Federal Regulations, to deem any issuer that is subject to section 13 or 15(d) of the Securities Exchange Act of 1934 as having met the periodic and current reporting requirements of section 230.257 of title 17, Code of Federal Regulations, if such issuer meets the reporting requirements of section 13 of the Securities Exchange Act of 1934.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HULTGREN) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. HULTGREN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULTGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2864, the Improving Access to Capital Act. I want to start by thanking the Democrat and the Republican who are the chief sponsors of this bill, the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Indiana (Mr. HOLLINGSWORTH). It is always a pleasure to bring good bipartisan legislation to the House floor, especially when the bill is sponsored by my colleagues on the Financial Services Committee.

To continue this job growth and ensure that we have a stronger and healthier economy with opportunities for all Americans, we must encourage small business growth, and this starts with ensuring that they have access to the capital and credit that they need to grow.

This bipartisan bill will help the American economy. It will make it easier for companies, particularly small businesses, to access capital. This is incredibly important because small businesses are the heart and soul of the American economy.

In fact, they help to create more than 60 percent of the Nation's net new jobs over the past 2 decades. This bipartisan bill before us today carries forward the mission of another bipartisan bill, the JOBS Act of 2012, to increase capital formation in our U.S. markets so more American workers would be able to find good paying jobs.

As part of the JOBS Act, the Securities and Exchange Commission was directed to expand something called Regulation A, which is a critical tool for companies that are trying to raise small amounts of money. And the aptly named "Regulation A-Plus" the SEC came up with has been effective.

With Regulation A-Plus, prospective issuers have publicly filed 147 offerings seeking up to \$2.6 billion in financing. As a comparison, in the 12 months leading up to Regulation A-Plus, there were only about 50 filings seeking to raise \$159 million.

As we are seeing, Regulation A-Plus has opened up an avenue for these small companies to seek financing through the capital markets that will help grow their businesses.

And according to the SEC, these companies are small, early-stage businesses with median assets of \$100,000 in limited collateral, which often restricts their ability to obtain a bank loan or other financing.

Unfortunately, not all are able to benefit from Regulation A-Plus. As part of its final rule implementing the JOBS Act, the SEC excluded some small companies. This was contrary to the intent of Congress when we approved the JOBS Act.

As a result of the SEC's final rule, some smaller and midsize companies have been shut out from the benefits of Regulation A-Plus.

Additionally, smaller investors also suffer by not having the opportunity to participate in the public markets for early-stage companies and share in their growth.

H.R. 2864 is a simple bill that fixes the problem I just described. H.R. 2864 would amend Regulation A-Plus to direct the SEC to include companies that are fully reporting under the Securities Exchange Act. This will help more small businesses gain access to capital so they can grow and hire more workers. At the same time, it will give small investors greater investment opportunities.

H.R. 2864 was approved by the Financial Services Committee with the overwhelming support of both Republicans and Democrats. In fact, the vote in committee to favorably report H.R. 2864 was 59-0.

Mr. Speaker, I urge adoption of H.R. 2864, and I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to start off by thanking Representative SINEMA and Representative HOLLINGSWORTH for working together to craft bipartisan legislation that will help smaller public companies raise the funds necessary to grow and thrive.

Specifically, H.R. 2864, the Improving Access to Capital Act, would narrowly expand the relief that we provided in the Jumpstart Our Business Startups Act, the JOBS Act, to allow public companies to raise money under Regulation A-Plus.

Currently, Regulation A-Plus allows private companies to raise up to \$50 million in capital by selling unregistered but freely tradable stock to the public as a quicker and less expensive alternative to a fully registered securities offering.

Extending Regulation A-Plus eligibility to public companies would provide them with an additional efficient method of raising a small fixed amount of capital. To be eligible to use this faster and cheaper fundraising alternative, public companies must be up to date in their public filings with the Securities and Exchange Commission.

In addition, public companies must comply with all of the other regulatory requirements in Regulation A-Plus, including SEC approval or qualification of the offering, disclosure of the offering information to investors, and limitations on sales per investor.

Importantly, bad actors who have committed certain felonies, misdemeanors, or other misconduct within the past 5 years are disqualified from using Regulation A-Plus.

These restrictions help ensure that investors in Regulation A-Plus offerings are informed about their purchases and protected from fraud.

Mr. Speaker, I support H.R. 2864 for providing targeted relief to public companies that balances their need to raise capital with the protection of their investors.

□ 1800

I remain concerned that the Financial Services Committee has adopted a piecemeal approach to private and public market regulation.

Going forward, I hope that we thoughtfully review the securities laws to ensure that our legislative efforts appropriately incentivize companies to become public.

Again, I want to thank the bill's sponsors, especially Ms. SINEMA, for their work on this bipartisan piece of legislation.

Mr. Speaker, I encourage my colleagues to join me in supporting H.R. 2864, and I reserve the balance of my time.

Mr. HULTGREN. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. HOLLINGSWORTH), a sponsor of this legislation and a member of the Financial Services Committee.

Mr. HOLLINGSWORTH. Mr. Speaker, I spent the last 30 days traveling Indiana's best district—that is the Ninth District—and I had many memorable conversations with many Hoosiers. But one thing came through, and that was we need to work together right here in D.C. in order to get better outcomes for our businesses back home.

Nowhere is this better exemplified than this bill, the Improving Access to Capital Act. It is about getting small businesses engaged and empowered with the capital that they need in order to grow, in order to hire, in order to invest. That is exactly what we want them to do.

And on the second point, it is exciting to me to be able to reach across the aisle and work with Representative SINEMA, who has been nothing but great in her leadership in her fervent desire to help small businesses all the way across this country.

The Improving Access to Capital Act sounds like it might be something esoteric, and sounds like it might be something that isn't immediately practical to the small businesses across the Ninth District and across this country, but, in fact, it is something that they can use tomorrow. This creates another avenue for small businesses across the country to be able to raise the money that they need in order to innovate, in order to grow, in order to expand, in order to hire more Americans. This is just simply another arrow in the quiver for them to be able to grow and develop.

Small businesses account for the bulk of hiring across this country, they account for the bulk of innovation across this country, and we need to be doing everything we can to continue to promote them. That is exactly what Representative SINEMA and I have done with this particular legislation, is work hard to develop a bipartisan solution, one that was supported unanimously out of the Financial Services Committee in order to provide those companies with more options and more opportunities to be able to grow.

Mr. Speaker, I encourage all of my colleagues to vote in favor of this legislation and let's get America back to work again.

Ms. MAXINE WATERS of California. Mr. Speaker, again, I would like to thank the cosponsors for their vision, for their work, and for the bipartisan effort that they so successfully put together.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona (Ms. SINEMA), the lead sponsor of this bill.

Ms. SINEMA. Mr. Speaker, I thank Chairmen HULTGREN and HENSARLING,

Ranking Member WATERS, and Congressman HOLLINGSWORTH for working with me on this bipartisan legislation to improve our capital markets and help more small companies succeed.

As part of the JOBS Act, Congress directed the Securities and Exchange Commission to amend Regulation A to allow small companies to raise up to \$50 million in offerings exempt from full SEC registration. These amendments, known as Regulation A-Plus, exclude certain potential issuers, including Exchange Act reporting companies.

As a result, thousands of companies that already meet the SEC's high disclosure requirements are ineligible to use Regulation A-Plus to cost-effectively raise the funds they need to grow and hire employees.

That is why I have introduced this legislation with Congressman HOLLINGSWORTH to allow SEC reporting companies access to Regulation A-Plus. It is a valuable pathway for small businesses to raise money in an efficient, public, and transparent manner.

I am committed to working with my colleagues on both sides of the aisle to ensure that Arizona's innovative small businesses have every opportunity to thrive, and I hope that Members will join us today in support of this bipartisan legislation.

Again, I thank Congressman HOLLINGSWORTH for working with me on this commonsense, bipartisan bill.

Mr. HULTGREN. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield back the balance of my time.

Mr. HULTGREN. Mr. Speaker, again, I thank Congresswoman SINEMA and Congressman HOLLINGSWORTH for their great work on this. This is an important step that will help our small businesses access the capital that they need to grow and to hire more workers.

Mr. Speaker, I encourage support on this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HULTGREN) that the House suspend the rules and pass the bill, H.R. 2864, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HULTGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3110, by the yeas and nays;

H.R. 2864, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

FINANCIAL STABILITY OVERSIGHT COUNCIL INSURANCE MEMBER CONTINUITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3110) to amend the Financial Stability Act of 2010 to modify the term of the independent member of the Financial Stability Oversight Council, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HULTGREN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 25, as follows:

[Roll No. 439]

YEAS—407

Abraham	Black	Carbajal	Conyers	Hunter	Mullin
Adams	Blackburn	Cárdenas	Cook	Hurd	Murphy (FL)
Aderholt	Blum	Carson (IN)	Cooper	Issa	Murphy (PA)
Aguilar	Blumenauer	Carter (TX)	Correa	Jackson Lee	Nadler
Allen	Blunt Rochester	Cartwright	Costello (PA)	Jayapal	Neal
Amash	Bost	Castor (FL)	Courtney	Jeffries	Newhouse
Amodei	Boyle, Brendan	Castro (TX)	Cramer	Jenkins (KS)	Noem
Arrington	F.	Chabot	Crawford	Jenkins (WV)	Nolan
Babin	Brady (PA)	Cheney	Crist	Johnson (GA)	Norcross
Bacon	Brady (TX)	Chu, Judy	Crowley	Johnson (LA)	Norman
Banks (IN)	Brat	Cicilline	Cuellar	Johnson (OH)	Nunes
Barletta	Brooks (AL)	Clark (MA)	Culberson	Johnson, E. B.	O'Halleran
Barr	Brooks (IN)	Clarke (NY)	Curbelo (FL)	Johnson, Sam	O'Rourke
Barragán	Brown (MD)	Clay	Davidson	Jones	Palazzo
Barton	Brownley (CA)	Cleaver	Davis (CA)	Jordan	Pallone
Bass	Buchanan	Clyburn	Davis, Danny	Joyce (OH)	Palmer
Beatty	Buck	Coffman	Davis, Rodney	Kaptur	Panetta
Bera	Bucshon	Cohen	DeFazio	Katko	Pascarell
Bergman	Budd	Cole	Delaney	Keating	Paulsen
Beyer	Burgess	Collins (GA)	DeBene	Kelly (IL)	Payne
Biggs	Bustos	Collins (NY)	Demings	Kelly (MS)	Pearce
Bilirakis	Butterfield	Comer	Denham	Kelly (PA)	Pelosi
Bishop (GA)	Byrne	Comstock	Dent	Kennedy	Perlmutter
Bishop (MI)	Calvert	Conaway	DeSantis	Khanna	Perry
Bishop (UT)	Capuano	Connolly	DeSaulnier	Kihuen	Peters
			DesJarlais	Kildee	Peterson
			Deutch	Kilmer	Pingree
			Diaz-Balart	Kind	Pittenger
			Dingell	King (IA)	Pocan
			Doggett	King (NY)	Poliquin
			Donovan	Kinzinger	Polis
			Doyle, Michael	Knight	Posey
			F.	Krishnamoorthi	Price (NC)
			Duffy	Kuster (NH)	Quigley
			Duncan (SC)	Kustoff (TN)	Raskin
			Duncan (TN)	Labrador	Ratcliffe
			Dunn	LaHood	Reed
			Ellison	LaMalfa	Reichert
			Emmer	Lamborn	Rice (NY)
			Engel	Lance	Rice (SC)
			Eshoo	Langevin	Richmond
			Espallat	Larsen (WA)	Roby
			Estes (KS)	Larson (CT)	Roe (TN)
			Esty (CT)	Latta	Rogers (AL)
			Evans	Lawrence	Rogers (KY)
			Farenthold	Lawson (FL)	Rohrabacher
			Faso	Lee	Rokita
			Ferguson	Levin	Rooney, Francis
			Fitzpatrick	Lewis (GA)	Rooney, Thomas
			Fleischmann	Lewis (MN)	J.
			Flores	Lieu, Ted	Ros-Lehtinen
			Fortenberry	Lipinski	Rosen
			Foster	LoBiondo	Roskam
			Fox	Loeb	Ross
			Frankel (FL)	Lofgren	Rothenberg
			Franks (AZ)	Long	Rouzer
			Frelinghuysen	Loudermilk	Roybal-Allard
			Fudge	Love	Royce (CA)
			Gabbard	Lowenthal	Ruiz
			Gaetz	Lowe	Ruppersberger
			Gallagher	Lucas	Rush
			Gallego	Luetkemeyer	Russell
			Garamendi	Lujan Grisham,	Rutherford
			Gibbs	M.	Ryan (OH)
			Gomez	Lujan, Ben Ray	Sánchez
			Goodlatte	Lynch	Sanford
			Gosar	MacArthur	Sarbanes
			Gottheimer	Maloney,	Schakowsky
			Gowdy	Carolyn B.	Schiff
			Granger	Maloney, Sean	Schneider
			Graves (GA)	Marchant	Schrader
			Graves (LA)	Marino	Schweikert
			Graves (MO)	Marshall	Scott (VA)
			Green, Al	Massie	Scott, Austin
			Green, Gene	Mast	Scott, David
			Griffith	Matsui	Sensenbrenner
			Grothman	McCarthy	Serrano
			Guthrie	McCaul	Sessions
			Hanabusa	McClintock	Sewell (AL)
			Handel	McCollum	Sherman
			Harper	McEachin	Shuster
			Harris	McGovern	Simpson
			Hartzer	McHenry	Sinema
			Hastings	McKinley	Sires
			Heck	McMorris	Slaughter
			Hensarling	Rodgers	Smith (MO)
			Hice, Jody B.	McNerney	Smith (NE)
			Hill	McSally	Smith (NJ)
			Himes	Meadows	Smith (TX)
			Holding	Meehan	Smith (WA)
			Hollingsworth	Meeks	Snuck
			Hoyer	Mitchell	Soto
			Hudson	Moolenaar	Speier
			Huffman	Mooney (WV)	Stefanik
			Huizenga	Moore	Stewart
			Hultgren	Moulton	Stivers

Swalwell (CA)	Valadao	Weber (TX)
Takano	Vargas	Webster (FL)
Taylor	Veasey	Welch
Tenney	Vela	Wenstrup
Thompson (CA)	Velázquez	Westerman
Thompson (MS)	Visclosky	Williams
Thompson (PA)	Wagner	Wilson (FL)
Thornberry	Walberg	Wilson (SC)
Tiberi	Walden	Wittman
Tipton	Walker	Womack
Titus	Walorski	Woodall
Tonko	Walters, Mimi	Yarmuth
Torres	Walz	Yoder
Trott	Wasserman	Yoho
Tsongas	Schultz	Young (AK)
Turner	Waters, Maxine	Young (IA)
Upton	Watson Coleman	Zeldin

NAYS—1

Gohmert

NOT VOTING—25

Bonamici	Gonzalez (TX)	Olson
Bridenstine	Grijalva	Poe (TX)
Carter (GA)	Gutiérrez	Renacci
Costa	Herrera Beutler	Scalise
Cummings	Higgins (LA)	Shea-Porter
DeGette	Higgins (NY)	Shimkus
DeLauro	Meng	Suozzi
Garrett	Messer	
Gianforte	Napolitano	

□ 1852

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CARTER of Georgia. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 439.

MOMENT OF SILENCE HONORING SERVICEMEMBERS LOST ON THE USS “JOHN S. MCCAIN”

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on August 21, the USS *John S. McCain* collided with an oil tanker near Singapore, taking the lives of 10 of our sailors:

Electronics Technician 2nd Class Kenneth Aaron Smith of Cherry Hill, New Jersey;

Electronics Technician 1st Class Charles Nathan Findley, St. Joseph, Missouri;

Interior Communications Electrician 1st Class Abraham Lopez, El Paso, Texas;

Electronics Technician 2nd Class Kevin Sayer Bushell, Gaithersburg, Maryland;

Electronics Technician 2nd Class Jacob Daniel Drake, Cable Township, Ohio;

Information Systems Technician 2nd Class Timothy Thomas Eckels, Jr., Manchester, Maryland;

Information Systems Technician 2nd Class Corey George Ingram, Poughkeepsie, New York;

Electronics Technician 2nd Class Dustin Louis Doyon, Suffield, Connecticut;

Electronics Technician 3rd Class John Henry Hoagland III of Killeen, Texas;

My constituent from Decatur, Illinois, Interior Communications Electrician 3rd Class Logan Stephen Palmer.

Although I never had the chance to meet Officer Palmer, his parents and his friends remember him as a committed sailor, a loving son, and a brother.

The service and sacrifice of these brave men is not lost on this House and will always be remembered by the country they dedicated their lives to serve and protect. This accident is a grave reminder of the risks our servicemembers and their families take on for our country and all of us each and every day.

Mr. Speaker, I ask the House to join me in a moment of silence to honor these sons, brothers, fathers, and patriots for their service to our Nation and to pray for their family and friends during this difficult time.

DIRECTING THE SECURITIES AND EXCHANGE COMMISSION TO ALLOW CERTAIN ISSUERS TO BE EXEMPT FROM REGISTRATION REQUIREMENTS

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2864) to direct the Securities and Exchange Commission to allow certain issuers to be exempt from registration requirements, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HULTGREN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 3, not voting 27, as follows:

[Roll No. 440]

YEAS—403

Abraham	Biggs	Brownley (CA)
Adams	Bilirakis	Buchanan
Aderholt	Bishop (GA)	Buck
Allen	Bishop (MI)	Bucshon
Amash	Bishop (UT)	Budd
Amodei	Black	Burgess
Arrington	Blackburn	Bustos
Babin	Blum	Butterfield
Bacon	Blumenauer	Byrne
Banks (IN)	Blunt Rochester	Calvert
Barletta	Bost	Capuano
Barr	Boyle, Brendan	Carbajal
Barragán	F.	Cárdenas
Barton	Brady (PA)	Carson (IN)
Bass	Brady (TX)	Carter (GA)
Beatty	Brat	Carter (TX)
Bera	Brooks (AL)	Cartwright
Bergman	Brooks (IN)	Castor (FL)
Beyer	Brown (MD)	Castro (TX)
Chabot		
Cheney		
Chu, Judy		
Cicilline		
Clark (MA)		
Clarke (NY)		
Clay		
Cleaver		
Clyburn		
Coffman		
Cohen		
Cole		
Collins (GA)		
Collins (NY)		
Comer		
Comstock		
Conaway		
Connolly		
Conyers		
Cook		
Correa		
Costello (PA)		
Courtney		
Cramer		
Crawford		
Crist		
Crowley		
Cuellar		
Culberson		
Curbelo (FL)		
Davidson		
Davis (CA)		
Davis, Danny		
Davis, Rodney		
DeFazio		
Delaney		
DeBene		
Demings		
Denham		
Dent		
DeSantis		
DeSaulnier		
DesJarlais		
Deutch		
Diaz-Balart		
Dingell		
Doggett		
Donovan		
Doyle, Michael		
F.		
Duffy		
Duncan (SC)		
Duncan (TN)		
Dunn		
Ellison		
Emmer		
Engel		
Eshoo		
Espallat		
Estes (KS)		
Esty (CT)		
Evans		
Farenthold		
Faso		
Ferguson		
Fitzpatrick		
Fleischmann		
Flores		
Fortenberry		
Foster		
Foxx		
Frankel (FL)		
Franks (AZ)		
Frelinghuysen		
Fudge		
Gabbard		
Gaetz		
Gallagher		
Gallego		
Garamendi		
Gibbs		
Gohmert		
Gomez		
Goodlatte		
Gosar		
Gottheimer		
Growdy		
Granger		
Graves (GA)		
Graves (LA)		
Graves (MO)		
Green, Al		
Green, Gene		
Griffith		
Grothman		
Guthrie		
Hanabusa		
Handel		
Harper		
Harris		
Hastings		
Heck		
Hensarling		
Hice, Jody B.		
Hill		
Himes		
Holding		
Hollingsworth		
Hoyer		
Hudson		
Huffman		
Huizenga		
Hultgren		
Hunter		
Hurd		
Issa		
Jackson Lee		
Jayapal		
Jeffries		
Jenkins (KS)		
Jenkins (WV)		
Johnson (GA)		
Johnson (LA)		
Johnson (OH)		
Johnson, E. B.		
Johnson, Sam		
Jordan		
Joyce (OH)		
Kaptur		
Katko		
Keating		
Kelly (IL)		
Kelly (MS)		
Kelly (PA)		
Kennedy		
Khanna		
Kihuen		
Kildee		
Kilmer		
Kind		
King (IA)		
King (NY)		
Kinzing		
Knight		
Krishnamoorthi		
Kuster (NH)		
Kustoff (TN)		
Labrador		
LaHood		
LaMalfa		
Lamborn		
Lance		
Langevin		
Larsen (WA)		
Larson (CT)		
Latta		
Lawrence		
Lawson (FL)		
Lee		
Levin		
Lewis (GA)		
Lewis (MN)		
Lieu, Ted		
Lipinski		
LoBiondo		
Loeb		
Lofgren		
Long		
Loudermilk		
Love		
Lowenthal		
Lowey		
Lucas		
Luetkemeyer		
Lujan Grisham,		
M.		
Luján, Ben Ray		
Lynch		
MacArthur		
Maloney,		
Carolyn B.		
Maloney, Sean		
Marchant		
Marino		
Marshall		
Massie		
Mast		
Matsui		
McCarthy		
McCaul		
McClintock		
McCollum		
McEachin		
McGovern		
McHenry		
McKinley		
McMorris		
Rodgers		
McNerney		
McSally		
Meadows		
Meehan		
Meeks		
Mitchell		
Moolenaar		
Mooney (WV)		
Moore		
Moulton		
Mullin		
Murphy (FL)		
Murphy (PA)		
Nadler		
Neal		
Newhouse		
Noem		
Nolan		
Norcross		
Norman		
Nunes		
O'Halleran		
O'Rourke		
Palazzo		
Pallone		
Palmer		
Panetta		
Pascarella		
Paulsen		
Payne		
Pearce		
Pelosi		
Perlmutter		
Perry		
Peters		
Peterson		
Pingree		
Pittenger		
Pocan		
Poliquin		
Polis		
Price (NC)		
Quigley		
Raskin		
Ratcliffe		
Reed		
Reichert		
Rice (NY)		
Rice (SC)		
Richmond		
Roby		
Roe (TN)		
Rogers (AL)		
Rogers (KY)		
Rohrabacher		
Rokita		
Rooney, Francis		
Rooney, Thomas		
J.		
Ros-Lehtinen		
Rosen		
Roskam		
Ross		
Rothfus		
Rouzer		
Roybal-Allard		
Boyce (CA)		
Ruiz		
Ruppersberger		
Rush		
Russell		
Rutherford		
Ryan (OH)		
Sánchez		
Sanford		
Sarbanes		
Schakowsky		
Schiff		
Schneider		
Schrader		
Schweikert		
Scott (VA)		
Scott, Austin		
Scott, David		
Sensenbrenner		
Serrano		
Sessions		
Sewell (AL)		
Sherman		
Shuster		

Simpson	Thornberry	Wasserman
Sinema	Tiberi	Schultz
Sires	Tipton	Waters, Maxine
Slaughter	Titus	Watson Coleman
Smith (MO)	Tonko	Weber (TX)
Smith (NE)	Torres	Webster (FL)
Smith (NJ)	Trott	Welch
Smith (TX)	Tsongas	Wenstrup
Smith (WA)	Turner	Westerman
Smucker	Upton	Williams
Soto	Valadao	Wilson (FL)
Speier	Vargas	Wilson (SC)
Stefanik	Veasey	Wittman
Stewart	Velázquez	Womack
Stivers	Visclosky	Woodall
Swalwell (CA)	Wagner	Yarmuth
Takano	Walberg	Yoder
Taylor	Walden	Yoho
Tenney	Walker	Young (AK)
Thompson (CA)	Walorski	Young (IA)
Thompson (MS)	Walters, Mimi	Zeldin
Thompson (PA)	Walz	

NAYS—3

Hartzler	Jones	Vela

NOT VOTING—27

Aguilar	Gianforte	Napolitano
Bonamici	Gonzalez (TX)	Olson
Bridenstine	Grijalva	Poe (TX)
Cooper	Gutiérrez	Posey
Costa	Herrera Beutler	Renacci
Cummings	Higgins (LA)	Scalise
DeGette	Higgins (NY)	Shea-Porter
DeLauro	Meng	Shimkus
Garrett	Messer	Suozi

□ 1907

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SUOZZI. Mr. Speaker, I was unable to be present due to the funeral of my mother. Had I been present, I would have voted "yea" on rollcall votes No. 439 and No. 440.

PERSONAL EXPLANATION

Mr. GARRETT. Mr. Speaker, I was unable to attend Floor votes due to the expected birth of my child. Had I been present, I would have voted "yea" on rollcall No. 439, and "yea" on rollcall No. 440.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 69) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. KUSTOFF of Tennessee). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 69

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On October 6, 2017, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 32d annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the "event") may be run through the Capitol Grounds to carry the Special Olympics torch to honor local Special Olympics athletes.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOOR OF MEETING ON TOMORROW

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1697

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. RUSH) be removed as a cosponsor of H.R. 1697, as his name was added in error.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SUPPORT DREAMERS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the tragic announcement made by the Trump administration to kill the DACA program is heartbreaking, reckless, and wrong. This decision means that our country is turning its back on 800,000 young, hardworking immigrants who only know America as their home. Each of these DREAMers has a compelling story and a desire to pursue their

educational and professional opportunities, while strengthening our Nation.

Mr. Speaker, that is why I am proud to have introduced the DREAM Act along with my good friend, Congresswoman LUCILLE ROYBAL-ALLARD, to give these young individuals the certainty to plan for a future in our great country, their great country. For too long, their dreams have been put on hold and they have been living under constant fear.

I call on each one of my colleagues, Republicans and Democrats, to come together so that we can pass a legislative solution that is humane. This is long overdue, Mr. Speaker. Let's not wait months for a vote. The lives of hundreds of thousands of bright, talented, and patriotic young men and women are at stake.

Mr. Speaker, let's show now that Congress does indeed have a heart.

HURRICANE HARVEY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, to all of my colleagues and the American people, thanks so much for the outpouring of love from volunteers, first responders, and so many rescuers that came to Hurricane Harvey.

Let me thank my mayor, Mayor Turner; the county judge, Judge Emmett; all of the commissioners and council members. Let me thank, most of all, our first responders and all of those who sacrificed their lives; some who died, an officer who died. Let me thank the Marines, the Navy, the Army, and the Texas National Guard. Let me thank the people who suffered through and are still suffering through this disaster, the most significant historic natural disaster in the history of the United States.

They are needing food and shelter still. They are needing the help of this great Congress. They are needing love and prayers, and I am prayerful that we will go together, walking together, and providing the money that these victims need.

Let me give you a sad story. As I left Houston today, announcements were coming to those in apartments: You are evicted, with no place to go.

Yes, the apartments were destroyed, but there is no place to go. We need a continuing effort to be able to help them. We need the EPA to inspect the various chemical plants, and we need FEMA to be staffed more, and to be able to address some of the funding needs that we have.

The debris is unbelievable; maybe \$200-plus billion, but all I can say is that the lives were lost, but we are still prayerful.

To the Saldivar family who lost four children in a drowning: My prayers are with you.

We continue to lift them up, and work as Americans to make sure they are whole.

God bless the people in the southeast where Irma might come.

Mr. Speaker, I conclude by simply saying: Please don't let the DACA young people be thrown out in this devastating time. They, too, need to be embraced.

□ 1915

ANNUAL AUGUST BUS TOUR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, each August, I conduct a bus tour of South Carolina's Second Congressional District with my wife, Roxanne, and dedicated staff members from all offices. I would like to specifically recognize scheduler Emily Saleeby for this year's very meaningfully coordinated schedule.

It was humbling and inspiring to meet with constituents and visit 30 locations from small businesses and schools to local chambers of commerce and large employers. I took the opportunity to thank employees for their service, and employers for creating jobs in all five counties I represent.

Many of the businesses were multigeneration success stories, such as Form Tool Technology in Elgin founded by Mike and Roxann Robbins; The Marwin Company in West Columbia led by Andy Davis; Anovotek in Barnwell founded by Don Alexander; and Hansen International in Lexington led by Lisa Beebe. The pro-development policies of South Carolina were also highlighted by Kimberly-Clark corporation's largest manufacturing facility in North America located in Beech Island with 2,000 employees.

I am additionally grateful for Principal Anna Miller of Chapin Middle School; Dr. Sandra Jordan, chancellor of USC-Aiken; Director Sandra Sigmon of North Family Community School; and Principal Jacqueline Kasprowski of Cardinal Newman High School for their emphasis on proactive education across the district.

A final stop was to thank Gary David of WVOC Radio in promoting relief efforts for the recovery of Hurricane Harvey in Houston.

Additional stops included BAE Systems hosted by Michael Eaton, Aiken Rotary Club hosted by John McMichael, Jr., Hubbell Power Systems hosted by Pete Swales, Ahh Sunshine hosted by Jim Hanna, CVS Caremark Distribution Center hosted by Elizabeth Brooks, Frank Donaghy, and Tom Moriarty, Alley Downtown Taproom hosted by Norman Dunagan, Irmo Chamber of Commerce hosted by Kerry Powers, K2Tech hosted by Zach Minton, Cayce-West Columbia Rotary hosted by Marnie Robinson, Menchie's Frozen Yogurt

hosted by Jorge Gonzales, Mathnasium hosted by Annette Sudduth, Coca-Cola hosted by Alison Patient, FN America hosted by Greg Butler, South Carolina Vocations & Individual Advancement (SCVIA), a division of Goodwill Industries of Upstate/Midlands, SC, Inc. hosted by Mike Adams, Duck Donuts hosted by Katie McCanna, Brittons of Columbia hosted by Perry Lancaster, Shealy's Bar-B-Que hosted by Tommy Shealy, and Ansaldo STS hosted by Joseph Eiseman.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

ENDING THE DEFERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, from its earliest days, the Trump administration has embraced disastrous immigration policies. First was the unconstitutional Muslim ban rooted in fear rather than fact. Then came the obsession with an ineffective and expensive border wall. But today we have reached a new low.

In our justice system, people are held responsible for their actions. With the announcement of the end of DACA, we are throwing aside this principle. Instead, we are punishing youth who, through the actions of their parents, happen to be in the country without authorization. The average DACA recipient was barely 6 when she came to the U.S., yet the administration today has said that she should be deported to a land that she has never called home.

DACA recipients—the students, workers, and servicemembers in Rhode Island and around the Nation—are our friends. They are our neighbors. We cannot and we must not abandon them.

RECOGNIZING U.S. FOREST SERVICE CHIEF TIDWELL ON HIS RETIREMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize the distinguished career of U.S. Forest Service Chief Tom Tidwell, who has dedicated himself to public service for more than 40 years. Tom retired on Friday, September 1.

Over the last four decades, Chief Tidwell climbed the ranks, starting as a firefighter and becoming a district ranger, then forest supervisor, before leading more than 30,000 employees of the U.S. Forest Service.

Chief Tidwell worked on collaborative approaches to combat wildfires, maintain support for forests and grasslands, and support community-based

partnerships to reduce appeals and increase work.

Since Tom was named chief in 2009, the Forest Service has enhanced treatments to improve and protect the health and strength of our forests and grasslands. Because of Chief Tidwell's vision, we have seen an emphasis on active management, forest products, and clean water.

Under Tom's leadership, the agency has made strides in helping the ecosystem remain sustainable while addressing the many challenges threatening America's forests, grasslands, and rural communities.

We are deeply grateful for Tom's 40 years of commitment and service. Mr. Speaker, I thank Chief Tidwell for his friendship and his service, and I wish him the best in his retirement.

PROTECTING DREAMERS

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHY. Mr. Speaker, today the President made clear that he refuses to protect DREAMers. It is now imperative that Congress acts to protect DREAMers before DACA ends.

This issue is personal for me because I, too, was brought to our country by my parents as a child. The hope for a better life which carried my parents here from oceans away was no different from that of the parents of DREAMers and generations of immigrants before.

DREAMers play a vital role in our economy, and ending DACA would cost our country nearly half a trillion dollars over 10 years. But the contributions of DREAMers go beyond any single statistic: DREAMers have built their lives here, started families here, built businesses here, and bled in uniform for the only home they have ever known.

I urge Speaker RYAN and my colleagues from both parties to come together to defend DREAMers and to develop a comprehensive approach to immigration built on American values.

HONORING SHERIFF THOMAS MILLS ON HIS RETIREMENT

(Mr. FASO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASO. Mr. Speaker, today I rise to honor and congratulate Delaware County Sheriff Thomas Mills of Meredith, New York, on the occasion of his retirement from a 54-year career of service to his Nation and local community.

A lifelong resident of Delaware County, Sheriff Mills enlisted with the U.S. Marine Corps for 3 years after graduating from Franklin High School, and he was also deployed to Santo Domingo during the Dominican Civil War in 1965.

Sheriff Mills attained the rank of corporal before returning to upstate New York, where he dedicated himself to protecting his local community through law enforcement at the State and local levels.

Sheriff Mills retired on August 28, 2017, after more than 18 years of service as sheriff of Delaware County, during which time he built the new public safety building and jail as well as implemented the countywide 9/11 system.

Sheriff Mills is a pillar of our Delaware County community, and I thank him and salute him and his family for their service, sacrifice, and never-ending desire to give back to their neighbors.

TERMINATING DEFERRED ACTION FOR CHILDHOOD ARRIVALS

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, President Trump's decision to end the DACA program is wrong. Today's announcement impacts over 22,000 New Jerseyans and over 800,000 people across the country. The primary beneficiaries of DACA are young people who were brought here to this country by no decision of their own.

In New Jersey, most DACA recipients are in the group of 18 to 21 years of age. At that age, they should be focused on college, developing trades, and overall sharpening their skills that will ultimately benefit our Nation.

Unfortunately, their future is now at the mercy of Congress. This issue transcends party, Mr. Speaker. Our decisions in the next 6 months will determine the future of hundreds of thousands of young people. We must make the right decision to protect DREAMers.

RECOGNIZING 75TH ANNIVERSARY OF WHITNEY POINT LAKE AND DAM

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, I rise today to recognize the 75th anniversary of Whitney Point Lake and dam in Broome County, New York.

A popular tourist destination, Whitney Point Lake welcomes more than 115,000 people annually. The 4,578-acre lake offers fishing, swimming, trails, playgrounds, and more than 100 picnic sites.

As an important fixture in our communities, Whitney Point Lake and dam brings more than \$3 million annually to our local economy and plays a pivotal role in limiting flooding.

Unfortunately, as we have seen this year, our region is also subject to dev-

astating floods. While it is impossible to prevent all floods, we can see some mitigation from the effects of flooding due to Whitney Point Lake and dam this year.

Since Whitney Point Lake was completed in 1942, the U.S. Army Corps of Engineers' project has prevented more than \$717 million in potential flood damage.

For its continued benefits both to the local and downstream communities, as well as the hundreds of thousands that enjoy its recreational opportunities, it is an honor today to recognize the 75th anniversary of Whitney Point Lake and dam.

RECOGNIZING 150TH ANNIVERSARY OF SIXTH MOUNT ZION BAPTIST CHURCH

(Mr. MCEACHIN asked and was given permission to address the House for 1 minute.)

Mr. MCEACHIN. Mr. Speaker, I rise today in recognition of a pillar of the Richmond community. This year, Richmonders and parishioners celebrate the 150th anniversary of Sixth Mount Zion Baptist Church.

Sixth Mount Zion Baptist Church has been a central institution in our community since its founding in 1867 by Reverend John Jasper. The church was founded in an abandoned Confederate horse stable on Brown's Island and, since then, has been a pillar of our community.

The long history of supporting the community has continued under the leadership of six distinguished leaders, including the current pastor, Reverend Tyrone Nelson.

Reverend Nelson is a fellow alumnus of Virginia Union University's Samuel DeWitt Proctor School of Theology, a member of Henrico County Board of Supervisors, and a longtime friend.

Sixth Mount Zion Baptist Church has addressed the social concerns of the city's residents and was one of the first Black churches to have an organized charity with a staff social worker available to help our community.

Mr. Speaker, Sixth Mount Zion Baptist Church continues to assist community members with resources necessary to overcome life's obstacles.

I pray that Sixth Mount Zion Baptist Church will thrive in our community for another 150 years.

FIRES IN THE WEST

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, appropriately and necessarily, we will be addressing the issue of Hurricane Harvey and its devastating effects on Texas, Louisiana, and our American colleagues down there. But also we have a

crisis going on in the West. Tens of thousands of acres of our forests are going up in smoke this year just like every year. The inability of the Forest Service to act due to lawsuits and lack of will is inexcusable.

Our people are suffering in the West as well: Montana, tens of thousands of acres; northern California and many other areas. It ruins the habitat, it ruins the air quality, it ruins the water quality, and it ruins the people's assets of what they own in their Federal land and the Forest Service.

It eliminates jobs. It is harmful to our part of the country. We need to do something about this crisis that happens every year and is happening right now to the people of the West, to the habitat of the West, and to our natural lands.

Mr. Speaker, we must take action very soon on this and not continue to ignore it. It is hardly even in the news of what a devastating effect this is of wildfire every year in our forests in our Western States.

FIRES IN OREGON

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, I support my friend from California in urging that this body focus on this crisis in the West. With the outrage that has happened with the DACA students and with the tragedy in Houston, there are lots of things to occupy our time. But the firefighting in the West has impacted thousands of people. I have people who are forced to evacuate in my community.

We have 24 large fires in Montana, 19 in Oregon, and 17 in California. But what is really outrageous is that the Republican leadership in the House refuses to treat these disasters the same way we would treat Hurricane Harvey or Hurricane Katrina being able to put disaster funding on the table.

We are going to completely exhaust those resources in a matter of days, and then we are going to cannibalize the Forest Service budget that could be used to strengthen forest protections, put people to work, and avoid problems in the future. That is outrageous.

We have bipartisan legislation that would pass if the Republican leadership would allow it on the floor of the House. But at a minimum, we should not have any disaster relief that doesn't have money for these tragic fires in the West.

LET US VOTE ON DACA

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today the Trump

administration announced that it intends to crush the hopes of 800,000 DREAMers and cause them to live in fear each and every day, because that is what ending the DACA program will do.

Despite his many promises and saying that he has a heart, the President is persecuting young people who have done nothing more than come to this country in their parents' arms. They know no other language. They know no other country.

Ending the DACA program is opposed by the leadership of both parties and by the majorities in both Chambers. It is opposed by the clear majority of the American people.

But this Congress can do something to fix this. I am confident that if we put the BRIDGE Act, the American Hope Act, and the American Dream Act on the floor, if the Republican leaders would allow a vote, then it would pass.

DACA is in our court now. Let's have a vote and keep this lifeline to the American Dream alive.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

□ 1930

LCWR ASSEMBLY STATEMENT ON U.S.-DPRK CRISIS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, during World War II, a wise admonition from our military read: "Loose lips sink ships." In other words, beware of unguarded talk.

Of late, our world has witnessed an unprecedented escalation in tension with North Korea and its deranged tyrant, including North Korea's recent firing of a missile over Japan. Yet President Trump's reaction to the ongoing North Korean crisis has been an unguarded yielding of dangerous words of war. His improvised remarks have stunned experts, allies, and even his own advisers.

Instead of thorough diplomatic pressure and international consensus building, President Trump has done the opposite. His unpredictable rhetoric lacks strategic thought. It puts American troops stationed in South Korea and our regional allies at greater risk.

This administration is understaffing the State Department, weakening its ability to handle the sort of diplomacy I am speaking of. In the President's 2018 budget, the State Department is really an afterthought, with major accounts cut to the bone.

Thankfully, there are voices of reason, including the respected Leadership Conference of Women Religious. Mr.

Speaker, I include in the RECORD their statement against fear-mongering and advising dialogue is more productive than rhetoric, and connection more transformative than threats of destruction.

LCWR ASSEMBLY STATEMENT ON THE US—DPRK CRISIS

This week, while tensions between the governments of the United States and the People's Republic of Korea quickly escalated, approximately 650 members of the Leadership Conference of Women Religious meeting in Orlando, FL issued a public statement imploring President Donald J. Trump to engage in dialogue and negotiation:

At this critical moment for our country and global community, we—the approximately 650 members of the Leadership Conference of Women Religious gathered in assembly—have discerned the Gospel call to embody love for the sake of the world.

We believe that love is more powerful than fear, dialogue more productive than rhetoric, and connection more transformative than threats of destruction.

We call on President Trump to engage in constructive dialogue and negotiation to resolve the current crisis between the governments of the United States and the Democratic People's Republic of Korea in a manner that guarantees the peace and security that all people seek.

We commit ourselves to promote non-violence and a compassionate response to the thirst of the world for integrity and communion.

DACA TERMINATION

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE of New York. Mr. Speaker, I rise today to voice my strong opposition to the administration's cruel and inhumane decision to terminate the Deferred Action for Childhood Arrivals program, or DACA.

President Obama first implemented DACA in 2012, to ensure that the hundreds of thousands of immigrant children, many of whom are young adults and have lived in the United States for years and known no other home other than the United States, have a place here in America. This program was rooted in the best of our political tradition and intended as a temporary fix until Congress chose to take action.

In 2013, the Senate rose to the challenge and passed a bipartisan reform proposal. However, this Chamber callously refused to even consider the Gang of Eight proposal and instead let it die a slow and painful legislative death.

We are now being called upon to resume the fight, and we must not squander this opportunity. What my colleagues need to understand here and now is that this is not a game. The fate of nearly a million people hangs in the balance. Today's coldhearted decision will impact their health, wellness, families, and earning potential for years to come. DREAMers are generally begin-

ning the most productive years of their lives.

This is not a hypothetical question. It is real. We need to get to work, Mr. Speaker, right away.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. ROHRBACHER) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROHRBACHER. Mr. Speaker, before I get into a rather elongated discussion about one fundamental issue that we are having to decide in the next few days, I would like to just mention that we have just heard severe criticism of our President.

Let me just note about President Trump and his rhetoric supposedly making things worse in Korea. The rhetoric of our President has not made the situation worse in Korea.

What made the situation in Korea a major threat to our country and to our people and to the world was that, during the Clinton administration, President Clinton pushed through this Congress a package of aid for North Korea. Yes, we gave billions of dollars of aid in the form of energy and other types of issues and things that they needed. We gave them billions of dollars of aid under the agreement that North Korea would not be developing their nuclear weapons.

At that time, Chris Cox, a Member of the House of Representatives at the time, and myself fought aggressively against that deal. The North Koreans ended up being the recipient of billions of dollars of aid, even though they were the most antidemocratic institution, the greatest threat, and the greatest tyrants in that part of the world.

Yes, they knew that they didn't have to worry about the United States of America. That is when they, again, slowly but surely, after receiving billions of dollars from us, pushed through by President Clinton, that is how they have gotten to this point now where they are exploding weapons and launching rockets.

They are blaming that on our President, who just recently became President, and they are blaming it on his rhetoric rather than his policy? It is ridiculous.

The other thing we have heard about our President again is how heartless he is because he is not permitting young people who have been designated as DREAMers to stay here in the United States, even though they are in this country illegally, and they were brought here illegally.

Now, what is the impact? What will be the impact to those young people, who are probably wonderful young people? Most of them, I am sure, are wonderful young people. But the bottom

line is, our interests and our moral obligation must be to the well-being of American young people. That includes American young people who are of every race and every religion and every ethnic group.

Approving the people who have come here illegally will hurt American young people, especially American-Hispanic young people. The DREAMers will be competing with their jobs and, yes, bidding down the wages of our own young people and our other people who are trying to struggle right now to get by. No, what the President has done is watch out for the right young people: Americans.

Yes, we have had millions of people—in fact, for the last few years, over a million people—legally immigrate into our country. We have nothing to be ashamed of, nothing to apologize for. We are the most generous when it comes to legal immigration into our society of any country in the world. In fact, at times recently, the amount of legal immigration we have been allowing into our country represents more than all the other countries of the world in what they have permitted to legally immigrate into their society.

We all feel for young people throughout the world who deserve a better life. But if we permit people to come here as young people illegally, and then legalize their status, every parent in the world will see that decision. Every parent in the world will say: Oh, my gosh, that young person who comes from Guatemala, or wherever it is, made it to America. He went in illegally, and now he is going to a junior college. He has had some health problems. The American taxpayers have paid for it. Why can't I bring my children there?

Well, it will dawn on them that millions of people—hundreds of millions, perhaps—that if they are going to come to the United States illegally, you better bring the kids, because Americans think more of those kids than they do their own kids.

I applaud the President for what he has done to slow down this betrayal of American young people by allowing young people to come in here illegally and thus expect that they are going to get legal status by wearing us down and appealing to our emotions.

One thing we have to note, in closing on this issue, those young people, if they are legalized, that is not the end of the game. At that point, when they are legalized, they have a right to make applications so that their parents can have their status legalized. They can bring in family that they left back in their home countries. Now they can apply to have them come in under family reunification.

This isn't just about a group of young people who came in. Even to legalize their status would be wrong. Otherwise, millions of other people will come here. Remember the trainloads of

young people who were put on trains headed to the United States? Yes, we can expect more of that. Why not? If you love your children and you live anywhere else than the United States and you are living a poor life, of course you want to bring your kids here.

We should not be encouraging that, and we should not be attacking the President of the United States for standing up for our own young people, rather than trying to bring a massive flood of illegal immigrant children into our society and pay for their education and their healthcare, et cetera.

With that said, the issue that I am hoping to discuss in detail tonight is something on a totally different level, in terms of issue. This is an issue, whether you are Republican or Democrat, you go across the board; whether liberal or conservative, there should be a close look at what is happening right now in the House of Representatives.

A decision will soon be made by the House Rules Committee—they are meeting tonight and tomorrow—that will have a dramatic and direct impact on the lives of millions of Americans. Although the issue will have such severe consequences on so many people, Members of Congress may or may not have had the opportunity and may not have the opportunity in the future to vote on the provision that is being discussed tonight.

What I am talking about at issue is an amendment submitted to the Rules Committee. For those who don't know, the Rules Committee is a committee here in Congress that decides what will come to the floor for a vote—what bills—and what will be included; what amendments will be permitted, what amendments won't, and if there will be any.

That is their job. They do a good job of it, but it is important that they do a job that reflects the American people and the interests of the American people.

So what we have is an amendment that has been submitted to the Rules Committee for consideration with this week's appropriations bill. What I am talking about is an amendment which prohibits any of the money or resources in the appropriations bill for the Department of Justice; it prevents that money or the resources that come from the Department of Justice, purchased by that revenue; it says that the Department of Justice can't use that money that is being given to them in the appropriations bill to supersede a State law when that State has legalized the medical use of marijuana.

Now, that is my amendment. That amendment has been around. As many of my colleagues know, this amendment has a long history. The House has considered this issue numerous times since former Representative Maurice Hinchey of New York introduced the first amendment of this nature in 2001.

I joined him and supported that provision.

Eventually, I became the lead sponsor of the amendment when Mr. Hinchey left. That year, in 2012, my amendment failed in the House by a vote of 162–262.

So, in 2012, my amendment, which would have legalized medical marijuana—basically, saying that you can't have the Federal Government supersede States when they have legalized medical marijuana—lost by 162–262.

Two years later, I teamed up with Representative Sam Farr, who is also now retired, and saw the amendment pass—the very same amendment we were able to reach out to our colleagues and say that we do not want any of the money that is being allocated for the Department of Justice to be used to supersede States' rights. That cannot supersede a State that has legalized the medical use of marijuana.

The passage of the amendment in 2004 led to the inclusion of this provision in last year's omnibus appropriations bill, which was signed into law December 2014. The following year, the amendment passed by an even larger margin. Let me note that the last time it came here for a vote on the floor, it passed by 242–186.

What we are talking about is that the people of the United States, over these years, over and over again, have expressed themselves to the Federal Government by passing laws in their own States to legalize the medical use of marijuana.

□ 1945

And now we have a move to try to prevent those reforms that we put into place for the last 6 years that insisted that the Federal Government respect the State laws that have been changed so that the State laws that have given their own people permission to use medical marijuana for medical purposes, now what we see is an effort to try to prevent that from happening.

In other words, the status quo for 4 years has been the Federal Government will not interfere because the Department of Justice is not permitted to use its resources to supersede a State that has legalized the medical use of marijuana. And the States, in these 4 years, over and over and over again, have reaffirmed and have sometimes put in place brand-new law that permits their people to use medical marijuana.

Changing the status quo here by not adding that amendment that has been in the bill for the last 4 years, we are changing the status quo in a way that undermines the rights of the States and the people therein to make their policy, a right that we had acknowledged for the last 4 years.

Since it was first enacted into law, the provision has been updated and extended through a series of continuing resolutions. That is the bill that says

we will respect State marijuana laws and omnibus appropriations bills, the last of which was signed into law by President Trump on April 5.

So, on April 5, we signed the omnibus bill. In that bill was the amendment that said the Justice Department will not use its resources to supersede State law. And since the first vote in 2014, the Senate Appropriations Committee has taken up the issue and has adopted this amendment on a bipartisan basis every year for the last few years.

As a result of this provision, the Federal Government has been prohibited from arresting or attacking those providing cannabis for medical purposes in the States that have passed such laws through their State legislature or through a direct vote of their own people.

So, to date, what are we talking about? We are talking about 46 States that have legalized some form of cannabis for medical purposes.

Yet we see, today, this Republican Congress is seriously considering what? Superseding those States, 46 States that have actually said: We will determine what is good for our people, and our people have voted overwhelmingly to permit medical marijuana to be used by the people of this State.

We are considering changing the status quo tonight by not permitting the amendment that always gave the rights to the States to make that decision.

With this movement by the States, we have witnessed the emergence of a new and a major industry in America. Billions of dollars now are being invested in the exploding cannabis industry, an industry where now marijuana is being grown to provide clinics, which then they work on the cannabis itself. They put it into and they catalog it in terms of strength and in terms of dosage, and they work with doctors to make sure that this can be used for helping people with their maladies.

Those involved, all who are doing this, the ones who are providing the cannabis, the guys who are processing it, the people who are selling it, the people who want to make sure that everything is designated right, the strength and the character of what is being sold, and, of course, a book-keeping system that makes sure everybody knows, total, who is doing what, all those involved in this new industry, billions of dollars' worth of industry, are respectable businessmen and -women.

Yes, they are seeking profit, but these are men and women who are eager to be, yes, seeking profit and to be responsible and transparent; and just like any other member of the business community, they want to do a business efficiently, and they want to be held accountable for what they are doing.

Money should be accounted for, yes. Ingredients of products must be

verified and labeled. Standard business practices ought to be applied, and, of course, taxes and regulations are part of that equation.

Well, throughout the country, this industry is taking the public away from gangsters, away from criminal drug dealers. Now, who is being helped? But first let me note on that.

If we eliminate this right of the States to basically legalize the medical use of marijuana and put it in the hands of those people whom I have just described, honest businessmen who are going to be held accountable and held with transparent types of operations, no, they will be replaced by whom? They will be replaced by drug dealers. They will be replaced by the Mexican drug cartel. That is who is being helped if we eliminate this provision that has been part of the appropriations bill for the Department of Justice for the last 3 years.

So why are we thinking about helping, not only just superseding what the people locally have voted for—why aren't we thinking about that?—but worse than that, why are we thinking about transferring those billions of dollars now in this industry directly into the pockets of the drug cartels? That is what the vote is.

The vote is not, oh, we are going to stop anybody from using marijuana because marijuana is bad. That is not the vote. That is not the result of the vote. The result of the vote will be billions of dollars immediately transferred into the pockets of the drug cartel. That is what will happen.

So I implore my colleagues to look closely with this vote. I hope that the Rules Committee will see the error of its ways and permit a vote on the floor on this issue. If not, I will be calling on my colleagues to join me in opposing the rule that is coming to the floor that prohibits us from voting on this issue.

If we vote on the issue, let's all vote on the issue and let the voters hold us accountable for our vote, but don't just let nobody have a vote on it and hide behind anonymity. No, let's let the people know what side we are on.

Do we want to have drug cartels being handed billions of dollars? That is what this is about.

Oh, yes, we are going to say, well, fewer people will use marijuana. No, I do not believe that for an instant. And especially people who are using it for medical purposes, there won't be fewer of them. Those people still need medical marijuana, and they have arthritis and all kinds—the Vietnam—actually, not Vietnam vets, but the vets coming back from the Gulf. The veterans are coming back, and they know that this can help them.

We are now turning off the supply of medical marijuana to people who can be helped, and then what are we doing? We are giving the money that is being

made by honest businessmen now in a transparent way, trying to run something where taxes are paid and everybody is held accountable, anything they sell is labeled—no, no. All of that is out the window because someone thinks marijuana, itself, is evil.

Children, especially those who are afflicted by seizures, have been treated through the use of CBD oils. That is a derivative of cannabis, and it appears to be effective.

Senior citizens are both physically and psychologically assisted in dealing with some of the challenges that often come with old age. Alzheimer's, arthritis, chronic pain, these are things that our seniors, when they are sitting in old folks homes or wherever, they suffer, and we say: No, you can't try marijuana; no, we are not going to let you legally be able to obtain that as something that might help you with your suffering. How ridiculous is that?

All Americans who suffer from diseases ranging from Crohn's disease to cancer, the potential to receive medical benefit from cannabis is clear.

And the wounded American soldiers coming home from the Middle East, they have come to our offices. They have been in my office, and I am sure they have been in other people's offices to explain the positive effects of cannabis in dealing with PTSD.

In fact, the American Legion, an organization chartered in the aftermath of World War I to represent veterans, adopted a resolution last month urging the Federal Government to allow VA physicians to discuss and to recommend the use of medical marijuana in accordance with State laws.

My goodness, I will just have to say that for us to turn our back on these seniors, to say that these people who have young children who had seizures and they couldn't stop them and to turn our back on those people, to turn our back on our veterans, that is what this vote is all about.

This isn't about, oh, well, somebody can just go smoke marijuana.

And, by the way, if an adult is smoking marijuana in their backyard, yes, I don't think that we should waste police resources and billions of dollars of law enforcement money to try to stop an adult from using marijuana in his backyard.

But that is not the issue. The issue is whether States that have legalized the medical use of it should be superseded by us here, by the vote that we are going to have here in the next few days.

Let me tell you something about how I didn't know how the public would respond to the fact that I am one of the leaders in this whole effort to legalize the medical use of cannabis.

You know, I was Ronald Reagan's speechwriter, and I have been a Republican all my life. I get the top score on conservative groups that, you know,

are giving you a score of how you voted and everything. I have received very high marks in all of those groups, and I have been a conservative voter. I have a conservative, libertarian background. I was Ronald Reagan's speechwriter for 7½ years in the White House.

I got elected in 1988, the last year of Reagan's term in the White House, and I sort of slipped into this issue because it is a principled issue to me. The principle is freedom, liberty, justice, and if you are not hurting somebody else; but especially we should let people who are suffering, at the very least give them some leeway when it comes to medical uses.

Well, I knew that I was getting a lot of publicity on this, and a fellow came into my office to talk to me about a totally different issue, about an aerospace issue. I am one of the senior members of the Science Committee, and I said—now, this guy represents, to me, my typical voter, my conservative voter in Canton, California.

The conservative voter was a guy who has been a commander or a captain in the U.S. Navy, a pilot. He was now in aerospace, and I am sure he always voted Republican. And so I asked him, I said: Look, what do you think about the fact that the guy you have been voting for all this time is now the leader in the fight to legalize medical marijuana for the people of this State and this country?

He looked at me, and he said: DANA, you really don't know me very well.

I said: Well, I know you are a former pilot in the Navy and you are now in aerospace and you are a conservative vote.

And he says: Yeah, but you don't know that I have three sons—three sons—and the day after 9/11, they all marched off and joined the military. And then what you don't know also is, a few years later, two of them came back, but the third one who came back wasn't my son anymore. The third one that came back was on the floor in seizures because he had been in some kind of an explosion that had rattled his brain, and he was on the floor over these seizures and they wouldn't stop. How would you feel about your child on the floor having seizures that you cannot stop?

And now when I tell these people: We don't care about that; you are not going to get to try medical marijuana—well, this guy said he tried everything. He took him to the VA, and it didn't help. After about a year, this guy said one of the guys at the VA hospital pulled him aside and said: Hey, you want to help your son? See me off campus.

They saw him in his office off the VA hospital, and the guy said: Look, your son needs marijuana. Here is the prescription. Here is how to use it. Go do it.

And do you know what the guy said to me there in my office? He said: My

son hasn't had a seizure since that day. You wonder what I want to do about you being the point man on legalizing medical marijuana? I want to go over and give you a big hug.

That is what he said.

□ 2000

Now, I hope that my colleagues take this seriously because there are children on the floor having these seizures. There are veterans waiting there in seizures. There are old folks who are having arthritis and they can't move their hands, or they have lost their appetites in these senior citizen homes.

There is nothing wrong with us using cannabis to help alleviate their pain. We have been doing that for 3 years, and now the Rules Committee may not even permit us to have a vote on it, and they will take it out of this bill. We will be taking this away, without even having our people have to vote on it or not.

Well, I say if you disagree with me, that is fine. If you don't think the drug cartels will be enriched, fine. Come up and make your arguments.

When I lost this vote on a number of occasions, before we won 3 or 4 years ago, I lived with it. I said: Fine; I lost the vote. I respect those people's opinion, and they beat me.

Well, I expect that is what a democracy is supposed to be all about. That is what it is supposed to be all about. Let people be held accountable for this. Don't take it out of the bill. If they take it out of the judiciary appropriations bill, I am asking my colleagues to stand up and vote against a rule that is shielding us from accountability, shielding us from having to have, basically, responsibility for handing billions of dollars over to the drug cartels.

Now the argument, of course, is: Oh, there is an opiate—you know, some kind of, what do they call it, an epidemic. An epidemic that is crossing America is opiates. Well, yes, there is.

When young people, or old people, are given opiates by their doctors, that is what happens: they get addicted to the opiates. If their doctors have no alternative, like cannabis, to provide their patients with something that might help them with their challenge, well, then you are going to get opiates, and that is what has happened. Our doctors have been passing out opiates as if they are candy.

It is the legalization of medical marijuana that makes it more likely that we will defeat the opiate epidemic and get our people back to a point where they can actually control their own lives. No one has ever died from an overdose of marijuana.

Now, I can tell you this. I understand that people really want to help young people, and others, not to get addicted to drugs. And I will say, no one has ever overdosed on cannabis. Yes, there

are some serious concerns of why you don't want young people, in particular, using cannabis.

But to make it illegal, to put people in jail for using this, for basically leaving the distribution of marijuana in the hands of criminals, is far worse in what happens than any of the things that happen if young people—or, well, if anybody—start smoking a joint.

And let me just say, I think young people, we need to talk to them seriously. When we tell them we don't even think marijuana should be used for medical purposes, they tune out. But if we say, we know there are some legitimate uses for this, but when you are 20 years old, it is going to hurt your mind development, do not use marijuana until at least you are over 20 years old, and we are only making it legal now in this bill, or if you have some medical problems.

Well, the fact is that young people can understand that. That is one of the reasons why we have got to have research into cannabis, other than just leaving these opiates as the easy answer for doctors. In fact, one of the greatest sins, I believe, committed against the American people in the last 100 years has been really a lack of research into cannabis as a potential healthcare device or, shall I say, entity so that, instead of doing research into cannabis for the last 100 years, research has been suppressed.

There could be some really wonderful things, and we are learning about them now. A few years ago, for example, Israel had to lead the way on this and introduce a major research effort into cannabis, and their results have been spectacular.

Why does that happen in Israel and not here? Don't we care about whether those things that they discovered there that affects their people will help our people as well? No, no. We couldn't do that because we have people who are still living in the 1960s when to them cannabis—marijuana—means everybody growing their hair long, smoking dope in the park, and fornicating in the park, and failing in life, becoming hippies, and all of that.

The bottom line is that image is destroying the well-being of millions of Americans today. We have got to get over that image because that is not what medical cannabis is all about.

And as I say, young people under 20 years of age, I have no problem outlawing it for them and having some kind of severe penalty for people selling that to them. We need to protect them because it does impact negatively on kids who are under 20 years of age, or in that age group.

But let me also note: those kids shouldn't be drinking as well. The same studies that show that marijuana will really hurt the development of their brains and affect their electrical system also says that when they

overdrink at an early age it has that same type of impact.

So those trying to protect us Americans from ourselves are well-intentioned. They certainly understand these negative impacts, and there are negative impacts of everything. There are negative impacts of too much sugar; there are negative impacts of eating the wrong things, or not getting any exercise, or sitting down in front of your computer, or only sitting and watching TV.

But if we go down the road and we let the government just protect us from ourselves, and that we are saying the government needs to just control our lives for us, no, that is not going to happen. That is not what our Founding Fathers were all about, and that is not what this country is all about.

Yes, there are things that we don't want young people to be involved with when it comes to cannabis. It is true with so many other things. And, also, we can't control that if we leave the drug cartels as the major player.

Perhaps the most serious downside of using cannabis over the last 50 years has been the financing of these drug cartels in Mexico and developing countries. But now, with the continued enactment of Rohrabacher-Farr, the vast majority of States have charted another course, rather than what we have had before, before our things passed. Well, the billions of dollars, this multi-billion-dollar industry has been taking shape, and it is taking a huge market share away from the cartels and the gangs.

Number one, it is important that we make sure young people, veterans, older people, people who need this, people who are infirmed and need this help with cannabis and it can help them, first and foremost, let's let the States decide whether or not that is going to be a right for people to try to treat themselves with cannabis in those States. Okay, that is number one.

But, number two, let's make sure that the money that is now being spent and organized to try to provide those people with their supply, and doing it in a very professional way with how much and what strength they are getting, et cetera, and people held accountable, let's not turn that off and eliminate that and just send these people to the drug cartels. It is ridiculous.

And, finally, for me and many of my conservative colleagues, this has always been an issue of federalism and freedom. This has always been an issue that goes right back to the fundamentals.

Our Founding Fathers did not expect that the Federal Government would assume such a prominent role when it comes to policing our lives. Rather, they intended the States to take the lead when exercising police powers.

The 46 States have, thus far, sought a different course when it comes to med-

ical cannabis. These States should not be stymied by an all-powerful Federal Government dictating what we, and the citizens of this country, shall do in our private lives. The States, and the people therein, should be left to make these decisions and to regulate these activities, or not regulate them, as they see fit.

What has happened now, because we have gotten away from this idea that Federalism will decide, the issue of Federalism, the 10th Amendment, what we have now are situations where we have different armies, like the DEA and others, who have had raids taking place throughout our country. This was not what our Founding Fathers had in mind.

This effort to try to put in jail anybody who is even using marijuana for anything, what we have done is in the Black and Chicano communities, in particular, minority communities who have less money, they have suffered the most because if their children—let's say a 20-year-old young man gets arrested in the ghetto, well, he is not going to have a lawyer like that, like people who live in more affluent areas. So that record will stick with him for the rest of his life.

We have wasted billions of dollars of their lives that they could be having better jobs 10 years down the road by hanging this on their back. We wonder why people can't get jobs. Well, somebody from a more affluent home, there is a lawyer waiting for them at the police station if he is ever caught with a baggy of marijuana.

Well, that is not good to have that young man in the ghetto, or anywhere else, or even in the affluent communities, to have to have a criminal record for something that, yes, might have a negative impact on him. We should instead—let me just offer this as a solution. Let's go forward with some positive programs, rather than superseding State law with a heavy-handed, iron-fisted enforcement of laws controlling people's private behavior and their private consumption of what they want to consume. Let's put our effort into offering a positive alternative.

For example, in high schools and colleges, and even in grade schools, we can have drug testing. In our military, we can have drug testing. But it is not drug testing to put someone in jail. If you do it that way, you can't do that legally. You can't force someone to testify against themselves. But if you say: We want to see if you have a problem, and you are not going to get a driver's license if you don't pass drug free; and you can be given a drug test in high school at any time, and if your test comes back negative, you talk to the family of a young person who has been tested and has been using some kind of drug.

We can do those types of things. We can do those things that aren't aimed

at obliterating someone's future by giving them a felony conviction for having a little bit of marijuana on them. That is ridiculous.

And we don't need to give the drug cartels all the money in making sure that people in the old folks' home down the street don't get to smoke marijuana to take care of their arthritis. That is all ridiculous.

Now we are facing this challenge here. This will be a vote this week. I would ask my colleagues: Please, let us have the amendment that we have had for 3 years, keep the status quo of letting the States handle this issue, let the States do that. This is a States' rights issue. Thomas Jefferson would be for us.

At the same time, if we do not get a vote on this and they try to hide behind it—we are not even going to get a chance to vote on it, thus we are not going to be held accountable for eliminating this freedom that we have and this federalism that we have—if we don't get that vote, I am asking my colleagues, especially my Republican colleagues—and I ask the public to pay attention to how people vote—a vote for the rule if this amendment, if the Rohrabacher-Blumenauer amendment is not permitted, then a vote for the rule is a vote for giving money to the drug cartels, it is a vote for eliminating the law as it is today, which is leaving it up to the States and bringing the Federal Government back to our local and State areas in an enforcement mode. We don't need that.

If we don't get this, if my amendment, the Rohrabacher amendment, is not permitted, I would hope that my colleagues would join me in voting against the rule, which sends that bill back to the committee, to the Rules Committee, where they will then either add it or not, but at least gives us a chance to have a direct vote on it again if we defeat it the first time.

So I say strike a blow for freedom, make sure we have reaffirmed the idea of federalism, personal responsibility, not government controls over our lives, let's do what our Founding Fathers did, let's strike a blow for liberty.

That is what this is about: liberty. And it is not about having power in the hands of the Federal Government to come down and tell us how to run our lives and centralizing power in Washington, D.C.

So I ask my colleagues to join me in voting for my amendment if it is permitted on the floor and, if it is not, to vote against the rule on the appropriations bill for the Justice Department.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore (Mr. LEWIS of Minnesota). Pursuant to clause 12(a) of rule I, the Chair declares

the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 15 minutes p.m.), the House stood in recess.

□ 2347

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 11 o'clock and 47 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3354, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-295) on the resolution (H. Res. 500) providing for consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes; providing for consideration of motions to suspend the rules; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LAMBORN (at the request of Mr. MCCARTHY) for today on account of flight delays.

Mr. CUMMINGS (at the request of Ms. PELOSI) for today and the balance of the week on account of medical leave.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today on account of husband's health.

Mr. SUOZZI (at the request of Ms. PELOSI) for today on account of mother's funeral.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 6, 2017, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2348. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Louisiana; Volatile Organic Compounds Rule Revision and Stage II Vapor Recovery [EPA-R06-OAR-2013-0167; FRL-9965-62-Region 6] received August 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2349. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Major New Source Review [EPA-R03-OAR-2016-0052; FRL-9966-78-Region 3] received August 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2350. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Agency's final rule — Airspace Designations; Incorporation by Reference [Docket No.: FAA-2017-0798; Amendment No.: 71-49] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2351. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Agency's final rule — Amendment of Class D and E Airspace; Hilo, HI [Docket No.: FAA-2017-0222; Airspace Docket No.: 17-AWP-8] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2352. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Incorporation by Reference of ICAO Annex 2; Removal of Outdated North Atlantic Minimum Navigation Performance Specifications [Docket No.: FAA-2016-9154; Amdt. No.: 91-348] (RIN: 2120-AK88) received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2353. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Mosinee, WI [Docket No.: FAA-2017-0355; Airspace Docket No.: 17-AGL-12] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2354. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Agency's final rule — Establishment of Class E Airspace, Hawthorne, NV [Docket No.: FAA-2017-0297; Airspace Docket No.: 16-AWP-4] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2355. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E

Airspace; Vivian, LA [Docket No.: FAA-2017-0298; Airspace Docket No.: 17-ASW-7] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2356. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2016-9575; Product Identifier 2016-NM-168-AD; Amendment 39-18992; AD 2017-17-02] (RIN: 2120-AA64) received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2357. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Wayne, NE [Docket No.: FAA-2017-0287; Airspace Docket No.: 17-ACE-6] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2358. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways V-7 and V-67; TN [Docket No.: FAA-2017-0109; Airspace Docket No.: 16-ASO-13] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2359. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0477; Product Identifier 2016-NM-112-AD; Amendment 39-18990; AD 2017-16-13] (RIN: 2120-AA64) received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2360. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31145; Amdt. No.: 3757] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2361. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31146; Amdt. No.: 3758] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2362. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31148; Amdt. No.: 3759] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2363. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31149; Amdt. No.: 3760] received August 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2364. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited [Docket No.: FAA-2017-0174; Directorate Identifier 2014-SW-059-AD; Amendment 39-18973; AD 2017-15-13] (RIN: 2120-AA64) received August 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2365. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; AK: Adoption Updates and Rule Revisions [EPA-R10-OAR-2017-0184; FRL-9966-80-Region 10] received August 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2366. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Permits, Approvals, and Registrations [EPA-R03-OAR-2016-0576; FRL-9966-79-Region 3] received August 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2367. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Quality Designation; TN; Redesignation of the Knoxville 2006 24-hour PM_{2.5} Nonattainment Area to Attainment [EPA-R04-OAR-2017-0086; FRL-9966-93-Region 4] received August 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 1843. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; with an amendment (Rept. 115-286, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3115. A bill to provide for a land exchange involving Federal land in

the Superior National Forest in Minnesota acquired by the Secretary of Agriculture through the Weeks Law, and for other purposes; with an amendment (Rept. 115-287). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2316. A bill to amend the Mineral Leasing Act and the Energy Policy Act of 1992 to repeal provisions relating only to the Allegheny National Forest (Rept. 115-288). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2083. A bill to amend the Marine Mammal Protection Act of 1972 to reduce predation on endangered Columbia River salmon and other nonlisted species, and for other purposes (Rept. 115-289). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2611. A bill to modify the boundary of the Little Rock Central High School National Historic Site, and for other purposes (Rept. 115-290). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2768. A bill to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak" (Rept. 115-291). Referred to the House Calendar.

Mr. HENSARLING: Committee on Financial Services. H.R. 2864. A bill to direct the Securities and Exchange Commission to allow certain issuers to be exempt from registration requirements, and for other purposes; with an amendment (Rept. 115-292). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3110. A bill to amend the Financial Stability Act of 2010 to modify the term of the independent member of the Financial Stability Oversight Council (Rept. 115-293). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 3388. A bill to provide for information on highly automated driving systems to be made available to prospective buyers; with amendments (Rept. 115-294). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 500. A resolution providing for consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes; providing for consideration of motions to suspend the rules; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 115-295). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 1843 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FRELINGHUYSEN:

H.R. 3672. A bill making supplemental appropriations for disaster relief requirements for the fiscal year ending September 30, 2017; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN:

H.R. 3673. A bill to impose a ban on the importation of certain petroleum products from Venezuela; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 3674. A bill to amend the Small Business Act to allow small business concerns, homeowners, or nonprofit entities to use certain Superstorm Sandy grant funds or other disaster assistance received to repay certain disaster assistance provided by the Small Business Administration, and for other purposes; to the Committee on Small Business, and in addition to the Committees on Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER (for himself, Mr. O'HALLERAN, Ms. SINEMA, Mr. SCHNEIDER, Mr. SCHRADER, and Mr. COSTA):

H.R. 3675. A bill to provide that Members of Congress shall be paid last whenever the Treasury is unable to satisfy the obligations of the United States Government in a timely manner because the public debt limit has been reached; to the Committee on House Administration.

By Mr. JONES:

H.R. 3676. A bill to provide that human life shall be deemed to exist from conception; to the Committee on the Judiciary.

By Mr. NORCROSS:

H.R. 3677. A bill to designate the Peter J. McGuire Memorial and Peter J. McGuire Gravesite located in Pennsauken, New Jersey, as a National Historic Landmark, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 3678. A bill to amend the Internal Revenue Code of 1986 to designate the District of Columbia as an empowerment zone; to the Committee on Ways and Means.

By Mr. REED (for himself and Mr. PASCRELL):

H.R. 3679. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Ways and Means.

By Mr. ZELDIN:

H.R. 3680. A bill to amend title 38, United States Code, to make permanent the authority of the Secretary of Veterans Affairs to provide financial assistance for supportive services for very low-income veteran families in permanent housing; to the Committee on Veterans' Affairs.

By Mr. VEASEY:

H. Res. 501. A resolution expressing support for designation of the month of September as "National Voting Rights Month"; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FRELINGHUYSEN:

H.R. 3672.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. COFFMAN:

H.R. 3673.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 states that "The Congress shall have the power to regulate commerce with foreign Nations, and among several States, and with the Indian Tribes."

By Mr. SMITH of New Jersey:

H.R. 3674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. COOPER:

H.R. 3675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 8 and 9 of the Constitution of the United States.

By Mr. JONES:

H.R. 3676.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, and Article III, Section 1 which give the Congress power to establish and limit the jurisdiction of lower federal courts as well as Article III, Section 2 which gives Congress the power to make exceptions to Supreme Court regulations.

By Mr. NORCROSS:

H.R. 3677.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. NORTON:

H.R. 3678.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. REED:

H.R. 3679.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and Amendment XVI of the United States Constitution.

By Mr. ZELDIN:

H.R. 3680.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mrs. WAGNER.
H.R. 154: Ms. JENKINS of Kansas, Mr. DANNY K. DAVIS of Illinois, Mr. DONOVAN, and Ms. BROWNLEY of California.
H.R. 203: Mr. RICHMOND and Mr. SARBANES.
H.R. 246: Mr. WOMACK, Mr. WENSTRUP, and Mr. SESSIONS.
H.R. 252: Mr. PETERS.
H.R. 265: Mr. MESSER.
H.R. 350: Mr. ROSKAM.
H.R. 365: Ms. HERRERA BEUTLER.
H.R. 384: Ms. KAPTUR.
H.R. 389: Ms. NORTON.
H.R. 392: Mr. JENKINS of West Virginia, Ms. SINEMA, Mr. SCHRADER, Mr. O'HALLERAN, Mr. ROSS, Ms. SEWELL of Alabama, Mr. DEFAZIO, Mr. CORREA, Mr. DAVID SCOTT of Georgia, Mr. CROWLEY, Ms. FUDGE, and Mr. LONG.
H.R. 398: Mr. COFFMAN, Mr. JOYCE of Ohio, and Mr. SCOTT of Virginia.
H.R. 453: Mr. CRAMER.
H.R. 548: Mr. DONOVAN.
H.R. 681: Mr. BABIN and Mr. RATCLIFFE.
H.R. 747: Mr. SOTO.
H.R. 772: Mr. CHABOT.
H.R. 785: Mr. DUNN.
H.R. 807: Mr. MARSHALL, Mr. SHUSTER, Mr. COOK, Mr. FLEISCHMANN, Mr. FITZPATRICK, and Mr. PEARCE.
H.R. 819: Mr. BROOKS of Alabama.
H.R. 845: Mr. TED LIEU of California.
H.R. 919: Ms. SPEIER.
H.R. 980: Mr. CARBAJAL.
H.R. 982: Mr. DONOVAN.
H.R. 1017: Mr. COSTELLO of Pennsylvania, Mr. TAKANO, Mr. RUSH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. CLARKE of New York.
H.R. 1038: Ms. HERRERA BEUTLER, Mr. TROTT, and Mr. COFFMAN.
H.R. 1041: Mr. BROOKS of Alabama.
H.R. 1057: Mr. RODNEY DAVIS of Illinois.
H.R. 1065: Mr. LIPINSKI and Mr. DONOVAN.
H.R. 1111: Ms. JAYAPAL.
H.R. 1148: Mr. NORMAN, Mr. CHABOT, Mr. GUTHRIE, Mr. HASTINGS, Ms. CLARKE of New York, Mr. DONOVAN, Mr. HIGGINS of New York, Mr. POSEY, and Mr. LANCE.
H.R. 1150: Mr. LAMALFA.
H.R. 1155: Mrs. COMSTOCK.
H.R. 1164: Mr. LAMALFA.
H.R. 1222: Mr. MEEHAN.
H.R. 1223: Ms. SHEA-PORTER and Mr. BROOKS of Alabama.
H.R. 1232: Mr. MCNERNEY.
H.R. 1241: Ms. PINGREE.
H.R. 1251: Mr. CARSON of Indiana, Mr. GONZALEZ of Texas, Mr. SABLAN, and Mr. VEASEY.
H.R. 1266: Ms. LOFGREN and Mr. MCGOVERN.
H.R. 1360: Mr. GRAVES of Missouri, Mr. STIVERS, and Mr. BACON.
H.R. 1368: Miss RICE of New York.
H.R. 1406: Mrs. LOWEY and Mr. GOTTHEIMER.
H.R. 1456: Mr. CUMMINGS and Mr. GONZALEZ of Texas.
H.R. 1465: Mr. WELCH.
H.R. 1468: Mr. LANCE and Mr. COLLINS of New York.
H.R. 1519: Ms. DEGETTE.
H.R. 1542: Mr. TED LIEU of California.
H.R. 1555: Mr. MCEACHIN.
H.R. 1563: Mr. CURBELO of Florida, Ms. BROWNLEY of California, and Mr. MOULTON.

H.R. 1575: Ms. KUSTER of New Hampshire.
H.R. 1651: Mr. MURPHY of Pennsylvania and Mr. MCNERNEY.
H.R. 1661: Mr. POLIQUIN, Mr. LOWENTHAL, Mr. YODER, and Mr. ESTES of Kansas.
H.R. 1664: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1676: Mr. COLLINS of Georgia and Ms. JAYAPAL.
H.R. 1686: Mr. KIND.
H.R. 1731: Mr. HUFFMAN.
H.R. 1749: Mr. JONES.
H.R. 1759: Miss RICE of New York, Mr. KHANNA, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 1789: Mr. GARAMENDI.
H.R. 1817: Mrs. NAPOLITANO, Mr. CONNOLLY, Ms. NORTON, and Mr. MCGOVERN.
H.R. 1819: Mr. EVANS.
H.R. 1824: Ms. GABBARD.
H.R. 1825: Mr. LOEBSACK and Mr. HIMES.
H.R. 1840: Mr. LANCE.
H.R. 1861: Mr. POSEY, Mr. MEEHAN, and Mr. DIAZ-BALART.
H.R. 1896: Mr. WENSTRUP, Mr. LARSON of Connecticut, and Mr. COSTELLO of Pennsylvania.
H.R. 1897: Mr. LARSON of Connecticut and Mr. COSTELLO of Pennsylvania.
H.R. 1898: Mr. COSTELLO of Pennsylvania.
H.R. 1899: Mr. DEFAZIO.
H.R. 1939: Mr. COFFMAN.
H.R. 1953: Mr. SMITH of Missouri and Mr. COFFMAN.
H.R. 2000: Mr. JOHNSON of Georgia, Mr. HASTINGS, Mr. MCGOVERN, Mr. LARSON of Connecticut, Mr. PAYNE, Ms. ROYBAL-ALLARD, Mr. DESAULNIER, Mr. YARMUTH, Mr. KHANNA, and Ms. WILSON of Florida.
H.R. 2001: Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. HASTINGS, Mr. LARSON of Connecticut, Ms. ROYBAL-ALLARD, Mr. PAYNE, Mr. KHANNA, Mr. DESAULNIER, Mr. YARMUTH, and Ms. WILSON of Florida.
H.R. 2037: Ms. BORDALLO.
H.R. 2044: Mr. TONKO.
H.R. 2092: Mr. SENSENBRENNER and Mr. GOTTHEIMER.
H.R. 2121: Mr. HUIZENGA.
H.R. 2123: Mr. WELCH.
H.R. 2147: Mr. THOMPSON of California and Mr. MEEHAN.
H.R. 2149: Mr. BROOKS of Alabama.
H.R. 2150: Mr. FASO, Mr. TIBERI, Mr. RYAN of Ohio, Mrs. WATSON COLEMAN, and Mr. TED LIEU of California.
H.R. 2167: Mr. DUNCAN of Tennessee.
H.R. 2186: Mr. CARTER of Georgia.
H.R. 2197: Ms. KAPTUR, Mr. EVANS, and Ms. LEE.
H.R. 2224: Mr. CHABOT, Mrs. BLACKBURN, and Mr. FRANKS of Arizona.
H.R. 2259: Mr. LOWENTHAL, Mr. DELANEY, Mr. CICILLINE, and Mr. LAMALFA.
H.R. 2260: Mr. TED LIEU of California and Mr. KHANNA.
H.R. 2262: Mr. ELLISON.
H.R. 2293: Mr. REED.
H.R. 2318: Mr. DOGGETT.
H.R. 2319: Mr. BUDD, Mr. LAWSON of Florida, and Mr. OLSON.
H.R. 2321: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2334: Ms. DEGETTE.
H.R. 2340: Mr. REICHERT.
H.R. 2375: Mr. PRICE of North Carolina.
H.R. 2397: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 2412: Mr. HIGGINS of New York.
H.R. 2421: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2428: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2465: Mr. BARLETTA and Ms. MOORE.

H.R. 2501: Ms. KUSTER of New Hampshire and Mr. KRISHNAMOORTHY.

H.R. 2519: Mr. SMITH of New Jersey, Mr. SIREN, Mr. THOMPSON of Mississippi, Mr. COLLINS of Georgia, Ms. TSONGAS, Mr. YARMUTH, Mr. CRAWFORD, Mr. CÁRDENAS, Mr. VELA, Mr. BYRNE, Mr. HASTINGS, Mr. WESTERMAN, Ms. HANABUSA, Mr. LEVIN, Mr. GOSAR, Mr. THOMAS J. ROONEY of Florida, Mr. LOUDERMILK, Mr. LONG, Mrs. WAGNER, Mr. ROSS, Mrs. CAROLYN B. MALONEY of New York, Mr. MARSHALL, Mr. O'HALLERAN, and Mr. RUSH.

H.R. 2540: Mrs. RADEWAGEN.

H.R. 2566: Mr. DEFazio.

H.R. 2598: Ms. NORTON, Mr. GRIJALVA, and Mr. BLUMENAUER.

H.R. 2641: Mr. SMITH of Missouri, Ms. MOORE, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 2642: Ms. KUSTER of New Hampshire.

H.R. 2657: Mr. KING of Iowa.

H.R. 2658: Mr. SOTO.

H.R. 2712: Mr. HASTINGS.

H.R. 2736: Mr. JONES.

H.R. 2740: Mr. NEAL, Mrs. BEATTY, Mr. GOTTHEIMER, Mr. THOMPSON of Pennsylvania, Mr. ABRAHAM, Mr. JEFFRIES, Mr. LEVIN, and Mr. LOBIONDO.

H.R. 2747: Ms. LOFGREN.

H.R. 2790: Mrs. DAVIS of California.

H.R. 2797: Mr. GRIJALVA, Ms. ROSEN, and Mr. KRISHNAMOORTHY.

H.R. 2821: Mr. BISHOP of Michigan.

H.R. 2840: Mr. PETERS, Ms. BLUNT ROCH-ESTER, Mr. ESPAILLAT, and Mr. KRISHNAMOORTHY.

H.R. 2851: Mr. COLLINS of New York.

H.R. 2855: Mr. SABLAN.

H.R. 2856: Mr. PALAZZO, Ms. WASSERMAN SCHULTZ, Mr. CICILLINE, Mr. CULBERSON, Mr. CHABOT, Mr. NORCROSS, Mr. BRADY of Texas, Mr. ROTHFUS, and Mr. HIGGINS of New York.

H.R. 2871: Mr. OLSON, Mr. BARR, Mr. LAHOOD, Mrs. COMSTOCK, Mr. COLLINS of Georgia, Mr. COFFMAN, and Mr. ROKITA.

H.R. 2899: Mr. SARBANES.

H.R. 2915: Mr. AGUILAR.

H.R. 2925: Mr. MAST and Ms. ESHOO.

H.R. 2943: Mr. SMITH of Washington and Ms. MCCOLLUM.

H.R. 2948: Mr. COFFMAN, Mr. GOTTHEIMER, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS, and Mr. BROOKS of Alabama.

H.R. 2968: Mr. CARSON of Indiana and Ms. ROYBAL-ALLARD.

H.R. 2976: Mrs. NAPOLITANO, Mr. GRIJALVA, Mrs. COMSTOCK, Mrs. BEATTY, Ms. CLARKE of New York, Mr. GAETZ, Ms. JACKSON LEE, Mr. MCNERNEY, and Ms. BARRAGAN.

H.R. 2997: Mr. GONZALEZ of Texas.

H.R. 3029: Mr. ELLISON, Ms. LOFGREN, and Mrs. BEATTY.

H.R. 3032: Mr. GALLEG0, Mr. TED LIEU of California, Mrs. BEATTY, Mr. BLUMENAUER, Mr. KIHUEN, Ms. ESHOO, and Mr. FORTEN-BERRY.

H.R. 3048: Ms. SHEA-PORTER.

H.R. 3059: Mr. COHEN.

H.R. 3067: Mr. KHANNA.

H.R. 3079: Mr. DANNY K. DAVIS of Illinois.

H.R. 3101: Ms. BARRAGAN.

H.R. 3174: Mr. PETERS.

H.R. 3212: Mr. BROOKS of Alabama.

H.R. 3236: Mr. DEFazio and Mr. MARSHALL.

H.R. 3248: Ms. LEE and Mr. KHANNA.

H.R. 3274: Mrs. DEMINGS, Mr. FASO, Mr. DELANEY, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BROWN of Mary-

land, Ms. MENG, Mr. DESAULNIER, Mr. CARBAJAL, Mr. GALLEG0, Ms. JUDY CHU of California, Mr. WELCH, Miss RICE of New York, Mr. RYAN of Ohio, Ms. SCHAKOWSKY,

Mr. COHEN, Ms. PINGREE, Mrs. WATSON COLEMAN, Mr. ELLISON, Mr. ESPAILLAT, Mrs. LOWEY, Mr. PALLONE, Mr. TROTT, Ms. GABBARD, Ms. VELÁZQUEZ, Mr. COFFMAN, Mr. CRIST, Ms. WASSERMAN SCHULTZ, Mr. KILDEE,

Mrs. HANDEL, Mr. NORCROSS, Mr. TONKO, Ms. CASTOR of Florida, Ms. ROS-LEHTINEN, Mr. DEFazio, Ms. SÁNCHEZ, Ms. BLUNT ROCH-

ESTER, Mr. LOBIONDO, and Mr. GALLAGHER.

H.R. 3282: Mr. CHABOT and Mr. PETERSON.

H.R. 3304: Ms. CLARKE of New York.

H.R. 3305: Ms. LOFGREN.

H.R. 3320: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 3332: Mr. JOHNSON of Georgia, Mr. DELANEY, and Mr. LANCE.

H.R. 3342: Mr. WEBER of Texas, Mrs. HARTZLER, Mr. MEEHAN, and Mr. SENSEN-BRENNER.

H.R. 3356: Mr. WALKER.

H.R. 3365: Mr. MOONEY of West Virginia.

H.R. 3378: Mr. COLE and Mr. SMITH of Mis-

souri.

H.R. 3380: Mr. SMITH of New Jersey.

H.R. 3388: Mr. HARPER, Mr. UPTON, Mr. WALDEN, Mr. LANCE, Mr. GUTHRIE, Mr. KINZINGER, Mrs. MIMI WALTERS of California,

Mr. CRAMER, Mr. BARTON, Mr. BUCSHON, Mr. COSTELLO of Pennsylvania, Mr. FLORES, Mr. MULLIN, Mr. BILIRAKIS, Mr. CARTER of Geor-

gia, Mr. WALBERG, Mr. COLLINS of New York, Mr. BURGESS, Mr. RUSH, Mr. JOHNSON of Ohio, Mrs. BROOKS of Indiana, Mr. PALLONE,

Mrs. DINGELL, Ms. MATSUI, Ms. ESHOO, Mr. MCNERNEY, Mr. WELCH, Mr. GENE GREEN of

Texas, Ms. CLARKE of New York, and Mr. CÁRDENAS.

H.R. 3394: Mr. HARPER, Mrs. BEATTY, and Mr. ROSKAM.

H.R. 3395: Mr. MAST.

H.R. 3484: Mrs. COMSTOCK.

H.R. 3497: Mr. LAMALFA and Mr. BUCSHON.

H.R. 3503: Mr. COFFMAN.

H.R. 3533: Mr. BLUMENAUER.

H.R. 3536: Mr. CONYERS, Ms. SCHAKOWSKY, Ms. KAPTUR, and Mr. CUMMINGS.

H.R. 3550: Ms. MOORE.

H.R. 3551: Mr. RUTHERFORD.

H.R. 3570: Mr. SCHRADER.

H.R. 3576: Mr. KELLY of Pennsylvania.

H.R. 3605: Mr. MOONEY of West Virginia.

H.R. 3611: Ms. JENKINS of Kansas.

H.R. 3638: Mr. MAST, Mr. WEBSTER of Flor-

ida, and Mr. BUCHANAN.

H.R. 3641: Mr. LANGEVIN, Ms. SÁNCHEZ, Mr. DELANEY, Mrs. WALORSKI, Mr. GONZALEZ of Texas, and Mr. JODY B. HICE of Georgia.

H.R. 3671: Mr. ELLISON and Ms. SCHAKOWSKY.

H.J. Res. 74: Mr. RASKIN.

H. J. Res. 75: Mr. CICILLINE, Mr. JOHNSON of Georgia, Mr. KHANNA, Mr. MCGOVERN, Ms. NORTON, and Ms. SLAUGHTER.

H. Con. Res. 10: Mr. DANNY K. DAVIS of Illi-

nois, Mr. LAHOOD, and Mr. LEWIS of Min-

nesota.

H. Con. Res. 25: Mr. DESAULNIER.

H. Con. Res. 27: Ms. BARRAGAN, Mr. MCGOV-

ERN, Ms. LEE, Mr. WELCH, and Mr. ELLISON.

H. Con. Res. 73: Mr. GRAVES of Georgia, Mr. SCHWEIKERT, Mr. BROOKS of Alabama, and

Mr. DUNCAN of South Carolina.

H. Res. 69: Mr. HIGGINS of New York.

H. Res. 129: Mr. AUSTIN SCOTT of Georgia.

H. Res. 443: Mr. GROTHMAN.

H. Res. 464: Miss RICE of New York and Mr. PAULSEN.

H. Res. 479: Mr. MEEKS, Mr. TED LIEU of California, and Mr. PALLONE.

H. Res. 486: Mr. GOSAR and Mr. MCGOVERN.

H. Res. 495: Ms. LEE.

H. Res. 496: Mr. MOULTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1697: Mr. RUSH.

EXTENSIONS OF REMARKS

RETIREMENT OF REVEREND
PHARIS D. EVANS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I take this time to recognize and honor Reverend Pharis D. Evans and to wish him well upon his retirement as Pastor of Clark Road Missionary Baptist Church in Gary, Indiana. For his 56 years of service and devotion to his congregation and to the community in Gary and beyond, Reverend Evans is to be highly commended. In his honor, two special worship services are being held at the church on Sunday, October 8, 2017 and October 15, 2017. In addition, a celebratory retirement banquet will take place at the Gary Genesis Convention Center on Friday, October 13, 2017.

Pharis Evans graduated from Haywood High School in Brownsville, Tennessee. As a young boy, his passion for theology grew from the church services he attended, and he knew early on that he was destined to be a preacher. He studied theology at Chicago Baptist Institute and continued his studies at Calumet College of Saint Joseph in Whiting. It was on the first Sunday in April 1961, when Pharis D. Evans was first selected to lead Clark Road Missionary Baptist Church. For the past 55 years, he has administered spiritual guidance to a congregation that presently serves more than 800 parishioners. Pastor Evans's impact through his spiritual teaching has been immeasurable, and those he has mentored can all attest to his generous nature. Throughout the years, he has been a tireless advocate for his church and the community. Since 1963, Pastor Evans has coordinated and maintained Radio Broadcast Outreach Ministry. From 2009 to the present, he has also served as "Spiritual Advisor" for the Baptist Ministers Conference of Gary and Vicinity, and in 2008, he was awarded the prestigious community service Drum Major Award by the Gary Frontiers Service Club. Additionally, Pastor Evans has served as President and Vice President of the Progressive National Baptist Convention for the state of Indiana and been a chaplain for the Gary Police Department. A passionate and proven leader, Pastor Evans has provided counsel for many young ministers in search of guidance and direction. For his selfless devotion to aiding those in need of spiritual guidance, Pastor Evans is to be commended.

Reverend Evans's exceptional dedication to the church and to his community is exceeded only by his devotion to his wonderful family. He and his beloved late wife, Ann, raised five wonderful children (one deceased). Reverend Evans is also a devoted grandfather and great-grandfather.

I am privileged to call Pastor Evans my friend. More importantly, Reverend Pharis D.

Evans has been a friend to all, the epitome of what we consider a Man of God. He is a man of service who has led a life we should all seek to emulate. His vision, his work, and his spirit have provided all of us with a guide to an improved and gentler future.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Pastor Evans on his retirement as Pastor of Clark Road Missionary Baptist Church. His fifty-six years of complete dedication, leadership, and selfless service to others is truly inspiring. I ask that you join me in congratulating him and wishing him well upon his retirement.

RECOGNIZING THE 2ND ANNUAL
NICK'S RIDE FOR HEAL

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. KATKO. Mr. Speaker, I rise today to honor the 2nd annual Nick's Ride for the Heroin Epidemic Action League (HEAL) of Cayuga County.

The Heroin Epidemic Action League is a local organization in Cayuga County whose mission is to promote awareness of the deadly dangers of heroin and drug addiction. In its second year, Nick's Ride for HEAL honors the life of Nick Campagnola, who lost his struggle with heroin addiction in December 2015 at the young age of 20.

The motorcycle ride and block party supports the important efforts of HEAL, including providing a meeting space for those struggling with addiction, funding Nick's Underdog Scholarships, and supporting other organizations with complementary missions.

I am proud to recognize the important efforts of the Heroin Epidemic Action League of Cayuga County to combat the heroin and synthetic drug epidemic that is plaguing Central New York and the rest of the country. By remembering Nick Campagnola with this outstanding community event, it is my hope that we can one day put an end to this deadly epidemic.

IN RECOGNITION OF THE BOWDEN
CENTER DEDICATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. BURGESS. Mr. Speaker, I rise today to recognize the dedication of the Bowden Center in Keller, Texas on Sunday, August 20, 2017. This space was generously donated by Don Bowden and the late Linda Bowden, and

now is operated by the Greater Keller Women's Club Foundation. The Bowden Center is an event space that will allow local charities and schools to hold functions, as well as host weddings and other social gatherings.

All profits from the Bowden Center will go to the Greater Keller Women's Club Foundation, which will direct the funds back into the community through charities the club supports. Through the generosity of the Bowdens, the Greater Keller Women's Club Foundation will have sustained opportunities to enrich the Keller community.

This building and its dedication pay tribute to Linda Bowden, a very special leader in our Keller community, who passed away in May 2017. This building honors her legacy, and furthers her life work of giving back to others. From her years at the PTA to this year, she never stopped seeking out ways to help others. The dedication of this space is a fitting tribute to thank Linda Bowden for her generosity, not just with the new Bowden Center, but all she did for the people in Keller, Texas. We are grateful to Don and Linda Bowden, and look forward to using this space to honor their spirit of generosity and further support the good work achieved by the Greater Keller Women's Club Foundation.

COMMEMORATING THE 150TH ANNI-
VERSARY OF ST. JOSEPH'S
CATHOLIC CHURCH

HON. WARREN DAVIDSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. DAVIDSON. Mr. Speaker, it is with great pride that I recognize and celebrate the 150th Anniversary of St. Joseph's Catholic Church. St. Joseph's Catholic Church is the oldest Catholic parish in the city of Hamilton, Ohio and has served as a uniting force in the community since its founding. In the 1800s, Ohio was home to many German and British Catholics who sought refuge in America after having fled religious persecution in Europe. Due to differences in their national origin and their language, English and German Catholics attended separate services. At the time of its founding in 1867, the church was known as a "German Catholic Church," but through shared faith and the passing of time, these differences faded.

St. Joseph's Catholic Church continues to be a pillar of the community as a school, community center, and as a place of worship. Today, St. Joseph's Catholic Church stands as a testament to the uniting power of faith in our communities both historically and in the present. I applaud St. Joseph's Catholic Church for its 150 years of service to Hamilton, Ohio.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

LIFETIME ACHIEVEMENT AWARD
FOR DR. VIDYA KORA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with sincere admiration that I recognize the Indian Medical Association of Northwest Indiana, which will host its 36th Annual Gala on Saturday, September 9, 2017, at the Halls of Saint George in Schererville, Indiana. The Indian Medical Association of Northwest Indiana has always been an outstanding asset to Northwest Indiana. Its members have dedicated themselves to providing quality medical services to the residents of Northwest Indiana while focusing on compassion for others, improving patient care, and lighting the way for change.

At this year's Annual Gala, the Indian Medical Association will present the Lifetime Achievement Award to one of Northwest Indiana's finest citizens, and my good friend, Dr. Vidya Kora. For his outstanding contributions to his community, he is to be commended.

As a young boy in India, Vidya Kora's passion for his field emerged, leading him toward a lifetime of service in the medical community. It was after completing his studies at Gandhi Medical School in Hyderabad, India, in 1978, that Dr. Kora came to the United States. He completed his internship at Edgewater Hospital and Medical Center in Chicago, followed by his residency in internal medicine at Chicago's Cook County Hospital. Dr. Kora was selected to serve as chief resident from January to July of 1986. Upon completion, he joined the team at the Marion VA Medical Center in Marion, Illinois, where he served our nation's veterans.

Dr. Kora's remarkable résumé reflects not only his profession but also his devotion to public service. As a member of the Indiana Medical Association, he has served on its Commission on Legislation, as both Vice-Speaker and Speaker of its House of Delegates, and as the President of the Indiana State Medical Association from 2006 to 2007. He is also a current delegate to the American Medical Association. A tireless advocate for the improvement of his community, Dr. Kora is also a board member for Unity Foundation of LaPorte County and chairs the Northern Indiana Regional Board of the Franciscan Alliance. He has further served the residents of Michigan City and LaPorte County in numerous capacities. He has been a board member for the Michigan City Area Schools and served two terms as LaPorte County Coroner, while also completing two terms as LaPorte County Democratic Chairman. Dr. Kora has continued to seek an improved quality of life for his community while in his second term as LaPorte County Commissioner. As a public servant, Dr. Kora has always sought the betterment of our nation's health care system, so it is no surprise that he is also very active in the American Medical Association and Board of Indiana Medicine's political action committees.

Dr. Kora's passion for medicine and commitment to the people he serves is exceeded only by his devotion to his wonderful family.

Dr. Kora and his loving wife, Sudha, have one daughter, Shilpa, and one son, Rishi, both of whom are physicians specializing in internal medicine and have made their parents very proud as they follow in their father's footsteps.

Dr. Kora is committed to his family, to improving the lives of the patients he treats, and serving selflessly to enhance the quality of life of all those who live in Northwest Indiana. His is a life we should all seek to emulate. It is an honor to call Dr. Vidya Kora my friend.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the members of the Indian Medical Association of Northwest Indiana, as well as this year's Lifetime Achievement Award recipient, Dr. Vidya Kora, for their outstanding contributions to the medical field, as well as to their communities and beyond. Their unwavering commitment to improving the quality of life for the people of Northwest Indiana and throughout the United States is truly inspirational, and I am proud to serve as their representative in Washington, D.C.

IN HONOR OF SIRVART
HOVNANIAN ON THE OCCASION
OF THE 30TH ANNIVERSARY OF
SAINT STEPANOS ARMENIAN APOSTOLIC CHURCH

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. PALLONE. Mr. Speaker, it is my privilege to recognize Sirvart Hovnanian as she is honored by Saint Stepanos Armenian Apostolic Church in Elberon, New Jersey with an award to be presented by His Eminence Archbishop Khajag Barsamian. I would also like to join with the Saint Stepanos parish in commemorating the 30th anniversary of the church and marking the 60th anniversary of the formation of the Armenian parish in Elberon.

The Saint Mary Church parish in Elberon began 60 years ago, with 25 members worshipping during summer services. As the Armenian population in the area continued to grow, Kevork and Sirvart Hovnanian saw a need for a larger and rejuvenated place of worship. Born of the vision and philanthropic support of the Hovnanians, Saint Stepanos Armenian Apostolic Church stands on the site of the former Saint Mary Church. Saint Stepanos was consecrated on June 14, 1987 and the church hall was named "Kevork and Sirvart Hovnanian Hall" in honor of the benefactors.

Sirvart Hovnanian is a beloved mother, grandmother and great-grandmother and carries on the philanthropic spirit she shared with her husband. Sirvart, along with her late husband, has always recognized the meaning of generosity and has spent her life working to make a difference in the world. An esteemed member of the Armenian community and a passionate philanthropist, Sirvart has been a supporter and partner in the many charitable endeavors undertaken along with her late husband, including the establishment of The Fund for Armenian Relief following the country's 1988 earthquake, the building of the Alton A. Hovnanian Emergency Care Center at River-

view Medical Center, and the donation of the K. Hovnanian Children's Hospital at Jersey Shore University Medical Center, among many others.

Mr. Speaker, I sincerely hope that my colleagues will join me in recognizing Saint Stepanos Armenian Apostolic Church, the Armenian parish of Elberon and Sirvart Hovnanian for their continued support of the Armenian people and culture. I know that I join with all who know Sirvart in expressing my sincere gratitude for her warm and giving nature and her immeasurable contributions to our community.

HONORING MS. DOROTHY SHIELDS

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise to honor the life and achievements of Ms. Dorothy Shields who was a tireless advocate for the community of Red Hook, Brooklyn.

As a resident and community advocate, Ms. Shields played numerous roles in bettering the lives of Red Hook's citizens. As Resident Association President of Red Hook Houses East for 37 years, she was a voice for tenants' rights and many of the most vulnerable community members. As an advocate for community development and job creation, Ms. Shields was instrumental in luring new businesses to Red Hook.

Ms. Shields was also a dedicated public servant who spent time working for the New York City Housing Authority (NYCHA) as a community service aide and for the New York City Board of Education as a paraprofessional.

The mother of six children, all of whom attended school in Red Hook, Ms. Shields passed along values of public service to her children, who went on to work in city services including NYCHA and the New York City Police Department. We mourn her passing and cherish her legacy.

HONORING COACH ROBERT
HUGHES' NAISMITH MEMORIAL
BASKETBALL HALL OF FAME INDUCTION

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VEASEY. Mr. Speaker, I rise today in recognition of Robert Hughes, local Fort Worth legend, for helping to bridge the divide of the segregated basketball community in Texas and for his commitment to developing all-star athletes on and off the court.

Robert Hughes was born May 15, 1928 as the youngest of five brothers. A phenomenal man who served our country during the Korean War, Coach Hughes is widely recognized for his successful basketball career. Hughes played college basketball at Texas Southern University. In 1955, he was drafted to the Boston Celtics, but instead played for the Harlem

Magicians. During his time with the Harlem Magicians, Coach Hughes ruptured his Achilles tendon and began his legendary coaching career.

From 1958 to 1973, Hughes coached the then-segregated Fort Worth I.M. Terrell High School basketball team, with an astonishing record of 378–84. The I.M. Terrell team played in the Prairie View Interscholastic League (PVIL). Hughes won three PVIL championships and placed second during two more tournaments during his time at Terrell. When public schools desegregated in 1973, I.M. Terrell was closed and Hughes forged an impressive career at Fort Worth Dunbar High School.

Coach Hughes remained at Fort Worth Dunbar until he retired in 2005 with an astonishing overall career record of 1,333–264. He had the most wins in the entire nation until recently when Coach Leta Andrews surpassed his record. During his 47 seasons at Dunbar, Coach Hughes led his teams to victory while also transforming the lives of thousands of students. As a coach, he broke the racial divide and bridged the gap between communities. For 50 years, the Southwest Conference denied entry to African-American high school athletes. Coach Hughes navigated around the prejudiced policies and created relationships with the Big Ten, Pacific 8 and Missouri Valley Conferences so that all of his players could be offered the same opportunities as their white counterparts.

In February 2015, Coach Hughes' career was commemorated in a feature-length documentary about his career called "Relentless". The film captured the accomplishments of Hughes and his impact on the Texas basketball community.

Today, we recognize Robert Hughes for his induction into the Naismith Memorial Basketball Hall of Fame in Springfield, Massachusetts. Coach Hughes will join the more than three hundred inductees in the Naismith Memorial Basketball Hall of Fame and finally inducted during the weekend of September 7, 2017.

I honor Coach Robert Hughes, a pillar of the Fort Worth and Texas athletic community.

IN HONOR OF RUTH HYMAN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. PALLONE. Mr. Speaker, it is my privilege to recognize Ruth Hyman, who was recently honored by Congregation Brothers of Israel in Long Branch, New Jersey for her contributions to the synagogue and the greater community.

Throughout Ms. Hyman's long and vibrant life, she has maintained her mission to serve the community. Her work and generosity have been recognized by many awards and tributes over the years and it is my honor to join with Congregation Brothers of Israel in lauding her achievements and philanthropy.

The daughter of Ida and David Hyman who were founding members of Congregation Brothers of Israel, Ruth Hyman has a strong

connection to the synagogue and remains an active member. Ms. Hyman's commitment to the Jewish community extends beyond Congregation Brothers of Israel with her support of Hadassah, the Jewish Community Center, Jewish Family and Children's Service and the Visiting Nurse Association Health Group's Judaic pastoral care hospice program, among many others.

Mr. Speaker, I sincerely hope my colleagues will join me in thanking Ruth Hyman for her immeasurable contributions to the community. Ms. Hyman's tireless efforts and dedication to philanthropy are truly deserving of this body's recognition.

RETIREMENT OF MR. MARCUS W. MALCZEWSKI, SR.

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I take this time to recognize Mr. Marcus W. Malczewski, Sr. and to wish him well upon his retirement from his position as Lake County Highway Superintendent. Mr. Malczewski's fifty-five years of service to the people of Lake County are to be commended. In honor of Marcus's lifetime of service, a surprise retirement celebration was held on Thursday, August 31, 2017, at Gamba Ristorante in Merrillville, Indiana.

Marcus W. Malczewski was born in 1937 and raised in Gary, Indiana. After graduating from high school, he worked in construction in Alaska, which had not yet obtained its statehood. Marc went on to attend Indiana University before beginning his career as a driver for the Lake County Highway Department in 1962. Two years later, he transferred to the engineering department. In 1982, Marc was appointed assistant superintendent, a position he held until 1993, before being named superintendent of the Lake County Highway Department.

Throughout his remarkable fifty-five-year career, Marc has been an outstanding leader and helped build an economy in Northwest Indiana. Among his many accomplishments, Marc directed the repair and improvement of more than 1,000 miles of roads and over 100 bridges. Throughout the years, Mr. Malczewski worked to ensure a safe work environment, providing a plethora of assistance for all highway employees. Given his concerns for employee safety and to maximize their efficiency, Marc developed and implemented a program designed to test the skills of drivers and operators. Also, he oversaw the installation of GPS systems in all department automobiles, trucks, and powered equipment. He continued to implement new products and techniques for maintenance and construction and developed a positive relationship between the highway department and other county agencies. For his unwavering dedication to public service, Marcus Malczewski is worthy of the highest praise.

Marc's excellence in his field is exceeded only by his devotion to his amazing family. He and his beloved late wife, Marilyn, have three

wonderful children, seven grandchildren, and three adoring great-grandchildren, with three more on the way.

I am honored to call Marc Malczewski my friend. We should all be blessed with such wonderful friendships. More importantly, Marc has been a friend to all, a gentleman in the truest sense of that word, and the epitome of a public servant. His is a life we should all seek to emulate.

Mr. Speaker, I ask you and my other colleagues to join me in honoring Marcus W. Malczewski, Sr. for his lifetime of leadership and service to the community. His fifty-five years of exceptional devotion and continuous efforts to improve the quality of life for the residents of Lake County is truly admirable. I ask that you join me in congratulating him and wishing him well upon his retirement.

IN HONOR OF KENDRA LEE MURRAY ADAMS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. MOORE. Mr. Speaker, I rise today to honor the life of Kendra Lee Murray Adams, who passed away on July 30, 2017 at the age of 39, following a brave battle with cancer. Originally from Pennsylvania, Kendra attended Gettysburg College, where she majored in political science. Upon graduation, her passion for politics brought her to Washington, D.C. and placed her on a bright and fulfilling career path.

I am speaking today because I had the good fortune of being a stop along that path. Kendra served as my scheduler and office manager when I first came to Congress in 2005. I've had many fine and dedicated staff members during my time in public service, and Kendra stands out among them. At a time when I was learning the protocols and procedure of this great institution, this blonde bombshell immersed herself in the details, and in many ways, was the heart of the operation. She embodied the essence of grace under fire, there was no need, demand, or logistical crisis that could ruffle her feathers. She would simply execute and make the whole process look effortless.

That, in and of itself, was exemplary. But Kendra was integral to our office family beyond that. She was a den mother of sorts on one hand, and she was our comedic relief and levity on the other. She was the kind of person one comes to rely on not only professionally, but also to sooth the soul. She left my office to work for my friend and colleague, the legendary Charlie Rangel, when he served as Chair of the Committee on Ways and Means, and I know he joins me in saluting the public service, and indeed the life, of Kendra Adams, who was taken from us, far too soon.

Kendra was a privilege to know, a fantastic and dedicated worker with a terrific heart, whether serving with Horton's kids or just helping a friend through a tough time. Whether you knew her for years or just met her, you got the best of her from minute one.

In words written before her death, Kendra urged those she loved to not mourn but rather

to "live life, go to the beach, go rock climbing, and skydiving. Do the things you want to do!" That exemplifies her spirit, her courage, and her life.

My heart, prayers, and condolences go out to Kendra's family, including her son, daughter, husband, father and sister, who were her pride and greatest joy.

HONORING SAMUEL HUGH
MATTHEWS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor long-time newspaper editor and community member, Samuel Hugh Matthews, who announced his retirement after more than 60 years of service.

After serving in the United States Army, Mr. Matthews devoted himself to a career in the newspaper business. He started at the Tracy Press in 1957 and quickly became co-publisher in 1964, transitioning to editor in 1967. When it was sold to Golden State Publishing Co. in 2012, Sam remained on staff as a columnist and reporter. His extensive commitment to reporting in his community and his devout integrity made him fundamental to the success of the Tracy Press.

Throughout Sam's years of accomplishments and experiences, he has had the loving support of his wife, children, and grandchildren. In addition, Mr. Matthews has been recognized numerous times, both locally and statewide, for his service and philanthropy.

During his career, Sam displayed an avid commitment to his community through various positions in local activities and newspaper organizations. His unwavering dedication to the community extends beyond his impressive news career and his work as a civic servant.

Mr. Speaker, please join me in honoring and commending Samuel Hugh Matthews for his many years of service, devotion, and outstanding contributions to his community. We wish him continued success in his retirement.

HONORING THE LIFE AND LEGACY
OF NEW ORLEANS FIRE DEPARTMENT
OPERATOR GREGORY J.
HOWARD, SR.

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of New Orleans Fire Department Operator Gregory "G" Joseph Howard, Sr., a New Orleans, Louisiana native, who passed away on August 26, 2017 at the age of 36.

Mr. Howard was born on October 20, 1980 in New Orleans, Louisiana. He was raised in the 7th Ward and graduated from Sarah T. Reed High School in 1999. He was a nine year veteran of the New Orleans Fire Department. He spent most of his career with the fire

department at the Engine 6 station on Old Gentilly Road, in the Desire neighborhood.

Mr. Howard went to Memphis, Tennessee, with his colleagues, to compete in the Memphis Finest Hoops Fest basketball tournament for first responders and law enforcement. While out with some of his colleagues after the first set of games, Mr. Howard was struck by a stray bullet and died instantly.

Mr. Howard loved the city and the people of New Orleans. His legacy will forever be a part of the city and his dedication to community embodies the spirit of New Orleans. We cannot match the sacrifices made by Mr. Howard, but surely we can try to match his sense of service. We cannot match his courage, but we can strive to match his devotion.

Operator Gregory "G" Joseph Howard, Sr. survivors include his wife Dominique Howard, two sons: Gregory J. Howard, Jr. and Dillion J. Howard; his parents: June Howard and Gregory Newman, Sr., his sister Brittney Howard, a host of siblings, aunts, uncles, cousins, nieces, nephews, and friends.

Mr. Speaker, I celebrate the life and legacy of Operator Gregory "G" Joseph Howard, Sr. a beloved husband, father, and son.

GRADUATE FEEDER SCHOLARS
PROGRAM

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. LAWSON of Florida. Mr. Speaker, many students have the aspiration to further their education with graduate school, but do not have the means to enroll. Florida A&M University provides qualified students with an opportunity to further their education through the Graduate Feeder Scholars Program (GFSP).

The success of the Graduate Feeder Scholars Program has enabled Florida A&M University to lead the nation's Historically Black Colleges and Universities (HBCUs) in the number of students who acquire post-graduate degrees.

The program is celebrating 30 years of excellence at this year's 2017 Graduate Feeder Scholars Conference, which will take place Wednesday, September 6 through Friday, September 8, on FAMU's campus. I would like to commend everyone who has worked tirelessly and diligently in making sure our children have the opportunity to pursue their dreams and advance their education.

It is time to expand the Feeder Scholars program to more HBCU's and I know Florida A&M is ready to assist in the process.

I am proud to support this wonderful program and acknowledge Florida A&M's hard work over the years. Again, congratulations on 30 successful years and to many more to come.

100TH ANNIVERSARY OF
MARKTOWN

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I recognize the 100th anniversary of the historic neighborhood of Marktown in East Chicago, Indiana. In honor of this special occasion, the Marktown Centennial Celebration was held at the Marktown Community Center Park on August 19, 2017. Events included a remarkable exhibit, "Marktown—The First 100 Years," as well as a walking tour of this noteworthy community.

In 1917, Marktown was constructed by Clayton Mark and designed in the English Tudor Revival style by renowned architect Howard Van Doren Shaw. The neighborhood was built as a planned housing community for the people who worked at Mark Manufacturing, one of the first mills along Indiana's shoreline. Marktown is largely known for its distinctive design in which the cars are parked on the sidewalks and the streets are purposed for pedestrian walkways. While only part of the original design was built, the community met the needs of the American workforce and their families in the Indiana Harbor. The concept of Marktown is truly innovative and a shining example of American ingenuity in the early part of the 20th century. In 1975, the community was added to the National Register of Historic Places, capturing Marktown's historical and cultural significance from the industrial growth period in the Calumet Region. The importance of the Marktown neighborhood contributes to the history and culture of Northwest Indiana and our nation.

Today, the residents of Marktown, as well as the members of the Marktown Preservation Society and its president, Paul Myers, focus their efforts upon the preservation of the historic homes in this community. The people who live in Marktown today are very proud and protective of their neighborhood. Many of the residents descend from generations of family members who grew up in Marktown, and they continue to fight for the restoration and preservation of this unique community.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in honoring and congratulating the historic neighborhood of Marktown on the occasion of its 100th anniversary. The Marktown historic community is a significant piece of the region's past and will always be remembered and admired. The commitment to preservation and the unwavering dedication of the Marktown residents and members of the Marktown Preservation Society, and Paul Myers are truly admirable, and they are worthy of the highest praise.

INTRODUCTION OF A BILL TO
AMEND THE INTERNAL REVENUE
CODE OF 1986 TO DESIGNATE THE
DISTRICT OF COLUMBIA AS AN
EMPOWERMENT ZONE

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. NORTON. Mr. Speaker, I rise today to introduce a bill to instruct the Secretary of the United States Department of Housing and Urban Development to deem areas within the District of Columbia as empowerment zones. This bill would effectively reauthorize the tax incentives for business investment in the District, which expired in 2011, yet are timelier than ever today. These were the only tax incentives for a big city that were not extended, even though they were initially created by Republicans, with a few Democrats. The wisdom of these bipartisan, modest, targeted tax incentives has been amply and visibly demonstrated in the economic resurgence in many parts of the nation's capital. However, the D.C. tax incentives were cut off before the poorest neighborhoods were ready to make use of them.

Congress has recognized that the benefits of incentives for investment in economically distressed communities outweigh their costs as it has continually extended the national empowerment zone program. The positive effects of the D.C. tax incentives are apparent throughout the city. Among the most visible are the vibrant area around the Verizon Center, which is now surrounded by offices, restaurants and nightlife, and the Penn Quarter neighborhood, which had limited residential, commercial, and retail spaces and is now a popular mixed-use neighborhood. Before the business tax incentives, the city found it difficult to retain, much less attract, businesses. However, one of the business tax incentives enabled the city government to issue more than \$155 million in tax-exempt bonds on behalf of for-profit and non-profit entities for capital projects.

The federal government's decision to build facilities in the District's poorest ward, Ward 8, lays the groundwork for revitalization there. The new headquarters for the U.S. Coast Guard is now open in Southeast D.C. in the city's lowest income ward, the first in a complex of buildings Congress has authorized for the federally-owned West Campus of the St. Elizabeths Hospital. The tax incentives, particularly in areas where the federal government is expanding, as it did in NoMa, have demonstrated that they can revitalize such neighborhoods. Withdrawing the D.C. incentives, particularly after they had proven to be effective in other areas of the city, left the nation's capital with essentially half of a revival, and was tragically timed just as the lower-income parts of the District, which need the incentives most, are ready for redevelopment.

Except for having no representation in the Senate, there is no good reason why the D.C. tax incentives were not extended like those of similar cities. Like the fiscal health of many other cities, the District's overall fiscal health has improved since the tax incentives were

established in 1997, but not in the poorest wards and in neighborhood pockets elsewhere. The incentives are particularly indispensable for ensuring that lower-income areas of the city are part of the city's economic progress. It would be tragic to continue to single out the nation's capital as the only empowerment zone not to be renewed just as the eastern, low-income sections of the city are about to develop. As essential as the federal incentives have been, their costs have been de minimis compared to the measurable benefits they have demonstrated they can generate.

I urge my colleagues to support this bill.

SIXTH MOUNT ZION BAPTIST
CHURCH SESQUICENTENNIAL

HON. A. DONALD McEACHIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. McEACHIN. Mr. Speaker, Sixth Mount Zion Baptist Church was founded in 1867 by the Reverend John Jasper in an abandoned confederate horse stable on Brown's Island, along the shores of the James River. Credited as the first church in Richmond organized by an African-American preacher, it relocated to its current space in downtown Richmond in 1869.

Jasper's charismatic ministry drew increasingly large crowds, and his sermon "De Sun Do Move" became well-known both in the United States and internationally. His speaking talents and powerful faith brought flocks of black and white Richmonders alike to the church, listening and celebrating together.

Six more pastors have led Sixth Mount Zion during its long history, including Dr. Augustus Walter who served for over forty-three years until his death in 1967. Greatly admired for his leadership and faithful dedication, Dr. Walter was instrumental in defending the church from destruction when Interstate 95 was built in downtown Richmond in 1957.

Sixth Mount Zion is one of the nation's pioneers in the field of religious historic preservation, and opened its John Jasper Memorial Room and Museum in January 1926. It contains bibles, books, paintings, clothing, ceremonial artifacts, and furniture from the church's rich history. Among these items are a golden bust of Jasper made in 1904, a rare stone from Mount Zion in Jerusalem, and a quilt commemorating the church's 130th anniversary.

The Commonwealth of Virginia has recognized the church's rich history with two highway markers—one at the church site and another in Fluvanna County near John Jasper's birthplace. Residing within the historic Jackson Ward District, the church is listed on the National Register of Historic Places and the Virginia Landmarks Register. In 2004, the Richmond City Council honored the church with a special designation as a local "historic district" encompassing the 3 acres of land on which it stands, the only black church in Richmond to receive this distinction.

For 150 years, Sixth Mount Zion Baptist Church has been a central institution in Rich-

mond and Virginia, supporting its members and the wider community through growth and hardship. It has addressed the social concerns of the city's residents, and was one of the first black churches to have an organized charity with a staff social worker to administer to the indigent of the city. It continues to assist individuals and families with the resources necessary to overcome obstacles that prevent them from achieving personal, social, and economic goals.

JOSEPH R. D'ARCO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the outstanding achievements of Joseph R. D'Arco, whose family and friends celebrated his 80th birthday on August 31, 2017.

Joseph R. D'Arco was born on August 31, 1937, at Passaic General Hospital. As a child, he was raised in Clifton's Historic Botany Village and attended the Clifton Public Schools. In 1957, Joseph volunteered to join the U.S. Army. He was honorably discharged in 1959.

In 1961, Joseph joined the Clifton Fire Department. For the first half of Joseph's fire career, he graciously worked two jobs in order to provide for his four sons—Joseph, Michael, Steven, and David—to have the opportunity to attend private schools. During his 34-year journey with the Department, Joseph ascended through the ranks, and inspired many people, earning him the Clifton Jaycees' Fireman of the Year Award. During his tenure as Deputy Chief, Joseph served as the Department's Administrative Officer, his first assignment away from the streets of Clifton. Joseph represented Clifton with Passaic County's Mutual Aid and was additionally an instructor at the Passaic County Fire Academy. Joseph always kept the best interest of his men and the department in mind, which gained him the respect of his men and city officials.

During his working term with the Clifton Fire Department, Joseph received his Bachelors of Fire Science from Jersey City State College. Furthermore, he taught as an Adjunct Professor of Fire Science at Passaic County Community College to give back to the educational forum.

One of the greatest examples of Joseph's passion for ensuring the safety of our public servicemen is advocating for legislation that would allow E.M.T.s the use of portable defibrillation units. This piece of legislation passed, allowing the use of these units to become widespread throughout the state and now the country. The passing of this legislation has significantly helped save countless lives, which is ultimately Joseph's foremost concern.

Joseph and his wife, Patricia, currently reside in St. Lucie, Florida. Even during his retirement, Joseph continues his service for his community, remaining an active life member of the New Jersey State Firemen's Mutual Benevolent Association, as well as the Clifton Firemen's Mutual Benevolent Association. Joseph is also notably a member of both the

Board of Directors for Deborah Heart and Lung Center since 1995, and the Deborah Hospital Foundation Board of Directors since 2002. He has continued to be a conscientious advocate for healthcare, spreading the word of Deborah's cardiac testing for First Responders, an initiative of "A Gift from Captain Buscio" program.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating individuals who have dedicated their lives to serving the people. Joseph's commitment to public service is truly commendable.

Mr. Speaker, I ask that you join our colleagues to celebrate the 80th birthday of Joseph R. D'Arco, in which we can appreciate his accomplishments.

RECOGNIZING THE 120TH ANNIVERSARY OF THE HAMLINE CHURCH DINING HALL

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today to recognize the 120th Anniversary of the Hamline United Methodist Church Dining Hall at the Minnesota State Fair.

As one of the nation's oldest state fairs, and the largest state fair by attendance, Minnesota's "Great Get-Together" attracts nearly 2 million people each year over its annual 12-day run. Over the years, countless fairgoers have satisfied their hunger for good food and fellowship at the Hamline United Methodist Church Dining Hall. The 2017 fair, which just wrapped up yesterday, marked a truly special milestone for the dining hall.

Beginning in 1897, a group of women from the Hamline Methodist Episcopal Church Ladies Aid Society decided to raise money for their congregation by hopping in the back of a church member's coal wagon and heading to the Minnesota State Fair to sell sandwiches they had made in their basement. Thus began a great ritual of feeding fairgoers that has continued through two World Wars, the Great Depression, and dramatic demographic changes in Minnesota.

Throughout its 120 years, Hamline Methodist Church has served meals from various locations on the fairgrounds. Its current home site was purchased from the East Immanuel Norwegian Evangelical Church of Saint Paul in 1944. That building was replaced by the current building in 1968, with an addition added in 1983 to accommodate its increasing popularity.

While the physical venue of the dining hall has changed over the years, the heart of the operation has remained its volunteers. Every year more than 60 volunteer servers and food prep workers a day fill over 700 shifts. There, they prepare and serve its signature Hamline Ham Loaf, Swedish Meatballs, famous breakfasts, and bottomless cups of coffee. Delicious food has brought together generations of Minnesotans and other visitors from across the country. It also helped to fund reconstruction of the Church's sanctuary on Englewood Ave-

nue in Saint Paul, after a Christmastime fire destroyed it in 1925. The dining hall remains popular with fairgoers because it offers a place to take a break, sit down, and use real silverware and a plate rather than just food on a stick.

Mr. Speaker, please join me in recognizing this proud Minnesota State Fair tradition. I wish the congregation of Hamline United Methodist Church all the best as they plan for the next 120 years of hospitality at the Hamline United Methodist Church Dining Hall.

HONORING CAPTAIN RICHARD A. KIBBEY AND THE AIRMEN ABOARD THE JOLLEY GREEN 05

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. POSEY. Mr. Speaker, to recognize POW/MIA Day, on September 15, 2017, the Department of the Air Force, 920th Rescue Squadron, will honor the life and sacrifices of Captain Richard A. Kibbey, MIA, by presenting his Dog Tags to his surviving family at Patrick Air Force Base in Cocoa Beach, FL.

Captain Kibbey was one of four aircrew members aboard the HH-3E helicopter, call sign JOLLEY GREEN 05, on a mission to rescue downed pilot Captain Lucius L. Heiskell. On February 6, 1967, despite poor weather and limited visibility, Kibbey and his crew succeeded in picking up Captain Heiskell, but they were hit repeatedly by 37mm AAA fire. The burning HH-3E flew for about a mile before colliding head-on with a limestone cliff.

Of the five men aboard JOLLEY GREEN 05, only one survived—pararescueman Dwayne Hackney, who was found after the incident. The other four airmen were designated as Missing in Action: Major Patrick H. Wood, pilot, MIA; Captain Richard A. Kibbey, copilot, MIA; SSgt Donald J. Hall, flight engineer, MIA; and Captain Lucius L. Heiskell, 0-1F pilot, MIA.

Although the four men were carried in MIA status for some years, an Air Force review board ultimately determined that all available evidence indicated that they had died in the crash. Captain Kibbey's Dog Tags were recently discovered near the accident site by a local farmer and were transferred to the U.S. authorities.

Captain Kibbey and the crew of the JOLLY GREEN 05, including Captain Heiskell, laid their lives down on the altar of freedom for the benefit of our nation and our way of life. Posthumously, for his actions, Captain Kibbey was promoted to Colonel and awarded the Silver Star and the Purple Heart. On behalf of the United States Congress I would like to express my sincere appreciation for their sacrifices. At my request, on August 30, 2017, the Architect of the Capitol flew the United States Flag over our Capitol Building to further honor the sacrifices of Captain Richard A. Kibbey and his crew.

I ask my colleagues to join me in saluting these brave airmen, and their families, for their commitment to serving our nation and protecting our freedom.

RECOGNIZING EDWIN GILROY

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. FOXX. Mr. Speaker, I rise today to recognize—and say farewell—to a member of the House Committee on Education and the Workforce staff who has dedicated more than 20 years of public service to the People's House.

Edwin Gilroy began his congressional career on the staff of former Congressman Rod Chandler of Washington, and he would then go on to serve as Professional Staff Member for the Committee. But most of us know Ed for his nearly 16 years of service as the Committee's Director of Workforce Policy.

It was in this capacity Ed led our efforts to expand access to affordable health care for small business employees; provide moms and dads more flexibility in the workplace; protect the rights of workers and employers; and hold officials accountable for how our nation's health and safety laws are enforced.

Ed has also had a remarkable impact on policies affecting the retirement security of working families. He was instrumental in our bipartisan efforts to strengthen the defined benefit pension system with passage of the Pension Protection Act in 2006, and again with enactment under President Obama of the Multiemployer Pension Reform Act in 2014. And he has played a vital role in ensuring all Americans have access to affordable retirement advice.

He has guided us through countless hearings, markups, floor debates, field hearings, member briefings, round-table discussions, and stakeholder meetings, and through it all, he has been a trusted adviser, dedicated public servant, distinguished colleague, and an invaluable member of our Committee family.

Ed Gilroy, on behalf of my colleagues, we are deeply grateful for his many years of service to the American people and the U.S. House of Representatives, and we wish him all the best in the years ahead.

20TH ANNIVERSARY OF SOJOURNER TRUTH HOUSE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I recognize the Sojourner Truth House as the organization celebrates its 20th anniversary. In honor of this special occasion, the Sojourner Truth House will host an open house followed by a celebration mass at the Cathedral of the Holy Angels on September 16, 2017. The organization will then conclude its day of celebration with a reception at Avalon Manor in Merrillville, Indiana.

The Sojourner Truth House, a not-for-profit organization located in Gary, Indiana, serves an average of 2,092 homeless and at-risk women and children per month. The outstanding and compassionate employees and

volunteers at the Sojourner Truth House assist and encourage their clients to regain their dignity and sense of purpose for themselves, their children, and their communities. The organization's dedication to its four core values—Openness to the Spirit, Community, Simplicity, and Dignity and Respect for all—fosters a safe environment for their clients to identify and overcome the barriers in their lives. Clients are provided with access to resources, classes, counseling, and various activities aimed at healing the mind, body, and spirit. Among the organization's numerous and important contributions, the Sojourner Truth House has clothed over 2,000 clients and has provided meals for nearly 15,000 people in need. Clients of the Sojourner Truth House share their appreciation for the warm, welcoming assistance they receive at the Sojourner Truth House, which only further reinforces the positive and lasting impact the organization has on the community of Gary and the entirety of Northwest Indiana. Recently, they have become a special limited partner in the Village of Hope, a 40-unit apartment building for homeless individuals and families with mental illness and/or addiction.

I would like to take time to mention some of the inspiring leaders in Northwest Indiana who have worked with the Sojourner Truth House to bring about positive, impactful change and to inspire the community. They include Executive Director Sister Peg Spindler, Chairwoman Judith Stanton, and the rest of the current Board of Directors: Leo Barron, Regina Biddings-Muro, Susan Cohen, Denise Dillard, James Donovan, Sister Michele Dvorak, Mike Gluszewski, Jason Griffin, Roxanne Morton, Sister Cathy Schwemer, Vickey Sultzman, Michelle Taylor, Scott Yahne and Pamela Yttri. I am also grateful for the sponsorship of the Poor Handmaids of Jesus Christ, who work tirelessly to spread the goodwill and hope the Sojourner Truth House exudes.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating the Sojourner Truth House on its 20th anniversary. For the past 20 years, the staff and leadership have touched the lives of countless individuals through their unwavering commitment to those in need. The ministry is both a beacon of hope and a network of support for so many and serves as an inspiration to us all.

HONORING THE FORT WORTH ASSOCIATION OF FEDERATED WOMEN'S CLUBS 100 YEARS OF COMMUNITY SERVICE

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VEASEY. Mr. Speaker, I rise today to honor the Fort Worth Association of Federated Women's Clubs (FWAFWC) for its 100 years of service to Fort Worth and the greater Tarrant County community.

The FWAFWC was founded in 1917 with Mrs. Fannie Mae Connally-Winn serving as the first president of the organization. Mrs. Winn created the organization because she

wanted the "colored" women of Fort Worth to have the opportunity to be known for their service throughout the community. The organization has lived up to its founding mission and grown substantially over the decades.

The FWAFWC continues its commitment to ensuring that African-American women are aware of their civic duties, social issues in the community, family health matters, and the importance of educating youth for a better future. As part of their mission, FWAFWC members volunteer for the Annual Prom Dress Give Away each year and collect hundreds of donated items for local high school girls.

Additionally, FWAFWC has sponsored an annual cotillion for over 10 years, which provides young ladies with the skills to be successful later in life. The Cotillion also serves as a scholarship fundraiser event aimed at empowering young women to pursue their higher education aspirations. Along with volunteering throughout the community, the group makes monetary donations to numerous local charities and community service organizations throughout the year, including a \$500 college scholarship to graduating African American high school seniors.

I honor the Fort Worth Association of Federated Women's Clubs and its century of service to the Fort Worth and Tarrant County community.

RECOGNIZING BRUNO VIDAL

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to recognize Detective Bruno Vidal, as he retires after 25 years of law enforcement service.

Det. Vidal began his law enforcement career in 1992 as a Police Officer with New York City's Finest, the NYPD. In 1993 he was assigned to the 90th Precinct in Williamsburg, Brooklyn. In 1995, he joined the Community Patrol Officer Program (CPOP). A program designed to promote collaborative problem solving efforts between the community and police department. This program enabled Det. Vidal to patrol a dedicated geographic location within the community where he successfully worked with residents in identifying areas with serious quality of life conditions. As the CPOP Officer, his approach, mannerism and ability to communicate with the public, young and older, was instrumental in fortifying the trust between the 90th Precinct and the greater community.

This achievement led to his appointment as the precinct's Community Affairs Officer. In this capacity, he worked extensively within Williamsburg community. Det. Vidal established strong relationships with schools, faith-based and local organizations, small businesses, housing leaders and elected officials. He has earned numerous awards and the respect of the community and members of the service. In 2007 he was promoted to the well-deserved rank of Detective. And in 2015, he earned the new rank of Detective Specialist 2nd grade.

For twenty-five years, Det. Bruno Vidal has been an exemplary role model and dedicated

public servant who served with pride and honor. I am proud to know and have worked with him on local issues. He is a loyal representative of New York's Finest. I also want to thank his family, Mrs. Arisleida Vidal-Abrue and their three children Matthew, Carolyn and Adam for supporting his career. Please join me in saluting Detective Bruno Vidal from the 90th Precinct in New York City.

RECOGNIZING NORTHWEST INDIANA'S NEW CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who took their oaths of citizenship on Friday, August 11, 2017. This memorable occasion, presided over by Magistrate Judge John E. Martin, was held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On August 11, 2017, the following people, representing many nations throughout the world, took their oaths of citizenship in Hammond, Indiana: Feda Izzedin Aljohbeh, Mahmoud Ibrahim Almakharza, Mosa Maher Awad, Roberto Barraza, Manuel de Jesus Castaneda, Maria Arminda de Leon, Jose Jorge Garcia, Lucio Chan Gudmalin, Wendy Lane Harris, Nora Ibrahim, Delia Ruiz, Ma Olivia Avila de Torres, Eduardo Torres, Victor Hugo Vargas Sanchez, Jose Jesus Vargas, Cayetano Ontiveros Rodriguez, Silvia Andrea Alvarez, Guijuan Niu, Shanqin Chen, Hamida Brkovic, Eric Kwadwo Ofori, Ling Zhou, Jose Luis Castro Vazquez, Julio Alvarez Gonzalez, Hong Tuyet Thi Nguyen, Juana Irma Diez de Sollano Garcia, Ruth Mwhaki Chege, Jose Martin Hernandez, Hannah Rose Babbini, and Prabhakar Himatram Jani.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country "... of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in

congratulating these individuals who became citizens of the United States of America on August 11, 2017. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

**DELTA SIGMA THETA SORORITY,
INCORPORATED**

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. POCAN. Mr. Speaker, I include in the RECORD the following Proclamation.

Whereas on January 13, 2013, Delta Sigma Theta Sorority, Incorporated, a non-profit organization whose purpose is to provide assistance and support through established programs in local communities throughout the world; and

Whereas the Sorority was founded in 1913 by 22 students at Howard University and these young women wanted to use their collective strength to promote and provide academic excellence; scholarships; support to the underserved; education and participation in the establishment of positive public policy; and to highlight issues and provide solutions for problems in their communities; and

Whereas Delta Sigma Theta Sorority Incorporated is a sisterhood of more than 200,000 predominately Black college-educated women and the Sorority currently has over 1,000 chapters located in the United States, England, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, the Republic of Korea, and here in Dane County, Wisconsin; and

Whereas the Madison Alumnae Chapter was chartered on August 27, 1977 by twenty-two bold and visionary women who saw the urgent need for a chapter of Delta Sigma Theta Sorority, Incorporated in Madison, Wisconsin to create a collective shift in thinking for African American residents; to cultivate and educate the minority community in political, educational, cultural, economic and social spheres; and has continued to thrive, empower, and lead for forty years using sisterhood, scholarship and service as the guide; and

Whereas the Madison Alumnae Chapter has participated in Delta Days in the nation's capital to meet with me and my staff to discuss issues surrounding its social action agenda and initiatives; to share concerns and seek answers to questions regarding policy issues, including incarceration rates, unemployment, housing, economics, and education; to have open and transparent conversations about these concerns that disproportionately affect the African American community with policymakers; and to discuss how we can work together towards solutions, and

Whereas the Madison Alumnae Chapter being Determined Strategic and Transcendent has established and maintained a legacy of preeminent programming which has been recognized as exemplary at both regional conferences and national conventions,

I, MARK POCAN, Congressman from the great state of Wisconsin recognize and con-

gratulate the women of Delta Sigma Theta Sorority, Incorporated Madison Alumnae Chapter on the significant impact that they have made in the lives of the citizens in their service area and the tireless work that they do to in the name of public service.

**IN HONOR OF ASSEMBLYMAN
MICHAEL SIMANOWITZ**

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. MENG. Mr. Speaker, I rise today along with the support of my colleague, Congressman CROWLEY, to honor the life and exceptional service of New York State Assemblyman Michael Simanowitz. Mike passed away on Saturday, September 2, 2017, at the age of 46, after battling a long illness. Mike was a dedicated public servant, a devoted family man, and a truly remarkable individual.

Mike began a lifelong career in public service as chief of staff to former New York State Assemblywoman Nettie Mayersohn more than twenty years ago. He was later elected to fill her seat after her retirement in 2011. A longtime active member of his community, Mike volunteered with the New York Police Department's auxiliary program at the 107th Precinct in Flushing, Queens, for 15 years, and was its commanding officer for nine years. And as one of only a few Orthodox Jews in the New York State legislature, Mike was proud of his faith and was a strong voice for the Queens Jewish community.

When speaking to Mike's constituents, you will hear nothing but words of praise for his passionate commitment to his district and community. Congressman CROWLEY and I counted Mike as a great friend, and we join the entire New York community in mourning this terrible loss.

Congressman CROWLEY and I offer our deepest condolences to Mike's wife and four children, his parents, and all of his friends, colleagues and constituents. We continue to keep Mike's family in our thoughts and prayers during this difficult time.

**EMERGENCY ROOM NURSE ALEX
WUBBELS**

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to give brief remarks about Alex Wubbels, the emergency room nurse at University of Utah Hospital in Salt Lake City, Utah who was arrested for doing her job on July 26. As a non-practicing registered nurse, this story shocked and upset me. I cannot fathom being handcuffed in my workplace for following hospital policy and the law.

Ms. Wubbels stood her ground and remained calm during the encounter, which was caught on body camera footage. Hospital policy requires that the patient be under arrest,

the police have a warrant, or the patient consent in order to draw blood. Since none of those requirements were met, Ms. Wubbels refused to draw the patient's blood, with the support of several managers, administrators, and her supervisor.

While I understand that the Salt Lake City Police Department is currently taking steps to prevent incidents like this, I find it unconscionable that an officer of the law felt it appropriate to treat a health professional in this manner. I do believe that implementation of new hospital procedure, such as requiring law enforcement officials to check in to the front desk of the hospital, are positive and I encourage other hospitals to adopt similar policies.

Ms. Wubbels remained focused on providing care to her patient and ultimately, no charges were filed against her. She is encouraging health professionals and law enforcement to use this incident to "open a civic dialogue." As a nurse, I am proud to stand with individuals like Ms. Wubbels who turn negative events into positive learning experiences, always put patient well-being above all else, and stand their ground in the face of adversity.

**IN SUPPORT OF AWARDING THE
CONGRESSIONAL GOLD MEDAL
TO SENATOR ROBERT DOLE**

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Ms. PELOSI. Mr. Speaker, we recognize Senator Dole, a patriot whose life and career embody superior public service.

The Congressional Gold Medal is the highest award we can bestow. We confer this honor to men and women who grace our nation with exceptional achievements and contributions.

Senator Bob Dole is a leader of great integrity, a public servant of deep dignity and an American hero of extraordinary courage.

Before the people of Kansas brought him to Capitol Hill, Bob Dole fought for our country in the mountains of central Italy during the Second World War.

For his courage and immense sacrifice, he was awarded two Purple Hearts and the Bronze Star with Oak Leaf Cluster for Valor.

Bob's bravery was not limited to the battlefield. When he came to Congress, he fought relentlessly to ensure that every person in uniform would receive the care they needed upon coming home.

It is a special source of pride that Bob Dole first came to Washington to serve in the House of Representatives.

There, as a proud Representative of western Kansas, he proved his mettle as a tenacious fighter for American families and American values.

Later, in the Senate, as Majority Leader, he continued to champion the vital causes central to our identity and our ideals as Americans.

Senator Dole was a champion for justice, battling to expand the civil rights of every American during the 1960s.

He was a champion for working families, reaching across the aisle to expand eligibility for food stamps.

He was a champion for equality, fighting for passage of the Americans with Disabilities Act.

After he left Capitol Hill, he continued the fight. He has advocated tirelessly on behalf of veterans, disabled Americans and families struggling with hunger and poverty in every part of the world.

Twenty years ago, President Clinton awarded the Senator our nation's other highest civilian honor: The Presidential Medal of Freedom.

Receiving this award, he said, "Our challenge is not to question American ideals or replace them, but to act worthy of them."

Senator Bob Dole: for a lifetime spent defending, advancing and exemplifying our proudest American ideals, we are grateful.

This Congress thanks you. We send our warmest congratulations to your incredible wife Elizabeth—a fierce champion for our hidden heroes: our military caregivers—and to the entire Dole family.

TRIBUTE TO EMMETT TILL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, sixty-two years ago, on August 28, 1955, in Money, Mississippi, a young African-American child by the name of Emmett Till was murdered while visiting from Chicago. Till's life was taken from him after a white woman alleged he whistled at her. Following her claim,

the woman's husband and brother found Till and assassinated him. The two men took Till from the home of his great uncle and shortly after, his body was found mutilated and disfigured. Yet, the murderers of Emmett Till were found not guilty by an all-white jury. Recently, the allegations against Till have been found to be untrue. The accuser herself recanted her accusations in July of this year. Six decades later, she finally admits that she lied while under oath about Till's actions on the day she alleged he made advances toward her outside of a grocery store.

Today, we also mourn the death of Simeon Wright, Emmett's cousin, and one of the last people to see Till before he was abducted and murdered. The story of Emmett Till is a blunt reminder of racial inequality, as well as the inequality in our justice system in which we must continue to combat. As we continue the fight to overcome racial injustice, white supremacy and police brutality, let us do so by honoring the legacy of Emmett Till and many other African-Americans in Mississippi and throughout this country who have suffered from racial discrimination.

IN HONOR OF 125 YEARS OF AUBURN WOMEN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 5, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the

125th Anniversary of women attending Auburn University.

Auburn University in Auburn, Alabama, had its first females attend the school on September 13, 1892. The first three women were: Willie Gertrude Little, Katherine C. Broun and Margaret Kate Teague.

Little was the daughter of Auburn's mayor and graduated from Auburn University with a bachelor's degree and honors. A hall in the Upper Quad is named in her honor. Broun was the daughter of Auburn University President William L. Broun (1882 to 1902) and as an inaugural female student had to take tests in English, Latin, history and mathematics. She was most notably Auburn's first graduate student after receiving her bachelor's degree in 1894. Teague moved from Arkansas to Auburn after her mother's death and graduated with honors. She also has a hall named in her honor in the Upper Quad.

The 125th Anniversary of Auburn Women campaign recognizes and celebrates the accomplishments of the women who have graduated from Auburn University since 1892. The ground floor of Ralph Brown Draughon Library, located on campus, will have a display of unique artifacts on the history of women at Auburn. During the week of October 23, Auburn's campus will culminate several events in honor of this anniversary.

Mr. Speaker, please join me in celebrating this important milestone, 125th Anniversary of Auburn Women. War Eagle.

SENATE—Wednesday, September 6, 2017

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, our refuge and strength, a very present help in turbulent times, thank You that though evil seems to prosper, You continue to guard and guide us with Your loving providence.

Lord, the challenges that our lawmakers face require more than human wisdom. Please shower our Senators with Your wisdom, directing them through life's complexities to Your desired destination. Remind them daily that human life is as fleeting as fading flowers and withering grass. May they find peace in the knowledge that You love and accept them unconditionally. Keep them always in Your care, doing for them more than they can ask or imagine.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 6, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HURRICANE HARVEY DISASTER RELIEF, PREVENTING A DEFAULT, AND FUNDING THE GOVERNMENT

Mr. McCONNELL. Mr. President, as I said yesterday, Congress has a number of pressing issues to address in the coming days. There are three critically important things before us that need to be done very quickly: pass disaster relief legislation to allow us to rebuild from Harvey and prepare for future disasters headed our way, such as Irma; prevent a default so those emergency resources can actually get to Americans who need them; and, of course, keep the government funded. These are the President's immediate priorities, these are my immediate priorities, and they are critically important to establishing credibility and stability as our country continues to recover from one record-setting storm and prepare for yet another. Harvey has already unleashed more rain than any other single storm recorded in the continental United States. Irma has already forced the entire State of Florida into a state of emergency.

I would like to repeat two quotes I shared that are even more relevant now given the further approach of Irma. This is the President's budget director:

Given the need for additional spending as a result of disaster response and initial recovery from Hurricane Harvey, the administration continues to urge the Congress to act expeditiously to ensure that the debt ceiling does not affect these critical response and recovery efforts.

That is the budget director.

That is because, as the Treasury Secretary explained, "If Congress appropriates the money, but I don't have the ability to borrow more money and pay for it, we're not going to be able to get that money" to the States, and they need it. The need for certainty now is incredibly important.

I have been having conversations with the Democratic leader on my view of the way forward on these issues, and this morning he and I, along with House leaders from both parties, will head to the White House for a meeting to discuss the issues further. It is good to see that Congress has already made steady progress.

I again thank the President and his team for working closely with us to ensure that families and States are able to get the help they need and for working with us to prevent a default or lapse in government service that could get in the way of that help actually being delivered.

As we work on these immediate priorities, Members will also continue

working on other critically important items, such as tax reform, national security, and filling vacancies across the Federal Government. We clearly have a lot to do in the coming weeks and months, but we will all keep working to tackle these issues as soon as possible.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Under objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I will speak on leader time. I know that the Senators from Colorado and Virginia wish to follow.

DACA

Mr. SCHUMER. Mr. President, yesterday, the Trump administration made a terribly wrong decision to terminate the DACA Program. The Dreamers came to this country through no fault of their own. Many know no other country but this one. They work every single day in our businesses. They go to our schools. They serve in our military. They are a boon to our economy. All they want is to live, work, and contribute to this country like generations have done before. They want to be Americans, as so many people do, because we are such a great country.

Congress has the ability and, I believe, the responsibility to act and to

protect those Dreamers before the program is completely terminated in 6 months. Why not do it right now? President Trump has called on Congress to act; so why don't we?

I would ask my friend the majority leader and Speaker RYAN to put a clean Dream Act on the floor in both Chambers in September. Every Democrat is ready to vote for that legislation. We know many Republicans in both Chambers would vote for it as well. It would likely pass without much fuss. But if we can't get that to happen, we will add it to vehicles that are moving—legislative vehicles—until we get it done. It is that important to us and to America. We could solve this problem tomorrow, rather than letting the fear of deportation hang over the heads of 800,000 Dreamers, who are studying and working, and some are in the military serving in the United States today.

So I would like, again, to say to Leader MCCONNELL and Speaker RYAN: Put a clean Dream Act on the floor in a bipartisan vote. This body—and, I believe, the House—is ready to pass it.

In a short time, Leader MCCONNELL, Speaker RYAN, Leader PELOSI, and I will head to the White House to meet with President Trump. We have a lot we need to get done this month: an extension of government funding, raising the debt ceiling, passing aid for the victims of Hurricane Harvey, and protecting the Dreamers. So far, we Democrats haven't heard much in the way of a plan to accomplish all these goals from the Republican leadership, who hold the majority in both Houses of Congress, as well as the President's seat. I hope that this changes this morning. I look forward to hearing the President's plan and the Republican majority's plan for accomplishing all these things that Congress must accomplish in September.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

NORTH KOREA

Mr. GARDNER. Mr. President, I rise today to speak about North Korea, the most urgent national security challenge for the United States and our allies in East Asia.

Secretary Mattis has said that North Korea is the most urgent and dangerous threat to peace and security. Admiral Gortney, previously the commander of the U.S. Northern Command, stated that the Korean Peninsula is at its most unstable point since 1953, when the armistice was signed. North Korea just conducted its sixth nuclear test, its most powerful to date. An early analysis from experts says:

North Korea has comfortably demonstrated an explosive yield in the range of at least 100 kilotons with this test.

That would be a considerable improvement from the 30 kiloton yield estimated in its

fifth test and ideal for targeting U.S. cities—a primary objective in North Korea's pursuit of an ICBM.

Unless drastic and credible measures are taken today, we are fast heading for a nuclear showdown that could cost millions of lives on the Korean Peninsula.

Last year alone, North Korea conducted two nuclear tests and a staggering 24 ballistic missile launches. This year, Pyongyang launched 21 missiles during 14 tests, including the 2 tests of intercontinental ballistic missiles that are reportedly capable of reaching the U.S. homeland. During 6 years of rule as the North Korean dictator, Kim Jong Un has launched more missiles than his father and grandfather combined. Patience is not an option with the U.S. homeland now in the nuclear shadow of Kim Jong Un.

Our North Korea policy of decades of bipartisan failure must turn to one of immediate bipartisan success, with pressure and global cooperation resulting in the peaceful denuclearization of the regime.

Vice President PENCE stated during his visit to South Korea in April:

Since 1992, the United States and our allies have stood together for a denuclearized Korean Peninsula. We hope to achieve this objective through peaceable means. But all options are on the table.

I believe U.S. policy toward North Korea should be straightforward. The United States will deploy every economic, diplomatic, and, if necessary, military tool at our disposal to deter Pyongyang and to protect our allies. But time is not on our side. The international community needs to finally and fully join together to completely isolate this dangerous regime.

As a first step, North Korea should immediately be kicked out of the United Nations and many multilateral institutions from which they derive the benefits of global recognition. Next, the United Nations Security Council should enact a new resolution that imposes a full economic embargo on North Korea that bans all of Pyongyang's economic activities, including petroleum resources.

These economic tools need to be combined with robust military deterrent, including a U.S.-led international naval blockade of North Korea, in order to ensure a full enforcement of United Nations actions. We must also continue frequent show-of-force exercises by the United States and our partners in Seoul and Tokyo, enhanced missile defense activities, and assurances of extended U.S. nuclear deterrence to our allies. Kim Jong Un must know that any serious provocation will be met with a full range of U.S. military capabilities.

The road to peacefully stopping Pyongyang undoubtedly lies through Beijing. I am continuing to call on the administration to block all entities

that do business with North Korea, no matter where they are based, from conducting any financial activities through the U.S. financial system. China is the only country that holds the diplomatic and economic leverage necessary to put the real squeeze on the North Korean regime. China accounts for 90 percent of North Korea's trade and virtually all of North Korea's exports. Despite China's rhetoric of concern, from 2000 to 2015 trade volume between the two nations climbed more than tenfold, rising from \$488 million in 2000 to \$5.4 billion in 2015—hardly the sign of cracking down on the rogue regime.

Beijing is the reason the regime acts so boldly and with relatively few consequences. China must move beyond an articulation of concern and lay out a transparent path of focused pressure to denuclearize North Korea. A global power that borders this regime cannot simply throw up its hands and absolve itself of responsibility. The administration is right to pursue a policy of "maximum pressure" toward North Korea, and we have a robust toolbox already available to ramp up the sanctions track—a track that has hardly been utilized to its full extent.

Last Congress I led the North Korea Sanctions and Policy Enhancement Act, which passed the Senate by a vote of 96 to 0. This legislation was the first stand-alone legislation in Congress regarding North Korea to impose mandatory sanctions on the proliferation activities, human rights violations, and malicious cyber behavior. The following is according to a recent analysis from the Foundation for the Defense of Democracies:

North Korea sanctions have more than doubled since the NKSPEA [North Korea Sanctions and Policy Enhancement Act] came into effect on February 18, 2016. Prior to that date, North Korea ranked eighth, behind Ukraine/Russia, Iran, Iraq, the Balkans, Syria, Sudan, and Zimbabwe.

Even with the 130-percent sanctions increase after the sanctions bill passed last Congress, North Korea is today still only the fifth most sanctioned country by the United States.

So while Congress has clearly moved away from the Obama administration's inaction to at least some action, the Trump administration has the opportunity to use these authorities to build maximum leverage with not only Pyongyang but also with Beijing. I am encouraged by the actions the administration took in June to finally designate a Chinese financial institution. But this should just be the beginning.

The administration, with Congressional support, should now make clear to any entity doing business with North Korea that they will not be able to do business with the United States or have access to the U.S. financial system.

A report released in June by an independent organization known as C4ADS

identified over 5,000 Chinese companies that are doing business with North Korea today. These Chinese companies are responsible for \$7 billion in trade with North Korea. Moreover, the C4ADS report found that only 10 of these companies—10 of these 5,000 companies—controlled 30 percent of Chinese exports to North Korea in 2016. One of these 10 companies controlled nearly 10 percent of total imports from North Korea. Some of these companies were even found to have satellite offices in the United States.

Enough is enough.

According to recent disclosures, from 2009 to 2017, North Korea used Chinese banks to process at least \$2.2 billion in transactions through the U.S. financial system. This should stop now. The United States should not be afraid of diplomatic confrontation with Beijing for simply enforcing existing U.S. law. In fact, it should be more afraid of Congress if it does not.

As for any prospect of engagement, we should continue to let Beijing know in no uncertain terms that the United States will not negotiate with Pyongyang at the expense of U.S. national security or that of our allies.

Instead of working with the United States and the international community to disarm the madman in Pyongyang, Beijing has called on the United States and South Korea to halt our military exercises in exchange for vague promises of North Korea suspending its missile and nuclear activities. That was a bad deal, and the Trump administration was right to reject it.

Moreover, before any talks in any format, the United States and our partners must demand that Pyongyang first meet the denuclearization commitments it had already agreed to in the past and subsequently chose to brazenly violate.

President Trump should continue to impress with President Xi that a denuclearized Korean Peninsula is in both nations' fundamental long-term interests. As ADM Harry Harris, commander of U.S. Pacific Command, rightly noted recently: "We want to bring Kim Jong Un to his senses, not to his knees."

To achieve this goal, Beijing must be made to choose whether it wants to work with the United States as a responsible global leader to stop Pyongyang or bear the consequences of keeping Kim Jong Un in power.

In July, I introduced, with a bipartisan group of cosponsors, legislation called the North Korean Enablers Accountability Act, S. 1562. This legislation takes the first steps toward imposing an economic embargo on North Korea, including a ban on any entity that does business with North Korea or its enablers from using the U.S. financial system and imposing U.S. sanctions on all those participating in

North Korean labor trafficking abuses. Our legislation specifically singles out the 10 largest Chinese importers of North Korean goods that we talked about earlier and sends a very clear message: You can either do business with this outlaw regime or the world's largest economy.

I urge my colleagues to support this legislation in order to finally put real pressure—maximum pressure—on this regime and its enablers wherever they are based.

Thank you.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the Senator from Colorado. During his time in the Senate, he has been an advocate for stronger, more diligent policies with the rogue State of North Korea, and I appreciate very much his comments this morning.

(The remarks of Mr. WARNER pertaining to the introduction of S.J. Res. 49 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

HURRICANES HARVEY AND IRMA

Mr. WARNER. Mr. President, I also stand today in solidarity and support of the residents of Texas and Louisiana as they recover from the epic and deadly storms and flooding.

As a former Governor, I know well the devastation and loss brought by natural disasters and the ongoing challenge of helping people rebound and recover. The top obligation of elected officials at the local, State, and Federal levels is to do all we can to keep our people safe and to be present and supportive in helping them get back on their feet after a disaster.

As we work toward dealing with the victims of Harvey, may I also express concern about the coming challenges placed by the next hurricane, Irma. Today or tomorrow, it will hit the U.S. Virgin Islands and Puerto Rico, and by the weekend it may make landfall in Florida. So again, my thoughts go out to those potential victims in advance.

FISCAL DEADLINES

Mr. WARNER. Mr. President, I come to the floor today to speak on the issue that has consumed more of my time and energy during my time in the Senate than any other, and that is the state of our Nation's finances. As a member of the Budget Committee and the Finance Committee, I wanted an opportunity to speak about the looming convergence of several important fiscal deadlines.

The government's ability to continue borrowing money, the so-called debt ceiling—which is an oxymoron since the debt ceiling is simply going ahead and authorizing payment for bills that

have already been incurred, but more on that later—obviously must be raised this fall, and the budget year runs out on September 30, the end of this month.

Meanwhile, the White House continues to talk about working on comprehensive tax reform this fall, even though, at least to date, my colleagues on the other side of the aisle, the Senate Republicans, are making it pretty clear they are not going to actually do a major tax reform because they are going to have to rely on a more modest approach, an approach that will require only 51 votes. That sounds as though what may end up coming from the majority will be more of a tax cut than tax reform.

In mid-July, President Trump told an interviewer: "After healthcare, taxes are going to be so easy."

Well, we will see. Making the numbers work, getting the incentives right, making the appropriate tradeoffs—rather than being as easy as the President says, comprehensive tax reform, last done in 1986, actually is more like solving a Rubik's Cube. How this body chooses to act in the face of these deadlines—the debt ceiling, the end of the budget year, and tax reform—will tell us a lot about the fiscal priorities of the House and Senate leadership and the priorities of the current administration in responsibly addressing America's longstanding fiscal challenges.

Even though we are just back from recess, let me share with you what I believe are some very hard truths.

First, nondefense discretionary spending made up only 16 percent of our 2016 budget. By contrast, mandatory programs—Social Security and Medicare, in particular—made up 39 percent, and the total is 63 percent because there are other mandatory programs included. On a going-forward basis, Social Security and Medicare will make up 51 percent of spending growth over the next 10 years. Over half of all future spending growth will be on automatic pilot.

The first hard truth is, we cannot dramatically boost military spending, cut taxes, invest in infrastructure, and leave our two largest spending programs—Medicare and Social Security—untouched in any type of fiscally responsible way. That means we will have to make dramatic cuts.

The truth is, there will have to be dramatic cuts. Where will those come from? The nondefense discretionary spending. That means programs for people who work for lower wages or otherwise struggle by—all of those programs will be on the chopping block.

For example, in his fiscal year 2018 budget blueprint, the President proposed eliminating funding for the Appalachian Regional Commission. In my mind, this is the height of hypocrisy. The President did extraordinarily well

in the parts of my State that are a part of Appalachia. He promised a renewal for folks who used to work in the coal mines. Yet in his first budget, instead of offering renewal and hope, he slashed one of the most successful, long-term, bipartisan-supported programs, the Appalachian Regional Commission, which has invested millions in communities throughout Appalachia over the years.

The President's same fiscal year 2018 budget completely eliminated a program that helps struggling families heat their homes during the coldest months of winter. Again, all of those cuts come out of nondefense discretionary spending, which, in English, means education, support programs, roads, R&D. All of those programs will be subject to cuts within the current budget fiscal outline.

Here are additional facts. Our national debt is approaching \$20 trillion, and debt held by the public as a percentage of the GDP is the highest it has been since we emerged from World War II. The Federal Government spends more money than it collects in revenue. I work in the only place in America where, occasionally, people high-five each other because the deficit on an annual basis got down to \$400 or \$500 billion. No place in the world would operate with those kinds of economics.

By 2029, every dollar of tax revenue will go to programs, in effect, on automatic spending. Those mandatory programs I mentioned earlier, such as Social Security, Medicare, and Medicaid, are all good programs. But the truth is, if we don't look at those programs, as well, for reform and if we don't understand that we also need to invest in roads, infrastructure, and other support programs, that means by 2029 every dollar we spend on those programs, roads, education, research, and also defense will be borrowed money.

The truth is, we have a very inefficient and outdated tax structure. Let me be the first to acknowledge that and also acknowledge that the goals of tax reform are better efficiency, more transparency. Those are goals I can embrace. It hasn't been updated in more than three decades.

The truth is, on both sides of the aisle there is bipartisan agreement that we need tax reform. I think we can all agree that we have a backward tax system. As a matter of fact, in many ways we have the world's combination of the worst. We have an incredibly complicated tax system with, nominally, on the business side the highest corporate tax rate in the world. Yet if you look at the revenues we collect—and I am not talking about business taxes but individual taxes as well. If you look at the revenues we collect as a percentage of our overall economy, where do you think America lands? If you listen to many, you would think

America must be the highest taxed State in the whole world. If you look at the 34 industrial nations that make up the OECD, the United States of America's State, local, and Federal taxes combined are 31st out of 34.

I hear many times from colleagues on the other side of the aisle, complimenting, for example, Germany and other countries around the world on their training and infrastructure. I am not suggesting that we move to their tax systems, but they raise the percentage of their GDP some 5, 6, 7, 8 percent—or more—in taxes than we do. I am not saying that we should duplicate Europe, but if we are going to compare apples to apples, we actually have the world's combination of the worst—the most complicated tax system, yet we raise at the bottom of the barrel in terms of revenue.

Let me be clear. The fact is, there is blame on both sides of the aisle. This \$20 trillion of debt did not emerge overnight. This has been growing for 50 years. Both political parties bear plenty of responsibility. The challenge right now is not only our annual deficit, which was the subject of a lot of discussion when our deficit was over \$1 billion, but in a sense, even though the deficit is down, what we have to grapple with now is the accumulated debt. So even though there are those of us who may not have been here for decades, we have to bear the responsibility of those who came before us. The accumulated debt in our country is \$20 trillion.

Now, we have not felt the full effect of that debt because, since 2009, we have had the advantage of there being record low interest rates, but as we have seen from the Fed and as we have seen from many people on both sides of the aisle who are encouraging the Fed to go ahead and raise interest rates, the days of the luxury of not having to deal with the debt service of our accumulated debt will soon be behind us.

So what does that mean? It means that not "if" but "when" interest rates go up 1 percent—in financial terms, what is called 100 basis points and, in English, what is called 1 percent—the Federal Government will be charged an additional \$160 billion a year in annual interest payments just on that accumulated debt—\$160 billion in additional debt service for every 1 point rise in interest rates. If you were to see a spike in interest rates of 3 or 4 or 5 percent, which we saw in earlier times in our country—I do not think that will happen—it would basically bankrupt the Federal Government.

The truth is, even that relatively minor 1-percent increase in the interest rate and the additional \$160 billion in debt service comes right off the top. That payment comes before we pay Social Security, before we pay our military, before we pay for roads. That \$160 billion is more than we currently spend

on the Departments of Education and Homeland Security combined, and that is not an obligation we can avoid paying.

As I mentioned, here is the truth. Fiscal discipline should not depend on who sits in the White House, and fiscal discipline should not depend on who controls Congress. There were many of us who were involved in the so-called Gang of 6, who advocated for the Simpson-Bowles plan a number of years back. It was not perfect, but it would have gotten us out of this challenge.

The truth is, every day, every month, every year we wait to address this structural imbalance, the problem only gets worse. With the tools we have, in plain old balance sheet terms—I have been a business guy longer than I have been in politics—you have to either raise revenue or cut spending, which means the cuts that will have to take place or the reforms that will be required to take place in our entitlement programs or the amount of revenues that will have to be raised will only make it more difficult. As I have said, as to the issue of the deficit and the debt, neither party has clean hands. Frankly, memories in this town are conveniently short.

In the coming weeks, as we head toward the possible convergence of the debt ceiling, government funding, tax reform, and a government shutdown, here is what I have urged my colleagues to pay close attention to.

First, the White House and my Senate colleagues should avoid using rosy scenarios just to make their proposals look fiscally responsible when they are not. Over the next decade, the Congressional Budget Office has said—Congress's official scorekeeper, and let me acknowledge again that, no matter who is in charge, everybody likes to blame the CBO, but it is our referee—it expects our GDP growth to average a little above 1.8 percent per year. I hope we can do better, but that is what the referee says. The Trump administration's budget is based on 7 straight years of 3 percent growth. Now, that is a great aspiration, but any responsible business would not base its assumptions of its budget on a going-forward basis of rejecting our official referee, the CBO, and in effect plucking a number out of the air.

Why do they do it?

Those rosy and unrealistic economic assumptions allow the administration to claim a fictional \$3 trillion in additional tax revenue over the next 10 years. That is the differential in 1.2 percent of additional growth in 7 years straight. The administration, in its proposal, then uses this fake revenue to cloak additional tax cuts and spending cuts under the banner of fiscal responsibility. That is wrong and irresponsible, and no responsible organization or business would take those actions.

Second, the administration cannot shift costs to others and then claim it as a savings. Look no further than what the Trump budget does with Federal programs for the poor. Over the next decade, it calls for slashing more than \$600 billion from Medicaid, and that does not include the additional cuts to Medicaid that were proposed in its ill-fated healthcare reform. The truth is, Medicaid is a partnership between the Federal Government and the States, and as a former Governor, I am aware of this in real time. So a \$600 billion cut at the Federal level has a direct impact on State Medicaid responsibilities. It simply squeezes the balloon, forcing the States to either dramatically up their shares of the cost to Medicaid or dramatically cut back services.

Third, the administration claims that its tax reform plan will pay for itself and stimulate so much economic growth that it will not add to the deficit. This is maybe the most spurious claim of all made by the administration. Here is the basic problem. The truth is, at least what the Trump proposal has put out so far has really very little to do with comprehensive tax reform. Instead, it is a two-page wish list of tax cuts—a wannabe of every interest group that would like to get its special deal in the Tax Code to its advantage. Every time we promised tax cuts would pay for themselves, it has not worked out.

Let's remember that Ronald Reagan's 1981 tax cut provided a short-term stimulus, but then deficits ballooned, and President Reagan had to raise taxes in 1982 and 1984. Likewise, President George W. Bush's tax cuts in 2001 and 2003 provided that quick sugar high, but ultimately they had little impact on economic growth. Instead, the Bush tax cuts produced large deficits into the trillions and trillions of dollars that moved us from a budget surplus on an annual basis, which he inherited, to the point at which, when President Obama came in, the deficits were approaching \$1 trillion a year.

Fourth, paying for tax cuts through deficit spending is a really bad idea. It will make reaching any responsible fiscal goal that much more difficult. Also, studies show, tax cuts that add to the deficits are worse for growth over the long term than those that are paid for and actually can reduce growth over time. So any lawmaker who says he supports not paying for tax cuts should also have to explain why he thinks adding to our national debt is a good idea—a national debt that already stands at a record high, a national debt that is already at \$20 trillion, a national debt that when interest rates will go up, which they will, will end up sucking out \$160 billion a year in additional payments on an annual basis just for a 1-percent increase in interest rates.

Fifth, it would be foolish to try to balance the budget by shortchanging investments that actually strengthen our economy and our competitiveness over the long term. The budget proposals we have seen from the administration and the House Republican leadership takes a meat cleaver to a couple of the key areas that actually government should be invested more in—research and development, education and workforce training, and infrastructure. As a former business guy, as somebody who has invested in more businesses, created public companies, was a venture capitalist for almost two decades, I have looked at businesses, and I have based my willingness to invest on whether they had good plans in terms of investing in their workforces, investing in their plants and equipment, and investing and staying ahead of the competition. For a government, that means, with regard to the workforce, investing in education. When investing in plants and equipment, that means infrastructure. Staying ahead of the competition means investing in research and development.

Let's put it like this. I would never have invested in a business that spends less than 10 percent of its revenues on those critical investments. That is not the way for our country to make responsible investments either. The truth is, the Trump proposals would take our current investments in education, infrastructure, and research and development to way less than 10 percent of our total revenues.

Finally, we can achieve fiscally responsible and bipartisan tax reform, and I actively look forward to working with my colleagues on both sides of the aisle on these reforms. There is no area I have spent more time on, and I think I bring something to the table as both a former Governor and, more importantly, perhaps as somebody who has built businesses for more than two decades.

I also strongly suggest that nothing could help our economy more than a bipartisan agreement on a responsible path to making sure we do not simply salute when our deficit is only \$400 billion or \$500 billion a year but when we actually start to bring that deficit down.

Those are the challenges that are before us. In many ways, we will start to see the outlines of those challenges this month. I look forward to actually trying to move the ball forward on these very important issues.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

HURRICANE HARVEY

Mr. CORNYN. Mr. President, it has been 1 week since Hurricane Harvey hit the State of Texas, and although the rain has now stopped, the damage continues, as much of the water that has moved through Houston is now moving downstream to rivers and bayous and areas south of Houston. People's lives are still being disrupted, and unfortunately more and more bodies are being found, as the water has receded in places that have been flooded. Eight days ago, Harvey's wrath was still being felt.

Of course, we are still counting the cost, and, as one lady in Houston told my staff, "Normal is a long way off." It is more than just days we are counting, though. As families return to their homes and piece their lives back together, the numbers keep rolling in. Numbers are how we keep track, and I want to mention a number of numbers that I think will help all of us understand the magnitude of what has occurred and will help us wrap our heads around what this disaster has meant for not only Texas but for the country.

The largest numbers are the toughest—not the toughest to swallow, and I will get to those in a moment, but simply to comprehend. They are the ones that make your jaw drop.

Twenty-seven trillion—that is the number of gallons of rain that Harvey pummeled on Texas and Louisiana.

Then there is 2.7 million—that is how many liters of water have been provided to Texas by FEMA as of last Friday. Don't forget that parts of the city of Beaumont are without drinking water or are subject to a boil notice for 7 more days.

There is another number: 1 million. That is the number of cars reportedly destroyed by the storm—1 million cars.

Forty thousand—that is the number of homes Harvey permanently wrecked. At least that many people are still, even today, in shelters, living off of cots at convention centers, inside government-funded motel rooms, or living with friends and family.

Next come the middle batch of numbers, slightly smaller and more manageable sums. Some of these actually come as a relief. Some of them remind us why writer Walker Percy, a native of our neighbor Louisiana, used to say that hurricanes, as terrible and life-altering as they are, sometimes give us hope—because they draw people closer together as neighbor helps neighbor.

Four thousand two hundred—that is the number of pounds of flour employees went through at El Bolillo restaurant in Southeast Houston. The bakers were trapped inside their kitchen for 2 days during the storm, so what did they do? They did what bakers always do: They baked. In this case, they baked up pan dulce—traditional Mexican pastries—for flood victims. Their ovens were on all night for their neighbors. One young girl on Twitter praised

the Bolillo bakers as “angels.” They gave people what they needed most, perhaps, during this storm, and that is a sense of normalcy.

Two thousand seven hundred thirty-one—that is the number of cattle, horses, and sheep which various ranchers and helicopter pilots, like Ryan Ashcraft, have saved in places like Brazoria County and which are now inside makeshift stables in fairgrounds and parking lots. Animal rescue has been a crucial and difficult part of the equation in communities affected by the storm. Of course, in the shelters Senator CRUZ and I visited, they had to make accommodation for pets because people wouldn’t leave their cat or dog in the floods. They wouldn’t leave unless they could bring their animal with them. They have had to make some accommodation—and they have—which made it easier for people to leave their flooded homes.

Then there is another number: 200. That is the number of soaking-wet, stranded Houstonians Jim McIngvale and his staff rescued in their delivery trucks. Most of us from Texas, and especially from Houston, know Mr. McIngvale as “Mattress Mack.” He is in the furniture business, and he opened up his giant furniture showrooms as shelters. They provided portable showers and an inventory of brand-new beds and sofas for folks who had nowhere else to sleep.

Getting rest couldn’t have been easy, though, not when so many displaced people were still thinking about the storm and its consequences, still feeling the dampness in their clothes and remembering the pounding rain and wondering what they were going to do to get on with their lives.

One hundred thirty-two—that number represents the speed in miles per hour of the most punishing wind gusts recorded in Port Aransas on August 25. It is hard to imagine the power of the wind attacking homes and structures—eight times faster than a charging bull.

In the days ahead, we need to remember just how strong the storm really was. I brought a few charts to help remind us of that and the aftermath.

This is a picture outside of Houston. I visited a synagogue in a place called Meyerland in the Houston area where they have literally been flooded 3 years in a row. This is one of the members of that congregation, and she invited me to come to her home so I could see all the damaged drywall, furniture, and other items on her front lawn which have now been pulled out of her house.

Finally, we come to the last set of numbers, the smallest ones but in many ways the most painful, the hardest to forget, numbers like 45, which is the angle in degrees of bent electric poles I saw in Rockport when I toured the destruction after the storm last week. Other electrical poles lay on the ground. The town smelled of gasoline

and even natural gas leaks, which we smelled in the Rockport area. Of course, the ground was littered with broken glass and strewn books and things like that. Boats in the marina had been tossed about and smashed, their sails ripped to shreds, as local residents had mostly fled. Here is another picture of that damage in Rockport, TX.

Harder still, though, is the number 25, which is the years Andrew Pasek lived before he tragically stepped on a live electrical wire in ankle-deep water on August 29. A resident of Houston, Andrew was an animal lover, and he was trying to locate and save his older sister’s cat when he stepped on this electrical wire and lost his life.

We, of course, offer our condolences to all of those families who have lost loved ones, including Andrew’s, in their time of grief, and we pledge to remember him and all of the flood victims in our prayers. Sadly, Andrew was joined by 59 others who lost their lives. As I said earlier, that number continues to grow each day as the waters recede and as we find people who did not leave their homes, perhaps because they were elderly and unable to get out, living alone, for example. So we expect that number to, sadly, get even higher.

Six is the number of family members Samuel Saldivar lost when a van he was driving was tossed by a strong current into the bayou. As with Andrew’s family, our thoughts and prayers go out to Samuel during what I am sure has been a dark and trying week, one nearly impossible to make sense of.

But for each story of loss, each family that is hurting, there are many other reasons for hope as we embark on what is a long road to recovery.

Consider five—the number of bed-ridden, elderly patients from Cypress Glen Nursing Home who required special boats to get them out, boats with generators that could power their life support assistance.

We are grateful for Good Samaritans like Dan LeBlanc from Port Arthur, Doug Barles, Jr., and Robert Bode for managing this operation, which was no easy task. Here is a picture of those gentleman. Volunteers with no special expertise in search and rescue, these gentleman saved more than 100 patients.

Finally, the number I will end with is zero. That is the amount of complaining done by a gentleman named Jim Rath who exemplifies the Texas spirit. His house was destroyed in a flood 2 years ago, and he had just finished rebuilding it when Harvey hit and destroyed it again. Was he shaken by this course of events? Well, sure, he was. But did he complain? No, he did not. Of all his lost possessions, Mr. Rath said, “The main thing is: This is just stuff.” Then, like other Texans are doing now, he rolled up his sleeves. With saws and jackhammers, they are already moving forward.

Zero is also the amount of time we have to waste here in Congress. The Texans I know aren’t just sitting around waiting for the government or for government aid, but that doesn’t mean we should twiddle our thumbs here in Washington, DC. We have to act. That is why I am working with Senator CRUZ and the entire Texas delegation in crafting an aid request that addresses flood relief but without imposing burdensome mandates or regulations. As Peggy Noonan wrote in the *Wall Street Journal* this week, this measure needs to be tight and specific. She said:

There should be no larding up or loading it down with extraneous measures. This is an emergency.

But that means we have to act and act with dispatch.

I applaud the House of Representatives for moving quickly today to approve an initial \$8 billion downpayment on disaster relief, and I urge my colleagues in this Chamber to follow the House’s lead and expedite passage for this first tranche, this downpayment on what will surely be a more expensive list of costs. We are going to continue to work with Governor Abbott and the team back in the State to make sure the Federal, State, and local actors are all on the same page. But right now, let’s quickly send Texas a downpayment. Let’s show that we are actually serious.

I was gratified by the outpouring of emails and texts—even the Presiding Officer reached out, and I appreciate that—from people expressing their concern about what was happening in Texas. I appreciate that very much. But now we need to demonstrate that those weren’t just words and follow them up with concrete action.

As we all process the numbers from the storm, I believe the important one today is zero—the amount of time we have to lose.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today in support of heroes, in support of unity, and in support of love and compassion. I thank the senior Senator from Texas for his heartfelt remarks and leadership during this time of crisis, and I thank leaders across the State of Texas and across the country who are standing with the people of Texas.

Texas is hurting. This hurricane, Hurricane Harvey, is unlike anything we have seen. I grew up in Houston. When you live on the gulf coast, you are used to hurricanes. It is part of life. I remember as a kid sheltering in the bathroom with my parents when Hurricane Alicia hit. We had a tree come down in the front yard. Harvey was different. Harvey was unlike anything we have ever seen before. Harvey is being described accurately as a 1,000-year

storm, something that occurs every 1,000 years.

In Texas, we have never seen anything like it. Harvey started out as a category 4 storm, hitting South Texas, hitting Corpus Christi, Victoria, Rockport, Port Aransas, and Aransas Pass, all of which I visited in the past 2 weeks. Those communities were devastated by category 4 winds that destroyed homes, that destroyed schools, that destroyed county courthouses, city halls, and buildings and took down wires, took down power, took down water, and took down sewage.

As I visited each of those communities, you would drive down the street, and you would simply see home after home that had been obliterated by hurricane winds. I remember talking to the mother of a high schooler at Rockport High School who doesn't know where her son is going to go now because Rockport High School has been largely destroyed by the hurricane. She was saying how much the kids wanted to graduate from their high school, but their high school is badly damaged right now.

Harvey wasn't finished after making landfall and wreaking destruction. Harvey then turned north, north and east, and moved over the city of Houston and just sat there, sat there dumping rain, day after day after day.

I was home with my wife and kids. I live in Houston. For every day of those rains, it kept coming and coming. It is actually what made Harvey different. We are used to getting hit by a hurricane. Then it leaves, and you go and repair the damage and pick up the pieces. Harvey didn't have the good graces to leave. It sat there and dumped 27 trillion gallons of rain. Over 50 inches, which is typically as much as Houston receives in an entire year, fell in 4 days.

We saw flooding in parts of the city that had never flooded. I went in an airboat, just north of the Addicks Dam in northwest Houston, riding through a neighborhood with water up to the roofs of houses. It was an ordinary suburban neighborhood. You could see all the vestiges of families playing there. You could see children's toys floating in the water in the backyard. You could see holes in the roof, where either people in the attic had taken an ax and broken through to get out to escape the rising water or where first responders had broken in to get them out.

We took a boat down Clay Road, a fairly large road in northwest Houston. I know Clay Road well. I became a Christian at Clay Road Baptist Church. Clay Road is completely underwater. It looks like you are in the middle of a lake. You look out and see nothing but water as far as the eye can see. I rode with a local constable right down the middle of Clay Road, going over cars, but the water was high enough—8, 10

feet high—you didn't even know when you were passing over cars that were submerged beneath you. As we were going down Clay Road, we saw an alligator swimming across Clay Road.

The scope of this disaster defies words. It is not one community or two communities or three communities. It is over 250 miles, stretching from Corpus Christi all the way to Louisiana. In the Houston area alone, the flooding is massive—neighborhoods where there is a real possibility that every single home will have to be knocked down and rebuilt, every single government building will have to be knocked over and rebuilt.

On the airboat, I saw the county courthouse up to the roof in water. I saw a local LDS Church up to the roof in water. I saw a gas station with six or seven cars still parked outside. The water was right at the roof of the cars. It shows you just how fast that water rose. They were parked at the gas station. They had presumably stopped for some last-minute supplies, and the water rose so high they couldn't get out. They are still in their parking spots, but yet the water is at their roof.

That same gas station, up high on the door was a red neon sign that said "Open" that was still lit, flickering "Open" as you look out over the vast expanses of water.

The damage continued going east, hitting communities like Beaumont, like Port Arthur, like Nederland, like Orange, and into Louisiana—all of those communities I visited in the past 2 weeks and have massive devastation.

Texas is hurting mightily, and yet, as I said, my remarks today are not about pain and suffering, they are not about death and loss and despair; they are, instead, about hope—hope that begins with the heroes of Harvey. We saw, over the last 2 weeks, incredible illustrations of bravery over and over again, every day, every hour, every minute. There were the first responders, the firefighters, the police officers, and EMS who risked their lives, including, tragically, Sergeant Perez of the Houston Police Department who lost his life in this storm. He went to go to work, and his wife pleaded with him: Please don't go to work. It is too dangerous out there.

He said: I have to go. It is my job to save lives.

He went. He couldn't go to his regular duty station. All the roads were flooded. There was no way to get there so he went to look for another duty station to report to, and tragically he got caught in high-rising water and drowned.

There were the coastguardsmen who flew in choppers and dove into wild water to save people's lives. I have spent a lot of time in the last 2 weeks visiting with the men and women of the Coast Guard—what incredible he-

roes—flying in the chopper with them, surveying the damage of the Houston Ship Channel, talking with Coast Guard swimmers. You want to talk about a tough bunch of heroes, the swimmers—almost every one of them ripped as the guys that know their way around a weight room—who in hurricane winds and hurricane waters will dive off of a chopper and swim to someone in distress. Many times the person in distress is so terrified, their first reaction is to grab the swimmer and practically try to pull the swimmer under too. These swimmers have to be strong, strong enough to help someone terrified and at the verge of death get in that basket, get in that basket of life, be pulled up to a chopper. In the last 2 weeks I visited with person after person who was pulled off of the roof of their home by the Coast Guard into a chopper.

The National Guardsmen, I have spent a lot of time thanking them over the last 2 weeks. We had 14,000 National Guardsmen called up in the State of Texas, but National Guardsmen from 41 States across the country came flooding in. That was part of the story of heroes.

There were a great many Houstonians, there were a great many Texans from all over Texas, but there were people from all over the country. When I drove through Refugio—a small town on the gulf coast that had been devastated by hurricane winds—I stopped at the fire department unannounced just to come in and thank the firefighters. Actually, I met a couple of firefighters. They were not the local ones. They had expelled the local firefighters to go home and get some sleep after several days of having no sleep at all. They were a couple of California firefighters who jumped in their truck and had driven east from California to get to Texas.

At the fire station in Rockport, there was a whole line of firetrucks, one after the other. You looked at each firetruck, on the door, and it was the name of a different city. Every one of them had the same story. They saw what was happening and said: I can help. They jumped in the firetruck and they headed to Texas.

The outpouring of love we have seen has been extraordinary. It wasn't just the first responders who were so extraordinary. We cannot overstate the gratitude Texas feels for those heroes of Harvey, but I will tell you the most powerful story of Harvey, I believe, are the thousands of ordinary men and women who stepped up to save their neighbors, who went and grabbed a boat or a jet ski or anything that could float and went into harm's way to pull people out of life-endangering situations—hundreds and hundreds of red-necks in bass boats. Texas at its very finest.

Mr. President, as an Alaskan, I can promise you, you would have been

right at home with the rednecks in bass boats. All these guys in duck waders, fearlessly walking into the churning waters, pulling people out, one after the other, after the other.

The Harris County Emergency Operation Center had an entire wall covered with Post-it Notes because when the local officials put out a call, if you have a flat-bottom boat, if you have a personal watercraft and can help, we need your help, hundreds and hundreds of calls began coming in. They put them all on Post-its with the name and cell phone. Then the emergency operation center operated essentially as a dispatch, where a 911 call would come in, somebody in distress, and they would pick up the phone and call someone's cell phone and say: Hey, your neighbor 6 blocks down needs your help. Can you be there?

There were hundreds upon hundreds risking their lives to save their neighbors. Texans helping Texans. We had, among others, Louisiana sending the Cajun Navy—over 100 boats. They would go in and save people and then they cooked jambalaya. That is neighborly love.

I met people who had come from Fort Worth, from Lubbock, from East Texas, from Oklahoma, from Illinois, from Alaska, from New York. I was at the George R. Brown Convention Center, the shelter that was set up. I met an individual there. He was a New York firefighter, a big guy. He told me he was serving the New York Fire Department on September 11. He told me, when 9/11 hit New York, when that terrorist attack hit, the love New York received from across the country, the outpouring of support New York received from across the country made a profound impact on him.

He said now, when there is a major natural disaster, he gets in his truck and heads down to help. He said: You know what. That is my way of saying thank you, my way of saying thank you for what the country did on September 11. He wanted to be in Harvey and pull people out of harm's way to say thank you.

All I could do is simply give him a hug. That heroism was happening every day and every hour. We all mourn the loss of life. There are tragic stories, heartbreaking stories, whether Sergeant Perez, whether it is the young mother in Beaumont who gave her life saving her little girl. Her little girl was pulled from her dead mother's chest, floating in the water, just minutes before being lost forever. As tragic as it is, that little girl will always know the love her mother had for her. There is the story the senior Senator from Texas just told of the van in Houston that took six to their death. Two elderly grandparents dealing with Alzheimer's disease and four children all lost their lives.

We mourn those tragedies, but I will tell you that we celebrate also. This

disaster easily could have seen a death toll 10 times higher or 100 times higher. There were recorded over 51,000 people saved by search-and-rescue missions. Roughly 2,000 pets were saved by search-and-rescue missions. One of the things the first responders told me over and over was this: You had better be able to take the pets because there are a whole lot of people, as the water is rising, who, if you are not willing to take Fluffy or Fido, will stay in the rushing water. So we celebrate the bravery of all those who risked their lives to save others.

In any disaster, there are three phases. Phase No. 1 is the active crisis, where search and rescue is the only priority—saving lives. Let me say that in the city of Houston and the State of Texas, we saw a coordination across levels of government I have never seen before. The city officials, the county officials, the State officials, and the Federal officials were all working hand-in-hand seamlessly, not engaging in the bickering. There were no party lines. There were no Republicans. There were no Democrats. There was no Black, White, or Hispanic. There were Texans and Americans saving the lives of each other. You saw government working seamlessly together, not having the turf wars that in other contexts might so easily shut down getting anything done, by simply saying: How can I help? What can I do? What else do you need?

After the search and rescue is over, after the saving of lives, there is the next phase, and that phase is relief—providing relief to the people who have lost everything right then. We have roughly 260 shelters that have been stood up across the State of Texas by wonderful private organizations. The Red Cross has done a phenomenal job. The Salvation Army has done a phenomenal job. Churches have done an incredible job. Private nonprofits have done an incredible job.

There are individual citizens, such as "Mattress Mack," who owns Gallery Furniture. He is a friend of mine. He is a terrific Houston entrepreneur who opened up his furniture stores as shelters. He said: Come on in. Do you need a bed? We happen to have a furniture store full of beds. It was not only that. He sent out his delivery trucks to pick people up in harm's way.

At one of the shelters last week, I visited with an older woman who was on oxygen and uses a walker. She described how her house began filling with water, and she walked out of her house in waist-deep water pushing that walker.

My mom uses a walker. I know how difficult it is to get around when you are mobility impaired. I cannot imagine how difficult it was for her pushing through the waist-deep water, fleeing for her life. She was picked up by a Gallery Furniture delivery truck. She was picked up and taken to the shelter.

I called Mack and told him that story. I told him just one story of the lives he was saving. That is just one example of the heroes who stepped forward for their community.

Anheuser-Busch shut down beer production to deliver more than 155,000 cans of water. Now, you know we are in a time of miracles when Anheuser-Busch isn't producing beer, but that is a generosity of spirit.

One of the State officials who was helping lead the disaster relief called Academy. They had a warehouse just west of Houston, out in Katy. He said: How many boats do you have in the warehouse?

The fellow from Academy told him.

He said: Fine, we want them. We want them all.

He said: Great, come take them. They are yours.

DPS sent trucks. They loaded up the boats and sent the boats out to rescue people.

J.J. Watt, the great Texans football player who, I hope, a year from now will be wearing a Super Bowl ring, launched a charity effort raising over \$10 million on Twitter, just saying: Let's help people who are hurting.

Shelters were stood up at the George R. Brown Convention Center and the NRG Center, both of which I have spent significant time at during the last 2 weeks.

I remember one morning at the George R. Brown Convention Center. I was helping to serve breakfast. We were serving oatmeal. There was a fellow standing to my right, and I turned to him and said: Thank you for being here.

Something I try to do a lot of is just to thank people. I don't think you can thank people enough in the midst of a crisis for what they are doing.

Thank you for being here. Thank you for helping other folks.

He just began laughing. He said: Well, you know, I have to be here; my house is under water. He said: I am staying here; this is the only place I have to sleep. Yet he was up at the food line helping to serve others.

There were two gentlemen whom I met at that same shelter, and I asked them, as I tried to ask everyone: How are you doing? How is your home doing?

Two different gentlemen told me: Well, I don't have a home. I am homeless.

One said: I sleep under the bridge.

Both of them were volunteering. Both of them were sweeping the floor. So they weren't just taking shelter. Even in the midst of distress, they were helping out to keep the facility clean and to care for the needs of others.

Earlier this week, I was in Port Arthur. Port Arthur is a relatively low-income community in Texas, heavily minority. It was hit very, very badly

by the storm. There were devastating floods in Port Arthur. I was at an African-American church helping to give out food and supplies to people who had lost everything, and I was visiting a line of cars as people were driving up. You would say to each person: What do you need? They would need some water. They would need some food, some diapers, or maybe some dog food or cat food.

Several things were amazing. One, almost to a person, was what I have heard at least a hundred times in the last 2 weeks when you talk to someone who has lost their car or who has lost their house. You would say: I am so sorry. We are praying for you, and we are with you. Over and over, I heard people say: You know what; there are people a lot worse off than me. I may have lost my home, but at least I have my life. At least I have my kids.

It is powerful to hear over and over, when you try to comfort someone, and they say: Look at everyone else who needs it more than I do. But at the same time, when you would hand something to someone who came in—a young mom would come in who needed diapers—and you would hand her two packets of diapers, she would say: No, no, I will just take one. Somebody else needs that other one. Give that to someone else who needs that.

I heard that at relief centers in Port Arthur, in Beaumont, in Victoria, in Rockport, in Houston. I heard that same message over and over: There is someone else who needs it. At that church in Port Arthur, there was a couple there, both of whom had lost their home. They had lost everything, and they had been from dawn to dusk at the church, volunteering and helping others. They said, actually: Helping others is how we are getting through this.

Now, there are also moments of joy. I visited with two little boys who were in their home and the water rose to waist level, and they had to be rescued, I think, by boat. I think they were about 8 and 10 years old. I asked the boys: Boys, was that scary?

They laughed and said: Are you kidding? We got to swim in our living room.

Those moments of laughter and joy are important, even in the face of fear, death, and destruction. The unity we are seeing has been remarkable.

Then, the third and final phase will be rebuilding. Rebuilding is going to be a project that is going to take days, and, then, it is going to take weeks, and, then, it is going to take months, and it will ultimately take years. The scope of this devastation is massive. There are multiple estimates that this may prove the costliest natural disaster in U.S. history. Having seen firsthand the scope of the disaster and the thousands of homes and businesses destroyed, I can readily believe it.

I am here to say that Texas is coming back. We are going to rebuild.

In East Texas, I visited with the mayor of a small town whose entire town was destroyed. Every home, every building was under water. Her home was under water. The mayor was just in tears. The whole town was gone. She said: If we rebuild—and I was there with several firefighters, police officers, and a county judge. We all hugged her. We said: There is no “if.” We will rebuild. We will come together. We will stand as one, and we will rebuild.

We are seeing incredible generosity from Texans, and we are seeing leadership. I want to commend leadership at every level of government. I want to commend President Trump for his leadership during this crisis. I have spoken to the President multiple times throughout the course of this storm. From the very first call, right when the storm was about to make landfall, his message was consistent. He said: TED, whatever Texas needs, it has. The answer is yes. When the Governor asked for a disaster declaration, the President signed it while the Governor was still on the phone.

The President convened a week ago a Cabinet meeting via teleconference and instructed every Cabinet member to lean in. Whatever the State needs, give it to them. Give it to them fast. Be there. Every resource we have, make it available.

I began to see Cabinet member after Cabinet member picking up the phone and calling.

The Secretary of Health and Human Services said: All right, on the health side, what more can we be doing? How can we be helping the people in hospitals who are being evacuated?

On the education side, the Secretary of Education said: How can we help the kids whose schools have been flooded?

There was the Secretary of Energy, former Governor of Texas Rick Perry.

The Secretary of HUD focused on the massive housing challenges.

Of course, the Director of FEMA has been down in Texas repeatedly. The Federal Government leaned in with all the resources with a swiftness that I have never seen.

At the State level, let me say that Governor Greg Abbott has done an extraordinary job. He is a close friend and mentor. He has led the State when we had crises playing out. When the city and county officials in Houston told me they didn't have enough emergency response vehicles, enough choppers, enough boats, enough high-water trucks, within hours the Governor and the Federal Government were able to flood the region with assets, with manpower, with the National Guard, with DPS troopers, and with coastguardsmen, so that those thousands and thousands of rescues could happen.

At the local level, all across Texas there are county judges. One county

judge in East Texas, whom I visited with a few days ago, just buried his mother. His mother had died right before the storm, and the storm was such that she couldn't be buried in the midst of the storm. So she was in the funeral home until just a couple of days ago, and he was able to put her to rest. Yet he was out there leading the effort.

There are mayors and county judges. In Houston, Mayor Sylvester Turner and Harris County Judge Ed Emmett—one a Democrat and one a Republican—are working seamlessly as one. That unity has been powerful.

In the next stage of rebuilding, we will have resources available. There are going to be very, very significant State resources. My office is working very closely with Governor Greg Abbott to mobilize the State resources and make them available and then at the Federal level.

I commend the leadership in Congress and the administration for responding swiftly with the relief mandated under statute. The relief efforts are being led by the Texas delegation in the House and by Senator CORNYN and myself here in the Senate, and we will see, I believe, strong bipartisan support for the Federal relief needed to help people come out of this.

But Texas will rebuild. We will come out stronger, and it will be through that same spirit, that same fearlessness, and that same compassion and love and unity that brought us through the crisis and saved thousands of lives. That same spirit will help us rebuild even stronger.

Let me finally say to all the men and women across the State of Texas, across the United States, and across the world who have been lifting us up in prayer, thank you. Thank you for your prayers.

I was at a church in Port Arthur visiting family after family, hugging women and men and children who had lost everything. A message of comfort I tried to give to each and every one of them was this: When you go to bed tonight, you are not alone. You are being lifted up in prayer by millions of people across Texas, across the country, and across the world. You are going through this journey surrounded by prayer warriors.

The day before yesterday, my family and I went to a home in Missouri City. A woman had lost everything in the flood. We joined a church group in helping her clean out her house and helping her tear down the sheetrock the floodwater had destroyed. My girls Caroline and Catherine took part in it. I would say that Caroline, my 9-year-old, we discovered, can wield a mean hammer when it comes to taking out sheetrock. The experience for my girls and my family and that group was just helping, neighbor helping neighbor.

As this woman grieved the loss of priceless memories, she also held on to

special and wonderful memories. One thing we found was a note she had written to Santa Claus as a 9-year-old; that was saved. Another was a lock of hair from when she was 3 years old that was in an envelope and carefully preserved; that was safe.

What I shared with her is the same thing I shared with Texans suffering across the State: You are not alone. America stands as one.

Today, there are no Democrats, there are no Republicans. On other days, there may be issues that divide us. We will continue to debate tax policy and everything else, but today we are all Americans and we are all Texans. We are standing as one. That is the spirit that built our Nation, and it is the spirit that will rebuild Texas and Louisiana after this disaster.

Let me note that it is also the spirit that has us standing in unity with the people of Puerto Rico, the people of the Caribbean, and the people of Florida who are in harm's way as Irma bears down upon them. Our prayers are that the storm will turn into the Atlantic, dissipate, and turn away from people, but whatever happens, if there is to be yet another major storm hitting America, know that we will stand united in harm's way. We will stand as one, and united we can overcome anything.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MONTANA WILDFIRES

Mr. TESTER. Madam President, today I rise to talk about a different natural disaster. It is happening in the great State of Montana, and every corner of our State of Montana has felt the impacts of wildfires.

In Montana, we are experiencing a historic drought. As you can see from the map, the red indicates it is very severe, and it gets less from there. But the fact is, there is a large portion of land along our northern tier that is experiencing incredible drought, and Montana is in the middle of it all. Nearly all of our great State is under historic drought conditions.

With dry grass, high winds, and dry lightning storms, it is no wonder that currently in our State we have nearly 30 high-priority fires raging as I speak today. Just last week, we had over 40 new fires spark in Montana. That isn't counting the ones that are currently in existence; there are over 40 new ones.

Over the last month, I went across my State and saw with my own eyes the fires across Montana. All Mon-

tanans are dealing with smoke-filled air, often in highly hazardous conditions. You can see here the chart of the smoke. It has been incredibly debilitating, quite frankly.

I have heard stories of ranchers in eastern Montana—in fact, I am talking about the eastern two-thirds of Montana—who took the shoes off their horses for fear that the metal clicking on rocks might spark and light up dry grass.

Hikers in Glacier National Park frantically parked their cars and fled due to evacuation notices.

Families in Whitehall, MT, left their homes with keepsakes and the sprinklers on the roof, just in case the fires crept closer to the only homes they have ever known.

Children in Seeley Lake, a little town in western Montana, saw their first day of school canceled due to fire danger. I might add that the smoke was incredible in Seeley Lake and has been for about the last month.

More than 900,000 acres across Montana have already burned. To put that in context, the State of Rhode Island is about 777,000 square miles. More than 900,000 acres in Montana have already burned. One fire alone—the Lodgepole Complex—burned 270,000 acres. That is larger than the city of New York. As I stand here today, more than 600,000 acres continue to burn. There are active fires on 600,000 acres. Firefighters have spent \$220 million to try to get a handle in Montana alone.

Nationwide, we have seen a 70-percent increase in acres burned this year than last year, when the Federal Government spent \$1.9 billion fighting fires. Let me put that in perspective. We have 70 percent more fires burning this year than last year, and last year we spent \$1.9 billion fighting fires. The bill is going to be huge this year.

In Montana, we have tragically lost two brave firefighters—Trenton Johnson and Brent Witham. These two young men selflessly and courageously put their lives on the line protecting our great State.

We have seen pastures burn, fences turn to ashes, and structures crumble before our eyes. In fact, the Glacier National Park's Sperry Chalet, a hotel that was built way back in 1913, was engulfed in flames and destroyed. It hopefully will be rebuilt, but the truth is, you do not rebuild a chalet that was built in 1913. It is gone. The historic Lake McDonald Lodge, a cornerstone of Glacier National Park, stands in the path of the flames.

Montana's forests, our national parks, our agriculture industry—these are all backbones of our economy in Montana. As these fires rage, Montana feels that economic impact. Tourists stay home, ranchers lose grazing land, cattle that survive the fire go hungry, river guides stay off the smoky water, and Montana's economy suffers.

Montana has been fortunate to have many brave men and women working together to fight these fires. Folks have collaborated at all levels of government to try to fight Mother Nature, but we all know that Mother Nature bats last.

Whether it is the floods in Houston or Hurricane Irma, which is threatening Florida, the wildfires across the West, or extreme drought in the Plains, we cannot deny that our climate is changing. Over the past 10 years, we have seen hundred-year storms every few years. We have seen hurricanes repeatedly besiege the gulf and east coast. Historic droughts are becoming common, and water shortages are routine. Unprecedented disasters are becoming the new normal, and it is putting a strain on our government, on our economy, and on our citizens.

Climate change is real, and we can't continue to sit in silence. We have to take proactive steps to keep it at bay. It is costing taxpayers, it is altering our way of life, and our economy is suffering in the process.

Since Hurricane Sandy in 2012, we have spent more than \$100 billion in supplemental disaster relief. Let me say that again. Since Hurricane Sandy back in 2012—not that long ago—we have spent more than \$100 billion in supplemental disaster relief. That is \$100 billion in addition to what Congress has budgeted for disaster relief. That is \$100 billion we could be spending serving our veterans or improving our schools or building bridges and roads or paying down this Nation's debt.

But as our climate changes before our eyes, Congress continues to bury its head in the sand. We are left mortgaging our children's future to pay for disaster relief today. Look at the money we are going to spend on wildfires this year. Look at the funding we are going to be sending to Texas and Louisiana. I will state that I am all for sending help to those folks. I will be making sure the folks in this body understand that we also have to give resources to folks along the northern tier, especially Montana, because fighting fire is expensive and dangerous, and drought has dramatic impacts on our agricultural economy.

I am very thankful that we have folks like this gentleman pictured on the frontlines fighting fires, trying to direct Mother Nature in those fires in a way that they will do the least amount of damage.

We have heard a lot about the good folks and heroic folks down in Houston. We have seen the generosity, the heroism, the fighting spirit of Texans. Well, as I have traveled around Montana, I saw that same kind of heroism. I saw young men and women from across the country spending their summers fighting fires in our forests and across our Plains. I saw communities

coming together and opening up their doors and sending aid from across the State. I saw seamless collaboration between Federal, State, Tribal, and county agencies to mitigate the damages across our State.

We are seeing natural disasters across this country. This isn't a contest or comparison of devastation and misery; it is a testament to the American spirit. No matter what Mother Nature throws our way, we are going to need to work together to overcome it. Saving lives and property when disaster strikes is a fundamental pillar of government. It is not a Democratic or Republican issue, it is an American responsibility.

The country's faith in Washington, DC, is at an alltime low, but I am confident that we can work together to ensure the victims of Harvey get the relief they need and that the States that are burning and impacted by drought, such as Montana, have the resources they need to protect our citizens, our economy, and our way of life.

As Congress works to get resources to the folks devastated by Harvey, I hope we can all take a page out of the American people's book and work together to get resources not only to the folks devastated by Harvey but the folks in Montana and the folks across the West who have been impacted so greatly by drought and wildfires.

I am asking for each and every one of the folks who serve in this body to look at the photos and stand with the people of Montana as they fight for blue skies and fresh air once again. We need the resources. We do not need a delay. We need to send them quickly because lives and property and a thriving outdoor economy are at risk.

In the meantime, I ask for your prayers for all of the folks who have been impacted by disasters, including the folks from the Treasure State, as we endure the drought and these terrible fires.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FLAKE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. FLAKE. Madam President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

EXTENSION OF MORNING BUSINESS

Mr. DAINES. Mr. President, I ask unanimous consent that morning business be extended until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS

Mr. DAINES. Mr. President, I ask unanimous consent that at 3 p.m. today, the Senate recess until 4:15 p.m. to allow for the all-Senators briefing.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MONTANA WILDFIRES

Mr. DAINES. Mr. President, I left Montana yesterday morning to come back to Washington, DC, to do the work of the American people but, as always, my heart remains in Big Sky Country. That is especially true right now as fires burn across our State. In fact, just yesterday, of the top 30 wildfires in the Nation, 28 of those 30 wildfires were in Montana.

Our crisis in Montana isn't water. It is not too much water. It is not hurricanes. It is fire. It is smoke filling the air and filling our lungs. It is communities being evacuated, Montanans standing on the side of the road looking at the fires moving toward their homes. We have seen the loss of homes and many structures. Montanans are looking at the tons of fuel just lying on the forest floor waiting for a spark to ignite. In fact, in this year alone, over 1,600 fires have burned nearly 1 million acres in Montana. That is nearly the size of the entire State of Delaware.

At my invitation, Secretary of Agriculture Sonny Perdue and Secretary of the Interior Ryan Zinke both came to Montana, just about 2 weeks ago—in fact, 2 weeks ago tomorrow—so they could see firsthand the impact wildfires are having on our great State. We went out and saw the Lolo Peak Fire. The impact is devastating.

We need to be sure Montana gets the resources it needs, first of all, to stop the fires. I am very grateful to the men and women who are risking their lives to fight these fires, going on virtually very little sleep, living in tents, fighting these fires. The firefighters battling on the ground are away from their families, and they are giving everything to protect our lives, our lands, and our property. Tragically, already in Montana, two firefighters have lost their lives—Trenton Johnson, age 19, and Brent Witham, age 29.

Preventing wildfires is impossible, but we can do much more to lessen the severity and impact of these fires.

Seven million federally controlled acres in Montana are at high risk for wildfire. Five million acres—five million acres—have been designated for accelerated forest management due to insect infestation. We are talking about dead trees. Yet, since 1990, our State of Montana has lost over 40 percent of its forestry workforce and two-thirds of its mills. The remaining mills that we have are not running around the clock, multiple shifts, which they could do, except for the fact they can't get enough logs. We are literally bringing in logs from out of State and even out of the country to our mills in Montana to keep them going.

Let's talk about Mineral County, MT. Mineral County was founded in 1914. This county in Western Montana is well known for its dense forests and abundant natural resources. The first sawmill came to this area around the turn of the 20th century. Multiple others followed suit. For decades, the timber industry thrived. Montanans worked hard, and they earned good money in the timber industry. In fact, the timber industry produced tax revenues to support their schools, teachers, infrastructure, and allow our counties to prosper, but in the early 1990s things changed. Across the State of Montana, environmental lawsuits became a barrier to timber contracts that were awarded to Montana's small businesses. A community that once thrived on the abundant resources surrounding them now sits with one of the highest unemployment rates in the State.

Today, Mineral County has just a single lumber mill. Folks living there today are watching the very resources that supported their grandparents burn. In fact, in Mineral County alone, over 25,000 acres have been torched this fire season, and the fires continue to burn. The weather outlook for September continues with above normal temperatures and below normal precipitation. This fire season is not over. We are going to be in it for quite some time.

The mismanagement of our Federal forests and radical environmentalists have prevented hard-working Montanans from having jobs, and this just adds more fuel, literally, to these wildfires. Our inability to act and treat these acres further deteriorates the health of our forests and the communities that desperately depend on them.

I can tell my colleagues—and I can speak on behalf of all of Montana—that we are tired of being told that others know better than we do when we watch our forests burn every summer, our mills close, our neighbors lose jobs, and our counties lay off road crews because they don't have the funds anymore to support basic infrastructure, and our communities suffer from the lack of management of our Federal lands.

A safe forest, a vibrant forest is a managed forest. A healthy forest is a

managed forest, and timber jobs are good jobs. A properly managed forest is also good for wildlife habitat. We have teamed with the Rocky Mountain Elk Foundation. Their headquarters are in Missoula, MT. If you want to see more elk, if you want to see more wildlife, you need to manage the forests. It is good for wildlife habitat and good for water quality. A wildfire is devastating to the watershed because what happens is the wildfires come through, they wipe out the trees and grasses, and then when the spring rains come—when the snow melt comes from the spring—we see tremendous erosion and devastation of fish habitat and the loss of good sources of water for our communities.

Let's talk about the unspeakable amount of carbon emissions that are produced by these wildfires. I can tell my colleagues that we are done listening to radical environmentalists when they tell us otherwise. Too many forest management projects have been held up in frivolous litigation at the expense of the people of Montana. One such project—the Stonewall project—was halted because of the terrible Cottonwood decision, which is the 21st century poster child for radical environmental activism. Two fires blazed on the very lands that were set to be managed had it not been for these radical environmentalists. This is wrong.

We need litigation relief. We need to reform the process that our land managers go through to get these projects done. The National Environmental Policy Act—NEPA—was established to provide guidance for land managers to analyze all project alternatives and allow for public comment. This process has become so bogged down with additional steps and litigation that projects now at times take years to get through it. Others never even make it.

When it takes this long to analyze whether to even start a project, the forests continue to get more and more overstocked, more and more littered with fuels. A forest is a renewable resource, but if we do not manage the forests, they become unhealthy. They become prone to wildfire. Something needs to be done to streamline the process while allowing more collaboration between stakeholders. We can't wait any longer.

We need our colleagues to come to the table because we need comprehensive forest management reform. How many more thousands of acres in Montana and all over the West must burn before we act? Tying the hands of the State, tying the hands of the local communities, tying the hands of the people of Montana who best know how to manage these lands has not served us well. We need to change course.

I will work with anyone of any party and at all levels of our government to ensure that forests are managed in a way that reduces the severity of

wildfires because Montanans deserve it, and because, quite frankly, it makes sense. Montanans are tired of seeing and breathing the smoke. The firefighters risking their lives out there deserve it as well.

Here is the bottom line. Either we are going to manage the forests or the forests are going to manage us. It is time to put the loggers of Montana back to work. I urge my colleagues to join me in this effort.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

WILDFIRES, HURRICANES HARVEY AND IRMA, AND HEALTHCARE REFORM

Mr. BARRASSO. Mr. President, over the last several weeks I have spent a lot of time traveling around my home State of Wyoming, and the Presiding Officer may have in his home State of Arkansas as well. We all do. We talk to a lot of people and hear from a lot of people as we travel around to the rodeos, the fairs, and the parades.

One of the things I have been hearing more and more about because I am seeing it daily in Wyoming—I know both Senator DAINES and Senator TESTER, both Senators from Montana have talked about it—has been the incredible forest fires that have been raging in the West. There are more than 1 million acres of land burning in the West. Smoke is spreading all around the West, certainly in Wyoming—fire as well as smoke—impacting people, impacting land, impacting the soil, air, water, and impacting life, as well as property.

The damage that is happening is dramatic, and in many ways it is similar to the kinds of comprehensive damage and destruction we are seeing with the big storms hitting, like Hurricanes Harvey and Irma, which is on its way to Florida. These are incredible storms, and the people of Wyoming want to express and share their sympathy for the people who have lost family members, who have lost property, and those who are still in danger. We also know in Wyoming that people are wanting to volunteer, wanting to go to help by collecting food, supplies, clothing, taking up collections, as well, in churches, schools, and communities because that is the American spirit.

Today I come to the floor to express my admiration for the resilience of the people of the West, as well as the resilience of the people of Texas, Louisiana, and all Americans who are today dealing with the disasters they are facing in their homes.

The other things I heard a lot about—and this will not surprise us—are the concerns still out there regarding the Obama healthcare law. A lot of people in the media seem to think the discussion about that healthcare law is over. I can tell you, for the people of

Wyoming, they are still very concerned about what we are seeing in terms of the collapse of the healthcare system, fewer choices, and higher prices. For them, the conversation is not over, and they want to make sure it is not over in Congress either. ObamaCare is still failing, and the American people are certainly still suffering, so we need to do something about it. We need to act.

There was an article by the Associated Press in the paper on Monday that summed up the situation. The headline was “Millions who buy health insurance brace for sharp increases.”

The article goes on to say: “Millions of people who buy individual health insurance policies and get no financial help from the Affordable Care Act are bracing for another year of double-digit premium increases, and their frustration is boiling over.”

The article says that these are mostly middle-class folks—hard-working people who may be self-employed or work for small businesses that can't afford to offer insurance. It goes on to say that these millions of Americans “pay full freight and bear the brunt of market problems such as high costs and diminished competition.”

That is the exact situation people are facing in Wyoming, and I assume in the Acting President pro tempore's home State of Arkansas as well.

The ObamaCare exchange in my State has only one company selling insurance. It wasn't supposed to happen that way. Democrats in Congress who supported the healthcare law said that it was going to create more competition and would bring down the prices and costs for families. In September of 2009, President Obama said that “without competition, the price of insurance goes up and quality goes down.”

So what is the situation now? All summer long we have heard about insurers who are giving up, pulling back, and dropping out. Millions of Americans will have fewer choices when it comes to their health insurance plans and opportunities in 2018.

On August 24, the largest hospital system in New York State announced that it was going to stop selling an ObamaCare insurance plan it had launched just 4 years ago. This is the home State of the Democratic leader in the Senate, someone who has come to the floor supporting the healthcare law.

The company is blaming the flaws in the Obamacare law and the fact that we haven't been able to do the reforms we need to do. Things I proposed and things that make sense to me—the Democratic leader will not allow us to address the many, many flaws of ObamaCare. Meanwhile, the people of his home State of New York are losing another option to get the coverage ObamaCare requires by law for them to have.

They are not alone. People living in 47 percent of all counties will have only

one option for coverage next year, so millions of Americans are stuck in an insurance monopoly under ObamaCare.

Monday was the deadline for insurance companies to say what they will need to charge next year. People across the country continue to be very worried about how much more expensive their health insurance will be.

The lack of competition is one reason for the skyrocketing prices, but other big reasons for the increase in prices are actually the tax increases that were put in place when ObamaCare was passed. The healthcare law included \$1 trillion in new taxes.

One of the biggest ones hitting hard-working families is a tax on every health insurance plan that gets sold. It is called the health insurance tax. There was a new study last month that found this tax is going to raise prices by about \$500 per family next year.

The tax alone is raising the cost \$500 per family next year. That is just to pay for one of the taxes. Republicans want to get rid of the tax. That was part of our repeal-and-replace plan.

Every Democrat voted no—voted no—to removing the taxes, so premiums are continuing to soar because the healthcare law is unsustainable, and the taxes are unbearable for hard-working families. We have to do something to help people and to reverse the damage caused by ObamaCare.

I voted for the repeal legislation in July, and I am going to continue to work to replace ObamaCare. But until that happens, I am glad to see the Committee on Health, Education, Labor, and Pensions is looking into other ways we can make changes to ObamaCare. The committee is working on ways to stabilize the individual market for next year. They are going to hear from Governors and State insurance commissioners about giving States more flexibility in dealing with some of the healthcare law's mandates. The committee is also going to be listening to doctors and to patients.

When I talk to doctors and nurses and patients back home in Wyoming, they tell me that the healthcare system we have now under ObamaCare isn't working. I see it every day. What I hear and what I see when I visit the hospitals and when I go back to my old medical office is that we need to replace it with something that actually makes healthcare more affordable. That was a big part of the Republican reform effort: Let the States do what works for their State and for the people who live there.

The Obama healthcare law is still hurting Americans. It is not getting better on its own. It is up to us in Congress to do all we can to help Americans who have been trapped in the ObamaCare death spiral.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, it is no surprise that Americans consistently rate jobs and the economy as top issues of concern.

A recent survey found that 50 percent of voters consider themselves to be living paycheck to paycheck, and about one-third of voters say they are just about \$400 away from a financial crisis. That means a single, unexpected car repair or healthcare bill could easily put them in the middle of a financial emergency.

Too many Americans have seen their American dream dim in recent years. Hopes for a secure future have turned into worries about where the next rent or mortgage payment is coming from or whether it will be possible to save anything at all for retirement.

We don't have to resign ourselves to the status quo. We don't have to accept the long-term economic stagnation of the Obama administration as our economic future. We can get our economy going again, and we can set it up for strong growth for the long term. But that is going to require some work. It is going to require repealing burdensome and unnecessary government regulations that have slowed economic growth, and it is going to require reforming our complex, outdated Tax Code, which is increasingly strangling our economy.

The Tax Code might not be the first thing people think of when they think of economic growth, but it actually plays a huge role in every aspect of our economy. It helps determine how much money Americans have left over from their paychecks to save or invest or whether they can afford a car or a house. When it comes to businesses, it can be the key to determining whether a young business gets off the ground or an existing business has the money to grow and hire new employees.

Unfortunately, our current Tax Code is not helping our economy. It is doing the opposite. It limits Americans' opportunities. It punishes their success. It discourages investment and growth. It cripples small businesses. It encourages large businesses to send jobs overseas. It keeps our economy from reaching its full potential.

Reforming our Tax Code is an indispensable part of getting our economy back on the path to long-term health. Without comprehensive tax reform, the economic stagnation of the Obama years is likely to become the status quo going forward.

This fall, Republicans in the House and Senate are going to make comprehensive tax reform a priority, and any legislation we pass will be governed by five principles: First, any bill has to result in increased wages, jobs, and economic growth. Second, it must provide tax relief for the middle class. Third, it has to keep jobs here at home. Fourth, it has to increase American

competitiveness in the global economy. Finally, it has to simplify the Tax Code.

Republicans will be talking a lot about these principles over the coming weeks, but today I would like to take just a few minutes to talk about the first of these principles: making sure that tax reform legislation increases wages, jobs, and economic growth.

Flattening wage growth has been a problem in the United States for decades. During the 8 years of the Obama administration, wage growth was almost nonexistent.

Economic growth was also weak throughout the Obama administration. During the last year of the Obama administration—years, I might add, after the recession ended—economic growth was averaging a dismal 1.5 percent. That is barely half of the growth needed for a healthy economy or for what we have seen historically in this country, going back to the end of World War II.

While things have been looking up a little bit lately, we still have a long way to go to get back on the right track. Things need to get better, and they need to get better faster. We want things to get better for the long term. During the Obama administration, there were periods of reasonable economic growth, but they were quickly followed by weak periods.

That is not good enough. We need to put our economy on a strong, healthy footing for the long term. What does the Tax Code have to do with all of this? How is it discouraging wage growth, job growth, and economic growth?

I want to talk about three big ways it is discouraging growth. To start with, tax rates on businesses, large and small, are too high. Our Nation has the highest corporate tax rate in the industrialized world—at least 10 percentage points higher than the majority of our international competitors. Small businesses face tax rates that can range even higher—up to 44.6 percent for small businesses.

It doesn't take an economist to realize that high tax rates leave businesses with less money to invest, less money to spend on wages, less money to create new jobs, and less money to put back into new property or equipment for their businesses.

This situation is compounded when you are an American business with international competitors that are paying a lot less in taxes than you are. It is no surprise that U.S. businesses struggling to stay competitive in the global economy don't have a lot of resources to devote to creating new jobs and increasing wages.

On top of our high business tax rates, there is another major problem with our Tax Code that puts American businesses at a competitive disadvantage globally—our outdated worldwide tax system.

What does it mean to have a worldwide tax system? It means that American companies pay U.S. taxes on the profit they make here at home, as well as on any profit they make abroad once they bring that money home to the United States.

The problem with this is twofold. First, these companies are already paying taxes to foreign governments on the money they make abroad. Then, when they bring that money home, they end up having to pay taxes again on at least part of those profits and at the highest tax rate in the industrialized world. This discourages them from bringing their profits back to the United States to invest in their domestic operations. Instead, our Tax Code gives them a strong incentive to leave that money abroad and to invest in foreign workers and foreign economies.

The other problem is that most other major world economies have shifted from a worldwide tax system to what is known as a territorial tax system. In a territorial tax system, you pay taxes on the money that you earn where you make it and only there. You aren't taxed again when you bring money back to your home country.

Most of American companies' foreign competitors have been operating under a territorial tax system for years. So they are paying a lot less in taxes on the money they make abroad than American companies are. That leaves American companies at a disadvantage. These foreign companies can underbid American companies for new business simply because they don't have to add as much in taxes into the price of their products or services.

In addition to discouraging growth with high tax rates and with our outdated worldwide tax system, there is another major way our Tax Code discourages growth, and that is by leaving small businesses with very little cash on hand.

I have mentioned the high tax rates that small businesses face, which already restrict their cash flow. The accounting rules in the Tax Code just compound that problem. Under current law, small and medium-sized corporations are often required to pay tax on income before they receive the cash, and they cannot deduct all of their expenses when they pay the invoices. It can take years or even decades for them to recover the cost of their investments in equipment and facilities.

For instance, right now the cost of a computer is recovered over 5 years and tractors, over 7 years, if you are in the ag sector of the economy, and commercial buildings, over 39 years.

The consequences of deducting investments over so many years is that businesses can be left extremely cash-poor in the meantime, and cash-poor businesses don't expand. They don't hire new workers, and they don't increase wages.

Any bill Republicans consider has to fix these elements in our Tax Code that are discouraging growth. It has to lower rates for businesses, both large and small. It has to shift our outdated worldwide tax system to a territorial tax system so that American businesses are not at a competitive disadvantage in the global economy and so that American businesses have an incentive to invest their profits at home in American jobs and American workers, instead of abroad. Any bill we consider has to address the cost-recovery rules that are keeping small businesses cash-poor, often for years at a time.

I have already introduced legislation to help startups and small to medium-sized businesses recover the cost of their investments faster. It is legislation that I hope will become part of the final bill that we consider in the Senate. I am looking forward to working with Chairman HATCH and my colleagues on the Senate Finance Committee as we work to draft the final bill.

The American people have had a rough few years, but economic worry doesn't have to become the status quo for the long term. American workers and job creators are as dynamic and creative as ever. We just need to clear the obstacles from their path, and comprehensive tax reform will allow us to do just that. I look forward to helping to bring the American people real relief this year.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 4:15 p.m.

Thereupon, the Senate, at 3 p.m., recessed until 4:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. GARDNER).

The PRESIDING OFFICER. The Senator from Oklahoma.

EXTENSION OF MORNING BUSINESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California.

DACA

Mrs. FEINSTEIN. Mr. President, I rise to speak about the need to protect undocumented young people, commonly referred to as Dreamers, from deportation.

The Deferred Action for Childhood Arrivals Program, or what is called DACA, was announced by President Obama in 2012 to solve an urgent need. Hundreds of thousands of young people brought to this country as children were at risk of being deported. They didn't take the action to come; their parents took the action to come and bring them. President Obama's Executive order temporarily protected these undocumented young people from deportation. DACA also provides the opportunity to obtain work permits and has made it possible for many young DACA beneficiaries to enroll in college.

If Congress doesn't act now and pass a law, President Trump's decision to terminate this program will have devastating consequences for nearly 800,000 families across the United States, particularly those in California. This decision to end DACA without first ensuring that young people have legal protection is why we are demanding a vote on the Dream Act as soon as possible. DACA recipients deserve certainty now, not 6 months from now. These young people trusted our government, and it is time we stopped playing with their lives.

The Dream Act, introduced by Senators GRAHAM and DURBIN, has been considered many times already by this Congress. It was most recently included in the comprehensive immigration reform bill that passed the Senate in 2013 with 68 votes. I remember it well. I remember weeks in committee. I remember dozens of amendments. I remember the time on the floor, the hope that we would be able to pass comprehensive immigration reform. It had an agricultural workers program in it. It had this program for undocumented children. It had H2A. It had a whole panoply of reforms in it, and it went down. It got 68 votes here, although it didn't survive in the House.

I believe there is broad bipartisan support for the Dream Act. I just learned, for example, that polls are saying that 70 percent of the people in this country are in favor of it. And I would be confident that it would pass if given an up-or-down vote. So I call on leadership to ensure there is a clean vote on the Dream Act this month.

As I mentioned, 800,000 young people have been admitted to the DACA Program, allowing them to come out of the shadows. They were educated here. They work here. They pay taxes. They are integrated into American society. These young people are fiercely patriotic. In every way that truly matters, they are Americans.

Listen to this: 95 percent of DACA recipients are working or in school. That

is 95 percent of 800,000. The typical DACA recipient came to this country at 6 years old. They have known no home other than this one. Many of them only speak English.

Seventy-two percent of the top 25 Fortune 500 companies—companies such as Apple, Amazon, Facebook, J.P. Morgan—employ DACA recipients. DACA recipients are contributing significantly to our economy. It is estimated that ending the program would mean a \$460.3 billion hit to the GDP over the next decade.

But protecting DACA recipients isn't a matter of politics or economics; it is really about what is right as Americans and human beings. This is particularly important for me, representing California, because 1 in 4 Dreamers—223,000—live, work, and study in California, and I can testify that they are an essential part of the fabric of our communities. So it is important for Senators and the American public to know the very real human side to this issue.

I want to share the story of a remarkable young woman whom I met and whose family I met. Her name is Vianney Sanchez. She was brought to this country when she was just 1. Today she lives in East Oakland. I met her and her family last month, and I last spoke to her on Monday night. Vianney is a 23-year-old graduate student from UC Santa Cruz with a degree in psychology. She is pursuing a career in public service so she can give back to this country.

Vianney's mother, Maria, whom I also met, worked as an oncology nurse at Highland Hospital, and her father, Eusebio, worked as a truckdriver. They had no criminal record. They owned their own home, which I visited, a small home in East Oakland. They paid their taxes. And they were in this country for 23 years. I saw them the week before the mother and father were deported last month, sobbing in their living room. My office has worked on their case for years, and their deportation was truly heartbreaking. I will never forget having to call Maria and tell her that I had spoken to the Acting Secretary of Homeland Security, begging her not to deport this family, and that she would be deported and separated from her children the next day. It was one of the most painful calls I have ever had to make.

These heartbreaking photos of the Sanchez family were taken by the San Francisco Chronicle and Bay Area News Group before Maria and Eusebio were forced to leave. This is Maria—20 years a nurse at Highland Hospital. This is Vianney, and this is the second oldest child. The oldest child is DACA, and it has now fallen to her to support her two sisters, maintain the house, work, and hopefully start her career. Her mother, her father, and her American citizen youngest brother are in

Mexico. I think these heartbreaking photos tell a story. Vianney now is facing the uncertainty that she, too, could lose protection and be deported. Then what would happen to her sisters?

Every day we fail to act means one more day that Vianney, Melin, and Elizabeth are forced to live with this enormous cloud hanging over their heads. And, you know, Senator, the fear is palpable. You talk to these young people on the telephone, and you can sense what is happening. First of all, they know the government knows everything about them. The government knows where they live, what they do. They have to report regularly. This is kind of a conditional program, and so they are up front and out front. And you would think this would give them a sense of security, but it actually gives them a sense of insecurity because they don't know what the future will bring.

I would like to share the story of another talented and ambitious Californian who has taken full advantage of the opportunity she has been given. This is Denisse Rojas. She arrived in the United States when she was just 10 months old, brought here from Mexico. Like many of our immigrant ancestors, her parents wanted to make a better life for their children. This is a very recent photo of her; you can see she is beautiful.

Denisse's family is similar to other families in California. After arriving in Fremont, her father worked full time in a restaurant while pursuing his high school diploma at night. Her mother attended community college part time for 7 years to earn her nursing degree. After years of trying to gain legal status, her parents were forced to move to Canada. That left Denisse.

Denisse excelled in high school, graduating with a 4.3 GPA. She attended UC Berkeley, which is one of the top public universities in the Nation, to study biology and sociology. She dreamt of going to medical school, driven in part by a family member's earlier death from cancer. The cancer was diagnosed at a late stage because the family's immigration status made it impossible to afford health insurance. Denisse worked as a waitress and commuted an hour each way to classes because she couldn't afford to live on campus. After graduation, she volunteered at San Francisco General Hospital.

This is Denisse today. She is in New York at Mount Sinai Medical School, one of the country's top programs. She is on track to earn her degree in 2019. You can see her in the middle of this photo in her medical scrubs and how proud she is.

To help other students navigate the admissions process and pursue careers in health and medicine, Denisse co-founded a national nonprofit organization called Pre-Health Dreamers.

Through Pre-Health Dreamers, Denisse has helped many other students as they work toward their goals.

After graduation, she intends to specialize in emergency medicine and work in low-income communities to provide healthcare to families like her own who too often go without needed treatment.

Parts of California, particularly our rural counties, are very short on doctors. This is a big problem. In the healthcare reform, they are lucky if they have the choice of one insurance. So we desperately need people like Denisse who want to work in communities most in need of skilled health professionals.

Without DACA or passage of the Dream Act, Denisse won't be able to come home. She won't be able to stay. All of the education that has gotten her here—a top-notch university and a top-notch hospital, I assume as an intern or a resident at this time—she wouldn't have the proper work authorization or accompanying documents, and our country would be denied a highly qualified, motivated doctor.

In closing, I really believe we have a moral obligation to do all we can to shield these young people from deportation. Remember, they did not break the law. They were brought here as children, many as babies. Some don't know the language of the land from whence they came. They all speak English very well. They want the American dream. They are motivated, and they are patriotic. I was listening to a young person the other day, and all she wanted to do was be in the military. She is ROTC and wants to be in the military. You know, these are the people who make this country great, and we can't forsake them.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, it would have taken moral courage—something he doesn't have—for President Trump to stand in front of the American people to say why he was going back on his word to “deal with DACA with heart” and help these “absolutely incredible kids” in a way that is going to “make people happy and proud.”

Instead, he sent out his Attorney General, Jeff Sessions, long a foe of immigration reform, to break the bad news to 800,000 young people and their families that he was rescinding DACA. This was bloodless, heartless, and completely unjustifiable. In his remarks, the Attorney General composed an elaborate fiction about DACA, a program that has transformed the lives of 800,000 young people, and the Attorney General actually thought the American people would fall for his made-up remarks. He not only claimed that DACA was unconstitutional but also falsely claimed that Dreamers were taking hundreds of thousands of jobs away

from Americans and that they deserved to be punished.

The fact is, a strong majority of the American people are siding with the DACA participants. The American people aren't threatened by these inspiring young people. They are not criminals. They aren't causing trouble. They are students, doctors, nurses, teachers, and entrepreneurs making real and meaningful contributions to our society. They are simply asking for the opportunity to pursue their dreams—hence, they are called Dreamers—in the only country they know, the United States of America. It is why so many people across the country are speaking out forcefully against the President's decision to end DACA.

While I was back home in Hawaii last month, I met with activists, community organizations, and State leaders to rally support for DACA and to call for establishing permanent protections for these Dreamers across the country. Hawaii is home to 600 DACA recipients and thousands more Dreamers who could have qualified for the program but were reluctant to expose themselves to the government. I would like to share some of their compelling stories.

Gabriella came to the United States with her family in 2001, fleeing violence in Brazil. They came here out of love and hope for a better future. Every day Gabriella and her family worried about being sent back to the violent situation they escaped. Gabriella graduated from high school with a 3.8 GPA and had big plans to pursue higher education, but at that time she couldn't enroll in college because she was undocumented.

DACA changed her life. She said:

I had been living here undocumented for 10 years and had seen a lot of opportunities pass me by. I knew I couldn't continue to live this way.

[DACA] changed my life for the better. Since getting DACA in 2012, I have been able to get a driver's license, to have a career, to go to school, and leave my home every day knowing that I could come home to my family at the end of the day.

Another story. Mahe came to Hawaii from Tonga when he was a child. When he turned 21, he learned he might be deported. Before receiving DACA, the only job Mahe could find was building rock walls with his uncle in Waialua. He didn't have a car to get to work. He woke up at 4 a.m. every day to catch a bus to Pearl City, where he switched buses for the ride to Waialua.

After working in the hot Sun all day, Mahe would have to take a 2-hour bus ride home to get to bed at 10 p.m. before starting his routine over again the next morning.

Since I got DACA, life has changed a lot. I applied for my first job and got it. I worked really hard and made supervisor. They gave me a company car and a company phone. It was really, really nice just to know that with hard work and effort you can get places.

Eliminating DACA would erase the meaningful economic and social contributions Dreamers like Gabriella and Mahe have made to Hawaii and our country. Multiply their stories thousands of times, and you get a sense of how many lives are being shattered by a President who wouldn't help the young people he claims to "love," even as he was ordering their probable deportation.

According to a report from the Cato Institute, rescinding DACA would cost the State of Hawaii \$577.5 million in the coming decade from unrealized economic growth and lost taxes. That is from 600 DACA participants. There are 800,000 of them throughout the country. Just the economic loss alone would be tremendous.

Of course, the contributions Dreamers make to our country cannot and should not be reduced only to a dollar figure. Standing up for them and their American dream is a moral imperative. It is why leaders from across Hawaii are speaking about DACA and protecting Dreamers.

In an email to students, faculty, and staff yesterday, the president of the University of Hawaii, David Lassner, reaffirmed the university's "commitment to serve all members of our community, regardless of citizenship status," stating:

Well over four years ago the UH Board of Regents adopted a policy to extend eligibility for resident tuition rates to undocumented students, including but not limited to those who have filed for DACA.

I remain on record, with hundreds of my fellow college and university presidents, in public support of DACA. Over the next months we will strengthen our urging of Congress to extend the DACA program and protect the dreamers of our State and our nation.

He goes on:

Our undocumented students are an integral part of our community and will continue to be extended all the rights, privileges, and services available to our students, from application through graduation.

As our state's only higher public education system we have a deep responsibility to provide high-quality affordable education to advance all our people, our communities and our islands. That mission requires that we support and celebrate diversity, respect and caring.

We must overcome hate and intolerance even as we support free speech and free expression. It is clear that UH, like universities around the country, is entering uncharted territory.

Our clear and firm adherence to our values in challenging times is more essential than ever.

So stated the president of the University of Hawaii.

In another very recent development, Hawaii's attorney general, Doug Chin, joined 15 attorneys general from across the country filing suit against the Trump administration to prevent it from eliminating the DACA Program. They filed the lawsuit on equal protection grounds. I strongly support efforts

in the courts to prevent the President from rescinding DACA and putting 800,000 young lives at risk for deportation.

Since the President has kicked the ball to Congress to save DACA, something he could and should have done himself, Congress must step up and do just that. Congress must step up because we cannot count on the President to do the right thing by exerting consistent, comprehensive, or moral leadership. Although it was completely within the President's power to keep DACA in place, Congress can provide the certainty these Dreamers deserve by passing the Dream Act, a bill that enjoys bipartisan support.

I also want to send a clear message to the President and his hardline supporters in Congress. I will join with my colleagues to resist any effort to hold Dreamers hostage to pay for the President's vanity wall, in exchange for sharp reductions in legal immigration or for any other dog whistles to his base. I will do everything I can to fight against this administration's continued efforts to marginalize minority communities or to pit immigrant communities against one another. As an immigrant and minority myself, I certainly know what these communities are experiencing. This is precisely what the President continues to do in an effort to play to White supremacists in his base. Sadly, this is not surprising. It is up to each of us to fight back, and we will.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, first, I want to thank my colleague from Hawaii for her outstanding words. She comes from a State like mine that thrives on diversity, welcoming people from all over the globe and making us stronger, and she has been a symbol of that herself as well as all the millions of wonderful people she represents in Hawaii.

I rise this afternoon alongside my colleague from Hawaii, my colleague from Washington State, and others to make a case for the swift passage of the Dream Act. There are 800,000 Dreamers living in our country today, hard-working folks who came to this country through no fault of their own. To many, America is the only country they have ever known. More than that, they contribute so much to our country. They work in our companies, go to our schools, even serve in our military. All they want is to live and work and contribute to our great country. Why wouldn't we want them to?

The President's decision yesterday to end DACA threw their futures in doubt, threatening to rip apart families and telling people who have worked so hard to become Americans that they have to leave the country. The President's DACA decision is also bad economics.

It would deprive thousands of employees that rely on these hard workers.

The Libertarian-leaning Cato Institute estimates that ending DACA would cost employers over \$2 billion in 2 years alone. The Center for American Progress found it would drain \$433 billion from our GDP over 10 years. That is why more than 500 business leaders—some of the leading business people in our country—have signed on to a letter in defense of DACA. That is why Microsoft recently said that protecting the Dreamers was their No. 1 legislative goal, greater than a cut to the corporate tax rate. That is how much Dreamers mean to them personally and to their bottom lines.

The economic consequence of ending DACA would be far-reaching and likely devastating. There would also be a devastating moral cost if we didn't pass the Dream Act to protect these kids.

I am reminded of a young woman, Kirssy Martinez, who was brought to this country from the Dominican Republic as a very young child and grew up in my city, in the borough of the Bronx. After graduating high school in New York City, Kirssy was stuck in the shadows. She worked small jobs as a waitress and as a babysitter. Though she was a good student coming out of high school and even had a few scholarship offers, she couldn't attend college because she didn't have a green card.

The DACA Program granted her temporary legal status. She worked hard to scrape together enough for loans and enrolled in Bronx Community College. A few years ago, I spoke at her graduation, where she was the coaledictorian of her class. I watched her. What a wonderful young lady. She had a perfect GPA, 4.0.

Kirssy represents what we think of as the best of our country. She is part of what makes America great. Like generations before her, she wants to study hard, work hard, and give back to her community. What kind of country would we be—what kind of country have we become if we say that Kirssy and 800,000 hard-working folks just like her are not welcome.

Congress has a responsibility to act. I know the Presiding Officer sees it that way as well, and I very much appreciate it. We should do, as soon as we can, whatever we can.

I repeat what I said to the majority leader and the Speaker of the House this morning at the White House: Put a clean Dream Act on the floor in both Houses. It will receive bipartisan support. I believe it would pass by significant margins in each House. We could remove the fear of deportation and give peace of mind to 800,000 Dreamers if only our leadership would put the bill on the floor. It is that simple. If we don't see a clean Dream Act in September, we, as the minority, are prepared to attach it to legislative vehicles in the fall until it passes.

These Dreamers are Americans in their hearts. They ought to become Americans in the law books as well, and we Democrats will not rest until that happens.

Thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, some 800,000 people in this country woke up this morning with great uncertainty about their future because of President Trump's reckless, hateful agenda. Young men and women in this country are now unsure if they will be able to finish their college degree in the United States. They are unsure if they can keep their job at the hospital or as a firefighter or serve in our military to fight for our freedom. They are unsure if they can keep their homes or remain with loved ones, and they are scared that this country might break its promise and use against them the very information that they submitted to enroll in DACA in order to find them and deport them. That is appalling, and it marks a very sad time for this United States of America.

President Trump has caused a lot of divisive and disheartening moments since the start of the year, but rescinding DACA is an unusually cruel and heartless move even for this administration, and it flies in the face of so much of what and who made this country what it is. So I am here today, with my colleagues, to urge all of us in the Senate to use this moment of uncertainty and division to do what is right—to come together to defend DACA.

Use your voices for the Dreamers in your States and the many others who are calling and writing and marching in our streets, urging all of us to act for our neighbors and our coworkers, our students, our doctors, our engineers, our friends, and our first responders, who are stepping up at this very moment to protect people from the hurricanes that are wreaking havoc in Texas and Florida to the wildfires that are blazing in the West.

Let's stand behind our colleagues, Senator DURBIN and Senator GRAHAM, who have already paved a bipartisan path forward on this issue and who, just hours after the President's announcement, reiterated that they are ready to get this done. I am too.

There are more than 17,000 young men and women in my home State of Washington who are deeply connected to their communities. They were brought to this country as children. Some of them were so young when they arrived that they did not even know they were not born here until years or, maybe, even a decade later when they went to apply for college or to get a job.

Just yesterday, I heard about a young man in my home State who is very distraught. He was brought to the

United States as a toddler. He did not know that he was not a citizen until he turned 16 and went to get his driver's license. As a result, he signed up for DACA. He got his license and he got a job, and he is now in his second year in a science program at a community college, getting straight A's and hoping to transfer to the University of Washington. Now he is frightened that he is going to lose all of that and be forced to go to a country that he has never known. He says that he does not know anyone in Mexico nor has he been there to visit.

That is just one story.

I sat down with a number of Dreamers in my State. They are ambitious, they work hard, they play by the rules, and they do the right thing. They know one home—America. To penalize them for forces beyond their control is simply not what this country is about.

While President Trump may see ending DACA as a political move to pander to his extreme, hard-line base, I know that the majority of people across this country will stand up and fight back. They will not let President Trump strip away protections or use Dreamers as a bargaining chip for his hateful crackdown on immigrants in our communities or on wasteful border wall spending.

As a voice in Congress for my State, I stand ready to work with my colleagues on either side of the aisle to find a solution so as to honor the 800,000 Dreamers who call America home and to honor the very foundation of our immigrant Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I understand that Senator VAN HOLLEN was going to speak, but since he is not here, I ask unanimous consent to make what remarks I need to in morning business and will yield to him when I am through.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, it is interesting to hear the DACA talk. I think one should take a step back and look and ask: Is it really unreasonable to merely say that so long as we will obey the law, we are going to be all right? I think this President did the right thing when he said: All right, Congress. You take a few months and see if you can come up with some answers. That is a good answer. If that is the case, then that is, maybe, what we should do.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. INHOFE. Mr. President, what I am really concerned about right now is that we are getting ready to do the National Defense Authorization Act. This is something that we will pass. We

have passed it now for 55 consecutive years, and it is going to be passed this time. It is important because one of the primary constitutional responsibilities we have is to provide for the common defense of our great Nation, and recent worldwide events highlight the urgency of this need.

I have spoken numerous times about the grave threat that is posed by North Korea and warned that it would not be long before North Korea could demonstrate the capability of firing an intercontinental ballistic missile that would be capable of reaching the United States. It is not just my saying it; others are saying it. We have a lot of very courageous individuals who have come forth from the military. I am not used to this. I have been here for 23 years; yet I have not seen them come forth and just be clear about the threat that is facing this country.

In April, ADM Harry Harris, the Pacific Command commander testified in front of the Senate Armed Services Committee that it is clearly a matter of when and not if that Korea would develop the capability to strike the United States of America. This has never happened before. In May, Lt. Gen. Vincent Stewart, who is the Director of the Defense Intelligence Agency, testified. Actually, he testified before the subcommittee that I chair. He said:

Let me be clear on this point. If left on its current trajectory, the regime will ultimately succeed in fielding a nuclear-armed missile capable of threatening the United States homeland.

We have talked about this being the most threatened position that we have been in in the history of this country. I have often referred to the good old days of the Cold War when we had two superpowers. We knew what they had, and they knew what we had. It was predictable, but it is not predictable anymore. You have countries like Yemen, countries like Iran, countries like North Korea that are developing these capabilities that they now have. It is within reach.

Since then, unfortunately, I have been proven to be correct as the North Korea regime continues to demonstrate its dire threat facing us. On July 4, North Korea successfully launched its first ICBM. It was the first time that they had done it. If fired on a standard trajectory, the missile could have ranged Alaska. Some experts say that it could have gone even deeper into the continental United States.

In light of that test, the Defense Intelligence Agency updated its assessment of the timeline by which North Korea will be able to reliably range U.S. cities—we are talking about Washington, DC—with nuclear missiles as early as the end of next year or even earlier. This past Sunday, September 3, North Korea tested what is believed to be a hydrogen bomb, its most powerful

nuclear weapon to date—almost seven times as powerful as the bomb that was detonated over Hiroshima. North Korean media immediately stated that the nuclear test was to determine the “accuracy and credibility” of its “hydrogen bomb to be placed at the payload of an ICBM.”

It does not get any more direct than that. Even if delivered by a relatively inaccurate ICBM—because they are relatively inaccurate—a nuclear device as powerful as the one that was tested Sunday could devastate its target. Just think about that—7 to 10 times stronger than the one that wiped out Hiroshima. It is important to remember that all of this power is being wielded by an erratic despot, Kim Jong Un.

North Korea’s official newspaper relayed the threat of a preemptive strike in April. This is a quote from their newspaper: “[It would] completely and immediately wipe out not only U.S. imperialists’ invasion forces in South Korea and its surrounding areas but the U.S. mainland and reduce them to ashes.” This is a newspaper that is behind this leader over there, and it has made this threat to the United States. We have never experienced anything like this in this country before. Now that we are getting into the NDAA this year, we have to keep this grave threat foremost in our minds, and we are doing it.

I have had numerous conversations with the chairman of our committee, and we are going to make these commitments. We have serious readiness deficits that are going to have to be addressed right away. Over the last 90 days, a spike in accidents across the military services has occurred. I had the CNO of the Navy and the Secretary of the Navy in my office a few minutes ago, and we talked about how they are addressing this thing. It is hard to correlate these accidents with a readiness decline as a result of numerous continuing resolutions and sequestration. It is just another surprise that we have not had before.

Our forces are now smaller than the days of the hollow force. Some of us remember that was back after the Carter administration. It was when our own forces declared that it was a hollow force of the seventies. Yet we had a hearing just the other day, and we had some of the top people in. In fact, it was the vice chiefs of all of the services, and they agreed that our situation right now is worse than it was in the days of the hollow force.

Our Air Force is short 1,500 pilots, and 1,300 of those are fighter pilots. I believe 50 percent of our Air Force squadrons are trained and ready to conduct all of their assigned missions.

The Navy is the smallest and least ready it has been in years. Currently, it can only meet about 40 percent of the demand from regional combatant commanders. More than half of the

Navy’s aircraft are grounded because they are awaiting maintenance or lack the necessary spare parts.

The Marine Corps is struggling to keep their aging F/A-18 Hornets airworthy. I think the last I heard is that 62 percent of them were not able to address that readiness.

The Army has said that only about one-third of its brigade combat teams, one-fourth of their combat aviation brigades, and one-half of their division headquarters are currently ready. That is a sobering assessment, and we are again in the most threatened position we have been in as a nation.

The bill that we have presented out of the Armed Services Committee goes a long way toward closing these readiness gaps. Our bill increases end strength and boosts funding for equipment, operations, maintenance, military construction, and it includes a 2.1-percent pay increase for our troops. It also addresses many requirements for the services and combatant commander’s unfunded priority lists.

I am also pleased that the Senate Armed Services Committee’s NDAA prohibits a Base Realignment and Closure round this year. It is called a BRAC round, which is when they go through and make an evaluation as to what our capabilities are, what changes should be made, and what bases should be closed—decisions like that. The problem with that is if you do this when we have gone through a period of disarmament, as some have called it—and we are in a position right now when we need every nickel that we can have for the military. One thing that is always a certainty is that when you go through a BRAC round, it always costs money for the first few years, and we cannot afford to do it right now.

Our NDAA also fully funds Missile Defense Agency unfunded priorities, which is important considering that, since 2006, the Missile Defense Agency’s budget has fallen more than 23 percent. Every amendment that we consider in our NDAA this year should be equally focused on increasing readiness across the Services.

I will wrap up with a quote from General Milley, the Chief of Staff of the Army. This quote is one that we should keep in mind throughout the NDAA process. By the way, I admire our uniforms for coming forth and talking about the dilemma that we are in because it is very difficult for them to do that.

General Milley said it best when it comes to funding our military:

The only thing more expensive than deterrence is actually fighting a war, and the only thing more expensive than fighting a war is fighting one and losing one. . . . We’re expensive. We recognize that. But the bottom line is, it’s an investment that is worth every nickel.

It is.

I apologize to my friend.

I suggest that this is probably the most significant bill coming up this year, and I think Senator MCCAIN said that we are going to be starting on it next week. It has been the most important bill of the year for the last 55 years, and it will continue to be this year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, at the outset, I say to the Senator from Oklahoma that I agree with his statements with respect to the threat posed by North Korea, its nuclear weapons program, both the development of nuclear bombs and the most recent explosion, which was a larger yield than ever before, plus their missile program, including their ICBMs. I think it is important that this Congress do its part and act quickly by further economically squeezing North Korea.

I know that the Presiding Officer and Senator MARKEY have a piece of legislation. I, together with Senator TOOMEY, have a piece of legislation in the Banking, Housing, and Urban Affairs Committee that would further tighten the economic pressure on North Korea. So I hope that the Congress will move forward quickly.

Mr. INHOFE. Mr. President, I thank the Senator. I would say only that this is the one thing that we agree on. We disagree on a lot of things in this Chamber, but this is one that we have to agree on and do what is necessary to do our job.

Mr. VAN HOLLEN. Yes, indeed. I think that that is exactly right. We have 28,000 American soldiers in South Korea and about 50,000 in Japan.

DACA

Mr. VAN HOLLEN. Mr. President, I came here to the floor to talk about the Dreamers, and I do think that it is important to start by making the point that many of those Dreamers are serving in our Armed Forces today. They have put their lives at risk for the only country that they know, which is the United States of America.

It was just shortly after the November election, when then-President-Elect Trump told Time Magazine, when he was talking about Dreamers:

We're going to work something out that's going to make people happy and proud.

He was referring to the Dreamers. He continues:

They got brought here at a very young age, they've worked here, they've gone to school here. Some were good students. Some have wonderful jobs. And they're in never-never land because they don't know what's going to happen.

That is what President Trump said right after the election.

Yesterday, he delivered the cruel news about what would happen 6

months from now if this Congress doesn't act, which is that those Dreamers will be at risk of being thrown out of our country. They will be at risk of being deported from the United States of America.

So the very President who said he was going to do something to make people "happy and proud" did something that was sad and shameful in our country. A majority of Americans agree that it is wrong to deport the Dreamers. Not just majorities of Democrats or Independents but also majorities of Republicans recognize that it is the wrong thing to do.

As President Trump has acknowledged, these Dreamers were brought to the United States as young children. Regardless of the acts of adults or their parents, these children have done nothing wrong. They are our neighbors. They attend schools with our kids. They pledge allegiance to the flag every morning at school. They sing the Star-Spangled Banner. They play on the same sports teams.

In fact, many of these Dreamers didn't even recognize that they did not have full legal status until they reached adulthood. It was the DACA Program that provided these young people with at least the assurance that the rest of the country wanted them to stay and that they would not be deported so long as they played by the rules, so long as they did what this country asked of them. That is what they are doing.

Ninety-five percent of the Dreamers are in school or working at American businesses, large and small. They are contributing to our economy. Once they received that stability under DACA, 54 percent went out and bought their first car at local car dealerships around the country. Twelve percent were able to go out and make a down payment on their first home. When they go out to buy homes and buy cars, they are supporting our economy, which is why deporting these 800,000 Dreamers is not only the wrong thing to do from the perspective of humanity and being a fair country, but it is bad for our economy as well.

As I indicated at the outset, these Dreamers participate in our Armed Forces and help protect the national security of our country. In my State of Maryland, we have 10,000 Dreamers who are contributing in many positive ways to our State.

When I think of Dreamers, I think of a young man now whose name is Steven Acuna. He is a Maryland resident. In 2001, he was 8 years old when his family came to the United States from Colombia after they began receiving death threats. Ever since his family arrived 16 years ago, they have lived and worked in this country as productive and law-abiding citizens.

In 2012, they were denied the political asylum they had sought here. So they

were actually at that time yanked from their Germantown, MD, home and locked up in a detention center on the Eastern Shore of Maryland. At that time, they reached out to my congressional office, and we joined with advocacy organizations and immigration lawyers and local leaders to make sure that family was not deported.

Then, thanks to the DACA Program, that made it possible for Dreamers like Steven Acuna to stay in the United States legally. He just graduated with a bachelor's degree in chemical engineering from the University of Maryland. Steve aspires to be an orthopedic surgeon. Here is a picture of Steve Acuna with his family, celebrating his recent graduation from the University of Maryland and aspiring to go on to become a surgeon.

The message President Trump sent to Steve Acuna and his family yesterday is shameful. The message he sent was this: We don't want you in the United States anymore.

It would be a grave mistake—the wrong thing, morally—and it is also the wrong thing from the perspective of making sure we have a community that works for everybody and a strong local economy.

We have invested in Steve Acuna. He wants to go on to be an orthopedic surgeon. Yet this administration is telling him: If Congress doesn't act in 6 months, you are out of here.

So that brings us to what we are going to do here in the Senate and what we are going to do in the House of Representatives. President Trump did not have to make the decision he made yesterday. It was cruel and it was gratuitous, but he has made that decision. Now it is up to us in the Senate and in the Congress to do the right thing. In fact, President Trump has said to Congress: Go ahead and make sure that Dreamers can stay. So, on the one hand, he took an action he didn't have to. He put them at risk. He lit the fuse on a 6-month detonator, and he handed it to Congress. Now it is up to us to do the right thing, and it is essential that this Senate vote on the Dreamers bill in the coming weeks.

We already have it in front of us. It is a bipartisan piece of legislation. Its primary sponsors are Senator LINDSEY GRAHAM, a Republican from South Carolina, and Senator DICK DURBIN, a Democrat from the State of Illinois. We have a bipartisan bill that has been introduced in the Senate. Now this is the question: When are we going to get to vote on it? When are we going to be able to take up this legislation?

Because of the action taken just yesterday by President Trump, it is imperative that we act right now to provide stability and confidence to these young men and women who have already done so much to contribute to our country—and many are serving today in our Armed Forces—and to let them and the

country know that we can act on a bipartisan basis to do what the overwhelming majority of the American people—Democrats, Republicans, and Independents alike—want us to do.

So let's take up the Dreamers bill. Let's take it up now. There is no excuse for delay. People should vote in the light of day. People should let their constituents know where they stand on this issue. This is a question not just of fairness, but it is a question of political accountability and transparency.

President Trump has told Congress that we should act. In this case, we have an obligation at least to take a vote on this issue. I am absolutely confident that, when this body takes that vote, we will do the right thing. We will vote to protect the Dreamers and, in doing so, protect the commitments we as a country have made to people who have done nothing wrong. As a country, I hope we stand for the principle that people should not be punished when they have done nothing wrong, and when, in fact, they have done everything our country has asked of them.

So let's take up the Dreamers bill with dispatch, and let's pass it and let's have the House pass it. It wasn't absolutely clear, but President Trump, in his most recent tweet, seemed to say that he is ready to sign what we send to him. So let's get it done.

Thank you, Mr. President.

I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. LEE).
The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, our country is in trouble. America—and this government right here in Washington—works great for people at the top, works great for corporations that can hire armies of lobbyists and lawyers, but for everyone else, America isn't working so well. For decades, expenses have gone up while wages have been flat. Economic opportunity is slipping away from too many Americans.

We know how to fix what is happening—by kicking the lobbyists and the lawyers and the rich donors and the giant companies out of the room and putting working families first. The President of the United States isn't interested in doing that. His first major legislative initiative was to try to boot tens of millions of people off their health insurance. His second major legislative initiative is to try to give giant tax breaks to rich folks and enormous corporations while working people pay for them.

I suppose it is not surprising that the President has no intention of helping

working families. After all, he is a rich donor, and he personally profits every single day from a giant company he named after himself.

Here is Donald Trump, a man who promised over and over during the Presidential campaign that he would be on the side of working people. Here is Donald Trump doing the exact opposite of what he told the American people he would do. It is the exact opposite of what the American people need him to do. Sooner or later, it is going to catch up with him. President Trump wants to delay that reckoning for as long as possible. From the day he first announced his Presidential campaign, it has been obvious how he plans to do it—by turning us against each other, by telling everyone that the real problem in America is the neighbor who doesn't look like you, the coworker who doesn't worship like you, the guy in the grocery store who doesn't sound like you.

Nowhere has this been more obvious than on the politics of race. In November, President Trump named Jeff Sessions—a man considered too racist to be a Federal judge—as our Nation's Attorney General. In January, President Trump rolled out an unconstitutional Muslim ban. In August, after White supremacists marched in the streets, President Trump defended hate. Also in August, he used his first Presidential pardon to shield a racist former sheriff who broke the law.

Yesterday morning, the President continued his campaign to turn us against each other when he decided to end the DACA Program. DACA gives 800,000 young people who were brought to the United States as children the chance to live, work, get an education, and become valuable members of our society. The President said he would end the program. That means over 800,000 young people who have been here their entire lives, who came out of the shadows to contribute to our economy, could be deported to countries they barely know.

Divide and conquer is an old story in America. It is a cold, political calculation. Those with money and power have used it time and time again to keep us fighting with each other—fighting over religion, fighting over race, fighting over anything that keeps us from coming together to fight back against a rigged system.

President Trump wants us to turn our backs on 800,000 Dreamers, including nearly 8,000 Dreamers in Massachusetts. He doesn't want us to look at these young people and see them for who they are; he just wants us to see them as threats. After all, he launched his campaign by calling immigrants rapists and criminals, and that is exactly what he wants everyone else to see. I would like to introduce three Dreamers from Massachusetts and let the American people decide if that is true.

Reina Guevara fled from El Salvador when she was only 11 years old. She is a model student. She won a scholarship, and right now she is working on her bachelor's degree at UMass Boston.

Before the DACA Program allowed her to come out of the shadows, Reina worked up to 70 hours a week in a restaurant for a boss who sexually harassed her. On multiple occasions, he propositioned her to have a sexual relationship with him, threatening to call immigration on her if she refused his advances. The harassment became so frequent and so bad that Reina decided to quit her job, forgoing critical income. Knowing there was no one for her to tell, her boss refused to pay her for her last 2 weeks of work.

Reina was an easy target. A woman without official immigration status was a woman who couldn't complain to HR when she was assaulted, underpaid, or made to work in dangerous conditions. A woman without immigration status was a woman who knew that speaking up could mean immediate deportation.

When Reina entered the DACA Program, her life changed. It meant she could stand up for herself without being afraid that she would be kicked out of America.

I asked Reina what DACA means to her. This is what she told me: "DACA to me means the opportunity to be the first one in my family to graduate with a Bachelor's Degree, to work without the fear of being humiliated and exploited due to my status." Donald Trump wants Reina banished from our country.

Bruno Villegas McCubbin was 6 years old when he left his home. Like most parents, Bruno's mother and father wanted to keep their children safe. That wasn't easy when Peru's economy collapsed. Bruno's father, who was a traveling salesman, was forced to travel to more remote and more dangerous places. It got so dangerous that on one trip, Bruno said he was attacked by armed robbers and injured by flying glass from gunshots.

After that, Bruno's parents decided they should escape to America. Bruno's family settled in Garden Grove, CA, where Bruno and his sister and his parents shared one room in his uncle's two-bedroom apartment. Bruno's parents, who had white-collar jobs in Peru, worked 12-hour days in low-wage jobs just to keep food on the table. While his parents were hard at work, Bruno was building dreams. He threw himself into his studies. When he graduated from high school, he was second in his class. Bruno did a lot more than just study; he founded an organization to help struggling students. He served as a tutor. He played the saxophone.

Bruno was in high school when the DACA Program began. Today, he is a junior at Harvard, where he serves as a student coordinator for the Harvard Financial Aid Initiative, which provides

financial aid information to promising high school students from low-income families.

I asked Bruno what DACA means to him. He said: "It means the opportunity for many of us to work here legally and achieve the American Dream that this country still boasts, so we can then give back to our families that have sacrificed so much for us, and to the country that helped form us into what we are today." Donald Trump wants Bruno banished from our country.

I could do this all night, but others want a chance to tell their stories as well. So I am just going to do one more: Elias Rosenfeld. Like Bruno, Elias was 6 years old when his parents brought him and his sister to the United States. He remembers hearing stories every day of violence in Venezuela. A gun was pulled on his mother while her car was at a stoplight, and his grandfather was robbed after making a bank withdrawal. To keep her kids safe, Elias' mother transferred to a company in Miami on a visa that allows executives and managers from other countries to work in the United States and then to apply for permanent resident status. But she never got the chance to apply for permanent resident status because when Elias was 11, his mother died of cancer. When he lost his mother, Elias lost his protected status without even knowing it.

In high school, Elias took tough classes, including 13 advanced placement courses. He worked hard, and he earned nearly straight A's. He served in student government and on the speech and debate teams. He volunteered with the Children's Trust and also with the Homeless Trust. The activities director at Elias' high school called Elias his hero. He said: "I've been teaching here for 20 years and I've never seen a student like this young man."

Elias' commitment to academic excellence earned him a Myra Kraft Transitional Year Program scholarship to attend Brandeis University. Earlier this year, Elias worked as an intern in my office. I asked Elias what DACA meant to him. He said it has been a "source of optimism and a light of protection." He wrote:

For years, before DACA arrived I would sleep in bed at night with a constant fear of deportation, imagining in my head the visual of ICE breaking through my door to deport myself or my sister. When DACA came, this fear stopped. . . .

But Donald Trump wants Elias banished from our country.

America asked people like Elias, Bruno, Reina, and nearly a million young people all across this country to come out of the shadows. We made them a promise: Work hard, play by the rules, contribute to America, get an education, defend our country, help us build an economy that works, and in

exchange we won't knock on your door in the middle of the night and rip you from your home and ship you off to a foreign country you barely remember.

President Trump decided to break that promise. He is hiding behind Jeff Sessions and some flimsy lawyer nonsense, but he is breaking that promise, pure and simple. That means he is failing in his basic, moral duty to protect these people, these children of America.

That is not who America is. America is not a place that punishes children for the sins of their fathers. America is not a place that boots out smart, hard-working, decent young people who have spent nearly all their lives here and who are a core part of our Nation's future.

Donald Trump wants to turn us against each other. He wants to banish Reina, Bruno, Elias, and hundreds of thousands of other young people from our country. He says that is how we will build a better America.

Well, Donald Trump is wrong. He wants to build a hateful and frightened America. But we have the chance to turn away from the hate and fear. We have the chance right here in Congress to take an important step toward building a stronger, more vibrant America. We have the chance to make DACA the law so that Donald Trump cannot take away the dreams of 800,000 young people like Reina, Bruno, and Elias. We can and we must pass the Dream Act now.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, the Senator from Massachusetts has delivered a powerful message, obviously, one from the heart and a compelling message. I want to thank her for that.

We have a bunch of new pages here. They showed up for duty earlier this week, and they are generally, I think, rising juniors, probably 16 years old or so. Most of the 800,000 people who we are talking about here as Dreamers came here before they were old enough to be a page, and many of them were not even old enough to go to kindergarten or first grade. They didn't come here by their own volition.

They were, for the most part, brought here by their parents. They were brought here to flee horrific conditions in countries such as Honduras, Guatemala, and El Salvador, where there is violence, murder, and mayhem that is largely created because of our addiction to drugs in this country. They send us drugs trafficked through those countries from South America, and we send guns and money to places such as Honduras, Guatemala, and El Salvador.

When we take into custody bad guys, people who are here illegally and who are also criminals, where do we send them? We send them back to Honduras,

Guatemala, and El Salvador. We send them criminals, and we send guns and money to those three countries. The conditions that this toxic mix creates are ones that I wouldn't want to submit my children or my family to, and, frankly, a lot of the people in those three countries feel the same way.

We are complicit in their misery. We are complicit in their misery, and that is why so many folks in those three countries, which are called the Northern Triangle, try to escape.

These kids didn't come here on their own. They came here with their parents. Many of them, frankly, don't have any memories of where they were born. We are not looking for them to become American citizens. What DACA attempts to do is to give them some time—to give us some time—to be able to make their stays here legal—something short of citizenship.

If your hearts aren't touched by the stories that Senator WARREN just told us about these three young people, I want to take a little different approach and express why we should care. I came here to the Senate some years ago as a recovering Governor. I was privileged to be Governor of Delaware from 1993 to 2001, and people say that I am still a recovering Governor.

I have focused much of my life on public service and on creating a nurturing environment for job creation and job preservation. Presidents, Governors, Senators, and mayors like to talk about the jobs they created and, in truth, we don't create jobs. People in our positions try to create a more nurturing environment for job creation, and that includes a quality workforce with the skills that are needed by employers. It includes transportation infrastructure that works. It includes public safety. It includes access to capital to finance the projects. It includes a lot of things: energy, a reasonable tax burden, and common-sense regulations. Those are some of the elements that create a nurturing environment.

One of the top items on that list is always workforce—people who have the skills that employers are looking for, people who have the willingness to come to work and to work hard, to be trained, and to be promoted, in many cases, and people who are honest.

I have not met 800 Dreamers. But at Delaware State University, which is a historically Black college and university in Dover, DE—they have been around for 125 years—there are about 40 Dreamers who are undergraduates there, either freshmen or sophomores, and I have met most of them. They are some of the most remarkable college students I have ever met. These are students who aren't just getting by with a 2.0 average or 3.0 average. These are students who are on the dean's list, who come to school on time, who don't cut classes, who make excellent grades,

who work in many cases part-time jobs to help support their time in school, and who are anxious to be able to make real contributions to our community, to our State, and to our country.

One young man, who was from El Salvador, at a public event we had 2 days ago on Tuesday at Delaware State University, said this to us—to the president of the university, Harry Williams, and their new provost, Tony Allen. He stood up, he held his hand over his heart, and he said: Every day since I was the age of 5 in kindergarten, in the school I held my hand over my heart and pledged allegiance to that flag. He said: I don't have any other flag. I don't have any other country. This is my country.

We need young men and young women like him.

I learned early this month, from the Department of Labor jobs report for the month of August, that one of the things it shared with us was that there are millions of jobs in this country that are going unfilled. There are millions of jobs in this country that are going unfilled. We have thousands of them in Delaware. Michigan probably has tens of thousands. I was told by one of the Ohio Senators that there are jobs in Ohio that are not being filled because the people who are applying for them don't have the skills, the work ethic, or the record. In some cases, they can't pass a drug test. Yet these employers in all of our States need workers. In a day and age when we need workers with the academic skills and the work skills—we need them probably more than ever—we are ready to pack up 800,000 of them and send them back to where their parents came from, where they were born.

It is in America's naked self-interest to ensure that these young people are given a shot to make the kind of contributions that they are capable of to meet the needs of hundreds of thousands of employers in this country. Given that opportunity, they will make their parents proud, and they will make us proud. They will make our Nation stronger and more economically vibrant. It is in our interest to let them stay and to welcome them here.

I will close with the words of Matthew 25: When I was a stranger in your land, did you welcome me? Think about that. When I was a stranger in your land, did you welcome me?

Let's welcome these young people. Let's put them to work.

The PRESIDING OFFICER. The Senator from the Connecticut.

Mr. BLUMENTHAL. Mr. President, we are here to stand this afternoon for close to 800,000 young men and women—10,000 of them are living in Connecticut—who have relied on a promise, not just any old promise but a promise from the United States of America.

The promise to them was that they could come forward, share information

about their cell phones, their addresses, their relatives, their workplaces, their tax information, and they would be permitted to live here, study here, work here, and give back to their communities.

Now America is breaking that promise and betraying its values in the decision by the President of the United States to end the DACA Program. This decision is repugnant to the basic ideals of America. It is repulsive to the values that underlie the rule of law.

I heard a commentator last night saying: You know, these DACA people, when they came here, they broke the law. Think of it for a moment. A 2-year old, a 3-year old brought by their parents, maybe by a stranger, maybe by other relatives, is breaking the law because that relative then failed to go through the steps necessary for documentation. Or there may have been a variety of other circumstances, such as persecution, threatened death and injury in the country where that young man or woman was born.

But we know—because it is part of the DACA Program—that they were minors when they came here. They made no decision to break the law. They have been here for their entire lives, except for a few months or years.

We know also that, for almost all of them, this country is the only one they know, and English is usually the only language they speak. Their lives are here. Their friends are here and families as well. But most important for the United States of America that made that promise, their futures are here. They are, as the President of the United States said, terrific people. We love them, as he also said.

The announcement that he would end their legal status here, that they would be deported, that they would be ejected from this country is the height of hypocrisy and inhumanity. It is cruel and irrational, it will deprive our economy of hundreds of billions of dollars over the next 10 years, it will mean disruption in workplaces, and that is why employers are protesting the decision. It will mean schools will be uncertain about how many students there will be, and that is why university presidents and administrators are condemning it, but, most importantly, it will betray who we are as Americans—a nation of immigrants, a nation that keeps its promise.

Now, let's be very clear. When the Attorney General of the United States says there will be an orderly wind down—I think those are the terms he used. There is no such thing as an orderly wind down of DACA. There is disruption and destruction, already chaos and confusion, terror among the young people who are living their lives now seemingly on borrowed time. It is borrowed time because the President of the United States has thrown a ticking timebomb into this body, in effect

playing chicken with their lives. They are the ones whose lives will be blown up if that timebomb explodes. They are, indeed, voices and faces who have come to us in the last day or so, two of them from Connecticut I met with or saw.

The first is Mirka Dominguez-Salinas. She has been in the United States for 16 years. She is pursuing her dream at Southern Connecticut State University of becoming a teacher. She was student teaching last week, but her future career in education has suddenly been jeopardized.

Jonathan Gonzales, too, is a student at Southern. He has a double major in economics and applied mathematics. He also mentors other students at public schools in New Haven. He has the freedom basically to live as anyone else in this country, to drive to work, and his freedom, too, is in jeopardy.

They have come to Washington, DC, today not only to share their stories but to raise their voices and represent those 10,000 others in Connecticut, like Vania, who was born in Mexico and brought to Willimantic at age 3. She thinks of Connecticut as her home. It is the only home she knows, where she went to school and made her friends. Would she be sent back to Mexico, where she knows no one, has no job or connection? Will she go by plane or will she be forced to walk to the border or maybe by car? We are talking about deportation—physical ejection from the country—not a vague concept of maybe in a few years. We are talking about deportation of 800,000 people, beginning in 6 months, on a scale, a magnitude, and scope that is unprecedented in the history of the United States of America—the same country that welcomed my father at the age of 17, when he fled Germany to escape persecution and knew virtually no one, had not much more than the shirt on his back and spoke almost no English. Just as many of them came to this country at a much younger age, and this country gave them, as it did my father, a chance to succeed.

There is no orderly way to wind down this program. There is only grief, pain and suffering for those 800,000 Dreamers but also for the rest of us, for our economy, for our sense of self and morality.

As far as the rule of law is concerned, these young people are not the lawbreakers. It is the Attorney General of the United States who is wrong about the law but, more importantly, wrong to decline to defend the law and prejudging, instead, what the result would be if this case went to court, if those 10 attorneys general went to court on DACA to prove their case, including the U.S. Supreme Court.

Where does Attorney General Jeff Sessions have the power to prejudice what the Supreme Court of the United States would do?

So we have a decision ahead of us, which is to rise to the challenge, to diffuse that timebomb, to pass the Dream Act, to enable these young people who are faced with terror and anxiety to have a chance to continue productive and important lives and to avoid the economic nightmare for employers and job creators who depend on them.

We have the opportunity and obligation now to make sure these young people are protected, not punished, because their futures are at stake, our future as a nation is at stake, and I am here to say to Jonathan, to Vania, to all of the Dreamers that we will fight as long and hard as possible to make sure the American dream is alive and well for you. That dream was promised to you by a great country, and great countries keep their promises.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, I thank my friend and colleague from Connecticut for his thoughtful words and thank all of my other colleagues who come to the floor to speak up for young people who need our voices right now.

"Through no fault of their own" has been repeated over and over again. These young people, oftentimes babies, were brought to this country without documentation, but they were brought here. They didn't know what was happening to them, a 1-year-old, 2-year-old, 5-year-old, 7- or 8-year-old. It wasn't their choice and yet they are paying the price for what happened.

There is no question, we need immigration reform—no question at all. I was very proud and pleased to support a major effort a few years ago, a bipartisan effort in the Senate to do comprehensive immigration reform. It is something we need because our system is broken. There is no question. It hurts families, workers, businesses, and farmers in Michigan every single day, but targeting these almost 800,000 young people does nothing to solve that problem.

I am anxious to work with colleagues across the aisle to address comprehensive reform so we have a legal system that works, but we have, again, about 800,000 young people right now who stepped forward and are covered by something called the Deferred Action for Childhood Arrivals Program, or DACA, who were told, if they would step forward, provide the government all of their personal information, information about their families, that they—as long as they were following the rules, they were going to school, they were going to college, they were serving in the military, they were doing the right thing—would be allowed to stay and be successful in our country.

In Michigan alone, 10,000 young people have been approved for DACA.

Those are some of the numbers, but we are not talking about numbers, as we know. We are talking about people's lives.

We are talking about 10,000 young people in Michigan who are attending college, who are working as nurses or doctors and buying homes and building their own businesses. Maybe they are reaching out in some other way to be successful in the economy. They are serving in our military right now. Somebody serving in our military right this minute could lose their life for our country, the country they love, at the same time the President—and his administration—has turned his back on them. These are people raising American children of their own, with American family members around them. These children aren't numbers. Frankly, they are our neighbors.

In Michigan, we care about our neighbors. One of our neighbors is named Wilfredo. He is a Dreamer who was brought to the United States when he was only 9 years old. Wilfredo works hard. He is a restaurant supply salesman. He owns a home. He is crazy about soccer, and he says he is crazy about his girlfriend. He told Michigan Bridge Magazine that they hope to get married one day, but a future that seemed so bright just a few days ago now has a dark cloud hanging over it. Wilfredo is scared. His girlfriend is scared. His family is scared. Will he be sent back to a country he barely remembers? What will happen to his sister who is an American citizen? Will he ever see her again?

Another one of our neighbors in Michigan, Juan, shares that fear. He was only 1 year old, just a baby, when his parents brought him to the United States. For many years, Juan lived in the shadows, but that changed in 2012 when our country made a promise to Juan and to others to suddenly step forward and change their future. He was able to get a job, go back to school, drive, even buy a house. Juan told the Detroit Free Press: "I know of no other place." He was brought here when he was 1 year old. It is not about sending him back somewhere. There is no going back. He doesn't know any other country. He said: "We love this country and want to make this country a better place."

Wilfredo, Juan, and so many other young people are great examples of why we need comprehensive immigration reform to happen in the House and Senate, with the White House—not using them in a way that certainly does not show the best about America.

Right now, though, until we can get comprehensive immigration reform, we need to pass the bipartisan Dream Act to protect the young people who have been hurt by this administration's actions. I know we have colleagues on both sides of the aisle who want to work together to do something, to

prove that America does keep its promises.

These Dreamers have done nothing wrong. They have done everything right. We need to show them we do care about them and make sure our country keeps its promises to them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today, along with so many of my colleagues—and Ms. STABENOW, who just spoke—with regard to DACA. We are here to oppose President Trump's unnecessary, political, and damaging decision to end the Deferred Action for Childhood Arrivals Program, the DACA Program.

To close the door on the American dream for nearly 800,000 people who are American in every way but on paper goes against every measure of sound public policy, productive economics, and basic decency. Today, I join my colleagues in Congress, hundreds of American business executives, thousands of higher education officials and faith leaders, and a majority of the American people who have made their voices heard over the past few days to denounce President Trump's elimination of DACA, and call for legislative action to protect Dreamers and provide them a realistic and responsible pathway to citizenship.

We must be absolutely clear about what President Trump has done, on his own, without any need or, in my view, legal requirement to do so. By his choice, in less than 6 months, the administration will begin forcing hundreds of thousands of Dreamers, many in their twenties and thirties, out of their jobs, out of our military, out of our schools, and out of the United States—the only country that most of them have ever really known.

It is true that Dreamers were brought here as children outside the appropriate processes, but this was through no fault or decision of their own. Since then, they have pursued higher education, started families, worked hard, paid taxes, and stayed out of serious trouble with the law. Some have served honorably with our Armed Forces and put their lives on the line to keep us all safe. We gain nothing and lose a great deal by separating these young people from their jobs, their homes, their spouses, and children and sending them to countries they hardly know.

At no point in our debates over immigration have we found a good reason to spend our limited immigration enforcement resources on Dreamers. The premise of DACA was, and continues to be, that we need permanent, comprehensive immigration reform—but until then, Dreamers who contribute to our society should be allowed to come out of the shadows and lead healthy, productive lives.

Rather than pursuing these young Americans, our immigration enforcement resources should focus on practical measures that make us safe, not wasteful and symbolic projects like a border wall. We should improve surveillance of the border and the apprehension of more illegal entrants. We should incentivize legal immigration and make it feasible for people to come here and pursue better opportunities. I am eager to work with my colleagues to craft a tough but fair, and comprehensive immigration reform package that incorporates good ideas from both sides of the aisle. Until then, however, we accomplish nothing by forcing hundreds of thousands of families to live in fear, and regret ever trusting our country enough to register for DACA in the first place.

Too much of this debate is driven by President Trump's apparent refusal to accept basic truths about who his actions affect and what his decisions mean for our country. His administration's rhetoric suggests that deporting Dreamers will make us safer and somehow restore the rule of "law and order," but these are the facts of the matter: first, today, unauthorized immigration continues to decline, as it has every year, since its peak in 2007. Second—and not without controversy—President Obama's administration deported a record 5 million undocumented immigrants, particularly violent felons. These were important steps, but we have learned that enforcement alone does not solve practical problems for people like Dreamers, and their families and employers.

Moreover, deporting Dreamers does nothing to make us safer. Dreamers qualify for DACA precisely because they have not committed serious crimes, and conflating them with criminals only feeds the false premise that immigrants are prone to criminality when all of the evidence shows that the opposite is true. In fact, studies from the National Bureau of Economic Research and the conservative Cato Institute have concluded that immigrants tend to commit fewer crimes than do people born in the United States, and U.S. Census data shows that, among adult males, immigrants are one-half to one-fifth as likely to be incarcerated here.

Just as insidious is the persistent myth that Dreamers are somehow harming our economy or taking jobs from American citizens. We can and should debate what kind of immigration reform would best support our economy, but there is no credible support for the argument that Dreamers harm our economy or that deporting them would create jobs for anyone. The fact is that, according to the Center for American Progress, ending DACA would result in an estimated loss of over \$460 billion from our GDP over the next decade, including an annual loss

of over \$60 million per year in my home State of Rhode Island.

We know from experience that deporting employed immigrants does not raise wages. In fact, many jobs lost tend to go unfilled. And, because of President Trump's actions, families of Dreamers will sit at their kitchen tables in the coming months and struggle needlessly with questions of how to feed their children and keep roofs over their heads now that the administration has forced mom or dad out of work, or out of the country. These are American families, and doing this to them is the opposite of putting America first.

It is our responsibility to protect our country from economic harm and to uphold our ideals and commitments, and that means keeping faith with Dreamers and their families. We should put ourselves in their shoes and remember how each of our families came to this Nation and worked to achieve the American dream for themselves, their children, and their children's children.

I applaud Senators GRAHAM and DURBIN for introducing the bipartisan Dream Act of 2017. I urge my colleagues on both sides of the aisle to support this important legislation on our way to a meaningful debate on comprehensive immigration reform. I hope that we can find the will to come together and swiftly pass this legislation to strengthen our Nation, keep our economy growing, and keep faith with our best ideals.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I am here to speak about President Trump's decision to shut down the DACA Program, the so-called Dream program that allows children who were brought here by their parents, often at a very young age, and who grew up here and are now, as far as they know, full Americans—this is their home—to not be thrown out of their adopted country and sent home to a place that they do not know, all because of what their parents did when they were still children. We don't even hold children accountable for contracts they enter into. You have to be an adult to be held accountable for a contract you enter into. Yet, apparently, this President is willing to take these children, break up their families, and send them to a country they do not know, all because of a decision that was made by their parents, in some cases when these kids were infants.

I have spoken to these kids, who are generally called Dreamers, who have no memory of living anywhere other than this country. I don't know about the Presiding Officer, but it is hard for me to scroll back and come up with any concrete memories of when I was 1 or 2 or 3 years old. These are kids who grew up in American schools. They grew up in American families. They grew up playing American sports. They grew up as a part of our culture. But now, for reasons that really defy humane explanation, the President wants to cast a cloud over about 800,000 children—now turned into young adults in many cases and many more who are right behind them in the program—who were looking forward to this as something they could do when they came of age to get their full-on DACA permit.

We have over 1,000 people who are approved under the DACA Program in Rhode Island. We are pretty proud of them. They have served in the military. They have had jobs around the country.

Ninety-one percent of DACA recipients are employed, pay taxes, and contribute to Social Security. When we had the immigration debate, that is what we said we wanted people to do: Pay your taxes, get a job, pay into Social Security, support yourself, and support the system around you. Well, they have done that. But because of a decision they did not even make—a decision that under American law they would be incapable of making because they were not adults—this shadow of punishment and family disruption has been put over them by perhaps the least humane person ever to hold the office of President of the United States. And if this doesn't prove that proposition, there are plenty more that do.

I understand that our leader has urged Speaker RYAN and Majority Leader MCCONNELL to get Senator DURBIN's and Senator GRAHAM's Dream Act up for a vote. I think it will pass. I think it will pass with more than 60 votes. I think we, at least—the decent Members of the Senate—can lift that cloud of fear, threat, and anxiety. I think we should. I think we should do it soon. And if Majority Leader MCCONNELL is not interested in bringing this to the floor, I understand that Senator SCHUMER has made it pretty clear that he is going to insist on attaching this bill to some other measure as we move forward this year. I completely support him.

This President said that he loves these kids and wants to approach this issue with a big heart. Huh. The White House, which, the last I heard, the President of the United States runs, put out talking points telling these kids to get ready to depart. Get ready for departure from this country. Really? That is the big heart—to threaten 800,000 kids who have played by the

rules, who have done what the Government of the United States asked them to do, to get ready to depart? Because of what—some crime they committed? No. They committed no crime, but because their parents brought them here as kids.

Jean came here from Peru. He was brought to the United States by his parents when he was a few months old. He is 23 now. If he were to go back to Peru, he would have to move to a village where he has never lived, that is not in a safe area, that he does not know because he has been here for over 20 years—22 and change if he is 23 now.

Rodrigo Pimental came here from Portugal at 10 months old. Rhode Island has a very vibrant Portuguese community, of which we are really proud. His parents came to join that community, pursue a better life, start a small business, and succeed. Rodrigo doesn't even remember Portugal. He has a computer science degree—a college computer science degree. He says the United States is his home. What is the gain for our country in telling Rodrigo Pimental, with his computer science degree from college, that he needs to go back to Portugal because at 10 months old his parents brought him here in search of a better life? Where the heck is the justice or the decency in that?

These are all Rhode Island kids whom I am talking about. There are hundreds of thousands of stories around the country.

Lesdin Salazar from Guatemala was brought to the United States by her parents at age 7. We are going to break up that family and send her back to Guatemala because why? Because at age 7 she didn't successfully talk her parents out of bringing her here? Or maybe she should have left her parents then: Oh, parents, boy, it would be illegal to go to the United States without the proper paperwork. I can't be a part of that. I am staying in Guatemala. You go.

Is that the expectation we have for a 7-year-old, that we would now punish her with deportation and with breaking up her family? That is the big heart of this President?

I will tell my colleagues about one of her memories. She doesn't remember much of Guatemala, but she does remember sitting in her living room with her parents watching President Obama announce the DACA Program. She says that her family cried tears of joy when that happened—at last, a path forward from the problem that was not of her own making. She does not understand why the United States is giving so many children an education here and then sending them back to other countries, breaking up their families, and I don't, either. It makes no sense.

Krissia Rivera came to Rhode Island from El Salvador. She came when she was 8. Oh, so maybe that is old enough

that she could have broken up with her parents back then or talked them out of coming here. She lived first in Maryland. Interestingly, she went to the same school the President's son now attends. She came to Rhode Island and graduated from college. She is currently in medical school at Brown University—obviously somebody we want to get out of our country. She is scared. She feels exposed.

I would like to have one person come to the Senate floor and tell me what Krissia Rivera did at age 8 that was so wrong that we are willing to take somebody who will have a Brown University medical school degree and throw them out of our country for no reason. Explain that to me.

I will tell my colleagues, there is a lot that is embarrassing about the way our President behaves. This is pretty bad, particularly in the wake of the way he behaved after Nazi flags were paraded through Charlottesville, VA—the city of Thomas Jefferson's great university. He spent the next couple of days winking at White supremacist Nazi types, equating their behavior with the behavior of the protesters who came out. I would hope that if neo-Nazis were walking through Providence, I would go out and protest. Am I as wrong as the Nazis? I don't think so. But President Trump appears to think so—it was just two sides having an evenhanded dispute. I don't think so.

When the President reacted to Charlottesville the way he did, he was winking at the worst impulses in our society: bigotry, hatred, discrimination of people based on color and religion—things that we have fought back against for generations. Fighting back against those evils is part of what makes us Americans. But does President Trump fight back against those evils? No. Just a little wink, a little pat on the head along the way: Keep it up, boys; I don't mind that much. No difference between you and the people who come out because they are outraged to see Nazi flags flying in Charlottesville, VA.

And now this. And now this. Who the hell is President Trump talking to when he does this? Who gets the wink this time? If this isn't another wink to bigotry and hatred and discrimination, I don't know what is. No one can explain to me why an 8-year-old, who is such a good person that she will come to a new country and come all the way to Brown University's medical school, is to be punished for not having broken up with her parents at age 8 when they brought her to this country. It makes no sense.

I see the distinguished senior Senator from Illinois here on the floor. The battle for the DACA Program and for the Dream Act has been a cause of his political life. There is no person in this Chamber to whom more credit is due

for this program than Senator DURBIN. So with great respect, as well as affection, I will yield the floor to him.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I want to thank my colleague Senator WHITEHOUSE for his kind words.

I come to the floor to join in with a dozen or more of my colleagues who were here earlier to talk about the situation we now face. Senator WHITEHOUSE is correct—this is an issue that is very personal to me. It is one that dates back to the year 2001, 16 years ago. It was a time when we received a call in my office in the city of Chicago, and the person on the other end was with a program called the Merit music program. She said: I have a problem with one of my students, and I need your help.

The Merit music program is a special opportunity for young people in Chicago's public schools, particularly from low-income families, to be trained on a musical instrument, free of charge, and some amazing things happen. Every student who is part of the Merit music program goes to college—every single one of them. They learn self-esteem, they learn a musical instrument, and it shows. Their lives are transformed.

She told us the story of one of these students. Her name is Tereza Lee. Tereza Lee was born in Korea and brought to the United States by her mom and dad when she was 2 years old. They came through Brazil before they came to Chicago, but they settled in Chicago. Her mom and dad raised her and her brother and sister. They were not well-off at all. In fact, they were poor.

Mom worked in a dry cleaner establishment, which is fairly common in Chicago; Korean Americans probably work there more than any other group. Her father was an aspiring preacher who wanted to open a church for the Korean population, but it never seemed to materialize. Mom worked extra hard, and the kids went to public schools.

At age 12, Tereza Lee heard about the Merit music program, signed up for it, went in, and fell in love with playing the piano. She turned out to be a prodigy. She was extraordinary.

By the time she was ready to graduate from high school, they said: You have to apply to a music school.

Well, she wasn't sure. Nobody she knew had gone to college. But she started to fill out the application and ran into the question about her Social Security number. She turned to her mother and said: What am I supposed to do about this?

Her mother said: I don't know. After we brought you to the United States at the age of 2, we didn't file any papers.

What could they do? They reached out to the Merit music program, and the Merit music program said: Let's call Durbin's office.

They called my office and contacted my caseworker, whose name is Clarisol Duque. She is now my chief of staff, but back then she was a caseworker. She looked up the law. She called the INS, and they said: The law is very clear. Tereza Lee from Korea is undocumented. She is in the United States. Although she is now 17 or 18 years old, she never filed the appropriate papers, and under the laws of the United States of America, the recourse is for her to return to the last country she was in—Brazil—to wait 10 years, and apply to come back to the United States—10 years.

I thought to myself, and so did my caseworker: Why would you do this to this young girl? She did nothing wrong. In fact, she is a pretty amazing story of success from a poor family.

I sat down and said: Let's write a law to deal with it, and we wrote the DREAM Act. My original cosponsor of the DREAM Act was ORRIN HATCH of Utah. This goes back, as I said, 16 years ago, so when I stand here today and talk about this issue, it is an issue I have come to know in a lot of different ways. Most importantly, I have come to know the young people whose lives have been affected by our laws as they currently exist.

Over the years, an interesting thing has happened. After I wrote the DREAM Act and would go around Chicago and tell the story of this new bill that I had just introduced, there would be a lot of young people, mainly Hispanic youngsters, who would listen to me and not react very much at all. Then, many times, I would go out to my car to go back home at the end of the night, and in the darkness, standing by my car, would be one or two young people. They would look in both directions to make sure no one could hear them, and they would whisper to me: Senator, I am a Dreamer.

These were undocumented children—teenagers, adolescents—who had been taught early in life to be extremely careful: Never, ever admit that you are undocumented; never, ever get involved with the law because you could be deported tomorrow morning, and your family might be deported with you. So they grew up in fear—fear of what might happen with a knock on the door.

So now comes this politician, this Senator, who says: I am going to change the law. I am going to make it right for you.

Well, many of their parents were skeptical. They didn't believe it. Politicians say a lot of things. But these young people did something very interesting. Their approach to this evolved from standing in the darkness and whispering "I am a Dreamer," listening to their parents tell them "Don't say out loud that you are undocumented"; they, of course, did exactly what their parents didn't want them to

do. They started standing up and saying publicly: I am a Dreamer. I want to tell you who I am and my story.

They wore T-shirts and buttons, and they rallied, and there was no question that they were going to come and tell their stories. As they told their stories to me, I decided the best thing I could do was to tell their stories on the floor of the U.S. Senate. So I started telling them. With their permission and a color photograph, I would tell the stories of these young people. Each one of them, standing at this desk and other places in the Chamber, usually captured the attention of the people who would gather because each one of these stories was so compelling. They were compelling stories because here were young people who had all the odds against them.

I remember when I was a teenager, in my insecurity, wondering what I would ever do and afraid of doing the wrong thing. Then I think of these young people, who have the decks stacked against them. They have been told they are not legal in this country, and there are people who would like to see them gone tomorrow. Yet these young people started emerging and telling the stories, and I started repeating them. Then some amazing stories started emerging about what they were doing with their lives.

You see, if you are undocumented in this country, you don't qualify for a lot of things most Americans take for granted—Pell grants to go to college. Students from low-income families receive up to \$5,000 or more a year to go to college. Undocumented students, Dreamers, receive nothing—nothing—from the Federal Government.

The same thing is true about student loans. For the most part, unless there is a State program, these undocumented students can't qualify for any government student loans. They have to find some other way. They usually have to work their way through college—or whatever their aspirations might be.

Over the years, this bill was heard before committees and was voted on from time to time in the House and in the Senate. Unfortunately, we never could quite find that moment when the bill could pass the Senate and the House in the same year and the same session. It never came together. There was a time when we passed it with a majority vote in the Senate, but under our rules we needed 60 votes. So we fell just short of being able to move the bill forward.

Along the way, I had a colleague in the U.S. Senate named Barack Obama, my junior Senator. He was a cosponsor of my DREAM Act. Of course, he went on to bigger and better things and became the President of the United States. I am very proud of him for his achievement. But I didn't waste any time after he was elected President

calling him and saying: Help me. We have to do something to help these young people.

I wrote him a letter, cosigned by Republican Senator Dick Lugar of Indiana, asking him to think of a way he might be able to protect the Dreamers from being deported until we passed the law. I didn't get a response.

A year passed—a year. I sent a second letter, this time with 23 Senators signing it, urging President Obama to do something, and he did. He created the DACA program.

The DACA Program was basically an opportunity for young people to come forward, to register with the government, pay a filing fee, submit to a criminal background check, and then see if they qualified for a 2-year protection from deportation and a 2-year opportunity to legally work in the United States.

Well, I was just reminded: August 15, 2012, was the first day to sign up. I joined with my friend and colleague, Congressman LUIS GUTIÉRREZ, of Chicago. We decided we would create a sign-up, an opportunity at Navy Pier, a historic place in the city, and invite young people who qualified for DACA—Dreamers—to come in and sign up. We got volunteer immigration lawyers who wouldn't charge these young people anything, and we sent out the notices to every group we could think of: Come on in if you are eligible to sign up for DACA.

Congressman GUTIÉRREZ and I didn't know how many would show up. We were afraid it might be 200 or 300 people, and we didn't know if we could handle any more than that with the volunteer attorneys we had.

Then something happened. It was amazing. At midnight, the night before, they started queueing up outside of Navy Pier, families—mom, dad, and that young son or daughter who qualified for DACA—and they waited in the dark all night for the chance to sign up. When it was over, it wasn't hundreds, but thousands—thousands—who came to Navy Pier. We couldn't handle them. We had to set up workshops all over the city afterward to give them their chance to sign up.

It was a big risk for them. This was the first time in their lives they were going to trust the Government of the United States with information that they had carefully kept personal, confidential, and secret. They were going to trust this government by signing up for a program because the President of the United States had said: It will protect you. They had the \$500 or \$600 they needed for the filing fee. They were prepared for all the background checks. At the end of the day, after 5 or 6 years of DACA, 780,000 young people have signed up for this protection.

What has happened to these young people is nothing short of amazing. I could go on for a long time about the

success stories of the DACA recipients once they got that protection, once they could work.

I love to tell the story about Loyola University Chicago Stritch School of Medicine. That school decided they were going to open up competition for their medical school to DACA-protected young people—not a special spot for them or a set-aside of quotas or numbers. No, they had to compete with everyone else. But that medical school said: These young people now deserve a chance.

As a result of that decision, there are 28 medical students at Loyola Stritch School of Medicine in Chicago, and they are there because there was no place else that would accept them. This college of medicine said: If you are DACA protected, we will let you compete to come to our school.

The word spread around the country like lightning. Some of the best and brightest young people finally got their chance, and they were accepted to this medical school. They are impressive.

Remember what I said: They don't qualify for government loans. Medical school is expensive. My State, under Governor Patrick Quinn and now continued under Governor Bruce Rauner, a Democrat and Republican, set up a loan for them—but with a catch. Our State loans them enough money to go to medical school at Loyola, as long as they promise to give 1 year of medical practice for each year that we loan the money—1 year of medical practice in the inner cities in Chicago, in Waukegan, in East St. Louis, or in rural areas where they can't find doctors, and they anxiously do so. They anxiously do so because this is their chance. I tell that story because it is one that is particularly poignant.

When President Trump and Attorney General Sessions yesterday decided to put an end to DACA, they put into question whether these young people will ever finish medical school. You can't go to medical school and be an intern and work if you cannot legally work in the United States. They can legally work because of DACA. When DACA disappears, their right to legally work disappears. Their ability to be interns and work in the medical school disappears as well.

What is going to happen to them? Is that the end of their medical education? Loyola stuck its neck out and gave them a chance. Filling those slots will be impossible. Second- and third-year students—you just can't fill those slots. It will be a real loss—a loss of great talent and great opportunity.

When President Trump made this announcement with Attorney General Sessions yesterday, I was really troubled. I have had only one face-to-face conversation with the President. It was his Inauguration Day. It is no surprise that I didn't support him, but I went up and shook hands with him, congratu-

lated him on being elected President, and I said: I want to thank you for the kind things you have said about Dreamers.

He looked me in the eye and he said: Don't worry about those Dreamers. We are going to take care of the Dreamers.

I listened then and so many times afterward when he publicly said something very similar. He said at one point: We love the Dreamers. We are going to take care of those kids—over and over and over again. And I was convinced—I want to be convinced—it was a genuine sentiment in his heart that he was expressing.

He has said some harsh things when it comes to immigration. I think they are fundamentally unfair things—calling Mexican immigrants murderers, rapists; travel bans against people of the Muslim religion. Those things are, in my mind, inconsistent with the values of this country. But he said them, and many people found them appealing.

Yet he always had a special comment when it came to Dreamers and DACA, and I thought maybe—just maybe—he is going to give them a break.

He did until yesterday. His announcement that he is going to put an end to DACA in 6 months—that is going to cause a lot of problems for a lot of innocent people. The good thing that has happened—if there is any good to come of this—is that all across America now, there is a sensitivity, an understanding, an appreciation of who these young people are. It is almost amazing to me that many folks can miss the whole debate for a decade or more, but when you start talking about removing this protection under law, people wake up, stand up, and speak up.

In my city of Chicago, which I am honored to represent, John Rowe is an executive. He is of the opposite political faith. I know it. I like him. He likes me. He is retired now and a very generous man—he and his wife—and helps a lot of young people. In Chicago, he has been the leader in gathering over 120 Chicago business leaders who support DACA and the DREAM Act. They are gathering thousands like them around the United States, business leaders. If you saw the news accounts this morning, leaders of Google and Facebook and others are coming out against President Trump's decision to end DACA.

They are not alone. In addition to that, there is an extraordinary outpouring of support for DACA and Dreamers from the faith community across the United States. I am proud that the Roman Catholic cardinal in Chicago, Blase Cupich, has been outspoken in supporting immigration and supporting the Dreamers and those protected by DACA. It is not the only religion where the leaders have said that. In faiths—Jewish, Protestant, Catholic, Muslim religions—you find the support coming forward. It is an in-

dication to me of the growing support across America.

When 76 percent of the American people agree on anything, we ought to stand up and take notice. And 76 percent of the American people believe we ought to treat these DACA-protected people and Dreamers fairly, justly. That is what we should do.

Yesterday on the floor, I talked about Jesus Contreras. Jesus Contreras was brought to the United States at the age of 6, and his family settled in Houston, TX. He went to Lone Star College down there. Again, he is undocumented, a Dreamer. He finished a course in paramedics. He became a licensed, certified paramedic because of DACA. He happened to be there, of course, when Hurricane Harvey hit, and he worked night and day saving lives, trying to help the victims of the hurricane.

There were thousands just like him, but the important part of this story is that this young man is one of those undocumented folks who really care about the people of Houston, the people of Texas, and America. He calls this home, and he wrote me a letter and told me that. I read it on the floor yesterday.

There are others. I want to tell you about one today. I am going to try to pronounce her name correctly. Ximena Magana. I probably missed that, but I am close. At 9 years of age, she came to the United States from Mexico City. She was raised in Houston and lives there today.

In high school, Ximena served in the U.S. Army Junior Reserve Officer Training Corps. It is better known as Junior ROTC. She was the battalion commander of her high school Junior ROTC Program. Under her leadership, Ximena's battalion was named the best in the Houston Independent School District.

Ximena was the captain of her high school soccer team and a regular volunteer at the Houston Food Bank. Currently, she is majoring in communications at the University of Houston. She interned with U.S. Representative SHEILA JACKSON LEE and Houston City Council Member Robert Gallegos.

Due to Ximena's community service, she was asked by the mayor of Houston to serve as the youngest member of the Mayor's Hispanic Advisory Board. She is the first DACA recipient to serve on that board.

Last week, in the aftermath of Hurricane Harvey, Ximena stepped in to help her community, just as she has always done. She volunteered at shelters, helping people with FEMA and Red Cross applications. She was joined by many other DACA recipients.

She wrote me a letter. She asked for only one thing—for President Trump to come and visit Houston and meet the DACA volunteers, to meet those heroes, to look in their eyes, to hear

their stories before he made his decision about whether they had a future in the United States.

Ximena and so many others have so much to give to this country. Without DACA, she faces deportation. This President, who said “We love the Dreamers,” with his decision yesterday, has said that we are going to deport the Dreamers. Ending the protection of DACA will mean they will be subject to deportation any minute of any day. They would send her back to Mexico, where she hasn’t lived since she was 9. If that happened, would America be a stronger country or a better country? The answer is clear.

When we introduced the Dream Act, Senator LINDSEY GRAHAM, who is my cosponsor and a great ally and friend in this, a Republican from South Carolina, said: “The moment of reckoning is coming.” That moment is here. Republican leaders in Congress have to make a decision about Ximena and thousands just like her. Are we going to be a fair and just society? Are we going to give these young people a chance for a future? Are we going to tell them “No thanks. You are not welcome. Leave”? One of the President’s appointees to the voter fraud commission, the secretary of state of the State of Kansas, said that this morning. He said that after the President’s decision when it comes to eliminating DACA, it is time for them to leave this country. I think he is wrong.

These people, just like this young lady, deserve a chance to be part of our future. How many times has she stood before that great American flag and pledged allegiance, sang the national anthem—the only one she really knows—and believed this was her country, her flag, her future? And now we are going to tell her “No thanks, Ximena. As good as you are, as much as you have done, America doesn’t need you”? I don’t think so.

As for this Senator, I am going to do everything in my power to protect those Dreamers and give them a chance to not only live legally in America but to become full-fledged citizens of this country.

To all of the Dreamers who are listening to this debate, don’t despair. You had the courage to come out of the shadows and to stop whispering and to stand up and tell the world who you are. Because you did that, we are in a stronger position today to help you realize your dream, to become part of the future of America.

I am joined this evening by a number of visitors in my office. We invited them to come and hear me say a few words on the floor. We really lured them in with pizza. They had a little snack upstairs with me, and they are listening to this speech. They are the Dreamers from Georgetown University, my alma mater.

As we said, we learned of their stories and talked about this. I thought it

was a pretty big deal when I transferred from Saint Louis University to come here to Georgetown as a sophomore so many years ago. It was kind of a bold thing. I had never been to Washington. I never visited the campus, and I came to the university. What I did was nothing compared to what they have done. They have fought against much greater odds. They have shown more determination and maturity than I ever had at their age. All they are asking for is a chance to graduate from that great university and become part of this great Nation.

Here is what we need to do. We need to make sure that we don’t leave this Senate, this House of Representatives this month or in the next few weeks without passing the Dream Act. All I am asking for—all any of us are asking for—bring it to the floor. Bring it to the floor for a vote. I have confidence that we can find 60 votes in the Senate to pass it. I think at this moment in history we can.

I open my office door and my heart to those of good faith who want to join us in this effort from the Republican side. From the bottom of my heart, I thank Senator GRAHAM, Senator FLAKE, Senator MURKOWSKI, and Senator GARDNER—four Republican Senators who have made this, thank goodness, a bipartisan effort in the Senate. We need to do the same thing in the House of Representatives. We need to say once and for all: Your dream of becoming part of the future of America is going to be a reality because we are going to step up today, some day soon, and make it a reality.

Finally, I ask the President of the United States—as disappointed as I was by your announcement yesterday, as disappointed as I was after believing that perhaps it might end differently, we still need your help, Mr. President. If you truly do love these Dreamers, if you do believe these young people deserve a chance, we need you to step up and speak up and join us. Let us pass this measure on a bipartisan basis. Join us in passing this measure. Whatever you are thinking about DACA, whether it was constitutional or illegal, let’s put that behind us. Let’s pass a real law, and let’s have a signing ceremony that says on a bipartisan basis we are going to give these young people across America their day of justice, their day of opportunity, their chance to make this an even greater nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I join with the Senator from Illinois, and I thank him for his great leadership on this issue. He has been doing this for a long time. His partnership with Senator LINDSEY GRAHAM is inspiring.

I want to begin by thanking Senator DURBIN and Senator GRAHAM for lead-

ing this effort and making it bipartisan and making it possible for us to talk about an issue as Americans and not as Democrats and Republicans and having a discussion about who falls into the category of being an American who is entitled to the benefits of being in this country.

For the last 5 years, the Deferred Action for Childhood Arrivals—or DACA—Program has created security and opportunity for young immigrants across this country. Now, the futures of some 800,000 young people—7,900 of them in Massachusetts—have been needlessly put in jeopardy because President Donald Trump feels the need to keep an ill-considered campaign promise made to his base and to break another one made to the best and brightest of our young people by repealing DACA. And because the House of Representatives has refused to debate and hold a vote on comprehensive immigration reform legislation, our immigration system remains tragically broken.

Yesterday, I met one of these Dreamers, Diana Ortiz. Her mother brought her to the United States nearly 20 years ago. Diana studied history at Pomona College in California, and she recently received a master’s degree of divinity from the Harvard Divinity School. She hopes to become a U.S. citizen. Diana literally wants to do God’s work here on Earth.

DACA has provided Diana and more than a million other young immigrants safety, security, dignity, respect, and opportunity. These are young people who play, study, work, and live next door to us each and every day.

What will the repeal of DACA mean for the Dreamers and for our country? It will mean bad news for our economy. Many of these Dreamers have started their own businesses and are beginning their careers. Over the course of the past 5 years of the program, 91 percent of the Dreamers have found gainful employment. Removing DACA recipients from the workforce would reduce our gross domestic product by more than \$460 billion over a decade and would cut contributions to Medicare and Social Security by more than \$24 billion over that same 10-year period.

It will mean misplaced criminal justice priorities, with law enforcement focusing not on targeting drug dealers, human traffickers, and the real criminals in our society, but on the Dreamers instead. These young people are not the so-called “bad hombres” that President Trump said would be the focus of his administration.

Most tragically, it will mean unnecessary pain and suffering for countless young people and families across Massachusetts and across the United States whose futures will be uncertain. Instead of going to sleep tonight knowing they will be able to live their lives in peace and plan for the future, they

are again left with uncertainty, vulnerable to deportation and unable to work legally.

This is heartbreaking. It is unjust, and it is just plain evil. We should not punish these young people who have no other home than the United States of America. We should not go back on the word we gave when we told these young people to come out of the shadows.

These Dreamers are engineers. They are police officers, teachers, and students, many in our great Massachusetts universities. They serve bravely in our military right now—in the Army, Navy, Air Force, and Marines. They are our best and our brightest, and they are making the most of the opportunities that the United States has always provided immigrant communities.

I stand here this evening as a testament to the future that any family can achieve in this country. When I announced for the Senate 4 years ago, I decided—really, for the first time in my life—to go up and ring the doorbell of the house that my father grew up in. You pretty much grow up where your mother tells your father he is going to live. So my mother was from Malden, and my father was from Lawrence, and we grew up in Malden.

My father always said: Well, Lawrence is just this great city. So I went up to ring the doorbell at 88 Phillips Street in Lawrence, in the shadow of the old south mill. It is a triple decker; that is, a three-family home, stacked one on top of the other. My father grew up on the first floor of 88 Phillips, with five brothers and sisters and a mother and father in this very tiny space.

I rang the doorbell to see who lived there now, and the door opened. It was a Dominican family with their children. The accents were different, but the aspirations are just the same for that family as it existed for the Markeys.

Now, my father graduated from Lawrence High School, from the vocational program, and his son is a U.S. Senator from the State of Massachusetts. That was a dream that my father had or his father and mother had to be here in America and to give opportunities, not so much for themselves but for the next generation.

Well, that is what we are talking about. We are talking about these young people whose parents brought them here to give them a better chance, but the children didn't have a choice in whether or not they would come here. They saw the promise that hard work, education, and opportunity—helped a little bit by the government—worked for the people.

So that is really what we are talking about, and that is why I believe it is a new level of inhumanity for President Trump to betray the foundational values of this Nation by repealing DACA. He is no better than Pontius Pilate by

having Attorney General Jeff Sessions make the announcement yesterday. President Trump is providing absolutely no leadership for his party or the American people on an issue that even he says is an important one, and I can only hope that he recognizes and understands the cruelty that repealing DACA will inflict on innocent young families, innocent young people all across this country.

So if President Trump wants to take away these protections, then, Congress must act. The ball is in the court of the Republican leadership in the House and in the Senate. Speaker PAUL RYAN and Leader MITCH MCCONNELL can either listen to a growing chorus of their own colleagues and to the business leaders and CEOs—including Apple, Amazon, Microsoft, Facebook, General Motors—and to academic leaders and countless college and university presidents who all support DACA, or they can side with the forces of intolerance and injustice.

Congress should pass the Dream Act so that individuals who were brought here at a young age can earn citizenship by serving in the military or pursuing higher education.

Ultimately, the House of Representatives must also debate and vote on comprehensive immigration reform. I have long supported a pathway to citizenship for the 11 million immigrants who are living here in the shadows.

We are the United States of America. We are a nation of immigrants. We are called on not simply to tolerate but to celebrate our immigrant communities, to understand not only the need but the value of our immigrant communities, to embrace not just the differences but the diversity of our immigrant communities.

President Franklin Delano Roosevelt said: "Remember, remember always that all of us, and you and I especially, are descended from immigrants and revolutionists." No one knows that better than the Commonwealth of Massachusetts. We have always believed that no matter who you are or where you come from, you can achieve the American dream. We recognize that our economy and our security are stronger because of the immigrant families who have enriched our Nation since its founding.

That is why this decision from the Trump administration cannot stand. We will not let it. With Congress now back in session, Republicans should prepare to have a historic debate—a debate about the fairness that we should extend to all of these young people. There are going to be voices, calls, marches, and protests all demanding protections for these innocent Dreamers.

I pledge my support to the 800,000 Dreamers all across our country, and I will not stop fighting for them. We will not stop fighting for them. Millions of

people are going to stand up. I believe that the American dream for all of these young people is achievable, and it must be here in the Senate that the realization of that dream begins.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I want you to imagine for a moment that you are an 11-year-old child. Your mother tells you to pack some things because you are going on a trip. So you pick out four or five of your favorite toys and you put them into a backpack. You put in a bottle of water and some rosary beads as well.

You walk out through the door of your home into the night with your mom. You don't know what is going on. You are just doing what you were told. You hold your mother's hand, and you walk in silence.

Soon you are walking with 20 others through the Mexican desert. You are tired and hungry and carrying everything that matters to you on your back. The sweat is pouring off. The prickly bushes scrape your body. You are overcome by dehydration, and you faint.

Someone comes to your aid. They give you some water from their canteen. You come to and you keep going. Eventually, on this journey, you make it into the United States of America, into Arizona.

Then, out of the blue, the years pass and you grow up. Fourteen years pass and now you are 25 years old. You have spent more than half your life in the United States of America. You are studying and going to college to get your degree in economics or working full time at the local bank to save money.

You have made friends and built a life for yourself, and things are going well. Then, all of a sudden, your future—everything you had planned for in life—is thrown into doubt. The President of the United States has just said that he views you as a criminal because of the decision your mother made well more than a decade before. Just remember what you did. You followed what your mom said: Put some things into a backpack, and we are going out into the night.

It doesn't matter to President Trump that you had no choice in that decision. It doesn't matter to him all you have had to overcome. It doesn't matter how you have invested so seriously in being a productive part of your community. In the eyes of the President of the United States, you are a criminal.

It really shouldn't be too hard to imagine that story because the story close to that is the story of some 800,000 people living in the United States—young men and women who came here as children, having nothing to do with the decision themselves.

This particular story that I have read to you is the true story of an Oregonian. It is a story that belongs to Hugo, one of 11,000 Dreamers living in Oregon today. Like the hundreds of thousands of others brought to this country as children through no fault of their own, Hugo's future was thrown into complete chaos by the President—thrown into chaos when Attorney General Sessions, acting on orders from President Trump, announced the cruel and heartless decision to end the Deferred Action for Childhood Arrivals Program, or the DACA Program. We know this program best as a program for Dreamers, those young men and women who are seeking to do everything they can to have productive lives, to contribute to their community, to establish a financial foundation, and to contribute back to America—those young men and women who know no other nation, who speak no other language, who contribute to society, and who are American in every way that matters. But that is not the viewpoint President Trump has, and so we in the Senate have to act.

The United States is and always has been a nation of immigrants. Unless one is a Native American, each of us—every one of us—is either an immigrant or descended from immigrants who were fleeing famine, immigrants who were fleeing political persecution, immigrants who were fleeing religious persecution, immigrants who were simply seeking a better life, greater opportunity, greater freedom for their family. That is the foundation on which America has been based.

Our Founding Fathers recognized just how vital immigration was to the growth and strength of our budding Nation. After all, it was James Madison, the author of our Constitution and our fourth President, who declared during the Constitutional Convention that “America was indebted to immigration for her settlement and prosperity.” He continued: “That part of America which had encouraged immigration most has advanced most rapidly. . . .”

Now, we have always had debates and discussions about immigration. At times, we have been shortsighted in banning or limiting one group or another in a generation only to turn around and welcome them with open arms in the next generation. Time and again, we have overcome our prejudices. We have remained true to the loving and compassionate Nation we are, a Nation that has welcomed others to our shores.

If we want to know the true nature of our country, we only need to look to the Statue of Liberty, where there, below the feet of Lady Liberty, are inscribed those words: “Give me your tired, your poor, your huddled masses yearning to breathe free.” I think that line from the poet Emma Lazarus resonates so powerfully because we know

that so many of our lives are connected through our parents, grandparents, and great grandparents to that experience of coming to America's shores poor and tired and yearning to breathe free.

Generation after generation of immigrants saw Lady Liberty, this welcoming symbol of freedom and opportunity, as their first glimpse of America. It has inspired hope and given people across the world permission to dream.

But if we end DACA, if we crush the dreams of these young men and women, we might as well take away those words off of the pedestal of Lady Liberty because we will no longer be that compassionate Nation. We will no longer be that welcoming Nation that has played such an instrumental role in each of our histories.

I can't think of anything more damaging to the well-being or the future of our great Nation because we know that when people come here and add their distinctive cultures, beliefs, and backgrounds to the melting pot of America, we become a stronger country and a stronger people.

This is especially true of our Dreamers, the 800,000 men and women for whom America is the only home they know, the 800,000 who came here as young children, the 800,000 who went to school here and made their friends here and grew up here and invested in creating a future here, the young men and women whom we promised, if they came out of the shadows, if they did everything else right, if they obeyed the laws and met the rigorous requirements asked of them, that we would protect and look after them in this Dreamer Program—people such as Hugo Nicolas, whose story I just shared, and Zaira Flores, another Dreamer who came to America as a child who grew up in this country and is now giving back to our country.

Zaira came when she was just 6 years old. Her younger brother was in need of medical attention, and he couldn't get that medical attention back home in Mexico, but he got it here in America. He underwent years of treatment and surgery, and thereupon Zaira's family decided that this was their home. Two decades have passed. Two decades have passed, and now 26-year-old Zaira Flores works for the State of Oregon. She is a bilingual counselor and volunteer coordinator who assesses social services and disability programs for older adults. Zaira didn't make the decision to come here or to stay here. She didn't have a say in the matter. She doesn't remember her life back in Mexico.

Attorney General Sessions and President Trump may say she is a criminal, but I say she is a contributing member of Oregon who has done everything right to build a solid life, a contributing member to our country, and we need to pass the Dream Act to make

sure she can continue to make these substantial contributions. It is the only right thing to do for her, but it is also the right thing to do for our community, for Zaira and Hugo and the hundreds of thousands of talented, driven young men and women just like them who embody the American dream. They have risen up from humble beginnings. They have overcome adversity to thrive. Aren't these exactly the kinds of individuals we want in our Nation? We ought to be celebrating these Dreamers for all they are doing, not punishing them for choices made by their parents.

The eviction of 800,000 Dreamers just doesn't hurt them, it doesn't just punish them, it doesn't just damage their families, it hurts all of us because as punishing as it would be to send Dreamers back to countries they have never known, all of us will pay a price if this is allowed to happen. We will pay the price economically in the estimated \$460 billion the economy would lose over the next 10 years, and we would pay the price morally as our Nation's standing as a beacon of hope and opportunity is tarnished in the eyes of the world.

If President Trump will not do the right thing, if he is willing to turn his back on these 800,000 young men and women, then it is up to all of us in Congress to stand up for them. It is what many of my Republican colleagues, both here in the Senate and over in the House, have said they want to accomplish, including Speaker RYAN and Majority Leader MCCONNELL. It is what President Trump's friends in the business sector have said they want. Just this past weekend, more than 400 industry leaders signed a letter pledging their support for DACA and urging the President to continue it. It is what nearly three-quarters of the American people say they want to see happen in the most recent polls.

So let's listen to our business leaders, let's listen to our colleagues on both sides of the aisle, let's listen to the American people, let's listen to our hearts and our minds on this issue before us, and let's act expeditiously—not in 6 months, with days to spare before President Trump's clock runs out. Let's act within 6 days. Let's act quickly because for every single day that passes now, these individuals and their extended families are in a whirl of pain and uncertainty. That simply isn't right. Let's protect these Dreamers who are here through no fault of their own, who have contributed an enormous amount to our country, and who are American in every single way that matters.

To paraphrase President Madison, we are a nation that is indebted to immigration for our incredible success. We cannot—we must not renege on that debt by turning our backs on the Dreamers. It would undermine our Nation's moral standing. It would hurt

our economy. It is cruel. It is mean. It is absolutely just plain wrong. Let's get that bill on this floor and let's pass it expeditiously.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I think I will shock nobody by telling the Chair that I disagree with almost every policy President Trump has brought forth.

No, I do not believe that we should throw 23 million Americans off of health insurance and give hundreds of billions of dollars in tax breaks to the top 2 percent. No, I happen to believe that at a time of massive income and wealth inequality, it is high time for the wealthiest people in this country and for large, profitable corporations to start paying their fair share of taxes.

No, I do not believe, as President Trump does, that we should cut Pell grants and food stamps and afterschool programs and Medicaid and nutrition programs for pregnant women and heating assistance programs. I believe that in the wealthiest country in the history of the world, we must protect those who are the most vulnerable.

No, I do not believe, as President Trump does, that climate change is a hoax. I believe it is the greatest environmental crisis facing our planet and that it is already causing devastating harm throughout our Nation and throughout the world and on and on it goes.

There is very little in public policy on which I agree with the President, but there is one area in which my disagreement with President Trump goes much deeper than public policy. The truth is, every President in recent history, including conservative Presidents like George W. Bush and liberals like Barack Obama, has understood that one of the prime functions of being President of the United States is to bring the people of our country together, whether you are Black or whether you are White or whether you are Latino or whether you are Asian American or whether you are Native American. Every President has instinctively understood that one of the prime responsibilities of a President is to bring our people together as proud Americans.

Unfortunately and tragically, this is something Donald Trump does not understand. At a time when this country faces so many serious crises, whether it is the high cost of healthcare, whether it is climate change, whether it is the

proliferation of low-wage jobs and a starvation minimum wage, whether it is the huge national debt we face, whether it is inadequate educational opportunities, whether it is a broken criminal justice system, instead of bringing our people together to address those important issues and trying to solve them, what this President is doing, uniquely in modern history, is trying to divide us up by the color of our skin, by our sexual orientation, by the country we were born in, by our religion.

Instead of bringing us together to solve the many problems we face as a people, he is trying to divide us up in order to gain political support from a segment of our population. He is trying to divide us up based on the color of our skin, which is what his attacks on affirmative action are all about. He is trying to divide us up based on religion, which is what his Muslim ban is all about. We are not supposed to like Muslims. He is trying to divide us up based on sexual orientation, which is what his attacks on transgender individuals serving in the military is about. We are supposed to hate transgender people and discriminate against them, and he is trying to divide us up based on our country of origin and our immigration status.

In my view, Trump's decision to end the DACA Program for some 800,000 young people is the cruelest and most ugly Presidential act in the modern history of this country. I cannot think of one single act which is uglier and more cruel.

These are 800,000 young people—often exemplary young people—the kind of kids we are proud of. These are kids who know this country—the United States of America—as their only home. In fact, many of these young people know English as their only language. These are young people who today are in college, they are in law school, they are in medical school, and they are proudly serving in the U.S. military.

What this President has done is to take away the legal status by which these young people can work and find jobs, go to school, and live without fear. If they don't have that legal status, it means that anytime they walk down the street, they are frightened they could be arrested and deported from this country and separated from their families.

This act, on the part of Donald Trump, is an abomination, and Congress must reject Trump's action and pass DACA into law.

This is exactly what the American people want us to do. A recent poll—I think it came out yesterday—done by Morning Consult and Politico reports that 76 percent of those who were polled said the government should allow immigrants brought to the United States illegally as children to remain here—76 percent. Eighty-four

percent of Democrats support the Dreamers having legal status, while 69 percent of Republicans surveyed also favor such a policy.

In another poll in April of 2017, 73 percent of Trump supporters said Dreamers should be allowed to stay in the United States and become legal residents. In other words—and I say this to the young people who are in DACA—please do not think for one moment that you are being deserted by the people of this country. You are not. You are being attacked by a President of the United States who chooses to divide us up, and you are today's victims. Tomorrow it may well be another minority group.

So this is a pivotal moment in American history, and we need to tell those young people that we will not see their legal status removed. We will not see them thrown out of the only country they have ever known. We need strong, bipartisan support to pass the Dream Act, and I hope we will do that as soon as possible.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT). Without objection, it is so ordered.

TRIBUTE TO SISTER JANICE RYAN

Mr. LEAHY. Mr. President, on September 13, 2017, the Vermont Community Foundation will pay tribute to Sister Janice Ryan for the many contributions she has made to our State of Vermont and its residents. The foundation will present Sister Janice with its Lifetime Achievement Award for Community Service—just 1 day before she celebrates her 81st birthday, having been born September 14, 1936, on the family dairy farm in Fairfield, VT.

In the case of Sister Janice, “community service” extends well beyond the borders of our small State. Through her lens, the community is global.

Perhaps it was the work ethic and the duties of stewardship that she learned growing up on the farm or the responsibility that comes with being raised the eldest of six children, but since joining the Sisters of Mercy as a teenager, Sister Janice rose to whatever challenge she was presented and brought her trademark energy, compassion, and influence to every task.

Before most of us even heard the phrase “mainstreaming,” Sister Janice worked tirelessly to ensure that children with special needs received the education they deserved, first at the State level, and later in her work as a

staff member in the U.S. Senate. Later, serving as project director of the Catholic Campaign to Ban Landmines, she was a great ally with me in the work we did in the 1990s and since then to rid the world of landmines. Her passion and commitment to that issue inspired me and many others.

Sister Janice's titles have been many and varied: professor and college president, deputy corrections commissioner, criminal justice reformer, human rights advocate, and, of course, Catholic nun. What is common to all of her work is her heartfelt belief that we cannot and we must not lose sight of the poor and vulnerable among us.

Representing the Sisters of Mercy, Sister Janice has always done this work in a quiet but most effective manner. Her no-nonsense personality cuts straight to the core of the issue and to the pressing need. She is masterful at bringing opposing sides together and finding the common language needed to move us forward. In these times we live in, we need many more people like Sister Janice in the world.

Upon receiving an honorary degree from the University of Vermont in 2008, Sister Janice spoke about the role that faith has played in her life. She told an interviewer that she was first drawn to the Sisters of Mercy because of its emphasis on education and its work with immigrants.

"I truly believe we have purpose and that it is related to some greater force," she said at the time. "It is almost impossible to imagine my life without a belief in a higher power, to put it in secular terms. There is so much in the universe that calls out for it."

Marcelle and I have seen Sister Janice answer that calling many times over. For that, our State, our Nation, and our world are better. We are so very grateful.

NATIONAL POW/MIA RECOGNITION DAY

Mr. CRAPO. Mr. President, in recognition of National POW/MIA Recognition Day, today I wish to call attention to the importance of maintaining focus on efforts to bring home America's prisoners of war, POWs, and missing in action, MIA. Let us join in honoring America's servicemembers, including those who have yet to make it home, and recognizing the enduring service of military families who watch and wait for the return of their loved ones.

We must continue to seek answers until all American servicemembers are home. Many American families have waited decades for resolution about the fate of their loved ones who went missing while serving our Nation. I commend those who are working to bring America's servicemembers home and

who keep a spotlight on the service of those who remain missing. Idahoans, including members of the POW/MIA Awareness Rally Corp., raise awareness about the continued need to return our missing servicemembers, holding annual rallies and other events to keep a spotlight on the service of those who remain missing and the need for answers for their families. Their efforts are greatly valued in helping to ensure that the return of American servicemembers is prioritized.

The Defense POW/MIA Accounting Agency reports that more than 360 Idahoans are among those who have not yet been recovered following their service in World War II, the Korean war, and the Vietnam war. Their service and return must be ever fixed in our national attention. My prayers are with their families and friends that they may experience the long-awaited return of their loved ones. We cannot let up in the search. As Americans, it is our duty to bring home those who have given so much for us.

ADDITIONAL STATEMENTS

TRIBUTE TO PAM TESTROET

• Mr. CASSIDY. Mr. President, today I would like to recognize and honor the president-elect of the Louisiana REALTORS, Mrs. Pam Foreman Testroet. Pam is a distinguished realtor in Louisiana whose career has been defined by her devotion to ethics and her ability to make people comfortable while making important life decisions.

The Louisiana REALTORS, LR, is a trade association tasked with helping its members in the business of real estate in Louisiana. LR represents its members on real estate issues before the State and Federal governments while also providing legal assistance and professional development opportunities. As president, Pam will ensure LR achieves its mission of "providing optimum member resources while serving as the advocate for REALTORS and consumers."

Pam began her career in Baton Rouge working for the Louisiana State Legislature and the constitutional convention. She held various jobs in New Orleans and Houma, LA, before pursuing her dream of a career in real estate in 2003. After receiving her real estate license, Pam became actively involved in REALTOR organizations, serving as a director on boards at the local, State, and national levels.

Pam's top career priorities include client satisfaction, ethics, communication, technology, and education. As evidenced by her numerous awards, Pam has excelled at those priorities. Pam's awards include: 2005 Rookie of the Year, 2007 REALTOR of the Year, 2008 Congeniality Award, 2010 RE/MAX Cooperative Spirit Award, Louisiana

REALTORS 2013 REALTOR of the Year, 2016 Louisiana REALTORS secretary/treasurer, and, finally, 2017 president-elect of Louisiana REALTORS.

I would like to congratulate Pam on her astounding career and her ascension to the position of president of the Louisiana REALTORS. Her election as president is a testament of her work ethic and the positive impact she has had on those with which she has come in contact. I know Pam will excel in this position, and I am proud to have her in the great State of Louisiana.●

CENTENNIAL ANNIVERSARY OF CASCADE, IDAHO

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in honoring the city of Cascade, ID, in its 100th year since its incorporation.

One hundred years ago, Cascade got its start as a prime location along the railroad tracks that crossed Valley County, ID, and developed into the county seat. Cascade became a central place for transporting the timber harvested nearby to area sawmills and a hub for mining. Like its neighbors in other parts of Valley County, Cascade has faced booms and downturns in the logging, mining, and agriculture sectors, with resilience and ingenuity. The beauty of the local landscapes and natural resources continue to attract recreation and other outdoor activities to this picturesque community, and residents embody the industriousness and warmth at the heart of the community and its historical roots. Cascade's chamber of commerce aptly highlights Cascade's "scenic beauty, fresh mountain air, warm friendly people and unlimited recreational activities." It is truly a treasure of our great State.

Congratulations to the residents of Cascade on 100 years of accomplishments in developing Cascade that is a wonderful home and destination to so many. We wish you well as you continue to work for the advancement of this great community and its residents.●

CENTENNIAL CELEBRATION OF THE TOWN OF ESTES PARK

• Mr. GARDNER. Mr. President, today I wish to honor the centennial celebration of the town of Estes Park, CO. For more than a century, Estes Park has been the primary entrance point into one of our national treasures, Rocky Mountain National Park. Millions of tourists visit the national park each year, beginning their journey in Estes Park.

Before the formal incorporation of the town, many Native American tribes spent time in the region, including the Utes, Arapaho, Shoshone, and

the Comanche. Settlers began to come to the area when President Abraham Lincoln signed the Homestead Act into law in 1862, encouraging them to travel West and explore unchartered territory. In 1863, Joel and Patsy Estes traveled from Kentucky, in search of fertile land to begin their cattle ranch in Colorado, and they found it in the area that later bore their name. By 1874, many more settlers had traveled out West and made Estes Park their home.

The original Coloradans living in Estes Park were resourceful and ingenious, building schools and homes from the ground up in this rugged, mountainous terrain. The present Coloradans living in Estes Park are also resilient—surviving floods and severe damages to the town and surrounding area in 1982 and again in 2013. Following the devastation of the flooding in 2013, U.S. Highway 34, one of the main roads into Estes, was in need of extreme restoration. Through bipartisan efforts in both the U.S. House of Representatives and the Senate, the Colorado delegation was able to ensure this highway received the funding it required to keep the gateway to Rocky Mountain National Park open.

I would like to congratulate the Town of Estes Park on this exciting milestone, and I look forward to the town's many more years of prosperity and success.●

TRIBUTE TO THOMAS CERRA

● Mr. MANCHIN. Mr. President, today I wish to honor Thomas Cerra, a noble veteran, an inspiration to his community, and a beloved member of my home State of West Virginia.

Growing up in the northern panhandle of our beloved State, it is ingrained in each West Virginian that you have to work hard for what you want in life. Tom is indeed one of the hardest working men I know. Early on, he worked odd jobs during summers and after school and learned the value of a customer service mentality.

Prior to joining the military, Tom worked on the B&O Railroad, drove a truck for a meat-packing plant and worked for the State road, while also attending night school for industrial drafting.

In 1959, Tom joined the U.S. Army to serve his country and was honorably discharged in 1962. This experience only added to Tom's outstanding character, as he continued to develop his leadership skills and discipline. His service will never be forgotten.

One of my favorite stories about Tom is that, once he was discharged from the Army, he returned to the YMCA where he had trained and instructed for many years. It was the year of West Virginia's centennial celebration, and the community hosted the Mister West Virginia Centennial Weightlifting Con-

test. Tom won the top award in the 181-pound lifting class and the physique contest and was crowned "Mister West Virginia Centennial." Throughout all of his training, Tom never missed a day of work and still had time to get his weightlifting trophy engraved 2 weeks ahead of time. His sharp wit and sense of humor only add to his unforgettable character.

Tom worked all over the country, but found an opportunity to come home to Wheeling when he applied for a job with then-Ohio Valley Builders Exchange. After a few short years with the company, he convinced the board of directors to change the name of the company to more accurately define what they did, and so it became the Ohio Valley Construction Employers Council, Inc. Tom then led the charge to form a labor management organization in order to promote the contractors and building tradesmen to their customers. The group adjusted the name to Project BEST: Building Efficiency by Striving Together and was incorporated in 1982.

Project BEST is now comprised of hundreds of contractors and thousands of building trades craftsmen and apprentices in the Upper Ohio Valley region. This group is known for providing annual scholarships to area universities and colleges, promoting workplace safety and productivity, and provides a forum for the discussion of industry matters with all those involved with economic development endeavors.

What remained the same throughout the years was Tom's dedication to his parents, Christine and Thomas, and his brother, Jimmy, who always provided him with unwavering support throughout his career. It is my hope that he enjoys his well-deserved retirement with his loved ones—including his son, Bryan, his niece, Tina Marie, his grandchildren, Makayla, Angelina, and Wyatt, and his entire family.

Tom is the epitome of the American Dream. He worked hard his entire life and always strove to give back to his community after he served his country. It is my great privilege to recognize his accomplishments and to extend thanks, on behalf of all West Virginians, for his unwavering service.●

TRIBUTE TO LUCIANO "LUCKY" VARELA

● Mr. UDALL. Mr. President, I wish to pay tribute to longtime New Mexico State Representative Luciano "Lucky" Varela, who passed away on September 2, 2017. Lucky served the State of New Mexico for over five decades—first as a financial expert for the State finance department and then as a respected legislator in the New Mexico House of Representatives. We will remember Lucky as a champion for all of New Mexico, for his expertise and legislative skills, and also for his kindness, civility, and great heart.

Lucky was born to Celestino and Catalina Varela in Pecos, NM, on February 17, 1935. Growing up during and right after the Great Depression, his early jobs including hauling firewood to miners working near Pecos. He developed a strong work ethic and a love of the outdoors. Those early experiences informed his work in the State legislature, including his effort to keep New Mexico rivers and streams open to sportsmen and recreationists.

Lucky graduated from Pecos High School and joined the U.S. Army in 1957. He served 2 years in the Army and 6 years in the Army Reserve. He graduated from the College of Santa Fe with a degree in accounting. He then earned a law degree from LaSalle University.

Lucky worked as a comptroller for the New Mexico Department of Finance and Administration from the early 1960s to the mid-1980s. There he got to know the State's finances inside and out—knowledge that would be key to his success in the legislature.

After retiring from State government, Lucky couldn't sit still. He ran for a seat in the New Mexico House of Representatives and represented District 48 in Santa Fe for 30 years, from 1987 to 2016.

Lucky's knowledge of State finances was legion. It is said that he knew State agency finances better than the agency heads. He served as chair of the legislative finance committee and deputy chair of the house appropriations and finance committee. Lucky understood the numbers, but just as importantly, he understood the people behind those numbers—their struggles, hopes, and dreams. He championed public education, seniors, State employees, and technology, fighting for increases funding for public schools, higher salaries for teachers, raises for State employees, and modernizing State government technology.

During the fiscal crisis of 2009, Lucky is credited with singlehandedly developing the budget that balanced the budget and saved State finances. This ensured schools stayed open, State employees were not laid off, and State police got paid.

One of his final accomplishments was a 2013 bill he cosponsored to overhaul the Public Employees Retirement Association pension fund—helping make sure State retirees are secure in their retirement.

Lucky gave selflessly to the people of Santa Fe, the entire State of New Mexico, and our Nation, but he was even more devoted to family. Lucky is survived by his three children—Jeff, James, and Bernadette—and nine grandchildren. New Mexico is a better place thanks to Lucky's over 50 years of service. We will miss him dearly.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:50 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1843. An act to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes.

H.R. 2864. An act to direct the Securities and Exchange Commission to allow certain issuers to be exempt from registration requirements, and for other purposes.

H.R. 3110. An act to amend the Financial Stability Act of 2010 to modify the term of the independent member of the Financial Stability Oversight Council.

The message further announced that the House has passed the following bill, without amendment:

S. 1616. An act to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 69. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

At 2:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendments numbered 1, 2, 3, 4, 5, 7, and 8 of the Senate to the bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; and fur-

ther, that the House agreed to the amendment numbered 6 of the Senate to the aforementioned bill, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1843. An act to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; to the Committee on Finance.

H.R. 2864. An act to direct the Securities and Exchange Commission to allow certain issuers to be exempt from registration requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 49. Joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017 in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2688. A communication from the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Armed Services.

EC-2689. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Years 2016 through 2018"; to the Committee on Armed Services.

EC-2690. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for monthly basic pay increases for members of the uniformed services for 2018; to the Committee on Armed Services.

EC-2691. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2692. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2693. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order with respect to Venezuela that takes additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2694. A communication from the Secretary of the Interior, transmitting, pursuant to law, reports relative to Executive Order 13783; to the Committee on Energy and Natural Resources.

EC-2695. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Louisiana; Volatile Organic Compounds Rule Revision and Stage II Vapor Recovery" (FRL No. 9965-62-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2017; to the Committee on Environment and Public Works.

EC-2696. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; AK; Adoption Updates and Rule Revisions" (FRL No. 9966-80-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2017; to the Committee on Environment and Public Works.

EC-2697. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Major New Source Review" (FRL No. 9966-78-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2017; to the Committee on Environment and Public Works.

EC-2698. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Permits, Approvals, and Registrations" (FRL No. 9966-79-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2017; to the Committee on Environment and Public Works.

EC-2699. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval and Air Quality

Designation; TN; Redesignation of the Knoxville 2006 24-hour PM2.5 Nonattainment Area to Attainment" (FRL No. 9966-93-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2017; to the Committee on Environment and Public Works.

EC-2700. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2017-18 Season" (RIN1018-BB40) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2017; to the Committee on Environment and Public Works.

EC-2701. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "The Medicare Secondary Payer Commercial Repayment Center in Fiscal Year 2016"; to the Committee on Finance.

EC-2702. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Correct Liability" (Rev. Proc. 2017-44) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Finance.

EC-2703. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 305 Treatments of Elective Dividends by Publicly Offered REITS and RICs" (Rev. Proc. 2017-45) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Finance.

EC-2704. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "National Average Bronze Plan Premium" (Rev. Proc. 2017-48) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Finance.

EC-2705. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "General Arbitrage Rebate Rules" (Rev. Proc. 2017-50) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Finance.

EC-2706. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to amendments to part 121 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC-2707. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of fully automatic rifles, semi-automatic pistols, and silencers with extra magazines and accessories to Indonesia in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-053); to the Committee on Foreign Relations.

EC-2708. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0149–2017-0158); to the Committee on Foreign Relations.

EC-2709. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's fiscal year 2017 Commercial Activities Inventory and Inherently Governmental Activities Inventory and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-2710. A communication from the Director of the Office of Regulatory Affairs and Collaborative Action, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Waiving Departmental Review of Appraisals and Valuations of Indian Property" (RIN1093-AA20) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2017; to the Committee on Indian Affairs.

EC-2711. A communication from the Acting Register of Copyrights and Director, United States Copyright Office, Library of Congress, transmitting, pursuant to law, a report entitled "Proposed Schedule and Analysis of Copyright Recodification Fee To Go into Effect on or about December 18, 2017"; to the Committee on the Judiciary.

EC-2712. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting proposed legislation entitled "Electronic System for Travel Authorization Fee Act"; to the Committee on the Judiciary.

EC-2713. A communication from the Chief of the Border Security Regulations Branch, United States Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Waiver of Passport and Visa Requirements Due to an Unforeseen Emergency" (RIN1651-AA97) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with amendments:

S. 1631. A bill to authorize the Department of State for Fiscal Year 2018, and for other purposes.

S. 1697. A bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROUNDS (for himself and Mr. KAINE):

S. 1765. A bill to require a comprehensive plan for the sharing of best practices for depot-level maintenance among the military

services; to the Committee on Armed Services.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. HELLER, and Mr. BENNETT):

S. 1766. A bill to reauthorize the SAFER Act of 2013, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. COCHRAN):

S. 1767. A bill to reauthorize the farm to school program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself, Ms. MURKOWSKI, Mr. GARDNER, Mrs. MURRAY, Mr. WYDEN, Ms. HARRIS, Mr. MERKLEY, and Ms. CANTWELL):

S. 1768. A bill to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. KAINE, Mr. GARDNER, Mr. ISAKSON, Ms. MURKOWSKI, and Mr. BLUMENTHAL):

S.J. Res. 49. A joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017, in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. HIRONO:

S. Con. Res. 23. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Filipino Veterans of World War II; considered and agreed to.

ADDITIONAL COSPONSORS

S. 229

At the request of Mr. HEINRICH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 229, a bill to provide for the confidentiality of information submitted in requests for the Deferred Action for Childhood Arrivals Program, and for other purposes.

S. 243

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 243, a bill to provide for a permanent extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals.

S. 253

At the request of Mr. CARDIN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Colorado (Mr. BENNET), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 326

At the request of Mr. HELLER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide for the tax-exempt financing of certain government-owned buildings.

S. 385

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 385, a bill to promote energy savings in residential buildings and industry, and for other purposes.

S. 589

At the request of Mr. KING, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 589, a bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes.

S. 662

At the request of Mr. BLUMENTHAL, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 662, a bill to provide incentives for hate crime reporting, grants for State-run hate crime hotlines, a Federal private right of action for victims of hate crimes, and additional penalties for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S. 794

At the request of Mr. ISAKSON, the names of the Senator from Kansas (Mr. MORAN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 843

At the request of Mr. BENNET, the name of the Senator from North Dakota (Ms. HERTKAMP) was added as a cosponsor of S. 843, a bill to amend the Internal Revenue Code of 1986 to provide for the issuance of exempt facility bonds for qualified carbon dioxide capture facilities.

S. 967

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1089

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1089, a bill to require the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

S. 1113

At the request of Mrs. FEINSTEIN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Maryland (Mr. CARDIN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1132

At the request of Mr. CASSIDY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1132, a bill to amend title XVIII of the Social Security Act to make permanent the removal of the rental cap for durable medical equipment under the Medicare program with respect to speech generating devices.

S. 1256

At the request of Mr. MARKEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1256, a bill to award a Congressional Gold Medal to the 23d Headquarters, Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a "Ghost Army" that conducted deception operations in Europe during World War II.

S. 1322

At the request of Mr. SULLIVAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1322, a bill to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, and for other purposes.

S. 1323

At the request of Mr. SULLIVAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a co-

sponsor of S. 1323, a bill to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen, and for other purposes.

S. 1359

At the request of Mr. BARRASSO, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1359, a bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

S. 1455

At the request of Mr. FLAKE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1455, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage.

S. 1579

At the request of Mr. ROUNDS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1579, a bill to amend the Consumer Financial Protection Act of 2010 to establish advisory boards, and for other purposes.

S. 1591

At the request of Mr. VAN HOLLEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1591, a bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes.

S. 1706

At the request of Ms. HASSAN, her name was added as a cosponsor of S. 1706, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

At the request of Ms. BALDWIN, her name was added as a cosponsor of S. 1706, *supra*.

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 1706, *supra*.

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1706, *supra*.

At the request of Mr. UDALL, his name was added as a cosponsor of S. 1706, *supra*.

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. 1706, *supra*.

S. 1718

At the request of Mr. KENNEDY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1751

At the request of Mr. DONNELLY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1751, a bill to modify the definitions of a mortgage originator, a high-cost mortgage, and a loan originator.

S. RES. 160

At the request of Mr. TILLIS, his name was added as a cosponsor of S. Res. 160, a resolution honoring the service to United States Armed Forces provided by military working dogs and contract working dogs, also known as “war dogs”.

AMENDMENT NO. 592

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 605

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 605 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 662

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 662 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 663

At the request of Mrs. SHAHEEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 663 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. HELLER, and Mr. BENNET):

S. 1766. A bill to reauthorize the SAFER Act of 2013, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2017” or the “SAFER Act of 2017”.

SEC. 2. PEDIATRIC SEXUAL ASSAULT NURSE EXAMINERS.

Section 304(c)(2) of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136a) is amended—

(1) by inserting “, both adult and pediatric,” after “role of forensic nurses”; and

(2) by striking “and elder abuse” and inserting “elder abuse, and, in particular, the need for pediatric sexual assault nurse examiners, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents”.

SEC. 3. REDUCING THE RAPE KIT BACKLOG.

(a) REAUTHORIZATION.—Section 2(c)(4) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(4)) is amended by striking “2017” and inserting “2022”.

(b) REPEAL OF SUNSET.—

(1) IN GENERAL.—Section 1006 of the SAFER Act of 2013 (42 U.S.C. 14135 note) is repealed.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4; 127 Stat. 54) is amended by striking the item relating to section 1006.

By Mr. WARNER (for himself, Mr. KAINE, Mr. GARDNER, Mr. ISAKSON, Ms. MURKOWSKI, and Mr. BLUMENTHAL):

S.J. Res. 49. A joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017 in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President’s Cabinet to use all available resources to address the threats posed by those groups; read the first time.

Mr. WARNER. Mr. President, I want to welcome all my colleagues back to

the Capitol. Obviously, we have a busy time in front of us.

I would appreciate a moment of personal privilege to thank my colleagues—including the Senator from Colorado—who reached out to me in the wake of the horrible events 4 weeks ago in Charlottesville, VA. I appreciated the messages of support for the Charlottesville community and the bipartisan condemnation of the White nationalists and anti-Semitic activists who chose my State and the home of the author of the Declaration of Independence to show the world their hateful, misguided, and violent beliefs.

I have partnered with my fellow Virginian, Senator KAINE, and with Senator GARDNER, Senator ISAKSON, and others on a bipartisan basis to create a resolution condemning the hatred and violence we saw on display in Charlottesville.

Our resolution condemns the White nationalists and White supremacists, the KKK, and anti-Semitic groups. Our resolution also honors the memory of Heather Heyer and the two Virginia State police officers, Lieutenant Jay Cullen and Trooper Berke Bates, who lost their lives in Charlottesville. Our bipartisan resolution also calls upon the Trump administration to do more than track the recent and distressing increase in these violent discriminatory attacks but to actually counter these efforts with a coordinated response that draws upon all the resources of our Federal Government.

Our Nation is better than the vileness and violence we saw in Charlottesville on August 11 and 12. Our Nation also deserves clear and unequivocal condemnation of racist and discriminatory attacks from our Nation’s leaders.

We are introducing the resolution today, and I encourage my colleagues to show their support for the people of Charlottesville and the people of the Commonwealth by cosponsoring this initiative.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 23—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO PRESENT THE CONGRESSIONAL GOLD MEDAL TO THE FILIPINO VETERANS OF WORLD WAR II

Ms. HIRONO submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO PRESENT THE CONGRESSIONAL GOLD MEDAL TO THE FILIPINO VETERANS OF WORLD WAR II.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be

used on October 25, 2017 for a ceremony to present the Congressional Gold Medal collectively to the Filipino Veterans of World War II in recognition of their dedicated military service.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED AND PROPOSED

SA 789. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 790. Ms. DUCKWORTH (for herself, Mrs. ERNST, Mr. DURBIN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 791. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 792. Mr. JOHNSON (for himself, Mrs. ERNST, Mr. GRASSLEY, and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 793. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 794. Ms. WARREN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 795. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 796. Mr. CORNYN (for himself, Mr. BLUMENTHAL, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 797. Mr. PETERS (for himself, Mr. SULIVAN, Ms. CANTWELL, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 798. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 799. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 800. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 801. Mrs. GILLIBRAND (for herself, Mrs. CAPITO, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. COLLINS, Mr. KING, Mr. MORAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 802. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 803. Mr. CARDIN submitted an amendment intended to be proposed by him to the

bill H.R. 2810, supra; which was ordered to lie on the table.

SA 804. Mrs. FISCHER (for herself and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 805. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 806. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 807. Mr. GARDNER (for Mrs. SHAHEEN) proposed an amendment to the bill S. 920, to establish a National Clinical Care Commission.

SA 808. Mr. MCCONNELL proposed an amendment to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

SA 809. Mr. MCCONNELL proposed an amendment to amendment SA 808 proposed by Mr. MCCONNELL to the bill H.R. 601, supra.

TEXT OF AMENDMENTS

SA 789. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. _____. UPGRADE OF M113 VEHICLES.

No amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended to upgrade Army M113 vehicles until the Secretary of the Army submits to the congressional defense committees a report setting forth the strategy of the Army for the upgrade of such vehicles. The report shall include the following:

(1) A detailed strategy for upgrading and fielding M113 vehicles.

(2) An analysis of the manner in which the Army plans to address M113 vehicle survivability and maneuverability concerns.

(3) An analysis of the historical costs associated with upgrading M113 vehicles, and a validation of current cost estimates for upgrading such vehicles.

(4) A comparison of total procurement and life cycle costs of adding an echelon above brigade (EAB) requirement to the Army Multi-Purpose Vehicle (AMPV) with total procurement and life cycle costs of upgrading legacy M113 vehicles.

(5) An analysis of the possibility of further accelerating Army Multi-Purpose Vehicle production or modifying the current fielding strategy for the Army Multi-Purpose Vehicle to meet near-term echelon above brigade requirements.

SA 790. Ms. DUCKWORTH (for herself, Mrs. ERNST, Mr. DURBIN, and Mr.

GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STEM(MM) JOBS ACTION PLAN.

(a) ASSESSMENTS AND PLAN OF ACTION.—The Secretary of Defense, in conjunction with the Secretary of each military department, shall —

(1) perform an assessment of the STEM(MM) workforce for organizations within the Department of Defense, including the numbers and types of positions and the expectations for losses due to retirements and voluntary departures;

(2) identify the types and quantities of STEM(MM) jobs needed to support future mission work;

(3) determine the shortfall between lost STEM(MM) personnel and future requirements;

(4) analyze and explain the appropriateness and impact of using reimbursable and working capital fund dollars for new STEM(MM) hires;

(5) identify a plan of action to address the STEM(MM) jobs gap, including hiring strategies and timelines for replacement of STEM(MM) employees; and

(6) submit to Congress, not later than December 31, 2018, a report specifying such plan of action.

(b) STEM(MM) DEFINED.—In this section, the term “STEM(MM)” refers to science, technology, engineering, mathematics, maintenance, and manufacturing.

SA 791. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. _____. GOVERNMENT MICRO-PURCHASE THRESHOLD MATTERS.

(a) INCREASE IN THRESHOLD.—Section 1902(a)(1) of title 41, United States Code, is amended by striking “\$3,000” and inserting “\$10,000”.

(b) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency. Use of convenience checks shall comply with controls prescribed in Office of Management and Budget Circular A-123, Appendix B.

SA 792. Mr. JOHNSON (for himself, Mrs. ERNST, Mr. GRASSLEY, and Mr. PAUL) submitted an amendment intended to be proposed by him to the

bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. _____. REPORT ON THE AUDIT OF THE FULL FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth the following:

(1) A description of the work undertaken and planned to be undertaken by the Department of Defense, and the military departments, Defense Agencies, and other organizations and elements of the Department, to test and verify transaction data pertinent to obtaining an unqualified audit of their financial statements, including from feeder systems.

(2) A projected timeline of the Department in connection with the audit of the full financial statements of the Department, to be submitted to Congress annually not later than six months after the submittal to Congress of the budget of the President for a fiscal year, including the following:

(A) The date on which the Department projects the beginning of an audit of the full financial statements of the Department, and the military departments, Defense Agencies, and other organizations and elements of the Department, for a fiscal year.

(B) The date on which the Department projects the completions of audits of the full financial statements of the Department, and the military departments, Defense Agencies, and other organizations and elements of the Department, for a fiscal year.

(C) Beginning with fiscal year 2019, the dates on which the Department expects to obtain an unqualified audit opinion on the full financial statements of the Department, the military departments, the Defense Agencies, and other organizations and elements of the Department for a fiscal year.

(D) The anticipated total cost of future audits as described in subparagraphs (A) through (C).

(3) The anticipated annual costs of maintaining an unqualified audit opinion on the full financial statements of the Department, the military departments, the Defense Agencies, and other organizations and elements of the Department for a fiscal year after an unqualified audit opinion on such full financial statements for a fiscal year is first obtained.

SA 793. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. _____. REPORT ON IMPLEMENTATION OF COMPTROLLER GENERAL OF THE UNITED STATES RECOMMENDATIONS FOR THE DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE, AND UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) REPORT.—

(1) **IN GENERAL.**—Concerned that, by avoiding full implementation of recommendations made by the Comptroller General of the United States, agencies are missing opportunities to operate more efficiently and effectively, not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report summarizing the assessment of the Comptroller General of each open recommendation made to an agency specified in paragraph (2) that has not been fully implemented.

(2) **AGENCIES.**—The agencies referred to in this paragraph are as follows:

(A) The Department of Defense.

(B) The Department of State.

(C) The United States Agency for International Development.

(b) **ELEMENTS.**—The report required by subsection (a) shall include a detailed description of the following:

(1) The initial response of the agency concerned to each recommendation described in subsection (a)(1) at the time such recommendation was made.

(2) The actions taken by the agency concerned to implement such recommendation.

(3) The rationale provided by the agency concerned for not implementing, or partially implementing, such recommendation.

(c) **FORM.**—Any information included in a report under this section shall, to the extent practicable, be submitted in unclassified form, but may be set forth in a classified annex.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 794. Ms. WARREN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON SIGNIFICANT SECURITY RISKS OF THE NATIONAL ELECTRIC GRID.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Director of National Intelligence and the Secretary of Energy, submit to the congressional defense committees a report setting forth the following:

(1) Identification of significant security risks to defense critical electric infrastructure posed by significant malicious cyber-enabled activities.

(2) An assessment of the potential effect of the security risks identified pursuant to paragraph (1) on the readiness of the Armed Forces.

(3) An assessment of the strategic benefits derived from, and the challenges associated with, isolating military infrastructure from the national electric grid and the use of microgrids by the Armed Forces.

(4) Recommendations on actions to be taken—

(A) to eliminate or mitigate the security risks identified pursuant to paragraph (1); and

(B) to address the effect of those security risks on the readiness of the Armed Forces identified pursuant to paragraph (2).

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) The term “defense critical electric infrastructure”—

(A) has the meaning given such term in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a)); and

(B) shall include any electric infrastructure located in any of the 48 contiguous States or the District of Columbia that serves a facility—

(i) designated by the Secretary of Defense as—

(I) critical to the defense of the United States; and

(II) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider; and

(ii) that is not owned or operated by the owner or operator of such facility.

(2) The term “security risk” shall have such meaning as the Secretary of Defense shall determine, in coordination with the Director of National Intelligence and the Secretary of Energy, for purposes of the report required by subsection (a).

(3) The term “significant malicious cyber-enabled activities” include—

(A) significant efforts—

(i) to deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) to exfiltrate, degrade, corrupt, destroy, or release information from such a system or network without authorization for purposes of—

(I) conducting influence operations; or

(II) causing a significant misappropriation of funds, economic resources, trade secrets, personal identifications, or financial information for commercial or competitive advantage or private financial gain;

(B) significant destructive malware attacks; and

(C) significant denial of service activities.

SA 795. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey to the

City of Mountain Home, Idaho (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (c), for the purpose of economic development.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary. The City shall provide an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of the Secretary.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) MAP AND LEGAL DESCRIPTION.—

(1) FINALIZING LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Air Force shall finalize a map and the legal description of the property to be conveyed under subsection (a).

(2) MINOR ERRORS.—The Secretary of the Air Force may correct any minor errors in the map or the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) USE RESERVATION.—The Secretary may reserve a right to temporarily use, for urgent reasons of national defense and at no cost to the United States, all or a portion of the railroad spur conveyed under subsection (a).

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 796. Mr. CORNYN (for himself, Mr. BLUMENTHAL, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter through 2020, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 797. Mr. PETERS (for himself, Mr. SULLIVAN, Ms. CANTWELL, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. ____ . ELECTRONIC HEALTH RECORDS SYSTEM FOR THE COAST GUARD.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard operating is authorized to procure an electronic health records system for the Coast Guard that is the same as the electronic health records system of the Department of Defense.

(b) COMPETITION IN CONTRACTING.—Procurement of an electronic health records system

under this section shall be exempt from the competition requirements of section 2304 of title 10, United States Code.

(c) AUTHORIZED PROCUREMENT ACTIONS.—The authority of the Secretary to procure an action to procure an electronic health records system under this section includes the following:

(1) Authority for task orders under the Department of Defense electronic health records contract.

(2) Authority for a sole source contract award.

(3) Authority for agreements made pursuant to sections 1535 and 1536 of title 31, United States Code (commonly known as the "Economy Act").

(4) Any other procurement authority the Secretary considers appropriate.

(d) SUPPORT SERVICES.—

(1) IN GENERAL.—The Secretary may procure, in addition to the electronic health records system, such support services for the system as the Secretary considers appropriate to ensure the electronic health records system is fully interoperable and integrated with the electronic health records system of the Department of Defense.

(2) SUPPORT SERVICE.—Support services procurable pursuant to this subsection may include services for the following:

(A) System integration support.

(B) Hosting support.

(C) Training, testing, technical, and data migration support.

(D) Hardware.

(E) Any other support the Secretary considers appropriate.

(3) MANNER OF PROCUREMENT.—The Secretary may procure support services pursuant to this subsection using the authorities provided in subsection (c).

SA 798. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. ____ . ASSESSMENT OF THE EXPANDING GLOBAL INFLUENCE OF CHINA AND ITS IMPACT ON THE NATIONAL SECURITY INTERESTS OF THE UNITED STATES.

(a) ASSESSMENT.—The Secretary of Defense shall enter into a contract or other agreement with an appropriate entity independent of the Department of Defense to conduct an assessment of the foreign military and non-military influence of the People's Republic of China which could affect the regional and global national security and defense interests of the United States.

(b) ELEMENTS.—The assessment required by subsection (a) shall include an evaluation of the following:

(1) The expansion by China of military and non-military means of influence in the Indo-Pacific region and globally, including, infrastructure investments, influence campaigns, loans, access to military equipment, military training, tourism, media, and access to foreign ports and military bases, and whether such means of influence could affect United States national security or defense interests, including operational access.

(2) The implications, if any, of such means of influence for the military force posture, access, training, and logistics of the United States and China.

(3) The United States policy and strategy for mitigating any harmful effects resulting from such means of influence.

(4) The resources required to implement the policy and strategy, and the plan to address and mitigate any gaps in capabilities or resources necessary for the implementation of the policy and strategy.

(5) Measures to bolster the roles of allies, partners, and other countries to implement the policy and strategy.

(6) Any other matters the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessment required pursuant to subsection (a).

(2) FORM.—The report required shall be submitted unclassified form, but may contain a classified annex.

SA 799. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. ____ . PLAN TO ENHANCE THE EXTENDED DETERRENCE AND ASSURANCE CAPABILITIES OF THE UNITED STATES IN THE ASIA-PACIFIC REGION.

(a) FINDING.—Congress recognizes that North Korea's first successful test of an intercontinental ballistic missile (ICBM) constitutes a grave and imminent threat to United States security and to the security of United States allies and partners in the Asia-Pacific region.

(b) PLAN.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a plan to enhance the extended deterrence and assurance capabilities of the United States in the Asia-Pacific region.

(c) MATTERS TO BE INCLUDED.—The plan shall include consideration of actions that will enhance United States security by strengthening deterrence of North Korean aggression and providing increased assurance to United States allies in the Asia-Pacific region, including the following:

(1) Increased visible presence of key United States military assets, such as missile defenses, long-range strike assets, and intermediate-range strike assets, to the region that do not violate existing treaties.

(2) Increased military cooperation, exercises, and integration of defenses with allies in the region.

(3) Increased foreign military sales to allies in the region.

(4) Planning for, exercising, or deploying dual-capable aircraft to the region.

(5) Any necessary modifications to the United States nuclear force posture.

(6) Such other actions the Secretary considers appropriate to strengthen extended deterrence and assurance in the region.

(d) FORM.—The plan shall be submitted in unclassified form, but may contain a classified annex.

SA 800. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . RECOGNITION OF THE AVIATION CADET MUSEUM IN EUREKA SPRINGS, ARKANSAS, AS THE NATIONAL AVIATION CADET MUSEUM OF THE UNITED STATES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Aviation Cadet Museum was founded in 1994 by former aviation cadet and Air Force First Lieutenant Errol Severe.

(2) From 1917 until 1965, the flying cadet and succeeding aviation cadet programs served as the primary production source for nearly 500,000 joint service pilots, navigators, and bombardiers.

(3) The bravery, courage, dedication, and heroism of aviators and supporting ground crews from the Army Air Corps and the Army Air Forces were critical factors in defeating the enemies of the United States during World War I and World War II.

(4) The Aviation Cadet Museum in Eureka Springs, Arkansas, is the only museum in the United States that exists exclusively to preserve and promote an understanding of the role of aviation cadets in the 20th century.

(5) The Aviation Cadet Museum is dedicated to—

(A) celebrating the spirit of the United States; and

(B) recognizing the teamwork, collaboration, patriotism, and courage of the men who trained for and fought in, as well as those individuals on the home front who mobilized and supported, the national aviation effort.

(b) RECOGNITION.—The Senate recognizes the Aviation Cadet Museum in Eureka Springs, Arkansas, as the national aviation cadet museum of the United States.

SA 801. Mrs. GILLIBRAND (for herself, Mrs. CAPITO, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. COLLINS, Mr. KING, Mr. MORAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . PROGRAM TO DESIGNATE AND SUPPORT MANUFACTURING COMMUNITIES.

(a) SHORT TITLE.—This section may be cited as the “Made in America Manufacturing Communities Act of 2017”.

(b) DEFINITIONS.—In this section:

(1) MANUFACTURING COMMUNITY SUPPORT PROGRAM.—The term “Manufacturing Community Support Program” means the program established under section 3(a).

(2) PARTICIPATING AGENCY.—The term “participating agency” means a Federal agency that elects to participate in the Manufacturing Community Support Program.

(3) PARTICIPATING PROGRAM.—The term “participating program” means a program identified by a participating agency under section 3(c)(1)(C).

(4) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(c) PROGRAM AUTHORIZED.—The Secretary shall establish a program to improve the competitiveness of United States manufacturing—

(1) by designating consortiums as manufacturing communities under subsection (d); and

(2) by supporting manufacturing communities, as so designated, under subsection (e).

(d) DESIGNATION OF MANUFACTURING COMMUNITIES.—

(1) IN GENERAL.—Except as provided in paragraph (7), for purposes of the Manufacturing Community Support Program, the Secretary shall designate eligible consortiums as manufacturing communities through a competitive process.

(2) ELIGIBLE CONSORTIUMS.—

(A) IN GENERAL.—An eligible consortium is a consortium that—

(i) represents a region defined by the consortium in accordance with subparagraph (B);

(ii) includes at least one—

(I) institution of higher education;

(II) private sector entity; or

(III) government entity;

(iii) may include one or more—

(I) private sector partners;

(II) institutions of higher education;

(III) government entities;

(IV) economic development and other community and labor groups;

(V) financial institutions; or

(VI) utilities; and

(iv) has, as a lead applicant—

(I) a district organization (as defined in section 300.3 of title 13, Code of Federal Regulations, or successor regulation);

(II) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) or a consortium of Indian tribes;

(III) a State or a political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions;

(IV) an institution of higher education or a consortium of institutions of higher education; or

(V) a public or private nonprofit organization or association that has an application that is supported by a State, a political subdivision of a State, or a native community.

(B) REGIONS.—Subject to approval by the Secretary, a consortium may define the region that it represents if the region—

(i) is large enough to contain critical elements of the key technologies or supply chain prioritized by the consortium; and

(ii) is small enough to enable close collaboration among members of the consortium.

(3) DURATION.—Each designation under paragraph (1) shall be for a period of two years.

(4) RENEWAL.—

(A) IN GENERAL.—Upon receipt of an application submitted under subparagraph (B), the Secretary may renew a designation made under paragraph (1) for up to two additional two-year periods. Any designation as a manufacturing community or renewal of such designation that is in effect before the date of the enactment of this Act shall count toward the limit set forth in this subparagraph.

(B) APPLICATION FOR RENEWAL.—An eligible consortium seeking a renewal under subparagraph (A) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(C) MODIFICATIONS AUTHORIZED.—The Secretary may renew a designation under subparagraph (A) for an eligible consortium that—

(i) has changed its composition, either by adding or removing members; or

(ii) as part of its application under subparagraph (B), submits a revision to the plan submitted under paragraph (5)(B)(iv) or the strategy submitted under paragraph (5)(B)(v).

(D) EVALUATION FOR RENEWAL.—In determining whether to renew a designation of an eligible consortium under paragraph (1), the Secretary shall assess the eligible consortium based upon—

(i) the performance of the consortium against the terms of the consortium's most recent designation under paragraph (1) and any post-designation awards the consortium may have received;

(ii) the progress the consortium has made with respect to project-specific metrics the consortium proposed in the consortium's application for the most recent designation under paragraph (1), particularly with respect to those metrics that were designed to help communities track their own progress;

(iii) whether any changes to the composition of the eligible consortium or revisions to the plan or strategy described in subparagraph (C)(ii) would improve the competitiveness of United States manufacturing; and

(iv) such other criteria as the Secretary considers appropriate.

(5) APPLICATION FOR DESIGNATION.—

(A) IN GENERAL.—An eligible consortium seeking a designation under paragraph (1) shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

(B) CONTENTS.—Each application submitted to the Secretary under subparagraph (A) include—

(i) a description of the regional boundaries of the consortium;

(ii) a description of the manufacturing concentration of the consortium, including an assessment of how the manufacturing concentration of the consortium competitively ranks nationally according to measures relating to employment, sales, location quotients for an industry's level of concentration, or such other measures as the Secretary considers appropriate;

(iii) an integrated assessment of the local industrial ecosystem of the region of the consortium, which may include assessment of workforce and training, such as that involving women and underrepresented minorities, supplier network, research and innovation, infrastructure or site development, trade and international investment, operational improvements, and capital access

components needed for manufacturing activities in such region;

(iv) an evidence-based plan for developing components of such ecosystem (selected by the consortium);—

(I) by making specific investments to address gaps in such ecosystem; and

(II) by making the manufacturing of the region of the consortium uniquely competitive;

(v) a description of the investments the consortium proposes and the implementation strategy the consortium intends to use to address gaps in such ecosystem;

(vi) a description of the outcome-based metrics, benchmarks, and milestones that the consortium will track and the evaluation methods the consortium will use while designated as a manufacturing community to gauge performance of the strategy of the consortium to improve the manufacturing in the region of the consortium; and

(vii) such other matters as the Secretary considers appropriate.

(6) EVALUATION OF APPLICATIONS.—The Secretary shall evaluate each application received under paragraph (5) to determine—

(A) whether the applicant demonstrates a significant level of regional cooperation in their proposal; and

(B) how the manufacturing concentration of the applicant competitively ranks nationally according to measures described in paragraph (5)(B)(ii).

(7) CERTAIN COMMUNITIES PREVIOUSLY RECOGNIZED.—Each consortium that was designated as a manufacturing community by the Secretary in carrying out the Investing in Manufacturing Communities Partnership initiative of the Department of Commerce before the date of the enactment of this Act shall be deemed a manufacturing community designated under this subsection if such consortium is still designated as a manufacturing community by the Secretary as part of such initiative.

(e) SUPPORT FOR DESIGNATED MANUFACTURING COMMUNITIES.—

(1) PREFERENTIAL CONSIDERATION.—

(A) IN GENERAL.—Except as provided in subparagraph (D), if a member of a consortium designated as a manufacturing community under subsection (d) seeks financial or technical assistance under a participating program of a participating agency, the head of such agency may give preferential consideration to such member with respect to the awarding of such financial or technical assistance if—

(i) such head considers the award of the financial or technical assistance consistent with the economic development strategy of the consortium; and

(ii) the member otherwise meets all applicable requirements for the financial or technical assistance.

(B) PARTICIPATING AGENCIES.—The Secretary shall invite other Federal agencies to become participating agencies of the Manufacturing Community Support Program.

(C) PARTICIPATING PROGRAMS.—The head of each participating agency shall identify all programs administered by such participating agency that are applicable to the Manufacturing Community Support Program.

(D) MULTIPLE MEMBERS OF THE SAME CONSORTIUM SEEKING THE SAME FINANCIAL OR TECHNICAL ASSISTANCE.—

(i) IN GENERAL.—If a participating agency receives applications for the same financial or technical assistance from more than one member of the same consortium designated as a manufacturing community under subsection (d), the head of such agency may de-

termine how preference will be given under subparagraph (A), including by requiring the consortium to select which of the members should be given preference.

(ii) COORDINATION.—If the head of a participating agency determines that more than one member of a consortium should be given preference for financial or technical assistance under subparagraph (A), he or she may require such members to demonstrate coordination with each other in developing their applications for the financial or technical assistance.

(E) REPORT.—Not later than 90 days after the date of the enactment of this Act, the head of each participating agency shall submit a report to the Secretary that specifies how the head will give preferential consideration under subparagraph (A).

(2) TECHNICAL ASSISTANCE.—The Secretary may make a Federal point of contact available to each consortium designated as a manufacturing community under subsection (d) to help the members of the consortium access Federal funds and technical assistance.

(3) FINANCIAL AND TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—Under the Manufacturing Community Support Program, the head of a participating agency may award financial or technical assistance to a member of a consortium designated as a manufacturing community under subsection (d) as he or she considers appropriate for purposes of such program and consistent with the economic development strategy of the consortium.

(B) USE OF FUNDS.—

(i) IN GENERAL.—A recipient of financial or technical assistance under subparagraph (A) may use such financial or technical assistance to support an investment in an ecosystem that will improve the competitiveness of United States manufacturing.

(ii) INVESTMENTS SUPPORTED.—Investments supported under this subparagraph may include—

(I) infrastructure;

(II) access to capital;

(III) promotion of exports and foreign direct investment;

(IV) equipment or facility upgrades;

(V) workforce training, retraining, or recruitment and retention, including that of women and underrepresented minorities;

(VI) energy or process efficiency;

(VII) business incubators;

(VIII) site preparation;

(IX) advanced research;

(X) supply chain development; and

(XI) small business assistance.

(4) COORDINATION.—

(A) COORDINATION BY SECRETARY OF COMMERCE.—The Secretary shall coordinate with the heads of the participating agencies to identify programs under paragraph (1)(C).

(B) INTER-AGENCY COORDINATION.—The heads of the participating agencies shall coordinate with each other—

(i) to leverage complementary activities, including from non-Federal sources, such as philanthropies; and

(ii) to avoid duplication of efforts.

(f) RECEIPT OF TRANSFERRED FUNDS.—The Secretary may accept amounts transferred to the Secretary from the head of another participating agency to carry out this section.

SA 802. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CERTIFICATION REQUIREMENT THAT MILITARY ACTIONS ARE NOT INFLUENCED BY FINANCIAL OR BENEFICIAL INTERESTS HELD BY THE PRESIDENT.

The United States Armed Forces may not take any military action in any country in which the President or the President's close relatives (immediate family, including spouse, children, and sons- and-daughters-in-law) have assets or businesses in which they hold an ownership interest, financial interest, or beneficial interest unless the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff jointly certify to Congress that the proposed military action is not influenced in any way by any financial or beneficial interest held by the President.

SA 803. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EMOLUMENT CLAUSE VIOLATIONS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Article I, section 9, clause 8 of the United States Constitution (commonly known as the “Emoluments Clause”) declares, “No title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.”.

(2) According to the remarks of Governor Edmund Randolph at the 1787 Constitutional Convention, the Emoluments Clause “was thought proper, in order to exclude corruption and foreign influence, to prohibit any one in office from receiving or holding any emoluments from foreign states”.

(3) The issue of foreign corruption greatly concerned the Founding Fathers of the United States, such that Alexander Hamilton in *Federalist* No. 22 wrote, “In republics, persons elevated from the mass of the community, by the suffrages of their fellow-citizens, to stations of great pre-eminence and power, may find compensations for betraying their trust, which, to any but minds animated and guided by superior virtue, may appear to exceed the proportion of interest they have in the common stock, and to over-balance the obligations of duty. Hence it is that history furnishes us with so many mortifying examples of the prevalence of foreign corruption in republican governments.”.

(4) The President of the United States is the head of the executive branch of the Federal Government and is expected to have undivided loyalty to the United States, and clearly occupies an “office of profit or trust” within the meaning of article I, section 9,

clause 8 of the Constitution, according to the Office of Legal Counsel of the Department of Justice.

(5) The Office of Legal Counsel of the Department of Justice opined in 2009 that corporations owned or controlled by a foreign government are presumptively foreign states under the Emoluments Clause.

(6) President Donald J. Trump has a business network, the Trump Organization, that has financial interests around the world and negotiates and concludes transactions with foreign states and entities that are extensions of foreign states.

(7) The very nature of a “blind trust”, as defined by former White House Ethics Counsels Richard Painter and Norm Eisen in an opinion piece in the *Washington Post* entitled, “Trump’s ‘blind trust’ is neither blind nor trustworthy”, dated November 15, 2016, and the Congressional Research Service report “The Use of Blind Trusts By Federal Officials”, is such that the official will have no control over, will receive no communications about, and will have no knowledge of the identity of the specific assets held in the trust, and that the manager of the trust is independent of the owner.

(8) On January 11, 2017, President-elect Donald J. Trump and his lawyers held a press conference to announce that he would be placing his assets in a trust and turning over management of the Trump Organization to his two adult sons, Donald Trump, Jr., and Eric Trump, and executive Allen Weisselberg; that there will be no communication with President Trump and no new overseas business deals; that an ethics advisor will be appointed to the management team to fully vet any new proposed domestic deals; and that the Trump Organization will donate any profits from any foreign governments that use Trump hotels to the Department of the Treasury.

(9) This arrangement is not sufficient because of its utter lack of independent accountability and transparency, such that the director of the Office of Government Ethics has stated that “[t]he plan the [President] has announced doesn’t meet the standards that the best of his nominees are meeting and that every president in the last four decades have met”.

(10) The director of the Office of Government Ethics has characterized the promise to limit President Trump’s direct communication about the Trump Organization as “wholly inadequate” because President Trump would still be well-aware of the specific assets held and could receive communications about and take actions to affect the value of those assets, especially when those running the business are his own children, whom Trump will see often.

(11) The promise that no new overseas business deals will be agreed to by the Trump Organization fails to explain what constitutes a deal, and whether expansions to existing properties, licensing or permitting fee agreements, or loans from foreign banks like Deutsche Bank AG would qualify as “deals”.

(12) The promise that the Trump Organization will donate profits from any foreign governments that use Trump hotels does not include Trump golf courses and other properties; does not explain whether the promise covers foreign government officials who register under their own names or third-party vendors hired by foreign governments to do business with the Trump Organization; does not explain whether foreign organizations signing tenant agreements with domestic Trump businesses, such as the Industrial and Commercial Bank of China, which is Trump

Tower’s biggest tenant, qualifies; does not define what constitutes “profits”; does not address the fact that revenue received by a failing business still provides value to that business even if there is no net profit; and has no mechanism for the public to verify that the promise is being fulfilled.

(13) President Trump’s lawyer claimed that “it would be impossible to find an institutional trustee that would be competent to run the Trump Organization” when there are dozens if not hundreds of highly qualified trustees who handle complicated business situations like the disposition of the Trump Organization.

(14) At the January 11, 2017, press conference, President-elect Trump’s lawyer implied that the only reason people have raised the Emoluments Clause is over “routine business transactions like paying for hotel rooms” and claimed that “[p]aying for a hotel room is not a gift or a present, and it has nothing to do with an office. It’s not an emolument.”.

(15) A comprehensive study of the Emoluments Clause written by Richard Painter, Norman Eisen, and Lawrence Tribe, two of whom are former ethics counsels to past Presidents, has concluded that “since emoluments are properly defined as including ‘profit’ from any employment, as well as ‘salary,’ it is clear that even remuneration fairly earned in commerce can qualify”.

(16) Numerous legal and constitutional experts, including several former White House ethics counsels, have also made clear that the arrangement announced on January 11, 2017, in which the President fails to exit the ownership of his businesses through use of a blind trust or equivalent, will leave the President with a personal financial interest in businesses that collect foreign government payments and benefits, which raises both constitutional and public interest concerns.

(17) Presidents Ronald Reagan, George H.W. Bush, William J. Clinton, and George W. Bush have set the precedent of using true blind trusts, in which their holdings were liquidated and placed in new investments unknown to them by an independent trustee who managed them free of familial bias.

(18) The continued intermingling of the business of the Trump Organization and the work of government has the potential to constitute the foreign corruption so feared by the Founding Fathers and to betray the trust of America’s citizens.

(19) On January 20, 2017, President Trump swore an oath to preserve, protect, and defend the Constitution of the United States, the rights, privileges and limitations of which are defined and guarded by the Federal judiciary of the United States.

(20) Congress has an institutional, constitutional obligation to ensure that the President of the United States does not violate the Emoluments Clause of the Constitution, Federal law, or fundamental principles of ethics, and is discharging the obligations of office based on the national interest, not based on personal interest.

(b) **SENSE OF CONGRESS.**—Congress—

(1) finds the promised actions outlined by President Donald J. Trump at his January 11, 2017, press conference wholly inadequate and insufficient to ensure compliance with the Emoluments Clause of the United States Constitution;

(2) calls upon President Trump to follow the precedent established by prior Presidents and convert his assets to simple, conflict-free holdings, adopt blind trusts managed by an independent trustee with no relationship

to Donald J. Trump or his businesses, or take other equivalent measures;

(3) calls upon President Trump not to use the powers or opportunities of his position as President of the United States for any purpose related to the Trump Organization; and

(4) regards, in the absence of express affirmative authorization by Congress, dealings that Donald J. Trump, as President of the United States, may have through his companies with foreign governments or entities owned or controlled by foreign governments as potential violations of the Emoluments Clause.

SA 804. Mrs. FISCHER (for herself and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 1651(c), strike paragraph (2).

SA 805. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 23 and 24, insert the following:

“(7)(A) The base commander of a military installation impacted by a proposed wind turbine project shall submit to the Clearinghouse a statement of objection or non-objection regarding the impact of proposed project.

“(B) The statement shall include the following elements:

“(i) An analysis of the impact on pilot safety, training, military operations, and readiness.

“(ii) A detailed description of any potential negative impacts on pilot safety, training, military operations, and readiness.

“(iii) Any additional information the base commander determines relevant for consideration in the evaluation process.

“(iv) A statement of objection or non-objection.

“(C) The base commander's recommendation shall be incorporated into the Clearinghouse analysis and made a matter of permanent record.

“(D) Any decision by the Clearinghouse that contradicts the base commander recommendation shall be accompanied by a report addressing all the points made in the base commander's statement, and describe how the impacts on pilot safety, training, military operations, and readiness will be prevented.”.

SA 806. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2803. ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project inside the United States to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project.”.

SA 807. Mr. GARDNER (for Mrs. SHAHEEN) proposed an amendment to the bill S. 920, to establish a National Clinical Care Commission; as follows:

On page 5, line 12, strike “and”.

On page 5, line 20, strike the period and insert “; and”.

On page 5, between lines 20 and 21, insert the following:

(5) whether there are opportunities for consolidation of inappropriately overlapping or duplicative Federal programs related to the diseases and complications described in subsection (a).

SA 808. Mr. MCCONNELL proposed an amendment to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by House amendment ___, insert the following:

(C) there is the greatest opportunity to reduce childhood and adolescence exposure to or engagement in violent extremism or extremist ideologies.

DIVISION B—SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2017, and for other purposes, namely:

**DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER RELIEF FUND**

For an additional amount for “Disaster Relief Fund” for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,400,000,000, to remain available until expended: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement

pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Disaster Loans Program Account” for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$450,000,000, to remain available until expended: *Provided*, That up to \$225,000,000 may be transferred to and merged with “Salaries and Expenses” for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: *Provided further*, That none of the funds provided under this heading may be used for indirect administrative expenses: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$7,400,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2017 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further*, That such funds may

not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to \$10,000,000 may be transferred, in aggregate, to “Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

This division may be cited as the “Supplemental Appropriations for Disaster Relief Requirements, 2017”.

DIVISION C—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

SEC. 101. (a) IN GENERAL.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of enactment of this Act and ending on December 8, 2017.

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.—Effective on December 9, 2017, the limitation in effect under section 3101(b) of title 31, United States Code, shall be increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on December 9, 2017, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

(c) RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT. (1) EXTENSION LIMITED TO NECESSARY OBLIGATIONS.—An obligation shall not be taken into account under section 101(a) unless the issuance of such obligation was necessary to fund a commitment incurred pursuant to law by the Federal Government that required payment before December 9, 2017.

(2) PROHIBITION ON CREATION OF CASH RESERVE DURING EXTENSION PERIOD.—The Secretary of the Treasury shall not issue obligations during the period specified in section 101(a) for the purpose of increasing the cash balance above normal operating balances in anticipation of the expiration of such period.

DIVISION D—CONTINUING APPROPRIATIONS ACT, 2018

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2018, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2017 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2017, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017 (division A of Public Law 115-31) and section 193 of Public Law 114-223, as amended by division A of Public Law 114-254.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2017 (division B of Public Law 115-31), except section 540.

(3) The Department of Defense Appropriations Act, 2017 (division C of Public Law 115-31).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2017 (division D of Public Law 115-31).

(5) The Financial Services and General Government Appropriations Act, 2017 (division E of Public Law 115-31).

(6) The Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115-31), except section 310.

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017 (division G of Public Law 115-31), except that the language under the heading “FLAME Wildfire Suppression Reserve Fund” in the Departments of Agriculture and the Interior shall be applied by adding at the end the following: “*Provided further*, That notwithstanding the first proviso under the heading and notwithstanding the FLAME Act of 2009, 43 U.S.C. 1748a(e), such funds shall be available to be transferred to and merged with other appropriations accounts to fully repay amounts previously transferred for wildfire suppression”.

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2017 (division H of Public Law 115-31) and sections 171, 194, and 195 of Public Law 114-223, as amended by division A of Public Law 114-254.

(9) The Legislative Branch Appropriations Act, 2017 (division I of Public Law 115-31) and section 175 of Public Law 114-223, as amended by division A of Public Law 114-254.

(10) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017 (division A of Public Law 114-223), except for appropriations for fiscal year 2017 in the matter preceding the first proviso under the heading “Medical Community Care”, and division L of Public Law 115-31.

(11) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31).

(12) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017 (division K of Public Law 115-31), except sections 420 and 421.

(13) The Security Assistance Appropriations Act, 2017 (division B of Public Law 114-254).

(b) The rate for operations provided by subsection (a) is hereby reduced by 0.6791 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2017 or prior years; (2) the increase in production rates above those sustained with fiscal year 2017 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2017.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to

section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2017.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2018, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs:

(1) the enactment into law of an appropriation for any project or activity provided for in this Act;

(2) the enactment into law of the applicable appropriations Act for fiscal year 2018 without any provision for such project or activity; or

(3) December 8, 2017.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2018 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2017, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2017, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2017 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2017, except that such authority provided under this section shall not be used until after the department or agency

has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a) Each amount incorporated by reference in this Act that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) The reduction in section 101(b) of this Act shall not apply to—

(1) amounts designated under subsection (a) of this section;

(2) amounts made available by section 101(a) by reference to the second paragraph under the heading “Social Security Administration—Limitation on Administrative Expenses” in division H of Public Law 115-31; or

(3) amounts made available by section 101(a) by reference to the paragraph under the heading “Centers for Medicare and Medicaid Services—Health Care Fraud and Abuse Control Account” in division H of Public Law 115-31.

(c) Section 6 of Public Law 115-31 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement.

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2018 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts are provided for “Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program” at a rate for operations of \$317,139,000, of which \$238,120,000 shall be for the Commodity Supplemental Food Program.

SEC. 117. The final proviso in section 715 of division A of Public Law 115-31 shall be applied during the period covered by this Act by adding “from amounts first made available for fiscal year 2018” after “unobligated balances” and as if the following were struck from such proviso: “the carryover amounts authorized in the first proviso of this section for section 32 and”.

SEC. 118. Amounts made available by section 101 for “Department of Commerce—Bureau of the Census—Periodic Censuses and Programs” may be apportioned up to the rate for operations necessary to maintain the schedule and deliver the required data according to statutory deadlines in the 2020 Decennial Census Program.

SEC. 119. Section 1215(f)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 113 note), as most recently amended by section 1223 of the National Defense Authorization Act for Fis-

cal Year 2017 (Public Law 114-328), shall be applied by substituting “2018” for “2017” through the earlier of the date specified in section 106(3) of this Act or the date of the enactment of an Act authorizing appropriations for fiscal year 2018 for military activities of the Department of Defense.

SEC. 120. (a) Funds made available by section 101 for “Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund” may be apportioned up to the rate for operations necessary to avoid disruption of continuing projects or activities funded in this appropriation.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 3 days after each use of the authority provided in subsection (a).

SEC. 121. Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) shall be applied by substituting the date specified in section 106(3) for “September 30, 2017”.

SEC. 122. (a) Notwithstanding section 101, the third proviso under the heading “Power Marketing Administrations—Operation and Maintenance, Southeastern Power Administration” in division D of Public Law 115-31 shall be applied by substituting “\$51,000,000” for “\$60,760,000”.

(b) Notwithstanding section 101, the third proviso under the heading “Power Marketing Administrations—Operation and Maintenance, Southwestern Power Administration” in division D of Public Law 115-31 shall be applied by substituting “\$10,000,000” for “\$73,000,000”.

(c) Notwithstanding section 101, the third proviso under the heading “Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration” in division D of Public Law 115-31 shall be applied by substituting “\$179,000,000” for “\$367,009,000”.

SEC. 123. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under the District of Columbia Appropriations Act, 2017 (title IV of division E of Public Law 115-31) at the rate set forth under “Part A—Summary of Expenses” as included in the Fiscal Year 2018 Local Budget Act of 2017 (D.C. Act 22-99), as modified as of the date of the enactment of this Act.

SEC. 124. (a) Notwithstanding section 101, amounts are provided for “General Services Administration—Allowances and Office Staff for Former Presidents” to carry out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), at a rate for operations of \$4,754,000.

(b) Notwithstanding section 101, no funds are provided by this Act for “General Services Administration—Expenses, Presidential Transition” and “Executive Office of the President and Funds Appropriated to the President—Presidential Transition Administrative Support”.

(c) Notwithstanding section 101, the matter preceding the first proviso under the heading “District of Columbia—Federal Payment for Emergency Planning and Security Costs in the District of Columbia” in division E of Public Law 115-31 shall be applied by substituting “\$14,900,000” for “\$34,895,000” and the first proviso under that heading shall not apply during the period covered by this Act.

(d) Notwithstanding section 101, the matter preceding the first proviso under the heading “National Archives and Records Administration—Operating Expenses” in division E of Public Law 115-31 shall be applied

by substituting “\$375,784,000” for “\$380,634,000”.

(e) Notwithstanding section 101, the matter preceding the first proviso under the heading “Department of the Interior—National Park Service—Operation of the National Park System” in division G of Public Law 115-31 shall be applied by substituting “\$2,420,818,000” for “\$2,425,018,000”.

SEC. 125. Amounts made available by section 101 for “Department of Homeland Security—Office of the Secretary and Executive Management—Operations and Support”, “Department of Homeland Security—Management Directorate—Operations and Support”, and “Department of Homeland Security—Intelligence, Analysis, and Operations Coordination—Operations and Support” may be apportioned up to the rate for operations necessary to carry out activities previously funded under “Department of Homeland Security—Working Capital Fund”, consistent with the fiscal year 2018 President’s Budget.

SEC. 126. Amounts made available by section 101 for “U.S. Customs and Border Protection—Operations and Support”, “U.S. Immigration and Customs Enforcement—Operations and Support”, “Transportation Security Administration—Operations and Support”, and “United States Secret Service—Operations and Support” accounts of the Department of Homeland Security may be apportioned at a rate for operations necessary to maintain not less than the number of staff achieved on September 30, 2017.

SEC. 127. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 128. Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111-281; 124 Stat. 2950), as amended, shall be applied in subsection (b) by substituting the date specified in section 106(3) for “September 30, 2017”.

SEC. 129. Amounts made available by section 101 for “Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief Fund” may be apportioned up to the rate for operations necessary to carry out response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 130. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2017”.

SEC. 131. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking “September 30, 2018” and inserting “September 30, 2019”.

SEC. 132. The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106-79) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 133. In addition to the amounts otherwise provided by section 101, an additional amount is provided for “Environmental Protection Agency—Water Infrastructure Finance and Innovation Program Account” for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, at a rate for operations of \$3,000,000.

SEC. 134. (a) The following sections of the Federal Insecticide, Fungicide, and Rodenticide Act shall continue in effect through the date specified in section 106(3) of this joint resolution—

(1) subparagraphs (C) through (E) of section 4(i)(1) (7 U.S.C. 136a-1(i)(1)(C)–(E));

(2) section 4(k)(3) (7 U.S.C. 136a-1(k)(3));

(3) section 4(k)(4) (7 U.S.C. 136a-1(k)(4)); and

(4) section 33(c)(3)(B) (7 U.S.C. 136w-8(c)(3)(B)).

(b)(1) Section 4(i)(1)(I) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(1)(I)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2017”.

(2) Notwithstanding section 33(m)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(m)(2)), section 33(m)(1) of such Act (7 U.S.C. 136w-8(m)(1)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2017”.

(c) Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2017”.

SEC. 135. Section 114(f) of the Higher Education Act of 1965 (20 U.S.C. 1011c(f)) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2017”.

SEC. 136. The second proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs” in title II of division H of Public Law 115-31 shall be applied during the period covered by this Act as if the following were struck from such proviso: “, of which \$80,000,000 shall be available for a cost of living adjustment notwithstanding section 640(a)(3)(A) of such Act”.

SEC. 137. The proviso at the end of paragraph (1) under the heading “Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations” in title I of division G of Public Law 113-235 shall be applied through the date specified in section 106(3) of this Act by substituting “seven” for “six”.

SEC. 138. In making Federal financial assistance, the National Institutes of Health shall continue through the date specified in section 106(3) of this Act to apply the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, to the same extent and in the same manner as the National Institutes of Health applied such provisions in the third quarter of fiscal year 2017. None of the funds appropriated in this Act may be used to develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated rates beyond the proportional effect of such approvals in such quarter.

SEC. 139. (a) Section 529 of division H of Public Law 115-31 shall be applied by substituting “prior to the beginning of fiscal year 2018 under section 2104(n)(2)” for “from the appropriation to the Fund for the first semiannual allotment period for fiscal year 2017 under section 2104(n)(2)(A)(ii)”; and

(b) section 532 of division H of Public Law 115-31 shall be applied by substituting “2,652,000,000” for “1,132,000,000”.

SEC. 140. Notwithstanding 2 U.S.C. 4577, amounts made available by section 101 for “Legislative Branch—Senate—Salaries, Officers and Employees—Office of the Sergeant at Arms and Doorkeeper” may be appor-

tioned up to the rate for operations necessary to maintain current Senate cybersecurity capabilities.

SEC. 141. (a) The remaining unobligated balances of funds made available under the heading “Department of Veterans Affairs—Departmental Administration—Construction, Major Projects” in division A of the Disaster Relief Appropriations Act of 2013 and Sandy Recovery Improvement Act of 2013 (Public Law 113-2) are hereby rescinded: *Provided*, That the amounts rescinded pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to that section of that Act.

(b) In addition to the amount otherwise provided by section 101 for “Department of Veterans Affairs—Departmental Administration—Construction, Major Projects”, there is appropriated for an additional amount for fiscal year 2017, to remain available until September 30, 2022, an amount equal to the unobligated balances rescinded pursuant to subsection (a), for renovations and repairs as a consequence of damage caused by Hurricane Sandy: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and major medical facility construction not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Each amount designated in this section by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(d) This section shall become effective immediately upon enactment of this Act.

SEC. 142. Sections 579(a)(1) and (b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) shall be applied by substituting the date specified in section 106(3) for “October 1, 2017”.

This division may be cited as the “Continuing Appropriations Act, 2018”.

SA 809. Mr. McCONNELL proposed an amendment to amendment SA 808 proposed by Mr. McCONNELL to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; as follows:

At the end add the following:
“This act shall be effective 1 day after enactment.”

AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Mr. President, I have 6 requests for committees to meet during

today's session of the Senate. They have the approval of the Majority and Minority leader.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, September 6, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building, to hold a hearing entitled "Addressing the Risk of Waste, Fraud, and Abuse in the Federal Communications Commission's Lifeline Program."

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, September 6, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider favorably reporting pending nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 6, 2017 at 10:30., to hold a hearing entitled "Priorities and Challenges in the U.S.-Turkey Relationship."

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled "Stabilizing Premiums and Helping Individuals in the Individual Insurance Market for 2018: State Insurance Commissioners" on Wednesday, September 6, 2017, at 10 a.m., in room 216 of the Hart Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 6, 2017, at 10 a.m. in order to conduct a hearing titled "The History and Current Reality of the U.S. Health Care System."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on September 6, 2017 at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

MEASURE READ THE FIRST
TIME—S.J. RES. 49

Mr. GARDNER. Mr. President, I understand there is a joint resolution at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the first time.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 49) condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017, in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

Mr. GARDNER. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The joint resolution will be read for the second time on the next legislative day.

AUTHORIZING USE OF
EMANCIPATION HALL

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 23, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 23) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Filipino Veterans of World War II.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. GARDNER. Mr. President, I further ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 23) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

HONORING THE SERVICE TO
UNITED STATES ARMED FORCES
PROVIDED BY MILITARY WORK-
ING DOGS AND CONTRACT WORK-
ING DOGS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of S. Res. 160 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 160) honoring the service to United States Armed Forces provided by military working dogs and contract working dogs, also known as "war dogs."

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 160) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 9, 2017, under "Submitted Resolutions.")

EARLY HEARING DETECTION AND
INTERVENTION ACT OF 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 44, S. 652.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 652) to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Early Hearing Detection and Intervention Act of 2017".

SEC. 2. REAUTHORIZATION OF PROGRAM FOR
EARLY DETECTION, DIAGNOSIS, AND
TREATMENT REGARDING DEAF AND
HARD-OF-HEARING NEWBORNS, IN-
FANTS, AND YOUNG CHILDREN.

(a) SECTION HEADING.—The section heading of section 399M of the Public Health Service Act (42 U.S.C. 280g–1) is amended to read as follows:

"SEC. 399M. EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING DEAF AND HARD-OF-HEARING NEWBORNS, INFANTS, AND YOUNG CHILDREN."

(b) STATEWIDE SYSTEMS.—Section 399M(a) of the Public Health Service Act (42 U.S.C. 280g–1(a)) is amended—

(1) in the subsection heading, by striking "NEWBORN AND INFANT" and inserting "NEWBORN, INFANT, AND YOUNG CHILD";

(2) in the matter preceding paragraph (1)—

(A) by striking "newborn and infant" and inserting "newborn, infant, and young child"; and

(B) by striking "providers," and inserting "providers (including, as appropriate, education and training of family members),";

(3) in paragraph (1)—

(A) in the first sentence—

(i) by striking “newborns and infants” and inserting “newborns, infants, and young children (referred to in this section as ‘children’)”; and

(ii) by striking “and medical” and all that follows through the period and inserting “medical, and communication (or language acquisition) interventions (including family support), for children identified as deaf or hard-of-hearing, consistent with the following:”;

(B) in the second sentence—

(i) by striking “Early” and inserting the following:

“(A) Early”;

(ii) by striking “and delivery of” and inserting “”, and delivery of,”;

(iii) by striking “by schools” and all that follows through “programs mandated” and inserting “by organizations such as schools and agencies (including community, consumer, and family-based agencies), in health care settings (including medical homes for children), and in programs mandated”; and

(iv) by striking “hard of hearing” and all that follows through the period and inserting “hard-of-hearing children.”; and

(C) by striking the last sentence and inserting the following:

“(B) Information provided to families should be accurate, comprehensive, up-to-date, and evidence-based, as appropriate, to allow families to make important decisions for their children in a timely manner, including decisions with respect to the full range of assistive hearing technologies and communications modalities, as appropriate.

“(C) Programs and systems under this paragraph shall offer mechanisms that foster family-to-family and deaf and hard-of-hearing consumer-to-family supports.”;

(4) in paragraph (2), by striking “To collect” and all that follows through the period and inserting “To continue to provide technical support to States, through one or more technical resource centers, to assist in further developing and enhancing State early hearing detection and intervention programs.”; and

(5) by striking paragraph (3) and inserting the following:

“(3) To identify or develop efficient models (educational and medical) to ensure that children who are identified as deaf or hard-of-hearing through screening receive follow-up by qualified early intervention providers or qualified health care providers (including those at medical homes for children), and referrals, as appropriate, including to early intervention services under part C of the Individuals with Disabilities Education Act. State agencies shall be encouraged to effectively increase the rate of such follow-up and referral.”.

(c) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH.—Section 399M(b)(1) of the Public Health Service Act (42 U.S.C. 280g-1(b)(1)) is amended—

(1) in the first sentence—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”;

(B) by striking “to complement an intramural program and” and inserting the following: “or designated entities of States—

“(i) to develop, maintain, and improve data collection systems related to newborn, infant, and young child hearing screening, evaluation (including audiologic, medical, and language acquisition evaluations), diagnosis, and intervention services;”;

(C) by striking “to conduct” and inserting the following:

“(ii) to conduct”;

(D) by striking “newborn” and all that follows through the period and inserting the fol-

lowing: “newborn, infant, and young child hearing screening, evaluation, and intervention programs and outcomes;”

“(iii) to ensure quality monitoring of hearing screening, evaluation, and intervention programs and systems for newborns, infants, and young children; and

“(iv) to support newborn, infant, and young child hearing screening, evaluation, and intervention programs, and information systems.”;

(2) in the second sentence—

(A) by striking the matter that precedes subparagraph (A) and all that follows through subparagraph (C) and inserting the following:

“(B) USE OF AWARDS.—The awards made under subparagraph (A) may be used—

“(i) to provide technical assistance on data collection and management, including to coordinate and develop standardized procedures for data management;”

“(ii) to assess and report on the cost and program effectiveness of newborn, infant, and young child hearing screening, evaluation, and intervention programs and systems;”

“(iii) to collect data and report on newborn, infant, and young child hearing screening, evaluation, diagnosis, and intervention programs and systems for applied research, program evaluation, and policy improvement.”;

(B) by redesignating subparagraphs (D), (E), and (F) as clauses (iv), (v), and (vi), respectively, and aligning the margins of those clauses with the margins of clause (i) of subparagraph (B) (as inserted by subparagraph (A) of this paragraph);

(C) in clause (v) (as redesignated by subparagraph (B) of this paragraph)—

(i) by striking “newborn and infant” and inserting “newborn, infant, and young child”; and

(ii) by striking “language status” and inserting “hearing status”; and

(D) in clause (vi) (as redesignated by subparagraph (B) of this paragraph)—

(i) by striking “sharing” and inserting “integration and interoperability”; and

(ii) by striking “with State-based” and all that follows through the period and inserting “across multiple sources to increase the flow of information between clinical care and public health settings, including the ability of States and territories to exchange and share data.”.

(d) COORDINATION AND COLLABORATION.—Section 399M(c) of the Public Health Service Act (42 U.S.C. 280g-1(c)) is amended—

(1) in paragraph (1)—

(A) by striking “consult with” and inserting “consult with—”;

(B) by striking “other Federal” and inserting the following:

“(A) other Federal”;

(C) by striking “State and local agencies, including those” and inserting the following:

“(B) State and local agencies, including agencies”;

(D) by striking “consumer groups of and that serve” and inserting the following:

“(C) consumer groups of, and that serve,”;

(E) by striking “appropriate national” and inserting the following:

“(D) appropriate national”;

(F) by striking “persons who are deaf and” and inserting the following:

“(E) individuals who are deaf or”;

(G) by striking “other qualified” and inserting the following:

“(F) other qualified”;

(H) by striking “newborns, infants, toddlers, children,” and inserting “children,”;

(I) by striking “third-party” and inserting the following:

“(G) third-party”;

(J) by striking “related commercial” and inserting the following:

“(H) related commercial”;

(2) in paragraph (3)—

(A) by striking “States to establish newborn and infant” and inserting the following:

“States—

“(A) to establish newborn, infant, and young child”;

(B) by inserting a semicolon after “subsection (a)”;

(C) by striking “to develop” and inserting the following:

“(B) to develop”.

(e) RULE OF CONSTRUCTION; RELIGIOUS ACCOMMODATION.—Section 399M(d) of the Public Health Service Act (42 U.S.C. 280g-1(d)) is amended—

(1) by striking “which” and inserting “that”;

(2) by striking “newborn infants or young”; and

(3) by striking “parents” and inserting “parent’s”.

(f) DEFINITIONS.—Section 399M(e) of the Public Health Service Act (42 U.S.C. 280g-1(e)) is amended—

(1) in paragraph (1)—

(A) by striking “(1)” and all that follows through “to procedures” and inserting the following:

“(1) The term ‘audiologic’, when used in connection with evaluation, means procedures—”;

(B) by striking “to assess” and inserting the following:

“(A) to assess”;

(C) by striking “to establish” and inserting the following:

“(B) to establish”;

(D) by striking “auditory disorder,” and inserting “auditory disorder,”;

(E) by striking “to identify” and inserting the following:

“(C) to identify”;

(F) by striking “options.” and all that follows through “linkage” and inserting the following: “options, including—

“(i) linkage”;

(G) by striking “appropriate agencies,” and all that follows through “national” and inserting the following: “appropriate agencies;”

“(ii) medical evaluation;”

“(iii) assessment for the full range of assistive hearing technologies appropriate for newborns, infants, and young children;”

“(iv) audiologic rehabilitation treatment; and

“(v) referral to national”; and

(H) by striking “parent, and education” and inserting “parent, family, and education”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5);

(4) in paragraph (2) (as redesignated by paragraph (3) of this subsection)—

(A) by striking “refers to providing” and inserting the following: “means—

“(A) providing”;

(B) by striking “with hearing loss, including nonmedical services,” and inserting “who is deaf or hard-of-hearing, including nonmedical services;”;

(C) by striking “ensuring that families of the child are provided” and inserting the following:

“(B) ensuring that the family of the child is—

“(i) provided”;

(D) by striking “language and communication options and are given” and inserting the following: “language acquisition in oral and visual modalities; and

“(ii) given”; and

(E) by striking “their child” and inserting “the child”;

(5) in paragraph (3) (as redesignated by paragraph (3) of this subsection), by striking “(3)” and all that follows through “decision making” and inserting “The term ‘medical evaluation’ means key components performed by a physician including history, examination, and medical decisionmaking”;

(6) in paragraph (4) (as redesignated by paragraph (3) of this subsection)—

(A) by striking “refers to” and inserting “means”;

(B) by striking “and/or surgical” and inserting “or surgical”;

(C) by striking “of hearing” and all that follows through “disorder” and inserting “for hearing loss or other medical disorders”;

(7) in paragraph (5) (as redesignated by paragraph (3) of this subsection)—

(A) by striking “(5)” and all that follows through “refers to” and inserting “(5) The term ‘newborn, infant, and young child hearing screening’ means”;

(B) by striking “and infants” and inserting “, infants, and young children under 3 years of age”.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Section 399M(f) of the Public Health Service Act (42 U.S.C. 280g–1(f)) is amended—

(1) in paragraph (1), by striking “such sums” and all that follows through the period and inserting “\$17,818,000 for fiscal year 2018, \$18,173,800 for fiscal year 2019, \$18,628,145 for fiscal year 2020, \$19,056,592 for fiscal year 2021, and \$19,522,758 for fiscal year 2022.”;

(2) in paragraph (2), by striking “such sums” and all that follows through the period and inserting “\$10,800,000 for fiscal year 2018, \$11,026,800 for fiscal year 2019, \$11,302,470 for fiscal year 2020, \$11,562,427 for fiscal year 2021, and \$11,851,488 for fiscal year 2022.”.

Mr. GARDNER. I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 652), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

STRENGTHENING MOSQUITO ABATEMENT FOR SAFETY AND HEALTH ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 45, S. 849.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 849) to support programs for mosquito-borne and other vector-borne disease surveillance and control.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening Mosquito Abatement for Safety and Health Act” or the “SMASH Act”.

SEC. 2. REAUTHORIZATION OF MOSQUITO ABATEMENT FOR SAFETY AND HEALTH PROGRAM.

Section 317S of the Public Health Service Act (42 U.S.C. 247b–21) is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting “including programs to address emerging infectious mosquito-borne diseases,” after “control programs,”; and

(B) by inserting “or improving existing control programs” before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “, including improvement,” after “operation”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking “or” at the end;

(II) in clause (iii), by striking the semicolon at the end and inserting “, including an emerging infectious mosquito-borne disease that presents a serious public health threat; or”;

(III) by adding at the end the following:

“(iv) a public health emergency due to the incidence or prevalence of a mosquito-borne disease that presents a serious public health threat.”; and

(ii) in subparagraph (D), by inserting “or that demonstrates to the Secretary that the control program is consistent with existing State mosquito control plans or policies, or other applicable State preparedness plans” before the period at the end;

(C) in paragraph (4)(C), by striking “that extraordinary” and all that follows through the period at the end and inserting “that—

“(i) extraordinary economic conditions in the political subdivision or consortium of political subdivisions involved justify the waiver; or

“(ii) the geographical area covered by a political subdivision or consortium for a grant under paragraph (1) has an extreme mosquito control need due to—

“(I) the size or density of the potentially impacted human population; and

“(II) the size or density of a mosquito population that requires heightened control; or

“(III) the severity of the mosquito-borne disease, such that expected serious adverse health outcomes for the human population justify the waiver.”; and

(D) by amending paragraph (6) to read as follows:

“(6) **NUMBER OF GRANTS.**—A political subdivision or a consortium of political subdivisions may not receive more than one grant under paragraph (1).”; and

(3) in subsection (f)—

(A) in paragraph (1), by striking “for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007” and inserting “for each of fiscal years 2018 through 2022”;

(B) in paragraph (2), by striking “the Public Health Security and Bioterrorism Preparedness and Response Act of 2002” and inserting “other medical and public health preparedness and response laws”;

(C) in paragraph (3)—

(i) in the heading, by striking “2004” and inserting “2018”; and

(ii) by striking “2004” and inserting “2018”.

SEC. 3. EPIDEMIOLOGY-LABORATORY CAPACITY GRANTS.

Section 2821 of the Public Health Service Act (42 U.S.C. 300hh–31) is amended—

(1) in subsection (a)(1), by inserting “, including mosquito and other vector-borne diseases,” after “infectious diseases”;

(2) in subsection (b), by striking “2010 through 2013” and inserting “2018 through 2022”.

SEC. 4. GAO STUDY.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on the state of surveillance and control of mosquito-borne infectious diseases in the United States and territories, including the state of preparedness for conducting such surveillance and control. The study shall include—

(1) a description of the infrastructure and programs for mosquito control in the United States, including—

(A) how such infrastructure and programs are organized and implemented at the Federal, State and local levels, including with respect to departments and agencies of the States, and local organizations (including special districts) involved in such control programs;

(B) the role of the private sector in such activities;

(C) how the authority for mosquito control impacts such activities; and

(D) the resources for such infrastructure and programs, including Federal, State, and local funding sources;

(2) how mosquito and other vector-borne disease surveillance and control is integrated into Federal, State, and local preparedness plans and actions, including how zoonotic surveillance is integrated into infectious disease surveillance to support real-time situational surveillance and awareness;

(3) Federal, State, and local laboratory capacity for emerging vector-borne diseases, including mosquito-borne and other zoonotic diseases; and

(4) any regulatory challenges for developing and utilizing vector-control technologies and platforms as part of mosquito control strategies.

(b) **CONSULTATIONS.**—In conducting the study under subsection (a), the Comptroller General of the United States shall consult with—

(1) State and local public health officials involved in mosquito and other vector-borne disease surveillance and control efforts;

(2) researchers and manufacturers of mosquito control products;

(3) stakeholders involved in mosquito abatement activities;

(4) infectious disease experts; and

(5) entomologists involved in mosquito-borne disease surveillance and control efforts.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report containing the results of the study conducted under subsection (a) and relevant recommendations for Zika virus and other mosquito-borne diseases preparedness and response efforts.

Mr. GARDNER. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be considered and agreed to, and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. GARDNER. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 849), as amended, was passed.

Mr. GARDNER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CLINICAL CARE COMMISSION ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 47, S. 920.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 920) to establish a National Clinical Care Commission.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. Mr. President, I further ask unanimous consent that the Shaheen amendment be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 807) was agreed to, as follows:

(Purpose: To improve the bill)

On page 5, line 12, strike “and”.

On page 5, line 20, strike the period and insert “; and”.

On page 5, between lines 20 and 21, insert the following:

(5) whether there are opportunities for consolidation of inappropriately overlapping or duplicative Federal programs related to the diseases and complications described in subsection (a).

The bill (S. 920), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Clinical Care Commission Act”.

SEC. 2. NATIONAL CLINICAL CARE COMMISSION.

(a) ESTABLISHMENT.—There is hereby established, within the Department of Health and Human Services, a National Clinical Care Commission (in this section referred to as the “Commission”) to evaluate and make recommendations regarding improvements to the coordination and leveraging of programs within the Department and other Federal agencies related to awareness and clinical care for at least one, but not more than two, complex metabolic or autoimmune diseases resulting from issues related to insulin that represent a significant disease burden in the United States, which may include complications due to such diseases.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of the following voting members:

(A) The heads of the following Federal agencies and departments, or their designees:

(i) The Centers for Medicare & Medicaid Services.

(ii) The Agency for Healthcare Research and Quality.

(iii) The Centers for Disease Control and Prevention.

(iv) The Indian Health Service.

(v) The Department of Veterans Affairs.

(vi) The National Institutes of Health.

(vii) The Food and Drug Administration.

(viii) The Health Resources and Services Administration.

(ix) The Department of Defense.

(x) The Department of Agriculture.

(xi) The Office of Minority Health.

(B) Twelve additional voting members appointed under paragraph (2).

(2) ADDITIONAL MEMBERS.—The Commission shall include additional voting members, as may be appointed by the Secretary, with expertise in the prevention, care, and epidemiology of any of the diseases and complications described in subsection (a), including one or more such members from each of the following categories:

(A) Physician specialties, including clinical endocrinologists, that play a role in the prevention or treatment of diseases and complications described in subsection (a).

(B) Primary care physicians.

(C) Non-physician health care professionals.

(D) Patient advocates.

(E) National experts, including public health experts, in the duties listed under subsection (c).

(F) Health care providers furnishing services to a patient population that consists of a high percentage (as specified by the Secretary) of individuals who are enrolled in a State plan under title XIX of the Social Security Act or who are not covered under a health plan or health insurance coverage.

(3) CHAIRPERSON.—The members of the Commission shall select a chairperson from the members appointed under paragraph (2).

(4) MEETINGS.—The Commission shall meet at least twice, and not more than four times, a year.

(5) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointments.

(c) DUTIES.—The Commission shall evaluate and make recommendations, as appropriate, to the Secretary of Health and Human Services and Congress regarding—

(1) Federal programs of the Department of Health and Human Services that focus on preventing and reducing the incidence of the diseases and complications described in subsection (a);

(2) current activities and gaps in Federal efforts to support clinicians in providing integrated, high-quality care to individuals with the diseases and complications described in subsection (a);

(3) the improvement in, and improved coordination of, Federal education and awareness activities related to the prevention and treatment of the diseases and complications described in subsection (a), which may include the utilization of new and existing technologies;

(4) methods for outreach and dissemination of education and awareness materials that—

(A) address the diseases and complications described in subsection (a);

(B) are funded by the Federal Government; and

(C) are intended for health care professionals and the public; and

(5) whether there are opportunities for consolidation of inappropriately overlapping or duplicative Federal programs related to the diseases and complications described in subsection (a).

(d) OPERATING PLAN.—Not later than 90 days after its first meeting, the Commission shall submit to the Secretary of Health and Human Services and the Congress an operating plan for carrying out the activities of the Commission as described in subsection (c). Such operating plan may include—

(1) a list of specific activities that the Commission plans to conduct for purposes of carrying out the duties described in each of the paragraphs in subsection (c);

(2) a plan for completing the activities;

(3) a list of members of the Commission and other individuals who are not members of the Commission who will need to be involved to conduct such activities;

(4) an explanation of Federal agency involvement and coordination needed to conduct such activities;

(5) a budget for conducting such activities; and

(6) other information that the Commission deems appropriate.

(e) FINAL REPORT.—By not later than 3 years after the date of the Commission's first meeting, the Commission shall submit to the Secretary of Health and Human Services and the Congress a final report containing all of the findings and recommendations required by this section.

(f) SUNSET.—The Commission shall terminate 60 days after submitting its final report, but not later than the end of fiscal year 2021.

SOCIAL SECURITY NUMBER FRAUD PREVENTION ACT OF 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 106, H.R. 624.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 624) to restrict the inclusion of social security account numbers on Federal documents sent by mail, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 624) was ordered to a third reading, was read the third time, and passed.

JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 201, S. 1359.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1359) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1359) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:
S. 1359

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “John F. Kennedy Center Reauthorization Act of 2017”.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

“(a) MAINTENANCE, REPAIR, AND SECURITY.—There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

“(1) \$24,000,000 for fiscal year 2018;

“(2) \$25,000,000 for fiscal year 2019;

“(3) \$25,000,000 for fiscal year 2020; and

“(4) \$26,000,000 for fiscal year 2021.

“(b) CAPITAL PROJECTS.—There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

“(1) \$13,000,000 for fiscal year 2018;

“(2) \$13,000,000 for fiscal year 2019;

“(3) \$14,000,000 for fiscal year 2020; and

“(4) \$14,000,000 for fiscal year 2021.”.

SEC. 3. AUTHORIZATION FOR PLAQUE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the John F. Kennedy Center for the Performing Arts (referred to in this Act as the “Center”) should—

(1) recognize the year 2018 as the 60th anniversary of the National Cultural Center Act (now known as the “John F. Kennedy Center Act”) (20 U.S.C. 76h et seq.), signed into law by President Dwight D. Eisenhower on September 2, 1958; and

(2) establish commemorative displays honoring President Dwight D. Eisenhower and the history of the National Cultural Center Act (20 U.S.C. 76h et seq.) during the year 2018.

(b) AUTHORIZATION FOR PLAQUE.—The Center shall place within the Center a plaque containing an inscription to commemorate the 60th anniversary of the signing of the National Cultural Center Act (20 U.S.C. 76h et seq.) by President Dwight D. Eisenhower.

(c) SPECIFICATIONS.—The plaque shall be—
(1)(A) not less than 6 square feet in size; and

(B) not more than 18 square feet in size;

(2) of any shape that the Trustees of the Center determine to be appropriate; and

(3) placed at a location within the Center approximate to the Eisenhower Theater that the Trustees of the Center determine to be appropriate.

(d) FUNDING.—

(1) IN GENERAL.—No Federal funds may be used to design, procure, or install the plaque.

(2) EXCEPTION.—Paragraph (1) shall not affect the payment of salaries, expenses, and benefits otherwise authorized by law for members and employees of the Center who participate in carrying out this section.

(e) PRIVATE FUNDRAISING AUTHORIZED.—

(1) IN GENERAL.—The Center shall solicit and accept private contributions for the design, procurement, and installation of the plaque.

(2) ACCOUNTING.—The Center shall—

(A) establish an account into which any contributions received pursuant to paragraph (1) shall be deposited; and

(B) maintain documentation of any contributions received pursuant to paragraph (1).

SEC. 4. COMMEMORATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Center should—

(1) recognize the year 2021 as the 50th anniversary of the opening of the Center; and

(2) appropriately acknowledge and commemorate the mission of the Center as a national center for the performing arts and a national memorial to President John F. Kennedy.

(b) AUTHORIZATION FOR DISPLAYS AND PROGRAMS.—The Center may create displays and programs that memorialize the opening of the Center and the programmatic legacy of the Center since its opening in 1971.

Mr. GARDNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the body the message to accompany H.R. 601.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendments numbered 1, 2, 3, 4, 5, 7, and 8 of the Senate to the bill (H.R. 601) entitled “An Act to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.” and be it further

Resolved, That the House agree to the amendment numbered 6 of the Senate to the aforementioned bill, with an amendment.

MOTION TO CONCUR WITH AMENDMENT NO. 808

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 601, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to concur in the House amendment to the Senate amendment (No. 6) with an amendment numbered 808.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to concur with further amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 601, with a further amendment numbered 808.

Lamar Alexander, John Boozman, Roy Blunt, Thom Tillis, Mike Crapo, John Cornyn, Shelley Moore Capito, Steve Daines, Cory Gardner, Richard Burr, Orrin G. Hatch, Roger F. Wicker, David Perdue, Dan Sullivan, John Barrasso, John Thune.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 809 TO AMENDMENT NO. 808

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 809 to amendment No. 808.

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end add the following:

“This act shall be effective 1 day after enactment.”

ORDERS FOR THURSDAY, SEPTEMBER 7, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. Thursday, September 7; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 601.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate,
at 11:31 p.m., adjourned until Thursday,
September 7, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by
the Senate:

OFFICE OF PERSONNEL MANAGEMENT

JEFF TIEN HAN PON, OF VIRGINIA, TO BE DIRECTOR OF
THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM
OF FOUR YEARS, VICE KATHERINE ARCHULETA, RE-
SIGNED.

DEPARTMENT OF LABOR

KATHERINE BRUNETT MCGUIRE, OF VIRGINIA, TO BE
AN ASSISTANT SECRETARY OF LABOR, VICE ADRI DAVIN
JAYARATNE.

DEPARTMENT OF VETERANS AFFAIRS

RANDY REEVES, OF MISSISSIPPI, TO BE UNDER SEC-
RETARY OF VETERANS AFFAIRS FOR MEMORIAL AF-
FAIRS, VICE STEVE L. MURO, RESIGNED.

HOUSE OF REPRESENTATIVES—Wednesday, September 6, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. Ross).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

September 6, 2017.

I hereby appoint the Honorable DENNIS A. ROSS to act as Speaker pro tempore on this day.

PAUL D. RYAN,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, thank You for giving us another day.

These are energized days when Americans are being challenged to consider who we are as a people. Please bless all our citizens—and those who would be citizens—with generosity and discernment, that the national discourse would be a wonder for the world to see, and not a time of ever-widening divisions.

For the Members of this people's House, we ask a surfeit of wisdom and patience that they might work together, and through the differences that are all too familiar to a new vision of those qualities that might bring us together as one people.

Finally, we ask Your blessing of the people of Texas, Puerto Rico, the Virgin Islands, California, Oregon, Washington, and Montana, all who suffer the ravages of extreme natural disasters. Comfort them, and strengthen those who labor to bring relief to their hardships.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. SIREs) come forward and lead the House in the Pledge of Allegiance.

Mr. SIREs led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

LET'S PASS BILL TO HELP DREAMERS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, as early as March 6, 2018, hundreds of thousands of young immigrants, who are as American as you, could be forced to leave our great country.

The United States is their home, and the DACA program has afforded these DREAMers the opportunity to come out of the shadows, work legally, and pursue their educational goals. They are buying homes, creating businesses, working in our schools and hospitals, and contributing to our economy. Simply put, they are active members of our community.

Mr. Speaker, Congress can save these young Americans from deportations. I have introduced, along with my friend, Congresswoman LUCILLE ROYBAL-ALLARD, legislation that will ensure DREAMers can continue to fully participate in the American way of life and one day even become proud American citizens. The love for this country is already embedded in their hearts.

There are other alternatives that we can pass, such as the RAC Act, spon-

sored by my good friend and Florida colleague, Congressman CURBELO; and the BRIDGE Act, sponsored by my friend, Congressman COFFMAN, that gives DREAMers a chance to continue to build their future.

Congress has less than 6 months to act. The clock is ticking, Mr. Speaker. Let's do what is right and vote on these bills.

TERMINATION OF DACA

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to condemn the cruel and indefensible termination of the DACA program.

Since its launch in 2012, DACA has helped hundreds of thousands of young people come out of the shadows without the fear of being separated from their loved ones and sent away from the only country they call home. Many of these children came as infants, growing up in the same playgrounds, schools, and neighborhoods as our own kids.

The President's decision targets millions of young people who contribute to our society, economy, and national identity every day. In New Jersey alone, there are over 22,000 DACA recipients who pay \$66 million in State and local taxes every year.

The emotional and economic impact of their deportation will be devastating, and New Jersey could lose \$1.58 billion annually in GDP.

America was built on the hard work of immigrants and our diversity is part of the foundation of our Nation.

It is long past due for Congress to step up and protect the millions of families that will be torn apart because of this inhumane decision. We must protect DACA and pass legislation to fix our broken immigration system.

RECOGNIZING MINNESOTA'S FEMALE TRACK AND FIELD ATHLETE OF THE YEAR BY GATORADE

(Mr. EMMER asked and was given permission to address the House for 1 minute.)

Mr. EMMER. Mr. Speaker, I rise today to recognize an outstanding athlete from my district who was recently named Minnesota's Female Track and Field Athlete of the Year by Gatorade.

Anna Keefer, a 2017 graduate of St. Michael-Albertville High School, was chosen for this award due to her impressive ability on the track and the

excellence she exudes in every aspect of her life.

Anna is a sprinter and jumper. Her accolades include three individual State titles at the Minnesota State High School League AA State Championship meet. She holds the all-time State record in the long jump. Anna also helped bring home the track team championship title to St. Michael-Albertville at the 2017 State meet.

In addition to recognizing Anna with this award, Gatorade also donated a \$1,000 grant in Anna's name to a non-profit of her choice. It gave the grant to the STMA Stallions, a local Special Olympics team, because of her friendships with some of the members on the team.

Anna is attending the University of North Carolina at Chapel Hill this fall and plans to compete on the track team. We can't wait to see what she accomplishes next.

Anna, all of us in Minnesota are so proud of you, and we wish you all the best in your future.

RETURN TO CHAOS

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, we return to Capitol Hill amidst chaos—wildfires in the West, choking smoke in my community, the cruelty of 800,000 young people having their lives turned upside down unnecessarily by Trump yesterday, and we are dancing with the debt ceiling chaos with the world economy. All are made unnecessarily worse. Even Harvey was predictable due to government action and inaction.

Congress should stop pretending these things are beyond our control. A majority of Congress would treat young DREAMers, fairly if given a right to vote for it on the floor of the House.

We should fund disaster prevention, including forest fires, and stop subsidizing more floods, and not play unnecessary games with the world economy, pretending we won't pay for money we have already spent.

In the end, we will probably spend the next 3 weeks setting up the next crisis later in the year.

Isn't it time that Congress stop playing the victim and take charge?

RECOGNIZING CRITICAL ACCESS HOSPITALS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to acknowledge the outstanding performance of Pennsylvania's critical access hospitals.

Before I was elected to serve in the House of Representatives, I spent nearly 30 years in the healthcare field. I am most proud to see Pennsylvania recognized in the top 10 States by the Health Resources and Services Administration for quality performance.

With the help of funding from the Federal Office of Rural Health Policy, Pennsylvania's critical access hospitals are able to invest in quality improvement projects and new technical assistance resources to better care for their patients.

Pennsylvania is home to 15 critical access hospitals that provide service to the most rural areas in our State. Since 1991, the Pennsylvania Office of Rural Health has dedicated its efforts to ensure that these hospitals constantly improve the quality of care they provide to their patients.

Rural hospitals are critically important to our communities. They may be limited in resources, but they are committed to providing the best care possible to patients.

I am proud of our Pennsylvania critical access hospitals, and I congratulate them on this national recognition.

PROTECT DACA

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, I rise today in strong support of the DACA program.

Since the announcement of the end of this important program, I have heard from countless DREAMers who, in a word, are terrified. These are young people who are brought to our country as children and are now living, studying, and working in our communities.

One constituent's story, in particular, has stayed with me. This young woman was brought to our country at the age of 5. America is the only home she has ever known.

She was raised in San Diego, educated in San Diego, and now works in San Diego helping other immigrants transition more seamlessly into our society.

The administration's decision to end DACA is a broken promise to her, the 40,000 DREAMers in San Diego, and the 800,000 DREAMers across the country.

But even in the face of this betrayal, she called on us to "act with love and lead with inclusion."

With this call to action in mind, I hope my colleagues commit to protecting the DACA program and DREAMers.

REMEMBERING SERGEANT STEVE PEREZ

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, as Hurricane Harvey rampaged across Texas, the heavens opened up and 50 inches of rain hammered down on the Houston area.

After 2 days of hard rain, on August 27, 60-year-old Houston Police Officer Sergeant Steve Perez got up, as he does every morning, put on the badge, the shield over his heart, and began to drive to work to help rescue flood victims. It was dangerous. The floodwaters were high and constantly rising. People's homes and businesses were flooding. Perez's wife even asked him not to go that day. But, Mr. Speaker, Sergeant Perez knew the people of Houston were counting on him.

He made a wrong turn when he was headed to work, fighting the flooded streets. Because of that, the 34-year veteran of the force, Sergeant Perez, died in the floodwaters. He gave his life for the thin blue line, the line that protects and serves the rest of us.

Officers like Sergeant Perez are just a cut above the rest of us. They willingly put themselves into harm's way for their communities, and their motto is to protect and to serve.

Houston will remember Texas lawman Sergeant Perez as one of their own, putting his life on the line during one of the worst natural disasters in Texas history.

Next week, as hundreds of officers from all over the State of Texas and other States stand in silence, taps will be played for the end of watch for Sergeant Perez. Sergeant Perez is one of the rare breed—the Texas breed of law officers that sacrifice for the rest of us.

While we mourn the loss of Sergeant Perez, we thank the good Lord that such men ever lived.

And that is just the way it is.

NATIONAL AUCTIONEERS DAY

(Mr. DUNCAN of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of South Carolina. Mr. Speaker, first off, I want the folks in Texas and Louisiana to know that South Carolina continues to pray for the folks that live in the affected areas, and all of the States that are facing a potential hurricane.

Mr. Speaker, I rise to express support for designation of the first Saturday of May as National Auctioneers Day and the preceding week as National Auctioneers Week. Auctioneering is one of history's oldest professions.

I was an auctioneer for 16-plus years before coming to Congress. As an auctioneer, I saw firsthand the purest form of buying and selling. Auctions bring buyers and sellers together where the highest price is established through competitive bidding.

Auctions continue to be the fairest, most transparent and effective means of establishing fair market value.

The National Auctioneers Association and its members strive to advance the auction method of marketing and uphold the highest standards of professionalism in serving the American public. These professionals are proud businessowners who support their communities.

For more than 40 years, National Auctioneers Day has been observed by State and local governments and private organizations across the U.S. The designation of National Auctioneers Day and National Auctioneers Week will heighten the public awareness of the contributions made by auction professionals to our Nation's history and economy.

Mr. Speaker, I call upon the House of Representatives to support this designation and America's auctioneers.

□ 1015

GROWING OUR NAVY

(Mr. GALLAGHER asked and was given permission to address the House for 1 minute.)

Mr. GALLAGHER. Mr. Speaker, I rise today to once again emphasize the urgent imperative of growing our Navy to 355 ships. This body is now on record in support of a 355-ship Navy, and the recent tragedies at sea only serve to reinforce the inadequate capacity of our current fleet.

While the size of our Navy has shrunk from over 500 ships at the end of the Cold War to less than 280 ships today, the demand for deployed ships has remained relatively constant between 85 and 100.

This steady demand on the fleet, coupled with tight budgets and habitually underfunded maintenance counts, has taken a serious toll on our sailors.

Growing the fleet is no easy task. It will take constant leadership and attention. In his confirmation hearing, Secretary Spencer rightly spoke about creative levers the Navy could pull to get to 355, including bringing ships out of the ready reserve, yet we need more urgency, we need that sense of urgency that Secretary Spencer talked about in his mission, vision, and priorities document. This must extend to growing the fleet as quickly as is practical. Every day, month, and budget year that goes by without significant progress towards 355 makes this urgent requirement that much less likely to materialize.

Mr. Speaker, there is not a moment to lose. We must make growing the fleet our number one priority.

RECOGNIZING GIANA ZAMBELLI AND OLIVIA CAMERON

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Giana Zambelli and Olivia Cameron. These two 9-year-old girls from Bensalem, Pennsylvania, spend their free time running a local Kool-Aid stand which they call Kool-Aid for Kenny.

The proceeds from their sales benefit the Kenneth Hopkins Memorial Scholarship Fund created in 2016, to award students currently pursuing a career in emergency services.

Mr. Speaker, Ken Hopkins was an emergency medical technician with the Bucks County Rescue Squad and a volunteer firefighter with the Croydon Fire Department. He passed away in June 2016, after struggling with post-traumatic stress disorder from his time serving our community and saving lives as a first responder.

Mr. Speaker, the selfless acts of Giana and Olivia are truly inspiring to all of us. Their remarkable work continues to make Ken's dream a reality in the hopes that others continue to save lives and help those in need, just as Ken Hopkins did his entire life.

Ken, Giana, and Olivia are an inspiration to our entire community.

FREEDOM IN EASTERN EUROPE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as a lifelong cold warrior promoting victory over communism, it was a dream come true to lead a bipartisan delegation to Eastern Europe in early August reaffirming America's commitment to our new NATO allies in the European Reassurance Initiative.

We know that peace through strength will be successful. The vision of Barry Goldwater and Ronald Reagan has been achieved.

Visiting with military and government leaders in Romania, Bulgaria, Latvia, Lithuania, Georgia, and Poland, we saw dynamic and prospering American allies achieving world-class defensive capabilities with their professional military fully equipped with the latest technologies.

In both Warsaw and Tbilisi, President Donald Trump and Vice President MIKE PENCE made it clear America will protect these new democracies.

I was inspired as an election observer in Bulgaria in 1990, and have seen this country evolve from totalitarianism to the now dedicated democracy led by Prime Minister Boyko Borissov.

I was grateful to be accompanied by my youngest son, Hunter, an Afghanistan veteran, as we witnessed freedom in these countries in stark contrast to the year Hunter was born in 1987, when all six countries were enemies to the United States and were suffering under communist dictatorships.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

EMERGENCY FUNDING FOR HURRICANE HARVEY

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the hundreds of thousands of victims of Hurricane Harvey in Houston and Harris County and throughout Texas and call on Congress to immediately pass emergency funding to help victims with this unprecedented disaster.

Our district in east side, north side, and southeast side Houston, Harris County, is familiar with hurricanes and tropical storms. We were hit hard by Allison in 2001, again by Hurricane Ike in 2008.

Harvey's destruction is beyond anything witnessed in living memory in Texas, flooding over 100,000 homes in Harris County alone, killing at least 60 people, 12 innocent victims in our own district.

Countless lives in Houston and along the Gulf Coast have been on hold: families who cannot return to their flooded homes, children whose schools are damaged, mothers and fathers who can't get back to work.

I urge my colleagues to vote for this critical emergency funding bill today that will help the people of Houston and Harris County and Texas on the road to recovery.

RECOGNIZING GEORGIA MJARTAN

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, today I rise to recognize Georgia Mjartan of Little Rock. She is the executive director of Our House and is stepping down after 12 years.

During her 12 years at Our House, Georgia was named "Nonprofit Executive of the Year" in 2011 and Our House was named "Nonprofit Organization of the Year" in 2015.

Under her leadership, Our House has seen extraordinary growth and plays an important role in our community, serving those who find themselves homeless or near homeless, while providing life skills, resources, and services to overcome their situation.

Our House empowers residents to succeed in the workforce, in school, and in life through hard work, smart choices, and community involvement. Our House will continue to thrive.

Georgia is a pillar of the community. She is a loving wife, mom, foster and adoptive parent of three beautiful children. I am proud to call her friend, and I wish her the best of luck as she relocates from Arkansas to South Carolina.

THE NATIONAL MEDIA HAS LOST OUR TRUST

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the American people have lost faith in the liberal national media, and we know why. They tell the American people what to think rather than report the facts in an unbiased manner.

A new NBC Marist Poll revealed that two-thirds of Americans trust the media not very much or not at all. A Morning Consult/Politico poll found that 41 percent of registered voters have more trust in their local news outlets than the national media to report the truth, compared to only 27 percent who said the national media.

And a Quinnipiac poll showed that an astounding 55 percent of Americans disapprove of the way the news media covers President Trump.

The national media's endless drum-beat of negative coverage of the Trump administration has come with a cost: the loss of trust of the American people.

If the media want to improve their credibility, they should report the news fairly and without bias.

HONORING PETTY OFFICER LOGAN PALMER

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor the service and sacrifice of Petty Officer Logan Palmer from Decatur, Illinois.

Logan knew early on that he wanted to serve his country. He was an Eagle Scout and an active member of Life Foursquare Church.

After he graduated from Sangamon Valley High School and Richland Community College, he enlisted in the Navy as an interior communications electrician. In the Navy, Logan earned the National Defense Service Medal.

Although I never had the honor of meeting Petty Officer Logan Palmer, his family remembers him as a committed sailor, a loving son, and a brother.

Petty Officer Logan Palmer died serving and protecting our country, and for that, we remain eternally grateful.

This accident is a grave reminder of the risks our servicemembers and their families take on each day. I continue to pray for Logan's parents, Theresa and Sid, his brothers Austin and Kaleb, his sister Mattie, and all those who knew and loved Logan.

TRIBUTE TO BOB REDFORD

(Mr. ESTES of Kansas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. ESTES of Kansas. Mr. Speaker, I rise today in tribute to Bob Redford, who founded the Walnut Valley Festival in the Fourth District of Kansas back in 1972, and served more than 40 years as its president. Bob Redford passed away in December of last year.

Bob Redford's dedication to live music resulted in this legendary event, which is one of the longest running music festivals in U.S. history. For 46 years, pickers and music lovers have journeyed to this special place on the Kansas plains to celebrate life with music.

Bob Redford gave so much to the community in Cowley County and dedicated years of service to leading and promoting this iconic festival that has become known as Pickers Paradise.

There is no place on earth like the Walnut Valley Festival, which is home to national and international instrument championship contests and where thousands return year after year to experience outstanding live music, in the grandstands, performed by world famous musicians, along with legendary campground jams.

Bob Redford's legacy lives in the community of musicians and music lovers from around the world, who will gather next weekend in the pecan grove along the Walnut River in Winfield, Kansas, for the 46th Annual Walnut Valley Festival.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 6, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 6, 2017, at 9:16 a.m.:

That the Senate passed S. 1107.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF

Mr. FRELINGHUYSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 502) providing for the concurrence by the House in the Senate amendments to H.R. 601, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 502

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 601, with the Senate amendments thereto, and to have—

(1) concurred in the Senate amendments numbered 1, 2, 3, 4, 5, 7, and 8; and

(2) concurred in the Senate amendment numbered 6 with the following amendment:

In lieu of the matter proposed to be inserted by Senate amendment numbered 6, insert the following:

“(C) there is the greatest opportunity to reduce childhood and adolescence exposure to or engagement in violent extremism or extremist ideologies.”.

DIVISION B—DISASTER RELIEF APPROPRIATIONS ACT, 2017

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for disaster relief for the fiscal year ending September 30, 2017, and for other purposes, namely:

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER RELIEF FUND

For an additional amount for “Disaster Relief Fund” for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,400,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Disaster Loans Program Account” for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$450,000,000, to remain available until expended: *Provided*, That up to \$225,000,000 may be transferred to and merged with “Salaries and Expenses” for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: *Provided further*, That none of the funds provided under this heading may be used for indirect administrative expenses: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount

designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

This division may be cited as the “Disaster Relief Appropriations Act, 2017”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 502.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present H. Res. 502, a resolution making emergency appropriations to allow the Federal Government to continue the vital response and recovery efforts that are helping the hundreds of thousands of victims of Hurricane Harvey.

Our thoughts go out to all the people of Texas and Louisiana who are coping with the aftermath of this storm and its catastrophic flooding.

As one of the Nation’s greatest national disasters continues to unfold before our eyes, this Congress must ensure that our Federal Government is able to meet the short and long-term needs of disaster victims.

I believe that every type of resource ought to be utilized to support rescue, relief, and recovery efforts. I want to reassure the people of Texas and Louisiana that we are there for them in their time of greatest need.

The House Appropriations Committee has already approved a \$1 billion reprogramming request for FEMA last week, which has allowed the agency to continue to meet the most immediate needs in the region.

It has become clear that, in the face of a disaster of such magnitude, much more is needed to assist these states and local communities as they recover and rebuild.

Last Friday, we received the administration’s initial request for supplemental funding for Hurricane Harvey. We are grateful for the speed of this request, and, recognizing the urgency of the situation, we brought this resolution to the floor today.

H. Res. 502 contains \$7.4 billion for FEMA’s Disaster Relief Fund, which will allow FEMA to continue its efforts related to Harvey as well as any additional disasters that may strike. H.

Res. 502 also includes \$450 million to support the Small Business Administration’s disaster loan program that will help small businesses and homeowners come back from the disasters.

Working closely with the Texas and Louisiana members, the Appropriations Committee has done its due diligence to guarantee that this funding will make best use of taxpayers’ dollars.

□ 1030

I want to thank all of our Federal agencies, first responders from around the Nation, the thousands of volunteers who immediately responded, and all those who have been working tirelessly to make sure that we meet the needs of the people of Texas and Louisiana.

Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the devastation in Texas and Louisiana from Hurricane Harvey warrants swift congressional action. I am pleased we are here today to ensure that FEMA can continue to support the States affected by this disaster.

The \$7.4 billion for FEMA and \$450 million for the Small Business Administration in H. Res. 502 are only a first step in a long process that will require a long-term Federal presence.

I represent areas, Mr. Speaker, affected by Superstorm Sandy and understand, firsthand, the need for Federal intervention when storms overwhelm State and local capacity. Following Sandy, the last administration requested and Congress approved funding for resiliency to ensure that future generations can mitigate the damage from storms that have grown in intensity.

We can argue about the effects of climate change on storms, but we must all agree that our communities must receive much-needed mitigation funding to protect lives and livelihoods in future storms and to prevent more costly damage.

Despite the fact that some of the Representatives for areas affected by Hurricane Harvey heavily criticized and voted against the assistance provided in the wake of Superstorm Sandy, I wholeheartedly support the funding in this resolution and expect a much larger request from the administration, including funding to mitigate damage from future storms.

Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Homeland Security Appropriations Subcommittee.

Mr. CARTER of Texas. Mr. Speaker, I rise in support of the supplemental funding for Hurricane Harvey relief. H.

Res. 502 totals \$7.85 billion in emergency funding, including \$7.4 billion for FEMA’s Disaster Relief Fund. This supplemental funding is a necessary first step toward assisting our communities in immediate need.

However, rebuilding and recovering from the devastation of Hurricane Harvey will continue to require further resources and really hard work. I will continue to work closely alongside my colleagues in the Texas delegation, the Louisiana delegation, and the Appropriations Committee to meet the needs of our neighbors in the southeastern part of our State.

My thoughts and prayers are with all those affected by this devastating storm.

Colleagues, I encourage each and every one of you to vote for this. H. Res. 502 is focused on addressing the immediate needs of those affected by Hurricane Harvey. It sends them a powerful message: that we are here and we are here for them, and we will be working hard for them throughout this recovery.

Just this morning, I saw another newsman standing waist-deep in water in Houston as it continues to recede. Let’s cast our vote properly and start the recovery for the southeastern part of Texas and the western part of Louisiana.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. CUELLAR), a member of the Appropriations Committee.

Mr. CUELLAR. Mr. Speaker, again, I want to thank the ranking member for yielding her time, for her leadership, and for all the work she has done, and also our chairman, Mr. FRELINGHUYSEN, for his leadership, and Chairman JOHN CARTER, one of our Texans, for bringing this important resolution to the floor.

This funding will help FEMA, which is running out of money, provide the immediate recovery and relief that we need in Texas and Louisiana. It is only a downpayment.

Normally, in rain events, we measure water in inches; during Hurricane Harvey, we measured it in feet. At the end, there were over 19 trillion gallons of water on the ground.

Hurricane Harvey killed at least 60 people, including Alonso Guillen, a DREAMer who drove over 100 miles to help rescue by boat those who first responders couldn’t reach.

Those who were evacuated will soon come home to find their homes and their memories left behind in ruin by the floodwaters. The cost of the total damages will be in the billions. Many losses, however, will be priceless: pictures of family weddings, kids’ soccer games, children’s favorite toy, a daughter’s prom dress, or an antique that has been passed through generations.

Yet, many heroes stepped up to open up their homes, their churches, and

their businesses to house those evacuees. Those efforts highlight the fact that this is not a natural disaster, but it is a national disaster, and it requires a response.

I quickly want to thank the first responders and others at the local, State, and Federal levels who bravely and selflessly provided assistance, including our friends to the south, Mexico, that are sending over trucks and trucks of assistance.

Today, we stand together not as Democrats or Republicans, but as Americans. We speak in one voice, and we stand with Houston, east Texas, and Louisiana as we continue to do the rescue and the recovery.

And as Hurricane Irma comes over to Florida and the Southeast, we, again, stand together as Americans, one team.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Mr. Speaker, in light of this unprecedented natural disaster in Houston and Louisiana, along the Gulf Coast, I want to urge my colleagues to provide the resources necessary to help them recover. We need to move quickly and we need to move responsibly, and I just urge my colleagues to act, and act now.

I am very proud of my fellow Texans for the way they have responded. I am proud of the leadership at the local level, at the State level, and I am proud, mostly, of the overwhelming, loving response of reaching out, neighbor helping neighbor, friends and folks in their community taking this responsibility head-on, not waiting on the Federal Government. We have a role, and the Federal Government ought to do all that we can to help those.

Texas is a special place, Mr. Speaker. As you know, these folks are very self-reliant. They are committed to their communities, and they are committed to loving thy neighbor. It is not just a memory verse, it is a way of life in Texas.

So, again, our thoughts and prayers are with our friends back home. I know my colleagues and neighbors in west Texas, in District 19, have sent first responder vehicles and personnel, food, and supplies. Dyess Air Force Base in Abilene, Texas, has sent, for example, 12 tons of supplies and food. So we are with you guys. We love you.

As Trump said, "Texans can handle anything." He is right.

God bless Texas, and God bless America.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I want to thank our ranking member not only for yielding to me, but also for her call a couple of weeks ago.

And I want to thank our colleague from Lubbock, Texas. We have a lot of

water we can send to west Texas, but appreciate the support not just from Texas, but all across the country. People are coming in everywhere.

And I see my colleague, BRIAN BABIN, who is my neighbor. We are not Democrats and Republicans; we are Americans. And that is what we are seeing. And our Speaker pro tempore of the House, also, is neighbor to both of us.

But I rise in support of the hundreds of thousands of victims of Hurricane Harvey in Houston and Harris County and throughout Texas, and I call on Congress to immediately pass emergency funding to help victims from this unprecedented disaster.

Our district is in northeast and southeast Houston and Harris County. We are familiar with hurricanes and tropical storms. We were hit by Tropical Storm Allison in 2001, hit by Hurricane Ike in 2008.

Harvey's disaster and destruction is beyond anything witnessed in living memory in Texas, flooding over 100,000 homes in Harris County alone and killing at least 60 people, including 12 innocent victims in our district.

Countless lives in Houston and along the Gulf Coast have been put on hold: families who cannot return to their flooded homes, children whose schools were damaged, mothers and fathers who cannot go back to work.

I have a school district in northeast Harris County, Sheldon ISD. They have eight schools. Four of those schools are so damaged they can't be reopened.

Houstonians and Texans are proud and independent people. We take pride in our can-do attitude, as witnessed by our brave first responders and countless volunteers who rescued neighbors during the worst of the flooding.

I urge all my colleagues to vote for this critical emergency funding that will help the people of Houston and Texas on the road to recovery. But this is not the only time we will need this emergency funding.

Mr. Speaker, I include in the RECORD an article in Monday's Houston Chronicle on the dedication of our doctors and public health workers at the Texas Medical Center in Houston during the worst of Harvey.

[From the Houston Chronicle]

MY 60-HOUR SHIFT IN THE ER DURING
HURRICANE HARVEY

(By Benjamin Gold)

I was on call at St. Luke's when the major flooding began. I decided to stay in the hospital, along with many other residents, attendings, nurses and support staff.

It turns out that a hospital is a fantastic place to be in a crisis—it has food, water, electricity, even Wi-Fi. I ended up staying there until Monday, taking shifts with other residents as we watched over our patients. We even saw some new ones who somehow managed to make their way through floodwaters to the emergency room.

Here are some of the things I saw during those 60 hours.

I saw nurses working for almost 20 hours straight and managing way more patients

than usual, refusing to leave them—they didn't know when the next nurses would arrive.

I saw the cafeteria transformed into a support station with round-the-clock free meals. The lunch tables transformed into war rooms as the various medical departments strategized about how to staff the hospital despite being desperately under capacity. I got meals from the same cafeteria worker—Anne—on Friday night, Saturday morning, Saturday evening, Sunday morning, Sunday evening and Monday morning.

I saw patients placed in impossible circumstances. One, a young man with a son in the ICU at Texas Children's, recently heard that his house had flooded. He was having high fevers and coughing up yellow sputum. His chest X-ray showed he had developed a lobar pneumonia. He was pale and clammy, with bloodshot eyes.

"Doc, I need go," he told me. "I have to see my son. I have to call my wife and make sure she's safe. I can't stay here."

I was in the ICU when an impromptu meeting was held to discuss the fact that no relief would be able to come in for the foreseeable future. There were only two attendings, each taking 12-hour shifts so the other could sleep. They'd already been working for 48 hours.

Midway through one of the shifts, one of the sleeping ICU doctors woke up and asked the active doctor if he was OK.

"I'm cruising," he said, smiling. He was bleary-eyed and weary, but it didn't matter. "I'm rolling," he said and gave a thumbs-up. "I'm good to go."

My fiancée, who also is a doctor, told me that one of her patients wanted to meet me after they found out that their doctor had a significant other in the hospital.

"Sure," I said, and went over to the room. They were so appreciative of her care that they invited us to go fishing with them in Corpus Christi when this was all over. "I'm telling you, you've never seen a more beautiful place to fish your entire life. You'll stay with us, of course! It won't cost you a penny."

The man took out his iPhone and showed us pictures of a gorgeous coastline, Texas-sized sunsets and smiling nephews proudly holding up fish as big as they were. "We'll make it down there," he said. "We'll get through this."

Finally, on Monday morning, the first wave of relief arrived, and those whose houses hadn't flooded and had clear streets were able to go home. Others weren't so lucky.

The Texas Medical Center is what brought me to Houston. It has more medical schools, hospitals and nursing facilities per square foot than any other place on earth. It was incredible to see the resiliency, camaraderie and selflessness of those who work there in a crisis. Learning about what to do in a crisis is standard in medical education. But to see it in action, to see people refusing to leave until they knew their patients would be cared for, is something else entirely.

It's been a grim few days, and the worst is not over. We don't know how many more casualties there might be. Untold billions in property damage has already been done. But Houstonians showed their true colors over this past weekend. I've never been prouder to be a Texan.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, I would like to echo what everyone has said, especially my colleagues, Mr. GREEN and

others, from Texas who have mentioned how we have pulled together. But I want to rise in strong support of this disaster relief funding for those who have been impacted by this terrible storm.

My district is in Texas 36, and it was totally devastated. All nine counties have been declared Federal disaster areas. The entire district was underwater, a vast lake, from Houston over to the Louisiana border. The devastation is truly heartbreaking.

I have traveled to each county and assisted in the recovery efforts, and I have met with the victims. H. Res. 502 provides desperately needed resources to help our fellow Americans put their lives back together again and provides a hand up, not a handout. Texans don't want a handout, but we do need the help and the hand up.

In the midst of this devastation, the entire world has seen the resiliency, compassion, and determination of the people of Texas, and I am truly inspired by the incredible stories of goodness.

We have had multiple disasters, especially in my district—multiple—even three disaster declarations for some of my counties over the past 3 years. I have met and talked to some of my constituents who had just gotten back into their homes 2, 3 months ago from a flood that impacted us last year. One has told me she still had the price tags on their furniture when she woke up during the night to see water in her house. These are the kinds of things that we are seeing.

But in the midst, as I have said, our churches, our first responders, our private citizens, businesses, people from out of State—and I want to especially commend the State of Louisiana, who came over and provided hundreds of boat teams for us—all around the district, people are helping one another.

I just want to urge my colleagues to join me in supporting this very, very much-needed funding and showing our fellow Americans that we stand with them in this terrible, terrible time.

I have been around a long time. I have seen storms—Hurricane Audrey in the 1950s—and this storm, Hurricane Harvey, I have never seen one like this before.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), who we know was struggling with her fellow Texans and trying to be as helpful as she could during this horrible, horrible disaster.

□ 1045

Ms. JACKSON LEE. I thank the Speaker, and I thank the gentlewoman from New York. Having known the devastation of hurricanes just a couple of years ago, I thank her, and along with her as the ranking minority member, the chairman as well, both coming

from the region where they faced the same devastation.

We come together united. We come bipartisan. We come as friends. As I said at the NRG shelter just a few days ago, we have hope. We have hope. We are grateful that we are beginning the process of recovery with the over \$7 billion now being allotted for disaster recovery, \$450 million of that being for small businesses. The need is great.

Twelve days ago, on August 25, Hurricane Harvey hit this coast, and it hit Texas in a very hard way. To put in perspective the devastation brought by Hurricane Harvey, the volume of water that fell on Houston and other affected areas of Texas and Louisiana could fill more than 24,000 Astrodomes. Hurricane Harvey was a thousand-year storm. It claimed many, many lives. Twenty-one trillion gallons of rainfall fell in Texas. Sustained winds exceeded 130 miles an hour.

I cannot thank, enough, those who gathered and helped, from the local officials, from Mayor Sylvester Turner and Judge Emmett, to Mayor Aaron in Humble, to Mayor Diaz in Jacinto City—cities in my congressional district—to the many volunteers, the Cajun Navy. And might I thank the Texas National Guard—they were standing up—the Marines, the Navy, and, of course, the Army. We traveled with them. I thank the Military Museum of Armed Forces that traveled with me to give out food. We are still in need.

Thousands of people without apartments who have been evicted have been told to go. As I walked the streets of Humble, Texas, in my district, piles and piles and piles of rubbish, people's homes and possessions, even though they had their family and lives, all of their possessions out on the front.

This is a time for us to rise without obstacles. This is a time for us to ensure that all people can be protected. I would like to highlight the DREAMer that died, Alonso Guillen, who came all the way from Lufkin, Texas, just be able to save those who he saw were in need. We need to be able to ensure that he is not discriminated against or my constituents in certain parts of my district who are afraid to seek help simply because they are unstated.

My friends, I know we can find a pathway forward. I know that we can find a pathway to reauthorize DACA and to do it as soon as possible in tribute to Alonso Guillen, who died with friends when he brought his boat, of his own accord, to be able to come and save those.

Let me tell you what we need. We need housing resources. We need to ensure that we have housing resources to make sure that the people who were evicted can make sure that they have a way to have a home. We need small business resources.

I want to thank the gentlewoman for her time, and I know that we will be

working together and making a difference for those who were impacted by Hurricane Harvey.

My prayers for those who are impacted by Hurricane Irma.

Mr. Speaker, I rise in support of H.R. 3672, which provides \$7.85 billion in supplemental appropriations as the Congress's initial response to the massive damage inflicted on Southeast Texas and Louisiana by Hurricane Harvey.

The speed with which the bipartisan leadership drafted and shepherded this legislation to the floor bodes well for the major challenges that must be met and overcome if Congress if the victims of Hurricane Harvey are to recover from the storm's awful wrath and rebuild their decimated communities.

I thank Chairman FRELINGHUYSEN and Ranking Member LOWEY, and Speaker RYAN and Democratic Leader PELOSI, for bringing this initial supplemental funding bill to the floor in a timely manner and which lets the people of Texas and Louisiana know that the American people stand in solidarity with them in their moment of heartbreak and anguish.

Mr. Speaker, just 12 days, on August 25, 2017, Hurricane Harvey made landfall for the first time in the state of Texas, just north of the city of Corpus Christi.

Before it was finished, Hurricane Harvey dropped 21 trillion gallons of rainfall on Texas and Louisiana, most of it on the Houston Metroplex.

To put in perspective the devastation wrought by Hurricane Harvey, the volume of water that fell on Houston and other affected areas of Texas and Louisiana could fill more than 24,000 Astrodomes or supply the water for the raging Niagara Falls for 15 days.

Whole sections of Houston, Beaumont, Bayou City, Port Arthur, and other cities were underwater for days.

Hurricane Harvey was a 1,000 year storm that has to date claimed the lives of at least 30 persons, including a 34-year veteran of the Houston Police Department and a family of six who perished in Greens Bayou while trying to evacuate their flooded home and community.

It also claimed the life of a Dreamer, Alonso Guillen, a young Houstonian who came to Texas from Mexico as a teenager, and who died when his boat capsized while he was rescuing survivors of the flooding caused by Hurricane Harvey.

Neither Houston nor any city in the nation has ever experienced flooding of the magnitude caused by Hurricane Harvey.

The statistics are staggering.

21 trillion gallons of rainfall fell in Texas and Louisiana in the first five days of the storm.

The estimated maximum sustained winds exceeded 130 miles per hour as the hurricane made landfall near Rockport, Texas on August 25.

A record 4,323 days, which is nearly 12 years, elapsed since a major hurricane (Category 3 or above) made landfall in the United States prior to Hurricane Harvey; the last Category 3 hurricane to hit the United States was Hurricane Wilma in 2005, the same year Hurricane Katrina destroyed much of New Orleans.

The city of Cedar Bayou received 51.88 inches of rainfall, breaking the record for rainfall from a single storm in the continental

United States; my city of Houston received more than 50 inches of rainfall.

More than 13,000 people have been rescued in the Houston area and more than 30,000 persons are expected to be forced out of their homes due to the storm.

More than 8,800 federal personnel were staff deployed to help respond to Hurricane Harvey, supplying approximately 2.9 million meals, 2.8 million liters of water, 37,000 tarps, and 130 generators.

In the first three days of the storm, more than 49,000 homes that had suffered flood damage and more than 1,000 homes were completely destroyed in the storm.

Mr. Speaker, valiant emergency responders are overextended and citizen rescues have become a critical source of assistance in saving lives.

Local authorities closed major freeways, airports, and schools.

Emergency shelters are filled to capacity and efforts to rescue residents continue around the clock.

The anticipated cost of removing debris is expected to dwarf the \$70 million spent by Houston removing debris after Hurricane Ike in 2008.

We do not yet know the full cost in human lives exacted by Hurricane Harvey.

But what we do know is that the costs of recovery and reconstruction will far exceed any natural disaster in memory; best estimates place the cost in the range of \$150–\$200 billion.

Mr. Speaker, there is much work to be done in my city of Houston, and across the areas affected by the terrible, awesome storm that will be forever known simply as Hurricane Harvey.

That is why I strongly support the legislation pending before us appropriating \$7.85 billion as the initial response of the Congress to the damage caused by an epic storm.

I must emphasize that what we are considering here is the initial response because much more funding will be needed for Houston—the nation's fourth largest city—and Southeast Texas to recover and rebuild.

For that reason, I urge all Members to join me in support of H.R. 3672 and to commit to providing our fellow Americans in Texas and Louisiana all of the help and support they need to restore their communities to their previous greatness.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CULBERSON), from the Commerce, Justice, Science Subcommittee.

Mr. CULBERSON. Mr. Speaker, to everyone in Texas and Louisiana who has suffered the loss of a loved one or the loss of everything they own in this catastrophic flood, we are here today to tell you that help is on the way and to say thank you.

Help is on the way because today, in the Congress, there are no Republicans, there are no Democrats. We are all Americans here today, unified in our determination to move swiftly to help all those poor people who have suffered so much as a result of this catastrophic storm.

It is an unparalleled disaster in our Nation's history. My district suffered. We all suffered, all of us in southeast Texas, southwest Louisiana.

My brother and his wife lost everything. Their home is still underwater. My in-laws lost everything. Their home was destroyed, everything they owned and loved, but they are just personal possessions.

No one lost their lives. I can't imagine if you lost a loved one in this catastrophe.

But help is on the way. We are all unified here today. We are all working together to make sure that we get this immediate infusion of cash into the Disaster Relief Fund to help these people who have suffered so much and been displaced so abruptly and so catastrophically.

I want to thank you, Mr. Chairman, for bringing this to the floor so quickly, thank our leadership for working together to get this done. I want to thank President Trump and his wife for personally donating \$1 million to the relief fund for the victims of Hurricane Harvey. I want to thank, also, all of the first responders who sacrificed so much to save so many lives. I want to thank especially the people of America who stepped up to help the people of Houston.

I spent all of last week out in neighborhoods in boats and on trucks and in waders helping pull people and their property and their pets out of their homes.

Last Saturday, I ran into a group of guys, four guys, with a bass boat that drove all the way from Florida. They saw the catastrophe on television and said, "We can either sit here and watch this or we can go help our fellow Americans," and they jumped in their truck and they drove that bass boat all the way to Texas to help us.

A guy from Michigan showed up in our neighborhoods just to help.

I want to thank my friend and my colleague, Congressman GARRET GRAVES of Louisiana, who called me on the second day of the disaster and said: The Cajun Navy is on the way.

I said: What? I didn't know there was such a thing as the Cajun Navy.

GARRET said: 110 trucks are on the way to Texas towing 100 boats loaded with thousands of meals of jambalaya and red beans and rice and diapers and water and radios and everything that you need to recover from a storm.

They just did it, our neighbors.

I have never been prouder to be an American, never been prouder to be a Texan or a Houstonian, to see people step up and help each other out of the goodness of their hearts, because we are Americans and we are the greatest nation in the history of civilization, and it is because we are all self-reliant. It is because we all look after each other as a community. We all love each other. We love our family, our God. We respect the law.

This great Nation that was founded on the rule of law is a bond that connects all of us, and we saw it in this disaster, and we thank you all from the bottom of our heart. Help is on the way.

Mrs. LOWEY. Mr. Speaker, before I yield to our next speaker, I would just thank Mr. CULBERSON. I just want to thank you, Mr. CULBERSON, because, of course, we are all totally supportive of this aid package, but I remember that you were the only Member from the majority in Texas who supported our Sandy package. I just wanted to, at this time, thank you again for your generosity and your warm heart for every American.

Mr. CULBERSON. Will the gentleman yield?

Mrs. LOWEY. I yield to the gentleman from Texas.

Mr. CULBERSON. Today, we are all Americans, arm in arm.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, I also thank the ranking member for her kind words. I would like to thank the chairperson for bringing this to the floor, both of them.

Mr. Speaker, this is a seminal moment in time, a moment in time that can shape the rest of our time. This is an opportunity for those of us who contend that we are our brother's keeper to, in fact, become our brother's keeper. You see, you can't be your brother's keeper without keeping your brother. This is a chance to be your brother's keeper. This is a chance for the unity that we express when we are before the cameras to manifest itself in the votes that we cast here in Congress. This is a seminal moment in time.

This is a moment in time for us to care not only about those who live in the suites of life, but also those who dwell in the streets of life, those who live on benches, those who sleep under bridges. It is an opportunity for us to cast a vote that will send aid, send assistance to those in Houston, Texas, and all across the area that has been devastated by this monster. It is a chance for us to help them.

But this is only a downpayment, only a downpayment. There must be much more. We need help in Houston post-haste, as is the case with other places around the country that have been devastated.

We need help for housing, not only for those who had homes before the monster hit, but also for those who didn't have homes who need to transition to a place that they can call home. If home is where the heart is, where is the heart of the homeless, people who sleep under bridges? Where is the heart of the homeless?

They have to be given a place that they can call home as well, which means, at some point, we have got to

have dollars appropriated for the organizations that help those who live in the streets of life: the homeless. We have got to help them, too. If we can help those in the suites, we can help those in the streets.

I would also say to my colleagues: Please understand, people who are here and undocumented have needs, too. They live in places that are horrible. I have been in their homes. I have smelled the mold. I know what it is like to see the conditions that they dwell in. It is time for us to put aside the politics that divide us from people who need help and help those people, too. Let's send some more money to the organizations that help them.

This is a moment in time. This is a seminal moment in time. It is time for us to step up and help everyone that is harmed, not be selective. If you are in this country and you are hurting, we ought to help you. God bless you.

I thank you, Madam Leader on my side, the ranking member. I thank you again, Mr. Chairman, and I beg that we do what we can to make sure every person in this country receives the help he or she deserves.

CITY OF HOUSTON,

Houston, TX, September 1, 2017.

Mr. BROCK LONG,

FEMA Administrator, Department of Homeland Security, Washington, DC.

DEAR ADMINISTRATOR LONG: The City of Houston has experienced a catastrophic event, Hurricane Harvey, and the assistance of FEMA is critical to the recovery of our families and community. We are requesting your expeditious action on the following:

100% federal reimbursement for Categories A (debris removal) & B (emergency protective measures) as was approved for Katrina, Rita and Ike.

Advance funding for the Public Assistance program (all categories of work)

We are seeking the initial advance funding of \$300 million of which \$100 million will be used for immediate debris removal.

As we get more accurate damage assessment estimates, our goal is to secure total advance funding.

At least 15–20 Disaster Recovery Centers to be adequately staffed throughout the City of Houston to expedite assistance to individuals

Deploy 4–5 centers for each quadrant of the City

Provide adequate staffing to ensure that disaster survivors are promptly assisted

Funding of up to \$1.75 billion for a FEMA Sheltering and Temporary Essential Power (STEP) or Rapid Repair program to expedite the return of families to their homes and contribute to a whole community recovery for approximately 50k homes.

We are seeking to increase the cap of this funding to up to \$35,000/home

100% advance funding and expedited processing for First Responders who lost property in the line of duty.

The City of Houston wishes to serve as a pilot program for the 100 Houston Fire Department and 200 Houston Police Department personnel who had significant damage to their homes and losses due to Hurricane Harvey. Many of these First Responders are not insured.

The City of Houston will also be asking HUD for an immediate release for CDBG–DR

funds and seek FEMA support in this request to compliment the recovery efforts. The coordinated and timely release of funds will enable the City of Houston to become more resilient and recover faster.

Thank you for your consideration of my requests.

Sincerely,

MAYOR SYLVESTER TURNER.

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CITY OF STAFFORD,

Stafford, TX, September 2, 2017.

Mr. BROCK LONG,

FEMA Administrator, Department of Homeland Security, Washington, DC.

DEAR ADMINISTRATOR LONG: The City of Stafford has suffered a catastrophic event, Hurricane Harvey, and the assistance of FEMA is critical to the recovery of our families and community. We are requesting your expeditious action on the following:

100% federal reimbursement for Categories A (debris removal) & B (emergency protective measures) as was approved for Hurricanes Katrina, Rita and Ike.

Advance funding for the Public Assistance (all categories of work)

As we get more accurate damage assessment estimates, our goal is to secure total advance funding.

The City of Stafford is ready to accept Disaster Recovery Centers for IA (individual assistance) and PA (public assistance) to be adequately staffed to expedite assistance.

Funding of up to \$20 million for a FEMA Sheltering and Temporary Essential Power (STEP) or Rapid Repair program to expedite the return of families to their homes and contribute to a whole community recovery for approximately 75 to 100 homes.

We are seeking to increase the cap of this funding to up to \$35,000/home.

100% advance funding and expedited processing for First Responders who lost property in the line of duty.

The City of Stafford wishes to request a pilot program be granted to this region effected by Hurricane Harvey for the thousands of fire and police personnel who had significant damage to their homes and losses. Many of these First Responders are not insured and are vital to the safety and security of our cities.

The City of Stafford will also be asking for HUD for immediate release of CDBG–DR funds and seeking FEMA support in this request to compliment the recovery efforts. The coordinated and timely release of funds will enable the City of Stafford to become more resilient and recover faster.

Sincerely,

MAYOR LEONARD SCARCELLA.

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MISSOURI CITY,

Missouri City, TX, September 2, 2017.

Mr. BROCK LONG,

FEMA Administrator, Department of Homeland Security, Washington, DC.

DEAR ADMINISTRATOR LONG: The City of Missouri City has suffered the worse catastrophic event it has ever seen with Hurricane Harvey. The assistance of FEMA will be critical for our families and our community to recover. We are humbly requesting that FEMA assist us with the following need:

100% federal reimbursement for Categories A (debris removal) & B (emergency protective measures) as was approved for Hurricane Katrina, Rita, and Ike.

Advance funding for the Public Assistance (all categories of work)

As we get more accurate damage assessment estimates, our ultimate goal is to secure total advance funding.

Our city is ready to accept Disaster Recovery Centers where we might have that ability, for Disaster Recovery Centers for IA (individual assistance) and PA (public assistance) to be adequately staffed to expedite assistance as we have in the past with other disasters.

Funding of up to \$20 million for FEMA Sheltering and Temporary Essential Power (STEP) or Rapid Repair Program to expedite the return of families to their homes and contribute to a whole community recovery for approximately 1,000 to 1,500 homes.

We are seeking an increase of the \$35,000 per home cap.

100% advance funding and expedited processing for First Responders who their property in the line of duty and including this EOC Command Center employees.

The City of Missouri City wishes to request a pilot program to be granted to this region effected by Hurricane Harvey for the thousands of fire, police, and Emergency Center Employees who had significant damages to their homes and total losses while they were working 24/7 assisting others with their needs. Many were never able to return to their own home and families for a week. Many of them are not insured and were vital to the safety and Security of our cities.

The City of Missouri City will also be asking for HUD for immediate release of CDBG–DR funds and seeking FEMA support in this request to compliment the recovery efforts. The coordination and timely release of funds will enable the City of Missouri City to become more resilient and recover faster.

Sincerely,

MAYOR ALLEN OWEN.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I thank the gentleman from New Jersey (Mr. FRELINGHUYSEN) for yielding me time.

Mr. Speaker, my Houston area has suffered a historic hurricane, one that really changed the lives of all the people who were affected. My district was hammered by this flood.

To put it in perspective, 27 trillion gallons of rain fell over Texas and parts of Louisiana in the 6 days of the flood. That is enough water to file the Houston Astrodome 85,000 times.

At the height of the flood, 70 percent of Harris County, which is the Houston area, was flooded, 70 percent was underwater.

The devastation in Texas equalled, Mr. Speaker, the size of New Jersey. You place New Jersey in southeast Texas, that is how much of the area was affected by this flood and the rain.

People had anywhere between 36 and 52 inches of rain. The Weather Service had to create a new color, purple, on their maps to show how much rain had fallen. Nothing like this has ever happened in North America.

72,000 people were rescued by first responders and volunteers from high water. This is the largest civilian water evacuation since Dunkirk.

Thousands of civilian volunteers worked along with city and county first responders to save countless lives. The heroes came from all walks of life, from all parts of the country.

The attitude of the people of Texas was one of inspiration. Flooded victims who didn't know each other, their homes were flooded, but they were helping other flooded victims get to safety and get what property they could recover. This heroism reminded me what it means to be a Texan and an American.

Mr. Speaker, Harvey will not defeat the human spirit. There were two men in Brownwood. Now, you know where Brownwood, Texas, is. Probably nobody else ever heard of it. That is in west Texas. They decided they wanted to help. They got in their pickup trucks. They drove to Austin, Texas, which is still 200 miles away from Houston. They went to a sports place there and bought a bass boat, a trailer, a motor, and filled it up with all kinds of stuff, drove to Houston, Texas, and kept working for others. That is one of many stories.

So this supplemental is important to southeast Texas.

Let this vote show that we will vote not for politics, but for people.

And that is just the way it is.

□ 1100

Mrs. LOWEY. Mr. Speaker, I am delighted to yield 2 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD), a very distinguished ranking member from the Homeland Security Subcommittee on the Appropriations Committee.

Ms. ROYBAL-ALLARD. Mr. Speaker, there is no question that this supplemental funding is needed, and needed quickly. When the response to Harvey began in late August, the major disaster account of the disaster relief fund had approximately \$2 billion available. The response to this catastrophe, however, is costing close to \$200 million per day. This means that despite the recent \$1 billion increase into this account, FEMA could run out of money at any time.

Therefore, the enactment of the additional \$7.4 billion for the disaster relief fund in this supplemental is critical to help meet FEMA's immediate operational needs for Hurricane Harvey, and to allow for the resumption of recovery payments for prior disasters such as Sandy.

The supplemental would also provide a small reserve to ensure that FEMA can begin responding to Hurricane Irma, or any other new disaster that occurs between now and September 30, 2017.

It is important to note, however, that if there is significant damage from Irma, FEMA will quickly need either an additional reprogramming of money, a second supplemental appropriation, or both.

I applaud the majority for quickly bringing the supplemental package to the floor with the emergency designations.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, I am here today to ask my colleagues to support funding for Hurricane Harvey disaster relief. Often, the TV news goes around taking their cameras seeking the worst damage to create the most dramatic story.

In the case of Hurricane Harvey in the district I represent, you could drop a camera almost anywhere in towns like Rockport, Port Aransas, Aransas Pass, Ingleside, Refugio, Tivoli, Port Lavaca, and Victoria, and have that dramatic heart-wrenching shot of devastation.

My friends' and neighbors' homes were completely flattened by hurricane winds. Businesses were destroyed and much of towns were under water, like in Wharton, following the unprecedented flooding left behind by this storm. It is the worst we have seen in decades.

Many people, including the town mayor of Port Aransas, suffered and lost everything. He was walking around the emergency operation center when the mayor of Corpus Christi went up to him and said: I am jealous. You get to work in shorts, a Hawaiian shirt, and flip-flops.

The Port Aransas mayor looked at him and said: It is all I have left.

You know, the good news for our communities is that we came together during this disaster. Groups from around the State and around the country donated to help, and many assisted the rescue and cleanup and came down and cooked food for evacuees and survivors. People opened their homes and their hearts to strangers.

But the victims of the storms also need FEMA's help as well, with things such as emergency assistance and housing. Our cities and counties need help clearing brush and debris, and we will need to make major infrastructure repairs to areas decimated by Harvey.

With people registering for assistance at record rates using their smartphones, going to disasterassistance.gov, or using the FEMA app, FEMA will be out of money in just 2 or 3 days if we don't pass this.

I urge my colleagues to open their hearts, the way so many Americans have, and pass H. Res. 502. I want to say a special thank-you to those who donated, those who came and volunteered, and to everybody who helped out.

Mr. Speaker, we are not only Texas strong, we are America strong.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT), who understands the impact of a disaster of this kind not only in her district, but in other areas where there has been so much suffering.

Ms. PLASKETT. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, at the end of this summer the people in the Virgin Islands, in every place of worship, say the hurricane prayer at the end of their service. And part of that prayer says at the end: But, Lord, if a hurricane should come, and You loosen the gale and the winds open on us, Your will be done.

Right now, the people of the Virgin Islands, and the people of Puerto Rico are fervently saying that prayer because God's will is being done on those islands as Hurricane Irma is impacting and crashing against the shores of St. Thomas, St. John, St. Croix, and Water Island.

This \$7.8 billion in emergency supplemental funds is a crucial initial installment to address the effects of not only Hurricane Harvey, but the effect expected in my district of the Virgin Islands today as we stand in the potentially catastrophic path of Hurricane Irma, which is currently, at worst-case scenario, a Category 5 hurricane, the worst hurricane in the Atlantic's history.

This will need assistance from FEMA to perform emergency protective measures, the removal of debris, activities performed by other Federal agencies as assigned by FEMA, and to aid small businesses and homeowners in rebuilding their lives. Right now, the people of the Virgin Islands are praying for the lives of themselves, their families, and especially for the roof over their head.

This funding for initial response efforts is critical, and I thank my colleagues for the expeditious manner in which this legislation was brought to us for swift passage.

Mr. Speaker, I urge my colleagues to approve this much-needed lifeline, and we are covetous for your prayers right now.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), my colleague, and I thank him for his assistance many years ago addressing the needs of the residents of New York, New Jersey, and Connecticut during Superstorm Sandy.

Mr. LANCE. Mr. Speaker, I rise today in strong support of this measure to allocate critical funds to urgent rescue and recovery operations currently underway in the aftermath of Hurricane Harvey.

The destruction of Hurricane Harvey is horrific, and the loss of life is heart-breaking. The Federal Emergency Management Agency is helping to lead the disaster response. FEMA needs immediate resources from Congress.

Natural disasters can strike any part of the Nation at any time. No State is immune from the forces of nature, and States and localities should never have to question if aid is on the way.

Our excellent Federal officials have the resources and experience to mitigate harm. They need to continue putting that experience to use, helping our

neighbors in need, protect critical infrastructure, contain hazardous sites, and save lives.

Mr. Speaker, I thank Chairman FRELINGHUYSEN for his leadership in assembling this immediate assistance for those in need. I urge a "yes" vote.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY), the chairman of the Democratic Caucus.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I look at the pictures of Houston, Galveston, and parts of Texas, and Louisiana, and elsewhere, and I harken back to the same images I saw in New Jersey, New York, throughout New England, and other parts of the Northeast after Sandy.

I want to also note that the NYPD and the FDNY were amongst the first responders to head down to Texas to help our fellow Americans at a time of crisis and need.

I also would like to point out that I have no clue where the town is that the gentleman from Texas (Mr. POE) mentioned, and I may never ever go there. I may never go to that town, but I will tell you, Mr. Speaker, I don't need to go to that town to help those people. They are Americans, and I will help them at any opportunity I get when they have a storm like this that hits them. I don't ask questions. I never asked you if you knew where Edgewater in the Bronx was.

I was prepared to vote immediately to help my constituents on Sandy. I wasn't going to have to wait until next week or 30 days from now, or 60 days from now, or 90 days from now. And I think it is important we have to point out the hypocrisy.

We are not going to stop this funding from going through. We need to point out that 20 members of the Republican caucus, some from Texas, all but one, Mr. CULBERSON, voted against Sandy relief. It must be understood that we are all Americans, and I will stand to help every American who needs help.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentlewoman for yielding to me, and I want to pick up where Mr. CROWLEY left off.

I am for this aid. I am for this aid 100 percent. We should help these people. As Americans, we should help people all over our country. But it really hurts that those of us in New York and New Jersey, when Superstorm Sandy came and we were begging for help, we had to wait 2 months for help, and our friends in Texas on the Republican side of the aisle, except for one, voted against aid for New York, New Jersey, and Connecticut.

And now they are asking for aid for Texas, which I support. But it just goes

to show, we never know where these disasters are going to fall. It is incumbent on all of us that we support our fellow Americans no matter where they are.

So I say to the people of Texas, my heart goes out for you. My vote will be there. As much money as you need, you will have.

Mr. Speaker, but I wanted to say to my Republican friends from Texas: What you did to us during Superstorm Sandy should not stand, should not be done to any other people, anyplace in the country. We are one country. We are Americans. We need to help those that need help. I am for this 100 percent.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), who has been right there helping, reaching out to all of those families who are in desperate need.

Ms. JACKSON LEE. Mr. Speaker, to the distinguished gentlewoman, I come now to just stand on behalf of our delegation to be able to say, as I said earlier, I acknowledge the pain of Sandy.

But I now come to make sure that we all understand that this first crunch is only the beginning. We are going to put in legislation that asks for \$180 billion, recognizing the hard work of appropriators, and letting you know that people's lives, as we walk through the debris that is in front of every house—it is painful. It is long lasting.

So I just wanted to come to give my thanks and to ask: Will you please stand with me for the long journey that is going to be needed for the infrastructure we build; new dams that are 30 years old; and housing issues that will not end today; and the massive eviction of people in apartments? Not cruelly, I hope, but they are getting eviction notices with no place to go.

Mr. Speaker, so I ask that we as Americans join for the long haul, the long destiny, with prayers for all.

I thank Mrs. LOWEY for yielding to me so that we can talk about the long haul.

God bless America.

Mrs. LOWEY. Mr. Speaker, I yield back the balance of my time.

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Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself the balance of my time.

First of all, this morning we salute the courage of all Texans and people from Louisiana. We salute their courage and their resilience.

Once again, I want to thank all of our Federal agencies and, obviously, the Governor of Texas, the Governor of Louisiana, and all those agencies that have been meeting the needs of the people; and, again, the thousands of volunteers who immediately responded and who have been working tirelessly

day in and day out to help hundreds of thousands of people affected by this storm and saved, I may say, countless lives.

They have fed and housed the displaced, met critical medical needs, provided transportation, and, most importantly, gave faith to those who have lost literally everything. These are American heroes who are showing the best side of our Nation, and we are grateful for their service.

Mr. Speaker, I urge my colleagues to support this resolution. Let's get the money out the door and help the people of Texas and Louisiana.

Mr. Speaker, I yield back the balance of my time.

Mr. SIREN. Mr. Speaker, our country is reeling from a natural disaster that has left dozens dead, caused billions of dollars in damage, and forced thousands out of their homes. Hurricane Harvey has wrought a level of devastation and suffering that is nearly unparalleled in our country.

It is now our duty as America's representatives to live up to our role and help our neighbors when they are in need. This body cannot afford to delay providing disaster assistance in the wake of this storm, as Congress did when my own state was recovering from Superstorm Sandy in 2012.

Month after month, funding was withheld from our cities by political quarrels that came at New Jersey's expense. For five months, our communities were forced to wait for the federal assistance they needed to rebuild critical infrastructure.

Cleaning up the damage caused by Hurricane Harvey is a task that is beyond any single state's resources and I will not stand by quietly if Congress fails to provide swift relief for Harvey's victims.

I hope that this body has learned from its mistakes, will stand together, set aside its differences, and immediately provide the communities affected by Hurricane Harvey with the necessary assistance to recover and rebuild.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the motion offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN) that the House suspend the rules and agree to the resolution, H. Res. 502.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SAFELY ENSURING LIVES FUTURE DEPLOYMENT AND RESEARCH IN VEHICLE EVOLUTION ACT

Mr. LATTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3388) to provide for information on highly automated driving systems to be made available to prospective buyers, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 3388

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Safely Ensuring Lives Future Deployment and Research In Vehicle Evolution Act” or the “SELF DRIVE Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. NHTSA authority and State preemption for autonomous motor vehicles.
- Sec. 4. Updated or new motor vehicle safety standards for highly automated vehicles.
- Sec. 5. Cybersecurity of automated driving systems.
- Sec. 6. General exemptions.
- Sec. 7. Motor vehicle testing or evaluation.
- Sec. 8. Information on highly automated driving systems made available to prospective buyers.
- Sec. 9. Highly Automated Vehicle Advisory Council.
- Sec. 10. Rear seat occupant alert system.
- Sec. 11. Headlamps.
- Sec. 12. Privacy plan required for highly automated vehicles.
- Sec. 13. Definitions.

SEC. 2. PURPOSE.

The purpose of this Act is to memorialize the Federal role in ensuring the safety of highly automated vehicles as it relates to design, construction, and performance, by encouraging the testing and deployment of such vehicles.

SEC. 3. NHTSA AUTHORITY AND STATE PREEMPTION FOR AUTONOMOUS MOTOR VEHICLES.

Section 30103 of title 49, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

“(b) **PREEMPTION.**—

“(1) **HIGHLY AUTOMATED VEHICLES.**—No State or political subdivision of a State may maintain, enforce, prescribe, or continue in effect any law or regulation regarding the design, construction, or performance of highly automated vehicles, automated driving systems, or components of automated driving systems unless such law or regulation is identical to a standard prescribed under this chapter.

“(2) **MOTOR VEHICLE STANDARD.**—When a motor vehicle safety standard is in effect under this chapter, a State or political subdivision of a State may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical to the standard prescribed under this chapter.

“(3) **RULES OF CONSTRUCTION.**—

“(A) **IN GENERAL.**—Nothing in this subsection may be construed to prohibit a State or a political subdivision of a State from maintaining, enforcing, prescribing, or continuing in effect any law or regulation regarding registration, licensing, driving education and training, insurance, law enforcement, crash investigations, safety and emissions inspections, congestion management of vehicles on the street within a State or political subdivision of a State, or traffic unless the law or regulation is an unreasonable restriction on the design, construction, or performance of highly automated vehicles, automated driving systems, or components of automated driving systems.

“(B) **MOTOR VEHICLE DEALERS.**—Nothing in this subsection may be construed to prohibit a

State or political subdivision of a State from maintaining, enforcing, prescribing, or continuing in effect any law or regulation regarding the sale, distribution, repair, or service of highly automated vehicles, automated driving systems, or components of automated driving systems by a dealer, manufacturer, or distributor.

“(C) **CONFORMITY WITH FEDERAL LAW.**—Nothing in this subsection shall be construed to preempt, restrict, or limit a State or political subdivision of a State from acting in accordance with any other Federal law.

“(4) **HIGHER PERFORMANCE REQUIREMENT.**—However, the United States Government, a State, or a political subdivision of a State may prescribe a standard for a motor vehicle, motor vehicle equipment, highly automated vehicle, or automated driving system obtained for its own use that imposes a higher performance requirement than that required by the otherwise applicable standard under this chapter.

“(5) **STATE ENFORCEMENT.**—A State may enforce a standard that is identical to a standard prescribed under this chapter.”; and

(2) by amending subsection (e) to read as follows:

“(e) **COMMON LAW LIABILITY.**—

“(1) **IN GENERAL.**—Compliance with a motor vehicle safety standard prescribed under this chapter does not exempt a person from liability at common law.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preempt common law claims.”.

SEC. 4. UPDATED OR NEW MOTOR VEHICLE SAFETY STANDARDS FOR HIGHLY AUTOMATED VEHICLES.

(a) **IN GENERAL.**—Chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after section 30128 the following new section:

“§30129. Updated or new motor vehicle safety standards for highly automated vehicles

“(a) **SAFETY ASSESSMENT CERTIFICATION.**—

“(1) **FINAL RULE.**—Not later than 24 months after the date of the enactment of this section, the Secretary of Transportation shall issue a final rule requiring the submission of safety assessment certifications regarding how safety is being addressed by each entity developing a highly automated vehicle or an automated driving system. Such rule shall include—

“(A) a specification of which entities are required to submit such certifications;

“(B) a clear description of the relevant test results, data, and other contents required to be submitted by such entity, in order to demonstrate that such entity’s vehicles are likely to maintain safety, and function as intended and contain fail safe features, to be included in such certifications; and

“(C) a specification of the circumstances under which such certifications are required to be updated or resubmitted.

“(2) **INTERIM REQUIREMENT.**—Until the final rule issued under paragraph (1) takes effect, safety assessment letters shall be submitted to the National Highway Traffic Safety Administration as contemplated by the Federal Automated Vehicles Policy issued in September 2016, or any successor guidance issued on highly automated vehicles requiring a safety assessment letter.

“(3) **PERIODIC REVIEW AND UPDATING.**—Not later than 5 years after the date on which the final rule is issued under paragraph (1), and not less frequently than every 5 years thereafter, the Secretary shall—

“(A) review such rule; and

“(B) update such rule if the Secretary considers it necessary.

“(4) **RULES OF CONSTRUCTION.**—

“(A) **NO CONDITIONS ON DEPLOYMENT.**—Nothing in this subsection may be construed to limit

or affect the Secretary’s authority under any other provision of law. The Secretary may not condition deployment or testing of highly automated vehicles on review of safety assessment certifications.

“(B) **NO NEW AUTHORITIES.**—No new authorities are granted to the Secretary under this section other than the promulgation of the rule pursuant to paragraph (1).

“(5) **REVIEW AND RESEARCH.**—To accommodate the development and deployment of highly automated vehicles and to ensure the safety and security of highly automated vehicles and motor vehicles and others that will share the roads with highly automated vehicles, not later than 180 days after the date of the enactment of this section, the Secretary shall—

“(A) initiate or continue a review of the Federal motor vehicle safety standards in effect on such date of enactment; and

“(B) initiate or continue research regarding new Federal motor vehicle safety standards.

“(b) **RULEMAKING AND SAFETY PRIORITY PLAN.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this section, the Secretary shall make available to the public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a rulemaking and safety priority plan, as necessary to accommodate the development and deployment of highly automated vehicles and to ensure the safety and security of highly automated vehicles and motor vehicles and others that will share the roads with highly automated vehicles, to—

“(A) update the motor vehicle safety standards in effect on such date of enactment;

“(B) issue new motor vehicle safety standards; and

“(C) consider how objective ranges in performance standards could be used to test motor vehicle safety standards, which safety standards would be appropriate for such testing, and whether additional authority would facilitate such testing.

“(2) **INCLUSION OF PRIORITIES.**—

“(A) **PRIORITIES.**—The plan required by paragraph (1) shall detail the overall priorities of the National Highway Traffic Safety Administration for the 5 years following the issuance of the plan, including both priorities with respect to highly automated vehicles and priorities with respect to other safety initiatives of the Administration, in order to meet the Nation’s motor vehicle safety challenges.

“(B) **IDENTIFICATION OF ELEMENTS THAT MAY REQUIRE STANDARDS.**—For highly automated vehicles, the National Highway Traffic Safety Administration should identify elements that may require performance standards including human machine interface, sensors, and actuators, and consider process and procedure standards for software and cybersecurity as necessary.

“(3) **PERIODIC UPDATING.**—The plan required by paragraph (1) shall be updated every 2 years, or more frequently if the Secretary considers it necessary.

“(4) **RULEMAKING PROCEEDINGS ON UPDATED OR NEW MOTOR VEHICLE SAFETY STANDARDS.**—

“(A) **IN GENERAL.**—Not later than 18 months after the date of enactment of this section, the Secretary shall initiate the first rulemaking proceeding in accordance with the rulemaking and safety priority plan required by paragraph (1).

“(B) **PRIORITIZATION OF SUBSEQUENT PROCEEDINGS.**—The Secretary shall continue initiating rulemaking proceedings in accordance with such plan. The Secretary may change at any time those priorities to address matters the Secretary considers of greater priority. If the Secretary makes such a change, the Secretary shall complete an interim update of the priority

plan, make such update available to the public, and submit such update to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after the item relating to section 30128 the following new item:

“30129. Updated or new motor vehicle safety standards for highly automated vehicles.”.

SEC. 5. CYBERSECURITY OF AUTOMATED DRIVING SYSTEMS.

(a) IN GENERAL.—Chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after section 30129 (as added by section 4) the following new section:

“§30130. Cybersecurity of automated driving systems

“(a) CYBERSECURITY PLAN.—A manufacturer may not sell, offer for sale, introduce or deliver for introduction into commerce, or import into the United States, any highly automated vehicle, vehicle that performs partial driving automation, or automated driving system unless such manufacturer has developed a cybersecurity plan that includes the following:

“(1) A written cybersecurity policy with respect to the practices of the manufacturer for detecting and responding to cyber attacks, unauthorized intrusions, and false and spurious messages or vehicle control commands. This policy shall include—

“(A) a process for identifying, assessing, and mitigating reasonably foreseeable vulnerabilities from cyber attacks or unauthorized intrusions, including false and spurious messages and malicious vehicle control commands; and

“(B) a process for taking preventive and corrective action to mitigate against vulnerabilities in a highly automated vehicle or a vehicle that performs partial driving automation, including incident response plans, intrusion detection and prevention systems that safeguard key controls, systems, and procedures through testing or monitoring, and updates to such process based on changed circumstances.

“(2) The identification of an officer or other individual of the manufacturer as the point of contact with responsibility for the management of cybersecurity.

“(3) A process for limiting access to automated driving systems.

“(4) A process for employee training and supervision for implementation and maintenance of the policies and procedures required by this section, including controls on employee access to automated driving systems.

“(b) EFFECTIVE DATE.—This section shall take effect 180 days after the date of enactment of this section.”.

(b) ENFORCEMENT AUTHORITY.—Section 30165(a)(1) of title 49, United States Code, is amended by inserting “30130,” after “30127.”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after the item relating to section 30129 (as added by section 4) the following new item:

“30130. Cybersecurity of automated driving systems.”.

SEC. 6. GENERAL EXEMPTIONS.

Section 30113 of title 49, United States Code, is amended—

(1) in subsection (b)(3)(B)—

(A) in clause (iii), by striking “; or” and inserting a semicolon;

(B) in clause (iv), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(v) the exemption would make easier the development or field evaluation of—

“(I) a feature of a highly automated vehicle providing a safety level at least equal to the safety level of the standard for which exemption is sought; or

“(II) a highly automated vehicle providing an overall safety level at least equal to the overall safety level of nonexempt vehicles.”;

(2) in subsection (c), by adding at the end the following:

“(5) if the application is made under subsection (b)(3)(B)(v) of this section—

“(A) such development, testing, and other data necessary to demonstrate that the motor vehicle is a highly automated vehicle; and

“(B) a detailed analysis that includes supporting test data, including both on-road and validation and testing data showing (as applicable) that—

“(i) the safety level of the feature at least equals the safety level of the standard for which exemption is sought; or

“(ii) the vehicle provides an overall safety level at least equal to the overall safety level of nonexempt vehicles.”;

(3) in subsection (d), by striking “A manufacturer is eligible” and all that follows and inserting the following:

“(1) ELIGIBILITY UNDER SUBSECTION (b)(3)(B)(i).—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(i) of this section (including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1)) only if the Secretary determines that the manufacturer’s total motor vehicle production in the most recent year of production is not more than 10,000.

“(2) ELIGIBILITY UNDER SUBSECTION (b)(3)(B)(iii).—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(iii) of this section only if the Secretary determines the exemption is for not more than 2,500 vehicles to be sold in the United States in any 12-month period.

“(3) ELIGIBILITY UNDER SUBSECTION (b)(3)(B)(ii), (iv), or (v).—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(ii), (iv), or (v) of this section only if the Secretary determines the exemption is for not more than 100,000 vehicles per manufacturer to be sold, leased, or otherwise introduced into commerce in the United States in any 12-month period.

“(4) LIMITATION ON NUMBER OF VEHICLES EXEMPTED.—All exemptions granted to a manufacturer under subsections (b)(3)(B)(i) through (v) shall not exceed a total of (i) 25,000 vehicles manufactured within the first 12-month period, (ii) 50,000 vehicles manufactured within the second 12-month period, (iii) 100,000 vehicles manufactured within the third 12-month period, and, (iv) 100,000 vehicles manufactured within the fourth 12-month period. Any renewals under subsections (b)(3)(B)(i) through (v) shall not exceed a total of 100,000 vehicles manufactured within a 12-month period.”;

(4) in subsection (e), by striking “An exemption or renewal” and all that follows and inserting the following:

“(1) EXEMPTION UNDER SUBSECTION (b)(3)(B)(i).—An exemption or renewal under subsection (b)(3)(B)(i) of this section may be granted for not more than 3 years.

“(2) EXEMPTION UNDER SUBSECTION (b)(3)(B)(iii).—An exemption or renewal under subsection (b)(3)(B)(iii) of this section may be granted for not more than 2 years.

“(3) EXEMPTION UNDER SUBSECTION (b)(3)(B)(ii), (iv), or (v).—An exemption or renewal under subsection (b)(3)(B)(ii), (iv), or (v) of this section may be granted for not more than 4 years.”; and

(5) by adding at the end the following:

“(i) LIMITATION ON CERTAIN EXEMPTIONS.—No exemption from crashworthiness standards of

motor vehicle safety standards shall be granted under subsection (b)(3)(B)(v) until the Secretary issues the safety assessment certification rule pursuant to section 30129(a) and the rulemaking and safety priority plan pursuant to section 30129(b) and one year has passed from the date by which the Secretary has issued both such rule and such plan. This subsection shall not apply to exemptions from occupant protection standards if the exemption is for a vehicle that will not carry its operator or passengers. This subsection shall not apply to exemptions from crashworthiness standards if the exemption sought is for a standard addressing the steering control system and it is for a vehicle that—

“(1) will not have a steering control system;

“(2) provides impact protection to an occupant in the front left seat at a level at least equal to the level provided in nonexempt vehicles; and

“(3) provides a safety level at least equal to the safety level of the standard for which the exemption is sought.

“(j) REPORTING REQUIREMENT.—A manufacturer granted an exemption under subsection (b)(3)(B)(ii), (iv), or (v), shall provide information about all crashes of which it has actual knowledge involving such exempted vehicles, regardless of whether a claim is submitted to the manufacturer, in accordance with part 579 of title 49, Code of Federal Regulations.

“(k) PROCESS AND ANALYSIS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary of Transportation shall publish in the Federal Register a notice that details the process and analysis used for the consideration of exemption or renewal applications under subsection (b)(3)(B)(v).

“(2) PERIODIC REVIEW AND UPDATING.—The notice required by paragraph (1) shall be reviewed every 5 years and updated if the Secretary considers it necessary.

“(l) EXEMPTION DATABASE.—

“(1) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of each motor vehicle for which an exemption from motor vehicle safety standards prescribed under this chapter or a bumper standard prescribed under chapter 325 has been granted.

“(2) VEHICLE IDENTIFICATION NUMBER.—The database established under paragraph (1) shall be searchable by Vehicle Identification Number and shall include no information identifying the vehicle owner.”.

SEC. 7. MOTOR VEHICLE TESTING OR EVALUATION.

Section 30112(b)(10) of title 49, United States Code, is amended—

(1) by striking “that prior to the date of enactment of this paragraph”;

(2) in subparagraph (A), by striking “motor vehicles into the United States that are certified” and inserting “into the United States motor vehicles that are certified, or motor vehicle equipment utilized in a motor vehicle that is certified,”;

(3) in subparagraph (C), by striking the period at the end and inserting “; or”;

(4) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and moving their margins 2 ems to the right;

(5) by striking “evaluation by a manufacturer that agrees not to sell or offer for sale” and inserting the following: “evaluation by—

“(A) a manufacturer that agrees not to sell or lease or offer for sale or lease”; and

(6) by adding at the end the following:

“(B) a manufacturer of highly automated vehicles, automated driving systems, or components of automated driving systems that agrees not to sell or lease or offer for sale or lease the

highly automated vehicles, automated driving systems, or components of automated driving systems at the conclusion of the testing or evaluation and—

“(i) has submitted to the Secretary—

“(I) the name of the individual, partnership, corporation, or institution of higher education and a point of contact;

“(II) the residence address of the individual, partnership, corporation, or institution of higher education and State of incorporation if applicable;

“(III) a description of each type of motor vehicle used during development of highly automated vehicles, automated driving systems, or components of automated driving systems manufactured by the individual, partnership, corporation, or institution of higher education; and

“(IV) proof of insurance for any State in which the individual, partnership, corporation, or institution of higher education intends to test or evaluate highly automated vehicles; and

“(ii) if applicable, has identified an agent for service of process in accordance with part 551 of title 49, Code of Federal Regulations.”.

SEC. 8. INFORMATION ON HIGHLY AUTOMATED DRIVING SYSTEMS MADE AVAILABLE TO PROSPECTIVE BUYERS.

(a) **RESEARCH.**—Not later than 3 years after the date of enactment of this Act, the Secretary of Transportation shall complete research to determine the most effective method and terminology for informing consumers for each highly automated vehicle or a vehicle that performs partial driving automation about the capabilities and limitations of that vehicle. The Secretary shall determine whether such information is based upon or includes the terminology as defined by SAE International in Recommended Practice Report J3016 (published September 2016) or whether such description should include alternative terminology.

(b) **RULEMAKING.**—After the completion of the study required under subsection (a), the Secretary shall initiate a rulemaking proceeding to require manufacturers to inform consumers of the capabilities and limitations of a vehicle's driving automation system or feature for any highly automated vehicle or any vehicle that performs partial driving automation.

SEC. 9. HIGHLY AUTOMATED VEHICLE ADVISORY COUNCIL.

(a) **ESTABLISHMENT.**—Subject to the availability of appropriations, not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall establish in the National Highway Traffic Safety Administration a Highly Automated Vehicle Advisory Council (hereinafter referred to as the “Council”).

(b) **MEMBERSHIP.**—Members of the Council shall include a diverse group representative of business, academia and independent researchers, State and local authorities, safety and consumer advocates, engineers, labor organizations, environmental experts, a representative of the National Highway Traffic Safety Administration, and other members determined to be appropriate by the Secretary. Any subcommittee of the Council shall be composed of not less than 15 and not more than 30 members appointed by the Secretary.

(c) **TERMS.**—Members of the Council shall be appointed by the Secretary of Transportation and shall serve for a term of three years.

(d) **VACANCIES.**—Any vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment for the position being vacated. The vacancy shall not affect the power of the remaining members to execute the duties of the Council.

(e) **DUTIES AND SUBCOMMITTEES.**—The Council may form subcommittees as needed to undertake information gathering activities, develop

technical advice, and present best practices or recommendations to the Secretary regarding—

(1) advancing mobility access for the disabled community with respect to the deployment of automated driving systems to identify impediments to their use and ensure an awareness of the needs of the disabled community as these vehicles are being designed for distribution in commerce;

(2) mobility access for senior citizens and populations underserved by traditional public transportation services and educational outreach efforts with respect to the testing and distribution of highly automated vehicles in commerce;

(3) cybersecurity for the testing, deployment, and updating of automated driving systems with respect to supply chain risk management, interactions with Information Sharing and Analysis Centers and Information Sharing and Analysis Organizations, and a framework for identifying and implementing recalls of motor vehicles or motor vehicle equipment;

(4) the development of a framework that allows manufacturers of highly automated vehicles to share with each other and the National Highway Traffic Safety Administration relevant, situational information related to any testing or deployment event on public streets resulting or that reasonably could have resulted in damage to the vehicle or any occupant thereof and validation of such vehicles in a manner that does not risk public disclosure of such information or disclosure of confidential business information;

(5) labor and employment issues that may be affected by the deployment of highly automated vehicles;

(6) the environmental impacts of the deployment of highly automated vehicles, and the development and deployment of alternative fuel infrastructure alongside the development and deployment of highly automated vehicles;

(7) protection of consumer privacy and security of information collected by highly automated vehicles;

(8) cabin safety for highly automated vehicle passengers, and how automated driving systems may impact collision vectors, overall crash-worthiness, and the use and placement of airbags, seatbelts, anchor belts, head restraints, and other protective features in the cabin;

(9) the testing and deployment of highly automated vehicles and automated driving systems in areas that are rural, remote, mountainous, insular, or unmapped to evaluate operational limitations caused by natural geographical or man-made features, or adverse weather conditions, and to enhance the safety and reliability of highly automated vehicles and automated driving systems used in such areas with such features or conditions; and

(10) independent verification and validation procedures for highly automated vehicles that may be useful to safeguard motor vehicle safety.

(f) **REPORT TO CONGRESS.**—The recommendations of the Council shall also be reported to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(g) **FEDERAL ADVISORY COMMITTEE ACT.**—The establishment and operation of the Council and any subcommittees of the Council shall conform to the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

(h) **TECHNICAL ASSISTANCE.**—On request of the Council, the Secretary shall provide such technical assistance to the Council as the Secretary determines to be necessary to carry out the Council's duties.

(i) **DETAIL OF FEDERAL EMPLOYEES.**—On the request of the Council, the Secretary may detail, with or without reimbursement, any of the per-

sonnel of the Department of Transportation to the Council to assist the Council in carrying out its duties. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(j) **PAYMENT AND EXPENSES.**—Members of the Council shall serve without pay, except travel and per diem will be paid each member for meetings called by the Secretary.

(k) **TERMINATION.**—The Council and any subcommittees of the Council shall terminate 6 years after the date of enactment of this Act.

SEC. 10. REAR SEAT OCCUPANT ALERT SYSTEM.

(a) **IN GENERAL.**—Chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after section 30130 (as added by section 5) the following new section:

“§30131. Rear seat occupant alert system

“(a) **RULEMAKING REQUIRED.**—Not later than 2 years after the date of enactment of this section, the Secretary shall issue a final rule requiring all new passenger motor vehicles weighing less than 10,000 pounds gross vehicle weight to be equipped with an alarm system to alert the operator to check rear designated seating positions after the vehicle motor or engine is deactivated by the operator.

“(b) **PHASE-IN.**—The rule issued pursuant to subsection (a) shall require full compliance with the rule beginning on September 1st of the calendar year that begins 2 years after the date on which the final rule is issued.

“(c) **DEFINITIONS.**—For purposes of this section—

“(1) the term ‘passenger motor vehicle’ has the meaning given that term in section 32101; and

“(2) the term ‘rear designated seating position’ means any designated seating position that is rearward of the front seat.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after the item relating to section 30130 (as added by section 5) the following new item:

“30131. Rear seat occupant alert system.”.

SEC. 11. HEADLAMPS.

(a) **SAFETY RESEARCH INITIATIVE.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall complete research into the development of updated motor vehicle safety standards or performance requirements for motor vehicle headlamps that would improve the performance of headlamps and improve overall safety.

(b) **RULEMAKING OR REPORT.**—

(1) **RULEMAKING.**—After the completion of the research required by subsection (a), the Secretary shall initiate a rulemaking proceeding to revise the motor vehicle safety standards regarding headlamps if the Secretary determines that a revision of the standards meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) **REPORT.**—If the Secretary determines that a revision to the standard described in paragraph (1) does not meet the requirements and considerations set forth in such subsections, the Secretary shall submit a report describing the reasons for not revising the standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 12. PRIVACY PLAN REQUIRED FOR HIGHLY AUTOMATED VEHICLES.

(a) **PRIVACY PLAN.**—A manufacturer may not sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States, any highly automated vehicle, vehicle that performs partial driving automation, or automated driving system unless the manufacturer has developed a privacy plan that includes the following:

(1) A written privacy plan with respect to the collection, use, sharing, and storage of information about vehicle owners or occupants collected by a highly automated vehicle, vehicle that performs partial driving automation, or automated driving system. Such policy shall include the following:

(A) The practices of the manufacturer with respect to the way that information about vehicle owners or occupants is collected, used, shared, or stored.

(B) The practices of the manufacturer with respect to the choices offered to vehicle owners or occupants regarding the collection, use, sharing, and storage of such information.

(C) The practices of the manufacturer with respect to the data minimization, de-identification, and retention of information about vehicle owners or occupants.

(D) The practices of the manufacturer with respect to extending its privacy plan to the entities it shares such information with.

(2) A method for providing notice to vehicle owners or occupants about the privacy policy.

(3) If information about vehicle owners or occupants is altered or combined so that the information can no longer reasonably be linked to the highly automated vehicle, vehicle that performs partial driving automation, or automated driving system from which the information is retrieved, the vehicle owner, or occupants, the manufacturer is not required to include the process or practices regarding that information in the privacy policy.

(4) If information about an occupant is anonymized or encrypted the manufacturer is not required to include the process or practices regarding that information in the privacy policy.

(b) **STUDY.**—The Federal Trade Commission shall conduct a study and submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the highly automated vehicle marketplace, including an examination of the following issues:

(1) Which entities in the ecosystem have access to vehicle owner or occupant data.

(2) Which entities in the highly automated vehicle marketplace have privacy plans.

(3) What are the terms and disclosures made in such privacy plans, including regarding the collection, use, sharing, and storage of vehicle owner or occupant data.

(4) What disclosures are made to consumers about such privacy plans.

(5) What methods are available to enable deletion of information about vehicle owners or occupants from any data storage system within the vehicle (other than a system that is critical to the safety or operation of the vehicle) before the vehicle is sold, leased, or rented, or otherwise occupied by a new owner or occupant.

(c) **FEDERAL TRADE COMMISSION ENFORCEMENT.**—A violation of subsection (a) shall be treated as an unfair or deceptive act or practice within the meaning of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)). The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act.

(d) **EFFECTIVE DATE.**—This section shall take effect 180 days after the date of enactment of this section and shall only apply to highly automated vehicles, vehicles that perform partial driving automation, or automated driving systems first introduced after the effective date of this section.

SEC. 13. DEFINITIONS.

(a) **AMENDMENTS TO TITLE 49, UNITED STATES CODE.**—Section 30102 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (13) as paragraphs (2), (3), (4), (5), (8), (9), (10), (11), (12), (13), (15), (16), and (17), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) ‘automated driving system’ means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether such system is limited to a specific operational design domain.”;

(C) by inserting after paragraph (5) (as so redesignated) the following:

“(6) ‘dynamic driving task’ means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints, and including—

“(A) lateral vehicle motion control via steering;

“(B) longitudinal vehicle motion control via acceleration and deceleration;

“(C) monitoring the driving environment via object and event detection, recognition, classification, and response preparation;

“(D) object and event response execution;

“(E) maneuver planning; and

“(F) enhancing conspicuity via lighting, signaling, and gesturing.

“(7) ‘highly automated vehicle’—

“(A) means a motor vehicle equipped with an automated driving system; and

“(B) does not include a commercial motor vehicle (as defined in section 31101).”;

(D) by inserting after paragraph (13) (as so redesignated) the following:

“(14) ‘operational design domain’ means the specific conditions under which a given driving automation system or feature thereof is designed to function.”; and

(E) by adding at the end the following:

“(18) ‘vehicle that performs partial driving automation’ does not include a commercial motor vehicle (as defined in section 31101).”;

and

(2) by adding at the end the following:

“(c) **REVISIONS TO CERTAIN DEFINITIONS.**—

“(1) If SAE International (or its successor organization) revises the definition of any of the terms defined in paragraph (1), (6), or (14) of subsection (a) in Recommended Practice Report J3016, it shall notify the Secretary of the revision. The Secretary shall publish a notice in the Federal Register to inform the public of the new definition unless, within 90 days after receiving notice of the new definition and after opening a period for public comment on the new definition, the Secretary notifies SAE International (or its successor organization) that the Secretary has determined that the new definition does not meet the need for motor vehicle safety, or is otherwise inconsistent with the purposes of this chapter. If the Secretary so notifies SAE International (or its successor organization), the existing definition in subsection (a) shall remain in effect.

“(2) If the Secretary does not reject a definition revised by SAE International (or its successor organization) as described in paragraph (1), the Secretary shall promptly make any conforming amendments to the regulations and standards of the Secretary that are necessary. The revised definition shall apply for purposes of this chapter. The requirements of section 553 of title 5 shall not apply to the making of any such conforming amendments.

“(3) Pursuant to section 553 of title 5, the Secretary may update any of the definitions in

paragraph (1), (6), or (14) of subsection (a) if the Secretary determines that materially changed circumstances regarding highly automated vehicles have impacted motor vehicle safety such that the definitions need to be updated to reflect such circumstances.”.

(b) **DEFINITIONS IN THIS ACT.**—As used in this Act—

(1) the term “automated driving system” has the meaning given such term in subsection (a) of section 30102 of title 49, United States Code, subject to any revisions made to the definition of such term pursuant to subsection (c) of such section;

(2) the term “highly automated vehicle” has the meaning given such term in subsection (a) of section 30102 of title 49, United States Code, not subject to any revision under subsection (c) of such section; and

(3) the term “vehicle that performs partial driving automation” has the meaning given such term in subsection (a) of section 30102 of title 49, United States Code, not subject to any revision under subsection (c) of such section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATTA) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. LATTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), who is the chairman of the Energy and Commerce Committee, and I would like to thank him for all the work he has done on this bill.

Mr. WALDEN. Mr. Speaker, I want to thank my colleagues on both sides of the aisle who have put enormous work into that, all the members of the committee, and especially Mr. LATTA for his great leadership.

Today marks a really important milestone in the pursuit to make our roadways safer and support American leadership in self-driving innovation. So the SELF DRIVE Act, H.R. 3388, is something we can all support.

Simply put, the rapidly advancing technology behind highly autonomous vehicles is stunning. I speak from some experience because a few months ago I got the opportunity to ride in a self-driving car with engineers and experienced a vehicle perform without any need for human intervention.

Though we can look to a future that fulfills the promise of these innovations, we cannot ignore the current troubling trend in the number of lives that are lost on our roadways in America. Given the latest roadway fatality numbers, this technology is especially needed today.

Almost 40,000 people lost their lives on our roads last year. That represents

another yearly increase in traffic-related fatalities. In my own State of Oregon, traffic fatalities were the highest they have seen in 14 years—up 20 percent from the prior year.

Statistics tell us 94 percent of accidents relate to human behavior. During our morning commute into work, just look around. We see folks on their phones in the cars next to us doing other things. While the National Highway Traffic Safety Administration can't write a safety standard to make us all perfect drivers, it can work to avoid lifesaving technologies to avoid collisions. That is part of what this bipartisan legislation will put in place.

This bill is also about ensuring America stays a global leader in the development of self-driving technology. After all, the auto industry is responsible for more than 7 million American jobs nationwide and drives more than \$900 billion into the economy each year. We want to see these numbers grow, we want this innovation to occur here, and we want to bring greater traffic safety to our roadways.

Additionally, self-driving cars hold the promise of better access to transportation for our Nation's 47 million senior citizens, 27 million Americans with severe disabilities, and the many communities across the country underserved by public transportation.

For Americans to enjoy all these benefits, we needed to put together a framework that is national and will drive it, and that is what this bill does.

I want to commend Mr. LATTA, Ms. SCHAKOWSKY, Mr. UPTON, Mrs. DINGELL, and my friend, FRANK PALLONE, the ranking member on the committee, for all their great work on this legislation. We can be proud of the product the Energy and Commerce Committee has brought to the floor.

Mr. Speaker, I urge people to support H.R. 3388.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the bipartisan approach to autonomous vehicles reflected in the SELF DRIVE Act. As ranking member of the Digital Commerce and Consumer Protection Subcommittee, I have been so pleased to be able to work with Chairman LATTA to reach agreements on the legislation before the House today. It is not the bill I think that either one of us would have written on our own, but it does reflect a bipartisan agreement that we reached after months of negotiation, and I appreciate that very much.

Autonomous vehicles have great potential to improve safety on our roads by reducing accidents caused by human error, which most accidents are. My goal throughout this process has been to make sure that this technology is deployed safely and that we also advance existing safety technologies.

The SELF DRIVE Act lays out a framework for the National Highway Traffic Safety Administration, NHTSA, to promote safe adoption of AVs. Mandatory safety assessment certifications will ensure that NHTSA receives the data that it needs to evaluate safety as autonomous vehicles appear on our roads. Within a year of enactment, NHTSA will lay out a priority plan for what new safety standards need to be written and which existing standards must be updated. In addition, the bill requires manufacturers to write cybersecurity and consumer privacy plans as they develop AV technology.

The legislation allows for exemptions to existing vehicle safety standards. For example, there may be some vehicles that really don't need a steering wheel. It is hard to imagine now. But we ensure that NHTSA explains its process for granting any safety exemptions. The maximum number of exemptions per automobile will scale up incrementally.

To receive an exemption, a manufacturer must show equivalent safety, a manufacturer must report crashes involving exempted vehicles, and exempted vehicles must be listed in a public database.

This bill also has safety improvements that go beyond autonomous vehicles. NHTSA will work to improve the performance of headlamps. In 2 years, NHTSA will issue a rule requiring an alert system to warn drivers if a child or pet is left in the backseat. Already this year, 37 children have died from heatstroke after being left in hot cars. This hot cars provision, which Congressman TIM RYAN, Congressman PETER KING, and I introduced as a standalone bill, will save lives.

A broad range of stakeholders have been involved and will be involved in the future of self-driving workers. That is why we set up an advisory council which will include industry, academics, labor, State and local government, consumer advocates, and environmental experts.

As self-driving cars are developed, we must examine critical issues. Will seniors and people with disabilities share in the benefits of autonomous vehicles? Ensuring accessibility may require further policy changes. We also need to grapple with the disruption self-driving cars may cause in employment. Even though this legislation generally excludes commercial vehicles—and additional clarity may be needed—self-driving cars may displace workers who make their livelihoods behind the wheel.

Once the House passes this bill, I look forward to working with stakeholders and our Senate colleagues to send consensus legislation to the President's desk. I believe we could go further to improve consumer safety and strengthen protections to put consumers in control of their data. We

must also keep working to refine the Federal, State, and local roles in ensuring safe roads and protecting access to courts when necessary.

Mr. Speaker, today's vote is the next step in that process. I urge my colleagues to vote in favor of the SELF DRIVE Act, and I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, let me just thank the gentlewoman from Illinois, the ranking member on the subcommittee, for her hard work on the legislation. I really appreciate it.

Mr. Speaker, I am pleased to rise in support of H.R. 3388, the SELF DRIVE Act, which we advanced out of the Energy and Commerce Committee on a unanimous, bipartisan vote of 54-0 in July. This compromise legislation aims to improve consumer safety by reducing traffic-related fatalities and injuries, clarify the Federal and State roles, and stimulate job growth and economic opportunities.

Many of you have heard these roadway safety statistics, but they again bear repeating. Each year, approximately 6 million Americans are involved in car accidents resulting in nearly 2 million injuries. Ninety-four percent of the accidents are attributed to human errors or decisions. In 2016 approximately 40,000 people lost their lives on U.S. highways. Sadly, in my home State of Ohio, traffic deaths have been on the rise over the last few years.

We have an opportunity today to support and promote the safe testing and deploying of this life-saving technology. U.S. companies are investing major resources in the research and development of this technology and should not be held up by regulatory barriers that were created when self-driving cars were science fiction. We must act, and we must act now.

The SELF DRIVE Act establishes a streamlined path for the testing, development, and deployment of self-driving cars in the United States. While this technology is currently being tested in certain parts of the country, there are limits to who can test and what technology can be used in cars today. Federal motor vehicle safety standards need to be updated because self-driving cars may not have the traditional steering wheels and brake pedals that all cars have today.

Additionally, this legislation maximizes opportunities for research and development here in the United States to create jobs and grow economic opportunities so that the United States can remain a global leader in this industry. With this legislation, innovation can flourish without the heavy hand of government.

Finally, this legislation will enhance the ability of our senior citizens, the disability community, and individuals

in underserved communities enjoy more mobility and live more independently.

This legislation is the first of its kind, focused on the car of the future that is more of a supercomputer on wheels. This issue started with our good friend and colleague, Dr. BURGESS, who held the first disrupter series hearing on self-driving cars last Congress.

Again, we would also not be where we are today if it weren't for the leadership of Chairperson WALDEN and the great working relationship and cooperation of Ranking Member PALLONE, Ranking Member SCHAKOWSKY, and Ranking Member DINGELL, as well as our many cosponsors. I appreciate their comments, suggestions, and input.

We have held multiple hearings, technology showcases, and real-life demonstrations for our committee's members to learn about the opportunities and challenges presented by self-driving cars.

I also want to acknowledge the stakeholders who have been willing to work with us. The automotive industry is a competitive and vibrant marketplace and touches every congressional district in the country.

□ 1130

In the process of drafting and marking up this legislation, we had over 300 meetings with automakers, tech companies, suppliers, trade associations, the disability community, senior State transportation leaders, and, last but not least, the National Highway Traffic Safety Administration.

Safety should and always will be our number one priority. We have said and will continue to say: Safety first, safety last, safety always. I truly believe this bill will make a real difference for everyday Americans.

In closing, I want to thank our great staff for their hard work late nights and weekends to get us where we are to this historic vote.

Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee, and I thank him for his support.

Mr. PALLONE. Mr. Speaker, I rise in support of H.R. 3388, the SELF DRIVE Act.

I want to start by thanking Chairmen WALDEN and LATTA, Ranking Member SCHAKOWSKY, and the other members of the Energy and Commerce Committee for all their work to reach a bipartisan agreement on this bill.

Self-driving cars have the potential in the future to reduce deaths and injuries from car crashes, particularly those that result from driver distraction. This bill allows for testing and

deployment of self-driving cars to help the United States reach that potential sooner.

This legislation also includes important provisions that ensure safety is the top priority as self-driving cars are developed. For example, the National Highway Traffic Safety Administration will be required to issue rules and new safety standards for highly automated vehicles.

The auto industry will be required to submit safety assessment certifications that detail how their vehicles are tested and function on the road. We also insist that any manufacturer entering this market must have cybersecurity and privacy practices in place before their cars are sold.

Self-driving cars will not come all at once. Human drivers will be on the roads for the foreseeable future. So this bill also contains legislative initiatives geared toward protecting drivers and passengers, including requirements to ensure kids are not forgotten in hot cars and that all new cars have the latest technology in their headlamps.

It also ensures NHTSA is able to consider whether a car functions as intended, not just whether it meets a specific standard. We also encourage NHTSA to come up with a plan on how it can alter testing using ranges so that cars cannot be built just to meet a particular test.

This bill is not perfect. It is a bipartisan compromise and a product of what we can accomplish when we work together. As this bill moves to the Senate, I remain committed to continuing bipartisan efforts to address any issues and to ensure that safety is not compromised.

I want to thank, again, all of the key leaders on both the Democratic and Republican side for making this happen today.

Mr. LATTA. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. UPTON), chairman of the Energy Subcommittee on the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, I rise in support of this bill, H.R. 3388, the SELF DRIVE Act. This legislation and technology is, indeed, going to play a very important role in improving motor vehicle safety and addressing the rising number of traffic-related fatalities.

As the birthplace of the automobile industry, my home State of Michigan is a well-known home to innovative suppliers and manufacturers that make our cars and trucks safer, more efficient, and, yes, more affordable. It is also a nexus of engineering and research talent, which makes it perfect for the development of the next phase of vehicular mobility: autonomous vehicles. It is here.

In 2015, more than 35,000 folks lost their lives on U.S. highways. Early estimates indicate that number may have increased to more than 40,000 last

year. In Michigan, there were 1,064 traffic fatalities, a 7 percent increase over the previous year. NHTSA has found that 94 percent of these fatalities are related to human error.

This legislation on autonomous vehicles, which includes the PAVE Act, authored by myself and my good friend from Michigan, DEBBIE DINGELL, will go a long way to taking human error out of driving and making roads safer for every American.

Forget about "The Jetsons." It is over. The future of the automobile is here, and this bill will give the automotive industry the tools it needs to completely revolutionize how we are going to get around for generations to come.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), a member of the Digital Commerce and Consumer Protection Subcommittee and a major contributor to this legislation.

Ms. MATSUI. Mr. Speaker, I rise today in support of the SELF DRIVE Act. With this legislation, we have the opportunity to unlock autonomous vehicle innovation and help improve the quality of life for millions.

Today, so many of our neighbors, friends, and family face mobility challenges. Many seniors and people with disabilities are not able to use a car to do errands, go to doctor appointments, and visit loved ones. For millions of people who travel our roads, this technology has the potential to prevent accidents and save lives. That is why we must act to put policies in place that allow AVs to be tested and deployed, with an emphasis on consumer protections.

In my home district of Sacramento and across California, we recognize the promise of AV technology and are developing a pathway for its safe testing and deployment. Sacramento's ATOS lab aims to foster a public-private consortium of government agencies and AV companies by leveraging Sacramento's 5G network, an ideal location. The legislation we are considering today allows California to continue to lead, while protecting roadway safety.

With the SELF DRIVE Act, we are preserving the important AV deployment work happening at the State level and also creating the foundation for a strong Federal framework to build on our progress and protect drivers and pedestrians.

I am also pleased that this bill contains language on legislation I introduced, the MORE Act, which ensures technology companies, auto manufacturers, and new market entrants are on a level playing field for testing AVs.

Just as the development of the personal computer has revolutionized our daily lives, so, too, will the employment of autonomous vehicle technology.

This legislation, which passed the Energy and Commerce Committee

unanimously, puts us on a path towards innovation that, up until recently, seemed unimaginable. I look forward to working with my colleagues on both sides of the aisle as we work together to move this legislation forward.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BURGESS), chairman of the Health Subcommittee on the Energy and Commerce Committee.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the country has stood, first, in awe of the power that was unleashed on the Texas-Louisiana coast, and then in admiration of constituents up and down the Texas and Louisiana coast as they face this difficulty and work together to get through it.

This bill today is also a product of people working together. Through at least two sessions of Congress we have now come with self-driving vehicle legislation that is going to change our economy.

This bill will allow developers room to grow, while making certain that the technology is safe for consumers. This act will create jobs and ensure that we remain the global leader in innovation. Most importantly, the self-driving vehicle legislation has the ability to save lives.

Throughout my life, I have seen the lifesaving effects of advancements in vehicle technology, starting with the seat belt, to the air bag, to antilock brakes. Self-driving vehicles are the next step in this trajectory.

The Energy and Commerce Committee has dedicated a lot to this technology and its ability to save lives, and, certainly, the last term of Congress, the Commerce, Manufacturing, and Trade Subcommittee that Mr. LATTA now chairs. I am proud to see the product of our work come to the floor.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO), a member of the Energy and Commerce Committee.

Ms. ESHOO. Mr. Speaker, I thank the gentlewoman from Illinois for yielding and for her leadership and work on the great Energy and Commerce Committee in the House.

My congressional district is home to the engineers, innovators, and developers who are pioneering the technologies that are transitioning us to a driverless world. That is why I support H.R. 3388, and it is my hope that the regulatory framework established by this bill is going to ensure that the United States of America is the leader in the world's next great revolution in transportation. I believe that we are, that we will be, and that this bill boosts the effort.

Throughout committee consideration of this bill, I stressed the need for bi-

partisanship on this issue so that the American people would have confidence in the steps that we were taking. And so it is. It is, I think, in the spirit of the original Federal automotive safety standards that passed Congress nearly unanimously in 1966.

This bill was improved significantly in the committee, and the final bill, very importantly, preserves the role that States have played to regulate matters such as vehicle registration, licensing, insurance, and liability, while, at the Federal level, ensuring that manufacturers submit safety certifications to NHTSA, placing the agency on the path toward issuing full safety standards for autonomous vehicles.

The bill also includes my language to require a study of the environmental impacts of autonomous vehicles, as well as the intersection between autonomous and electric vehicles. The AV revolution is happening on top of the ongoing electrification revolution, and I think the AV advisory council can provide important insight to Congress, States, and localities about how to support growing these fleets.

For all these reasons and more, Mr. Speaker, I urge all House Members to support H.R. 3388. I think it deserves unanimous support, as it did in our committee, and that this will be good for America and keep us in a leadership position on the all-important issues that are established by this bill.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. HARPER), vice chairman of the Digital Commerce and Consumer Protection Subcommittee of the Energy and Commerce Committee.

Mr. HARPER. Mr. Speaker, I rise in support of H.R. 3388, the SELF DRIVE Act.

The bipartisan bill we are considering today is vital not only to all Americans, but especially individuals with disabilities.

My wife, Sidney, and I have an adult son, Livingston, who has special needs. He wants to go everywhere. He has a job Monday through Friday, but he can't drive, so he is dependent on his family and friends to get him around. In the disability community, the lack of transportation is the number one obstacle to employment and security in society.

I previously introduced the Disability Mobility Advisory Council Act, which creates a forum for individuals with disabilities to work with manufacturers, suppliers, and regulators to identify impediments and ways in which the needs of this community can best be met by self-driving car technology. I appreciate the chairman including the general intent of my bill in the SELF DRIVE Act.

Self-driving vehicles can open the door for the disability community to access new job markets and opportunities and to have an even more active role in our society.

I urge support of this bill.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), a member of the Digital Commerce and Consumer Protection Subcommittee and someone who has put in a lot of time and effort on this legislation.

Mrs. DINGELL. Mr. Speaker, I thank my colleague, Congresswoman JAN SCHAKOWSKY, for yielding and for her leadership on making this happen, as well as thanking Chairman LATTA, Chairman WALDEN, Ranking Member PALLONE, and my good friend FRED UPTON from Michigan.

The hard work here has gotten us to the point where we are today. The SELF DRIVE Act is going to improve our economy and save lives on the road.

Passing this bill today means we are one step closer to signing a responsible framework for the deployment of highly automated vehicles into law. It means we are going to improve mobility for seniors and people with disabilities, reduce congestion on the road, improve energy consumption, and, as everyone has said, actually improve safety on the road.

□ 1145

More than 35,000 people died on our roadways. And as you heard Mr. UPTON say, we are hearing 40,000 self-driving cars has the promise to save lives when 90 percent of those are by human error, but only if we get it right. And that is why it is so important that we study these issues and do this the right way.

Our legislation ensures that safety is at the forefront by requiring manufacturers to submit safety assessment certifications before one self-driving vehicle hits the road. It also requires that manufacturers, for the very first time, submit a plan for how we will address both cybersecurity and data privacy. It is moving the needle forward on safety while providing a reactive and flexible framework for the regulation of self-driving cars.

Today we are one step closer to reshaping American innovation for generations to come. We cannot let this opportunity slip by us. It is essential to ensure the future of American innovation because this is fundamentally an issue of American competitiveness.

Automated vehicles are going to be developed, whether we want it or not, and it is a question about whether we are going to remain in the driver's seat and not secede it to China or India or Western Europe.

The SELF DRIVE Act steers us in the right direction on these important issues.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise today in strong support of the SELF DRIVE Act. This groundbreaking work

of the Energy and Commerce Committee is the first major step toward establishing a clear legal and regulatory framework for autonomous vehicle deployment.

Self-driving cars are going to transform many aspects of American life and our economy. Autonomous vehicle technology will spur job creation while increasing productivity, accessibility, and safety for consumers across the country.

The potential benefits are tremendous. Those with limited mobility will have new transportation options, and self-driving cars can reverse the rising trend of distracted and impaired drivers, road accidents, and highway fatalities. Autonomous vehicles can help turn the tide.

Innovators are waiting to jump into this exciting new market. We need to be their partners in this 21st century groundbreaking achievement.

I thank Chairman LATTA and Ranking Member SCHAKOWSKY for leading this bipartisan effort through the U.S. House. Let's drive into the future. I urge a "yes" vote.

Ms. SCHAKOWSKY. Mr. Speaker, I am now pleased to yield 2 minutes to the gentlewoman from the great State of New York (Ms. CLARKE), a member of our subcommittee.

Ms. CLARKE of New York. Mr. Speaker, I rise to support H.R. 3388, the SELF DRIVE Act. As you may know, autonomous vehicles are the wave of the future, and they are here now.

As innovative technology for these vehicles develop, our Nation's transportation system will be transformed, decreasing the number of traffic collisions, enhancing mobility for the elderly, disabled, and poor, and lowering fuel consumption.

My constituents in the Ninth Congressional District of New York will benefit greatly from autonomous vehicles, which will allow for smarter, faster, and more fuel-efficient travel.

I am pleased that proper cybersecurity protections are included in the legislation. As you may know, cybersecurity protections for self-driving vehicles is of great interest, particularly in today's environment, to ensure that these vehicles not only meet technological challenges, but there is a plan in place to meet public safety standards and prevent and tackle potential hacks and/or terrorism.

I am so pleased that H.R. 3407, the legislation I introduced with Congressman ADAM KINZINGER is included in H.R. 3388. The cybersecurity portion of the bill requires manufacturers to develop a written cybersecurity policy. Within the cybersecurity policy, manufacturers would address the following: one, a process for identifying, assessing, and mitigating reasonable foreseeable vulnerabilities from cyber attacks or unauthorized intrusions; and two, a process for taking preventive and cor-

rective action to mitigate against these vulnerabilities, including incident response plans, intrusion detection, and prevention systems that safeguard key controls, systems, and procedures through testing and/or monitoring.

This legislation requires companies to develop a more comprehensive cybersecurity plan, which can mitigate, correct, intersect, and identify imminent threats. Fostering consumer confidence will include ensuring an established system built to protect sensitive information in our technological age. I am pleased to be a Member of this committee.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of the SELF DRIVE Act, which will improve transportation safety, stimulate economic growth, and ensure we are embracing the full potential of technological advances in the automotive industry with respect to autonomous vehicles.

I am especially proud that my bill, the ACCESS Act, has been included in this important legislative package, which ensures that self-driving cars are developed with seniors and the underserved in mind.

Approximately 20 percent of Floridians are over the age of 65, and many struggle with simple tasks most of us take for granted, such as getting to work, going to the doctor, taking a trip to the grocery store or across town to visit family.

Self-driving cars hold the power to safely put seniors and our constituents back in the driver's seat of their lives, providing them with greater independence and mobility. I urge all my colleagues to support the passage of this very important bill.

Ms. SCHAKOWSKY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. MCNERNEY), my colleague on the Energy and Commerce Committee.

Mr. MCNERNEY. Mr. Speaker, this has been a bipartisan effort. It has been good. We made some progress. I want to say a few things, though.

I am proud to be a cosponsor of the SELF DRIVE Act. This legislation puts us on a path towards safely deploying autonomous vehicles. I am glad to see that it has strong bipartisan support.

Autonomous vehicles offer many benefits, including tremendous lifesaving potential. Approximately 40,000 people are killed on our highways every year in deadly automobile accidents. About 3,600 of those accidents took place in my home State of California.

AVs can also transform mobility for millions of people who otherwise face difficulty driving, such as seniors and those with disabilities, including 3.8 million veterans in our country living with service-connected disabilities.

That is more than 17 percent of veterans in this country.

AVs can help connect underserved communities, as well as reduce traffic congestion on our roads, and increase our Nation's productivity and competitiveness in the global economy.

While I am glad that we are taking these steps for this legislation today, our work cannot stop here. As the technology evolves, we must ensure that the benefits are being maximized for consumers. This means making sure that the vehicles are safely and appropriately tested, that strong consumer privacy and cybersecurity protections are in place, and that we are fully preparing Americans for the new employment opportunities that this industry will create.

Ms. SCHAKOWSKY. Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from Illinois has 3½ minutes remaining. The gentleman from Ohio has 7½ minutes remaining.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, self-driving cars, once a providence of science fiction, are quickly becoming a reality. Self-driving vehicle technology has the potential to increase access to transportation in our rural communities, freedom for those unable to drive today, and improved safety for thousands of Hoosiers and other citizens across the country.

Furthermore, development of this innovative technology maintains America's technological leadership in the world and presents new economic opportunities for our citizens.

The SELF DRIVE Act creates a regulatory framework to allow for self-driving vehicle technology to continue moving forward while also ensuring consumers are protected.

I ask my colleagues to join me today and vote in favor of this bipartisan package.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 1 minute to the Congressman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I am pleased to join my colleagues on the floor of the House dealing with autonomous vehicles. I think this is one of the most important issues that nobody is really focused on. I wish it were not on the suspension calendar and we had a chance to spend several hours discussing it here.

What you have done is forge a bipartisan coalition to be able to leapfrog going forward, to be able to not just focus on safety, but how autonomous vehicles have the opportunity to reshape the American landscape dealing with recovering right-of-way and being able to have new economic opportunities.

But this must be done right. The fact that "Driver" is the number 1 category

of employment for men without a college education, means there could be some problems here. If we don't do it right, we can actually increase congestion rather than decrease it.

But I think you have established the framework to allow us to go forward, to be able to capitalize on this innovation, to be able to accelerate American leadership and avoid the problem we had with drones where the FAA was not really capable of dealing with drones which were more like flying cell phones than dealing with jets. You are trying to lay a foundation that I think is going to help us avoid that problem, and it is going to pay dividends for years to come.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. Mr. Speaker, the House today will vote on an important piece of Federal legislation regarding self-driving vehicles that many on this body on both sides of the aisle have worked on.

This legislation promises to make roads safer by reducing traffic-related fatalities and unlock new economic opportunities and jobs in the U.S. It is also vital in our efforts to promote innovation.

Industry is driving the development of self-driving vehicles, but in certain situations, companies building and testing the car of the future may need some flexibility or certainty.

With this legislation, I hope the research, development, and testing that is unleashed will stimulate additional knowledge and innovation for passenger motor safety.

We, as the government, need to make sure that safety is first and foremost in our consideration. Passing this legislation will help get lifesaving technology to the public, perhaps preventing deaths in the not-so-near future.

I strongly support this bipartisan legislation, and I urge my colleagues to do the same.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Science, Space, and Technology Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank the majority and minority of the Energy and Commerce Committee for bringing this unanimous legislation to the floor on self-driving vehicles, which are revolutionizing the way we conceptualize travel.

Self-driving cars have the potential to lower our infrastructure and mobility costs, enhance safety on our roads, and enhance mobility in our cities.

However, like any complex technology, self-driving cars pose new challenges for the regulatory landscape and our labor markets. That is why I am pleased to support H.R. 3388, the SELF

DRIVE Act, which seeks to foster innovation in this space while offering protection for consumers.

The SELF DRIVE Act is one of the many important bills that will need to be considered by Congress in order to define Federal and State regulatory roles, provide the U.S. Department of Transportation the tools it needs to update safety standards, and ensure that the American people are not left behind as we transition to a 21st century workforce. Particularly, I am pleased to see that H.R. 3388 allows the creation of the Highly Automated Vehicle Advisory Council.

Mr. Speaker, self-driving vehicles are revolutionizing the way that we conceptualize travel. Self-driving cars have the potential to lower our infrastructure and mobility costs, enhance safety on our roads, and enhance mobility within our cities. However, like any complex technology, self-driving cars pose new challenges for the regulatory landscape and our labor markets. That is why I am pleased to support H.R. 3388—the SELF DRIVE Act, which seeks to foster innovation in this space while offering protection for consumers.

The SELF DRIVE Act is one of many important bills that will need to be considered by Congress in order to define federal and state regulatory roles, provide the U.S. Department of Transportation the tools it needs to update safety standards, and ensure that the American people are not left behind as we transition to a 21st Century workforce. In particular, I am pleased to see that H.R. 3388 allows for the creation of a Highly Automated Vehicle Advisory Council, which can properly consider the labor and employment issues that may be affected by the deployment of highly automated vehicles.

I have been working on separate legislation to create a new retraining program for workers who are displaced from their jobs due to the adoption of autonomous vehicle technology. I am very grateful for Representative JOE BARTON and Representative BOB LATTA's staff for working with my office to craft and refine that legislation. I believe that we are getting closer to a final product, which will ultimately recognize the inevitable changes to the labor market that this country will experience in the face of automated technologies.

Mr. Speaker, I am pleased to support H.R. 3388. I know that members of the Energy & Commerce Committee have worked tirelessly to bring this measure to the floor after hundreds of meetings with relevant stakeholders. I encourage my colleagues to support this bill and look forward to working cooperatively with members on other bills that will address other aspects of self-driving vehicles and the ramifications that will have on our economy and our country.

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Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in support of H.R. 3388, the SELF DRIVE Act, which will help advance the deployment of self-driving vehicles by allowing testing of this life-changing technology.

Back home in Orange County, long commutes and congestion are a way of life. Sadly, traffic accidents, often fatal, are also a daily occurrence in my district and across the country.

Some predict self-driving vehicles could save 300,000 lives each decade. In Orange County alone, the deployment of this technology could save the lives of 150 people every year.

I am especially proud that a piece of legislation I drafted, the MORE Act, is included in the SELF DRIVE Act. The MORE Act will help advance self-driving vehicle technology because it allows new entrants to the automobile industry, such as tech and ride-hailing companies, to test this lifesaving technology on public roads.

The SELF-DRIVE Act has the potential to make our roads safer, alleviate congestion, and improve mobility for seniors and individuals with disabilities.

I urge my colleagues to support this legislation.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. RYAN), the sponsor and my partner on the HOT CARS Act, included in this legislation.

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I also thank the chairman from Bowling Green, Ohio, home of the Harvard of the Midwest, Bowling Green State University, and Ranking Member SCHAKOWSKY for including the language, as she said, for the HOT CARS Act.

We lose about 37 children a year who accidentally get left in the backseat of a car when a parent or grandparent accidentally forgets that they are there, they change their routine, and 37 kids a year pass away. It is one of the most tragic circumstances we have to deal with in this country. Ms. SCHAKOWSKY and I, along with PETER KING from New York, have championed this bill. I just want to say thank you for including it in here.

These cars get hot fast, up to 125 degrees. This allows the companies now to put sensors in there. When we leave our keys in the car or when we leave our lights on, we get a ding or a bell. Now we will know if someone is in the backseat. There will be an alert that the car companies will put into the cars to allow us to recognize and prevent 37 deaths a year.

Mr. Speaker, I thank the chairman for working in a bipartisan way, and thank Ranking Member SCHAKOWSKY for her leadership. She has been championing this a long time, and I appreciate it.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of the SELF DRIVE Act. With over 127,000 vehicle crashes in Pennsylvania in 2015,

advances in deploying self-driving technology are critical to helping make our roads safer.

Importantly, self-driving cars can also increase mobility for seniors and individuals with disabilities and can reduce carbon emissions.

As with many innovations, we must recognize the importance of safety, including cybersecurity vulnerabilities, when it comes to self-driving cars.

Provisions of my cybersecurity legislation, which were included as part of the bill we are voting on today, directs the Secretary of Transportation to create a Federal advisory council on cybersecurity. The council will be responsible for gathering information and providing advice related to the cybersecurity of self-driving vehicles, and it will ensure both public and private sector stakeholders are communicating about cybersecurity concerns before they become a crisis.

Mr. Speaker, I thank Chairman WALDEN, Chairman LATTA, and staff for their work to bring this bill to the floor.

Ms. SCHAKOWSKY. Mr. Speaker, in closing, let me just say some thank yous. I thank the chairman of our subcommittee, Chairman LATTA, for his great work. I also thank Chairman WALDEN, and, of course, all of the staff on his side of the aisle for their work to help us reach this bipartisan agreement. I especially want to thank them for the inclusion of the HOT CARS legislation.

Mr. Speaker, I thank Ranking Member PALLONE on our side and also thank Michelle Ash, Lisa Goldman, Caroline Paris-Behr, and my staff, Matt Hayward, for their great work on the subcommittee on this legislation.

We will continue working together to send consensus legislation. I appreciate the opportunity to work with Chairman LATTA and to get this to the floor today as a suspension bill.

Mr. Speaker, I yield back the balance of my time.

Mr. LATTA. Mr. Speaker, again, I thank the gentlewoman, the ranking member on the subcommittee, for all of her hard work on this legislation. Again, we wouldn't be here without the bipartisanship that we had on this piece of legislation.

Also, again, I want to thank our staff. There were a lot of weekends and nights that they put in to make sure that we got this bill to where we are today.

But, again, as has been mentioned today, we have been talking about what this legislation is going to do. We have been looking at safety, cybersecurity, privacy, making sure that some folks in the community right now who aren't able to get out, some of our senior population, and those with disabilities, have the ability to be able to get around to go to jobs and go to the grocery store.

The legislation has been a culmination of a lot of work over two sessions. Again, I want to thank Dr. BURGESS for his hard work that he did in the last Congress as the chairman of the subcommittee.

Mr. Speaker, I yield back the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I rise in support of H.R. 3388, the SELF DRIVE Act. Connected and automated vehicles are a rapidly evolving technology that are novel today, but will be a reality tomorrow. This legislation will provide the auto industry, consumers, and policymakers with the certainty they need to advance automated vehicle technology. Automated vehicles have the potential to increase safety, improve mobility, and decrease congestion while improving the efficiency of our transportation network.

As the co-chairman of the Congressional Unmanned Systems Caucus and an engineer, I have for the past three years been convening automated vehicle stakeholders to discuss the policy issues related to the development and deployment of these new technologies. In addition, I authored the Future TRIP Act during the 114th Congress. Key provisions of that bill, including the establishment of a regional transportation center to study automated vehicles were passed into law in the FAST Act. It is imperative that we maintain the United States' manufacturing.

I commend my colleagues on the Energy and Commerce Committee for their bipartisan work on this important legislation. The SELF DRIVE Act includes language will promote industry growth by preventing a potentially stifling patchwork of differing local regulations. By asserting the authority of the federal government to regulate these vehicles and corresponding safety standards, the Committee has struck the right balance by allowing states to retain their traditional roles in driver licensing, insurance, and vehicle registration in a way that does not impede innovation. In addition, I am pleased that the bill enables the Department of Transportation to review the vehicle systems through the Safety Assessment Letter process.

Automated vehicles are highly complex, and present a number of equally complex policy considerations. While this bill is a significant step forward in defining the federal government's role in this emerging technology, I believe there is more work to be done with respect to ensuring that NHTSA has appropriate resources to carry out the federal role in oversight and regulation, and to ensuring the privacy of consumers' data. Data sharing between government and industry holds the possibility of improving safety operations and performance, but must be a collaborative partnership, and must protect consumers' personally identifiable data.

For that reason, I have an amendment that has been made in order to the Fiscal Year 2018 Transportation, Housing, and Urban Development appropriations bill, that we will consider later today. The amendment will provide the National Highway Traffic Safety Administration with an additional \$9 million for the Salaries and Expenses account. These funds will enable the agency to expand its workforce, define new testing protocols as the technology

emerges, and better partner with industry and state and local governments to conduct adequate oversight.

In addition, I continue to have concerns about the collection, use, and privacy of consumers' data. A recent report issued at the direction of myself and my colleague, Congresswoman Comstock, the Government Accountability Office found while nearly all of the major auto manufacturers now offer vehicles with connected technologies, NHTSA has not clearly defined its roles and responsibilities as they relate to the privacy of vehicle data, making it difficult for NHTSA to coordinate with other federal agencies to effectively oversee these emerging technologies.

We still have important issues to consider, including insurance, cyber-security, and data sharing. I look forward to continuing to collaborate with my colleagues to examine this evolving industry, and defining the federal government's role in promoting industry while protecting the public. I urge my colleagues to support this bill.

Mr. HULTGREN. Mr. Speaker, I commend the sponsors of this legislation, BOB LATTA and JAN SCHAKOWSKY, and the Energy and Commerce Committee for their work on H.R. 3388, the SAFE DRIVE Act. The development of "self-driving" vehicles has the potential to make a quantum leap in road safety and access to transportation. The SAFE Drive Act begins the important process of developing the regulatory framework for this new technology. As Congress continues its work in this area, it is important that we make sure that the new regulatory landscape works well for all stakeholders. Accordingly, I would like to highlight some issues that we need to continue to be mindful of because of their impact on insurers. Clearly, for automated driving technology to fully develop, insurers are an important component for managing the associated risks.

Highly automated vehicles hold great promise for reducing the number of deaths and accidents on our nation's roads as well as providing increased mobility for those who are not able to drive due to age or disability. This transition to "self-driving" vehicles will take place over many years during which these vehicles will interact, and sometimes collide with, vehicles driven by humans. Our legal system has a vast amount of experience apportioning liability after auto accidents, but that task could be made more difficult if access to data (including photos or video) generated by automated vehicles involved in accidents is restricted.

As such, vehicle owners should have primary control over vehicle data from highly automated vehicles. Automated vehicle data must be made available to the parties involved, their insurers and authorized representatives on reasonable terms. State and federal governments should not set limits on access to vehicle data by law or regulation that could delay compensation to accident victims and increase automobile insurance costs, nor should vehicle manufacturers be permitted to limit access to vehicle data.

For any vehicle, safety issues are paramount. While automated vehicle technology has the potential to greatly reduce crashes, it is unlikely to eliminate them entirely. Therefore, maintaining existing standards for vehicle

crash protection for automated vehicles is essential. Granting of exceptions should only be considered through an evidence based approach and should not be rushed—automated driving capabilities do not necessarily guarantee improved safety.

Again, I commend my colleagues on the Energy and Commerce Committee for their work on this legislation. I look forward to supporting it and to continuing to work towards achieving the objectives I have outlined.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATTI) that the House suspend the rules and pass the bill, H.R. 3388, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: “A bill to amend title 49, United States Code, regarding the authority of the National Highway Traffic Safety Administration over highly automated vehicles, to provide safety measures for such vehicles, and for other purposes.”.

A motion to reconsider was laid on the table.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 502) providing for the concurrence by the House in the Senate amendments to H.R. 601, with an amendment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 419, nays 3, not voting 11, as follows:

[Roll No. 441]

YEAS—419

Abraham	Bishop (MI)	Budd
Adams	Bishop (UT)	Burgess
Aderholt	Black	Bustos
Aguilar	Blackburn	Butterfield
Allen	Blum	Byrne
Amodel	Blumenauer	Calvert
Arrington	Blunt Rochester	Capuano
Babin	Bonamici	Carbajal
Bacon	Bost	Cárdenas
Banks (IN)	Boyle, Brendan	Carson (IN)
Barletta	F.	Carter (GA)
Barr	Brady (PA)	Carter (TX)
Barragán	Brady (TX)	Cartwright
Barton	Brat	Castor (FL)
Bass	Brooks (AL)	Castro (TX)
Beatty	Brooks (IN)	Chabot
Bera	Brown (MD)	Cheney
Bergman	Brownley (CA)	Chu, Judy
Beyer	Buchanan	Cicilline
Bilirakis	Buck	Clark (MA)
Bishop (GA)	Bucshon	Clarke (NY)

Clay	Harper	McEachin	Scott, David	Takano	Walker
Cleaver	Harris	McGovern	Sensenbrenner	Taylor	Walorski
Clyburn	Hartzer	McHenry	Serrano	Tenney	Walters, Mimi
Coffman	Hastings	McKinley	Sessions	Thompson (CA)	Walz
Cohen	Heck	McMorris	Sewell (AL)	Thompson (MS)	Wasserman
Cole	Hensarling	Rodgers	Shea-Porter	Thompson (PA)	Schultz
Collins (GA)	Herrera Beutler	McNerney	Sherman	Thornberry	Waters, Maxine
Collins (NY)	Hice, Jody B.	McSally	Shimkus	Tiberi	Watson Coleman
Comer	Higgins (NY)	Meadows	Shuster	Tipton	Weber (TX)
Comstock	Hill	Meehan	Simpson	Titus	Webster (FL)
Conaway	Himes	Meeks	Sinema	Tonko	Welch
Connolly	Holding	Meng	Sires	Torres	Wenstrup
Conyers	Hollingsworth	Messer	Slaughter	Trott	Westerman
Cook	Hoyer	Mitchell	Smith (MO)	Tsongas	Williams
Cooper	Hudson	Moolenaar	Smith (NE)	Turner	Wilson (FL)
Correa	Huffman	Mooney (WV)	Smith (NJ)	Upton	Wilson (SC)
Cortello (PA)	Huizenga	Moore	Smith (TX)	Valadao	Wittman
Courtney	Hultgren	Moulton	Smith (WA)	Vargas	Womack
Crawford	Hunter	Mullin	Smucker	Veasey	Woodall
Crist	Hurd	Murphy (FL)	Soto	Vela	Yarmuth
Crowley	Jackson Lee	Murphy (PA)	Speier	Velázquez	Yoder
Cuellar	Jayapal	Nadler	Stefanik	Visclosky	Yoho
Culberson	Jeffries	Napolitano	Stewart	Wagner	Young (AK)
Curbelo (FL)	Jenkins (KS)	Neal	Stivers	Walberg	Young (IA)
Davidson	Jenkins (WV)	Newhouse	Swalwell (CA)	Walden	Zeldin
Davis (CA)	Johnson (GA)	Noem			
Davis, Danny	Johnson (LA)	Nolan			
Davis, Rodney	Johnson (OH)	Norcross			
DeFazio	Johnson, E. B.	Norman			
Delaney	Johnson, Sam	Nunes			
DeLauro	Jones	O'Halleran			
DelBene	Jordan	O'Rourke			
Demings	Joyce (OH)	Olson			
Denham	Kaptur	Palazzo			
Dent	Katko	Pallone			
DeSantis	Keating	Palmer			
DeSaulnier	Kelly (IL)	Panetta			
DesJarlais	Kelly (MS)	Pascarella			
Deutch	Kelly (PA)	Paulsen			
Diaz-Balart	Kennedy	Payne			
Dingell	Khanna	Pearce			
Doggett	Kihuen	Pelosi			
Donovan	Kildee	Perlmutter			
Doyle, Michael	Kilmer	Perry			
F.	Kind	Peters			
Duffy	King (IA)	Peterson			
Duncan (SC)	King (NY)	Pingree			
Dunn	Kinziger	Pittenger			
Ellison	Knight	Pocan			
Emmer	Krishnamoorthi	Poe (TX)			
Engel	Kuster (NH)	Poliquin			
Eshoo	Kustoff (TN)	Polis			
Espallat	Labrador	Posey			
Estes (KS)	LaHood	Price (NC)			
Esty (CT)	LaMalfa	Quigley			
Evans	Lamborn	Raskin			
Farenthold	Lance	Ratcliffe			
Faso	Langevin	Reed			
Ferguson	Larsen (WA)	Reichert			
Fitzpatrick	Larson (CT)	Renacci			
Fleischmann	Latta	Rice (NY)			
Flores	Lawrence	Rice (SC)			
Fortenberry	Lawson (FL)	Richmond			
Foster	Lee	Roby			
Fox	Levin	Roe (TN)			
Frankel (FL)	Lewis (GA)	Rogers (AL)			
Franks (AZ)	Lewis (MN)	Rogers (KY)			
Frelinghuysen	Lieu, Ted	Rohrabacher			
Fudge	Lipinski	Rokita			
Gabbard	LoBiondo	Rooney, Francis			
Gaetz	Loeb sack	Rooney, Thomas			
Gallagher	Lofgren	J.			
Gallego	Long	Ros-Lehtinen			
Garamendi	Loudermilk	Rosen			
Gianforte	Love	Roskam			
Gibbs	Lowenthal	Ross			
Gohmert	Lowe	Rothfus			
Gomez	Lucas	Rouzer			
Gonzalez (TX)	Luetkemeyer	Roybal-Allard			
Goodlatte	Lujan Grisham,	Royce (CA)			
Gosar	M.	Ruiz			
Gottheimer	Luján, Ben Ray	Ruppersberger			
Gowdy	Lynch	Rush			
Granger	MacArthur	Russell			
Graves (GA)	Maloney,	Rutherford			
Graves (LA)	Carolyn B.	Ryan (OH)			
Graves (MO)	Maloney, Sean	Sanchez			
Green, Al	Marchant	Sanford			
Green, Gene	Marino	Sarbanes			
Griffith	Marshall	Schakowsky			
Grijalva	Mast	Schiff			
Grothman	Matsui	Schneider			
Guthrie	McCarthy	Schrader			
Gutiérrez	McCaull	Schweikert			
Hanabusa	McClintock	Scott (VA)			
Handel	McCollum	Scott, Austin			

NAYS—3

Amash Biggs Massie

NOT VOTING—11

Bridenstine DeGette Issa
Costa Duncan (TN) Scalise
Cramer Garrett Suozzi
Cummings Higgins (LA)

□ 1234

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SUOZZI. Mr. Speaker, I was unable to be present due to the funeral of my mother. Had I been present, I would have voted “Yea” on rollcall vote No. 441.

Mr. HIGGINS of Louisiana. Mr. Speaker, due to a delayed flight I was unable to return to D.C. in time for the first round of voting. Had I been present, I would have voted “yea” on rollcall No. 441 (H. Res. 502).

Ms. DEGETTE. Mr. Speaker, today I missed rollcall vote No. 441 due to family commitments. Had I been present, I would have voted “aye” to provide necessary relief for victims of Hurricane Harvey.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 2:15 p.m. today.

Accordingly (at 12 o'clock and 35 minutes p.m.), the House stood in recess.

□ 1415

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KATKO) at 2 o'clock and 15 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 3354, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 500 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 500

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-31, modified by Rules Committee Print 115-32 and the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or clause 5(a) of rule XXI are waived except as follows: beginning with the colon on page 327, line 22, through "crime" on page 328, line 2; beginning with the semicolon on page 535, line 12, through "(12 U.S.C. 3907(b)(2)).'" on page 536, line 14; and section 7080. Where points of order are waived against part of a section, points of order against a provision in another part of such section may be made only against such provision and not against the entire section.

SEC. 2. (a) No further amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(b) Each further amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided

by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of further amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 20 pro forma amendments each at any point for the purpose of debate.

SEC. 5. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 6. (a) During consideration of H.R. 3354, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa.

(b) This paragraph shall not apply to an amendment between the Houses.

SEC. 7. It shall be in order at any time through the legislative day of September 9, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 8. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of September 9, 2017.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of H.R. 3354, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018, also known as the Make America Secure and Prosperous Appropriations Act of 2018. The rule provides for 2 hours of debate equally divided and controlled by the chair and ranking member of the Appropriations Committee.

Mr. Speaker, the appropriations package in front of us is the second installment of the House's effort to pass all 12 appropriations bills on the floor for the first time since 2006. The overall package will consider the remaining eight bills, covering \$416.3 billion in total spending. It represents many months of work by the Appropriations Committee.

Today's rule covers four divisions of the bill: the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act; the Department of Homeland Security Appropriations Act; the Department of State, Foreign Operations, and Related Programs Appropriations Act; and the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

Together, these four divisions encompass \$168.2 billion of discretionary Federal spending. This represents a decrease of \$7.8 billion from fiscal year 2017, as Congress seeks to fulfill its obligation to the American people to be fiscally responsible stewards of the taxpayers' hard earned money.

Most importantly, it represents the next step in fulfilling the greatest responsibility we have as legislators: to fund the Federal Government and keep it open each year to provide our constituents the services they deserve while ensuring that we appropriately prioritize where and how to spend taxpayer dollars.

Mr. Speaker, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies division will provide approximately \$20 billion in appropriations, a decrease of \$870 million from fiscal year 2017. The division will fund critical programs for farmers and ranchers, which is of critical importance to my home State of Oklahoma.

The bill also supports conservative priorities, including language rolling back regulations that harm businesses, industries, farming and ranching operations, and rural and urban communities alike. In particular, the bill includes language allowing schools to get waivers from particularly problematic Obama administration regulations governing school lunches, and prevents the Commodities Futures Trading Commission from imposing harmful de minimis levels of trading activity that would force thousands of end users to comply with onerous regulatory requirements.

The bill also includes language changing the Food and Drug Administration's predicate date rules for premium cigars, e-cigarettes, and vaping products, thereby preventing the FDA from regulating these industries out of existence.

There is much to like in the Agriculture Appropriations division, and I look forward to considering the bill on the floor.

On the security side of the ledger, the Department of Homeland Security Appropriations division provides \$44.3 billion, an increase of \$1.9 billion over fiscal year 2017. Of importance, the bill provides \$7 billion for Immigration and Customs Enforcement, an increase of \$620 million. These funds will be used to enforce immigration laws and combat illegal immigration, which our constituents have repeatedly told us they oppose.

The bill provides \$13.8 billion for Customs and Border Patrol, an increase of \$1.6 billion, to ensure the continued security of our border. It also provides \$1.6 billion for physical barrier construction on the Southern border, thus fulfilling the first step of one of President Trump's key promises. It provides \$10.5 billion for the Coast Guard and supports FEMA's disaster relief fund at \$7.3 billion.

As with the earlier security appropriations package the House passed at the end of July, the funds in this division will help ensure America's national security and go a long way towards funding key Member priorities.

The State and Foreign Operations Appropriations division provides \$47.4 billion, a decrease of \$10 billion from fiscal year 2017. Even with this decrease, the committee has funded key priorities. Security assistance is funded at \$8.8 billion, and full funding is provided for battling international organized crime, antiterrorism programs, and combating cybercrime. The bill also fully funds the \$3.1 billion Memorandum of Understanding with Israel.

The Appropriations Committee has prioritized programs of importance and de-prioritized programs that are not in the best interests of the United States, such as reducing funding for the U.N. by \$939 million, eliminating all funding for UNESCO, and eliminating funding for the Global Climate Change Initiative.

In producing this division, the Appropriations Committee made difficult choices about the Nation's priorities, and made them well, and ensured that taxpayer dollars are going to the most important, critical, and efficient programs.

Finally, the Transportation, Housing and Urban Development, and Related Agencies Appropriations division provides \$56.5 billion, an increase of \$1.1 billion over fiscal year 2017. That number does not include \$45 billion also authorized to be spent by the highway

trust fund for America's highways. Of note, the bill provides \$16.6 billion for the Federal Aviation Administration, an increase of \$153 million, to maintain and promote air travel and security. This sum includes \$1 billion for so-called NextGen for more efficient air traffic control, and \$162 million for the contract tower program, a crucial safety net that covers many districts across the country, including facilities like Westheimer Airport in Norman, Oklahoma, as well as towers in Lawton and Ardmore in my own home district.

It provides \$38.3 billion in net discretionary funding to Housing and Urban Development. Critically, it sustains Section 8 and Public and Native American housing programs at \$27.5 billion. It also includes increases in funding for programs benefiting vulnerable citizens, including \$573 million for housing for the elderly, an increase of \$70.6 million over fiscal year 2017, and \$47 million for housing for Persons with Disabilities, an increase of \$800,000 over fiscal year 2017.

In all, T-HUD Appropriations covers important priorities and ensures that our Nation's housing and transportation infrastructure will be adequately funded to meet our needs.

Mr. Speaker, I encourage all my colleagues to support this rule and the underlying bill. The package before us represents a fulfillment of our most important responsibility as Members of Congress, and provides appropriate funding in four areas: Agriculture; State and Foreign Operations, Homeland Security, and Transportation and Urban Development.

I applaud my colleagues on the Appropriations Committee for their months of work in making this bill a reality, and I cheer their efforts on moving forward to the completion of the fiscal year 2018 appropriations process.

Mr. Speaker, I urge support of the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

□ 1430

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Oklahoma (Mr. COLE), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, I have nothing but the highest respect for my colleague from Oklahoma (Mr. COLE), and I know he wants this House to run better. But the fact of the matter is, I feel bad that he has to defend this lousy, restrictive, indefensible process.

As I said last night in the Rules Committee, regular order in this House is dead. The current Republican leadership has made it very clear that they have nothing but contempt for regular order, and today's appropriations package is only another example of that fact.

Instead of considering bills one by one, and allowing thoughtful debate and Member input, Republican leaders decided to call up eight appropriation bills all at once this week, and even set amendment deadlines while Members were back in their districts for the August work period.

Last night, in the Rules Committee, Republicans blocked 229 amendments from even coming to the floor on the four bills we are talking about today alone. Those are Democratic and Republican ideas that won't be heard and won't be debated. Who knows how many more they will block on the next set of appropriation bills?

That is not the open process that we were promised by Speaker RYAN. That is not regular order, my friends.

What is even worse than this terrible process is the substance of the bills that are being brought before us. They are filled with funding cuts and poison pill riders that attack women's health, attack poor people, attack healthcare rights; repeal important financial reforms that protect our constituents and our economy; undermine the Affordable Care Act; make our land, air, and water dirtier; make our roads less safe; and undermine important civil rights protections. I could go on and on and on and on.

These bills are political documents, Mr. Speaker. They are red meat for the Republican base which, I think, is at around 15 percent of the American people the last time I checked. That is right, Mr. Speaker, the majority's ideas are so unpopular that over three-quarters of the American people disapprove of what they are doing here today. That is not coming from any liberal or leftwing source. That poll was released last week by FOX News, you know, the network that you guys always watch.

We all know we will need a continuing resolution to avert a government shutdown on October 1, so why are we wasting the House's time on this partisan exercise when we should be dealing with the CR?

And oh, yes, we need to raise the debt ceiling, pass a budget, continue to fund hurricane relief, and so much more we need to do.

Mr. Speaker, I am sick and tired of playing to the extremes. I am sick and tired of this President picking a fight with a different group of people every week, constantly trying to divide Americans, rather than unite us for the common good.

And the latest target are the DREAMers. The DREAMers are our co-workers, our relatives, our neighbors, and our children's classmates. They have lived nearly their entire lives in America. They are part of the very fabric of our country.

The decision to end the Deferred Action for Childhood Arrivals, or DACA, is a cruel betrayal of their trust in the

United States. It needlessly and stupidly robs us of the enormous talents, hard work, and ingenuity of these 800,000 young people. Ending DACA is a lose-lose proposition for America and for us all.

President Trump vowed to show great heart in his decision and declared that DREAMers could rest easy. That is a lie, and that is a betrayal.

And shame on the Republican leadership of this House that has avoided making DACA a permanent program for nearly 7 years. Shame on the Republican Party for voting against the DREAM Act in 2010, even though it ultimately passed the House.

Shame on the Republicans in the Senate for blocking cloture in 2010, when it was clear that there were plenty of votes to pass the DREAM Act then. Shame on the Republican leadership of this House for not making DACA a permanent law when President Obama first initiated the program in 2012.

Shame on the House Republican leadership for failing to take up the Senate-passed comprehensive immigration bill for the past 4 years, which included DACA and a pathway to permanent residency and citizenship for the DREAMers and so many other immigrants caught in legal limbo in our country.

Shame on the Republican leadership for being such political cowards that they have failed time and time again to actually demonstrate leadership and resolve these problems.

800,000 young people, who are totally American in every way that matters, put their trust in the United States Government and in us here in this Congress, not just to protect them, but to be proud of them. They have been cruelly betrayed.

The memo issued yesterday by the Department of Homeland Security even says that they should be prepared to pack their bags and be deported to their countries of origin. But, Mr. Speaker, the simple truth is, America is their home.

It is unconscionable that the President pardoned radical racist Sheriff Arpaio, who actually is a criminal, while punishing 800,000 law-abiding, hardworking DREAMers.

I stand with the CEO of Microsoft and hundreds of other business leaders who said to the President: "To deport a DREAMer, you'll have to go through us."

I stand with the thousands of religious leaders, college and university presidents, mayors, State attorneys general, and civic leaders who demand that we reject the President's decision and have Congress pass the DREAM Act immediately. This Congress cannot and must not continue to fail these 800,000 young people.

This morning, this House passed emergency aid for Hurricane Harvey. A

DREAMer died in Houston attempting to rescue victims of the floodwaters. Another DREAMer, who is a Houston paramedic, and who worked night and day in rescue and relief efforts, just found out yesterday that his country, the only country he has ever known, has turned its back on him. Well, I refuse to turn my back.

Mr. Speaker, we all know that the DREAMers need a permanent legislative fix. We can do that this very day. If we defeat the previous question, I will offer an amendment to the rule to bring up Representative ROYBAL-ALLARD's bipartisan, bicameral bill, the DREAM Act. It is time to do what is right.

You know, earlier today, Speaker RYAN said: Well, we have time to work this out. Really?

The Speaker seems totally content to have 800,000 people continue to live with uncertainty and fear. I think that that is sad and that is cruel.

He also said: We need to develop some sort of compromise.

I don't know what he is thinking about. Maybe he is thinking about trying to add more border security money or add this stupid wall that the President keeps on talking about.

Well, here's the deal. There is nothing to compromise on. You either support the DREAMers or you don't. They are not political pawns. They are people like you and me and our kids. They deserve better from us. Stop screwing around with their lives.

Defeat the previous question. We can pass the DREAM Act today.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I want to begin by discussing process with my good friend from Massachusetts, where I think he makes some good points, but I think he fails to recognize the progress that this bill represents.

My good friend knows, because we have the privilege of working together on the Rules Committee, I have thought for many years, frankly, that we needed to get back to regular order. I remind this House the last time we actually operated under it in an appropriations process was in 2006. My friends were actually in the majority when we got rid of open rules on appropriations bills. My friends never brought all 12 appropriations bills to the floor and where they were subject to amendments by various Members.

I would agree with my friend, this is not a perfect process that we have. If I had my way, we would go back to the way we operated in 2006, before the last Democratic majority, actually bring the bills down individually and, frank-

ly, give every Member an open shot at amendment. I think that is the appropriate way to proceed.

Again, my friends thought differently when they were in the majority and never made a move to restore regular order—quite the opposite. We have actually fought to do that. We did have a period of open rules on appropriations bills. We didn't get every bill down here, I regret to say, but we got quite a few of them down. But my friends decided they would engage in poison pill tactics.

I regret, honestly, personally, that my conference gave into that; were more worried about casting tough votes. I think you are sent here to cast tough votes.

So I will make this commitment to my friend. I will continue to work with him and my colleagues on the other side of the aisle who would like to return to that process. However, I do recognize this is significant progress toward doing that.

This is the first time, since 2006, that all 12 bills, in one form or another, will reach this floor, and, frankly, every single Member has been free to offer amendments on any portion of those 12 bills that they care to. Now, not all of them were made in order by the Rules Committee, and I would hope we get past that again some day.

But, again, before my friends decry that too much, they need to remember the role they played in actually getting us out of that process.

I also would like to talk just briefly with my friend about his thoughts about DACA, and I am sure we will have a good discussion on that in the course of the day, and, honestly, I think the discussion is helpful.

But I think the President of the United States did the right thing when, number one, he recognized that he does not have the constitutional authority, something even his predecessor wondered about, to actually engage in law and put this issue back in the hands of the Congress. The Congress now has 6 months to deal with it. The Speaker has assured us that we will do that.

I think the appropriate way to proceed is to have the committee of jurisdiction actually hold hearings and move forward, but we will see which way we go. But I think there is a better chance for a long-term solution, as even my friend agrees, if we have a legislative fix to the problem. I think that will involve some give-and-take, but my hope is we will end up at a place where all parties are satisfied. But we will see. That is what the legislative process is all about.

Final point to make, Mr. Speaker, I think we need to recognize that what we are debating on here today, in terms of these four appropriations bills, and we will have another tranche of appropriations bills down here later, is actually a process.

What we are really doing today is defining the position of the majority party as to where it stands on funding the government. I don't expect my friends to agree with that. There will be elements of these bills that they agree with without a doubt. I don't think they will oppose a lot of things that we do in regard to T-HUD, or in regard to some of these other various programs that we will deal with.

But at the end of the day—and my side needs to recognize this—we are going to end up in a negotiation with the United States Senate and the administration some time probably after the 1st of October, and that negotiation has to be bipartisan.

As my friends know, the other body requires 60 votes, and that would mean there has to be Democratic participation. And quite frankly, the appropriations bills that have moved across the floor here in fiscal year 2015, fiscal year 2016, fiscal year 2017, have all been bipartisan. They have all been the product of negotiations.

At the end of the day—and I remind my friends, in May, a majority of them actually voted in favor of the omnibus spending bill for FY 2017 in the House and in the Senate, as did, by the way, a majority of Republicans in the House and Senate, and President Trump signed it. So we know how this process ends, and we know how to make it work appropriately. This is simply another step in the process.

It is my hope that, at the end of the day, we arrive at a bicameral, bipartisan process that actually funds the government, and we are able to accomplish, in concert with one another, things that we think are important to the American people. I have a great deal of confidence we will get there because that is what we have done the last 3 years. We are actually doing it a little better this year.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to say to my good friend from Oklahoma, who I respect a great deal, that if he wants to defend this process, he can go right ahead and do so. But I think most people watching this, the fact that two-thirds of all discretionary Federal spending is going to be decided in, like, a week's time, I don't think is a good process, and I don't think it is one that the American people have much confidence in.

I don't think it is reasonable to expect that any Member, really, has read all 1,305 pages of the eight bills that my friend is bringing to the floor, and I am not sure everybody has had time to read all the 970 amendments that were proposed—many of them that were not made in order by the Rules Committee. So this is not a process I think anybody wants to defend.

The final point I want to make with regard to the President's decision on DACA, as the gentleman knows, this Congress and the previous Congresses could have acted on this any time they wanted to. When the Democrats were in control here in the House, we did. We passed the DREAM Act. Unfortunately, many of you wouldn't support it, but it actually passed the House, and we had Republican obstructionism in the Senate.

Now, if you want a legislative fix, we have the solution for you. Vote "no" on the previous question, and we will bring up Ms. ROYBAL-ALLARD's bill to pass the DREAM Act. We will get this done today. We will actually have a day of consequence where we are doing something to help people in this country.

So, Mr. Speaker, as I said, I am going to ask my colleagues to defeat the previous question. We will then offer Representative ROYBAL-ALLARD's bipartisan, bicameral bill, H.R. 3440, the DREAM Act.

□ 1445

The legislation would help thousands of young people like the ones whose heroic stories my colleagues will highlight today and who are Americans in every way except on paper.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss our proposal, I yield 3 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD), the ranking member of the Homeland Security Appropriations Subcommittee.

Ms. ROYBAL-ALLARD. Mr. Speaker, the President's decision to rescind DACA brings heartbreak and fear to hundreds of thousands of young DREAMers who, regardless of their immigration status, are American in every way.

The President's senseless and cruel action is upending their lives and the lives of their families, and it is sending a chilling message to our immigrant communities.

It is unbelievable that we first introduced legislation to help DREAMers in 2001. That is 16 years ago. The fight to protect DREAMers has gone on for far too long. Defeating the previous question will enable us, today, to vote on the DREAM Act of 2017, which is a bipartisan, bicameral bill that will protect our Nation's DREAMers once and for all.

The fact is this is our chance, as Members of Congress, to fulfill our responsibility on this serious issue. For those of my colleagues who say they

support the DREAMers but that they believe that DACA is unconstitutional, this is your opportunity to help the DREAMers through the legislative process.

The DREAMers did not choose to circumvent American immigration laws, and they should not be punished for something they are not responsible for. Today, my Republican colleagues can provide relief to these young people by voting to bring the DREAM Act for a vote.

Protecting DREAMers is not only a moral issue, it is also an economic issue. The President's decision to end DACA strikes a vicious blow to our economy. Forcing hundreds of thousands of young people out of the workforce will disrupt businesses across our Nation. California, alone, stands to lose \$11.6 billion annually, and the U.S. stands to lose a cumulative \$460 billion in GDP over the next decade if DREAMers are removed from our economy.

As Members of Congress, we represent the American people, and the vast majority of Americans, regardless of their political affiliation, support our Nation's DREAMers.

I urge my colleagues to vote "no" on the previous question so we can pass the bipartisan, bicameral DREAM Act today to enable our DREAMers to continue contributing to our Nation without fear of deportation from the only country they know as home.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. LOFGREN) for the purpose of a unanimous consent request.

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Adam, a student at the University of California Santa Cruz majoring in mathematics.

The SPEAKER pro tempore. The Chair would advise that all time has been yielded for the purpose of debate only.

Does the gentleman from Oklahoma yield for the purpose of this unanimous consent request?

Mr. COLE. Mr. Speaker, I do not yield.

The SPEAKER pro tempore. The gentleman from Oklahoma does not yield; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. RUIZ) for the purpose of a unanimous consent request.

Mr. RUIZ. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Mithi, who attends the David Geffen School of Medicine at UCLA and dreams of saving thousands of lives.

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield for

the purpose of this unanimous consent request?

Mr. COLE. Mr. Speaker, I am reiterating my earlier announcement that all time yielded is for the purpose of debate only, and I will not yield for any other purpose.

The SPEAKER pro tempore. The gentleman from Oklahoma does not yield; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New York (Ms. VELÁZQUEZ) for the purpose of a unanimous consent request.

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Cristel, an attorney who came to this country when she was only 9 years old.

The SPEAKER pro tempore. The Chair understands that the gentleman from Oklahoma has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Hawaii (Ms. GABBARD) for the purpose of a unanimous consent request.

Ms. GABBARD. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Shingai, who came to the U.S. when he was 13, graduated with a political science degree from Hawaii Pacific University, and is putting that degree into practice today.

The SPEAKER pro tempore. The Chair understands that the gentleman from Oklahoma has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Arizona (Mr. GRIJALVA) for the purpose of a unanimous consent request.

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Juan, who graduated from Arizona State University and is currently working as a mechanical engineer.

The SPEAKER pro tempore. The Chair understands that the gentleman from Oklahoma has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from the Northern Mariana Islands (Mr. SABLÁN) for the purpose of a unanimous consent request.

Mr. SABLÁN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Riya, who grow up pledging allegiance to our flag, and who has worked for two Members of this Congress.

The SPEAKER pro tempore. The Chair understands that the gentleman from Oklahoma has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. CORREA) for the purpose of a unanimous consent request.

Mr. CORREA. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, in honor of DREAMer Marine Corporal Jose Angel Garibay, the first from Orange County to be killed in combat in the Iraq Desert.

The SPEAKER pro tempore. The Chair understands that the gentleman from Oklahoma has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. ESPAILLAT) for the purpose of a unanimous consent request.

Mr. ESPAILLAT. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect New York DREAMers like Lisette, who graduated from Harvard with honors thanks to DACA. We are here to stay—*aquí estamos y nos quedamos*.

The SPEAKER pro tempore. The Chair understands that the gentleman from Oklahoma has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. CARBAJAL) for the purpose of a unanimous consent request.

Mr. CARBAJAL. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DACA recipients like Gerardo, a computer programmer in Santa Barbara, who has grown up, gone to school, and worked in the United States for the past 13 years.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. THOMPSON) for the purpose of a unanimous consent request.

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Fernando, who is a doctoral student at UC San Francisco thanks to DACA.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. PANETTA) for the purpose of a unanimous consent request.

Mr. PANETTA. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect the 20,000 DREAMers in my district on the central coast of California like Adam, a student at the University of California Santa Cruz majoring in mathematics.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. MCNERNEY) for the purpose of a unanimous consent request.

Mr. MCNERNEY. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Felipe, who works at Microsoft Bing, Skype, and at Doppler Labs, a San Francisco startup.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. MATSUI) for the purpose of a unanimous consent request.

Ms. MATSUI. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Eduardo, a student at UC Davis.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for the purpose of a unanimous consent request.

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect New Jersey DREAMERS like Christian, who arrived when he was 7 years old and is a researcher at the Icahn School of Medicine.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Texas (Mr. GENE GREEN) for the purpose of a unanimous consent request.

Mr. GENE GREEN of Texas. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Jesus Contreras, who as a DACAmended paramedic worked 6 days straight after Hurricane Harvey. Jesus rescued people from flood waters and transported them to local hospitals. Jesus deserves our support.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

As the Chair advised on previous occasions, such as January 15, 2014, and March 26, 2014, even though a unanimous consent request to consider a measure is not entertained, embellishments accompanying such requests constitute debate and will become an imposition on the time of the Member who yielded for that purpose.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. NADLER) for the purpose of a unanimous consent request.

Mr. NADLER. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect New York DREAMers like Jessica, who has been in this country since she was two and hopes to become a doctor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. AGUILAR) for the purpose of a unanimous consent request.

Mr. AGUILAR. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Maria, who is the coordinator of the DREAMers Resource Success Center at Cal State San Bernardino.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Guam (Ms. BORDALLO) for the purpose of a unanimous consent request.

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Christine, who arrived in my home district of the territory of Guam as a child and is now a registered nurse saving lives and caring for our community on Guam thanks to DACA.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. LAWRENCE) for the purpose of a unanimous consent request.

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Ola, a University of Michigan pre-med student who aspires to be a surgical oncologist.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from the District of Columbia (Ms. NORTON), who deserves a vote in this House, for the purpose of a unanimous consent request.

Ms. NORTON. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Ricardo, who arrived when he was 4 and is studying to be a prosecutor to help fight crime.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Florida (Mr. SOTO) for the purpose of a unanimous consent request.

Mr. SOTO. Mr. Speaker, I ask for unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Juan, who obtained a master's degree from our Florida State University and works in digital advocacy.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California

(Ms. BROWNLEY) for the purpose of a unanimous consent request.

Ms. BROWNLEY of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Martha, who graduated from Cal State University Channel Islands and now is on staff there supporting students.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Mrs. TORRES) for the purpose of a unanimous consent request.

Mrs. TORRES. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like my former intern, Luis, who came to this country when he was 6 years old.

□ 1500

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. TAKANO) for the purpose of a unanimous consent request.

Mr. TAKANO. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect California's DREAMers like Luceyda, who at age 31 hasn't been home to Mexico in 27 years because this is her home.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), who is the head of the Congressional Hispanic Caucus, for the purpose of a unanimous consent request.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Vanessa, a DREAMer from New Mexico, who dreams of becoming a doctor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. SÁNCHEZ) for the purpose of a unanimous consent request.

Ms. SÁNCHEZ. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Nadia, who received a master's degree in public health from UC Davis.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Arizona (Mr. GALLEGU) for the purpose of a unanimous consent request.

Mr. GALLEGU. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect

DREAMers like Vasthy, who attends Arizona State University and aspires to become a science teacher.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. JUDY CHU) for the purpose of a unanimous consent request.

Ms. JUDY CHU of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Alfonso, who is in his third year at Western State College of Law in Orange County.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE) for the purpose of a unanimous consent request.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Deyanira, a DACA recipient, who is in my State, who is majoring in neuroscience at the University of Texas at Austin.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. BARRAGÁN) for the purpose of a unanimous consent request.

Ms. BARRAGÁN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Elaine, who is studying for her master's in public health at UCLA.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Mrs. NAPOLITANO) for the purpose of a unanimous consent request.

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Sayra, from California, who is pursuing her MBA.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI), the Democratic leader, for the purpose of a unanimous consent request.

Ms. PELOSI. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect California DREAMers like Monica, a college student who has started her own business.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. LOWENTHAL) for the purpose of a unanimous consent request.

Mr. LOWENTHAL. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Eduardo, a UCLA student and an anti-bullying activist.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. CARTWRIGHT) for the purpose of a unanimous consent request.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Pennsylvania DREAMers like Jazmin here, who aspires to become an attorney.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO) for the purpose of a unanimous consent request.

Mr. TONKO. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Daniel, a first-generation college student.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. HUFFMAN) for the purpose of a unanimous consent request.

Mr. HUFFMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect California DREAMers like Oscar, who says that DACA has allowed him to go to school, to work, and has made him feel free.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY) for the purpose of a unanimous consent request.

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Monica, an Illinois DREAMer with a nursing degree, who has dedicated her life to taking care of others.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Massachusetts (Ms. TSONGAS), my colleague, for the purpose of a unanimous consent request.

Ms. TSONGAS. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Massachusetts DREAMers like Andres, who is working as an engineering technologies consultant.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr.

TED LIEU) for the purpose of a unanimous consent request.

Mr. TED LIEU of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Karina from my home State of California. She currently works in the biotech industry.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Arizona (Mr. O'HALLERAN) for the purpose of a unanimous consent request.

Mr. O'HALLERAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Riccy, a mother of two, who was recently arrested and detained despite having DACA.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO) for the purpose of a unanimous consent request.

Ms. DELAURO. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, which would protect DREAMers like Gladys. She has been able to buy a home and a car with her healthcare job.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Michigan (Mr. KILDEE) for the purpose of a unanimous consent request.

Mr. KILDEE. Mr. Speaker, I respectfully request unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Michigan DREAMers like Jonathan, who aspires one day to help the SpaceX and NASA space programs.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Colorado (Mr. POLIS), my colleague on the Rules Committee, for the purpose of a unanimous consent request.

Mr. POLIS. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, for Johana. She graduated from the University of Colorado and went on to medical school, and we need to bring this bill up for her.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Maryland (Mr. RASKIN) for the purpose of a unanimous consent request.

Mr. RASKIN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Fatima, whose young brothers—exceptional soccer talents in Montgomery County, Maryland—were deported over a great public protest just last month.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. NOLAN) for the purpose of a unanimous consent request.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect a young woman from the Midwest like Amy, who works as a user experience designer in a technology company in Illinois.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentleman from Texas (Mr. CASTRO) for the purpose of a unanimous consent request.

Mr. CASTRO of Texas. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect Julia, who joined Teach For America and is a middle school teacher in San Antonio, Texas, my hometown.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I know we have a new manager on the Republican side. Maybe he will yield for a unanimous consent request.

The SPEAKER pro tempore. Without objection, the gentleman from Georgia (Mr. WOODALL) will control the time of the gentleman from Oklahoma (Mr. COLE).

There was no objection.

Mr. WOODALL. Will the gentleman yield?

Mr. MCGOVERN. I am happy to yield to the gentleman.

Mr. WOODALL. I appreciate the gentleman yielding.

I was not here for opening statements. I imagine that all time was yielded for the purpose of debate only.

Mr. MCGOVERN. Mr. Speaker, we just want to bring up the DREAM Act so we can resolve this issue today, but I am hoping that the gentleman would be more favorable than his predecessor.

Mr. Speaker, I yield to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for the purpose of a unanimous consent request.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding, and I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect young people like Isabelle, a DREAMer who graduated from Baruch College in New York and now works to help low-income veterans recuperate and get better. Thanks to DACA, she was able to do this.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Time will be deducted from the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Texas (Mr. AL

GREEN) for the purpose of a unanimous consent request.

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Daniel, who arrived at the age of 2 and graduated from the University of North Texas.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. SPEIER) for the purpose of a unanimous consent request.

Ms. SPEIER. Mr. Speaker, I thank the gentleman for yielding.

I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Mariella. She is a Ph.D. student at UC Irvine. It is time.

The SPEAKER pro tempore (Mr. TROTT). As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentleman from New York (Mr. SERRANO) for the purpose of a unanimous consent request.

Mr. SERRANO. Mr. Speaker, I thank the gentleman for yielding.

I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect New York DREAMers like Mila, who is able to go to college, get a job, and get a driver's license thanks to DACA.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON) for the purpose of a unanimous consent request.

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Rey, a priest at the Cathedral of Christ the King in Atlanta.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Nevada (Ms. TITUS) for the purpose of a unanimous consent request.

Ms. TITUS. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Victor, who arrived when he was 7 years old and now works as an IT support analyst.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER), our distinguished whip, for the purpose of a unanimous consent request.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I ask unanimous consent, in order to carry out the Speaker's expressed intent, to bring up H.R.

3440, the DREAM Act, to protect DREAMers like Jean, who studies at the University of Maryland and is a credit to that institution, a credit to our State, and a credit to our country.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Time will be deducted from the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from 18 evangelical religious leaders and other religious leaders in opposition to President Trump's decision to end DACA.

SEPTEMBER 4, 2017.

A LETTER FROM FAITH LEADERS AND
EVANGELICALS FOR BIBLICAL IMMIGRATION
(.COM)

President DONALD J. TRUMP,

The White House,

Majority Leader MITCH MCCONNELL,

Speaker of the House PAUL RYAN.

HONORABLE PRESIDENT TRUMP, MAJORITY
LEADER MCCONNELL AND SPEAKER RYAN: We
agree that immigration reform and DACA
are difficult subjects. God loves the foreigner. Indeed, God loves us all. It takes time to discern the balance of mercy and justice by which a nation thrives.

It is easier to speak publically of mercy, as we, and many, do. And, while loving mercy, who will also stand for justice to those citizens who cannot find a job due to cheaper foreign labor? Who will speak of the real cost of illegal immigration to our states? And while many non-citizens are good neighbors, who will stand for justice for Americans victimized by people here illegally who do not uphold our values and laws? And who will prevent more needless crime and death?

The Church is called to serve all people, and our Government leaders are elected to defend and uphold the Constitution and the rule of law. Though there are tragic stories on every side of illegal migration, for our elected officials, responsibility to oaths must prevail. Law and order sustain stability and peace. A nation of wise rule grows strong enough to sustain care for the vulnerable in our midst.

While some faith groups use selective Bible words for open borders and amnesty, we consider the whole counsel of Scripture. We find that the Bible does not teach open borders, but wise welcome. We are to welcome the lawful foreigner, who, like a convert, comes as a blessing (eg.s Ruth and Rahab) We also find Nehemiah building walls to protect citizens from harm. In Isaiah 1, we see God condemning the destruction of borders and indigenous culture.

All lives matter. The lives of North, Central and South Americans matter. The lives of Africans, Asians, Europeans and people from the Middle East matter. In Scripture, we learn that God placed us each in a family, a land, an epic story of creation, the fall and redemption. The Bible envisions a world of beautiful and unique nations, not a stateless "open society" run by global oligarchs. Each of us is called to be a blessing where God has placed us in the world.

In policy decisions ahead, while treating undocumented people kindly, we ask that you would first and foremost honor often forgotten American citizens whose families have served our nation for many generations, and the patient people who have applied lawfully to come here and to become citizens of the United States. These lives also matter. These people also dream. Gratefully Yours,

Names are listed alphabetically and for identification purposes only.

David Barton, Founder, WallBuilders;
Timothy Barton, President,
WallBuilders; Paul Blair, President,
Reclaiming America for Christ; Lt.
Gen. William G. Boykin (Ret.), Executive
Vice President, Family Research
Council; Mark Christian M.D., Executive
Director, Global Faith Institute;
Phil Cohn, President, Christ for All
Peoples; Steven Deace, CRTV host and
Conservative Review contributor;
Maria Espinoza, Co-founder & National
Director, The Remembrance Project;
Becky Gerritson, President, Wetumpka
TEA Party (AL), Founder, Born Free
American, LLC; E.W. Jackson, Bishop;
Founder, Exodus Faith Ministries;
Jerry Johnson, Ph.D, President, National
Religious Broadcasters (NRB);
Kelly Kullberg, American Association
of Evangelicals (AAE); Eric Metaxas,
Host of The Eric Metaxas Show; Samuel
Rohrer, Pastor; President, American
Pastors Network (APN), Former
State Representative, Pennsylvania;
Rick Scarborough, Ph.D, Founder, Vision
America Action; Aubrey Shines,
Bishop, International Communion of
Evangelical Churches Pastor, Glory to
Glory Ministries, Tampa, Florida; Elizabeth
Yore, Esq., International Child
Advocate; John Zmirak, Ph.D, Journalist;
author, The Politically Incorrect
Guide to Catholicism.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter signed by 20 State attorneys general in strong opposition to what the President has done.

STATE OF CALIFORNIA,
OFFICE OF THE ATTORNEY GENERAL,
Sacramento, CA, July 21, 2017.

Re June 29, 2017 letter from Ken Paxton re
Texas, et al., v. United States, et al.,
Case No. 1:14-cv-00254 (S.D. Tex.).

Hon. DONALD J. TRUMP,
*President of the United States, The White
House, Washington, DC.*

DEAR MR. PRESIDENT: We write to urge you to maintain and defend the Deferred Action for Childhood Arrivals program, or DACA, which represents a success story for the more than three-quarters of a million "Dreamers" who are currently registered for it. It has also been a boon to the communities, universities, and employers with which these Dreamers are connected, and for the American economy as a whole.

Since 2012, nearly 800,000 young immigrants who were brought to this country as children have been granted DACA after completing applications, submitting to and passing a background check, and applying for a work permit. In the case of young adults granted DACA, they are among our newest soldiers, college graduates, nurses and first responders. They are our neighbors, coworkers, students and community and church leaders. And they are boosting the economies and communities of our states every day. In fact, receiving DACA has increased recipients' hourly wages by an average of 42 percent and given them the purchasing power to buy homes, cars and other goods and services, which drives economic growth for all.

In addition to strengthening our states and country, DACA gives these bright, driven young people the peace of mind and stability to earn a college degree and to seek employment that matches their education and training. The protection afforded by DACA

gives them dignity and the ability to fully pursue the American dream. For many, the United States is the only country they have ever known.

The consequences of rescinding DACA would be severe, not just for the hundreds of thousands of young people who rely on the program—and for their employers, schools, universities, and families—but for the country's economy as a whole. For example, in addition to lost tax revenue, American businesses would face billions in turnover costs, as employers would lose qualified workers whom they have trained and in whom they have invested. And as the chief law officers of our respective states, we strongly believe that DACA has made our communities safer, enabling these young people to report crimes to police without fear of deportation.

You have repeatedly expressed your support for Dreamers. Today, we join together to urge you not to capitulate to the demands Texas and nine other states set forth in their June 29, 2017, letter to Attorney General Jeff Sessions. That letter demands, under threat of litigation, that your Administration end the DACA initiative. The arguments set forth in that letter are wrong as a matter of law and policy.

There is broad consensus that the young people who qualify for DACA should not be prioritized for deportation. DACA is consistent with a long pattern of presidential exercises of prosecutorial discretion that targeted resources in a constitutional manner. Indeed, as Justice Antonin Scalia recognized in a 1999 opinion, the Executive has a long history of “engaging in a regular practice . . . of exercising [deferred action] for humanitarian reasons or simply for its own convenience.” *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 483–84 (1999). DACA sensibly guides immigration officials’ exercise of their enforcement discretion and reserves limited resources to address individuals who threaten our communities, not those who contribute greatly to them.

Challenges have been brought against the original DACA program, including in the Fifth Circuit, but none have succeeded. On the other hand, in a case relating to Arizona’s efforts to deny drivers’ licenses to DACA recipients, the Ninth Circuit stated that it is “well settled that the [DHS] Secretary can exercise deferred action.” *Ariz. Dream Act Coalition v. Brewer*, 855 F.3d 957, 967–968 (9th Cir. 2017). The court also observed that “several prior administrations have adopted programs, like DACA, to prioritize which noncitizens to remove.” *Id.* at 976.

As the Fifth Circuit was careful to point out in its ruling in the Texas case, the Deferred Action for Parents of Americans and Lawful Permanent Residents (“DAPA”) initiative that was struck down is “similar” but “not identical” to DACA. *Texas v. United States*, 809 F.3d 134, 174 (5th Cir. 2015). Indeed, as DHS Secretary Kelly pointed out in a press conference the day after his June 15 memorandum explaining that DACA would continue, DACA and DAPA are “two separate issues,” appropriately noting the different populations addressed by each program. Notably, only a fraction of the 25 states which joined with Texas in the DAPA case before the Supreme Court chose to co-sign the letter threatening to challenge DACA.

Among other significant differences, DACA has been operative since 2012 while DAPA never went into effect. More than three-quarters of a million young people, and their employers, among others, have concretely

benefitted from DACA, for up to five years. The interests of these young people in continuing to participate in DACA and retain the benefits that flow from DACA raise particular concerns not implicated in the pre-implementation challenge to DAPA. Further, the Fifth Circuit placed legal significance on the “economic and political magnitude” of the large number of immigrants who were affected by DAPA, Texas, 809 F.3d at 181; thus, it is notable that many fewer people have received DACA (about 800,000) than would have been eligible for DAPA (up to 4.3 million).

One additional, but related, issue concerns DHS’s current practices regarding DACA recipients. A number of troubling incidents in recent months raise serious concerns over whether DHS agents are adhering to DACA guidelines and your repeated public assurances that DACA-eligible individuals are not targets for arrest and deportation. We urge you to ensure compliance with DACA and consistent enforcement practices towards Dreamers.

Mr. President, now is the time to affirm the commitment you made, both to the “incredible kids” who benefit from DACA and to their families and our communities, to handle this issue “with heart.” You said Dreamers should “rest easy.” We urge you to affirm America’s values and tradition as a nation of immigrants and make clear that you will not only continue DACA, but that you will defend it. The cost of not doing so would be too high for America, the economy, and for these young people. For these reasons, we urge you to maintain and defend DACA, and we stand in support of the effort to defend DACA by all appropriate means.

Sincerely,

Xavier Becerra, California Attorney General; George Jepsen, Connecticut Attorney General; Matthew Denn, Delaware Attorney General; Karl A. Racine, District of Columbia Attorney General; Douglas S. Chin, Hawaii Attorney General; Lisa Madigan, Illinois Attorney General; Tom Miller, Iowa Attorney General; Janet T. Mills, Maine Attorney General; Brian Frosh, Maryland Attorney General; Maura Healey, Massachusetts Attorney General; Lori Swanson, Minnesota Attorney General; Hector Balderas, New Mexico Attorney General; Eric T. Schneiderman, New York Attorney General; Josh Stein, North Carolina Attorney General; Ellen F. Rosenblum, Oregon Attorney General; Josh Shapiro, Pennsylvania Attorney General; Peter Kilmartin, Rhode Island Attorney General; TJ Donovan, Vermont Attorney General; Mark Herring, Virginia Attorney General; Bob Ferguson, Washington State Attorney General.

Mr. McGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Speaker, how did we get here? In December of 2010, the House passed the DREAM Act right here on this floor. Almost all of the Democrats voted for it, and a handful of Republicans, too. The goal was to legalize immigrants who had grown up in the U.S., achieved education, and had no way of getting legalization status unless Congress took action.

Way back in 2001, I had introduced the first bill to legalize immigrant youth. So it took almost 10 years until

it passed in the House in 2010. And later that same week, there was a vote in the Senate. Fifty-five out of 100 Senators voted for cloture on the DREAM Act to legalize the status of undocumented immigrant youth.

We know you need 60 votes in the Senate to move something forward, so the DREAM Act was blocked, even though it had a majority of the votes of the Senators because of a filibuster led by Republicans.

□ 1515

Not just any Republican led the filibuster, but the leader of the opposition to the DREAM Act was none other than the Attorney General of the United States, Jeff Sessions. So yesterday the President, unwilling to go out to the cameras and announce he was killing the DACA program himself, sent Jeff Sessions out to tell 800,000 immigrants: We don’t want you here anymore.

Included in that announcement was a halfhearted sales pitch for Congress to pass legislation. But remember, when Sessions had a chance to do exactly that, he led the fight to stop it. That is hypocrisy on steroids. So President Obama finally took the only action he could take 2 years later and crafted a narrowly defined program call DACA that has never been successfully challenged in court.

DACA recipients are teachers, nurses, and one is even a Chicago policeman who straps on his gun and badge to protect people every day in my city of Chicago. During Hurricane Harvey, DREAMers with DACA were first responders and volunteers and those who gave their lives to save others, like Alonso Guillen of Lufkin, Texas.

Look, we want a clean DREAM Act, an up or down vote.

Democrats, let’s be clear. This is a crisis that requires swift passage of legislation to fix it, as big a priority as anything else we need to pass this month. Our votes are needed on the debt ceiling, Democrats, and on this bill and on the CR. What are we getting for our votes, Democrats?

When the CEO of Microsoft says that you can only take my DREAMers with DACA by coming first through me, that is a challenge to every policymaker in this Chamber and especially to my Democratic colleagues.

When will we throw down and say: No, you cannot have our votes unless you give us the DREAM Act? When, Democrats?

When will we say: You cannot have our vote unless we can bring 800,000 young lives along with us? When, Democrats?

Let’s demand a vote on the DREAM Act. We can pass it right here, right now, and give our young people, the future of our Nation, the safety and security they need and deserve to contribute to the United States of America.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. GUTIERREZ. It is the only country they have known. They are American in everything but a piece of paper, and we should all be ashamed of ourselves by not allowing a vote. 800,000 young people, once, twice, three times registered with the government, and what do they get? Six months. Pack your bags and leave.

They have pledged allegiance to only one flag, the United States of America and this country. This cowardly action turns its back on them. I say no CR. I say no debt ceiling. Let's have a vote first on the DREAM Act.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I don't think my colleague is confused about where he is on this issue, and I don't think any amount of talking on the floor is going to change his mind on this issue. I would say that the underlying bill, which makes in order over 140 amendments so that we can have a conversation about different ideas and different outcomes and lets the people's voice be heard, is the right way to craft legislation. With the support of this body and this bill, we will move on to that underlying debate, and we will have that voice heard.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is interesting that the gentleman neglected to mention that there were 227 amendments, Democratic and Republican amendments, that were denied yesterday. The frustration that we have over here is that we are going through an exercise with these appropriations bills knowing that they are going nowhere and that we are going to have to deal with a short-term continuing resolution, and there will probably be a big omnibus that will be passed at the end and which might not reflect any of the deliberations that we are doing on the appropriations matters in the next couple of days.

It is a little bit frustrating because we have other things to do. What we are saying is let's make this week a week of consequence, and let us bring up the DREAM Act.

President Trump did something horrible yesterday. He basically pulled the rug right from underneath 800,000 good, decent, and law-abiding people, citizens in this country, good people who are American in every way except they don't have a piece of paper. They were brought here, in many instances, when they were infants. They now have businesses, are leading relief efforts in Texas, and serve in our military. And he pulled the rug right from underneath them all. It is a cruel, awful, and nasty thing to do.

Listening to the rationale of this White House, this kind of schizophrenic tirade that we have seen unfold where 1 minute he is against the DREAMers, then he loves the DREAMers, then he is against the DREAMers, then he loves them, all of this kind of rambling that we have seen out of the White House hasn't changed the fact that he has thrown 800,000 lives in turmoil. People now have to live in fear and in uncertainty, and it is just a rotten thing to do. What we are saying is let's fix it.

My friends say they didn't like what President Obama did through executive order. We tried to legislate. We did, in 2010, pass the DREAM Act here in the House. Republicans did their best to make sure we couldn't bring it to the floor in the Senate, but we tried that way. Then President Obama, thank goodness, stepped up to the plate and put forward an executive order which has protected 800,000 people.

My friends say that they like the DREAMers and they want to help them. Well, let's help them. You guys are in charge. You can do anything you want. All we are asking for is a vote—that is it, a vote. The way we can ensure a vote is to defeat the previous question so we can bring up the DREAM Act.

If you don't have the courage to bring it up yourself, then vote to defeat the previous question and we will bring it to the floor. We will have the debate, and you can vote any way you want.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President, and to direct their remarks to the Chair.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to thank you for that admonition.

Mr. Speaker, these are very serious issues that my friends on the other side were trying to have a debate on the appropriations bills. My friends have a very legitimate concern about an immigration issue, characterized with terms like "cruel" and "nasty" and "rotten" and "no courage."

I would say to my friends we can try to belittle each other into a compromise. I have not seen that work before. We can try to insult each other into a solution. I have not seen that work before.

I have seen my colleagues coming down the other side of the aisle, Mr. Speaker, one after the other to tell a compelling story about a man or a woman they know who they believe would make an amazing United States citizen, who they believe would add value to our communities, and who they believe is serving admirably in our church and is working admirably in our community. They have a story to tell, and they should tell it.

Guess what? I have got a few of those stories to tell myself. But I would say to my friends, I don't believe, Mr. Speaker, that the insults and the acrimony are going to get us where any of us wants to be.

For my friends who believe differently, I would tell you I think we have tried that path before, and it didn't take us where we want to go.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am sorry that my friend doesn't like words like "cruel" when it comes to the President's actions with regard to the DREAMers.

A man named Jesus Contreras, a Houston paramedic, helped rescue flood victims after the storm, Harvey, hit Texas. Now he faces deportation if stripped of his DACA protections. I don't know what you call that. I call it cruel. I can't imagine why anybody would want to take away this man's ability to be able to live his life in the only country he knows, a man who is saving lives.

This is just one of many stories. We are telling these stories because we are hoping that maybe it might move some of my friends on the other side of the aisle. Maybe it might move the leadership to allow us to schedule a vote and actually fix this and remove the level of uncertainty and fear that, now, 800,000 people have to deal with because of what the President did yesterday and because of the inaction, over the years, of this Congress.

Mr. Speaker, I yield to the gentlewoman from California (Ms. LEE) for the purpose of a unanimous consent request.

Ms. LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 3440, the DREAM Act, to protect DREAMers like Laura Flores, who are just as American as you and me.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR) for the purpose of a unanimous consent request.

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to include in the RECORD a letter of support for revoking President Trump's threat to deny 800,000 DREAMers legal status in this country and to support his executive order affirming DACA for so many young people across this Nation—4,400 in Ohio, for example—who are following the rules, who came here as children, who are Americans as apple pie and only want a chance to succeed in our country like Linda who was brought here from Palestine when she was 8 years old. She is studying now in our area in a very difficult STEM program and is working her way through college through Work-Study in order to

make a firm contribution to our Nation in the future and to the future of whatever family she establishes.

Why should they be denied this opportunity and made to feel so put upon by the Government of the United States?

AUGUST 14, 2017.

President DONALD J. TRUMP,
The White House,
Washington, DC.

DEAR PRESIDENT TRUMP: As immigration law teachers and scholars, we write to express our position that the executive branch has legal authority to implement Deferred Action for Childhood Arrivals (DACA 2012). This letter provides legal analysis about DACA 2012. In our view, there is no question that DACA 2012 is a lawful exercise of prosecutorial discretion. Our conclusions are based on years of experience in the field and a close study of the U.S. Constitution, administrative law, immigration statutes, federal regulations and case law. As the administration determines the future of DACA 2012, understanding its legal foundation and history is critical.

DACA 2012 was announced by the President, and implemented in a memorandum by the Secretary of Homeland Security, on June 15, 2012. It enables qualifying individuals to request a temporary reprieve from removal known as “deferred action.” Deferred action is one form of prosecutorial discretion in immigration law and has been used for decades by the Department of Homeland Security (DHS) (and formerly the Immigration and Naturalization Service (INS)) and over several administrations.

Whether a requesting individual receives deferred action under DACA 2012 is at the discretion of DHS. Qualifying individuals may request DACA 2012 if they came to the United States before the age of sixteen; are currently in school or have graduated; have continuously resided in the United States since June 15, 2007; have not been convicted of a felony, “significant misdemeanor,” or three or more non-significant misdemeanors; do not otherwise pose a threat to public safety or national security; and otherwise warrant protection as a matter of discretion. Individuals who are granted DACA 2012 receive a two-year period in deferred action and also gain eligibility to apply for employment authorization.

The legal authority for DACA 2012 originates from the U.S. Constitution. Article II, Section Three (the Take Care Clause) states in part that the President “shall take Care that the Laws be faithfully executed.” Inherent in the function of the “Take Care Clause” is the ability of the President to target some immigration cases for removal and to use prosecutorial discretion favorably in others. As described by the U.S. Supreme Court: “[W]e recognize that an agency’s refusal to institute proceedings shares to some extent the characteristics of the decision of a prosecutor in the Executive Branch not to indict—a decision which has long been regarded as the special province of the Executive Branch, inasmuch as it is the Executive who is charged by the Constitution to ‘take Care that the Laws be faithfully executed.’”

As early as 1976, former INS General Counsel Sam Bernsen executed a legal opinion that identified the Take Care Clause as the primary source for prosecutorial discretion in immigration matters. He wrote: “The ultimate source for the exercise of prosecutorial discretion in the Federal Government is the power of the President. Under Article

II, Section 1 of the Constitution, the executive power is vested in the President. Article II, Section 3, states that the President ‘shall take care that the laws be faithfully executed.’”

The U.S. Supreme Court has also recognized the role of prosecutorial discretion in the immigration system. In *Arizona v. United States*, the Court noted that “[a] principal feature of the removal system is the broad discretion exercised by immigration officials . . . Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all . . .”

Congress created the Immigration and Nationality Act (the Act or INA) in 1952 and it remains the primary statutory authority for immigration law today. Importantly, Congress has delegated most discretionary immigration functions to DHS. Section 103 of the Act provides that “[t]he Secretary of Homeland Security shall be charged with the administration and enforcement of this Act and all other laws relating to the immigration and naturalization of aliens . . .”

Congress has repeatedly acknowledged that the Executive has power to grant “deferred action” for certain categories of people such as victims of crimes and human trafficking. Additionally, previous administrations have announced deferred action programs to protect qualifying individuals. For example, under the George W. Bush administration, U.S. Citizenship and Immigration Services (part of DHS) announced a deferred action program for students affected by Hurricane Katrina and later developed a program for the widows of U.S. citizens. Moreover, Congress also recognized legal authority for immigration prosecutorial discretion in INA §242(g), which bars judicial review of three specific prosecutorial discretion decisions by the agency: to commence removal proceedings, to adjudicate cases, and to execute removal orders.

Another important legal source for deferred action is Title 8 of the Code of Federal Regulations. Section 274a.12(c)(14) dates to 1981 and is the product of notice and comment rulemaking. This regulation specifically identifies deferred action by name and allows individuals granted deferred action to apply for work authorization upon a showing of “economic necessity.” Over the last two decades, thousands of individuals have applied for and received work authorization based on a deferred action grant.

There are also agency guidance documents related to deferred action issued by DHS (and formerly INS) over the last four-plus decades. The 1976 legal opinion by former INS General Counsel Sam Bernsen cites to the Take Care Clause of the U.S. Constitution, as well as statutory and case law from as early as 1825 to affirm the exercise of prosecutorial discretion in immigration. It was around this time when INS published its first guidance on deferred action in the form of an “Operations Instruction.” This “Operations Instruction” stated “(ii) Deferred action. In every case where the district director determines that adverse action would be unconscionable because of the existence of appealing humanitarian factors, he shall recommend consideration for deferred action category.” Since 1975, deferred action has been identified in several subsequent guidance documents. Guidance documents are common in administrative law and are a recognized form of agency action under the Administrative Procedure Act.

At tension with the aforementioned body of law is a letter sent by ten state Attorneys General to the administration requesting

that DACA 2012 be rescinded. This letter refers to DACA 2012 as “unlawful” and does so without citing to the foundational legal authorities behind deferred action. Furthermore, the letter conflates deferred action, “lawful presence” and work authorization in ways that are legally unsound and unclear. Finally, the letter itself shoehorns arguments into *Texas v. United States*, a lawsuit that never included the core of DACA 2012, and instead involved policies that are at this point in time moot. Moreover, a previous lawsuit challenging DACA 2012 failed on jurisdictional grounds and would inevitably inform any future challenge.

While the scope of this letter is to describe the legal foundation for DACA 2012, it is important to highlight the history and inevitability of prosecutorial discretion in immigration enforcement. Prosecutorial discretion exists because the government has limited resources and lacks the ability to enforce the law against the entire undocumented population. Recognizing this resource limitation, Congress has charged the Secretary of DHS with “establishing national immigration enforcement policies and priorities.” Prosecutorial discretion and policies like DACA 2012 also have a humanitarian dimension, and such factors have long driven deferred action decisions. Finally, DACA 2012 has been an unqualified policy success, allowing over three-quarters of a million recipients to continue their education, receive professional licensing, find employment, and pay taxes into Social Security and other tax coffers.

This letter outlines the legal foundation for DACA 2012 and confirms that maintaining such a policy falls squarely within the Executive’s discretion. The legal authority for the Executive Branch to operate DACA 2012 is crystal clear. As such, choices about its future would constitute a policy and political decision, not a legal one. As the administration decides how best to address DACA 2012, we hope that the legal foundation and history for this policy is addressed wisely and that decisions on the future of DACA 2012 are made humanely.

*All institutional affiliations are for identification purposes only and do not signify institutional endorsement of this letter.

Thank you for your attention.

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Ms. KAPTUR. So with this unanimous consent request, I stand on behalf of those 4,400 Ohioans as well as 800,000 young Americans who are DREAMers and will inject new energy and new possibility into our country, help to fund programs like Social Security which they are paying into if they are working, and make their contribution to our country's future.

It is really an honor to rise on her behalf and ask for Congress to act immediately to pass legislation to protect these young people whose economic and cultural contributions will only make our Nation stronger. They will not displace anyone—any person—who has an application currently pending before our immigration service, but

they will wait in line like everyone else because they are fair people and they deserve to be treated fairly by the Government of the United States.

The SPEAKER pro tempore. Without objection, the materials will be included in the RECORD.

There was no objection.

The SPEAKER pro tempore. Time will be deducted from the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD an article about Alonso Guillen, a DREAMER who died trying to rescue Harvey flood victims.

[From the LA Times, Sept. 4, 2017]

'DREAMER' DIES TRYING TO RESCUE HARVEY FLOOD VICTIMS

(By Molly Hennessy-Fiske)

Alonso Guillen drove more than 100 miles south from his home in Lufkin, Texas, last week, determined to help those trapped by Hurricane Harvey flooding in the Houston area.

But he and another man disappeared after their boat capsized in a flood-swollen creek Wednesday, and relatives began searching for their bodies.

On Friday, searchers found the body of Tomas Carreon, 25, of Lufkin. On Sunday, relatives spotted Guillen's body.

"He was floating in the water," his brother Jesus Guillen, 36, a Lufkin truck driver, said in Spanish during a phone interview.

Luis Ortega, 22, of Lufkin, who survived the boat accident, told searchers the men had been swept away by a powerful current. Ortega barely escaped by grabbing a floating gas tank, then a tree.

Relatives said Guillen, a Mexican national, was a "Dreamer" enrolled in the Deferred Action for Childhood Arrivals program, which President Trump is said to be poised to scrap, though he may leave it intact for six months to give Congress time to find a legislative solution. (Ortega is a U.S. citizen, as was Carreon, Guillen's brother said.)

Guillen moved to Lufkin at age 14 from just across the border in Piedras Negras, Mexico. He later graduated from Lufkin High School, attended St. Patrick's Catholic Church, worked in construction and at a local club, Rodeo Disko, and radio station, SuperMix 101.9 FM.

He was known as "DJ Ocho," who mixed country and hip-hop, followed Texans football and the Houston Astros, played softball and soccer, sported Cowboy hats and red, white and blue sunglasses.

He used the station to organize fundraisers for those in need. "It didn't matter what situation it was," said friend Linda Alvarez.

Guillen masterminded the rescue trip to the Houston area just like one of his radio station fundraisers: on the fly, with friends' help. After the storm hit, they borrowed a boat and drove south to save strangers.

Like many in Texas, Guillen's family has mixed immigration status and is divided by the border. His mother, a Mexican national, still lives in Piedras Negras, Mexico, with one of his brothers. His father is a legal resident, and his brother Jesus is a U.S. citizen.

Alonso Guillen applied for DACA, an Obama-era program that protected from deportation about 800,000 immigrants brought to the country illegally as children. He applied because so many of his family and friends were in the U.S., and that's where he saw his future, his brother said.

"His dream was to open a restaurant, something the whole family could enjoy and

where they could come together," his brother said.

"He was trying; he was always updated with the news about the Dreamer program. He was ready to get it fixed and done," friend Manny Muniz said of Guillen's immigration status.

Muniz, a fellow disc jockey, met Guillen a few years ago in the midst of a more minor crisis: He had booked a gig and didn't have any speakers. Guillen lent him some, and they started working together.

After the storm struck, Guillen started posting weather reports on Facebook.

Early last week Guillen told Muniz he was headed to Houston, "to go save lives, go help people, volunteer his time."

Muniz said part of the reason Guillen applied for DACA and wanted to become a legal resident was that he longed to be able to cross the border legally to visit Mexico, especially his hometown.

Instead, Guillen will be buried this week in Lufkin. He is survived by an 8-year-old daughter, Mariana, who lives in Guanajuato, Mexico, his brother said.

Guillen's family is planning his funeral at St. Patrick's Catholic Church. Guillen's mother may not be allowed to attend. The U.S. government has not granted her permission to cross the border for the service, relatives said.

"We hope that she can come, that they allow her to come," said Jesus Guillen's 14-year-old daughter, Zorayda.

U.S. Customs and Border Protection tweeted condolences to Guillen's family Monday, calling him "a rescue volunteer who died during Hurricane Harvey" and promising to allow Guillen's mother to cross the border to attend his funeral.

Jesus Guillen said he hopes the DACA program will not be dismantled.

"It gives people like my brother opportunities to be better, to have strength and believe in themselves and become what they want to be," he said.

Mr. MCGOVERN. Mr. Speaker, I also include in the RECORD a letter to Members of Congress from The United States Conference of Mayors strongly objecting to what the President did.

THE UNITED STATES

CONFERENCE OF MAYORS,

Washington, DC, September 5, 2017.

An Open Letter to the Congress on Dreamers from America's Mayors

DEAR MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES AND THE U.S. SENATE: We write on behalf of the nation's mayors to urge you to quickly pass bipartisan legislation that would enable Dreamers—people who have lived in America since they were children and built their lives here—to earn lawful permanent residence and eventually American citizenship if they meet certain criteria. We pledge to work with you in this effort and to do whatever we can to assist you in seeing it enacted into law.

This June at the 85th Annual Meeting of The United States Conference of Mayors, we adopted strong policy supporting permanent legal status for Dreamers and extension of the DACA program We did this because it is the right thing to do—for Dreamers, for our communities and for our country.

DACA has benefitted nearly 800,000 undocumented youth since it began in 2012. With work authorization and without the fear of deportation, these young people, who have done nothing illegal, have been able to participate in and contribute to our country, our cities and the nation's economy:

Eighty-seven percent of DACA recipients are employed by American businesses, and six percent have started their own businesses, leading to higher wages and better economic outcomes.

DACA recipients contribute 15.3 percent of their wages to taxes, which fund Social Security and Medicare, and DACA recipients are investing in assets like houses, and starting new businesses, bringing significant tax revenue to cities and states.

It is expected that DACA recipients will contribute \$9.9 billion in tax contributions over the next four years, and at least \$433.4 billion to our gross domestic product (GDP) over the next decade.

There is broad public support for Dreamers:

Sixty-four percent of Americans support letting "Dreamers" remain in the U.S.

Seventy-one percent of Americans feel undocumented immigrants working in the U.S. should be offered a chance to apply for legal status.

Seventy-five percent of Americans who voted for the President support Dreamers.

Because of the Trump Administration's decision to terminate DACA in six months, this legislation must be passed as quickly as possible so that the benefits to Dreamers, to our cities, and to our nation can continue. It would remove Dreamers' fears of deportation and allow them to contribute even more to the country they love, which for many is the only country they have known. They would be able to reach their full potential in many ways, including serving in the military. The U.S. Conference of Mayors pledges to work with you to make this happen.

Sincerely,

MITCHELL J. LANDRIEU,
Mayor of New Orleans, President.

ERIC GARCETTI,
Mayor of Los Angeles, Chair, USCM Latino Alliance.

JORGE ELORZA,
Mayor of Providence, Co-Chair, Immigration Reform Task Force.

TOM TAIT,
Mayor of Anaheim, Co-Chair, Immigration Reform Task Force.

JOHN GILES,
Mayor of Mesa, Trustee.

TOM COCHRAN,
CEO and Executive Director.

Mr. MCGOVERN. Mr. Speaker, next, I include in the RECORD an article that appeared on the National Public Radio web page, entitled, "Microsoft President to Trump: To Deport a DREAMER, You'll Have to Go Through Us."

[From NPR, Sept. 5, 2017]

MICROSOFT PRESIDENT TO TRUMP: TO DEPORT A DREAMER, YOU'LL HAVE TO GO THROUGH US

America's business leaders are speaking out against President Trump's move to end DACA.

The president of Microsoft, Brad Smith, took a notable stand. He said not only will his company lobby for a legislative solution but also that Microsoft is calling on Congress to make immigration the top priority, before tax reform. And he is calling on other business leaders to follow suit.

"There is nothing that we will be pushing on more strongly for Congress to act on," Smith said in an interview with NPR. "We put a stake in the ground. We care about a tax reform bill. The entire business community cares about a tax reform. And yet it is very clear today a tax reform bill needs to be set aside until the DREAMers are taken care of. They have a deadline that expires in six months. Tax reform can wait."

Smith also said if the government moves to deport DREAMers who are Microsoft employees, "it's going to have to go through us to get that person."

This is the second time in a week that Smith has spoken out. Last Thursday, Smith and Microsoft CEO Satya Nadella both issued statements calling on the administration to preserve DACA. Nadella, a first-generation immigrant from India, struck a personal note: "I am a product of two uniquely American attributes: the ingenuity of American technology reaching me where I was growing up, fueling my dreams, and the enlightened immigration policy that allowed me to pursue my dreams."

Meanwhile, in a letter to employees this morning, Apple CEO Tim Cook said more than 250 Apple workers are affected by the DACA repeal and that he has been hearing from them all weekend.

"I want to assure you that Apple will work with members of Congress from both parties to advocate for a legislative solution that provides permanent protections for all the Dreamers in our country," Cook said.

Dozens of CEOs including Jeff Bezos of Amazon, Reed Hastings from Netflix, Randall Stephenson from AT&T and Tim Sloan of Wells Fargo wrote a letter addressed to the president asking him to preserve the program.

The leaders argued that all DACA recipients grew up in America and give back to the community and pay income taxes. They said: "More than 97 percent are in school or in the workforce, 5 percent started their own business, 65 percent have purchased a vehicle, and 16 percent have purchased their first home. At least 72 percent of the top 25 Fortune 500 companies count DACA recipients among their employees."

In a public post, Facebook CEO Mark Zuckerberg said about Trump's announcement: "This is a sad day for our country" and that he and his immigration advocacy vehicle at Fwd.US will be "doing even more in the weeks ahead to make sure Dreamers have the protections they deserve."

Sundar Pichai, the CEO of Google (an arm of Alphabet), did not make quite the same commitment on Twitter. But he took a moral stand, writing, "Dreamers are our neighbors, our friends and our co-workers. This is their home. Congress needs to act now to #DefendDACA. #WithDreamers."

When President Trump was first elected, leaders in the tech industry were reluctant to criticize campaign pledges of his that went against their values and interests. They took a wait-and-see approach and grappled with how to be a successful multinational in an increasingly nationalistic world. Tuesday morning's outpouring illustrates a clear shift in business leaders' willingness to speak out against decisions by the administration.

Microsoft's Smith says in the beginning of 2017, business leaders looked around and wondered how they would navigate this new unpredictable environment. They feared being attacked by the commander in chief on social media. Now, Smith says, "I don't think people get up in the morning worrying

about tweets. We have much bigger problems to worry about than that."

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from over 500 business leaders in support of DACA who oppose what the President did yesterday and who are upset at Congress for its inaction.

OPEN LETTER FROM LEADERS OF AMERICAN INDUSTRY ON DACA

August 31, 2017

To: President Donald J Trump

To: Speaker Paul Ryan; Leader Nancy Pelosi; Leader Mitch McConnell; and Leader Charles E. Schumer

As entrepreneurs and business leaders, we are concerned about new developments in immigration policy that threaten the future of young undocumented immigrants brought to America as children.

The Deferred Action for Childhood Arrivals (DACA) program, which allows nearly 800,000 Dreamers the basic opportunity to work and study without the threat of deportation, is in jeopardy. All DACA recipients grew up in America, registered with our government, submitted to extensive background checks, and are diligently giving back to our communities and paying income taxes. More than 97 percent are in school or in the workforce, 5 percent started their own business, 65 percent have purchased a vehicle, and 16 percent have purchased their first home. At least 72 percent of the top 25 Fortune 500 companies count DACA recipients among their employees.

Unless we act now to preserve the DACA program, all 780,000 hardworking young people will lose their ability to work legally in this country, and every one of them will be at immediate risk of deportation. Our economy would lose \$460.3 billion from the national GDP and \$24.6 billion in Social Security and Medicare tax contributions. Dreamers are vital to the future of our companies and our economy. With them, we grow and create jobs. They are part of why we will continue to have a global competitive advantage.

We call on President Trump to preserve the DACA program. We call on Congress to pass the bipartisan DREAM Act or legislation that provides these young people raised in our country the permanent solution they deserve.

Mr. MCGOVERN. Mr. Speaker, I also include in the RECORD a statement signed by over 1,300 Catholic educators who call on President Trump and his administration to save DACA and protect the DREAMers.

[From Faith in Public Life, Ignatian Solidarity Network, and the Jesuits]

OVER 1,300 CATHOLIC EDUCATORS CALL ON TRUMP ADMINISTRATION TO SAVE DACA AND PROTECT DREAMERS

DEAR GEN. KELLY: As educators at Catholic institutions, we write to convey profound concern for our vulnerable immigrant students. In your new position as Chief of Staff, you are now one of the most prominent Catholics in the Administration. Your direct line to President Trump and recent experience as Secretary of Homeland Security provides an opportunity for you to be an influential champion for the children and youth who are the next generation of American leaders. We ask that you protect the dignity of our nation's immigrant youth by advocating for the Deferred Action for Childhood Arrivals (DACA) program until Congress passes the Dream Act.

We stand with our students who are DACA beneficiaries. Their perseverance, hard work and hopefulness is an example to us as teachers. We witness the obstacles they overcome each day as they pursue their dream of a better life for themselves and their families. In facing adversity and uncertainty with grace and hope, they embody the best of our schools, our country and the Catholic tradition.

It is a moral and policy failure when our government targets children and young adults who simply aspire to live the American dream. Breaking up families and communities undermines the best values of our nation.

Bishop Joe S. Vasquez, Chair of the Migration Committee at the U.S. Conference of Catholic Bishops and Bishop of Austin, Texas, said recently in a statement.

"These young people entered the U.S. as children and know America as their only home. The dignity of every human being, particularly that of our children and youth, must be protected."

We join Bishop Vasquez in urging you to uphold the DACA program. On several occasions, you have expressed that you would not make changes to DACA. We strongly encourage you to maintain DACA as an essential program for the well-being of young people and our communities.

Please know we are praying that you use your power prudently and that we remain committed to constructive dialogue.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I would say to my friend from Massachusetts I am prepared to close when he is. I have no further speakers remaining.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. May I inquire how much time I have remaining, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts has 7½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

First of all, with regard to the underlying bill that is being brought before the House today, a whole bunch of appropriations bills bunched together in an unprecedented way and, I would say, in an undemocratic way as well—nobody has had a chance to read these bills, over 1,300 pages—I don't think anybody in this Chamber has read them all.

Close to 1,000 amendments were submitted. They were all asked to be submitted before we came back into session while people were still on work recess. I don't think Members have had a chance to review all of the amendments. As I said, hundreds of good amendments have already been rejected.

Last night in the Rules Committee, I invoked Senator JOHN MCCAIN's name. He recently wrote a piece in which he called upon Congress to go back to regular order. I agree with him. We ought to go back to regular order. That is what the Speaker of the House promised when he took the gavel, we would have regular order. This is not regular

order. This is not the way we should decide spending matters.

I will tell you right now that there will be lots of mistakes in this legislation that is being rushed through—if it even goes anywhere—because we are now being told we are going to have to do a continuing resolution, and chances are we are going to end up having to do a long-term spending bill. But process matters, and when you bunch things together and when you rush things like this, mistakes are made.

As I said in my opening, we are going to ask for people to vote “no” on the previous question. If you vote “no” on the previous question, I will offer an amendment to bring up Representative ROYBAL-ALLARD’s bill, which is the DREAM Act, which would actually solve the dilemma that we face. It would solve the dilemma that 800,000 good people in this country are now facing as a result of President Trump’s cruel decision yesterday to repeal DACA, to end DACA.

These are people who, as you have heard from all my colleagues as they have told their stories, are working in this country. They are leading efforts to rescue people in hurricane-ravaged Texas. They are paramedics and they serve in our military.

□ 1530

These are good people. This is their country. They were brought here as infants. This is the only country they know. The fact that we are treating these good people in such a terrible way, every one of us should be ashamed. That is not who we are. We keep on saying that every time the White House does something else that we find offensive. We keep on saying: That is not who we are; that is not who we are.

Well, at some point, we have to prove it. We have to show it.

If we believe DREAMers are a valuable part of our community, then we need to protect them. This is a way to do it today. There is no need for compromise and more discussion. It is very simple: you either support the DREAMers or you don’t. That is it. That is the only question at hand. If you want to load it up with all kinds of other extraneous materials, that is not a fair thing to do. That is not what these people deserve.

Mr. Speaker, I know my colleagues on both sides of the aisle are hearing from their constituents. I know they are hearing from their churches, synagogues, and mosques that we need to protect these people. Well, let’s do it. The DREAMers don’t need your words. They don’t need your sympathies. They don’t need your empathy. They need your vote.

We have an opportunity today, by voting “no” on the previous question, to have a vote today on whether to protect the DREAMers. It is that simple.

Some of my colleagues on the Republican side have spoken very eloquently about the DREAMers. If you mean it, then give us your vote. If you mean it, do less talking and give us the vote. That is what we are asking for today.

Vote “no” on the previous question. Let us help these great people. Let us help these people who have been such a valuable part of our community. Let us treat them with the dignity and respect that they deserve. Let us recognize that they view this country as their home. We should view this country as their home as well.

Vote “no” on the previous question. If that doesn’t work, then vote “no” on this lousy rule.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I fear you are going to have to use that admonition a great deal in the coming days, and I regret that.

I regret that folks have begun to confuse civility with weakness. My experience is, when you are strong, you don’t have to insult the people around you. When you are strong, you don’t have to call folks around you names. Civility and weakness are confused. In fact, more often than not, there is a loss of civility when folks feel at their weakest.

My friends on the other side of the aisle right now, Mr. Speaker, with good reason, feel very restricted. Being in the minority in the House of Representatives is a hard place to be. For my friend from Massachusetts, Mr. Speaker, being in the minority on the Rules Committee is among one of the hardest places to be. So I don’t fault him for his frustration one little bit. If I was in his shoes, I would be frustrated as well.

Let me be clear: we are in this position with DACA today for one reason and one reason only, and that is because instead of leading the Congress and leading the Nation, President Obama chose to act alone in a way that he knew would not be permanent.

The instability that you see today is the result of folks acting in a way that was not stable. The confusion that you see today is the result of an administration that committed itself to that confusion instead of committing itself to consensus.

I have been in this Congress for 7 years, Mr. Speaker. That is 7 years. For 4 of those 7 years, the United States Senate was led by the Democratic Party. Not once in those 7 years has an immigration bill come to my desk from the United States. Not once. I know, as we sit here right now, the House Judiciary Committee has acted

on immigration bill after immigration bill after immigration bill.

Let’s be clear, Mr. Speaker: the situation that the DREAMers find themselves in today is the symptom of a Nation that does not have the security of its borders. Had America had security for its borders, we would not have allowed these families to put their children in these positions.

Today, we have an amazing opportunity to have this debate. I tell you that our President is in a unique position to lead us.

It frustrates me so much, Mr. Speaker, that folks want to assume the worst about one another and that the media is all too anxious to report the worst about one another. The President could have just canceled the DACA program. He could have instructed DHS to start proceedings today. He didn’t. It wouldn’t have been the right thing. It wouldn’t have been the prudent thing to do. He didn’t do it.

What did he do?

He said: I have read this thing called the United States Constitution. It turns out that only one group in the land has the opportunity to write the laws. It is me and my friend from Massachusetts. It is the majority leader from Kentucky and the minority leader from New York across the way.

He said: Congress, there is only one way this should have even been done. It should have been done in the Halls of Congress. That is not the way President Obama chose to do it. He should have done better. He didn’t. We can do better. Let’s do.

Now, to the sky-is-falling reports that came out one right after the other almost with glee from the fourth estate, the President spoke again to say: Listen, you know what? If Congress doesn’t get it right, I may have to act myself.

I hope he doesn’t. I think that folks have too little confidence in what we can do together when we set our minds to it, but we do have to ask ourselves, watching the display here on the floor today, watching the displays we have had here on the floor in the past: Do we have a serious group of men and women here who want to work together on solutions? Or do we have a group of men and women here who want to just get the next headline, who want to just send out that next tweet, who just want to just make that next front page story of hysteria?

I believe the former is true. I know the men and women on this floor, Mr. Speaker, not the caricature of the men and women that you read in the newspaper, but the real men and women on this floor, who each come here every single day to diligently serve the almost 700,000 men and women that they report to back home. And I am proud to do it.

I plea, Mr. Speaker, for you to use your leadership to not allow us to devolve into the name calling and the

acrimony that the fourth estate would like to suggest characterizes this Chamber, but to lead us to the sincere debate of caring about people, caring about the rule of law, caring about families.

Let me just say, the best part of this job is the casework that each one of us does back home. You all know it. People think the job happens in Washington, D.C. It doesn't. It happens one family at a time back home.

You have heard the comments on the floor of the House today, Mr. Speaker. I have families in my district separated from one another. You want to talk about uniting families? I have families separated from one another standing in line to come to this country legally.

I ask you, Mr. Speaker: How many folks have you heard standing up for my constituents whose families have been separated because they have been standing in line to get here for more than a year? How many folks have stood up for them? Not one.

What about those families standing in line 2 years, Mr. Speaker? I have got them in my district, too.

What about those families who have been separated for 3 years and standing in line trying to get to America the right way? Who is standing up for them? I don't hear those calls on the floor of the House. I have got them in my district, too.

What about 4 years, Mr. Speaker; 5 years, Mr. Speaker; 6 years, Mr. Speaker? If you wanted to bring your adult child in from Mexico, you had to file in the 1990s for their number to be coming up today. That is crazy. It is crazy.

Where is the conversation about reforming the system that got us here to begin with? I applaud my friend for trying to solve the symptom. I beg my friend to work with me to cure the disease.

We have a President who can lead us in that direction, Mr. Speaker. He has the credibility of being tough on borders and he has the heart of someone who wants to keep families united. We have an opportunity, Mr. Speaker. We can take it or we can reject it. I believe we are going to take it.

But that is not for the business today. The business today is an appropriations process. My friend from Massachusetts called it unprecedented. He is right. I take no small amount of pleasure in talking about how right he is. I have been in this body for 7 years and we don't generally get the appropriations bills done before the end of the year, Mr. Speaker. Deadlines don't tend to mean anything to us. We are about to make that happen.

Mr. Speaker, 1997 was the last time Congress funded the government ahead of schedule, before the deadline. It has taken a continuing resolution every other year since 1997. We have an opportunity this year to do it. I don't know if we will take it or not. I hope that we will.

We can't solve everything every day, but we can solve something every day. We can make something better for someone every day.

If you support this rule, we will bring to the floor four appropriations bills and 119 amendments, give or take. We are up in the Rules Committee right now making even more amendments in order, Mr. Speaker, to have even more voices be heard, to have even more opportunity to make a difference for the families that we all represent back home.

Support this rule. Be proud of this rule. Be proud of the work the Appropriations Committee did. Mr. Speaker, you don't hear it on the floor of the House, but it so frustrates me. If you had been in the Rules Committee last night, you would have seen Democrats and Republicans sitting side by side talking about the amazing work they did together on the appropriations process in the Appropriations Committee, talking about the great admiration and respect that they had for one another because of the work they do together on the Appropriations Committee.

We don't hear that here on the floor of the House, and we should. We should hear more of that. We should hear more about the good work we are doing together. If we support this rule, Mr. Speaker, we will get a chance not to hear about it, but to experience it, to do it.

I know my colleague from Massachusetts and I have another 6, 7, 8 hours of Rules Committee work to do together tonight. I know my colleague is going to challenge us to do even better than what we are doing. I am prepared to accept that challenge.

But for today, Mr. Speaker, for this moment, I urge my colleagues to come to this floor; support this rule; move the appropriations process forward; finish the appropriations process before the September 30 deadline; and serve your constituents back home, like I know every man and woman in this Chamber does.

Mr. Speaker, I urge support for the rule and support for the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 500 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 9. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill

and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 233, nays 187, not voting 13, as follows:

[Roll No. 442]

YEAS—233

Abraham	Cole	Gianforte
Aderholt	Collins (GA)	Gibbs
Allen	Collins (NY)	Gohmert
Amash	Comer	Goodlatte
Amodei	Comstock	Gosar
Arrington	Conaway	Gowdy
Babin	Cook	Graves (GA)
Bacon	Costello (PA)	Graves (LA)
Banks (IN)	Crawford	Graves (MO)
Barletta	Culberson	Griffith
Barr	Curbelo (FL)	Grothman
Barton	Davidson	Guthrie
Bergman	Davis, Rodney	Handel
Biggs	Denham	Harper
Bilirakis	Dent	Harris
Bishop (MI)	DeSantis	Hartzler
Bishop (UT)	DesJarlais	Hensarling
Black	Diaz-Balart	Herrera Beutler
Blackburn	Donovan	Hice, Jody B.
Blum	Duffy	Higgins (LA)
Bost	Duncan (SC)	Hill
Brady (TX)	Duncan (TN)	Holding
Brat	Dunn	Hollingsworth
Brooks (AL)	Emmer	Hudson
Brooks (IN)	Estes (KS)	Huizenga
Buchanan	Farenthold	Hultgren
Buck	Faso	Hunter
Bucshon	Ferguson	Hurd
Budd	Fitzpatrick	Issa
Burgess	Fleischmann	Jenkins (KS)
Byrne	Flores	Jenkins (WV)
Calvert	Fortenberry	Johnson (LA)
Carter (GA)	Fox	Johnson (OH)
Carter (TX)	Franks (AZ)	Johnson, Sam
Chabot	Frelinghuysen	Jones
Cheney	Gaetz	Jordan
Coffman	Gallagher	Joyce (OH)

Katko	Murphy (PA)
Kelly (MS)	Newhouse
Kelly (PA)	Noem
King (IA)	Norman
King (NY)	Nunes
Kinzinger	Olson
Knight	Palazzo
Kustoff (TN)	Palmer
Labrador	Paulsen
LaHood	Pearce
LaMalfa	Perry
Lamborn	Pittenger
Lance	Poe (TX)
Latta	Poliquin
Lewis (MN)	Posey
LoBiondo	Ratcliffe
Long	Reed
Loudermilk	Reichert
Love	Renacci
Lucas	Rice (SC)
Luetkemeyer	Roby
MacArthur	Roe (TN)
Marchant	Rogers (AL)
Marino	Rogers (KY)
Marshall	Rohrabacher
Massie	Rokita
Mast	Rooney, Francis
McCarthy	Rooney, Thomas
McCauley	J.
McClintock	Ros-Lehtinen
McHenry	Roskam
McKinley	Rothfus
McMorris	Rouzer
Rodgers	Royce (CA)
McSally	Russell
Meadows	Rutherford
Meehan	Sanford
Messer	Schweikert
Mitchell	Scott, Austin
Moolenaar	Sensenbrenner
Mooney (WV)	Sessions
Mullin	Shimkus

NAYS—187

Adams	Doggett	Lieu, Ted
Aguilar	Doyle, Michael	Lipinski
Barragán	F.	Loeb
Bass	Ellison	Loeb
Beatty	Engel	Lofgren
Bera	Eshoo	Lowenthal
Beyer	Española	Lowey
Bishop (GA)	Esty (CT)	Lujan Grisham,
Blumenauer	Evans	M.
Blunt Rochester	Poster	Luján, Ben Ray
Bonamici	Frankel (FL)	Lynch
Boyle, Brendan	Fudge	Maloney,
F.	Gabbard	Carolyn B.
Brady (PA)	Gallagher	Maloney, Sean
Brown (MD)	Garamendi	Matsui
Brownley (CA)	Gomez	McCollum
Bustos	Gonzalez (TX)	McEachin
Butterfield	Gottheimer	McGovern
Capuano	Green, Al	McNerney
Carbajal	Green, Gene	Meeks
Cárdenas	Grijalva	Meng
Carson (IN)	Gutiérrez	Moore
Cartwright	Hanabusa	Moulton
Castor (FL)	Hastings	Murphy (FL)
Castro (TX)	Heck	Nadler
Chu, Judy	Himes	Napolitano
Cicilline	Hoyer	Neal
Clark (MA)	Huffman	Nolan
Clarke (NY)	Jayapal	Norcross
Clay	Jeffries	O'Halleran
Cleaver	Johnson (GA)	O'Rourke
Clyburn	Johnson, E. B.	Pallone
Cohen	Kaptur	Panetta
Connolly	Keating	Pascarella
Conyers	Kelly (IL)	Payne
Cooper	Kennedy	Pelosi
Correa	Khanna	Perlmutter
Courtney	Kihuen	Peters
Crist	Kildee	Peterson
Crowley	Kilmer	Pingree
Cuellar	Kind	Pocan
Davis (CA)	Krishnamoorthi	Polis
Davis, Danny	Kuster (NH)	Price (NC)
DeFazio	Langvin	Quigley
Delaney	Larsen (WA)	Raskin
DeLauro	Larson (CT)	Rice (NY)
DeBene	Lawrence	Richmond
Demings	Lawson (FL)	Rosen
DeSaulnier	Lee	Roybal-Allard
Deutch	Levin	Ruiz
Dingell	Lewis (GA)	Ruppersberger
		Rush

Ryan (OH)	Sinema	Tsongas
Sánchez	Sires	Vargas
Sarbanes	Slaughter	Veasey
Schakowsky	Smith (WA)	Vela
Schiff	Soto	Velázquez
Schneider	Speier	Visclosky
Schrader	Swalwell (CA)	Walz
Scott (VA)	Takano	Waters, Maxine
Scott, David	Thompson (CA)	Watson Coleman
Serrano	Thompson (MS)	Welch
Sewell (AL)	Titus	Wilson (FL)
Shea-Porter	Tonko	Yarmuth
Sherman	Torres	

NOT VOTING—13

Bridenstine	Garrett	Scalise
Costa	Granger	Suozi
Cramer	Higgins (NY)	Wasserman
Cummings	Jackson Lee	Schultz
DeGette	Ross	

□ 1608

Messrs. MCEACHIN, SCHNEIDER, and POLIS changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 191, not voting 12, as follows:

Roll No. 443

AYES—230

Abraham	Crawford	Harris
Aderholt	Culberson	Hartzler
Allen	Curbelo (FL)	Hensarling
Amodei	Davidson	Herrera Beutler
Arrington	Davis, Rodney	Hice, Jody B.
Babin	Denham	Higgins (LA)
Bacon	Dent	Hill
Banks (IN)	DeSantis	Holding
Barletta	DesJarlais	Hollingsworth
Barr	Diaz-Balart	Hudson
Barton	Donovan	Huizenga
Bergman	Duffy	Hultgren
Biggs	Duncan (SC)	Hunter
Bilirakis	Duncan (TN)	Hurd
Bishop (MI)	Dunn	Issa
Bishop (UT)	Emmer	Jenkins (KS)
Black	Estes (KS)	Jenkins (WV)
Blackburn	Farenthold	Johnson (LA)
Blum	Faso	Johnson (OH)
Bost	Ferguson	Johnson, Sam
Brady (TX)	Fitzpatrick	Jordan
Brat	Fleischmann	Joyce (OH)
Brooks (AL)	Flores	Katko
Brooks (IN)	Fortenberry	Kelly (MS)
Buchanan	Fox	Kelly (PA)
Buck	Franks (AZ)	King (IA)
Bucshon	Frelinghuysen	King (NY)
Budd	Gaetz	Kinzinger
Burgess	Gallagher	Knight
Byrne	Gianforte	Kustoff (TN)
Calvert	Gibbs	Labrador
Carter (GA)	Gohmert	LaHood
Carter (TX)	Goodlatte	LaMalfa
Chabot	Gosar	Lamborn
Cheney	Gowdy	Lance
Coffman	Granger	Latta
Cole	Graves (GA)	Lewis (MN)
Collins (GA)	Graves (LA)	LoBiondo
Collins (NY)	Graves (MO)	Long
Comer	Griffith	Loudermilk
Comstock	Grothman	Love
Conaway	Guthrie	Lucas
Cook	Handel	Luetkemeyer
Costello (PA)	Harper	MacArthur

Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey

Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik

Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—191

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espallat

Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Dowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean

Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres

Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky

Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Bridenstine
Costa
Cramer
Cummings
DeGette

Garrett
Higgins (NY)
Ros-Lehtinen
Ross
Scalise

Suoizzi
Wasserman
Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1616

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 230, nays 182, answered “present” 2, not voting 19, as follows:

[Roll No. 444]

YEAS—230

Abraham
Adams
Aderholt
Allen
Amodei
Arrington
Bacon
Banks (IN)
Barella
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blumenauer
Blunt Rochester
Bonamici
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Buchanan
Bucshon
Budd
Bustos
Butterfield
Byrne
Calvert
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Cole
Collins (NY)
Comstock

Cook
Cooper
Courtney
Cuellar
Culberson
Davidson
Davis (CA)
DeLauro
DelBene
Demings
Dent
DesJarlais
Deutch
Dingell
Doggett
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Estes (KS)
Evans
Farenthold
Faso
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Garamendi
Gianforte
Gibbs
Goodlatte
Gowdy
Granger
Green, Al
Griffith
Hanabusa
Handel
Harper

Harris
Hartzler
Heck
Hensarling
Higgins (LA)
Hill
Himes
Hollingsworth
Huffman
Hultgren
Hunter
Issa
Johnson (GA)
Johnson, Sam
Kaptur
Kelly (MS)
Kelly (PA)
Kildee
King (IA)
King (NY)
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaMalfa
Lamborn
Larsen (WA)
Larsen (CT)
Lawrence
Lewis (MN)
Lipinski
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Maloney,
Carolyn B.
Marchant
Marino
Massie
McCarthy
McCaul

McClintock
McCollum
McEachin
McHenry
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Nadler
Napolitano
Newhouse
Noem
Norman
Nunes
O'Rourke
Olson
Palazzo
Palmer
Panetta
Pelosi
Perlmutter
Perry
Pingree
Pocan

Poe (TX)
Polis
Posey
Price (NC)
Quigley
Reichert
Richmond
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney, Thomas
J.
Roskam
Rothfus
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Sanford
Schneider
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Pelosi
Shea-Porter
Shimkus
Shuster
Simpson

NAYS—182

Aguilar
Amash
Babin
Barragán
Bass
Beatty
Bera
Beyer
Bishop (MI)
Blackburn
Blum
Bost
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Buck
Burgess
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Castor (FL)
Cleaver
Coffman
Cohen
Collins (GA)
Comer
Conaway
Connolly
Conyers
Correa
Costello (PA)
Crawford
Crist
Crowley
Curbelo (FL)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
Denham
DeSantis
DeSaulnier
Diaz-Balart
Doyle, Michael
F.
Ellison
Espallat
Esty (CT)
Fitzpatrick
Flores
Foxy
Gatz
Gallagher
Gallego
Gomez

Gonzalez (TX)
Gosar
Gottheimer
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Grothman
Guthrie
Gutiérrez
Hastings
Herrera Beutler
Hice, Jody B.
Holding
Hoyer
Hudson
Huizenga
Hurd
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce (OH)
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kilmer
Kind
Kinzinger
Knight
LaHood
Lance
Langevin
Latta
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
LoBiondo
Loeb sack
Lofgren
Loudermilk
Love
Lowenthal
Lynch
MacArthur
Maloney, Sean
Marshall
Mast
Matsui

McGovern
McKinley
McSally
Moolenaar
Moore
Murphy (FL)
Neal
Nolan
Norcross
O'Halleran
Pallone
Pascarell
Paulsen
Payne
Pearce
Peters
Peterson
Pittenger
Poliquin
Raskin
Ratcliffe
Reed
Renacci
Rice (NY)
Rogers (AL)
Rohrabacher
Rosen
Rouzer
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (MO)
Soto
Stivers
Swalwell (CA)
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Torres
Valadao
Vargas
Veasey
Vela
Visclosky
Walker
Watson Coleman

Weber (TX) Woodall Yoho
Wittman Yoder Young (AK)

ANSWERED "PRESENT"—2

Rice (SC)
Tonko

NOT VOTING—19

Bridenstine	Gohmert	Scalise
Clarke (NY)	Grijalva	Suozi
Costa	Higgins (NY)	Wasserman
Cramer	Rooney, Francis	Schultz
Cummings	Ros-Lehtinen	Wilson (FL)
DeGette	Ross	Yarmuth
Garrett	Roybal-Allard	

□ 1623

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SUOZZI. Mr. Speaker, I was unable to be present due to the funeral of my mother. Had I been present, I would have voted "no" on rollcall votes No. 442 and No. 443, and "yes" on rollcall vote No. 444.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days within which to revise and extend their remarks and include extraneous material in the consideration of H.R. 3354, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 500 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3354.

The Chair appoints the gentleman from New York (Mr. COLLINS) to preside over the Committee of the Whole.

□ 1625

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. COLLINS of New York in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 1 hour.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today to present H.R. 3354, the Make America Secure and Prosperous Appropriations Act. This legislation moves Congress one step closer to completing its critical work on our fiscal year 2018 appropriations bills ahead of the end of the fiscal year on September 30.

Our bill respects the American people, their priorities for our Nation, and their hard-earned tax dollars, and it will help move our great country forward to a more stable and prosperous future.

This funding, totaling \$1.2 trillion, supports important domestic and international programs that keep our people safe and help our economy grow and thrive, protects us from terrorists and those who want to do us harm, and assures that America has a critical role across the globe both militarily and diplomatically.

Most importantly, this bill continues the work started with the national security funding package that passed the House in July, the Make America Secure Appropriations Act, and it prioritizes the safety of the American people, targeting funding towards critical law enforcement programs, securing our borders and our cyber networks, fighting terrorism, combating opioid abuse, and stemming the flow of illegal drugs and goods.

Other funds are directed to programs that provide the greatest national benefit, including those that keep our food and drug supplies safe, that support public health preparedness, fight devastating wildfires, invest in critical infrastructure, and otherwise protect and support our economy and economic freedom.

All of these investments are made responsibly. In each of our bills within this package, we have found savings, gotten rid of waste, fraud, and duplication, and increased oversight to ensure that no taxpayer dollar is misspent, but we still have more work to do. This is the next step in the process, but it is not the end.

We must also address new needs arising from terrible flooding and damage

inflicted by Hurricane Harvey, which is affecting hundreds of thousands of people across Texas and Louisiana, as well as continue all government operations until the final appropriations package can be conferenced with the Senate and signed into law.

□ 1630

This legislation today represents the House priorities and shows the American people that this Chamber is moving forward, governing effectively, and getting things done here in Washington.

Before I close, I would like to thank the members of the Appropriations Committee for their hard work over the past few months, and the staff that allows us to consider this bill today, especially the 12 chairs of the subcommittees. The committee drafted, considered, and marked up all 12 appropriations bills in under 2 months, a record-breaking pace, and as a result, we have a fine package of solid bills on the floor this afternoon.

I particularly would like to thank the chairs and ranking members of the committee of the bills we are considering today, as well as the ranking member of the full committee, Mrs. LOWEY, for her partnership and friendship throughout this process. I would also like to extend my personal thanks to our staff on both sides of the aisle for their efforts on these bills.

This package is a product not only of the committee's work, but also of the contribution of all Members of this body. While drafting these bills that compose this package, we took Members' submissions very seriously, creating a more representative bill that reflects the will of the American people.

In July, the House took the first responsible step of providing funding for critical national security priorities. With this bill, we complete our work on all 12 of our appropriations bills for the fiscal year.

This morning, the House came together on an overwhelmingly bipartisan basis to pass desperately needed emergency funding for the victims in Texas and Louisiana whose lives were destroyed by Hurricane Harvey. Funding these important responsibilities of the Federal Government is our constitutional duty to the people we serve.

Mr. Chairman, I urge my colleagues to vote "yes" on this bill, and I reserve the balance of my time.

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
BUREAU OF LAND MANAGEMENT					
Management of Lands and Resources					
Land Resources:					
Soil, water and air management.....	43,609	27,034	42,497	-1,112	+15,463
Rangeland management.....	79,000	67,753	76,981	-2,019	+9,228
Forestry management.....	10,076	10,135	9,819	-257	-316
Riparian management.....	21,321	20,222	20,777	-544	+555
Cultural resources management.....	16,131	16,365	15,719	-412	-646
Wild horse and burro management.....	80,555	70,719	80,555	---	+9,836
Subtotal.....	250,692	212,228	246,348	-4,344	+34,120
Wildlife and Fisheries:					
Wildlife management.....	103,281	75,107	103,281	---	+28,174
Fisheries management.....	12,530	11,812	12,210	-320	+398
Subtotal.....	115,811	86,919	115,491	-320	+28,572
Threatened and endangered species.....	21,567	20,322	21,017	-550	+695
Recreation Management:					
Wilderness management.....	18,264	15,515	17,798	-466	+2,283
Recreation resources management.....	53,465	47,234	52,102	-1,363	+4,868
Subtotal.....	71,729	62,749	69,900	-1,829	+7,151
Energy and Minerals:					
Oil and gas management.....	67,574	75,927	65,851	-1,723	-10,076
Oil and gas permit processing.....	6,365	5,737	6,203	-162	+466
Oil and gas inspection and enforcement.....	48,000	48,385	46,776	-1,224	-1,609
Subtotal, Oil and gas.....	121,939	130,049	118,830	-3,109	-11,219
Coal management.....	10,868	19,015	10,591	-277	-8,424
Other mineral resources.....	10,978	12,043	10,698	-280	-1,345
Renewable energy.....	29,061	16,292	28,320	-741	+12,028
Subtotal, Energy and Minerals.....	172,846	177,399	168,439	-4,407	-8,960
Realty and Ownership Management:					
Alaska conveyance.....	22,000	14,447	21,439	-561	+6,992
Cadastral, lands, and realty management.....	51,480	45,892	50,167	-1,313	+4,275
Subtotal.....	73,480	60,339	71,606	-1,874	+11,267
Resource Protection and Maintenance:					
Resource management planning.....	52,125	38,437	52,125	---	+13,688
Abandoned mine lands.....	20,036	9,062	19,525	-511	+10,463
Resource protection and law enforcement.....	26,616	25,708	27,616	+1,000	+1,908
Hazardous materials management.....	15,463	10,780	15,069	-394	+4,289
Subtotal.....	114,240	83,987	114,335	+95	+30,348
Transportation and Facilities Maintenance:					
Annual maintenance.....	39,125	36,344	38,127	-998	+1,783
Deferred maintenance.....	29,201	26,474	28,456	-745	+1,982
Subtotal.....	68,326	62,818	66,583	-1,743	+3,765

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Workforce and Organizational Support:					
Administrative support.....	51,139	50,368	48,396	-2,743	-1,972
Bureauwide fixed costs.....	92,649	93,176	92,176	-473	-1,000
Information technology management.....	26,077	25,163	24,412	-1,665	-751
Subtotal.....	169,865	168,707	164,984	-4,881	-3,723
National landscape conservation system, base program..	36,819	27,695	35,800	-1,019	+8,105
Communication site management.....	2,000	2,000	2,000	---	---
Offsetting collections.....	-2,000	-2,000	-2,000	---	---
Subtotal, Management of lands and resources.....	1,095,375	963,163	1,074,503	-20,872	+111,340
Mining Law Administration:					
Administration.....	39,696	39,696	39,696	---	---
Offsetting collections.....	-55,000	-56,696	-56,696	-1,696	---
Subtotal, Mining Law Administration.....	-15,304	-17,000	-17,000	-1,696	---
Total, Management of Lands and Resources.....	1,080,071	946,163	1,057,503	-22,568	+111,340
Land Acquisition					
Land Acquisition.....	19,800	---	6,000	-13,800	+6,000
Emergencies, Hardships, and Inholdings.....	1,616	1,613	1,000	-616	-613
Acquisition Management.....	2,000	1,996	1,800	-200	-196
Recreational Access.....	8,000	---	4,000	-4,000	+4,000
Subtotal.....	31,416	3,609	12,800	-18,616	+9,191
Rescission.....	---	---	-1,769	-1,769	-1,769
Total, Land acquisition.....	31,416	3,609	11,031	-20,385	+7,422
Oregon and California Grant Lands					
Western Oregon resources management.....	94,445	81,353	92,037	-2,408	+10,684
Western Oregon information and resource data systems..	1,798	1,313	1,752	-46	+439
Western Oregon transportation & facilities maintenance	9,628	6,087	9,382	-246	+3,295
Western Oregon construction and acquisition.....	335	351	326	-9	-25
Western Oregon national monument.....	779	696	759	-20	+63
Total, Oregon and California Grant Lands.....	106,985	89,800	104,256	-2,729	+14,456
Range Improvements					
Current appropriations.....	10,000	10,000	10,000	---	---
Service Charges, Deposits, and Forfeitures					
Service charges, deposits, and forfeitures.....	31,050	24,595	24,595	-6,455	---
Offsetting fees.....	-31,050	-24,595	-24,595	+6,455	---
Total, Service Charges, Deposits & Forfeitures..	---	---	---	---	---
Miscellaneous Trust Funds and Permanent Operating Funds					
Current appropriations.....	24,000	24,000	24,000	---	---
TOTAL, BUREAU OF LAND MANAGEMENT.....	1,252,472	1,073,572	1,206,790	-45,682	+133,218
(Mandatory).....	(34,000)	(34,000)	(34,000)	---	---
(Discretionary).....	(1,218,472)	(1,039,572)	(1,172,790)	(-45,682)	(+133,218)

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
UNITED STATES FISH AND WILDLIFE SERVICE					
Resource Management					
Ecological Services:					
Listing.....	20,515	17,122	17,122	-3,393	---
Planning and consultation.....	103,079	98,755	104,783	+1,704	+6,028
Conservation and restoration.....	32,396	29,775	29,791	-2,605	+16
(National Wetlands Inventory).....	(3,471)	(3,464)	(3,471)	---	(+7)
(Coastal Barrier Resources Act).....	(1,390)	(1,387)	(1,390)	---	(+3)
Recovery.....	84,032	79,563	85,570	+1,538	+6,007
Subtotal.....	240,022	225,215	237,266	-2,756	+12,051
Habitat conservation:					
Partners for fish and wildlife.....	51,776	45,884	53,476	+1,700	+7,592
Coastal programs.....	13,375	11,970	13,375	---	+1,405
Subtotal.....	65,151	57,854	66,851	+1,700	+8,997
National Wildlife Refuge System:					
Wildlife and habitat management.....	231,843	224,893	231,843	---	+6,950
Visitor services.....	73,319	71,091	73,319	---	+2,228
Refuge law enforcement.....	38,054	37,929	38,054	---	+125
Conservation planning.....	2,523	---	2,523	---	+2,523
Refuge maintenance.....	138,188	136,196	138,188	---	+1,992
Subtotal.....	483,927	470,109	483,927	---	+13,818
Conservation and Enforcement:					
Migratory bird management.....	48,105	44,001	48,157	+52	+4,156
Law enforcement.....	75,053	73,002	75,053	---	+2,051
International affairs.....	15,816	14,183	15,816	---	+1,633
Subtotal.....	138,974	131,186	139,026	+52	+7,840
Fish and Aquatic Conservation:					
National fish hatchery system operations.....	55,418	51,942	55,818	+400	+3,876
Maintenance and equipment.....	22,920	19,882	22,920	---	+3,038
Aquatic habitat and species conservation.....	76,872	64,589	80,976	+4,104	+16,387
Subtotal.....	155,210	136,413	159,714	+4,504	+23,301
Cooperative landscape conservation.....	12,988	---	12,988	---	+12,988
Science Support:					
Adaptive science.....	10,517	---	8,517	-2,000	+8,517
Service science.....	6,468	---	8,468	+2,000	+8,468
Subtotal.....	16,985	---	16,985	---	+16,985
General Operations:					
Central office operations.....	40,569	36,965	36,965	-3,604	---
Regional office operations.....	37,722	33,574	33,574	-4,148	---
Servicewide bill paying.....	35,177	36,365	36,365	+1,188	---
National Fish and Wildlife Foundation.....	7,022	5,009	5,009	-2,013	---
National Conservation Training Center.....	25,014	18,439	18,439	-6,575	---
Subtotal.....	145,504	130,352	130,352	-15,152	---
Total, Resource Management.....	1,258,761	1,151,129	1,247,109	-11,652	+95,980
Construction					
Construction and rehabilitation:					
Line item construction projects.....	9,482	9,093	9,093	-389	---
Bridge and dam safety programs.....	1,972	1,232	1,972	---	+740
Nationwide engineering service.....	7,161	5,475	5,475	-1,686	---
Total, Construction.....	18,615	15,800	16,540	-2,075	+740

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land Acquisition					
Acquisitions.....	27,406	---	16,000	-11,406	+16,000
Emergencies, Hardships, and Inholdings.....	5,351	2,641	2,641	-2,710	---
Exchanges.....	1,500	1,197	1,000	-500	-197
Acquisition Management.....	12,773	12,749	10,000	-2,773	-2,749
Highlands Conservation Act Grants.....	10,000	---	10,000	---	+10,000
Recreational Access.....	2,500	---	1,000	-1,500	+1,000
Land Protection Planning.....	465	464	---	-465	-464
Subtotal.....	59,995	17,051	40,641	-19,354	+23,590
Rescission.....	---	---	-4,572	-4,572	-4,572
Total, Land Acquisition.....	59,995	17,051	36,069	-23,926	+19,018
Cooperative Endangered Species Conservation Fund					
Grants and administration:					
Conservation grants.....	10,508	10,487	10,508	---	+21
HCP assistance grants.....	9,485	6,518	9,485	---	+2,967
Administration.....	2,702	2,298	2,702	---	+404
Subtotal.....	22,695	19,303	22,695	---	+3,392
Land acquisition:					
Species recovery land acquisition.....	11,162	---	11,162	---	+11,162
HCP land acquisition grants to states.....	19,638	---	19,638	---	+19,638
Subtotal.....	30,800	---	30,800	---	+30,800
Subtotal, Cooperative Endangered Species Fund...	53,495	19,303	53,495	---	+34,192
Rescission.....	---	---	-3,000	-3,000	-3,000
Total, Cooperative Endangered Species Conservation Fund.....	53,495	19,303	50,495	-3,000	+31,192
National Wildlife Refuge Fund					
Payments in lieu of taxes.....	13,228	---	13,228	---	+13,228
North American Wetlands Conservation Fund					
North American Wetlands Conservation Fund.....	38,145	33,600	38,145	---	+4,545
Neotropical Migratory Bird Conservation					
Migratory bird grants.....	3,910	3,900	3,900	-10	---
Multinational Species Conservation Fund					
African elephant conservation fund.....	2,582	2,101	2,582	---	+481
Rhinoceros and tiger conservation fund.....	3,440	2,798	3,440	---	+642
Asian elephant conservation fund.....	1,557	1,267	1,557	---	+290
Great ape conservation fund.....	1,975	1,607	1,975	---	+368
Marine turtle conservation fund.....	1,507	1,227	1,507	---	+280
Total, Multinational Species Conservation Fund..	11,061	9,000	11,061	---	+2,061

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
State and Tribal Wildlife Grants					
State wildlife grants (formula).....	52,000	48,919	52,000	---	+3,081
State wildlife grants (competitive).....	6,362	---	6,362	---	+6,362
Tribal wildlife grants.....	4,209	3,917	4,209	---	+292
Total, State and tribal wildlife grants.....	62,571	52,836	62,571	---	+9,735
TOTAL, U.S. FISH AND WILDLIFE SERVICE.....					
	1,519,781	1,302,619	1,479,118	-40,663	+176,499
NATIONAL PARK SERVICE					
Operation of the National Park System					
Park Management:					
Resource stewardship.....	328,955	301,928	328,955	---	+27,027
Visitor services.....	252,103	223,785	252,103	---	+28,318
Park protection.....	356,643	338,198	352,443	-4,200	+14,245
Facility operations and maintenance.....	778,584	685,899	768,892	-9,692	+82,993
Park support.....	528,066	496,103	528,066	---	+31,963
Subtotal.....	2,244,351	2,045,913	2,230,459	-13,892	+184,546
External administrative costs.....	180,667	179,572	179,572	-1,095	---
Total, Operation of the National Park System....	2,425,018	2,225,485	2,410,031	-14,987	+184,546
National Recreation and Preservation					
Recreation programs.....	589	---	---	-589	---
Natural programs.....	13,581	12,089	12,929	-652	+840
Cultural programs.....	24,562	22,408	24,815	+253	+2,407
International park affairs.....	1,648	1,310	1,631	-17	+321
Environmental and compliance review.....	433	385	433	---	+48
Grant administration.....	2,004	---	---	-2,004	---
Heritage Partnership Programs.....	19,821	809	19,821	---	+19,012
Total, National Recreation and Preservation.....	62,638	37,001	59,629	-3,009	+22,628
Historic Preservation Fund					
State historic preservation offices.....	47,925	42,134	46,925	-1,000	+4,791
Tribal grants.....	10,485	8,966	9,485	-1,000	+519
Competitive grants.....	13,500	---	11,000	-2,500	+11,000
Save America's Treasures grants.....	5,000	---	5,000	---	+5,000
Grants to Historically Black Colleges and Universities	4,000	---	3,000	-1,000	+3,000
Total, Historic Preservation Fund.....	80,910	51,100	75,410	-5,500	+24,310
Construction					
General Program:					
Line item construction and maintenance.....	131,992	137,011	137,011	+5,019	---
Emergency and unscheduled.....	3,855	3,848	3,848	-7	---
Housing.....	2,200	2,200	2,200	---	---
Dam safety.....	1,248	1,247	1,247	-1	---
Equipment replacement.....	13,500	13,474	13,474	-26	---
Planning, construction.....	7,966	17,453	12,711	+4,745	-4,742
Construction program management.....	36,771	40,656	38,713	+1,942	-1,943
General management plans.....	11,821	10,640	10,640	-1,181	---
Total, Construction.....	209,353	226,529	219,844	+10,491	-6,685
Land and Water Conservation Fund (rescission of contract authority).....	-28,000	-28,020	-28,020	-20	---

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land Acquisition and State Assistance					
Assistance to States:					
State conservation grants (formula).....	94,000	---	70,000	-24,000	+70,000
State conservation grants (competitive).....	12,000	---	5,000	-7,000	+5,000
Administrative expenses.....	4,006	3,043	4,006	---	+963
Subtotal.....	110,006	3,043	79,006	-31,000	+75,963
National Park Service:					
Acquisitions.....	21,488	---	16,000	-5,488	+16,000
Recreational Access.....	2,000	---	1,000	-1,000	+1,000
American Battlefield Protection Program.....	10,000	8,481	10,000	---	+1,519
Emergencies, Hardships, Relocations, and Deficiencies.....	3,928	3,071	2,500	-1,428	-571
Acquisition Management.....	9,679	8,716	9,000	-679	+284
Inholdings, Donations, and Exchanges.....	4,928	3,069	3,069	-1,859	---
Subtotal.....	52,023	23,337	41,569	-10,454	+18,232
Subtotal, Land Acquisition and State Assistance.....	162,029	26,380	120,575	-41,454	+94,195
Rescission.....	---	---	-4,500	-4,500	-4,500
Total, Land Acquisition and State Assistance....	162,029	26,380	116,075	-45,954	+89,695
Centennial Challenge.....	20,000	14,971	15,000	-5,000	+29
TOTAL, NATIONAL PARK SERVICE.....	2,931,948	2,553,446	2,867,969	-63,979	+314,523
UNITED STATES GEOLOGICAL SURVEY					
Surveys, Investigations, and Research					
Ecosystems:					
Status and trends.....	20,473	16,834	18,873	-1,600	+2,039
Fisheries: Aquatic and endangered resources.....	21,136	15,846	20,136	-1,000	+4,290
Wildlife: Terrestrial and endangered resources.....	46,007	35,471	42,907	-3,100	+7,436
Terrestrial, Freshwater and marine environments.....	37,415	29,342	36,415	-1,000	+7,073
Invasive species.....	17,330	17,297	17,330	---	+33
Cooperative research units.....	17,371	17,338	17,371	---	+33
Total, Ecosystems.....	159,732	132,128	153,032	-6,700	+20,904
Climate and Land Use Change (FY 2017 Structure):					
Climate Variability:					
Climate science centers.....	25,335	---	---	-25,335	---
Climate research and development.....	19,295	---	---	-19,295	---
Carbon sequestration.....	8,959	---	---	-8,959	---
Subtotal.....	53,589	---	---	-53,589	---
Land Use Change:					
Land remote sensing.....	85,794	---	---	-85,794	---
Land change science.....	9,892	---	---	-9,892	---
Subtotal.....	95,686	---	---	-95,686	---
Total, Climate and Land Use Change.....	149,275	---	---	-149,275	---

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land Resources (Proposed FY 2018 Structure):					
National Land Imaging.....	---	76,127	83,883	+83,883	+7,756
Land change science.....	---	19,285	19,285	+19,285	---
National and regional climate adaptation science centers.....	---	17,435	17,435	+17,435	---
Total, Land Resources.....	---	112,847	120,603	+120,603	+7,756
Energy, Minerals, and Environmental Health:					
Mineral and Energy Resources:					
Minerals resources.....	48,371	48,279	48,371	---	+92
Energy resources.....	24,695	26,125	26,125	+1,430	---
Subtotal.....	73,066	74,404	74,496	+1,430	+92
Environmental Health:					
Contaminant biology.....	10,197	8,230	10,197	---	+1,967
Toxic substances hydrology.....	11,048	8,876	11,398	+350	+2,522
Subtotal.....	21,245	17,106	21,595	+350	+4,489
Total, Energy, Minerals, and Environmental Health.....	94,311	91,510	96,091	+1,780	+4,581
Natural Hazards:					
Earthquake hazards.....	64,303	51,388	64,303	---	+12,915
Volcano hazards.....	28,121	22,432	26,521	-1,600	+4,089
Landslide hazards.....	3,538	3,531	3,538	---	+7
Global seismographic network.....	6,653	4,986	6,653	---	+1,667
Geomagnetism.....	1,888	---	1,888	---	+1,888
Coastal/Marine Hazards and Resources.....	40,510	35,774	38,601	-1,909	+2,827
Total, Natural Hazards.....	145,013	118,111	141,504	-3,509	+23,393
Water Resources:					
Water Availability and Use Science Program.....	45,052	30,413	42,052	-3,000	+11,639
Groundwater and Streamflow Information Program.....	72,673	68,159	73,173	+500	+5,014
National Water Quality Program.....	90,529	74,470	89,029	-1,500	+14,559
Water Resources Research Act Program.....	6,500	---	6,500	---	+6,500
Total, Water Resources.....	214,754	173,042	210,754	-4,000	+37,712
Core Science Systems:					
Science, synthesis, analysis, and research.....	24,299	18,753	22,986	-1,313	+4,233
National cooperative geological mapping.....	24,397	22,281	24,397	---	+2,116
National Geospatial Program.....	67,354	51,935	67,354	---	+15,419
Total, Core Science Systems.....	116,050	92,969	114,737	-1,313	+21,768
Science Support:					
Administration and Management.....	81,981	69,379	77,882	-4,099	+8,503
Information Services.....	23,630	19,989	22,449	-1,181	+2,460
Total, Science Support.....	105,611	89,368	100,331	-5,280	+10,963
Facilities:					
Rental payments and operations & maintenance.....	93,141	104,927	94,604	+1,463	-10,323
Deferred maintenance and capital improvement.....	7,280	7,266	7,266	-14	---
Total, Facilities.....	100,421	112,193	101,870	+1,449	-10,323
TOTAL, UNITED STATES GEOLOGICAL SURVEY.....	1,085,167	922,168	1,038,922	-46,245	+116,754

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
BUREAU OF OCEAN ENERGY MANAGEMENT					
Ocean Energy Management					
Renewable energy.....	23,887	21,676	21,676	-2,211	---
Conventional energy.....	58,963	58,123	58,123	-840	---
Environmental assessment.....	68,045	73,834	73,834	+5,789	---
Executive direction.....	18,665	17,367	17,367	-1,298	---
Subtotal.....	169,560	171,000	171,000	+1,440	---
Offsetting rental receipts.....	-88,487	-55,374	-55,374	+33,113	---
Cost recovery fees.....	-6,457	-1,460	-1,460	+4,997	---
Subtotal, offsetting collections.....	-94,944	-56,834	-56,834	+38,110	---
Rescission.....	---	---	-25,000	-25,000	-25,000
TOTAL, BUREAU OF OCEAN ENERGY MANAGEMENT.....	74,616	114,166	89,166	+14,550	-25,000
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT					
Offshore Safety and Environmental Enforcement					
Environmental enforcement.....	8,314	4,453	4,453	-3,861	---
Operations, safety and regulation.....	144,954	151,061	148,454	+3,500	-2,607
Administrative operations.....	18,268	18,350	16,768	-1,500	-1,582
Executive direction.....	18,236	18,318	16,736	-1,500	-1,582
Subtotal.....	189,772	192,182	186,411	-3,361	-5,771
Offsetting rental receipts.....	-37,922	-23,732	-23,732	+14,190	---
Inspection fees.....	-53,000	-62,000	-50,000	+3,000	+12,000
Cost recovery fees.....	-5,608	-4,139	-4,139	+1,469	---
Subtotal, offsetting collections.....	-96,530	-89,871	-77,871	+18,659	+12,000
Rescission.....	-25,000	---	-12,000	+13,000	-12,000
Total, Offshore Safety and Environmental Enforcement.....	68,242	102,311	96,540	+28,298	-5,771
Oil Spill Research					
Oil spill research.....	14,899	12,700	12,700	-2,199	---
TOTAL, BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT.....	83,141	115,011	109,240	+26,099	-5,771
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT					
Regulation and Technology					
Environmental protection.....	90,138	82,185	86,548	-3,590	+4,363
Permit fees.....	40	40	40	---	---
Offsetting collections.....	-40	-40	-40	---	---
Technology development and transfer.....	15,205	12,801	12,801	-2,404	---
Financial management.....	505	510	505	---	-5
Executive direction.....	15,169	13,936	13,936	-1,233	---
Civil penalties (indefinite).....	100	100	100	---	---
Subtotal.....	121,117	109,532	113,890	-7,227	+4,358

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Civil penalties (offsetting collections).....	-100	-100	-100	---	---
Total, Regulation and Technology.....	121,017	109,432	113,790	-7,227	+4,358
Abandoned Mine Reclamation Fund					
Environmental restoration.....	9,480	6,272	9,480	---	+3,208
Technology development and transfer.....	3,544	2,087	3,544	---	+1,457
Financial management.....	6,396	5,182	5,182	-1,214	---
Executive direction.....	7,743	6,466	6,466	-1,277	---
State grants.....	105,000	---	75,000	-30,000	+75,000
Total, Abandoned Mine Reclamation Fund.....	132,163	20,007	99,672	-32,491	+79,665
=====					
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT.....	253,180	129,439	213,462	-39,718	+84,023
=====					
BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION					
Operation of Indian Programs					
Tribal Budget System					
Tribal Government:					
Aid to tribal government.....	27,118	25,127	28,698	+1,580	+3,571
Consolidated tribal government program.....	75,429	72,224	74,558	-871	+2,334
Self governance compacts.....	162,346	156,634	165,069	+2,723	+8,435
New tribes.....	160	160	160	---	---
Small and needy tribes.....	4,448	---	4,448	---	+4,448
Road maintenance.....	30,307	28,148	31,653	+1,346	+3,505
Tribal government program oversight.....	8,377	8,014	8,014	-363	---
Subtotal.....	308,185	290,307	312,600	+4,415	+22,293
Human Services:					
Social services.....	52,343	34,987	52,832	+489	+17,845
Welfare assistance.....	74,773	70,794	74,650	-123	+3,856
Indian child welfare act.....	18,946	14,918	19,080	+134	+4,162
Housing improvement program.....	9,708	---	9,708	---	+9,708
Human services tribal design.....	254	243	263	+9	+20
Human services program oversight.....	3,137	3,007	3,007	-130	---
Subtotal.....	159,161	123,949	159,540	+379	+35,591
Trust - Natural Resources Management:					
Natural resources, general.....	4,953	4,829	4,829	-124	---
Irrigation operations and maintenance.....	12,905	14,009	14,009	+1,104	---
Rights protection implementation.....	39,661	28,625	40,161	+500	+11,536
Tribal management/development program.....	11,266	9,276	9,276	-1,990	---
Endangered species.....	2,685	1,302	1,302	-1,383	---
Cooperative landscape conservation.....	9,956	---	9,956	---	+9,956
Integrated resource information program.....	2,996	2,815	2,815	-181	---
Agriculture and range.....	30,769	28,822	31,096	+327	+2,274
Forestry.....	54,155	49,013	55,232	+1,077	+6,219
Water resources.....	10,450	8,534	10,581	+131	+2,047
Fish, wildlife and parks.....	15,203	12,414	15,260	+57	+2,846
Resource management program oversight.....	5,993	5,823	5,823	-170	---
Subtotal.....	200,992	165,462	200,340	-652	+34,878
Trust - Real Estate Services.....	123,092	112,046	126,708	+3,616	+14,662

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Education:					
Elementary and secondary programs (forward funded)...	575,155	520,044	578,374	+3,219	+58,330
(Tribal grant support costs).....	(80,165)	(74,371)	(80,168)	(+3)	(+5,797)
Post secondary programs (forward funded).....	77,207	72,689	84,196	+6,989	+11,507
Subtotal, forward funded education.....	652,362	592,733	662,570	+10,208	+69,837
Elementary and secondary programs.....	140,540	123,871	141,438	+898	+17,567
Post secondary programs.....	63,561	45,721	62,650	-911	+16,929
Education management.....	35,050	24,047	35,254	+204	+11,207
Subtotal, Education.....	891,513	786,372	901,912	+10,399	+115,540
Public Safety and Justice:					
Law enforcement.....	353,556	325,965	359,516	+5,960	+33,551
Tribal courts.....	30,753	21,984	30,618	-135	+8,634
Fire protection.....	1,426	1,365	1,583	+157	+218
Subtotal.....	385,735	349,314	391,717	+5,982	+42,403
Community and economic development.....	41,844	39,464	45,447	+3,603	+5,983
Executive direction and administrative services.....	228,824	215,592	223,947	-4,877	+8,355
(Amounts available until expended, account-wide).....	(49,122)	(35,434)	(50,991)	(+1,869)	(+15,557)
Total, Operation of Indian Programs.....	2,339,346	2,082,506	2,362,211	+22,865	+279,705
Contract Support Costs					
Contract support costs.....	273,000	236,600	236,600	-36,400	---
Indian self-determination fund.....	5,000	5,000	5,000	---	---
Total, Contract Support Costs.....	278,000	241,600	241,600	-36,400	---
Construction					
Education.....	133,257	80,187	138,245	+4,988	+58,058
Public safety and justice.....	11,306	10,416	11,309	+3	+893
Resources management.....	36,513	40,696	40,696	+4,183	---
General administration.....	10,941	11,963	11,963	+1,022	---
Total, Construction.....	192,017	143,262	202,213	+10,196	+58,951
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians					
Land Settlements:					
White Earth Land Settlement Act (Admin) (P.L.99-264).....	---	624	625	+625	+1
Hoopa-Yurok Settlement Act (P.L.100-580).....	---	250	250	+250	---
Yurok Land Acquisition (P.L. 100-580).....	---	---	---	---	---
Water Settlements:					
Pyramid Lake Water Rights Settlement (P.L.101-618)...	---	142	142	+142	---
Navajo Water Resources Development Trust Fund (P.L.111-11).....	---	4,000	4,011	+4,011	+11
Navajo-Gallup Water Supply Project (P.L.111-11).....	---	7,783	21,720	+21,720	+13,937
Pechanga Band of Luiseno Mission Indians Water Rights Settlement Act (P.L.114-322).....	---	400	9,192	+9,192	+8,792
Blackfeet Water Rights Settlement (P.L. 114-322).....	---	800	19,517	+19,517	+18,717
Aamodt Water Rights Settlement Agreement (P.L.111-291).....	---	---	---	---	---
Unallocated.....	45,045	---	---	-45,045	---
Total, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.....	45,045	13,999	55,457	+10,412	+41,458
Indian Guaranteed Loan Program Account					
Indian guaranteed loan program account.....	8,757	6,692	9,272	+515	+2,580

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Administrative Provisions					
Rescission.....	-3,400	---	---	+3,400	---
	=====	=====	=====	=====	=====
TOTAL, BUREAU OF INDIAN AFFAIRS AND INDIAN EDUCATION.....	2,859,765	2,488,059	2,870,753	+10,988	+382,694
	=====	=====	=====	=====	=====
DEPARTMENTAL OFFICES					
Office of the Secretary					
Leadership and administration.....	124,112	105,405	105,405	-18,707	---
Management services.....	20,475	18,535	17,535	-2,940	-1,000
Office of Natural Resources Revenue.....	126,487	---	---	-126,487	---
Total, Office of the Secretary.....	271,074	123,940	122,940	-148,134	-1,000
Insular Affairs					
Assistance to Territories					
Territorial Assistance					
Office of Insular Affairs.....	9,448	9,430	9,430	-18	---
Technical assistance.....	16,784	14,671	16,356	-428	+1,685
Maintenance assistance fund.....	4,000	1,023	3,898	-102	+2,875
Brown tree snake.....	3,500	2,837	3,000	-500	+163
Coral reef initiative.....	1,250	946	1,218	-32	+272
Empowering Insular Communities.....	3,471	2,811	3,382	-89	+571
Compact impact.....	3,000	---	2,924	-76	+2,924
Subtotal, Territorial Assistance.....	41,453	31,718	40,208	-1,245	+8,490
American Samoa operations grants.....	22,752	21,529	23,002	+250	+1,473
Northern Marianas covenant grants.....	27,720	27,720	27,720	---	---
Total, Assistance to Territories.....	91,925	80,967	90,930	-995	+9,963
(discretionary).....	(64,205)	(53,247)	(63,210)	(-995)	(+9,963)
(mandatory).....	(27,720)	(27,720)	(27,720)	---	---
Compact of Free Association					
Compact of Free Association - Federal services.....	2,818	2,813	2,813	-5	---
Enewetak support.....	500	473	487	-13	+14
Subtotal, Compact of Free Association.....	3,318	3,286	3,300	-18	+14
Compact payments, Palau (Title I, General Provision).....	13,147	---	---	-13,147	---
Total, Compact of Free Association.....	16,465	3,286	3,300	-13,165	+14
Total, Insular Affairs.....	108,390	84,253	94,230	-14,160	+9,977
(discretionary).....	(80,670)	(56,533)	(66,510)	(-14,160)	(+9,977)
(mandatory).....	(27,720)	(27,720)	(27,720)	---	---
Office of the Solicitor					
Legal services.....	59,091	58,951	58,951	-140	---
General administration.....	4,940	4,982	4,982	+42	---
Ethics.....	1,738	1,742	1,742	+4	---
Total, Office of the Solicitor.....	65,769	65,675	65,675	-94	---

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General					
Audit and investigations.....	37,538	37,467	37,467	-71	---
Administrative services and information management....	12,509	12,485	12,485	-24	---
Total, Office of Inspector General.....	50,047	49,952	49,952	-95	---
Office of Special Trustee for American Indians					
Federal Trust Programs					
Program operations, support, and improvements.....	136,998	119,400	119,400	-17,598	---
(Office of Historical Accounting).....	(18,688)	(18,990)	(18,990)	(+302)	---
Executive direction.....	2,031	---	---	-2,031	---
Total, Office of Special Trustee for American Indians.....	139,029	119,400	119,400	-19,629	---
=====					
TOTAL, DEPARTMENTAL OFFICES.....	634,309	443,220	452,197	-182,112	+8,977
(Discretionary).....	(606,589)	(415,500)	(424,477)	(-182,112)	(+8,977)
(Mandatory).....	(27,720)	(27,720)	(27,720)	---	---
=====					
DEPARTMENT-WIDE PROGRAMS					
Wildland Fire Management					
Fire Operations:					
Preparedness.....	332,784	322,179	332,784	---	+10,605
Fire suppression.....	395,000	389,406	389,406	-5,594	---
Subtotal, Fire operations.....	727,784	711,585	722,190	-5,594	+10,605
Other Operations:					
Fuels Management.....	180,000	149,466	182,500	+2,500	+33,034
Burned area rehabilitation.....	20,470	9,467	19,948	-522	+10,481
Fire facilities.....	8,427	---	8,212	-215	+8,212
Joint fire science.....	5,990	3,000	3,000	-2,990	---
Subtotal, Other operations.....	214,887	161,933	213,660	-1,227	+51,727
Total, Wildland fire management.....	942,671	873,518	935,850	-6,821	+62,332
FLAME Wildfire Suppression Reserve Account					
FLAME wildfire suppression reserve account (emergency)	65,000	---	---	-65,000	---
Total, all wildland fire accounts.....	1,007,671	873,518	935,850	-71,821	+62,332
Appropriations.....	(942,671)	(873,518)	(935,850)	(-6,821)	(+62,332)
Emergency appropriations.....	(65,000)	---	---	(-65,000)	---
Central Hazardous Materials Fund					
Central hazardous materials fund.....	10,010	2,000	10,010	---	+8,010
Natural Resource Damage Assessment Fund					
Damage assessments.....	2,000	1,500	1,949	-51	+449
Program management.....	2,192	1,000	2,152	-40	+1,152
Restoration support.....	2,575	1,900	2,527	-48	+627
Oil Spill Preparedness.....	1,000	200	940	-60	+740
Total, Natural Resource Damage Assessment Fund..	7,767	4,600	7,568	-199	+2,968
Working Capital Fund.....	67,100	59,472	65,388	-1,712	+5,916

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Natural Resources Revenue					
Natural Resources Revenue.....	---	137,757	137,757	+137,757	---
Payment in Lieu of Taxes					
Payments to local governments in lieu of taxes.....	465,000	396,880	465,000	---	+68,120
TOTAL, DEPARTMENT-WIDE PROGRAMS.....	1,557,548	1,474,227	1,621,573	+64,025	+147,346
Appropriations.....	(1,492,548)	(1,474,227)	(1,621,573)	(+129,025)	(+147,346)
Emergency appropriations.....	(65,000)	---	---	(-65,000)	---
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR.....	12,251,927	10,615,927	11,949,190	-302,737	+1,333,263
Appropriations.....	(12,243,327)	(10,643,947)	(12,028,051)	(-215,276)	(+1,384,104)
Rescissions.....	(-28,400)	---	(-50,841)	(-22,441)	(-50,841)
Rescissions of contract authority.....	(-28,000)	(-28,020)	(-28,020)	(-20)	---
Emergency appropriations.....	(65,000)	---	---	(-65,000)	---
(Mandatory).....	(61,720)	(61,720)	(61,720)	---	---
(Discretionary).....	(12,190,207)	(10,554,207)	(11,887,470)	(-302,737)	(+1,333,263)
TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Science and Technology					
Clean Air.....	116,541	85,708	99,060	-17,481	+13,352
(GHG reporting program).....	(8,018)	---	(6,815)	(-1,203)	(+8,815)
Enforcement.....	13,669	10,444	11,619	-2,050	+1,175
Homeland security.....	33,122	23,097	28,154	-4,968	+5,057
Indoor air and Radiation.....	5,997	3,339	5,097	-900	+1,758
IT / Data management / Security.....	3,089	2,725	2,725	-364	---
Operations and administration.....	68,339	79,334	79,334	+10,995	---
Pesticide licensing.....	6,027	4,996	5,123	-904	+127
Research: Air and energy.....	91,906	30,592	78,120	-13,786	+47,528
Research: Chemical safety and sustainability.....	126,930	84,189	107,891	-19,039	+23,702
(Research: Computational toxicology).....	(21,409)	(17,165)	(21,409)	---	(+4,244)
(Research: Endocrine disruptor).....	(16,253)	(10,122)	(16,253)	---	(+6,131)
Research: National priorities.....	4,100	---	4,100	---	+4,100
Research: Safe and sustainable water resources.....	106,257	68,520	90,318	-15,939	+21,798
Research: Sustainable and healthy communities.....	134,327	54,211	114,178	-20,149	+59,967
Water: Human health protection.....	3,519	3,657	3,519	---	-138
Subtotal, Science and Technology.....	713,823	450,812	629,238	-84,585	+178,426
Rescission.....	-7,350	---	-27,000	-19,650	-27,000
Total, Science and Technology.....	706,473	450,812	602,238	-104,235	+151,426
(by transfer from Superfund).....	(15,496)	(12,435)	(15,496)	---	(+3,061)
Environmental Programs and Management					
Brownfields.....	25,593	16,082	25,500	-93	+9,418
Clean air.....	273,108	143,167	227,142	-45,966	+83,975
(GHG reporting program).....	(95,436)	(13,580)	(81,120)	(-14,316)	(+67,540)
Compliance.....	101,665	86,431	96,665	-5,000	+10,234
Enforcement.....	240,637	194,307	204,541	-36,096	+10,234
(Environmental justice).....	(6,737)	---	(5,726)	(-1,011)	(+5,726)
Environmental protection: National priorities.....	12,700	---	12,700	---	+12,700

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Geographic programs:					
Great Lakes Restoration Initiative.....	300,000	---	300,000	---	+300,000
Chesapeake Bay.....	73,000	---	60,000	-13,000	+60,000
San Francisco Bay.....	4,819	---	---	-4,819	---
Puget Sound.....	28,000	---	28,000	---	+28,000
Long Island Sound.....	8,000	---	8,000	---	+8,000
Gulf of Mexico.....	8,542	---	6,000	-2,542	+6,000
South Florida.....	1,704	---	---	-1,704	---
Lake Champlain.....	4,399	---	---	-4,399	---
Lake Pontchartrain.....	948	---	---	-948	---
Southern New England Estuaries.....	5,000	---	---	-5,000	---
Other geographic activities.....	1,445	---	---	-1,445	---
Subtotal.....	435,857	---	402,000	-33,857	+402,000
Homeland security.....	10,195	8,498	8,667	-1,528	+169
Indoor air and radiation.....	27,637	2,257	25,637	-2,000	+23,380
Information exchange / Outreach.....	126,538	83,295	107,557	-18,981	+24,262
(Children and other sensitive populations:					
Agency coordination).....	(6,548)	(2,018)	(5,566)	(-982)	(+3,548)
(Environmental education).....	(8,702)	---	---	(-8,702)	---
International programs.....	15,400	4,051	4,051	-11,349	---
IT / Data management / Security.....	90,536	82,066	82,066	-8,470	---
Legal/science/regulatory/economic review.....	111,414	98,446	98,446	-12,968	---
Operations and administration.....	480,751	496,483	496,483	+15,732	---
Pesticide licensing.....	102,363	85,526	100,012	-2,351	+14,486
Resource Conservation and Recovery Act (RCRA).....	104,877	73,093	100,877	-4,000	+27,784
Toxics risk review and prevention.....	92,521	65,036	92,521	---	+27,485
(Endocrine disruptors).....	(7,553)	---	(7,553)	---	(+7,553)
Underground storage tanks (LUST / UST).....	11,295	5,612	9,601	-1,694	+3,989
Water: Ecosystems:					
National estuary program / Coastal waterways.....	26,723	---	26,723	---	+26,723
Wetlands.....	21,065	18,115	21,065	---	+2,950
Subtotal.....	47,788	18,115	47,788	---	+29,673
Water: Human health protection.....	98,507	80,044	83,731	-14,776	+3,687
Water quality protection.....	210,417	174,975	178,855	-31,562	+3,880
General reduction.....	---	---	-6,000	-6,000	-6,000
Subtotal, Environmental Programs and Management.....	2,619,799	1,717,484	2,398,840	-220,959	+681,356
Rescission.....	-21,800	---	-41,000	-19,200	-41,000
Total, Environmental Programs and Management....	2,597,999	1,717,484	2,357,840	-240,159	+640,356
Hazardous Waste Electronic Manifest System Fund					
E-Manifest System Fund.....	3,178	3,674	3,674	+496	---
Offsetting Collections.....	---	-3,674	-3,674	-3,674	---
Total, Hazardous Waste Electronic Manifest System Fund.....	3,178	---	---	-3,178	---
Office of Inspector General					
Audits, evaluations, and investigations.....	41,489	37,475	40,000	-1,489	+2,525
(by transfer from Superfund).....	(8,778)	(3,900)	(7,778)	(-1,000)	(+3,878)

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Buildings and Facilities					
Homeland security: Protection of EPA personnel and infrastructure.....	6,676	6,176	6,176	-500	---
Operations and administration.....	27,791	33,377	33,377	+5,586	---
Total, Buildings and Facilities.....	34,467	39,553	39,553	+5,086	---
Hazardous Substance Superfund					
Audits, evaluations, and investigations.....	8,778	3,900	7,778	-1,000	+3,878
Compliance.....	995	605	995	---	+390
Enforcement.....	166,375	99,287	154,375	-12,000	+55,088
Homeland security.....	32,616	16,999	30,616	-2,000	+13,617
Indoor air and radiation.....	1,985	---	1,985	---	+1,985
Information exchange / Outreach.....	1,328	838	1,328	---	+490
IT /data management/security.....	14,485	11,399	14,485	---	+3,086
Legal/science/regulatory/economic review.....	1,253	349	1,253	---	+904
Operations and administration.....	128,105	101,942	123,105	-5,000	+21,163
Research: Chemical safety and sustainability.....	2,824	5,305	5,305	+2,481	---
Research: Sustainable communities.....	11,463	5,655	8,982	-2,481	+3,327
Superfund cleanup:					
Superfund: Emergency response and removal.....	181,306	147,212	181,306	---	+34,094
Superfund: Emergency preparedness.....	7,636	7,216	7,636	---	+420
Superfund: Federal facilities.....	21,125	19,553	21,125	---	+1,572
Superfund: Remedial.....	508,495	341,803	556,100	+47,605	+214,297
Subtotal.....	718,562	515,784	766,167	+47,605	+250,383
Total, Hazardous Substance Superfund.....	1,088,769	762,063	1,116,374	+27,605	+354,311
(transfer out to Inspector General).....	(-8,778)	(-3,900)	(-7,778)	(+1,000)	(-3,878)
(transfer out to Science and Technology).....	(-15,496)	(-12,435)	(-15,496)	---	(-3,061)
Leaking Underground Storage Tank Trust Fund (LUST)					
Enforcement.....	620	559	559	-61	---
Operations and administration.....	1,352	1,346	1,346	-6	---
Research: Sustainable communities.....	320	320	320	---	---
Underground storage tanks (LUST / UST).....	89,649	45,204	89,649	---	+44,445
(LUST/UST).....	(9,240)	(6,364)	(9,240)	---	(+2,876)
(LUST cooperative agreements).....	(55,040)	(38,840)	(55,040)	---	(+16,200)
(Energy Policy Act grants).....	(25,369)	---	(25,369)	---	(+25,369)
Total, Leaking Underground Storage Tank Trust Fund.....	91,941	47,429	91,874	-67	+44,445
Inland Oil Spill Program					
Compliance.....	139	124	124	-15	---
Enforcement.....	2,413	2,266	2,266	-147	---
Oil.....	14,409	12,144	14,409	---	+2,265
Operations and administration.....	584	680	584	---	-96
Research: Sustainable communities.....	664	503	664	---	+161
Total, Inland Oil Spill Program.....	18,209	15,717	18,047	-162	+2,330
State and Tribal Assistance Grants (STAG)					
Alaska Native villages.....	20,000	---	10,000	-10,000	+10,000
Brownfields projects.....	80,000	69,000	90,000	+10,000	+21,000
Clean water state revolving fund (SRF).....	1,393,887	1,393,887	1,143,887	-250,000	-250,000
Diesel emissions grants.....	60,000	10,000	75,000	+15,000	+65,000
Drinking water state revolving fund (SRF).....	863,233	863,233	863,233	---	---
Mexico border.....	10,000	---	---	-10,000	---
Targeted airshed grants.....	30,000	---	40,000	+10,000	+40,000
Water quality monitoring (P.L. 114-322).....	4,000	---	---	-4,000	---
Subtotal, Infrastructure assistance grants.....	2,461,120	2,336,120	2,222,120	-239,000	-114,000

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	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Categorical grants:					
Beaches protection.....	9,549	---	9,549	---	+9,549
Brownfields.....	47,745	33,358	47,745	---	+14,387
Environmental information.....	9,646	6,739	9,646	---	+2,907
Hazardous waste financial assistance.....	99,693	69,652	99,693	---	+30,041
Lead.....	14,049	---	14,049	---	+14,049
Nonpoint source (Sec. 319).....	170,915	---	170,915	---	+170,915
Pesticides enforcement.....	18,050	11,050	18,050	---	+7,000
Pesticides program implementation.....	12,701	8,874	12,701	---	+3,827
Pollution control (Sec. 106).....	230,806	161,257	230,806	---	+69,549
(Water quality monitoring).....	(17,848)	(12,470)	(17,848)	---	(+5,378)
Pollution prevention.....	4,765	---	4,765	---	+4,765
Public water system supervision.....	101,963	71,238	101,963	---	+30,725
Radon.....	8,051	---	8,051	---	+8,051
State and local air quality management.....	228,219	159,450	228,219	---	+68,769
Toxics substances compliance.....	4,919	3,437	4,919	---	+1,482
Tribal air quality management.....	12,829	8,963	12,829	---	+3,866
Tribal general assistance program.....	65,476	45,746	65,476	---	+19,730
Underground injection control (UIC).....	10,506	7,340	10,506	---	+3,166
Underground storage tanks.....	1,498	---	1,498	---	+1,498
Wetlands program development.....	14,661	10,243	14,661	---	+4,418
Subtotal, Categorical grants.....	1,066,041	597,347	1,066,041	---	+468,694
Total, State and Tribal Assistance Grants.....	3,527,161	2,933,467	3,288,161	-239,000	+354,694
Water Infrastructure Finance and Innovation Program					
Administrative Expenses.....	2,000	3,000	5,000	+3,000	+2,000
Direct Loan Subsidy.....	8,000	17,000	25,000	+17,000	+8,000
Total, Water Infrastructure Finance and Innovation Program.....	10,000	20,000	30,000	+20,000	+10,000
Administrative Provisions					
Rescission.....	-61,198	-369,000	-60,000	+1,198	+309,000
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	8,058,488	5,655,000	7,524,087	-534,401	+1,869,087
Appropriations.....	(8,148,836)	(6,024,000)	(7,652,087)	(-496,749)	(+1,628,087)
Rescissions.....	(-90,348)	(-369,000)	(-128,000)	(-37,652)	(+241,000)
(By transfer).....	(24,274)	(16,335)	(23,274)	(-1,000)	(+6,939)
(Transfer out).....	(-24,274)	(-16,335)	(-23,274)	(+1,000)	(-6,939)
TITLE III - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
FOREST SERVICE					
Under Secretary for Natural Resources and the Environment.....	---	---	875	+875	+875
Forest and Rangeland Research					
Forest inventory and analysis.....	77,000	77,000	75,037	-1,963	-1,963
Research and development programs.....	211,514	182,000	203,331	-8,183	+21,331
Total, Forest and rangeland research.....	288,514	259,000	278,368	-10,146	+19,368
State and Private Forestry					
Landscape scale restoration.....	14,000	---	13,643	-357	+13,643

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Forest Health Management:					
Federal lands forest health management.....	55,500	54,205	54,084	-1,416	-121
Cooperative lands forest health management.....	39,000	36,185	38,000	-1,000	+1,815
Subtotal.....	94,500	90,390	92,084	-2,416	+1,694
Cooperative Forestry:					
Forest stewardship.....	20,036	20,500	19,525	-511	-975
Forest legacy.....	62,347	---	36,184	-26,163	+36,184
Rescission.....	-12,002	---	---	+12,002	---
Community forest and open space conservation.....	2,000	---	1,950	-50	+1,950
Urban and community forestry.....	28,040	---	27,324	-716	+27,324
Subtotal, Cooperative Forestry.....	100,421	20,500	84,983	-15,438	+64,483
International forestry.....	8,000	7,120	8,000	---	+880
Total, State and Private Forestry.....	216,921	118,010	198,710	-18,211	+80,700
National Forest System					
Land management planning, assessment and monitoring...	182,928	165,000	178,263	-4,665	+13,263
Recreation, heritage and wilderness.....	264,595	252,880	257,848	-6,747	+4,968
Grazing management.....	56,856	50,600	56,856	---	+6,256
Hazardous Fuels.....	---	354,288	392,500	+392,500	+38,212
Forest products.....	367,805	359,121	370,305	+2,500	+11,184
Vegetation and watershed management.....	184,716	174,400	180,000	-4,716	+5,600
Wildlife and fish habitat management.....	140,466	125,000	136,430	-4,036	+11,430
Collaborative Forest Landscape Restoration Fund.....	40,000	---	38,980	-1,020	+38,980
Minerals and geology management.....	75,569	68,000	73,642	-1,927	+5,642
Landownership management.....	73,730	69,000	71,850	-1,880	+2,850
Law enforcement operations.....	126,653	129,153	129,153	+2,500	---
Total, National Forest System.....	1,513,318	1,747,442	1,885,827	+372,509	+138,385
Capital Improvement and Maintenance					
Facilities.....	71,390	11,750	69,570	-1,820	+57,820
Roads.....	175,094	75,243	170,630	-4,464	+95,387
Trails.....	77,530	12,700	75,553	-1,977	+62,853
Legacy road and trail remediation.....	40,000	---	38,980	-1,020	+38,980
Subtotal, Capital improvement and maintenance...	364,014	99,693	354,733	-9,281	+255,040
Deferral of road and trail fund payment.....	-16,000	-15,000	-15,000	+1,000	---
Total, Capital improvement and maintenance.....	348,014	84,693	339,733	-8,281	+255,040
Land Acquisition					
Acquisitions.....	39,413	---	12,000	-27,413	+12,000
Acquisition Management.....	7,552	7,000	7,000	-552	---
Cash Equalization.....	750	---	---	-750	---
Recreational Access.....	4,700	---	4,000	-700	+4,000
Critical Inholdings/Wilderness.....	2,000	---	2,000	---	+2,000
Total, Land Acquisition.....	54,415	7,000	25,000	-29,415	+18,000
Acquisition of land for national forests, special acts	950	850	850	-100	---
Acquisition of lands to complete land exchanges.....	216	192	192	-24	---
Range betterment fund.....	2,320	2,065	2,065	-255	---
Gifts, donations and bequests for forest and rangeland research.....	45	45	45	---	---
Management of national forest lands for subsistence uses.....	2,500	2,225	2,225	-275	---

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Wildland Fire Management					
Fire operations:					
Wildland fire preparedness.....	1,082,620	1,339,620	1,339,620	+257,000	---
Wildland fire suppression operations.....	1,248,000	1,056,818	1,056,818	-191,182	---
Subtotal, Fire operations.....	2,330,620	2,396,438	2,396,438	+65,818	---
Other operations:					
Hazardous fuels.....	390,000	---	---	-390,000	---
(Hazardous Fuels Base Program).....	(375,000)	---	---	(-375,000)	---
(Biomass Grants).....	(15,000)	---	---	(-15,000)	---
Fire plan research and development.....	19,795	17,600	19,290	-505	+1,690
Joint fire sciences program.....	---	---	---	---	---
State fire assistance.....	78,000	69,400	76,011	-1,989	+6,611
Volunteer fire assistance.....	15,000	11,600	14,618	-382	+3,018
Subtotal, Other operations.....	502,795	98,600	109,919	-392,876	+11,319
Subtotal, Wildland Fire Management.....	2,833,415	2,495,038	2,506,357	-327,058	+11,319
FLAME Wildfire Suppression Reserve Account					
FLAME wildfire suppression reserve account (emergency)	342,000	---	---	-342,000	---
Total, all wildland fire accounts.....	3,175,415	2,495,038	2,506,357	-669,058	+11,319
Appropriations.....	(2,833,415)	(2,495,038)	(2,506,357)	(-327,058)	(+11,319)
Emergency appropriations.....	(342,000)	---	---	(-342,000)	---
Total, Forest Service without Wildland Fire Management.....	2,427,213	2,221,522	2,733,890	+306,677	+512,368
Administrative Provisions					
Rescission.....	-6,315	---	---	+6,315	---
TOTAL, FOREST SERVICE.....	5,596,313	4,716,560	5,240,247	-356,066	+523,687
Appropriations.....	(5,272,630)	(4,716,560)	(5,240,247)	(-32,383)	(+523,687)
Rescissions.....	(-18,317)	---	---	(+18,317)	---
Emergency appropriations.....	(342,000)	---	---	(-342,000)	---
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
INDIAN HEALTH SERVICE					
Indian Health Services					
Clinical Services:					
Hospital and health clinics.....	1,935,178	1,870,405	1,966,714	+31,536	+96,309
Dental health.....	182,597	179,751	185,920	+3,323	+6,169
Mental health.....	94,080	82,654	95,450	+1,370	+12,796
Alcohol and substance abuse.....	218,353	205,593	220,280	+1,927	+14,687
Purchased/referred care.....	928,830	914,139	928,830	---	+14,691
Indian Health Care Improvement Fund.....	---	---	130,000	+130,000	+130,000
Subtotal.....	3,359,038	3,252,542	3,527,194	+168,156	+274,652
Preventive Health:					
Public health nursing.....	78,701	77,498	80,372	+1,671	+2,874
Health education.....	18,663	18,313	18,896	+233	+583
Community health representatives.....	60,325	58,906	60,825	+500	+1,919
Immunization (Alaska).....	2,041	1,950	2,058	+17	+108
Subtotal.....	159,730	156,667	162,151	+2,421	+5,484

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other services:					
Urban Indian health.....	47,678	44,741	47,943	+265	+3,202
Indian health professions.....	49,345	43,342	49,363	+18	+6,021
Tribal management grant program.....	2,465	---	2,465	---	+2,465
Direct operations.....	70,420	72,338	72,338	+1,918	---
Self-governance.....	5,786	4,735	5,806	+20	+1,071
Subtotal.....	175,694	165,156	177,915	+2,221	+12,759
Total, Indian Health Services.....	3,694,462	3,574,365	3,867,260	+172,798	+292,895
Contract Support Costs					
Contract support.....	800,000	717,970	717,970	-82,030	---
Indian Health Facilities					
Maintenance and improvement.....	75,745	60,000	77,502	+1,757	+17,502
Sanitation facilities construction.....	101,772	75,423	101,772	---	+26,349
Health care facilities construction.....	117,991	100,000	117,991	---	+17,991
Facilities and environmental health support.....	226,950	192,022	231,412	+4,462	+39,390
Equipment.....	22,966	19,511	22,966	---	+3,455
Total, Indian Health Facilities.....	545,424	446,956	551,643	+6,219	+104,687
TOTAL, INDIAN HEALTH SERVICE.....	5,039,886	4,739,291	5,136,873	+96,987	+397,582
NATIONAL INSTITUTES OF HEALTH					
National Institute of Environmental Health Sciences...	77,349	59,607	75,370	-1,979	+15,763
AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY					
Toxic substances and environmental public health.....	74,691	62,000	72,780	-1,911	+10,780
TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES..	5,191,926	4,860,898	5,285,023	+93,097	+424,125
OTHER RELATED AGENCIES					
EXECUTIVE OFFICE OF THE PRESIDENT					
Council on Environmental Quality and Office of Environmental Quality.....	3,000	2,994	2,994	-6	---
CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD					
Salaries and expenses.....	11,000	9,420	11,000	---	+1,580
Rescission of no-year funds (P.L. 108-199, P.L. 108-447).....	---	-844	---	---	+844
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION					
Salaries and expenses.....	15,431	14,970	15,431	---	+461
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT					
Payment to the Institute.....	15,212	11,596	9,835	-5,377	-1,761

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
SMITHSONIAN INSTITUTION					
Salaries and Expenses					
Museum and Research Institutes:					
National Air and Space Museum.....	19,853	19,693	19,693	-160	---
Smithsonian Astrophysical Observatory.....	24,393	24,450	24,393	---	-57
Major scientific instrumentation.....	4,118	4,118	4,118	---	---
Universe Center.....	184	184	184	---	---
National Museum of Natural History.....	49,205	49,407	49,205	---	-202
National Zoological Park.....	27,252	26,864	27,252	---	+388
Smithsonian Environmental Research Center.....	4,171	4,193	4,171	---	-22
Smithsonian Tropical Research Institute.....	14,344	14,386	14,344	---	-42
Biodiversity Center.....	1,530	1,543	1,530	---	-13
Arthur M. Sackler Gallery/Freer Gallery of Art.....	6,197	6,228	6,197	---	-31
Center for Folklife and Cultural Heritage.....	3,039	3,178	3,039	---	-139
Cooper-Hewitt, National Design Museum.....	5,005	4,897	4,897	-108	---
Hirshhorn Museum and Sculpture Garden.....	4,627	4,344	4,344	-283	---
National Museum of African Art.....	4,576	4,554	4,554	-22	---
World Cultures Center.....	792	284	284	-508	---
Anacostia Community Museum.....	2,329	2,336	2,329	---	-7
Archives of American Art.....	1,909	1,916	1,909	---	-7
National Museum of African American History and Culture.....	41,564	32,987	32,987	-8,577	---
National Museum of American History.....	26,036	24,902	24,902	-1,134	---
National Museum of the American Indian.....	32,341	32,235	32,235	-106	---
National Portrait Gallery.....	6,460	6,382	6,382	-78	---
Smithsonian American Art Museum.....	10,115	9,958	9,958	-157	---
American Experience Center.....	596	601	596	---	-5
Subtotal, Museums and Research Institutes.....	290,636	279,640	279,503	-11,133	-137
Mission enabling:					
Program support and outreach:					
Outreach.....	9,214	9,284	9,214	---	-70
Communications.....	2,632	2,644	2,632	---	-12
Institution-wide programs.....	14,784	13,284	13,284	-1,500	---
Office of Exhibits Central.....	3,057	3,143	3,057	---	-86
Museum Support Center.....	1,890	1,891	1,890	---	-1
Museum Conservation Institute.....	3,320	3,337	3,320	---	-17
Smithsonian Institution Archives.....	2,316	2,406	2,316	---	-90
Smithsonian Institution Libraries.....	11,146	11,150	11,146	---	-4
Subtotal, Program support and outreach.....	48,359	47,139	46,859	-1,500	-280
Office of Chief Information Officer.....	51,371	52,546	51,371	---	-1,175
Administration.....	35,756	35,545	35,545	-211	---
Inspector General.....	3,499	3,512	3,499	---	-13

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Facilities services:					
Facilities maintenance.....	76,327	76,568	76,327	---	-241
Facilities operations, security and support.....	223,496	224,050	223,496	---	-554
Subtotal, Facilities services.....	299,823	300,618	299,823	---	-795
Subtotal, Mission enabling.....	438,808	439,360	437,097	-1,711	-2,263
Total, Salaries and expenses.....	729,444	719,000	716,600	-12,844	-2,400
Facilities Capital					
Revitalization.....	73,603	191,000	138,200	+64,597	-52,800
Facilities planning and design.....	20,300	27,000	20,300	---	-6,700
Construction.....	40,000	10,000	10,000	-30,000	---
Total, Facilities Capital.....	133,903	228,000	168,500	+34,597	-59,500
TOTAL, SMITHSONIAN INSTITUTION.....	863,347	947,000	885,100	+21,753	-61,900
NATIONAL GALLERY OF ART					
Salaries and Expenses					
Care and utilization of art collections.....	44,778	43,593	44,778	---	+1,185
Operation and maintenance of buildings and grounds....	34,554	34,042	34,554	---	+512
Protection of buildings, grounds and contents.....	23,495	22,793	23,495	---	+702
General administration.....	30,134	29,572	30,134	---	+562
Total, Salaries and Expenses.....	132,961	130,000	132,961	---	+2,961
Repair, Restoration and Renovation of Buildings					
Base program.....	22,564	17,000	22,564	---	+5,564
TOTAL, NATIONAL GALLERY OF ART.....	155,525	147,000	155,525	---	+8,525
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS					
Operations and maintenance.....	22,260	23,740	23,740	+1,480	---
Capital repair and restoration.....	14,140	13,000	13,000	-1,140	---
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.....	36,400	36,740	36,740	+340	---
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS					
Salaries and expenses.....	10,500	7,474	10,000	-500	+2,526
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES					
National Endowment for the Arts					
Grants and Administration					
Grants:					
Direct grants.....	63,906	---	62,000	-1,906	+62,000
Challenge America grants.....	7,600	---	7,400	-200	+7,400
Subtotal.....	71,506	---	69,400	-2,106	+69,400

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
State partnerships:					
State and regional.....	37,517	---	36,250	-1,267	+36,250
Underserved set-aside.....	10,154	---	9,500	-654	+9,500
Subtotal.....	47,671	---	45,750	-1,921	+45,750
Subtotal, Grants.....	119,177	---	115,150	-4,027	+115,150
Program support.....	1,950	---	1,850	-100	+1,850
Administration.....	28,722	29,019	28,000	-722	-1,019
Total, Arts.....	149,849	29,019	145,000	-4,849	+115,981
National Endowment for the Humanities					
Grants and Administration					
Grants:					
Special Initiative: The Common Good.....	7,230	---	---	-7,230	---
Federal/State partnership.....	46,000	---	48,000	+2,000	+48,000
Preservation and access.....	14,385	---	14,400	+15	+14,400
Public programs.....	12,730	---	12,730	---	+12,730
Research programs.....	13,755	---	13,780	+25	+13,780
Education programs.....	12,000	---	12,000	---	+12,000
Program development.....	500	---	500	---	+500
Digital humanities initiatives.....	4,600	---	4,600	---	+4,600
Subtotal, Grants.....	111,200	---	106,010	-5,190	+106,010
Matching Grants:					
Treasury funds.....	2,200	---	2,300	+100	+2,300
Challenge grants.....	8,500	12,400	8,700	+200	-3,700
Subtotal, Matching grants.....	10,700	12,400	11,000	+300	-1,400
Administration.....	27,948	29,907	27,990	+42	-1,917
Total, Humanities.....	149,848	42,307	145,000	-4,848	+102,693
=====					
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES.....	299,697	71,326	290,000	-9,697	+218,674
=====					
COMMISSION OF FINE ARTS					
Salaries and expenses.....	2,762	2,600	2,600	-162	---
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS					
Grants.....	2,000	---	2,000	---	+2,000
ADVISORY COUNCIL ON HISTORIC PRESERVATION					
Salaries and expenses.....	6,493	6,400	6,400	-93	---
NATIONAL CAPITAL PLANNING COMMISSION					
Salaries and expenses.....	8,099	7,948	7,948	-151	---
UNITED STATES HOLOCAUST MEMORIAL MUSEUM					
Holocaust Memorial Museum.....	57,000	54,000	57,000	---	+3,000

DIVISION A - DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
DWIGHT D. EISENHOWER MEMORIAL COMMISSION					
Salaries and expenses.....	1,600	1,800	1,600	---	-200
Construction.....	45,000	85,000	15,000	-30,000	-70,000
	=====	=====	=====	=====	=====
Total, DWIGHT D. EISENHOWER MEMORIAL COMMISSION.	46,600	86,800	16,600	-30,000	-70,200
	=====	=====	=====	=====	=====
WOMEN'S SUFFRAGE CENTENNIAL COMMISSION					
Salaries and expenses.....	2,000	---	1,000	-1,000	+1,000
WORLD WAR I CENTENNIAL COMMISSION					
Salaries and expenses.....	---	7,000	3,000	+3,000	-4,000
	=====	=====	=====	=====	=====
TOTAL, TITLE III, RELATED AGENCIES.....	12,323,305	10,989,882	12,038,443	-284,862	+1,048,561
Appropriations.....	(11,999,622)	(10,990,726)	(12,038,443)	(+38,821)	(+1,047,717)
Rescissions.....	(-18,317)	(-844)	---	(+18,317)	(+844)
Emergency appropriations.....	(342,000)	---	---	(-342,000)	---
	=====	=====	=====	=====	=====
TITLE IV - GENERAL PROVISIONS					
Wind turbine funding limitation (Sec. 438).....	---	---	6,000	+6,000	+6,000
GRAND TOTAL.....	32,633,720	27,260,809	31,517,720	-1,116,000	+4,256,911
Appropriations.....	(32,391,785)	(27,658,673)	(31,724,581)	(-667,204)	(+4,065,908)
Rescissions.....	(-137,065)	(-369,844)	(-178,841)	(-41,776)	(+191,003)
Rescissions of contract authority.....	(-28,000)	(-28,020)	(-28,020)	(-20)	---
Emergency appropriations.....	(407,000)	---	---	(-407,000)	---
(By transfer).....	(24,274)	(16,335)	(23,274)	(-1,000)	(+6,939)
(Transfer out).....	(-24,274)	(-16,335)	(-23,274)	(+1,000)	(-6,939)
(Discretionary total).....	(32,280,000)	(27,199,089)	(31,456,000)	(-824,000)	(+4,256,911)

DIVISION 8 - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - AGRICULTURAL PROGRAMS					
Processing, Research, and Marketing					
Office of the Secretary					
Office of the Secretary.....	5,051	4,859	4,850	-201	-9
Office of Tribal Relations.....	502	501	501	-1	---
Assistant to the Secretary for Rural Development.....	---	---	800	+800	+800
Office of Homeland Security and Emergency Coordination.....	1,496	1,448	1,448	-48	---
Office of Advocacy and Outreach.....	1,209	1,171	1,171	-38	---
Office of the Assistant Secretary for Administration..	804	802	800	-4	-2
Departmental Administration.....	24,124	22,501	2,781	-21,343	-19,720
Subtotal, Departmental Administration.....	24,928	23,303	3,581	-21,347	-19,722
Office of the Assistant Secretary for Congressional Relations.....	3,869	3,521	3,091	-778	-430
Office of Communications.....	7,500	7,261	6,261	-1,239	-1,000
Total, Office of the Secretary.....	44,555	42,064	21,703	-22,852	-20,361
Executive Operations					
Office of the Chief Economist.....	18,917	17,211	16,777	-2,140	-434
Office of Hearings and Appeals.....	13,399	14,716	13,399	---	-1,317
Office of Budget and Program Analysis.....	9,525	9,093	9,093	-432	---
Subtotal, Executive Operations.....	41,841	41,020	39,269	-2,572	-1,751
Office of the Chief Information Officer.....	49,538	58,950	49,538	---	-9,412
Office of the Chief Financial Officer.....	8,028	5,836	5,836	-2,192	---
Office of the Assistant Secretary for Civil Rights....	901	896	800	-101	-96
Office of Civil Rights.....	24,206	23,304	23,304	-902	---
Building and Facilities					
Agriculture Buildings and Facilities.....	84,189	62,145	---	-84,189	-62,145
Hazardous materials management.....	3,633	3,503	3,503	-130	---
Office of Inspector General.....	98,208	92,689	95,628	-2,580	+2,939
Office of the General Counsel.....	44,697	42,970	42,970	-1,727	---
Office of Ethics.....	4,136	3,538	3,945	-191	+407
Total, Departmental Administration.....	403,932	376,915	286,496	-117,436	-90,419
Office of the Under Secretary for Research, Education, and Economics.....	893	891	800	-93	-91
Economic Research Service.....	86,757	76,690	76,788	-9,969	+98
National Agricultural Statistics Service.....	171,239	185,677	183,781	+12,542	-1,896
Census of Agriculture.....	(42,177)	(63,900)	(63,350)	(+21,173)	(-550)
Agricultural Research Service:					
Salaries and expenses.....	1,170,235	993,144	1,132,625	-37,610	+139,481
Buildings and facilities.....	99,600	---	60,000	-39,600	+60,000
Total, Agricultural Research Service.....	1,269,835	993,144	1,192,625	-77,210	+199,481
National Institute of Food and Agriculture:					
Research and education activities.....	849,518	769,613	830,402	-19,116	+60,789
Native American Institutions Endowment Fund.....	(11,880)	(11,857)	(11,880)	---	(+23)
Extension activities.....	477,391	462,890	475,876	-1,515	+12,986
Integrated activities.....	36,000	20,276	35,000	-1,000	+14,724
Total, National Institute of Food and Agriculture.....	1,362,909	1,252,779	1,341,278	-21,631	+88,499
Office of the Under Secretary for Marketing and Regulatory Programs.....	901	891	800	-101	-91

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Animal and Plant Health Inspection Service:					
Salaries and expenses.....	946,212	810,000	906,400	-39,812	+96,400
Buildings and facilities.....	3,175	2,852	---	-3,175	-2,852
Total, Animal and Plant Health Inspection Service.....	949,387	812,852	906,400	-42,987	+93,548
Agricultural Marketing Service:					
Marketing Services.....	84,933	77,462	77,573	-7,360	+111
Standardization activities (user fees)	(65,000)	---	(65,000)	---	(+65,000)
(Limitation on administrative expenses, from fees collected).....	(61,227)	(60,982)	(61,227)	---	(+245)
Funds for strengthening markets, income, and supply (Section 32):					
Permanent, Section 32.....	1,322,000	1,344,000	1,344,000	+22,000	---
Marketing agreements and orders (transfer from section 32).....	(20,705)	(20,489)	(20,705)	---	(+216)
Payments to States and Possessions.....	1,235	1,109	1,109	-126	---
Total, Agricultural Marketing Service program...	1,469,395	1,483,553	1,483,909	+14,514	+356
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses.....	43,482	42,975	42,888	-594	-87
Limitation on inspection and weighing services....	(55,000)	(60,000)	(60,000)	(+5,000)	---
Office of the Under Secretary for Food Safety.....	819	814	800	-19	-14
Food Safety and Inspection Service.....	1,032,062	1,038,069	1,038,069	+6,007	---
Lab accreditation fees.....	(1,000)	(1,000)	(1,000)	---	---
Total, Processing, Research, and Marketing.....	6,730,384	6,204,268	6,493,407	-236,977	+289,139
Total, Title I, Agricultural Programs.....	6,730,384	6,204,268	6,493,407	-236,977	+289,139
(By transfer).....	(20,705)	(20,489)	(20,705)	---	(+216)
(Loan authorization).....	---	---	---	---	---
(Limitation on administrative expenses).....	(116,227)	(120,982)	(121,227)	(+5,000)	(+245)
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TITLE II - Farm Production and Conservation Programs					
Farm Production Programs					
Office of the Under Secretary for Farm Production and Conservation.....	901	896	875	-26	-21
Farm Service Agency:					
Salaries and expenses.....	1,206,110	1,130,163	1,166,317	-39,793	+36,154
(Transfer from Food for Peace (P.L. 480)).....	(149)	(149)	(149)	---	---
(Transfer from export loans).....	(2,463)	(353)	(353)	(-2,110)	---
(Transfer from ACIF).....	(306,998)	(297,386)	(297,386)	(-9,612)	---
Subtotal, transfers from program accounts.....	(309,610)	(297,888)	(297,888)	(-11,722)	---
Total, Salaries and expenses.....	(1,515,720)	(1,428,051)	(1,464,205)	(-51,515)	(+36,154)

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
State mediation grants.....	3,904	3,398	3,398	-506	---
Grassroots source water protection program.....	6,500	---	6,000	-500	+6,000
Dairy indemnity program.....	500	500	500	---	---
Subtotal, Farm Service Agency.....	1,217,014	1,134,061	1,176,215	-40,799	+42,154
Agricultural Credit Insurance Fund (ACIF) Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct.....	(1,500,000)	(1,500,000)	(1,500,000)	---	---
Guaranteed.....	(2,750,000)	(2,500,000)	(2,500,000)	(-250,000)	---
Subtotal.....	(4,250,000)	(4,000,000)	(4,000,000)	(-250,000)	---
Farm operating loans:					
Direct.....	(1,530,000)	(1,304,851)	(1,304,851)	(-225,149)	---
Unsubsidized guaranteed.....	(1,960,000)	(1,393,423)	(1,593,423)	(-366,577)	(+200,000)
Subtotal.....	(3,490,000)	(2,698,274)	(2,898,274)	(-591,726)	(+200,000)
Emergency loans.....	(22,576)	(25,610)	(25,610)	(+3,034)	---
Indian tribe land acquisition loans.....	(20,000)	(20,000)	(20,000)	---	---
Conservation loans:					
Guaranteed.....	(150,000)	(150,000)	(150,000)	---	---
Indian Highly Fractionated Land Loans.....	(10,000)	---	(10,000)	---	(+10,000)
Boll weevil eradication loans.....	(60,000)	(60,000)	(60,000)	---	---
Total, Loan authorizations.....	(8,002,576)	(6,953,884)	(7,163,884)	(-838,692)	(+210,000)
Loan subsidies:					
Farm operating loans:					
Direct.....	65,178	52,716	52,716	-12,462	---
Unsubsidized guaranteed.....	20,972	15,467	17,687	-3,285	+2,220
Subtotal.....	86,150	68,183	70,403	-15,747	+2,220
Emergency Loans.....	1,262	1,260	1,260	-2	---
Indian Highly Fractionated Land Loans.....	2,550	---	2,272	-278	+2,272
Total, Loan subsidies and grants.....	89,962	69,443	73,935	-16,027	+4,492
ACIF administrative expenses:					
Salaries and Expenses (transfer to FSA)...	306,998	297,386	297,386	-9,612	---
Administrative expenses.....	10,070	7,905	7,905	-2,165	---
Total, ACIF expenses.....	317,068	305,291	305,291	-11,777	---
Total, Agricultural Credit Insurance Fund... (Loan authorization).....	407,030 (8,002,576)	374,734 (6,953,884)	379,226 (7,163,884)	-27,804 (-838,692)	+4,492 (+210,000)
Total, Farm Service Agency.....	1,624,945	1,509,691	1,556,316	-68,629	+46,625

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Risk Management Agency:					
RMA Salaries and Expenses.....	74,829	55,000	55,000	-19,829	---
Subtotal, Risk Management Agency.....	74,829	55,000	55,000	-19,829	---
Total, Farm Production Programs.....	1,699,774	1,564,691	1,611,316	-88,458	+46,625
Office of the Under Secretary for Natural Resources and Environment.....	901	896	---	-901	-896
Natural Resources Conservation Service:					
Private Lands Conservation Operations.....	864,474	766,000	858,911	-5,563	+92,911
Farm Security and Rural Investment program (transfer authority).....	---	(985,000)	---	---	(-985,000)
Total, Conservation operations.....	864,474	766,000	858,911	-5,563	+92,911
Watershed flood and prevention operations.....	150,000	---	40,000	-110,000	+40,000
Watershed rehabilitation program.....	12,000	---	10,000	-2,000	+10,000
Total, Natural Resources Conservation Service... Corporations	1,026,474	766,000	908,911	-117,563	+142,911
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund.....	8,667,000	8,245,000	8,245,000	-422,000	---
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses.....	21,290,712	17,483,000	17,483,000	-3,807,712	---
Hazardous waste management (limitation on expenses).....	(5,000)	(5,000)	(5,000)	---	---
Total, Corporations.....	29,957,712	25,728,000	25,728,000	-4,229,712	---
Total, Title II, Farm Production and Conservation Programs.....	32,684,861	28,059,587	28,248,227	-4,436,634	+188,640

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE III - RURAL DEVELOPMENT					
Office of the Under Secretary for Rural Development...	896	891	---	-896	-891
Rural Development:					
Rural development expenses:					
Salaries and expenses.....	225,835	186,076	220,835	-5,000	+34,759
(Transfer from RHIF).....	(412,254)	(244,249)	(401,300)	(-10,954)	(+157,051)
(Transfer from RCFP).....	---	(147,591)	---	---	(-147,591)
(Transfer from RDLFP).....	(4,468)	---	(4,230)	(-238)	(+4,230)
(Transfer from RETLP).....	(33,270)	(38,027)	(30,750)	(-2,520)	(-7,277)
(Transfer from DLTBP).....	---	(8,057)	---	---	(-8,057)
Subtotal, Transfers from program accounts.	(449,992)	(437,924)	(436,280)	(-13,712)	(-1,644)
Total, Rural development expenses.....	(675,827)	(624,000)	(657,115)	(-18,712)	(+33,115)
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (Sec. 502).....	(1,000,000)	---	(900,000)	(-100,000)	(+900,000)
Unsubsidized guaranteed.....	(24,000,000)	(24,000,000)	(24,000,000)	---	---
Subtotal, Single family.....	(25,000,000)	(24,000,000)	(24,900,000)	(-100,000)	(+900,000)
Housing repair (Sec. 504).....	(26,278)	---	(24,000)	(-2,278)	(+24,000)
Rental housing (Sec. 515).....	(35,000)	---	(28,398)	(-6,602)	(+28,398)
Multi-family housing guarantees (Sec. 538)	(230,000)	(250,000)	(230,000)	---	(-20,000)
Site development loans (Sec. 524).....	(5,000)	---	(5,000)	---	(+5,000)
Single family housing credit sales.....	(10,000)	(10,000)	(10,000)	---	---
Self-help housing land development housng					
loans (Sec. 523).....	(5,000)	---	(5,000)	---	(+5,000)
Farm Labor Housing (Sec.514).....	(23,855)	---	(15,000)	(-8,855)	(+15,000)
Total, Loan authorizations.....	(25,335,133)	(24,260,000)	(25,217,398)	(-117,735)	(+957,398)
Loan subsidies:					
Single Family Direct (Sec. 502).....	67,700	---	34,650	-33,050	+34,650
Housing repair (Sec. 504).....	3,663	---	2,959	-704	+2,959
Rental housing (Sec. 515).....	10,360	---	7,472	-2,888	+7,472
Farm labor housing (Sec.514).....	7,051	---	4,008	-3,043	+4,008
Self-Help Land Deveopment Housing Loans					
(Sec.523).....	417	---	368	-49	+368
Site Development Loans (Sec.524).....	111	---	58	-53	+58
Total, Loan subsidies.....	89,302	---	49,515	-39,787	+49,515
Farm labor housing grants.....	8,336	---	6,000	-2,336	+6,000
RHIF administrative expenses (transfer to RD).	412,254	244,249	401,300	-10,954	+157,051
Total, Rural Housing Insurance Fund program.	509,892	244,249	456,815	-53,077	+212,566
(Loan authorization).....	(25,335,133)	(24,260,000)	(25,217,398)	(-117,735)	(+957,398)
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DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rental assistance program:					
Rental assistance (Sec. 521).....	1,405,033	1,345,293	1,345,293	-59,740	---
Multi-Family Housing Revitalization Program Account:					
Rural housing voucher program.....	19,400	20,000	20,000	+600	---
Multi-family housing revitalization program.....	22,000	---	15,000	-7,000	+15,000
Total, Multi-family housing revitalization..	41,400	20,000	35,000	-6,400	+15,000
Mutual and self-help housing grants.....	30,000	---	25,000	-5,000	+25,000
Rural housing assistance grants.....	33,701	---	---	-33,701	---
Rural community facilities program account:					
Loan authorizations:					
Community facility:					
Direct.....	(2,600,000)	(3,000,000)	(2,600,000)	---	(-400,000)
Guaranteed.....	(148,305)	---	(148,305)	---	(+148,305)
Total, Loan authorizations.....	(2,748,305)	(3,000,000)	(2,748,305)	---	(-251,695)
Loan subsidies and grants:					
Community facility:					
Guaranteed.....	3,322	---	4,849	+1,527	+4,849
Grants.....	30,000	---	---	-30,000	---
Rural community development initiative....	4,000	---	---	-4,000	---
Economic impact initiative grants.....	5,778	---	---	-5,778	---
Tribal college grants.....	4,000	---	---	-4,000	---
RCFP administrative expenses (transfer to RD)...	---	147,591	---	---	-147,591
Total, RCFP Loan subsidies and grants...	47,100	147,591	4,849	-42,251	-142,742
Subtotal, grants and payments.....	110,801	147,591	29,849	-80,952	-117,742
Total, Rural Housing Service.....	2,067,126	1,757,133	1,866,957	-200,169	+109,824
(Loan authorization).....	(28,083,438)	(27,260,000)	(27,965,703)	(-117,735)	(+705,703)
Rural Business--Cooperative Service:					
Rural Business Program Account:					
(Guaranteed business and industry loans).....	(919,765)	---	(819,000)	(-100,765)	(+819,000)
Loan subsidies and grants:					
Guaranteed business and industry subsidy..	35,319	---	33,251	-2,068	+33,251
Rural business development grants.....	24,000	---	20,000	-4,000	+20,000
Delta Regional Authority and Appalachian Regional Commission.....	6,000	---	5,000	-1,000	+5,000
Total, RBP loan subsidies and grants.....	65,319	---	58,251	-7,068	+58,251

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

Intermediary Relending Program Fund Account:					
(Loan authorization).....	(18,889)	---	(17,500)	(-1,389)	(+17,500)
Loan subsidy.....	5,476	---	4,041	-1,435	+4,041
Administrative expenses (transfer to RD).....	4,468	---	4,230	-238	+4,230

Total, IRP Fund.....	9,944	---	8,271	-1,673	+8,271
Rural Economic Development Loans Program Account:					
(Loan authorization).....	(42,213)	---	(33,077)	(-9,136)	(+33,077)
Limit cushion of credit interest spending.....	(132,000)	(176,000)	(196,000)	(+64,000)	(+20,000)
(Rescission).....	-132,000	-176,000	-196,000	-64,000	-20,000
Rural Cooperative Development Grants:					
Cooperative development.....	5,800	---	5,500	-300	+5,500
Appropriate Technology Transfer for Rural Areas.....	2,750	---	2,500	-250	+2,500
Grants to assist minority producers.....	3,000	---	3,000	---	+3,000
Value-added agricultural product market development.....	15,000	---	10,000	-5,000	+10,000

Total, Rural Cooperative development grants.....	26,550	---	21,000	-5,550	+21,000
Rural Energy for America Program					
(Loan authorization).....	(7,576)	---	(7,520)	(-56)	(+7,520)
Loan subsidy and grants.....	352	---	291	-61	+291

Total, Rural Energy for America Program.....	352	---	291	-61	+291
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Total, Rural Business-Cooperative Service.....	-29,835	-176,000	-108,187	-78,352	+67,813
(Loan authorization).....	(988,443)	---	(877,097)	(-111,346)	(+877,097)
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DIVISION 8 - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Utilities Service:					
Rural water and waste disposal program account:					
Loan authorizations:					
Direct.....	(1,200,000)	---	(1,200,000)	---	(+1,200,000)
Guaranteed.....	(50,000)	---	(50,000)	---	(+50,000)
Total, Loan authorization.....	1,250,000	---	1,250,000	---	+1,250,000
Loan subsidies and grants:					
Direct subsidy.....	52,080	---	25,680	-26,400	+25,680
Guaranteed subsidy.....	240	---	230	-10	+230
Water and waste revolving fund.....	1,000	---	1,000	---	+1,000
Water well system grants.....	993	---	993	---	+993
Colonias and AK/HI grants.....	64,000	---	45,000	-19,000	+45,000
Water and waste technical assistance.....	20,000	---	20,000	---	+20,000
Circuit rider program.....	16,897	---	16,897	---	+16,897
Solid waste management grants.....	4,000	---	4,000	---	+4,000
High energy cost grants.....	10,000	---	---	-10,000	---
Water and waste disposal grants.....	391,980	---	358,900	-33,080	+358,900
306A(i)(2) grants.....	10,000	---	---	-10,000	---
Total, Loan subsidies and grants.....	571,190	---	472,700	-98,490	+472,700
Rural Electrification and Telecommunications Loans					
Program Account:					
Loan authorizations:					
Electric:					
Direct, FFB.....	(5,500,000)	(5,500,000)	(5,500,000)	---	---
Guaranteed underwriting.....	(750,000)	---	(750,000)	---	(+750,000)
Subtotal, Electric.....	(6,250,000)	(5,500,000)	(6,250,000)	---	(+750,000)
Telecommunications:					
Direct, Treasury rate.....	(345,000)	(345,000)	(345,000)	---	---
Direct, FFB.....	(345,000)	(345,000)	(345,000)	---	---
Subtotal, Telecommunications.....	(690,000)	(690,000)	(690,000)	---	---
Total, Loan authorizations.....	(6,940,000)	(6,190,000)	(6,940,000)	---	(+750,000)
Loan Subsidy:					
Telecommunications Direct, Treasury					
Rate.....	3,071	863	863	-2,208	---
Total, Loan subsidies.....	3,071	863	863	-2,208	---
RETLP administrative expenses (transfer to RD)	33,270	38,027	30,750	-2,520	-7,277
Total, Rural Electrification and					
Telecommunications Loans Program Account.	36,341	38,890	31,613	-4,728	-7,277
(Loan authorization).....	(6,940,000)	(6,190,000)	(6,940,000)	---	(+750,000)
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DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Broadband Program:					
Loan authorizations:					
Broadband telecommunications.....	(27,043)	(26,991)	(26,991)	(-52)	---
Total, Loan authorizations.....	(27,043)	(26,991)	(26,991)	(-52)	---
Loan subsidies and grants:					
Distance learning and telemedicine:					
Grants.....	26,600	---	---	-26,600	---
Broadband telecommunications:					
Direct.....	4,500	4,521	4,521	+21	---
Grants.....	34,500	---	---	-34,500	---
Total, Loan subsidies and grants.....	65,600	4,521	4,521	-61,079	---
DLTBP administrative expenses (transfer to RD)	---	8,057	---	---	-8,057
Total, Rural Utilities Service.....	673,131	51,468	508,834	-164,297	+457,366
(Loan authorization).....	(8,217,043)	(6,216,991)	(8,216,991)	(-52)	(+2,000,000)
Rural Economic Infrastructure Grants	---	161,893	122,692	+122,692	-39,201
Total, Title III, Rural Development Programs....	2,937,153	1,981,461	2,611,131	-326,022	+629,670
(By transfer).....	(449,992)	(437,924)	(436,280)	(-13,712)	(-1,644)
(Loan authorization).....	(37,288,924)	(33,476,991)	(37,059,791)	(-229,133)	(+3,582,800)
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	814	809	800	-14	-9
Food and Nutrition Service:					
Child nutrition programs	22,745,982	24,233,309	24,232,944	+1,486,962	-365
School breakfast program equipment grants.....	25,000	---	25,000	---	+25,000
Demonstration projects (Summer EBT).....	23,000	22,957	23,000	---	+43
Total, Child nutrition programs.....	22,793,982	24,256,266	24,280,944	+1,486,962	+24,678
Special supplemental nutrition program for women, infants, and children (WIC).....	6,350,000	6,150,000	6,150,000	-200,000	---
Supplemental nutrition assistance program:					
(Food stamp program).....	75,479,696	70,611,504	70,608,952	-4,870,744	-2,552
Reserve.....	3,000,000	3,000,000	3,000,000	---	---
FDPIR nutrition education services.....	998	996	998	---	+2
Total, Food stamp program.....	78,480,694	73,612,500	73,609,950	-4,870,744	-2,550
Fiscal year 2017.....	(78,480,694)	(73,612,500)	(73,609,950)	(-4,870,744)	(-2,550)
Commodity assistance program:					
Commodity supplemental food program.....	236,120	238,120	238,120	+2,000	---
Farmers market nutrition program.....	18,548	---	18,548	---	+18,548
Emergency food assistance program.....	59,401	54,401	59,401	---	+5,000
Pacific island and disaster assistance.....	1,070	1,070	1,070	---	---
Total, Commodity assistance program.....	315,139	293,591	317,139	+2,000	+23,548
Nutrition programs administration.....	170,716	148,541	148,541	-22,175	---
Total, Food and Nutrition Service.....	108,110,531	104,460,898	104,506,574	-3,603,957	+45,676
FY 2017.....	(108,110,531)	(104,460,898)	(104,506,574)	(-3,603,957)	(+45,676)
Total, Title IV, Domestic Food Programs.....	108,111,345	104,461,707	104,507,374	-3,603,971	+45,667
FY 2017.....	(108,110,531)	(104,460,898)	(104,506,574)	(-3,603,957)	(+45,676)

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Office of the Under Secretary for Trade and Foreign Agricultural Affairs.....	---	---	875	+875	+875
Foreign Agricultural Service					
Salaries and expenses.....	196,571	188,167	195,268	-1,303	+7,101
(Transfer from export loans).....	(6,074)	(6,382)	(6,382)	(+308)	---
Total, Salaries and expenses.....	202,645	194,549	201,650	-995	+7,101
Food for Peace Title I Direct Credit and Food for Progress Program Account, Administrative Expenses Farm Service Agency, Salaries and expenses (transfer to FSA).....	149	149	149	---	---
Food for Peace Title II Grants:					
Expenses.....	1,466,000	---	1,400,000	-66,000	+1,400,000
Commodity Credit Corporation Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
Foreign Agriculture Service, S&E (transfer to FAS).....	6,074	6,382	6,382	+308	---
Farm Service Agency S&E (transfer to FSA).....	2,463	353	353	-2,110	---
Total, CCC Export Loans Program Account.....	8,537	6,735	6,735	-1,802	---
McGovern-Dole International Food for Education and Child Nutrition program grants.....	201,626	---	201,626	---	+201,626
Total, Title V, Foreign Assistance and Related Programs.....	1,872,883	195,051	1,804,653	-68,230	+1,609,602
(By transfer).....	(6,074)	(6,382)	(6,382)	(+308)	---
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation.....	2,759,378	1,819,718	2,759,378	---	+939,660
Prescription drug user fees.....	(754,524)	(1,262,182)	(937,434)	(+182,910)	(-324,748)
Medical device user fees.....	(126,083)	(439,001)	(193,291)	(+67,208)	(-245,710)
Human generic drug user fees.....	(323,011)	(615,746)	(493,600)	(+170,589)	(-122,146)
Biosimilar biological products user fees.....	(22,079)	(86,736)	(54,000)	(+31,921)	(-32,736)
Animal drug user fees.....	(23,673)	(70,252)	(24,142)	(+469)	(-46,110)
Animal generic drug user fees.....	(11,341)	(18,475)	(12,100)	(+759)	(-6,375)
Tobacco product user fees.....	(635,000)	(672,000)	(672,000)	(+37,000)	---
Subtotal, user fees, enacted and definite.....	(1,895,711)	(3,164,392)	(2,386,567)	(+490,856)	(-777,825)
Subtotal (including user fees).....	(4,655,089)	(4,984,110)	(5,145,945)	(+490,856)	(+161,835)

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Mammography user fees.....	(20,522)	(21,000)	(21,000)	(+478)	---
Export and color certification user fees.....	(14,378)	(15,000)	(15,000)	(+622)	---
Food and Feed Recall user fees.....	(1,434)	(1,000)	(1,000)	(-434)	---
Food Reinspection fees.....	(6,414)	(6,000)	(6,000)	(-414)	---
Voluntary qualified importer program fees.....	(5,300)	(5,000)	(5,000)	(-300)	---
Pharmacy compounding fees (CBO estimate).....	(1,370)	(1,000)	(1,000)	(-370)	---
Priority review vouchers (PRV) pediatric disease..	(7,686)	(8,000)	(8,000)	(+314)	---
Third party auditor.....	(1,400)	(1,000)	(1,000)	(-400)	---
Subtotal, FDA user fees.....	(1,954,215)	(3,222,392)	(2,444,567)	(+490,352)	(-777,825)
Subtotal, FDA (including user fees).....	(4,713,593)	(5,042,110)	(5,203,945)	(+490,352)	(+161,835)
Buildings and facilities.....	11,788	8,771	8,771	-3,017	---
Total, FDA (w/user fees, including proposals)...	(4,725,381)	(5,050,881)	(5,212,716)	(+487,335)	(+161,835)
Total, FDA (w/enacted user fees only).....	(4,725,381)	(5,050,881)	(5,212,716)	(+487,335)	(+161,835)
Total, FDA (excluding user fees).....	2,771,166	1,828,489	2,768,149	-3,017	+939,660
=====					
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission 1/.....	250,000	250,000	248,000	-2,000	-2,000
Farm Credit Administration (limitation on administrative expenses).....	(68,600)	(72,600)	(68,600)	---	(-4,000)
Total, Title VI, Related Agencies and Food and Drug Administration.....	3,021,166	2,078,489	3,016,149	-5,017	+937,660
=====					
TITLE VII - GENERAL PROVISIONS					
Limit Dam Rehab (Sec.714(1)).....	-54,000	-55,000	-55,000	-1,000	---
Limit Environmental Quality Incentives Program (Sec.714(2)).....	-179,000	-209,000	---	+179,000	+209,000
Limit Rural Energy for America Program (Sec. 714 (2)) (rescission).....	---	---	-46,000	-46,000	-46,000
Limit Biomass Crop Assistance Program (Sec.714(3))....	-20,000	-20,000	-21,000	-1,000	-1,000
Limit Biorefinery Assistance (Sec.714(4)).....	-20,000	---	-175,000	-155,000	-175,000
Limit Ag Management Assistance (Sec. 714 (5)).....	-2,000	-9,000	-9,000	-7,000	---
Limit Biorefinery Assistance (Sec. 714 (4)) (cancellation).....	---	-175,000	---	---	+175,000
RESP (rescission).....	---	---	-8,000	-8,000	-8,000
Limit fruit and vegetable program (Sec.715).....	-125,000	-125,000	-125,000	---	---
Section 32 (Sec.715) (rescission).....	-231,000	-263,000	-263,000	-32,000	---
APHIS B&F - Fruit Fly Rearing (Sec. 743).....	47,000	---	---	-47,000	---
WIC (rescission) (Sec. 745).....	-850,000	-1,000,000	-600,000	+250,000	+400,000
CBO adjustment to WIC (rescission) (CBO re-estimate of Request).....	---	500,000	---	---	-500,000
Subtotal, WIC (rescission) (CBO re-estimate of Request).....	(-850,000)	(-500,000)	(-600,000)	(+250,000)	(-100,000)
TEFAP (Sec. 748).....	19,000	---	---	-19,000	---
Ebola/Zika Funding (Sec. 752).....	10,000	---	---	-10,000	---
Citrus Greening (Sec. 757).....	5,500	---	5,500	---	+5,500
RD balances (Sec. 758) (rescission)	-3,951	---	---	+3,951	---
Healthy Food Financing Initiative.....	1,000	---	1,000	---	+1,000
RD unobligated balances (rescission).....	---	-108,000	---	---	+108,000
ARS B&F unobligated balances (rescission).....	---	-211,697	---	---	+211,697
Hardwood Trees (Reforestation Pilot Program).....	600	---	---	-600	---
Water Bank program	4,000	---	---	-4,000	---
Geographic Disadvantaged farmers	1,996	---	---	-1,996	---
Emergency Conservation Program.....	28,651	---	---	-28,651	---
Food for Peace.....	134,000	---	---	-134,000	---

DIVISION B - AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Energy Savings Program.....	8,000	---	---	-8,000	---
Maturing mortgage pilot.....	1,000	---	---	-1,000	---
FSA ARC pilot.....	5,000	---	---	-5,000	---
NIFA Military Veteran Grants.....	5,000	---	---	-5,000	---
Electric Loan Refinancing.....	13,800	---	---	-13,800	---
STEM Program.....	500	---	---	-500	---
	=====	=====	=====	=====	=====
Total, Title VII, General Provisions.....	-1,199,904	-1,675,697	-1,295,500	-95,596	+380,197
	=====	=====	=====	=====	=====
Grand total.....	154,157,888	141,304,866	145,385,441	-8,772,447	+4,080,575
Appropriations fiscal year 2017.....	(155,374,839)	(142,738,563)	(146,498,441)	(-8,876,398)	(+3,759,878)
Disaster relief	---	---	---	---	---
Rescissions.....	(-1,216,951)	(-1,433,697)	(-1,113,000)	(+103,951)	(+320,697)
Advance appropriations, FY 2017.....	---	---	---	---	---
(By transfer).....	(786,381)	(762,683)	(761,255)	(-25,126)	(-1,428)
(Loan authorization).....	(45,291,500)	(40,430,875)	(44,223,675)	(-1,067,825)	(+3,792,800)
(Limitation on administrative expenses).....	(189,827)	(198,582)	(194,827)	(+5,000)	(-3,755)
	=====	=====	=====	=====	=====
RECAPITULATION					
Title I - Agricultural programs.....	6,730,384	6,204,268	6,493,407	-236,977	+289,139
Mandatory.....	(1,322,000)	(1,344,000)	(1,344,000)	(+22,000)	---
Discretionary.....	(5,408,384)	(4,860,268)	(5,149,407)	(-258,977)	(+289,139)
Title II - Farm Production and Conservation Programs..	32,684,861	28,059,587	28,248,227	-4,436,634	+188,640
Mandatory.....	29,958,212	25,728,500	25,728,500	-4,229,712	---
Discretionary.....	2,726,649	2,331,087	2,519,727	-206,922	+188,640
Title III - Rural development (discretionary).....	2,937,153	1,981,461	2,611,131	-326,022	+629,670
Title IV - Domestic food programs	108,111,345	104,461,707	104,507,374	-3,603,971	+45,667
Mandatory.....	(101,226,676)	(97,845,809)	(97,842,894)	(-3,383,782)	(-2,915)
Discretionary.....	(6,884,669)	(6,615,898)	(6,664,480)	(-220,189)	(+48,582)
Title V - Foreign assistance and related programs (discretionary).....	1,872,883	195,051	1,804,653	-68,230	+1,609,602
Title VI - Related agencies and Food and Drug Administration (discretionary)	3,021,166	2,078,489	3,016,149	-5,017	+937,660
Title VII - General provisions (discretionary).....	-1,199,904	-1,675,697	-1,295,500	-95,596	+380,197
	=====	=====	=====	=====	=====
Total	186,842,749	169,364,453	173,633,668	-13,209,081	+4,269,215
	=====	=====	=====	=====	=====

Note: In FY17, the Commodity Futures Trading Commission was enacted on the Financial Services and General Government Appropriations Act, 2017. This amount is included for comparability purposes as the Agriculture Subcommittee carries this funding.

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	495,000	455,500	480,000	-15,000	+24,500
Offsetting fee collections.....	-12,000	-13,000	-13,000	-1,000	---
Direct appropriation.....	483,000	442,500	467,000	-16,000	+24,500
Bureau of Industry and Security					
Operations and administration.....	76,500	75,500	74,500	-2,000	-1,000
Defense function.....	36,000	38,000	38,000	+2,000	---
Total, Bureau of Industry and Security.....	112,500	113,500	112,500	---	-1,000
Economic Development Administration					
Economic Development Assistance Programs.....	237,000	---	140,000	-97,000	+140,000
Salaries and expenses.....	39,000	30,000	36,000	-3,000	+6,000
Total, Economic Development Administration.....	276,000	30,000	176,000	-100,000	+146,000
Minority Business Development Agency					
Minority Business Development.....	34,000	6,000	34,000	---	+28,000
Bureau of Economic Analysis					
Salaries and expenses.....	107,300	97,000	96,000	-11,300	-1,000
Bureau of the Census					
Current Surveys and Programs.....	270,000	246,000	256,000	-14,000	+10,000
Periodic censuses and programs.....	1,200,000	1,251,000	1,251,000	+51,000	---
Total, Bureau of the Census.....	1,470,000	1,497,000	1,507,000	+37,000	+10,000
National Telecommunications and Information Administration					
Salaries and expenses.....	32,000	36,000	30,000	-2,000	-6,000
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,230,000	3,500,000	3,500,000	+270,000	---
Offsetting fee collections.....	-3,230,000	-3,500,000	-3,500,000	-270,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services.....	690,000	600,000	660,000	-30,000	+60,000
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	153,000	21,000	105,000	-48,000	+84,000
Adjustment for prior year recoveries.....	(-2,000)	---	---	(+2,000)	---
Manufacturing extension partnerships.....	(130,000)	(6,000)	(100,000)	(-30,000)	(+94,000)
National Network for Manufacturing Innovation.....	(25,000)	(15,000)	(5,000)	(-20,000)	(-10,000)
Construction of research facilities.....	109,000	104,000	100,000	-9,000	-4,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology.....	952,000	725,000	865,000	-87,000	+140,000

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
(by transfer).....	(130,164)	(144,000)	(144,000)	(+13,836)	---
Promote and Develop Fund (transfer out).....	(-130,164)	(-144,000)	(-144,000)	(-13,836)	---
Subtotal.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
Procurement, Acquisition and Construction.....	2,242,610	1,807,801	1,643,110	-599,500	-164,691
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	350	349	350	---	+1
Fisheries Finance Program Account.....	-410	-3,000	-3,000	-2,590	---
Fisheries Disaster Assistance.....	---	---	20,000	+20,000	+20,000
Total, National Oceanic and Atmospheric Administration.....	5,675,425	4,770,699	4,965,659	-709,766	+194,960
Departmental Management					
Salaries and expenses.....	58,000	63,000	58,000	---	-5,000
Renovation and Modernization.....	4,000	1,000	1,000	-3,000	---
Office of Inspector General.....	32,744	32,000	32,744	---	+744
Total, Departmental Management.....	94,744	96,000	91,744	-3,000	-4,256
=====					
Total, title I, Department of Commerce.....	9,236,969	7,813,699	8,344,903	-892,066	+531,204
(by transfer).....	139,164	153,000	153,000	+13,836	---
(transfer out).....	-139,164	-153,000	-153,000	-13,836	---
=====					
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses.....	114,124	114,000	89,000	-25,124	-25,000
Justice Information Sharing Technology.....	31,000	30,941	30,941	-59	---
Total, General Administration.....	145,124	144,941	119,941	-25,183	-25,000
Administrative review and appeals.....	---	505,367	---	---	-505,367
Executive Office for Immigration Review.....	440,000	---	504,500	+64,500	+504,500
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation.....	436,000	501,367	500,500	+64,500	-867
Office of Inspector General.....	95,583	95,328	95,583	---	+255
United States Parole Commission					
Salaries and expenses.....	13,308	13,283	13,000	-308	-283
Legal Activities					
Salaries and expenses, general legal activities.....	897,500	899,000	897,500	---	-1,500
Vaccine Injury Compensation Trust Fund.....	10,000	9,340	10,000	---	+660
Salaries and expenses, Antitrust Division.....	164,977	164,663	163,980	-997	-683
Offsetting fee collections - current year.....	-125,000	-126,000	-126,000	-1,000	---
Direct appropriation.....	39,977	38,663	37,980	-1,997	-683
Salaries and expenses, United States Attorneys.....	2,035,000	2,057,252	2,057,252	+22,252	---
United States Trustee System Fund.....	225,908	225,479	225,000	-908	-479
Offsetting fee collections.....	-163,000	-135,000	-135,000	+28,000	---
New fees (Sec. 218) (legislative proposal).....	---	-150,000	---	---	+150,000
Direct appropriation.....	62,908	-59,521	90,000	+27,092	+149,521

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, Foreign Claims Settlement					
Commission.....	2,374	2,409	2,374	---	-35
Fees and expenses of witnesses.....	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service....	15,500	14,419	15,000	-500	+581
Assets Forfeiture Fund.....	20,514	21,475	20,514	---	-961
Total, Legal Activities.....	3,353,773	3,253,037	3,400,620	+46,847	+147,583
United States Marshals Service					
Salaries and expenses.....	1,249,040	1,252,000	1,255,000	+5,960	+3,000
Construction.....	10,000	14,971	10,000	---	-4,971
Federal Prisoner Detention.....	1,454,414	1,536,000	1,536,000	+81,586	---
Total, United States Marshals Service.....	2,713,454	2,802,971	2,801,000	+87,546	-1,971
National Security Division					
Salaries and expenses.....	96,000	101,031	100,000	+4,000	-1,031
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	517,000	526,000	526,000	+9,000	---
Federal Bureau of Investigation					
Salaries and expenses.....	3,556,853	3,538,751	3,576,143	+19,290	+37,392
Counterintelligence and national security.....	5,210,348	5,183,831	5,238,604	+28,256	+54,773
Subtotal, Salaries and expenses.....	8,767,201	8,722,582	8,814,747	+47,546	+92,165
Construction.....	420,178	51,895	51,895	-368,283	---
Transfer from available balances of Working Capital Fund.....	-181,000	---	---	+181,000	---
Subtotal, Construction.....	239,178	51,895	51,895	-187,283	---
Total, Federal Bureau of Investigation.....	9,006,379	8,774,477	8,866,642	-139,737	+92,165
Drug Enforcement Administration					
Salaries and expenses.....	2,485,638	2,583,625	2,583,625	+97,987	---
Diversion control fund.....	-382,662	-419,574	-419,574	-36,912	---
Total, Drug Enforcement Administration.....	2,102,976	2,164,051	2,164,051	+61,075	---
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,258,600	1,273,776	1,293,776	+35,176	+20,000
Federal Prison System					
Salaries and expenses.....	7,008,800	7,085,248	7,070,248	+61,448	-15,000
Buildings and facilities.....	130,000	113,000	95,000	-35,000	-18,000
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,695	2,700	---	+5
Total, Federal Prison System.....	7,141,500	7,200,943	7,167,948	+26,448	-32,995
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	155,500	35,000	527,000	+371,500	+492,000
(by transfer).....	(326,000)	(445,000)	---	(-326,000)	(-445,000)
Crime Victims Fund (transfer out).....	(-326,000)	(-445,000)	---	(+326,000)	(+445,000)

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Justice Programs:					
Research, evaluation and statistics.....	89,000	111,000	83,000	-6,000	-28,000
State and local law enforcement assistance.....	1,258,500	867,500	1,143,500	-115,000	+276,000
Edward Byrne Memorial Grants (P.L. 114-254, Div A, Sec. 154).....	7,000	---	---	-7,000	---
(by transfer).....	---	(73,000)	---	---	(-73,000)
Crime Victims Fund (transfer out).....	---	(-73,000)	---	---	(+73,000)
Juvenile justice programs.....	247,000	137,500	170,500	-76,500	+33,000
(by transfer).....	---	(92,000)	---	---	(-92,000)
Crime Victims Fund (transfer out).....	---	(-92,000)	---	---	(+92,000)
Public safety officer benefits:					
Death benefits.....	73,000	92,000	92,000	+19,000	---
Disability and education benefits.....	16,300	16,300	16,300	---	---
Subtotal.....	89,300	108,300	108,300	+19,000	---
Total, Office of Justice Programs.....	1,690,800	1,224,300	1,505,300	-185,500	+281,000
Community Oriented Policing Services:					
COPS programs.....	221,500	218,000	234,000	+12,500	+16,000
Total, State and Local Law Enforcement Activities.....	2,067,800	1,477,300	2,266,300	+198,500	+789,000
Total, title II, Department of Justice.....	28,947,497	28,328,505	29,315,361	+367,864	+986,856
TITLE III - SCIENCE					
Office of Science and Technology Policy.....	5,555	5,544	5,544	-11	---
National Aeronautics and Space Administration					
Science.....	5,764,900	5,711,800	5,858,500	+93,600	+146,700
Aeronautics.....	660,000	624,000	660,000	---	+36,000
Space Technology.....	686,500	678,600	686,500	---	+7,900
Exploration.....	4,324,000	3,934,097	4,550,000	+226,000	+615,903
Space Operations.....	4,950,700	4,740,803	4,676,634	-274,066	-64,169
Education.....	100,000	37,300	90,000	-10,000	+52,700
Safety, Security and Mission Services.....	2,768,600	2,830,200	2,826,200	+57,600	-4,000
Construction and environmental compliance and restoration.....	360,700	496,100	486,100	+125,400	-10,000
Office of Inspector General.....	37,900	39,300	37,900	---	-1,400
Total, National Aeronautics and Space Administration.....	19,653,300	19,092,200	19,871,834	+218,534	+779,634
National Science Foundation					
Research and related activities.....	5,966,125	5,290,650	5,962,645	-3,480	+671,995
Defense function.....	67,520	71,000	71,000	+3,480	---
Subtotal.....	6,033,645	5,361,650	6,033,645	---	+671,995
Major Research Equipment and Facilities Construction..	209,000	182,800	77,800	-131,200	-105,000
Education and Human Resources.....	880,000	760,550	880,000	---	+119,450
Agency Operations and Award Management.....	330,000	328,510	328,510	-1,490	---
Office of the National Science Board.....	4,370	4,370	4,370	---	---
Office of Inspector General.....	15,200	15,008	15,200	---	+192
Total, National Science Foundation.....	7,472,215	6,652,888	7,339,525	-132,690	+686,637
Total, title III, Science.....	27,131,070	25,750,632	27,216,903	+85,833	+1,466,271

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	9,200	9,183	9,183	-17	---
Equal Employment Opportunity Commission					
Salaries and expenses.....	364,500	363,807	363,807	-693	---
International Trade Commission					
Salaries and expenses.....	91,500	87,615	92,500	+1,000	+4,885
Legal Services Corporation					
Payment to the Legal Services Corporation.....	385,000	33,000	300,000	-85,000	+267,000
Marine Mammal Commission					
Salaries and expenses.....	3,431	2,449	3,431	---	+982
Office of the U.S. Trade Representative					
Salaries and expenses.....	62,000	57,600	53,000	-9,000	-4,600
Trade Enforcement Trust Fund (non-add).....	(15,000)	---	---	(-15,000)	---
Trade Enforcement Trust Fund.....	---	---	15,000	+15,000	+15,000
State Justice Institute					
Salaries and expenses.....	5,121	5,111	5,111	-10	---
=====					
Total, title IV, Related Agencies.....	920,752	558,765	842,032	-78,720	+283,267
=====					
TITLE V - GENERAL PROVISIONS					
DOC National Oceanic and Atmospheric Administration, Operations, Research and Facilities (rescission)....	-18,000	---	-20,000	-2,000	-20,000
DOC National Oceanic and Atmospheric Administration, Procurement Acquisition and Construction (rescission).....	-5,000	---	---	+5,000	---
Economic Development Assistance Programs (rescission)....	-10,000	-47,000	-47,000	-37,000	---
DOJ, Working Capital Fund (rescission).....	-300,000	-144,768	-409,834	-109,834	-265,066
DOJ, Assets Forfeiture Fund (rescission, temporary)....	-302,000	---	---	+302,000	---
DOJ, Assets Forfeiture Fund (rescission, permanent)....	-201,196	-304,000	-304,000	-102,804	---
FBI, Salaries and Expenses:					
(Fees) nondefense (rescission).....	-56,798	-79,111	-79,111	-22,313	---
(Fees) defense (rescission).....	-83,202	-115,889	-115,889	-32,687	---
Nondefense (rescission).....	-20,934	---	-21,650	-716	-21,650
Defense (rescission).....	-30,666	---	-31,715	-1,049	-31,715
Federal Prisoner Detention (rescission).....	-24,000	---	---	+24,000	---
DOJ, Drug Enforcement Administration (rescission)....	-12,092	---	---	+12,092	---
DOJ, Federal Prison System, Buildings and Facilities (rescission).....	-3,400	-444,000	---	+3,400	+444,000
Violence against women prevention and prosecution programs (rescission).....	-10,000	-15,000	-17,500	-7,500	-2,500
Office of Justice programs (rescission).....	-50,000	-40,000	-60,000	-10,000	-20,000
Crime Victims Fund (rescission).....	---	-1,310,000	---	---	+1,310,000
COPS (rescission).....	-15,000	-10,000	-17,500	-2,500	-7,500
NASA Emergency Repairs (emergency).....	109,000	---	---	-109,000	---
Emergency Law Enforcement Assistance.....	15,000	---	---	-15,000	---
=====					
Total, title V, General Provisions.....	-1,018,288	-2,509,768	-1,124,199	-105,911	+1,385,569
=====					

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	65,218,000	59,941,833	64,595,000	-623,000	+4,653,167
Appropriations.....	(66,251,288)	(62,451,601)	(65,719,199)	(-532,089)	(+3,267,598)
Rescissions.....	(-1,142,288)	(-2,509,768)	(-1,124,199)	(+18,089)	(+1,385,569)
Emergency appropriations.....	(109,000)	---	---	(-109,000)	---
(by transfer).....	465,164	763,000	153,000	-312,164	-610,000
(transfer out).....	-465,164	-763,000	-153,000	+312,164	+610,000

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	495,000	455,500	480,000	-15,000	+24,500
Offsetting fee collections.....	-12,000	-13,000	-13,000	-1,000	---
Direct appropriation.....	483,000	442,500	467,000	-16,000	+24,500
Bureau of Industry and Security					
Operations and administration.....	76,500	75,500	74,500	-2,000	-1,000
Defense function.....	36,000	38,000	38,000	+2,000	---
Total, Bureau of Industry and Security.....	112,500	113,500	112,500	---	-1,000
Economic Development Administration					
Economic Development Assistance Programs.....	237,000	---	140,000	-97,000	+140,000
Salaries and expenses.....	39,000	30,000	36,000	-3,000	+6,000
Total, Economic Development Administration.....	276,000	30,000	176,000	-100,000	+146,000
Minority Business Development Agency					
Minority Business Development.....	34,000	6,000	34,000	---	+28,000
Bureau of Economic Analysis					
Salaries and expenses.....	107,300	97,000	96,000	-11,300	-1,000
Bureau of the Census					
Current Surveys and Programs.....	270,000	246,000	256,000	-14,000	+10,000
Periodic censuses and programs.....	1,200,000	1,251,000	1,251,000	+51,000	---
Total, Bureau of the Census.....	1,470,000	1,497,000	1,507,000	+37,000	+10,000
National Telecommunications and Information Administration					
Salaries and expenses.....	32,000	36,000	30,000	-2,000	-6,000
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,230,000	3,500,000	3,500,000	+270,000	---
Offsetting fee collections.....	-3,230,000	-3,500,000	-3,500,000	-270,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services.....	690,000	600,000	660,000	-30,000	+60,000
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	153,000	21,000	105,000	-48,000	+84,000
Adjustment for prior year recoveries.....	(-2,000)	---	---	(+2,000)	---
Manufacturing extension partnerships.....	(130,000)	(6,000)	(100,000)	(-30,000)	(+94,000)
National Network for Manufacturing Innovation.....	(25,000)	(15,000)	(5,000)	(-20,000)	(-10,000)
Construction of research facilities.....	109,000	104,000	100,000	-9,000	-4,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology.....	952,000	725,000	865,000	-87,000	+140,000

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
(by transfer).....	(130,164)	(144,000)	(144,000)	(+13,836)	---
Promote and Develop Fund (transfer out).....	(-130,164)	(-144,000)	(-144,000)	(-13,836)	---
Subtotal.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
Procurement, Acquisition and Construction.....	2,242,610	1,807,801	1,643,110	-599,500	-164,691
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	350	349	350	---	+1
Fisheries Finance Program Account.....	-410	-3,000	-3,000	-2,590	---
Fisheries Disaster Assistance.....	---	---	20,000	+20,000	+20,000
Total, National Oceanic and Atmospheric Administration.....	5,675,425	4,770,699	4,965,659	-709,766	+194,960
Departmental Management					
Salaries and expenses.....	58,000	63,000	58,000	---	-5,000
Renovation and Modernization.....	4,000	1,000	1,000	-3,000	---
Office of Inspector General.....	32,744	32,000	32,744	---	+744
Total, Departmental Management.....	94,744	96,000	91,744	-3,000	-4,256
Total, title I, Department of Commerce.....	9,236,969	7,813,699	8,344,903	-892,066	+531,204
(by transfer).....	139,164	153,000	153,000	+13,836	---
(transfer out).....	-139,164	-153,000	-153,000	-13,836	---
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses.....	114,124	114,000	89,000	-25,124	-25,000
Justice Information Sharing Technology.....	31,000	30,941	30,941	-59	---
Total, General Administration.....	145,124	144,941	119,941	-25,183	-25,000
Administrative review and appeals.....	---	505,367	---	---	-505,367
Executive Office for Immigration Review.....	440,000	---	504,500	+64,500	+504,500
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation.....	436,000	501,367	500,500	+64,500	-867
Office of Inspector General.....	95,583	95,328	95,583	---	+255
United States Parole Commission					
Salaries and expenses.....	13,308	13,283	13,000	-308	-283
Legal Activities					
Salaries and expenses, general legal activities.....	897,500	899,000	897,500	---	-1,500
Vaccine Injury Compensation Trust Fund.....	10,000	9,340	10,000	---	+660
Salaries and expenses, Antitrust Division.....	164,977	164,663	163,980	-997	-683
Offsetting fee collections - current year.....	-125,000	-126,000	-126,000	-1,000	---
Direct appropriation.....	39,977	38,663	37,980	-1,997	-683
Salaries and expenses, United States Attorneys.....	2,035,000	2,057,252	2,057,252	+22,252	---
United States Trustee System Fund.....	225,908	225,479	225,000	-908	-479
Offsetting fee collections.....	-163,000	-135,000	-135,000	+28,000	---
New fees (Sec. 218) (legislative proposal).....	---	-150,000	---	---	+150,000
Direct appropriation.....	62,908	-59,521	90,000	+27,092	+149,521

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, Foreign Claims Settlement					
Commission.....	2,374	2,409	2,374	---	-35
Fees and expenses of witnesses.....	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service....	15,500	14,419	15,000	-500	+581
Assets Forfeiture Fund.....	20,514	21,475	20,514	---	-961
Total, Legal Activities.....	3,353,773	3,253,037	3,400,620	+46,847	+147,583
United States Marshals Service					
Salaries and expenses.....	1,249,040	1,252,000	1,255,000	+5,960	+3,000
Construction.....	10,000	14,971	10,000	---	-4,971
Federal Prisoner Detention.....	1,454,414	1,536,000	1,536,000	+81,586	---
Total, United States Marshals Service.....	2,713,454	2,802,971	2,801,000	+87,546	-1,971
National Security Division					
Salaries and expenses.....	96,000	101,031	100,000	+4,000	-1,031
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	517,000	526,000	526,000	+9,000	---
Federal Bureau of Investigation					
Salaries and expenses.....	3,556,853	3,538,751	3,576,143	+19,290	+37,392
Counterintelligence and national security.....	5,210,348	5,183,831	5,238,604	+28,256	+54,773
Subtotal, Salaries and expenses.....	8,767,201	8,722,582	8,814,747	+47,546	+92,165
Construction.....	420,178	51,895	51,895	-368,283	---
Transfer from available balances of Working Capital Fund.....	-181,000	---	---	+181,000	---
Subtotal, Construction.....	239,178	51,895	51,895	-187,283	---
Total, Federal Bureau of Investigation.....	9,006,379	8,774,477	8,866,642	-139,737	+92,165
Drug Enforcement Administration					
Salaries and expenses.....	2,485,638	2,583,625	2,583,625	+97,987	---
Diversion control fund.....	-382,662	-419,574	-419,574	-36,912	---
Total, Drug Enforcement Administration.....	2,102,976	2,164,051	2,164,051	+61,075	---
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,258,600	1,273,776	1,293,776	+35,176	+20,000
Federal Prison System					
Salaries and expenses.....	7,008,800	7,085,248	7,070,248	+61,448	-15,000
Buildings and facilities.....	130,000	113,000	95,000	-35,000	-18,000
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,695	2,700	---	+5
Total, Federal Prison System.....	7,141,500	7,200,943	7,167,948	+26,448	-32,995
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	155,500	35,000	527,000	+371,500	+492,000
(by transfer).....	(326,000)	(445,000)	---	(-326,000)	(-445,000)
Crime Victims Fund (transfer out).....	(-326,000)	(-445,000)	---	(+326,000)	(+445,000)

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
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	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Research, evaluation and statistics.....	89,000	111,000	83,000	-6,000	-28,000
State and local law enforcement assistance.....	1,258,500	867,500	1,143,500	-115,000	+276,000
Edward Byrne Memorial Grants (P.L. 114-254, Div A, Sec. 154).....	7,000	---	---	-7,000	---
(by transfer).....	---	(73,000)	---	---	(-73,000)
Crime Victims Fund (transfer out).....	---	(-73,000)	---	---	(+73,000)
Juvenile justice programs.....	247,000	137,500	170,500	-76,500	+33,000
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Public safety officer benefits:					
Death benefits.....	73,000	92,000	92,000	+19,000	---
Disability and education benefits.....	16,300	16,300	16,300	---	---
Subtotal.....	89,300	108,300	108,300	+19,000	---
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Construction and environmental compliance and restoration.....	360,700	496,100	486,100	+125,400	-10,000
Office of Inspector General.....	37,900	39,300	37,900	---	-1,400
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Office of Inspector General.....	15,200	15,008	15,200	---	+192
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Salaries and expenses.....	62,000	57,600	53,000	-9,000	-4,600
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Trade Enforcement Trust Fund.....	---	---	15,000	+15,000	+15,000
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DOC National Oceanic and Atmospheric Administration, Procurement Acquisition and Construction (rescission).....	-5,000	---	---	+5,000	---
Economic Development Assistance Programs (rescission)....	-10,000	-47,000	-47,000	-37,000	---
DOJ, Working Capital Fund (rescission).....	-300,000	-144,768	-409,834	-109,834	-265,066
DOJ, Assets Forfeiture Fund (rescission, temporary)....	-302,000	---	---	+302,000	---
DOJ, Assets Forfeiture Fund (rescission, permanent)....	-201,196	-304,000	-304,000	-102,804	---
FBI, Salaries and Expenses:					
(Fees) nondefense (rescission).....	-56,798	-79,111	-79,111	-22,313	---
(Fees) defense (rescission).....	-83,202	-115,889	-115,889	-32,687	---
Nondefense (rescission).....	-20,934	---	-21,650	-716	-21,650
Defense (rescission).....	-30,666	---	-31,715	-1,049	-31,715
Federal Prisoner Detention (rescission).....	-24,000	---	---	+24,000	---
DOJ, Drug Enforcement Administration (rescission).....	-12,092	---	---	+12,092	---
DOJ, Federal Prison System, Buildings and Facilities (rescission).....	-3,400	-444,000	---	+3,400	+444,000
Violence against women prevention and prosecution programs (rescission).....	-10,000	-15,000	-17,500	-7,500	-2,500
Office of Justice programs (rescission).....	-50,000	-40,000	-60,000	-10,000	-20,000
Crime Victims Fund (rescission).....	---	-1,310,000	---	---	+1,310,000
COPS (rescission).....	-15,000	-10,000	-17,500	-2,500	-7,500
NASA Emergency Repairs (emergency).....	109,000	---	---	-109,000	---
Emergency Law Enforcement Assistance.....	15,000	---	---	-15,000	---
=====					
Total, title V, General Provisions.....	-1,018,288	-2,509,768	-1,124,199	-105,911	+1,385,569
=====					

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	65,218,000	59,941,833	64,595,000	-623,000	+4,653,167
Appropriations.....	(66,251,288)	(62,451,601)	(65,719,199)	(-532,089)	(+3,267,598)
Rescissions.....	(-1,142,288)	(-2,509,768)	(-1,124,199)	(+18,089)	(+1,385,569)
Emergency appropriations.....	(109,000)	---	---	(-109,000)	---
(by transfer).....	465,164	763,000	153,000	-312,164	-610,000
(transfer out).....	-465,164	-763,000	-153,000	+312,164	+610,000

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	495,000	455,500	480,000	-15,000	+24,500
Offsetting fee collections.....	-12,000	-13,000	-13,000	-1,000	---
Direct appropriation.....	483,000	442,500	467,000	-16,000	+24,500
Bureau of Industry and Security					
Operations and administration.....	76,500	75,500	74,500	-2,000	-1,000
Defense function.....	36,000	38,000	38,000	+2,000	---
Total, Bureau of Industry and Security.....	112,500	113,500	112,500	---	-1,000
Economic Development Administration					
Economic Development Assistance Programs.....	237,000	---	140,000	-97,000	+140,000
Salaries and expenses.....	39,000	30,000	36,000	-3,000	+6,000
Total, Economic Development Administration.....	276,000	30,000	176,000	-100,000	+146,000
Minority Business Development Agency					
Minority Business Development.....	34,000	6,000	34,000	---	+28,000
Bureau of Economic Analysis					
Salaries and expenses.....	107,300	97,000	96,000	-11,300	-1,000
Bureau of the Census					
Current Surveys and Programs.....	270,000	246,000	256,000	-14,000	+10,000
Periodic censuses and programs.....	1,200,000	1,251,000	1,251,000	+51,000	---
Total, Bureau of the Census.....	1,470,000	1,497,000	1,507,000	+37,000	+10,000
National Telecommunications and Information Administration					
Salaries and expenses.....	32,000	36,000	30,000	-2,000	-6,000
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,230,000	3,500,000	3,500,000	+270,000	---
Offsetting fee collections.....	-3,230,000	-3,500,000	-3,500,000	-270,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services.....	690,000	600,000	660,000	-30,000	+60,000
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	153,000	21,000	105,000	-48,000	+84,000
Adjustment for prior year recoveries.....	(-2,000)	---	---	(+2,000)	---
Manufacturing extension partnerships.....	(130,000)	(6,000)	(100,000)	(-30,000)	(+94,000)
National Network for Manufacturing Innovation.....	(25,000)	(15,000)	(5,000)	(-20,000)	(-10,000)
Construction of research facilities.....	109,000	104,000	100,000	-9,000	-4,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology.....	952,000	725,000	865,000	-87,000	+140,000

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
(by transfer).....	(130,164)	(144,000)	(144,000)	(+13,836)	---
Promote and Develop Fund (transfer out).....	(-130,164)	(-144,000)	(-144,000)	(-13,836)	---
Subtotal.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
Procurement, Acquisition and Construction.....	2,242,610	1,807,801	1,643,110	-599,500	-164,691
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	350	349	350	---	+1
Fisheries Finance Program Account.....	-410	-3,000	-3,000	-2,590	---
Fisheries Disaster Assistance.....	---	---	20,000	+20,000	+20,000
Total, National Oceanic and Atmospheric Administration.....	5,675,425	4,770,699	4,965,659	-709,766	+194,960
Departmental Management					
Salaries and expenses.....	58,000	63,000	58,000	---	-5,000
Renovation and Modernization.....	4,000	1,000	1,000	-3,000	---
Office of Inspector General.....	32,744	32,000	32,744	---	+744
Total, Departmental Management.....	94,744	96,000	91,744	-3,000	-4,256
=====					
Total, title I, Department of Commerce.....	9,236,969	7,813,699	8,344,903	-892,066	+531,204
(by transfer).....	139,164	153,000	153,000	+13,836	---
(transfer out).....	-139,164	-153,000	-153,000	-13,836	---
=====					
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses.....	114,124	114,000	89,000	-25,124	-25,000
Justice Information Sharing Technology.....	31,000	30,941	30,941	-59	---
Total, General Administration.....	145,124	144,941	119,941	-25,183	-25,000
Administrative review and appeals.....	---	505,367	---	---	-505,367
Executive Office for Immigration Review.....	440,000	---	504,500	+64,500	+504,500
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation.....	436,000	501,367	500,500	+64,500	-867
Office of Inspector General.....	95,583	95,328	95,583	---	+255
United States Parole Commission					
Salaries and expenses.....	13,308	13,283	13,000	-308	-283
Legal Activities					
Salaries and expenses, general legal activities.....	897,500	899,000	897,500	---	-1,500
Vaccine Injury Compensation Trust Fund.....	10,000	9,340	10,000	---	+660
Salaries and expenses, Antitrust Division.....	164,977	164,663	163,980	-997	-683
Offsetting fee collections - current year.....	-125,000	-126,000	-126,000	-1,000	---
Direct appropriation.....	39,977	38,663	37,980	-1,997	-683
Salaries and expenses, United States Attorneys.....	2,035,000	2,057,252	2,057,252	+22,252	---
United States Trustee System Fund.....	225,908	225,479	225,000	-908	-479
Offsetting fee collections.....	-163,000	-135,000	-135,000	+28,000	---
New fees (Sec. 218) (legislative proposal).....	---	-150,000	---	---	+150,000
Direct appropriation.....	62,908	-59,521	90,000	+27,092	+149,521

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, Foreign Claims Settlement					
Commission.....	2,374	2,409	2,374	---	-35
Fees and expenses of witnesses.....	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service....	15,500	14,419	15,000	-500	+581
Assets Forfeiture Fund.....	20,514	21,475	20,514	---	-961
Total, Legal Activities.....	3,353,773	3,253,037	3,400,620	+46,847	+147,583
United States Marshals Service					
Salaries and expenses.....	1,249,040	1,252,000	1,255,000	+5,960	+3,000
Construction.....	10,000	14,971	10,000	---	-4,971
Federal Prisoner Detention.....	1,454,414	1,536,000	1,536,000	+81,586	---
Total, United States Marshals Service.....	2,713,454	2,802,971	2,801,000	+87,546	-1,971
National Security Division					
Salaries and expenses.....	96,000	101,031	100,000	+4,000	-1,031
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	517,000	526,000	526,000	+9,000	---
Federal Bureau of Investigation					
Salaries and expenses.....	3,556,853	3,538,751	3,576,143	+19,290	+37,392
Counterintelligence and national security.....	5,210,348	5,183,831	5,238,604	+28,256	+54,773
Subtotal, Salaries and expenses.....	8,767,201	8,722,582	8,814,747	+47,546	+92,165
Construction.....	420,178	51,895	51,895	-368,283	---
Transfer from available balances of Working Capital Fund.....	-181,000	---	---	+181,000	---
Subtotal, Construction.....	239,178	51,895	51,895	-187,283	---
Total, Federal Bureau of Investigation.....	9,006,379	8,774,477	8,866,642	-139,737	+92,165
Drug Enforcement Administration					
Salaries and expenses.....	2,485,638	2,583,625	2,583,625	+97,987	---
Diversion control fund.....	-382,662	-419,574	-419,574	-36,912	---
Total, Drug Enforcement Administration.....	2,102,976	2,164,051	2,164,051	+61,075	---
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,258,600	1,273,776	1,293,776	+35,176	+20,000
Federal Prison System					
Salaries and expenses.....	7,008,800	7,085,248	7,070,248	+61,448	-15,000
Buildings and facilities.....	130,000	113,000	95,000	-35,000	-18,000
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,695	2,700	---	+5
Total, Federal Prison System.....	7,141,500	7,200,943	7,167,948	+26,448	-32,995
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	155,500	35,000	527,000	+371,500	+492,000
(by transfer).....	(326,000)	(445,000)	---	(-326,000)	(-445,000)
Crime Victims Fund (transfer out).....	(-326,000)	(-445,000)	---	(+326,000)	(+445,000)

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Justice Programs:					
Research, evaluation and statistics.....	89,000	111,000	83,000	-6,000	-28,000
State and local law enforcement assistance.....	1,258,500	867,500	1,143,500	-115,000	+276,000
Edward Byrne Memorial Grants (P.L. 114-254, Div A, Sec. 154).....	7,000	---	---	-7,000	---
(by transfer).....	---	(73,000)	---	---	(-73,000)
Crime Victims Fund (transfer out).....	---	(-73,000)	---	---	(+73,000)
Juvenile justice programs.....	247,000	137,500	170,500	-76,500	+33,000
(by transfer).....	---	(92,000)	---	---	(-92,000)
Crime Victims Fund (transfer out).....	---	(-92,000)	---	---	(+92,000)
Public safety officer benefits:					
Death benefits.....	73,000	92,000	92,000	+19,000	---
Disability and education benefits.....	16,300	16,300	16,300	---	---
Subtotal.....	89,300	108,300	108,300	+19,000	---
Total, Office of Justice Programs.....	1,690,800	1,224,300	1,505,300	-185,500	+281,000
Community Oriented Policing Services:					
COPS programs.....	221,500	218,000	234,000	+12,500	+16,000
Total, State and Local Law Enforcement Activities.....	2,067,800	1,477,300	2,266,300	+198,500	+789,000
Total, title II, Department of Justice.....	28,947,497	28,328,505	29,315,361	+367,864	+986,856
TITLE III - SCIENCE					
Office of Science and Technology Policy.....	5,555	5,544	5,544	-11	---
National Aeronautics and Space Administration					
Science.....	5,764,900	5,711,800	5,858,500	+93,600	+146,700
Aeronautics.....	660,000	624,000	660,000	---	+36,000
Space Technology.....	686,500	678,600	686,500	---	+7,900
Exploration.....	4,324,000	3,934,097	4,550,000	+226,000	+615,903
Space Operations.....	4,950,700	4,740,803	4,676,634	-274,066	-64,169
Education.....	100,000	37,300	90,000	-10,000	+52,700
Safety, Security and Mission Services.....	2,768,600	2,830,200	2,826,200	+57,600	-4,000
Construction and environmental compliance and restoration.....	360,700	496,100	486,100	+125,400	-10,000
Office of Inspector General.....	37,900	39,300	37,900	---	-1,400
Total, National Aeronautics and Space Administration.....	19,653,300	19,092,200	19,871,834	+218,534	+779,634
National Science Foundation					
Research and related activities.....	5,966,125	5,290,650	5,962,645	-3,480	+671,995
Defense function.....	67,520	71,000	71,000	+3,480	---
Subtotal.....	6,033,645	5,361,650	6,033,645	---	+671,995
Major Research Equipment and Facilities Construction..	209,000	182,800	77,800	-131,200	-105,000
Education and Human Resources.....	880,000	760,550	880,000	---	+119,450
Agency Operations and Award Management.....	330,000	328,510	328,510	-1,490	---
Office of the National Science Board.....	4,370	4,370	4,370	---	---
Office of Inspector General.....	15,200	15,008	15,200	---	+192
Total, National Science Foundation.....	7,472,215	6,652,888	7,339,525	-132,690	+686,637
Total, title III, Science.....	27,131,070	25,750,632	27,216,903	+85,833	+1,466,271

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	9,200	9,183	9,183	-17	---
Equal Employment Opportunity Commission					
Salaries and expenses.....	364,500	363,807	363,807	-693	---
International Trade Commission					
Salaries and expenses.....	91,500	87,615	92,500	+1,000	+4,885
Legal Services Corporation					
Payment to the Legal Services Corporation.....	385,000	33,000	300,000	-85,000	+267,000
Marine Mammal Commission					
Salaries and expenses.....	3,431	2,449	3,431	---	+982
Office of the U.S. Trade Representative					
Salaries and expenses.....	62,000	57,600	53,000	-9,000	-4,600
Trade Enforcement Trust Fund (non-add).....	(15,000)	---	---	(-15,000)	---
Trade Enforcement Trust Fund.....	---	---	15,000	+15,000	+15,000
State Justice Institute					
Salaries and expenses.....	5,121	5,111	5,111	-10	---
=====					
Total, title IV, Related Agencies.....	920,752	558,765	842,032	-78,720	+283,267
=====					
TITLE V - GENERAL PROVISIONS					
DOC National Oceanic and Atmospheric Administration, Operations, Research and Facilities (rescission)....	-18,000	---	-20,000	-2,000	-20,000
DOC National Oceanic and Atmospheric Administration, Procurement Acquisition and Construction (rescission).....	-5,000	---	---	+5,000	---
Economic Development Assistance Programs (rescission)....	-10,000	-47,000	-47,000	-37,000	---
DOJ, Working Capital Fund (rescission).....	-300,000	-144,768	-409,834	-109,834	-265,066
DOJ, Assets Forfeiture Fund (rescission, temporary)....	-302,000	---	---	+302,000	---
DOJ, Assets Forfeiture Fund (rescission, permanent)....	-201,196	-304,000	-304,000	-102,804	---
FBI, Salaries and Expenses:					
(Fees) nondefense (rescission).....	-56,798	-79,111	-79,111	-22,313	---
(Fees) defense (rescission).....	-83,202	-115,889	-115,889	-32,687	---
Nondefense (rescission).....	-20,934	---	-21,650	-716	-21,650
Defense (rescission).....	-30,666	---	-31,715	-1,049	-31,715
Federal Prisoner Detention (rescission).....	-24,000	---	---	+24,000	---
DOJ, Drug Enforcement Administration (rescission)....	-12,092	---	---	+12,092	---
DOJ, Federal Prison System, Buildings and Facilities (rescission).....	-3,400	-444,000	---	+3,400	+444,000
Violence against women prevention and prosecution programs (rescission).....	-10,000	-15,000	-17,500	-7,500	-2,500
Office of Justice programs (rescission).....	-50,000	-40,000	-60,000	-10,000	-20,000
Crime Victims Fund (rescission).....	---	-1,310,000	---	---	+1,310,000
COPS (rescission).....	-15,000	-10,000	-17,500	-2,500	-7,500
NASA Emergency Repairs (emergency).....	109,000	---	---	-109,000	---
Emergency Law Enforcement Assistance.....	15,000	---	---	-15,000	---
=====					
Total, title V, General Provisions.....	-1,018,288	-2,509,768	-1,124,199	-105,911	+1,385,569
=====					

DIVISION C - COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	65,218,000	59,941,833	64,595,000	-623,000	+4,653,167
Appropriations.....	(66,251,288)	(62,451,601)	(65,719,199)	(-532,089)	(+3,267,598)
Rescissions.....	(-1,142,288)	(-2,509,768)	(-1,124,199)	(+18,089)	(+1,385,569)
Emergency appropriations.....	(109,000)	---	---	(-109,000)	---
(by transfer).....	465,164	763,000	153,000	-312,164	-610,000
(transfer out).....	-465,164	-763,000	-153,000	+312,164	+610,000

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and Expenses.....	224,376	201,751	201,751	-22,625	---
Office of Terrorism and Financial Intelligence.....	123,000	116,778	123,000	---	+6,222
Cybersecurity Enhancement Account	47,743	27,264	27,264	-20,479	---
Department-wide Systems and Capital Investments Programs.....	3,000	4,426	3,077	+77	-1,349
Office of Inspector General.....	37,044	34,112	34,112	-2,932	---
Treasury Inspector General for Tax Administration.....	169,634	161,113	165,113	-4,521	+4,000
Special Inspector General for TARP.....	41,160	20,297	37,044	-4,116	+16,747
Financial Crimes Enforcement Network.....	115,003	112,764	115,003	---	+2,239
Subtotal, Departmental Offices.....	760,960	678,505	706,364	-54,596	+27,859
Treasury Forfeiture Fund (rescission).....	-314,000	-876,000	-876,000	-562,000	---
Treasury Forfeiture Fund (rescission) (temporary).....	-801,000	---	---	+801,000	---
Total, Departmental Offices.....	-354,040	-197,495	-169,636	+184,404	+27,859
Bureau of the Fiscal Service.....	353,057	330,837	330,837	-22,220	---
Alcohol and Tobacco Tax and Trade Bureau.....	111,439	98,658	111,439	---	+12,781
Community Development Financial Institutions Fund Program Account.....	248,000	14,000	190,000	-58,000	+176,000
Payment of Government Losses in Shipment.....	2,000	2,000	2,000	---	---
Total, Department of the Treasury, non-IRS.....	360,456	248,000	464,640	+104,184	+216,640
Internal Revenue Service					
Taxpayer Services.....	2,156,554	2,212,311	2,315,754	+159,200	+103,443
Enforcement.....	4,860,000	4,706,500	4,810,000	-50,000	+103,500
Subtotal.....	4,860,000	4,706,500	4,810,000	-50,000	+103,500
Operations Support.....	3,638,446	3,946,189	3,850,189	+211,743	-96,000
Subtotal.....	3,638,446	3,946,189	3,850,189	+211,743	-96,000
Business Systems Modernization.....	290,000	110,000	110,000	-180,000	---
General Provision (Sec. 115)	290,000	---	---	-290,000	---
Total, Internal Revenue Service.....	11,235,000	10,975,000	11,085,943	-149,057	+110,943
=====					
Total, title I, Department of the Treasury.....	11,595,456	11,223,000	11,550,583	-44,873	+327,583
Appropriations.....	(12,710,456)	(12,099,000)	(12,426,583)	(-283,873)	(+327,583)
Rescissions.....	(-1,115,000)	(-876,000)	(-876,000)	(+239,000)	---
(Mandatory).....	(2,000)	(2,000)	(2,000)	---	---
(Discretionary).....	(11,593,456)	(11,221,000)	(11,548,583)	(-44,873)	(+327,583)
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DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and Expenses.....	55,214	55,000	55,000	-214	---
Executive Residence at the White House:					
Operating Expenses.....	12,723	12,917	12,917	+194	---
White House Repair and Restoration.....	750	750	750	---	---
Subtotal.....	13,473	13,667	13,667	+194	---
Council of Economic Advisers.....	4,201	4,187	4,187	-14	---
National Security Council and Homeland Security					
Council.....	12,000	13,500	11,800	-200	-1,700
Office of Administration.....	101,041	100,000	100,000	-1,041	---
Presidential Transition Administrative Support.....	7,582	---	---	-7,582	---
Total, The White House.....	193,511	186,354	184,654	-8,857	-1,700
Office of Management and Budget.....	95,000	103,000	100,000	+5,000	-3,000
Office of National Drug Control Policy					
Salaries and Expenses.....	19,274	18,400	18,400	-874	---
High Intensity Drug Trafficking Areas Program.....	254,000	246,525	254,000	---	+7,475
Other Federal Drug Control Programs.....	114,871	103,662	108,843	-6,028	+5,181
Total, Office of National Drug Control Policy...	388,145	368,587	381,243	-6,902	+12,656
Unanticipated Needs.....	800	798	798	-2	---
Information Technology Oversight and Reform.....	27,000	25,000	20,000	-7,000	-5,000
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and Expenses.....	4,228	4,288	4,288	+60	---
Operating Expenses.....	299	302	302	+3	---
Subtotal.....	4,527	4,590	4,590	+63	---
Total, title II, Executive Office of the President and Funds Appropriated to the President.....	708,983	688,329	691,285	-17,698	+2,956
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and Expenses:					
Salaries of Justices.....	3,000	3,000	3,000	---	---
Other salaries and expenses.....	76,668	78,538	78,538	+1,870	---
Subtotal.....	79,668	81,538	81,538	+1,870	---
Care of the Building and Grounds.....	14,868	15,689	15,000	+132	-689
Total, Supreme Court of the United States.....	94,536	97,227	96,538	+2,002	-689

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Court of Appeals for the Federal Circuit					
Salaries and Expenses:					
Salaries of judges.....	3,000	3,000	3,000	---	---
Other salaries and expenses.....	30,108	31,075	30,592	+484	-483
Total, United States Court of Appeals for the Federal Circuit.....	33,108	34,075	33,592	+484	-483
United States Court of International Trade					
Salaries and Expenses:					
Salaries of judges.....	2,000	1,000	1,000	-1,000	---
Other salaries and expenses.....	18,462	18,649	18,556	+94	-93
Total, U.S. Court of International Trade.....	20,462	19,649	19,556	-906	-93
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and Expenses:					
Salaries of judges and bankruptcy judges.....	424,000	435,000	435,000	+11,000	---
Other salaries and expenses.....	4,996,445	5,168,974	5,082,710	+86,265	-86,264
Subtotal.....	5,420,445	5,603,974	5,517,710	+97,265	-86,264
Vaccine Injury Compensation Trust Fund.....	6,510	8,221	7,366	+856	-855
Defender Services.....	1,044,647	1,132,284	1,110,375	+65,728	-21,909
Fees of Jurors and Commissioners.....	39,929	52,673	39,929	---	-12,744
Court Security.....	565,388	583,799	574,593	+9,205	-9,206
Total, Courts of Appeals, District Courts, and Other Judicial Services.....	7,076,919	7,380,951	7,249,973	+173,054	-130,978
Administrative Office of the United States Courts					
Salaries and Expenses.....	87,500	90,339	87,920	+420	-2,419
Federal Judicial Center					
Salaries and Expenses.....	28,335	29,082	28,708	+373	-374
United States Sentencing Commission					
Salaries and Expenses.....	18,100	18,576	18,338	+238	-238
Total, title III, the Judiciary.....	7,358,960	7,669,899	7,534,625	+175,665	-135,274
(Mandatory).....	(432,000)	(442,000)	(442,000)	(+10,000)	---
(Discretionary).....	(6,926,960)	(7,227,899)	(7,092,625)	(+165,665)	(-135,274)

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE IV - DISTRICT OF COLUMBIA					
Federal Payment for Resident Tuition Support.....	40,000	30,000	30,000	-10,000	---
Federal Payment for Emergency Planning and Security Costs in the District of Columbia.....	34,895	13,000	13,000	-21,895	---
Federal Payment to the District of Columbia Courts....	274,611	265,400	265,400	-9,211	---
Federal Payment for Defender Services in District of Columbia Courts.....	49,890	49,890	49,890	---	---
Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia....	248,008	244,298	244,298	-3,710	---
Federal Payment to the District of Columbia Public Defender Service.....	41,829	40,082	40,082	-1,747	---
Federal Payment to the District of Columbia Water and Sewer Authority.....	14,000	8,500	---	-14,000	-8,500
Federal Payment to the Criminal Justice Coordinating Council.....	2,000	1,900	1,900	-100	---
Federal Payment for Judicial Commissions.....	585	565	565	-20	---
Federal Payment for School Improvement.....	45,000	45,000	45,000	---	---
Federal Payment for the D.C. National Guard.....	450	435	435	-15	---
Federal Payment for Testing and Treatment of HIV/AIDS.	5,000	5,000	5,000	---	---
	=====	=====	=====	=====	=====
Total, Title IV, District of Columbia.....	756,268	704,070	695,570	-60,698	-8,500
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DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - OTHER INDEPENDENT AGENCIES					
Administrative Conference of the United States.....	3,100	3,094	3,100	---	+6
Commodity Futures Trading Commission	250,000	---	---	-250,000	---
Consumer Product Safety Commission.....	126,000	123,000	123,000	-3,000	---
Election Assistance Commission.....	9,600	9,200	7,000	-2,600	-2,200
Federal Communications Commission					
Salaries and Expenses.....	356,711	322,035	322,035	-34,676	---
Offsetting fee collections.....	-356,711	-322,035	-322,035	+34,676	---
Direct appropriation.....	---	---	---	---	---
Federal Deposit Insurance Corporation					
Office of Inspector General (by transfer).....	(35,958)	(39,136)	(39,136)	(+3,178)	---
Deposit Insurance Fund (transfer).....	(-35,958)	(-39,136)	(-39,136)	(-3,178)	---
Federal Election Commission.....	79,119	71,250	71,250	-7,869	---
Federal Labor Relations Authority.....	26,200	26,200	26,200	---	---
Federal Trade Commission					
Salaries and Expenses.....	313,000	306,317	306,317	-6,683	---
Offsetting fee collections (mergers).....	-125,000	-126,000	-126,000	-1,000	---
Offsetting fee collections (telephone).....	-15,000	-16,000	-16,000	-1,000	---
Direct appropriation.....	173,000	164,317	164,317	-8,683	---
General Services Administration					
Federal Buildings Fund					
Limitations on Availability of Revenue:					
Construction and acquisition of facilities.....	205,749	790,491	---	-205,749	-790,491
Repairs and alterations.....	676,035	1,444,494	180,000	-496,035	-1,264,494
Rental of space.....	5,628,363	5,493,768	5,462,345	-166,018	-31,423
Building operations.....	2,335,000	2,221,766	2,221,766	-113,234	---
Subtotal, Limitations on Availability of					
Revenue.....	8,845,147	9,950,519	7,864,111	-981,036	-2,086,408
Rental income to fund.....	-10,178,338	-9,950,519	-9,950,519	+227,819	---
Total, Federal Buildings Fund	-1,333,191	---	-2,086,408	-753,217	-2,086,408
Government-wide Policy.....	60,000	53,499	53,499	-6,501	---
Operating Expenses.....	58,541	45,645	45,645	-12,896	---
Civilian Board of Contract Appeals	---	8,795	8,795	+8,795	---
Office of Inspector General.....	65,000	65,000	65,000	---	---
Allowances and Office Staff for Former Presidents....	3,865	4,754	4,754	+889	---
Federal Citizen Services Fund.....	55,894	53,741	53,741	-2,153	---
Expenses, Presidential Transition.....	9,500	---	---	-9,500	---
Information Technology Modernization Fund.....	---	228,000	---	---	-228,000
Civilian Cyber Campus (rescission).....	-15,000	---	---	+15,000	---
GSA - FBI Headquarters (rescission).....	---	---	-200,000	-200,000	-200,000
Asset Proceeds and Space Management Fund.....	---	40,000	10,000	+10,000	-30,000
Environmental Review Improvement Fund.....	---	10,000	1,000	+1,000	-9,000
Total, General Services Administration.....	-1,095,391	509,434	-2,043,974	-948,583	-2,553,408

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Harry S Truman Scholarship Foundation.....	1,000	---	1,000	---	+1,000
Merit Systems Protection Board					
Salaries and Expenses.....	44,786	44,490	44,490	-296	---
Limitation on administrative expenses.....	2,345	2,345	2,345	---	---
Total, Merit Systems Protection Board.....	47,131	46,835	46,835	-296	---
Morris K. Udall and Stewart L. Udall Foundation					
Morris K. Udall and Stewart L. Udall Trust Fund.....	1,895	1,975	---	-1,895	-1,975
Environmental Dispute Resolution Fund.....	3,249	3,366	---	-3,249	-3,366
Total, Morris K. Udall and Stewart L. Udall Foundation.....	5,144	5,341	---	-5,144	-5,341
National Archives and Records Administration					
Operating Expenses.....	380,634	364,308	364,308	-16,326	---
Reduction of debt.....	-23,049	-25,050	-25,050	-2,001	---
Subtotal.....	357,585	339,258	339,258	-18,327	---
Office of Inspector General.....	4,801	4,241	4,241	-560	---
Repairs and Restoration.....	7,500	7,500	7,500	---	---
National Historical Publications and Records Commission Grants Program.....	6,000	---	4,000	-2,000	+4,000
Total, National Archives and Records Administration.....	375,886	350,999	354,999	-20,887	+4,000
NCUA Community Development Revolving Loan Fund.....	2,000	---	2,000	---	+2,000
Office of Government Ethics.....	16,090	16,439	16,439	+349	---
Office of Personnel Management					
Salaries and Expenses.....	119,000	148,341	129,341	+10,341	-19,000
Limitation on administrative expenses.....	140,000	131,414	131,414	-8,586	---
Subtotal, Salaries and Expenses.....	259,000	279,755	260,755	+1,755	-19,000
Office of Inspector General.....	5,072	5,000	5,000	-72	---
Limitation on administrative expenses.....	25,112	25,000	25,000	-112	---
Subtotal, Office of Inspector General.....	30,184	30,000	30,000	-184	---
Total, Office of Personnel Management.....	289,184	309,755	290,755	+1,571	-19,000

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Special Counsel.....	24,750	26,535	24,750	---	-1,785
Postal Regulatory Commission.....	16,200	14,440	15,200	-1,000	+760
Privacy and Civil Liberties Oversight Board.....	10,100	8,000	8,000	-2,100	---
Public Building Reform Board.....	---	2,000	5,000	+5,000	+3,000
Securities and Exchange Commission					
Salaries and Expenses.....	1,605,000	1,602,000	1,602,000	-3,000	---
Information Technology.....	---	---	50,000	+50,000	+50,000
Headquarters Lease.....	---	244,507	244,507	+244,507	---
Subtotal, Securities and Exchange Commission.....	1,605,000	1,846,507	1,896,507	+291,507	+50,000
SEC fees.....	-1,605,000	-1,846,507	-1,896,507	-291,507	-50,000
SEC Reserve Fund (rescission).....	-25,000	-25,000	-75,000	-50,000	-50,000
Selective Service System.....	22,900	22,900	22,900	---	---
Small Business Administration					
Salaries and expenses.....	269,500	265,000	265,000	-4,500	---
Entrepreneurial Development Programs.....	245,100	192,450	211,100	-34,000	+18,650
Office of Inspector General.....	19,900	19,900	19,900	---	---
Office of Advocacy.....	9,220	9,120	9,120	-100	---
Business Loans Program Account:					
Direct loans subsidy.....	4,338	3,438	3,438	-900	---
Administrative expenses.....	152,726	152,782	152,782	+56	---
Total, Business loans program account.....	157,064	156,220	156,220	-844	---
Disaster Loans Program Account:					
Administrative expenses.....	185,977	186,458	186,458	+481	---
Total, Small Business Administration.....	886,761	829,148	847,798	-38,963	+18,650
General Provision (rescission) (Sec. 531).....	-55,000	---	---	+55,000	---
United States Postal Service					
Payment to the Postal Service Fund.....	34,658	58,118	58,118	+23,460	---
Total, Payment to the Postal Service Fund.....	34,658	58,118	58,118	+23,460	---
Office of Inspector General.....	253,600	234,650	234,650	-18,950	---
Total, United States Postal Service.....	288,258	292,768	292,768	+4,510	---
United States Tax Court.....	51,226	53,185	51,100	-126	-2,085
Total, title V, Independent Agencies.....	1,528,258	2,859,840	255,437	-1,272,821	-2,604,403
Appropriations.....	(1,623,258)	(2,884,840)	(530,437)	(-1,092,821)	(-2,354,403)
Rescissions.....	(-95,000)	(-27,600)	(-277,600)	(-182,600)	(-250,000)
(by transfer).....	(35,958)	(39,136)	(39,136)	(+3,178)	---
(Discretionary).....	(1,528,258)	(2,859,840)	(255,437)	(-1,272,821)	(-2,604,403)

DIVISION D - FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE VI - GENERAL PROVISIONS					
Mandatory appropriations (Sec. 619).....	21,376,450	21,800,000	21,800,000	+423,550	---
PCA Oversight Board scholarships (sec. 620)	1,000	---	---	-1,000	---
SBA 503 Unobligated balances (sec. 620).....	---	-2,600	-2,600	-2,600	---
	=====	=====	=====	=====	=====
Total, title VI, General Provisions.....	21,377,450	21,797,400	21,797,400	+419,950	---
	=====	=====	=====	=====	=====
TITLE IX - OTHER MATTERS					
Other matters.....	---	---	-50,000	-50,000	-50,000
	=====	=====	=====	=====	=====
Total, title IX, Other Matters.....	---	---	-50,000	-50,000	-50,000
	=====	=====	=====	=====	=====
Grand total.....	43,325,375	44,942,538	42,474,900	-850,475	-2,467,638
Appropriations.....	(44,535,375)	(45,846,138)	(43,628,500)	(-906,875)	(-2,217,638)
Rescissions.....	(-1,210,000)	(-903,600)	(-1,153,600)	(+56,400)	(-250,000)
(by transfer).....	(35,958)	(39,136)	(39,136)	(+3,178)	---
Discretionary total.....	21,514,925	22,697,538	20,230,900	-1,284,025	-2,466,638

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I - DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, & INSIGHT					
Office of the Secretary and Executive Management					
Operations and Support.....	137,034	130,307	138,997	+1,963	+8,690
Total, Office of the Secretary and Executive Management.....	137,034	130,307	138,997	+1,963	+8,690
Management Directorate					
Operations and Support.....	597,817	696,131	696,131	+98,314	---
Procurement, Construction, and Improvements					
Construction and Facility Improvements.....	---	---	---	---	---
Mission Support Assets and Infrastructure.....	18,839	69,988	27,755	+8,916	-42,233
Subtotal, Procurement, Construction, and Improvements.....	18,839	69,988	27,755	+8,916	-42,233
Research and Development.....	2,500	2,545	2,545	+45	---
Subtotal, Research and Development.....	2,500	2,545	2,545	+45	---
Total, Management Directorate.....	619,156	768,664	726,431	+107,275	-42,233
Intelligence, Analysis, and Operations Coordination					
Operations and Support.....	263,551	252,405	252,405	-11,146	---
Subtotal, Operations and Support.....	263,551	252,405	252,405	-11,146	---
Total, Intelligence, Analysis, and Operations Coordination.....	263,551	252,405	252,405	-11,146	---
Office of Inspector General					
Operations and Support.....	175,000	133,974	154,830	-20,170	+20,856
Subtotal, Operations and Support.....	175,000	133,974	154,830	-20,170	+20,856
(Transfer from Disaster Relief Fund).....	---	(24,000)	---	---	(-24,000)
Total, Office of Inspector General.....	175,000	133,974	154,830	-20,170	+20,856
(By transfer).....	---	(24,000)	---	---	(-24,000)
Gross Budget Authority, Office of Inspector General.....	(175,000)	(157,974)	(154,830)	(-20,170)	(-3,144)
Total, Title I, Departmental Management, Operations, Intelligence, and Oversight.....	1,194,741	1,285,350	1,272,663	+77,922	-12,687
(Discretionary Funding).....	(1,194,741)	(1,285,350)	(1,272,663)	(+77,922)	(-12,687)
By transfer.....	---	24,000	---	---	-24,000

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Operations and Support					
Border Security Operations					
U.S. Border Patrol					
Operations.....	3,715,004	3,787,694	3,787,694	+72,690	---
(UAC Contingency Fund).....	---	---	---	---	---
Assets and Support.....	571,218	670,895	653,895	+82,677	-17,000
Office of Training and Development.....	54,221	77,512	77,512	+23,291	---
Subtotal, Border and Security Operations.....	4,340,443	4,536,101	4,519,101	+178,658	-17,000
Trade and Travel Operations					
Office of Field Operations					
Domestic Operations.....	2,759,300	2,681,171	2,833,171	+73,871	+152,000
International Operations.....	131,425	142,272	142,272	+10,847	---
Targeting Operations.....	149,773	236,572	221,572	+71,799	-15,000
Assets and Support.....	901,981	840,315	840,315	-61,666	---
Office of Trade.....	192,330	263,301	252,926	+60,596	-10,375
Office of Training and Development.....	50,354	47,186	47,186	-3,168	---
Subtotal, Trade and Travel Operations.....	4,185,163	4,210,817	4,337,442	+152,279	+126,625
Integrated Operations					
Air and Marine Operations					
Operations.....	266,764	311,136	301,414	+34,650	-9,722
Assets and Support.....	525,847	520,046	520,046	-5,801	---
Air and Marine Operations Center.....	45,138	46,183	46,183	+1,045	---
Office of International Affairs.....	36,513	39,784	39,784	+3,271	---
Office of Intelligence.....	58,492	50,984	50,984	-7,508	---
Office of Training and Development.....	5,807	6,534	6,534	+727	---
Operations Support.....	93,259	103,571	103,571	+10,312	---
Subtotal, Integrated Operations.....	1,031,820	1,078,238	1,068,516	+36,696	-9,722
Mission Support					
Enterprise Services.....	1,348,591	1,460,254	1,459,325	+110,734	-929
(Harbor Maintenance Trust Fund).....	(3,274)	(3,274)	(3,274)	---	---
Office of Professional Responsibility.....	175,524	204,679	201,679	+26,155	-3,000
Executive Leadership and Oversight.....	93,908	102,252	102,252	+8,344	---
Subtotal, Mission Support.....	1,618,023	1,767,185	1,763,256	+145,233	-3,929
Adjustment to Base Pay Reduction.....	---	---	-135,000	-135,000	-135,000
Subtotal, Operations and Support.....	11,175,449	11,592,341	11,553,315	+377,866	-39,026
Procurement, Construction, and Improvements					
Border Security Assets and Infrastructure.....	533,042	1,715,163	1,702,163	+1,169,121	-13,000
Trade and Travel Assets and Infrastructure.....	71,142	109,240	109,240	+38,098	---
Integrated Operations Assets and Infrastructure					
Airframes and Sensors.....	116,058	137,335	106,335	-9,723	-31,000
Watercraft.....	---	3,573	3,573	+3,573	---
Other Systems and Assets.....	---	12,200	1,200	+1,200	-11,000
Operational Communications/Information Technology.....	---	---	---	---	---
Construction and Facility Improvements.....	20,775	59,775	59,775	+39,000	---
Mission Support Assets and Infrastructure.....	30,000	26,433	26,433	-3,567	---
Subtotal, Procurement, Construction, and Improvements.....	771,017	2,063,719	2,008,719	+1,237,702	-55,000

/1 The House passed 1.571 bn for Customs and Border Protection/Procurement, Construction, and Improvements in the Department of Homeland Security Border Infrastructure Construction Appropriations Act, 2018 (H.R. 3219, Div. E)

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
CBP Services at User Fee Facilities (Small Airport) (Permanent Indefinite Discretionary).....	9,415	9,001	9,001	-414	---
Fee Funded Programs					
Immigration Inspection User Fee.....	(677,894)	(732,834)	(732,834)	(+54,940)	---
Immigration Enforcement Fines.....	(860)	(1,000)	(1,000)	(+140)	---
Electronic System for Travel Authorization (ESTA) Fee.....	(58,301)	(219,480)	(62,480)	(+4,179)	(-157,000)
Land Border Inspection Fee.....	(46,517)	(48,476)	(48,476)	(+1,959)	---
COBRA Passenger Inspection Fee.....	(523,737)	(562,151)	(562,151)	(+38,414)	---
APHIS Inspection Fee.....	(534,515)	(534,515)	(534,515)	---	---
Global Entry Fee.....	(96,297)	(159,000)	(159,000)	(+62,703)	---
Puerto Rico Trust Fund.....	(99,551)	(92,500)	(92,500)	(-7,051)	---
Virgin Island Fee.....	(11,176)	(11,170)	(11,170)	(-6)	---
Customs Unclaimed Goods.....	(5,992)	(5,992)	(5,992)	---	---
9-11 Response and Biometric Account.....	---	(90,550)	(90,550)	(+90,550)	---
Subtotal, Fee Funded Programs.....	2,054,840	2,457,668	2,300,668	+245,828	-157,000
Administrative Provisions					
Colombia Free Trade Act Collections.....	231,000	242,000	242,000	+11,000	---
Reimbursable Preclearance.....	39,000	39,000	39,000	---	---
Subtotal, Administrative Provisions (Gross)....	270,000	281,000	281,000	+11,000	---
Reimbursable Preclearance (Offsetting Collections)	-39,000	-39,000	-39,000	---	---
Subtotal, Administrative Provisions (Net).....	231,000	242,000	242,000	+11,000	---
Total, U.S. Customs and Border Protection.....	12,186,881	13,907,061	13,813,035	+1,626,154	-94,026
(Discretionary Funding).....	(12,186,881)	(13,907,061)	(13,813,035)	(+1,626,154)	(-94,026)
(Non-Defense).....	(12,186,881)	(13,907,061)	(13,813,035)	(+1,626,154)	(-94,026)
(Discretionary Appropriation).....	(12,225,881)	(13,946,061)	(13,852,035)	(+1,626,154)	(-94,026)
(Offsetting Collection).....	(-39,000)	(-39,000)	(-39,000)	---	---
Fee Funded Programs.....	2,054,840	2,457,668	2,300,668	+245,828	-157,000
Gross Budget Authority, U.S. Customs and Border Protection.....	14,280,721	16,403,729	16,152,703	+1,871,982	-251,026
U.S. Immigration and Customs Enforcement					
Operations and Support					
Homeland Security Investigations					
Domestic Investigations.....	1,834,017	1,798,095	1,810,095	-23,922	+12,000
International Investigations.....	159,035	140,873	158,873	-162	+18,000
Intelligence.....	80,141	79,905	79,905	-236	---
Subtotal, Homeland Security Investigations..	2,073,193	2,018,873	2,048,873	-24,320	+30,000
Enforcement and Removal Operations					
Custody Operations.....	2,705,412	3,601,472	3,240,596	+535,184	-360,876
Fugitive Operations.....	151,795	184,668	184,668	+32,873	---
Criminal Alien Program.....	312,350	412,080	412,080	+99,730	---
Alternatives to Detention.....	183,275	177,700	177,700	-5,575	---
Transportation and Removal Program.....	355,882	484,894	398,200	+42,318	-86,694
(UAC Contingency Fund).....	---	---	---	---	---
Subtotal, Enforcement and Removal Operations	3,708,714	4,860,814	4,413,244	+704,530	-447,570
Mission Support.....	364,533	350,391	350,391	-14,142	---
Office of the Principal Legal Advisor.....	259,000	282,485	282,485	+23,485	---
Adjustment to Base Pay Reduction.....	---	---	-92,950	-92,950	-92,950
Subtotal, Operations and Support.....	6,405,440	7,512,563	7,002,043	+596,603	-510,520

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement, Construction, and Improvements					
Operational Communications/Information Technology...	16,000	21,839	21,839	+5,839	---
Mission Support Assets and Infrastructure.....	13,800	31,060	31,060	+17,260	---
Subtotal, Procurement, Construction, and Improvements.....	29,800	52,899	52,899	+23,099	---
Fee Funded Programs					
Immigration Inspection User Fee.....	(135,000)	(135,000)	(135,000)	---	---
Breached Bond/Detention Fund.....	(55,000)	(55,000)	(55,000)	---	---
Student Exchange and Visitor Fee.....	(171,000)	(186,610)	(186,610)	(+15,610)	---
Subtotal, Fee Funded Programs.....	361,000	376,610	376,610	+15,610	---
Total, U.S. Immigration and Customs Enforcement.	6,435,240	7,565,462	7,054,942	+619,702	-510,520
(Discretionary Funding).....	(6,435,240)	(7,565,462)	(7,054,942)	(+619,702)	(-510,520)
(Non-Defense).....	(6,435,240)	(7,565,462)	(7,054,942)	(+619,702)	(-510,520)
(Discretionary Appropriation).....	(6,435,240)	(7,565,462)	(7,054,942)	(+619,702)	(-510,520)
Fee Funded Programs.....	361,000	376,610	376,610	+15,610	---
Gross Budget Authority, U.S. Immigration and Customs Enforcement.....	6,796,240	7,942,072	7,431,552	+635,312	-510,520
Transportation Security Administration					
Operations and Support					
Aviation Screening Operations					
Screening Workforce					
Screening Partnership Program.....	177,982	175,580	175,580	-2,402	---
Screener Personnel, Compensation, and Benefits..	3,221,124	3,128,064	3,205,064	-16,060	+77,000
Screener Training and Other.....	239,119	233,061	233,061	-6,058	---
Airport Management.....	572,967	643,797	643,797	+70,830	---
Canines.....	153,969	151,764	151,764	-2,205	---
Screening Technology Maintenance.....	284,834	387,882	387,882	+103,048	---
Secure Flight.....	101,721	102,763	102,763	+1,042	---
Subtotal, Aviation Screening Operations.....	4,751,716	4,822,911	4,899,911	+148,195	+77,000
Other Operations and Enforcement					
Inflight Security					
Federal Air Marshals.....	802,953	803,905	788,855	-14,098	-15,050
Federal Flight Deck Officer and Crew Training...	22,273	19,514	22,273	---	+2,759
Aviation Regulation.....	218,296	173,535	173,535	-44,761	---
Air Cargo.....	94,682	102,721	102,721	+8,039	---
Intelligence and TSOC.....	80,820	79,790	79,790	-1,030	---
Surface programs.....	122,716	86,316	86,316	-36,400	---
Vetting Programs.....	65,751	60,215	60,215	-5,536	---
Subtotal, Other Operations and Enforcement..	1,407,491	1,325,996	1,313,705	-93,786	-12,291
Mission Support.....	945,840	869,258	869,258	-76,582	---
Subtotal, Operations and Support (Gross).....	7,105,047	7,018,165	7,082,874	-22,173	+64,709
Aviation Passenger Security Fees (offsetting collections).....	-2,130,000	-2,470,000	-2,470,000	-340,000	---
Passenger Security Fee Increase (offsetting collections)(legislative proposal).....	---	-500,000	---	---	+500,000
Subtotal, Operations and Support (Net).....	4,975,047	4,048,165	4,612,874	-362,173	+564,709

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
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	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement, Construction, and Improvements					
Aviation Screening Infrastructure					
Checkpoint Support.....	111,079	4,019	4,019	-107,060	---
Checked Baggage.....	59,331	33,004	33,004	-26,327	---
Infrastructure for Other Operations					
Air Cargo.....	14,383	---	---	-14,383	---
Surface Programs.....	15,000	---	---	-15,000	---
Vetting Programs.....	6,300	16,291	16,291	+9,991	---
Subtotal, Procurement, Construction, and Improvements.....	206,093	53,314	53,314	-152,779	---
Research and Development.....	5,000	20,190	20,190	+15,190	---
Subtotal, Research and Development.....	5,000	20,190	20,190	+15,190	---
Fee Funded Programs					
Twic Fee.....	(88,314)	(64,449)	(64,449)	(-23,865)	---
Hazardous Materials Endorsement Fee.....	(21,083)	(20,200)	(20,200)	(-883)	---
General Aviation at DCA Fee.....	(400)	(560)	(560)	(+160)	---
Commercial Aviation and Airports Fee.....	(6,500)	(8,000)	(8,000)	(+1,500)	---
Other Security Threat Assessments Fee.....	(50)	(50)	(50)	---	---
Air Cargo/Certified Cargo Screening Program Fee...	(3,500)	(5,200)	(5,200)	(+1,700)	---
TSA PreCheck Fee.....	(80,153)	(136,900)	(136,900)	(+56,747)	---
Alien Flight School Fee.....	(5,200)	(5,200)	(5,200)	---	---
Subtotal, Fee Funded Programs.....	(205,200)	(240,559)	(240,559)	(+35,359)	---
Aviation Security Capital Fund (Mandatory).....	(250,000)	(250,000)	(250,000)	---	---
Total, Transportation Security Administration...	5,186,140	4,121,669	4,686,378	-499,762	+564,709
(Discretionary Funding).....	(5,186,140)	(4,121,669)	(4,686,378)	(-499,762)	(+564,709)
(Discretionary Appropriations).....	(7,316,140)	(7,091,669)	(7,156,378)	(-159,762)	(+64,709)
(Offsetting Collections).....	(-2,130,000)	(-2,470,000)	(-2,470,000)	(-340,000)	---
(Offsetting Collections) (Legislative Proposals).....	---	(-500,000)	---	---	(+500,000)
Aviation Security Capital Fund (mandatory)....	250,000	250,000	250,000	---	---
Fee Funded Programs.....	205,200	240,559	240,559	+35,359	---
Gross Budget Authority, Transportation Security Administration.....	7,771,340	7,582,228	7,646,937	-124,403	+64,709
Coast Guard					
Operating Expenses					
Military Pay and Allowances.....	3,544,111	3,711,095	3,711,095	+166,984	---
Civilian Pay and Benefits.....	808,969	851,178	851,178	+42,209	---
Training and Recruiting.....	196,346	190,668	190,668	-5,678	---
Operating Funds and Unit Level Maintenance.....	995,519	895,518	875,518	-120,001	-20,000
Centrally Managed Accounts.....	328,746	142,788	142,788	-185,958	---
Intermediate and Depot Level Maintenance.....	1,043,245	1,422,217	1,392,217	+348,972	-30,000
Overseas Contingency Operations/Global War on Terrorism (Defense).....	162,692	---	---	-162,692	---
Subtotal, Operating Expenses.....	7,079,628	7,213,464	7,163,464	+83,836	-50,000
(Defense).....	(502,692)	(340,000)	(340,000)	(-162,692)	---
(Overseas Contingency Operations/Global War on Terrorism).....	(162,692)	---	---	(-162,692)	---
(Other Defense).....	(340,000)	(340,000)	(340,000)	---	---
Environmental Compliance and Restoration.....	13,315	13,397	13,397	+82	---
Reserve Training.....	112,302	114,875	114,875	+2,573	---
Acquisition, Construction, and Improvements					
Vessels					
Survey and Design-Vessel and Boats.....	9,500	1,500	1,500	-8,000	---
In-Service Vessel Sustainment.....	94,000	60,500	60,500	-33,500	---
National Security Cutter.....	255,400	54,000	54,000	-201,400	---
Offshore Patrol Cutter.....	75,000	500,000	500,000	+425,000	---
Fast Response Cutter.....	325,000	240,000	240,000	-85,000	---
Cutter Boats.....	4,000	1,000	1,000	-3,000	---

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
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	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Polar Ice Breaking Vessel.....	25,000	19,000	19,000	-6,000	---
Inland Waterways and Western River Cutters.....	---	1,100	1,100	+1,100	---
Subtotal, Vessels.....	787,900	877,100	877,100	+89,200	---
Aircraft					
HC-144 Conversion/Sustainment.....	25,500	---	---	-25,500	---
HC-27J Conversion/Sustainment.....	130,000	52,000	52,000	-78,000	---
HC-130J Acquisition/Conversion/Sustainment.....	111,800	5,600	100,600	-11,200	+95,000
HH-65 Conversion/Sustainment Projects.....	40,000	22,000	22,000	-18,000	---
MH-602 Sustainment.....	---	2,500	2,500	+2,500	---
Small Unmanned Aircraft Systems.....	---	500	500	+500	---
Subtotal, Aircraft.....	307,300	82,600	177,600	-129,700	+95,000
Other Acquisition Programs					
Other Equipment and Systems.....	8,055	4,000	4,000	-4,055	---
Program Oversight and Management.....	20,000	15,000	15,000	-5,000	---
C4ISR.....	24,300	22,000	22,000	-2,300	---
CG-Logistics Information Management System (CG-LIMS).....	7,000	9,800	9,800	+2,800	---
Subtotal, Other Acquisition Programs.....	59,355	50,800	50,800	-8,555	---
Shore Facilities and Aids to Navigation					
Major Construction; Housing; ATON; and Survey and Design.....	44,519	10,000	10,000	-34,519	---
Major Acquisition Systems Infrastructure.....	50,000	60,000	60,000	+10,000	---
Minor Shore.....	5,000	5,000	5,000	---	---
Subtotal, Shore Facilities and Aids to Navigation.....	99,519	75,000	75,000	-24,519	---
Personnel and Related Support Costs.....	115,933	118,245	118,245	+2,312	---
Subtotal, Acquisition, Construction, and Improvements.....	1,370,007	1,203,745	1,298,745	-71,262	+95,000
Research, Development, Test, and Evaluation.....	36,319	18,641	18,641	-17,678	---
Health Care Fund Contribution (Permanent Indefinite Discretionary).....	176,000	204,136	204,136	+28,136	---
Mandatory					
Retired Pay (Mandatory).....	1,666,940	1,673,000	1,673,000	+6,060	---
Subtotal, Mandatory.....	1,666,940	1,673,000	1,673,000	+6,060	---
Total, Coast Guard.....	10,454,511	10,441,258	10,486,258	+31,747	+45,000
(Discretionary Funding).....	(8,787,571)	(8,768,258)	(8,813,258)	(+25,687)	(+45,000)
(Non-Defense).....	(8,284,879)	(8,428,258)	(8,473,258)	(+188,379)	(+45,000)
(Defense).....	(502,692)	(340,000)	(340,000)	(-162,692)	---
(Overseas Contingency Operations/Global War on Terrorism).....	(162,692)	---	---	(-162,692)	---
(Other Defense).....	(340,000)	(340,000)	(340,000)	---	---
(Mandatory Funding).....	(1,666,940)	(1,673,000)	(1,673,000)	(+6,060)	---
United States Secret Service					
Operations and Support					
Protective Operations					
Protection of Persons and Facilities.....	627,987	705,566	705,566	+77,579	---
Protective Countermeasures.....	58,193	46,862	46,862	-11,331	---
Protective Intelligence.....	44,490	47,547	47,547	+3,057	---
Presidential Campaigns and National Special Security Events.....	51,734	4,500	4,500	-47,234	---
Subtotal, Protective Operations.....	782,404	804,475	804,475	+22,071	---

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Field Operations					
Domestic and International Field Operations.....	768,146	588,653	588,653	-179,493	---
Support for Missing and Exploited Children Investigations.....	6,000	7,582	7,582	+1,582	---
Support for Computer Forensics Training.....	13,869	---	13,869	---	+13,869
Subtotal, Field Operations.....	788,015	596,235	610,104	-177,911	+13,869
Basic and In-Service Training and Professional Development.....	59,507	64,078	64,078	+4,571	---
Mission Support.....	249,537	414,558	414,558	+165,021	---
Subtotal, Operations and Support.....	1,879,463	1,879,346	1,893,215	+13,752	+13,869
Procurement, Construction, and Improvements					
Protection Assets and Infrastructure.....	53,840	39,012	39,012	-14,828	---
Operational Communications/Information Technology.....	59,775	25,018	25,018	-34,757	---
Construction and Facility Improvements.....	50,000	---	---	-50,000	---
Subtotal, Procurement, Construction, and Improvements.....	163,615	64,030	64,030	-99,585	---
Research and Development.....	2,500	250	250	-2,250	---
Subtotal, Research and Development.....	2,500	250	250	-2,250	---
Total, United States Secret Service.....	2,045,578	1,943,626	1,957,495	-88,083	+13,869
=====					
Total, Title II, Security, Enforcement, and Investigations.....	36,308,350	37,979,076	37,998,108	+1,689,758	+19,032
(Discretionary Funding).....	(34,641,410)	(36,306,076)	(36,325,108)	(+1,683,698)	(+19,032)
(Non-Defense).....	(34,138,718)	(35,966,076)	(35,985,108)	(+1,846,390)	(+19,032)
(Discretionary Appropriation).....	(36,307,718)	(38,975,076)	(38,494,108)	(+2,186,390)	(-480,968)
(Offsetting Collections).....	(-2,169,000)	(-2,509,000)	(-2,509,000)	(-340,000)	---
(Offsetting Collections)(Legislative Proposals).....	---	(-500,000)	---	---	(+500,000)
(Defense).....	(502,692)	(340,000)	(340,000)	(-162,692)	---
(Overseas Contingency Operations/Global War on Terrorism).....	(162,692)	---	---	(-162,692)	---
(Other Defense).....	(340,000)	(340,000)	(340,000)	---	---
(Mandatory Funding).....	(1,666,940)	(1,673,000)	(1,673,000)	(+6,060)	---
Aviation Security Capital Fund (Mandatory).....	250,000	250,000	250,000	---	---
Fee Funded Programs.....	2,621,040	3,074,837	2,917,837	+296,797	-157,000
=====					
Title III - PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Operations and Support					
Cybersecurity					
Cyber Readiness and Response					
NCCIC Operations.....	108,402	116,471	112,977	+4,575	-3,494
(CERT).....	(86,368)	(93,921)	(93,921)	(+7,553)	---
NCCIC Planning and Exercises.....	88,502	84,494	81,959	-6,543	-2,535
(CERT).....	(61,607)	(63,775)	(63,775)	(+2,168)	---
Subtotal, Cyber Readiness and Response....	196,904	200,965	194,936	-1,968	-6,029
Cyber Infrastructure Resilience					
Cybersecurity Advisors.....	12,970	14,693	14,252	+1,282	-441
Enhanced Cybersecurity Services.....	16,950	17,157	16,642	-308	-515
Cybersecurity Education and Awareness.....	14,133	10,093	9,790	-4,343	-303
Subtotal, Cyber Infrastructure Resilience....	44,053	41,943	40,684	-3,369	-1,259

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	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Cybersecurity					
Federal Network Resilience.....	35,013	42,766	41,483	+6,470	-1,283
Continuous Diagnostics and Mitigation.....	7,565	93,780	91,967	+84,402	-1,813
National Cybersecurity Protection System.....	385,879	341,103	333,629	-52,250	-7,474
Subtotal, Federal Cybersecurity.....	428,457	477,649	467,079	+38,622	-10,570
Subtotal, Cybersecurity.....	669,414	720,557	702,699	+33,285	-17,858
Infrastructure Protection					
Infrastructure Capacity Building					
Sector Risk Management.....	42,396	44,491	43,156	+760	-1,335
Protective Security Advisors.....	39,723	35,677	34,607	-5,116	-1,070
Bombing Prevention.....	15,070	14,739	14,297	-773	-442
Infrastructure Information and Sensitive Data Protection.....	19,546	20,608	19,990	+444	-618
Subtotal, Infrastructure Capacity Building	116,735	115,515	112,050	-4,685	-3,465
Infrastructure Security Compliance.....	69,557	72,440	70,267	+710	-2,173
Subtotal, Infrastructure Protection.....	186,292	187,955	182,317	-3,975	-5,638
Emergency Communications					
Emergency Communications Preparedness.....	44,097	49,966	48,467	+4,370	-1,499
Priority Telecommunications Service					
GETS/WPS/SRAS/TSP.....	55,730	56,319	54,629	-1,101	-1,690
Next Generation Networks Priority Services.....	2,214	7,636	7,407	+5,193	-229
Subtotal, Priority Telecommunications Service.....	57,944	63,955	62,036	+4,092	-1,919
Subtotal, Emergency Communications.....	102,041	113,921	110,503	+8,462	-3,418
Integrated Operations					
Cyber and Infrastructure Analysis					
National Infrastructure Simulation Analysis Center (NISAC).....	18,650	8,912	8,645	-10,005	-267
Infrastructure Analysis.....	23,230	34,410	33,378	+10,148	-1,032
Subtotal, Cyber and Infrastructure Analysis.....	41,880	43,322	42,023	+143	-1,299
Critical Infrastructure Situational Awareness.....	16,176	21,222	21,222	+5,046	---
(Defense).....	(14,720)	(19,312)	(19,312)	(+4,592)	---
Stakeholder Engagement and Requirements.....	41,959	46,904	46,904	+4,945	---
(Defense).....	(37,763)	(42,214)	(42,214)	(+4,451)	---
Strategy, Policy and Plans.....	9,669	14,448	14,448	+4,779	---
(Defense).....	(6,382)	(9,536)	(9,536)	(+3,154)	---
Subtotal, Integrated Operations.....	109,684	125,896	124,597	+14,913	-1,299
Office of Biometric Identity Management					
Identity and Screening Program Operations.....	71,954	68,826	68,826	-3,128	---
IDENT/Homeland Advanced Recognition Technology...	163,475	150,603	150,603	-12,872	---
Subtotal, Office of Biometric Identity Management.....	235,429	219,429	219,429	-16,000	---
Mission Support.....	69,408	87,517	87,517	+18,109	---
(Defense).....	(21,516)	(27,130)	(27,130)	(+5,614)	---
Subtotal, Operations and Support.....	1,372,268	1,455,275	1,427,062	+54,794	-28,213

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	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Protective Service					
FPS Operations					
Operating Expenses.....	368,892	360,079	360,079	-8,813	---
Countermeasures					
Protective Security Officers.....	1,059,825	1,071,286	1,071,286	+11,461	---
Technical Countermeasures.....	22,361	44,690	44,690	+22,329	---
Subtotal, Federal Protective Service (Gross)...	1,451,078	1,476,055	1,476,055	+24,977	---
Offsetting Collections.....	-1,451,078	-1,476,055	-1,476,055	-24,977	---
Subtotal, Federal Protective Service (Net)....	---	---	---	---	---
Procurement, Construction, and Improvements					
Cybersecurity					
Continuous Diagnostics and Mitigation.....	217,409	185,180	185,180	-32,229	---
National Cybersecurity Protection System.....	81,771	56,129	56,129	-25,642	---
Subtotal, Cybersecurity.....	299,180	241,309	241,309	-57,871	---
Emergency Communications					
Next Generation Networks Priority Services.....	88,055	48,905	48,905	-39,150	---
Subtotal, Emergency Communications.....	88,055	48,905	48,905	-39,150	---
Biometric Identity Management					
IDENT/Homeland Advanced Recognition Technology...	52,800	40,100	40,100	-12,700	---
Subtotal, Biometric Identity Management.....	52,800	40,100	40,100	-12,700	---
Integrated Operations Assets and Infrastructure					
Modeling Capability Transition Environment.....	---	500	500	+500	---
Subtotal, Integrated Operations Assets and Infrastructure.....	---	500	500	+500	---
Infrastructure Protection					
Infrastructure Protection (IP) Gateway.....	---	4,219	4,219	+4,219	---
Subtotal, Integrated Operations Assets and Infrastructure.....	---	4,219	4,219	+4,219	---
Subtotal, Procurement, Construction, and Improvements.....	440,035	335,033	335,033	-105,002	---
Research and Development					
Cybersecurity.....	2,030	4,695	4,695	+2,665	---
Infrastructure Protection.....	4,439	2,431	2,431	-2,008	---
Integrated Operations.....	---	4,000	4,000	+4,000	---
Subtotal, Research and Development.....	6,469	11,126	11,126	+4,657	---
Total, National Protection and Programs Directorate.....	1,818,772	1,801,434	1,773,221	-45,551	-28,213
(Discretionary Funding).....	(1,818,772)	(1,801,434)	(1,773,221)	(-45,551)	(-28,213)
(Non-Defense).....	(345,060)	(331,428)	(331,428)	(-13,632)	---
(Discretionary Appropriations).....	(1,796,138)	(1,807,483)	(1,807,483)	(+11,345)	---
(Offsetting Collections).....	(-1,451,078)	(-1,476,055)	(-1,476,055)	(-24,977)	---
(Defense).....	(1,473,712)	(1,470,006)	(1,441,793)	(-31,919)	(-28,213)
Gross Budget Authority, National Protection and Programs Directorate.....	3,269,850	3,277,489	3,249,276	-20,574	-28,213
Office of Health Affairs					
Operations and Support					
Chemical and Biological Readiness.....	82,689	77,380	77,380	-5,309	---
Health and Medical Readiness.....	4,352	4,120	4,120	-232	---
Integrated Operations.....	11,809	1,400	9,400	-2,409	+8,000

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Mission Support.....	24,698	28,419	28,419	+3,721	---
Subtotal, Operations and Support.....	123,548	111,319	119,319	-4,229	+8,000
Total, Office of Health Affairs.....	123,548	111,319	119,319	-4,229	+8,000
Federal Emergency Management Agency					
Operations and Support					
Regional Operations.....	157,134	156,417	156,417	-717	---
Mitigation.....	28,213	36,141	36,141	+7,928	---
Preparedness and Protection.....	146,356	131,981	131,981	-14,375	---
Response and Recovery					
Response.....	187,806	175,226	182,893	-4,913	+7,667
(Urban Search and Rescue).....	(38,280)	(27,513)	(35,180)	(-3,100)	(+7,667)
Recovery.....	56,126	46,694	46,694	-9,432	---
Mission Support.....	472,916	468,289	473,009	+93	+4,720
Subtotal, Operations and Support.....	1,048,551	1,014,748	1,027,135	-21,416	+12,387
(Defense).....	(46,788)	(42,945)	(42,945)	(-3,843)	---
Procurement, Construction, and Improvements					
Operational Communications/Information Technology.....	2,800	12,018	12,018	+9,218	---
Construction and Facility Improvements.....	21,050	44,519	44,519	+23,469	---
Mission Support, Assets, and Infrastructure.....	11,423	33,459	20,041	+8,618	-13,418
Subtotal, Procurement, Construction, and Improvements.....	35,273	89,996	76,578	+41,305	-13,418
(Defense).....	(15,500)	(53,262)	(53,262)	(+37,762)	---
Federal Assistance					
Grants					
State Homeland Security Grant Program.....	467,000	349,362	467,000	---	+117,638
(Operation Stonegarden).....	(55,000)	---	(55,000)	---	(+55,000)
Urban Area Security Initiative.....	605,000	448,844	630,000	+25,000	+181,156
(Nonprofit Security).....	(25,000)	---	(50,000)	(+25,000)	(+50,000)
Public Transportation Security Assistance.....	100,000	47,809	100,000	---	+52,191
(Amtrak Security).....	(10,000)	---	(10,000)	---	(+10,000)
(Over-the-Road Bus Security).....	(2,000)	---	---	(-2,000)	---
Port Security Grants.....	100,000	47,809	100,000	---	+52,191
Assistance to Firefighter Grants.....	345,000	344,344	345,000	---	+656
Staffing for Adequate Fire and Emergency Response (SAFER) Grants.....	345,000	344,344	345,000	---	+656
Emergency Management Performance Grants.....	350,000	279,335	350,000	---	+70,665
National Predisaster Mitigation Fund.....	100,000	39,016	100,000	---	+60,984
Flood Hazard Mapping and Risk Analysis Program.....	177,531	---	177,531	---	+177,531
Emergency Food and Shelter.....	120,000	---	120,000	---	+120,000
Subtotal, Grants.....	2,709,531	1,900,863	2,734,531	+25,000	+833,668
Education, Training, and Exercises					
Center for Domestic Preparedness.....	63,939	63,771	63,771	-168	---
Center for Homeland Defense and Security.....	18,000	17,966	17,966	-34	---
Emergency Management Institute.....	20,569	18,824	18,824	-1,745	---
U.S. Fire Administration.....	42,500	41,913	41,913	-587	---
National Domestic Preparedness Consortium.....	101,000	---	98,000	-3,000	+98,000
Continuing Training Grants.....	8,000	---	8,000	---	+8,000
National Exercise Program.....	19,919	20,793	20,793	+874	---
Subtotal, Education, Training, and Exercises.....	273,927	163,267	269,267	-4,660	+106,000
Subtotal, Federal Assistance.....	2,983,458	2,064,130	3,003,798	+20,340	+939,668

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Disaster Relief Fund					
Base Disaster Relief.....	615,515	558,720	534,720	-80,795	-24,000
Disaster Relief Category.....	6,713,000	6,793,000	6,793,000	+80,000	---
Subtotal, Disaster Relief Fund (Gross).....	7,328,515	7,351,720	7,327,720	-795	-24,000
(transfer to Office of Inspector General).....	---	(-24,000)	---	---	(+24,000)
Subtotal, Disaster Relief Fund (Net).....	7,328,515	7,327,720	7,327,720	-795	---
National Flood Insurance Fund					
Floodplain Management and Mapping.....	168,363	239,927	189,927	+21,564	-50,000
Mission Support.....	13,436	13,573	13,573	+137	---
Subtotal, National Flood Insurance Fund.....	181,799	253,500	203,500	+21,701	-50,000
Offsetting Fee Collections.....	-181,799	-253,500	-203,500	-21,701	+50,000
Administrative Provisions					
Radiological Emergency Preparedness Program.....	-265	-1,024	-1,024	-759	---
Subtotal, Administrative Provisions.....	-265	-1,024	-1,024	-759	---
Total, Federal Emergency Management Agency.....	11,395,532	10,519,570	11,434,207	+38,675	+914,637
(Discretionary Funding).....	(11,395,532)	(10,519,570)	(11,434,207)	(+38,675)	(+914,637)
(Non-Defense).....	(11,333,244)	(10,423,363)	(11,338,000)	(+4,756)	(+914,637)
(Discretionary Appropriations).....	(4,802,043)	(3,883,863)	(4,748,500)	(-53,543)	(+864,637)
(Offsetting Collections).....	(-181,799)	(-253,500)	(-203,500)	(-21,701)	(+50,000)
(Disaster Relief Category).....	(6,713,000)	(6,793,000)	(6,793,000)	(+80,000)	---
(Defense).....	(62,288)	(96,207)	(96,207)	(+33,919)	---
Transfer Out.....	---	-24,000	---	---	+24,000
Gross Budget Authority, Federal Emergency Management Agency.....	11,577,331	10,749,070	11,637,707	+60,376	+888,637
Total, Title III, Protection, Preparedness, Response, and Recovery.....	13,337,852	12,432,323	13,326,747	-11,105	+894,424
(Discretionary Funding).....	(13,337,852)	(12,432,323)	(13,326,747)	(-11,105)	(+894,424)
(Non-Defense).....	(11,801,852)	(10,866,110)	(11,788,747)	(-13,105)	(+922,637)
(Discretionary Appropriations).....	(6,721,729)	(5,802,665)	(6,675,302)	(-46,427)	(+872,637)
(Offsetting Collections).....	(-1,632,877)	(-1,729,555)	(-1,679,555)	(-46,678)	(+50,000)
(Disaster Relief Category).....	(6,713,000)	(6,793,000)	(6,793,000)	(+80,000)	---
(Defense).....	(1,536,000)	(1,566,213)	(1,538,000)	(+2,000)	(-28,213)
Transfer out.....	---	-24,000	---	---	+24,000
TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES					
United States Citizenship and Immigration Services					
Operations and Support					
Employment Status Verification.....	103,912	108,856	108,856	+4,944	---
Subtotal, Operations and Support.....	103,912	108,856	108,856	+4,944	---
Procurement, Construction, and Improvements.....	15,227	22,657	22,657	+7,430	---
Subtotal, Procurement, Construction, and Improvements.....	15,227	22,657	22,657	+7,430	---

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Fee Funded Programs					
Immigration Examinations Fee Account					
Adjudication Services					
District Operations.....	(1,675,716)	(1,756,407)	(1,756,407)	(+80,691)	---
(Immigrant Integration Grants).....	(10,000)	(10,000)	(10,000)	---	---
Service Center Operations.....	(609,367)	(649,461)	(649,461)	(+40,094)	---
Asylum, Refugee, and International Operations...	(358,474)	(399,882)	(399,882)	(+41,408)	---
Records Operations.....	(133,509)	(135,477)	(135,477)	(+1,968)	---
Premium Processing (Including Transformation)...	(573,976)	(620,829)	(620,829)	(+46,853)	---
Subtotal, Adjudication Services.....	(3,351,042)	(3,562,056)	(3,562,056)	(+211,014)	---
Information and Customer Services					
Operating Expenses.....	(103,625)	(109,445)	(109,445)	(+5,820)	---
Administration					
Operating Expenses.....	(509,420)	(522,010)	(522,010)	(+12,590)	---
Systematic Alien Verification for Entitlements (SAVE).....	(34,410)	(34,828)	(34,828)	(+418)	---
Subtotal, Immigration Examinations Fee Account.....	(3,998,497)	(4,228,339)	(4,228,339)	(+229,842)	---
H1-B Non-Immigrant Petitioner Account					
Adjudication Services					
Service Center Operations.....	(15,000)	(15,000)	(15,000)	---	---
Subtotal, H1-B Non-Immigrant Petitioner Account.....	(15,000)	(15,000)	(15,000)	---	---
Fraud Prevention and Detection Account					
Adjudication Services					
District Operations.....	(26,789)	(45,101)	(45,101)	(+18,312)	---
Service Center Operations.....	(19,631)	(21,778)	(21,778)	(+2,147)	---
Asylum and Refugee Operating Expenses.....	(308)	(308)	(308)	---	---
Subtotal, Fraud Prevention and Detection Account.....	(46,728)	(67,187)	(67,187)	(+20,459)	---
Subtotal, Fee Funded Programs.....	(4,060,225)	(4,310,526)	(4,310,526)	(+250,301)	---
Administrative Provisions					
H2B returning worker.....	1,000	---	---	-1,000	---
Immigration Authorization Extensions.....	1,000	---	---	-1,000	---
Subtotal, Administrative Provisions.....	2,000	---	---	-2,000	---
Total, United States Citizenship and Immigration Services					
Services.....	121,139	131,513	131,513	+10,374	---
(Discretionary Funding).....	(121,139)	(131,513)	(131,513)	(+10,374)	---
Fee Funded Programs.....	4,060,225	4,310,526	4,310,526	+250,301	---
Gross Budget Authority, United States Citizenship and Immigration Services.....	4,181,364	4,442,039	4,442,039	+260,675	---
Federal Law Enforcement Training Centers					
Operations and Support					
Law Enforcement Training.....	213,804	244,725	232,065	+18,261	-12,660
Mission Support.....	28,714	28,034	28,034	-680	---
Subtotal, Operations and Support.....	242,518	272,759	260,099	+17,581	-12,660
Total, Federal Law Enforcement Training Centers.....	242,518	272,759	260,099	+17,581	-12,660

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Science and Technology Directorate					
Operations and Support					
Laboratory Facilities.....	133,942	92,243	92,243	-41,699	---
Acquisition and Operations Analysis.....	48,392	42,552	42,552	-5,840	---
Mission Support.....	128,788	119,823	119,823	-8,965	---
Subtotal, Operations and Support.....	311,122	254,618	254,618	-56,504	---
Research and Development					
Research, Development, and Innovation.....	430,124	342,982	342,982	-87,142	---
University Programs.....	40,500	29,724	40,500	---	+10,776
Subtotal, Research and Development.....	470,624	372,706	383,482	-87,142	+10,776
Total, Science and Technology.....	781,746	627,324	638,100	-143,646	+10,776
Domestic Nuclear Detection Office					
Operations and Support					
Mission Support.....	50,042	54,664	54,664	+4,622	---
Subtotal, Operations and Support.....	50,042	54,664	54,664	+4,622	---
Procurement, Construction, and Improvements					
Large Scale Detection Systems.....	53,709	62,524	62,524	+8,815	---
Human Portable Rad/Nuclear Detection Systems.....	47,344	24,572	24,572	-22,772	---
Subtotal, Procurement, Construction, and Improvements.....	101,053	87,096	87,096	-13,957	---
Research and Development					
Architecture Planning and Analysis.....	15,072	15,937	15,937	+865	---
Transformational Research and Development.....	62,028	60,581	60,581	-1,447	---
Detection Capability Development.....	19,851	15,155	15,155	-4,696	---
Detection Capability Assessments.....	39,272	34,127	34,127	-5,145	---
Nuclear Forensics.....	18,838	18,361	18,361	-477	---
Subtotal, Research and Development.....	155,061	144,161	144,161	-10,900	---
Federal Assistance					
Federal, State, Local, Territorial, and Tribal Support.....	25,193	23,384	23,384	-1,809	---
Securing the Cities.....	21,135	21,135	21,135	---	---
Subtotal, Federal Assistance.....	46,328	44,519	44,519	-1,809	---
Total, Domestic Nuclear Detection Office.....	352,484	330,440	330,440	-22,044	---
Total, Title IV, Research and Development, Training, and Services.....	1,497,887	1,362,036	1,360,152	-137,735	-1,884
(Discretionary Funding).....	(1,497,887)	(1,362,036)	(1,360,152)	(-137,735)	(-1,884)
(Non-Defense).....	(1,497,887)	(1,362,036)	(1,360,152)	(-137,735)	(-1,884)
(Defense).....	---	---	---	---	---
Fee Funded Programs.....	4,060,225	4,310,526	4,310,526	+250,301	---

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - GENERAL PROVISIONS					
DHS HQ Consolidation Project.....	13,253	---	---	-13,253	---
Financial Systems Modernization.....	41,215	---	42,233	+1,018	+42,233
Presidential Residence Protection Assistance.....	41,000	---	---	-41,000	---
DoD Schools.....	---	2,000	2,000	+2,000	---
OCIO Unobligated Balances (Rescission).....	-3,000	---	---	+3,000	---
FEMA Disaster Assistance Direct Loan Program Account (P.L. 109-88) (FY05) (Rescission).....	-95,000	---	---	+95,000	---
CBP Automation Modernization (Rescission).....	-31,293	---	---	+31,293	---
CBP Air and Marine Operations (Rescission).....	-21,450	---	---	+21,450	---
CBP, BSFIT (Prior Year Balances) (Rescission).....	-21,150	---	---	+21,150	---
CBP Construction and Facilities Management (Rescission).....	-20,690	---	---	+20,690	---
ICE Salaries and Expenses (P.L. 114-4) (FY 15) (Rescission).....	-13,500	---	---	+13,500	---
ICE Salaries and Expenses (P.L. 114-113) (FY16) (Rescission).....	-45,000	---	---	+45,000	---
ICE Construction (Rescission).....	-2,900	---	---	+2,900	---
TSA Operations and Support (P.L. 115-31) (FY17) (Rescission).....	---	---	-12,928	-12,928	-12,928
TSA Aviation Security (P.L. 114-113) (FY16) (Rescission).....	-104,650	---	---	+104,650	---
TSA Surface Transportation Security (P.L. 114-113) (FY16) (Rescission).....	-2,582	---	---	+2,582	---
TSA Intelligence and Vetting (P.L. 114-113) (FY16) (Rescission).....	-9,930	---	---	+9,930	---
TSA Transportation Security Support (P.L. 114-113) (FY16) (Rescission).....	-2,518	---	---	+2,518	---
Coast Guard AC&I (P.L. 113-6) (FY13) (Rescission)....	-4,200	---	---	+4,200	---
Coast Guard AC&I (P.L. 113-76) (FY14) (Rescission)....	-19,300	---	---	+19,300	---
Coast Guard AC&I (P.L. 114-4) (FY15) (Rescission)....	-16,500	---	---	+16,500	---
Coast Guard AC&I (P.L. 114-113) (FY16) (Rescission)....	-31,000	---	-25,000	+6,000	-25,000
Coast Guard AC&I (P.L. 115-31) (FY17) (Rescission)....	---	---	-95,000	-95,000	-95,000
Coast Guard Alteration of Bridges (P.L. 108-334) (FY05) (Rescission).....	---	-1,786	-1,786	-1,786	---
Coast Guard Alteration of Bridges (P.L. 109-90) (FY06) (Rescission).....	---	-1,920	-1,920	-1,920	---
Coast Guard Alteration of Bridges (P.L. 109-295) (FY07) (Rescission).....	---	-1,791	-1,791	-1,791	---
Coast Guard Alteration of Bridges (P.L. 110-61) (FY08) (Rescission).....	---	-3,222	-3,222	-3,222	---
Coast Guard Alteration of Bridges (P.L. 111-83) (FY10) (Rescission).....	---	-3,681	-3,681	-3,681	---
FEMA State and Local Programs (70X0560) (Rescission)...	-11,071	---	---	+11,071	---

DIVISION E - DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
S&T RDA&O (PL113-6) (FY13) (Rescission).....	---	---	---	---	---
S&T RDA&O (PL113-76) (FY14) (Rescission).....	-977	---	---	+977	---
S&T RDA&O (PL114-4) (FY15) (Rescission).....	-5,000	---	---	+5,000	---
S&T RDA&O (PL114-113) (FY16) (Rescission).....	-1,523	---	---	+1,523	---
Legacy Funds (Rescission).....	-1,841	---	---	+1,841	---
DHS Lapsed Balances (Rescission).....	-42,343	---	---	+42,343	---
Treasury Asset Forfeiture Fund (Rescission).....	-187,000	---	-187,000	---	-187,000
FEMA Disaster Relief Fund (DRF) (Rescission).....	-789,248	-581,000	-875,575	-86,327	-294,575
=====	=====	=====	=====	=====	=====
Total, Title V, General Provisions.....	-1,388,198	-591,400	-1,163,670	+224,528	-572,270
(Discretionary Funding).....	(95,468)	(2,000)	(44,233)	(-51,235)	(+42,233)
(Rescissions/Cancellations).....	(-1,483,666)	(-593,400)	(-1,207,903)	(+275,763)	(-614,503)
=====	=====	=====	=====	=====	=====
Grand Total, Titles I-V.....	50,950,632	52,467,385	52,794,000	+1,843,368	+326,615
(Discretionary Funding).....	(49,283,692)	(50,794,385)	(51,121,000)	(+1,837,308)	(+326,615)
(Non-Defense).....	(47,245,000)	(48,888,172)	(49,243,000)	(+1,998,000)	(+354,828)
(Discretionary Appropriations).....	(45,817,543)	(47,427,127)	(47,846,458)	(+2,028,915)	(+419,331)
(Offsetting Collections).....	(-3,801,877)	(-4,238,555)	(-4,188,555)	(-386,678)	(+50,000)
(Offsetting Collections)(Legislative Proposals).....	---	(-500,000)	---	---	(+500,000)
(Disaster Relief Category).....	(6,713,000)	(6,793,000)	(6,793,000)	(+80,000)	---
(Rescissions).....	(-1,483,666)	(-593,400)	(-1,207,903)	(+275,763)	(-614,503)
(Defense).....	(2,038,692)	(1,906,213)	(1,878,000)	(-160,692)	(-28,213)
(Overseas Contingency on Operations/Global War on Terrorism).....	(162,692)	---	---	(-162,692)	---
(Other Defense).....	(1,876,000)	(1,906,213)	(1,878,000)	(+2,000)	(-28,213)
(Mandatory Funding).....	(1,666,940)	(1,673,000)	(1,673,000)	(+6,060)	---

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request	
TITLE I--DEPARTMENT OF LABOR						
EMPLOYMENT AND TRAINING ADMINISTRATION						
Training and Employment Services						
Grants to States:						
Adult Training, current year.....	103,556	102,370	64,736	-38,820	-37,634	FF
Advance from prior year.....	(712,000)	(712,000)	(712,000)	---	---	
FY 2019.....	712,000	388,000	712,000	---	+324,000	
Subtotal.....	815,556	490,370	776,736	-38,820	+286,366	
Youth Training.....	873,416	523,667	831,842	-41,574	+308,175	FF
Dislocated Worker Assistance, current year.....	160,860	160,485	155,530	-5,330	-4,955	FF
Advance from prior year.....	(860,000)	(860,000)	(860,000)	---	---	
FY 2019.....	860,000	455,000	860,000	---	+405,000	
Subtotal.....	1,020,860	615,485	1,015,530	-5,330	+400,045	
Subtotal, Grants to States.....	2,709,832	1,629,522	2,624,108	-85,724	+994,586	
Current Year.....	(1,137,832)	(786,522)	(1,052,108)	(-85,724)	(+265,586)	
FY 2019.....	(1,572,000)	(843,000)	(1,572,000)	---	(+729,000)	
National Programs:						
Dislocated Worker Assistance National Reserve:						
Current year.....	20,859	87,000	130,000	+109,141	+43,000	FF
Advance from prior year.....	(200,000)	(200,000)	(200,000)	---	---	
FY 2019.....	200,000	30,000	---	-200,000	-30,000	
Subtotal.....	220,859	117,000	130,000	-90,859	+13,000	
Subtotal, Dislocated Worker Assistance.....	1,241,719	732,485	1,145,530	-96,189	+413,045	
Native American programs.....	50,000	49,905	50,000	---	+95	FF
Migrant and Seasonal Farmworker programs.....	81,896	---	72,000	-9,896	+72,000	FF
YouthBuild activities.....	84,534	84,373	84,534	---	+161	FF
Technical assistance.....	2,500	5,226	---	-2,500	-5,226	
Reintegration of Ex-Offenders.....	88,078	77,911	82,078	-6,000	+4,167	
Workforce Data Quality Initiative.....	6,000	---	---	-6,000	---	
Apprenticeship programs.....	95,000	89,829	---	-95,000	-89,829	
Total, National Programs.....	628,867	424,244	418,612	-210,255	-5,632	
Current Year.....	(428,867)	(394,244)	(418,612)	(-10,255)	(+24,368)	
FY 2019.....	(200,000)	(30,000)	---	(-200,000)	(-30,000)	
Total, Training and Employment Services (TES).....	3,338,699	2,053,766	3,042,720	-295,979	+988,954	
Current Year.....	(1,566,699)	(1,180,766)	(1,470,720)	(-95,979)	(+289,954)	
FY 2019.....	(1,772,000)	(873,000)	(1,572,000)	(-200,000)	(+699,000)	
Job Corps						
Operations.....	1,587,325	1,341,318	1,572,886	-14,439	+231,568	FF
Construction, Rehabilitation and Acquisition.....	84,500	74,857	83,000	-1,500	+8,143	FF
Administration.....	32,330	32,269	32,269	-61	---	
Total, Job Corps.....	1,704,155	1,448,444	1,688,155	-16,000	+239,711	
Current Year.....	(1,704,155)	(1,448,444)	(1,688,155)	(-16,000)	(+239,711)	
Community Service Employment For Older Americans	400,000	---	---	-400,000	---	FF
Federal Unemployment Benefits and Allowances (indefinite).....	849,000	790,000	790,000	-59,000	---	

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
State Unemployment Insurance and Employment Service Operations					
Unemployment Compensation (UI):					
State Operations.....	2,687,600	2,635,775	2,665,775	-21,825	+30,000
National Activities.....	14,897	12,000	13,000	-1,897	+1,000
Subtotal, Unemployment Compensation.....	2,702,497	2,647,775	2,678,775	-23,722	+31,000
Employment Service (ES):					
Grants to States:					
Federal Funds.....	21,413	21,372	---	-21,413	-21,372 FF
Trust Funds.....	650,000	394,516	---	-650,000	-394,516 FF
Subtotal, Grants to States.....	671,413	415,888	---	-671,413	-415,888 FF
ES National Activities.....	19,818	19,780	19,818	---	+38
Subtotal, Employment Service.....	691,231	435,668	19,818	-671,413	-415,850
Federal Funds.....	(21,413)	(21,372)	---	(-21,413)	(-21,372)
Trust Funds.....	(669,818)	(414,296)	(19,818)	(-650,000)	(-394,478)
Foreign Labor Certifications and Related Activities:					
Federal Administration.....	48,028	47,937	48,028	---	+91
Grants to States.....	14,282	14,255	14,282	---	+27
Subtotal, Foreign Labor Certification.....	62,310	62,192	62,310	---	+118
One-Stop Career Centers/Labor Market Information.....	67,653	67,524	70,000	+2,347	+2,476 FF
Total, State UI and ES.....	3,523,691	3,213,159	2,830,903	-692,788	-382,256
Federal Funds.....	(89,066)	(88,896)	(70,000)	(-19,066)	(-18,896)
Trust Funds.....	(3,434,625)	(3,124,263)	(2,760,903)	(-673,722)	(-363,360)
Program Administration					
Training and Employment.....	62,040	59,960	61,000	-1,040	+1,040
Trust Funds.....	8,639	8,623	8,623	-16	---
Employment Security.....	3,440	3,462	3,440	---	-22
Trust Funds.....	39,264	39,189	39,189	-75	---
Apprenticeship Services.....	36,160	33,935	35,000	-1,160	+1,065
Executive Direction.....	7,034	7,021	7,021	-13	---
Trust Funds.....	2,079	2,075	2,075	-4	---
Total, Program Administration.....	158,656	154,265	156,348	-2,308	+2,083
Federal Funds.....	(108,674)	(104,378)	(106,461)	(-2,213)	(+2,083)
Trust Funds.....	(49,982)	(49,887)	(49,887)	(-95)	---
Total, Employment and Training Administration.....	9,974,201	7,659,634	8,508,126	-1,466,075	+848,492
Federal Funds.....	6,489,594	4,485,484	5,697,336	-792,258	+1,211,852
Current Year.....	(4,717,594)	(3,612,484)	(4,125,336)	(-592,258)	(+512,852)
FY 2019.....	(1,772,000)	(873,000)	(1,572,000)	(-200,000)	(+699,000)
Trust Funds.....	3,484,607	3,174,150	2,810,790	-673,817	-363,360
EMPLOYEE BENEFITS SECURITY ADMINISTRATION (EBSA)					
Salaries and Expenses					
Enforcement and Participant Assistance.....	147,400	---	142,067	-5,333	+142,067
Policy and Compliance Assistance.....	26,901	---	26,901	---	+26,901
Executive Leadership, Program Oversight and Administration.....	6,699	---	6,632	-67	+6,632
Employee benefits security programs.....	---	183,926	---	---	-183,926
Total, EBSA.....	181,000	183,926	175,600	-5,400	-8,326

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
PENSION BENEFIT GUARANTY CORPORATION (PBGC)					
Pension Benefit Guaranty Corporation Fund					
Consolidated Administrative budget.....	(519,506)	(522,917)	(424,417)	(-95,089)	(-98,500)
WAGE AND HOUR DIVISION, Salaries and Expenses.....	227,500	230,068	217,500	-10,000	-12,568
OFFICE OF LABOR-MANAGEMENT STANDARDS, Salaries and Expenses.....	38,187	46,634	41,129	+2,942	-5,505
OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, Salaries and Expenses.....	104,476	88,000	94,500	-9,976	+6,500
OFFICE OF WORKERS' COMPENSATION PROGRAMS					
Salaries and Expenses.....	115,424	113,109	114,377	-1,047	+1,268
Trust Funds.....	2,177	2,173	2,173	-4	---
Total, Salaries and Expenses.....	117,601	115,282	116,550	-1,051	+1,268
Federal Funds.....	(115,424)	(113,109)	(114,377)	(-1,047)	(+1,268)
Trust Funds.....	(2,177)	(2,173)	(2,173)	(-4)	---
Special Benefits					
Federal Employees' Compensation Benefits.....	217,000	217,000	217,000	---	---
Longshore and Harbor Workers' Benefits.....	3,000	3,000	3,000	---	---
Total, Special Benefits.....	220,000	220,000	220,000	---	---
Special Benefits for Disabled Coal Miners					
Benefit Payments.....	75,000	65,000	65,000	-10,000	---
Administration.....	5,319	5,319	5,319	---	---
Subtotal, FY 2018 program level.....	80,319	70,319	70,319	-10,000	---
Less funds advanced in prior year.....	-19,000	-16,000	-16,000	+3,000	---
Total, Current Year.....	61,319	54,319	54,319	-7,000	---
New advances, 1st quarter, FY 2019.....	16,000	15,000	15,000	-1,000	---
Total, Special Benefits for Disabled Coal Miners..	77,319	69,319	69,319	-8,000	---
Energy Employees Occupational Illness Compensation Fund					
Administrative Expenses.....	59,846	59,846	59,846	---	---
Black Lung Disability Trust Fund					
Benefit Payments and Interest on Advances.....	302,115	345,635	345,635	+43,520	---
Workers' Compensation Programs, Salaries and Expenses...	38,246	38,246	38,246	---	---
Departmental Management, Salaries and Expenses.....	31,994	30,595	30,595	-1,399	---
Departmental Management, Inspector General.....	330	330	330	---	---
Subtotal, Black Lung Disability.....	372,685	414,806	414,806	+42,121	---
Treasury Department Administrative Costs.....	356	356	356	---	---
Total, Black Lung Disability Trust Fund.....	373,041	415,162	415,162	+42,121	---
Total, Workers' Compensation Programs.....	847,807	879,609	880,877	+33,070	+1,268
Federal Funds.....	845,630	877,436	878,704	+33,074	+1,268
Current year.....	(829,630)	(862,436)	(863,704)	(+34,074)	(+1,268)
FY 2019.....	(16,000)	(15,000)	(15,000)	(-1,000)	---
Trust Funds.....	2,177	2,173	2,173	-4	---

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)					
Salaries and Expenses					
Safety and Health Standards.....	18,000	18,176	18,000	---	-176
Federal Enforcement.....	208,000	207,465	194,250	-13,750	-13,215
Whistleblower enforcement.....	17,500	17,383	17,500	---	+117
State Programs.....	100,850	100,658	100,850	---	+192
Technical Support.....	24,469	24,281	24,469	---	+188
Compliance Assistance:					
Federal Assistance.....	70,981	72,351	72,351	+1,370	---
State Consultation Grants.....	59,500	57,665	59,500	---	+1,835
Training Grants.....	10,537	---	---	-10,537	---
Subtotal, Compliance Assistance.....	141,018	130,016	131,851	-9,167	+1,835
Safety and Health Statistics.....	32,900	34,326	34,300	+1,400	-26
Executive Direction and Administration.....	10,050	10,952	10,250	+200	-702
Total, OSHA.....	552,787	543,257	531,470	-21,317	-11,787
MINE SAFETY AND HEALTH ADMINISTRATION					
Salaries and Expenses					
Coal Enforcement.....	160,000	157,026	149,000	-11,000	-8,026
Metal/Non-Metal Enforcement.....	94,500	97,675	91,700	-2,800	-6,175
Standards Development.....	4,500	5,460	4,500	---	-960
Assessments.....	6,627	7,457	6,627	---	-830
Educational Policy and Development.....	39,320	37,365	39,320	---	+1,955
Technical Support.....	35,041	34,330	35,000	-41	+670
Program Evaluation and Information Resources (PEIR).....	17,990	19,169	17,990	---	-1,179
Program Administration.....	15,838	16,490	15,838	---	-652
Total, Mine Safety and Health Administration.....	373,816	375,172	359,975	-13,841	-15,197
Total, Worker Protection Agencies.....	1,595,367	1,582,339	1,536,724	-58,643	-45,615
Federal Funds.....	(1,593,190)	(1,580,166)	(1,534,551)	(-58,639)	(-45,615)
Trust Funds.....	(2,177)	(2,173)	(2,173)	(-4)	---
BUREAU OF LABOR STATISTICS					
Salaries and Expenses					
Employment and Unemployment Statistics.....	208,000	203,878	203,878	-4,122	---
Labor Market Information.....	65,000	64,876	65,000	---	+124
Prices and Cost of Living.....	207,000	209,863	211,444	+4,444	+1,581
Compensation and Working Conditions.....	83,500	82,880	82,880	-620	---
Productivity and Technology.....	10,500	10,798	10,798	+298	---
Executive Direction and Staff Services.....	35,000	35,547	35,000	---	-547
Total, Bureau of Labor Statistics.....	609,000	607,842	609,000	---	+1,158
Federal Funds.....	544,000	542,966	544,000	---	+1,034
Trust Funds.....	65,000	64,876	65,000	---	+124

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
OFFICE OF DISABILITY EMPLOYMENT POLICY					
Salaries and Expenses.....	38,203	27,203	36,800	-1,403	+9,597
DEPARTMENTAL MANAGEMENT					
Salaries and Expenses					
Executive Direction.....	30,250	30,951	30,250	---	-701
Departmental Program Evaluation.....	8,040	8,025	8,040	---	+15
Legal Services.....	121,745	126,933	122,445	+700	-4,488
Trust Funds.....	308	308	308	---	---
International Labor Affairs.....	86,125	18,500	26,500	-59,625	+8,000
Administration and Management.....	28,834	23,496	23,496	-5,338	---
Adjudication.....	35,000	31,939	33,561	-1,439	+1,622
Women's Bureau.....	12,530	2,925	11,466	-1,064	+8,541
Civil Rights Activities.....	6,880	6,867	6,867	-13	---
Chief Financial Officer.....	5,132	9,914	9,914	+4,782	---
=====					
Total, Departmental Management Salaries and expenses.....	334,844	259,858	272,847	-61,997	+12,989
Federal Funds.....	(334,536)	(259,550)	(272,539)	(-61,997)	(+12,989)
Trust Funds.....	(308)	(308)	(308)	---	---
Veterans Employment and Training					
State Administration, Grants.....	175,000	174,667	175,000	---	+333
Transition Assistance Program.....	14,600	16,073	16,073	+1,473	---
Federal Administration.....	41,027	40,410	42,027	+1,000	+1,617
National Veterans' Employment and Training Services Institute.....	3,414	3,408	3,414	---	+6
Homeless Veterans Programs.....	45,000	45,037	47,537	+2,537	+2,500
=====					
Total, Veterans Employment and Training.....	279,041	279,595	284,051	+5,010	+4,456
Federal Funds.....	45,000	45,037	47,537	+2,537	+2,500
Trust Funds.....	234,041	234,558	236,514	+2,473	+1,956
IT Modernization					
Departmental support systems.....	4,898	4,889	4,889	-9	---
Infrastructure technology modernization.....	13,880	24,833	15,880	+2,000	-8,953
=====					
Total, IT Modernization.....	18,778	29,722	20,769	+1,991	-8,953
Office of Inspector General					
Program Activities.....	82,061	80,487	83,487	+1,426	+3,000
Trust Funds.....	5,660	5,649	5,660	---	+11
=====					
Total, Office of Inspector General.....	87,721	86,136	89,147	+1,426	+3,011
=====					
Total, Departmental Management.....	720,384	655,311	666,814	-53,570	+11,503
Federal Funds.....	480,375	414,796	424,332	-56,043	+9,536
Current Year.....	(480,375)	(414,796)	(424,332)	(-56,043)	(+9,536)
Trust Funds.....	240,009	240,515	242,482	+2,473	+1,967
=====					
Total, Workforce Investment Act Programs.....	5,042,854	3,502,210	4,730,875	-311,979	+1,228,665
Current Year.....	(3,270,854)	(2,629,210)	(3,158,875)	(-111,979)	(+529,665)
FY 2019.....	(1,772,000)	(873,000)	(1,572,000)	(-200,000)	(+699,000)
=====					
Total, Title I, Department of Labor.....	13,667,361	11,296,656	12,121,791	-1,545,570	+825,135
Federal Funds.....	9,875,568	7,814,942	9,001,346	-874,222	+1,186,404
Current Year.....	(8,087,568)	(6,926,942)	(7,414,346)	(-673,222)	(+487,404)
FY 2019.....	(1,788,000)	(888,000)	(1,587,000)	(-201,000)	(+699,000)
Trust Funds.....	3,791,793	3,481,714	3,120,445	-671,348	-361,269

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II --DEPARTMENT OF HEALTH AND HUMAN SERVICES					
HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA)					
Primary Health Care					
Community Health Centers.....	1,490,522	1,488,587	1,491,422	+900	+2,835
Free Clinics Medical Malpractice.....	1,000	100	100	-900	---
Total, Primary Health Care.....	1,491,522	1,488,687	1,491,522	---	+2,835
Health Workforce					
Training for Diversity:					
Centers of Excellence.....	21,711	---	9,711	-12,000	+9,711
Health Careers Opportunity Program.....	14,189	---	---	-14,189	---
Faculty Loan Repayment.....	1,190	---	1,190	---	+1,190
Scholarships for Disadvantaged Students.....	45,970	---	45,970	---	+45,970
Total, Training for Diversity.....	83,060	---	56,871	-26,189	+56,871
Training in Primary Care Medicine.....	38,924	---	38,924	---	+38,924
Oral Health Training.....	36,673	---	36,673	---	+36,673
Interdisciplinary Community-Based Linkages:					
Area Health Education Centers.....	30,250	---	30,250	---	+30,250
Geriatric Programs.....	38,737	---	34,737	-4,000	+34,737
Mental and Behavioral Health.....	9,916	---	9,916	---	+9,916
Behavioral Health Workforce Education and Training..	50,000	---	25,000	-25,000	+25,000
Total, Interdisciplinary Community Linkages.....	128,903	---	99,903	-29,000	+99,903
Workforce Information and Analysis.....	4,663	4,654	4,663	---	+9
Public Health and Preventive Medicine programs.....	17,000	---	---	-17,000	---
Nursing Programs:					
Advanced Education Nursing.....	64,581	---	---	-64,581	---
Nurse Education, Practice, and Retention.....	39,913	---	---	-39,913	---
Nursing Workforce Diversity.....	15,343	---	---	-15,343	---
Nursing Corps Scholarship and Loan Repayment Program	83,135	82,977	83,135	---	+158
Nursing Workforce Development.....	---	---	128,067	+128,067	+128,067
Nursing Faculty Loan Program.....	26,500	---	---	-26,500	---
Total, Nursing programs.....	229,472	82,977	211,202	-18,270	+128,225
Children's Hospitals Graduate Medical Education.....	300,000	295,000	300,000	---	+5,000
National Practitioner Data Bank.....	18,814	18,000	18,000	-814	---
User Fees.....	-18,814	-18,000	-18,000	+814	---
Total, Health Workforce.....	838,695	382,631	748,236	-90,459	+365,605
Maternal and Child Health					
Maternal and Child Health Block Grant.....	641,700	666,987	641,700	---	-25,287
Sickle Cell Anemia Demonstration Program.....	4,455	---	4,455	---	+4,455
Autism and Other Developmental Disorders.....	47,099	---	47,099	---	+47,099
Heritable Disorders.....	13,883	---	13,883	---	+13,883
Healthy Start.....	103,500	128,303	103,500	---	-24,803
Healthy Start Initiative (PL 114-254).....	15,000	---	---	-15,000	---
Universal Newborn Hearing Screening.....	17,818	---	17,818	---	+17,818
Emergency Medical Services for Children.....	20,162	---	20,162	---	+20,162
Total, Maternal and Child Health.....	863,617	795,290	848,617	-15,000	+53,327

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Ryan White HIV/AIDS Program					
Emergency Assistance.....	655,876	654,629	655,876	---	+1,247
Comprehensive Care Programs.....	1,315,005	1,312,505	1,315,005	---	+2,500
AIDS Drug Assistance Program (ADAP) (NA).....	(900,313)	(-898,602)	(900,313)	---	(+1,798,915)
Early Intervention Program.....	201,079	204,689	201,079	---	-3,610
Children, Youth, Women, and Families.....	75,088	75,088	75,088	---	---
AIDS Dental Services.....	13,122	13,097	13,122	---	+25
Education and Training Centers.....	33,611	---	33,611	---	+33,611
Special Projects of National Significance.....	25,000	---	25,000	---	+25,000
Total, Ryan White HIV/AIDS program.....	2,318,781	2,260,008	2,318,781	---	+58,773
(Evaluation Tap Funding).....	---	---	---	---	---
Health Care Systems					
Organ Transplantation.....	23,549	23,504	23,549	---	+45
National Cord Blood Inventory.....	12,266	11,245	12,266	---	+1,021
CW Bill Young Cell Transplantation program.....	22,109	22,067	22,109	---	+42
340B Drug Pricing program/Office of Pharmacy Affairs....	10,238	10,219	10,238	---	+19
Poison Control.....	18,846	18,810	18,846	---	+36
National Hansen's Disease Program.....	15,206	11,653	11,653	-3,553	---
Hansen's Disease Program Buildings and Facilities.....	122	---	---	-122	---
Payment to Hawaii, Treatment of Hansen's.....	1,857	1,853	1,857	---	+4
Total, Health Care Systems.....	104,193	99,351	100,518	-3,675	+1,167
Rural Health					
Rural Outreach Grants.....	65,500	50,811	65,500	---	+14,689
Rural Health Research/Policy Development.....	9,351	5,000	9,351	---	+4,351
Rural Hospital Flexibility Grants.....	43,609	---	43,609	---	+43,609
State Offices of Rural Health.....	10,000	---	10,000	---	+10,000
Black Lung Clinics.....	7,266	6,753	7,266	---	+513
Radiation Exposure Screening and Education Program.....	1,834	1,831	1,834	---	+3
Telehealth.....	18,500	10,000	18,500	---	+8,500
Total, Rural Health.....	156,060	74,395	156,060	---	+81,665
Family Planning.....	286,479	286,479	---	-286,479	-286,479
Program Management.....	154,000	151,993	151,993	-2,007	---
Vaccine Injury Compensation Program Trust Fund					
Post-FY 1988 Claims.....	240,000	268,000	268,000	+28,000	---
HRSA Administrative expenses.....	7,750	9,200	8,250	+500	-950
Total, Vaccine Injury Compensation Trust Fund.....	247,750	277,200	276,250	+28,500	-950
Total, Health Resources and Services Administration	6,461,097	5,816,034	6,091,977	-369,120	+275,943

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
CENTERS FOR DISEASE CONTROL AND PREVENTION					
Immunization and Respiratory Diseases.....	455,000	497,228	470,700	+15,700	-26,528
Pandemic Flu balances (Public Law 111-32).....	(15,000)	---	---	(-15,000)	---
Prevention and Public Health Fund 1/.....	(324,350)	(203,600)	(273,650)	(-50,700)	(+70,050)
Subtotal.....	(794,350)	(700,828)	(744,350)	(-50,000)	(+43,522)
HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention.....	1,117,278	934,000	1,117,278	---	+183,278
Emerging and Zoonotic Infectious Diseases.....	532,922	377,000	499,522	-33,400	+122,522
Prevention and Public Health Fund 1/.....	(52,000)	(137,000)	(52,000)	---	(-85,000)
Subtotal.....	584,922	514,000	551,522	-33,400	+37,522
Chronic Disease Prevention and Health Promotion.....	777,646	452,250	703,696	-73,950	+251,446
Prevention and Public Health Fund 1/.....	(337,950)	(500,000)	(337,950)	---	(-162,050)
Subtotal.....	1,115,596	952,250	1,041,646	-73,950	+89,396
Birth Defects, Developmental Disabilities, Disabilities and Health.....	137,560	100,000	137,560	---	+37,560
Subtotal.....	137,560	100,000	137,560	---	+37,560
Public Health Scientific Services.....	489,397	317,032	328,697	-160,700	+11,665
Evaluation Tap Funding.....	---	(142,968)	(150,700)	(+150,700)	(+7,732)
Subtotal.....	(489,397)	(460,000)	(479,397)	(-10,000)	(+19,397)
Environmental Health.....	163,750	157,000	142,750	-21,000	-14,250
Childhood lead poisoning prevention (PL 114-254)....	35,000	---	---	-35,000	---
Prevention and Public Health Fund 1/.....	(17,000)	---	(17,000)	---	(+17,000)
Subtotal.....	215,750	157,000	159,750	-56,000	+2,750
Injury Prevention and Control.....	286,059	216,165	286,059	---	+69,894
National Institute for Occupational Safety and Health ..	335,200	200,000	325,200	-10,000	+125,200
Energy Employees Occupational Illness Compensation Program.....	55,358	55,358	55,358	---	---
Global Health.....	435,121	350,000	435,121	---	+85,121
Public Health Preparedness and Response.....	1,405,000	1,266,000	1,450,000	+45,000	+184,000
Buildings and Facilities.....	10,000	20,000	10,000	---	-10,000
CDC-Wide Activities and Program Support					
Prevention and Public Health Fund 1/.....	(160,000)	---	(160,000)	---	(+160,000)
Office of the Director.....	113,570	105,000	103,570	-10,000	-1,430
Subtotal, CDC-Wide Activities.....	(273,570)	(105,000)	(263,570)	(-10,000)	(+158,570)
=====					
Total, Centers for Disease Control.....	6,348,861	5,047,033	6,065,511	-283,350	+1,018,478
Discretionary.....	6,293,503	4,991,675	6,010,153	-283,350	+1,018,478
Evaluation Tap Funding (NA).....	---	(142,968)	(150,700)	(+150,700)	(+7,732)
Pandemic Flu balances (Public Law 111-32).....	(15,000)	---	---	(-15,000)	---
Prevention and Public Health Fund 1/.....	(891,300)	(840,600)	(840,600)	(-50,700)	---
=====					
Total, Centers for Disease Control Program Level..	(7,255,161)	(6,030,601)	(7,056,811)	(-198,350)	(+1,026,210)

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
NATIONAL INSTITUTES OF HEALTH					
National Cancer Institute.....	5,389,329	4,174,222	5,471,181	+81,852	+1,296,959
National Heart, Lung, and Blood Institute.....	3,206,589	2,534,803	3,256,521	+49,932	+721,718
National Institute of Dental and Craniofacial Research..	425,751	320,749	432,363	+6,612	+111,614
National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK).....	1,870,595	1,449,534	1,899,733	+29,138	+450,199
Juvenile Diabetes (mandatory).....	(150,000)	(150,000)	(150,000)	---	---
Subtotal, NIDDK program level.....	2,020,595	1,599,534	2,049,733	+29,138	+450,199
National Institute of Neurological Disorders and Stroke..	1,783,654	1,312,998	1,810,011	+26,357	+497,013
National Institute of Allergy and Infectious Diseases...	4,906,638	3,782,670	5,005,813	+99,175	+1,223,143
National Institute of General Medical Sciences.....	1,826,395	1,405,509	1,889,332	+62,937	+483,823
Evaluation Tap Funding.....	(824,443)	(780,000)	(824,443)	---	(+44,443)
Subtotal, NGMS program level.....	2,650,838	2,185,509	2,713,775	+62,937	+528,266
Eunice Kennedy Shriver National Institute of Child Health and Human Development.....	1,380,295	1,032,029	1,401,727	+21,432	+369,698
National Eye Institute.....	732,618	549,847	743,881	+11,263	+194,034
National Institute of Environmental Health Sciences.....	714,261	533,537	725,387	+11,126	+191,850
National Institute on Aging.....	2,048,610	1,303,541	2,458,733	+410,123	+1,155,192
National Institute of Arthritis and Musculoskeletal and Skin Diseases.....	557,851	417,898	566,515	+8,664	+148,617
National Institute on Deafness and Other Communication Disorders.....	436,875	325,846	443,624	+6,749	+117,778
National Institute of Nursing Research.....	150,273	113,688	152,599	+2,326	+38,911
National Institute on Alcohol Abuse and Alcoholism.....	483,363	361,356	490,796	+7,433	+129,440
National Institute on Drug Abuse.....	1,090,853	864,998	1,107,497	+16,644	+242,499
National Institute of Mental Health.....	1,601,931	1,201,901	1,625,461	+23,530	+423,560
National Human Genome Research Institute.....	528,566	399,622	536,774	+8,208	+137,152
National Institute of Biomedical Imaging and Bioengineering.....	357,080	282,614	362,506	+5,426	+79,892
National Center for Complementary and Integrative Health.....	134,689	101,793	136,741	+2,052	+34,948
National Institute on Minority Health and Health Disparities.....	289,069	214,723	293,583	+4,514	+78,860
John E. Fogarty International Center.....	72,213	---	73,353	+1,140	+73,353
National Library of Medicine (NLM).....	407,510	373,258	413,848	+6,338	+40,590
National Center for Advancing Translational Sciences....	705,903	557,373	718,867	+12,964	+161,494
National Institute for Research on Safety and Quality3/.....	---	272,000	---	---	-272,000
Office of the Director.....	1,665,183	1,329,833	1,705,248	+40,065	+375,415
Common Fund (non-add).....	(682,856)	(441,823)	(682,980)	(+124)	(+241,157)
Gabriella Miller Kids First Research Act (Common Fund add).....	12,600	12,600	12,600	---	---
NIH Innovation Account, CURES Act2/.....	352,000	496,000	496,000	+144,000	---
Buildings and Facilities.....	128,863	98,615	128,863	---	+30,248
=====					
Total, National Institutes of Health (NIH).....	33,259,557	25,823,557	34,359,557	+1,100,000	+8,536,000
(Evaluation Tap Funding).....	(824,443)	(780,000)	(824,443)	---	(+44,443)

Total, NIH Program Level.....	(34,084,000)	(26,603,557)	(35,184,000)	(+1,100,000)	(+8,580,443)

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)					
Mental Health					
Programs of Regional and National Significance.....	386,659	277,419	308,861	-77,798	+31,442
Prevention and Public Health Fund 1/.....	(12,000)	---	---	(-12,000)	---
Subtotal.....	398,659	277,419	308,861	-89,798	+31,442
Mental Health block grant.....	541,532	400,000	400,000	-141,532	---
Evaluation Tap Funding.....	(21,039)	(15,539)	(21,039)	---	(+5,500)
Subtotal.....	(562,571)	(415,539)	(421,039)	(-141,532)	(+5,500)
Children's Mental Health.....	119,026	118,800	119,026	---	+226
Grants to States for the Homeless (PATH).....	64,635	64,512	64,635	---	+123
Protection and Advocacy.....	36,146	36,077	36,146	---	+69
Subtotal, Mental Health.....	1,147,998	896,808	928,668	-219,330	+31,860
(Evaluation Tap Funding).....	(21,039)	(15,539)	(21,039)	---	(+5,500)
(Prevention and Public Health Fund 1/.....)	(12,000)	---	---	(-12,000)	---
Subtotal, Mental Health program level.....	(1,181,037)	(912,347)	(949,707)	(-231,330)	(+37,360)
Substance Abuse Treatment					
Programs of Regional and National Significance.....	352,427	339,738	351,427	-1,000	+11,689
Evaluation Tap Funding.....	(2,000)	(2,000)	(2,000)	---	---
Subtotal.....	(354,427)	(341,738)	(353,427)	(-1,000)	(+11,689)
Substance Abuse block grant.....	1,778,879	1,775,497	1,778,879	---	+3,382
Evaluation Tap Funding.....	(79,200)	(79,200)	(79,200)	---	---
Subtotal, block grant.....	(1,858,079)	(1,854,697)	(1,858,079)	---	(+3,382)
Subtotal, Substance Abuse Treatment.....	2,131,306	2,115,235	2,130,306	-1,000	+15,071
(Evaluation Tap Funding).....	(81,200)	(81,200)	(81,200)	---	---
Subtotal, Program level.....	(2,212,506)	(2,196,435)	(2,211,506)	(-1,000)	(+15,071)
Substance Abuse Prevention					
Programs of Regional and National Significance.....	223,219	149,703	165,373	-57,846	+15,670
Total, Substance Abuse Prevention.....	223,219	149,703	165,373	-57,846	+15,670
Health Surveillance and Program Support	116,830	108,922	108,922	-7,908	---
Evaluation Tap Funding (NA).....	(31,428)	(23,426)	(23,426)	(-8,002)	---
Subtotal.....	148,258	132,348	132,348	-15,910	---
Total, SAMHSA.....	3,619,353	3,270,668	3,333,269	-286,084	+62,601
(Evaluation Tap Funding).....	(133,667)	(120,165)	(125,665)	(-8,002)	(+5,500)
(Prevention and Public Health Fund 1/.....)	(12,000)	---	---	(-12,000)	---
Total, SAMHSA Program Level.....	(3,765,020)	(3,390,833)	(3,458,934)	(-306,086)	(+68,101)

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY (AHRQ)3/					
Healthcare Research and Quality					
Research on Health Costs, Quality, and Outcomes:					
Federal Funds.....	187,156	---	167,156	-20,000	+167,156
Subtotal, Health Costs, Quality, and Outcomes.....	(187,156)	---	(167,156)	(-20,000)	(+167,156)
Medical Expenditures Panel Surveys:					
Federal Funds.....	66,000	---	66,000	---	+66,000
Program Support:					
Federal Funds.....	70,844	---	66,844	-4,000	+66,844
Total, AHRQ Program Level 3/.....	(324,000)	---	(300,000)	(-24,000)	(+300,000)
Federal funds 3/.....	(324,000)	---	(300,000)	(-24,000)	(+300,000)
Total, Public Health Service (PHS) appropriation..	50,012,868	39,957,292	50,150,314	+137,446	+10,193,022
Total, Public Health Service Program Level.....	(51,889,278)	(41,841,025)	(52,091,722)	(+202,444)	(+10,250,697)
CENTERS FOR MEDICARE AND MEDICAID SERVICES					
Grants to States for Medicaid					
Medicaid Current Law Benefits.....	354,223,901	384,608,394	384,608,394	+30,384,493	---
State and Local Administration.....	18,975,984	20,811,084	20,811,084	+1,835,100	---
Vaccines for Children.....	4,386,584	4,598,358	4,598,358	+211,774	---
Subtotal, Medicaid Program Level.....	377,586,469	410,017,836	410,017,836	+32,431,367	---
Less funds advanced in prior year.....	-115,582,502	-125,219,452	-125,219,452	-9,636,950	---
Total, Grants to States for Medicaid.....	262,003,967	284,798,384	284,798,384	+22,794,417	---
New advance, 1st quarter, FY 2019.....	125,219,452	134,847,759	134,847,759	+9,628,307	---
Payments to Health Care Trust Funds					
Supplemental Medical Insurance.....	214,944,000	245,396,000	245,396,000	+30,452,000	---
Federal Uninsured Payment.....	147,000	132,000	132,000	-15,000	---
Program Management.....	877,500	1,104,000	1,104,000	+226,500	---
General Revenue for Part D Benefit.....	82,512,000	76,133,000	76,133,000	-6,379,000	---
General Revenue for Part D Administration.....	405,000	422,000	422,000	+17,000	---
HCFAC Reimbursement.....	299,000	307,000	307,000	+8,000	---
State Low-Income Determination for Part D.....	3,200	3,300	3,300	+100	---
Total, Payments to Trust Funds, Program Level.....	299,187,700	323,497,300	323,497,300	+24,309,600	---
Program Management					
Research, Demonstration, Evaluation.....	20,054	18,054	---	-20,054	-18,054
Program Operations.....	2,519,823	2,441,274	2,341,274	-178,549	-100,000
State Survey and Certification.....	397,334	406,135	397,334	---	-8,801
Federal Administration.....	732,533	722,533	712,533	-20,000	-10,000
Total, Program management.....	3,669,744	3,587,996	3,451,141	-218,603	-136,855
Health Care Fraud and Abuse Control Account					
Centers for Medicare and Medicaid Services.....	486,936	536,145	486,936	---	-49,209
HHS Office of Inspector General.....	82,132	74,246	82,132	---	+7,886
Medicaid/CHIP.....	82,132	74,246	82,132	---	+7,886
Department of Justice.....	73,800	66,363	93,800	+20,000	+27,437
Total, Health Care Fraud and Abuse Control.....	725,000	751,000	745,000	+20,000	-6,000
Total, Centers for Medicare and Medicaid Services..	690,805,863	747,482,439	747,339,584	+56,533,721	-142,855
Federal funds.....	686,411,119	743,143,443	743,143,443	+56,732,324	---
Current year.....	(561,191,667)	(608,295,684)	(608,295,684)	(+47,104,017)	---
New advance, FY 2019.....	(125,219,452)	(134,847,759)	(134,847,759)	(+9,628,307)	---
Trust Funds.....	4,394,744	4,338,996	4,196,141	-198,603	-142,855

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF)					
Payments to States for Child Support Enforcement and Family Support Programs					
Payments to Territories.....	33,000	33,000	33,000	---	---
Repatriation.....	1,000	1,000	1,000	---	---
Subtotal.....	34,000	34,000	34,000	---	---
Child Support Enforcement:					
State and Local Administration.....	3,680,840	3,763,200	3,763,200	+82,360	---
Federal Incentive Payments.....	585,791	588,200	588,200	+2,409	---
Access and Visitation.....	10,000	10,000	10,000	---	---
Subtotal, Child Support Enforcement.....	4,276,631	4,361,400	4,361,400	+84,769	---
Total, Family Support Payments Program Level.....	4,310,631	4,395,400	4,395,400	+84,769	---
Less funds advanced in previous years.....	-1,300,000	-1,400,000	-1,400,000	-100,000	---
Total, Family Support Payments, current year.....	3,010,631	2,995,400	2,995,400	-15,231	---
New advance, 1st quarter, FY 2019.....	1,400,000	1,400,000	1,400,000	---	---
Low Income Home Energy Assistance (LIHEAP)					
Formula Grants.....	3,390,304	---	3,390,304	---	+3,390,304
Refugee and Entrant Assistance					
Transitional and Medical Services.....	490,000	320,000	320,000	-170,000	---
Refugee Support Services.....	---	159,321	175,321	+175,321	+16,000
Victims of Trafficking.....	18,755	18,719	18,755	---	+36
Social Services.....	155,000	---	---	-155,000	---
Preventive Health.....	4,600	---	---	-4,600	---
Targeted Assistance.....	47,601	---	---	-47,601	---
Unaccompanied Minors.....	948,000	948,000	498,000	-450,000	-450,000
Victims of Torture.....	10,735	10,715	10,735	---	+20
Total, Refugee and Entrant Assistance.....	1,674,691	1,456,755	1,022,811	-651,880	-433,944
Payments to States for the Child Care and Development					
Block Grant.....	2,856,000	2,761,000	2,860,000	+4,000	+99,000
Social Services Block Grant (Title XX).....	1,700,000	---	1,700,000	---	+1,700,000
Children and Families Services Programs					
Programs for Children, Youth and Families:					
Head Start, current funded.....	9,253,095	9,168,095	9,275,000	+21,905	+106,905
Preschool Development Grants.....	250,000	---	250,000	---	+250,000
Consolidated Runaway, Homeless Youth Program.....	101,980	101,786	101,980	---	+194
Prevention Grants to Reduce Abuse of Runaway Youth..	17,141	17,108	17,141	---	+33
Child Abuse State Grants.....	25,310	25,262	25,310	---	+48
Child Abuse Discretionary Activities.....	33,000	32,937	33,000	---	+63
Community Based Child Abuse Prevention.....	39,764	39,688	39,764	---	+76
Child Welfare Services.....	268,735	268,224	268,735	---	+511
Child Welfare Training, Research, or Demonstration projects.....	17,984	17,950	17,984	---	+34
Adoption Opportunities.....	39,100	30,072	39,100	---	+9,028
Adoption Incentive grants.....	37,943	37,871	37,943	---	+72
Social Services and Income Maintenance Research.....	6,512	6,500	6,512	---	+12
Native American Programs.....	52,050	49,905	52,050	---	+2,145

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Community Services:					
Community Services Block Grant Act programs:					
Grants to States for Community Services.....	715,000	---	600,000	-115,000	+600,000
Economic Development.....	19,883	---	10,000	-9,883	+10,000
Rural Community Facilities.....	7,500	---	7,500	---	+7,500
Subtotal, Community Services.....	742,383	---	617,500	-124,883	+617,500
Domestic Violence Hotline.....	8,250	8,250	8,750	+500	+500
Family Violence/Battered Women's Shelters.....	151,000	151,000	151,000	---	---
Chafee Education and Training Vouchers.....	43,257	43,175	43,257	---	+82
Disaster Human Services Case Management.....	1,864	1,860	1,864	---	+4
Program Direction.....	205,000	204,610	194,610	-10,390	-10,000
Total, Children and Families Services Programs....	11,294,368	10,204,293	11,181,500	-112,868	+977,207
Promoting Safe and Stable Families.....	325,000	345,000	325,000	---	-20,000
Discretionary Funds.....	59,765	59,651	59,765	---	+114
Total, Promoting Safe and Stable Families.....	384,765	404,651	384,765	---	-19,886
Payments for Foster Care and Permanency					
Foster Care.....	4,992,000	5,537,000	5,537,000	+545,000	---
Adoption Assistance.....	2,780,000	2,867,000	2,867,000	+87,000	---
Guardianship.....	152,000	181,000	181,000	+29,000	---
Independent Living.....	140,000	140,000	140,000	---	---
Total, Payments to States.....	8,064,000	8,725,000	8,725,000	+661,000	---
Less Advances from Prior Year.....	-2,300,000	-2,500,000	-2,500,000	-200,000	---
Total, payments, current year.....	5,764,000	6,225,000	6,225,000	+461,000	---
New Advance, 1st quarter, FY 2019.....	2,500,000	2,700,000	2,700,000	+200,000	---
Total, ACF.....	33,974,759	28,147,099	33,859,780	-114,979	+5,712,681
Current year.....	(30,074,759)	(24,047,099)	(29,759,780)	(-314,979)	(+5,712,681)
FY 2019.....	(3,900,000)	(4,100,000)	(4,100,000)	(+200,000)	---
Total, ACF Program Level.....	33,974,759	28,147,099	33,859,780	-114,979	+5,712,681
ADMINISTRATION FOR COMMUNITY LIVING					
Aging and Disability Services Programs					
Grants to States:					
Home and Community-based Supportive Services.....	350,224	347,063	350,224	---	+3,161
Preventive Health.....	19,848	19,810	19,848	---	+38
Protection of Vulnerable Older Americans-Title VII..	20,658	20,619	20,658	---	+39
Subtotal.....	390,730	387,492	390,730	---	+3,238
Family Caregivers.....	150,586	150,300	150,586	---	+286
Native American Caregivers Support.....	7,556	7,517	7,556	---	+39
Subtotal, Caregivers.....	158,142	157,817	158,142	---	+325
Nutrition:					
Congregate Meals.....	450,342	447,490	450,342	---	+2,852
Home Delivered Meals.....	227,342	225,912	227,342	---	+1,430
Nutrition Services Incentive Program.....	160,069	159,765	160,069	---	+304
Subtotal.....	837,753	833,167	837,753	---	+4,586
Subtotal, Grants to States.....	1,386,625	1,378,476	1,386,625	---	+8,149

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grants for Native Americans.....	31,208	31,099	31,208	---	+109
Aging Network Support Activities.....	9,961	9,942	9,961	---	+19
Alzheimer's Disease Demonstrations.....	4,800	19,490	19,500	+14,700	+10
Prevention and Public Health Fund 1/.....	(14,700)	---	---	(-14,700)	---
Lifespan Respite Care.....	3,360	3,354	3,360	---	+6
Chronic Disease Self-Management Program.....	---	5,000	5,000	+5,000	---
Prevention and Public Health Fund 1/.....	(8,000)	---	---	(-8,000)	---
Elder Falls Prevention.....	---	5,000	5,000	+5,000	---
Prevention and Public Health Fund 1/.....	(5,000)	---	---	(-5,000)	---
Elder Rights Support Activities.....	13,874	11,851	11,874	-2,000	+23
Aging and Disability Resources.....	6,119	6,107	6,119	---	+12
Senior Community Service Employment Program.....	---	---	300,000	+300,000	+300,000
State Health Insurance Program.....	47,115	---	---	-47,115	---
Paralysis Resource Center.....	6,700	---	6,700	---	+6,700
Limb loss.....	2,500	---	2,500	---	+2,500
Traumatic Brain Injury.....	9,321	3,162	9,321	---	+6,159
Developmental Disabilities Programs:					
Partnerships for Innovation, Inclusion, and					
Independence.....	---	45,000	---	---	-45,000
State Councils.....	73,000	---	73,000	---	+73,000
Protection and Advocacy.....	38,734	38,660	38,734	---	+74
Voting Access for Individuals with Disabilities.....	4,963	4,954	4,963	---	+9
Developmental Disabilities Projects of National					
Significance.....	10,000	7,600	7,600	-2,400	---
University Centers for Excellence in Developmental					
Disabilities.....	38,619	38,546	38,619	---	+73
Subtotal, Developmental Disabilities Programs.....	165,316	134,760	162,916	-2,400	+28,156
Workforce Innovation and Opportunity Act					
Independent Living.....	101,183	78,156	101,183	---	+23,027
National Institute on Disability, Independent					
Living, and Rehabilitation Research.....	103,970	95,127	103,970	---	+8,843
Assistive Technology.....	34,000	31,939	34,000	---	+2,061
Subtotal, Workforce Innovation and Opportunity Act	239,153	205,222	239,153	---	+33,931
Program Administration.....	40,063	37,987	37,987	-2,076	---
===== Total, Administration for Community Living (ACL).. Federal funds..... Trust Funds..... (Prevention and Public Health Fund 1/..... ===== Total, ACL program level.....	1,966,115 (1,919,000) (47,115) (27,700) 1,993,815	1,851,450 (1,851,450) --- --- 1,851,450	2,237,224 (2,237,224) --- --- 2,237,224	+271,109 (+318,224) (-47,115) (-27,700) +243,409	+385,774 (+385,774) --- --- +385,774
OFFICE OF THE SECRETARY					
General Departmental Management					
General Departmental Management, Federal Funds.....	199,620	203,500	199,620	---	-3,880
Teen Pregnancy Prevention Community Grants.....	101,000	---	---	-101,000	---
Evaluation Tap Funding.....	(6,800)	---	---	(-6,800)	---
Subtotal, Grants.....	(107,800)	---	---	(-107,800)	---

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Faith-Based Center.....	1,299	1,299	1,299	---	---
Sexual Risk Avoidance.....	15,000	10,000	20,000	+5,000	+10,000
Minority Health.....	56,670	56,562	45,250	-11,420	-11,312
Office of Women's Health.....	32,140	32,140	25,712	-6,428	-6,428
Minority HIV/AIDS prevention and treatment.....	53,900	---	---	-53,900	---
Embryo Adoption Awareness Campaign.....	1,000	1,000	1,000	---	---
Planning and Evaluation, Evaluation Tap Funding	(58,028)	(57,465)	(57,465)	(-563)	---
Subtotal, General Departmental Management.....	460,629	304,501	292,881	-167,748	-11,620
Total, General Departmental Management.....	460,629	304,501	292,881	-167,748	-11,620
Federal Funds.....	(460,629)	(304,501)	(292,881)	(-167,748)	(-11,620)
(Evaluation Tap Funding).....	(64,828)	(57,465)	(57,465)	(-7,363)	---
Total, General Departmental Management Program....	525,457	361,966	350,346	-175,111	-11,620
Office of Medicare Hearings and Appeals.....	107,381	117,177	112,381	+5,000	-4,796
Office of the National Coordinator for Health Information Technology.....	60,367	38,381	38,381	-21,986	---
Office of Inspector General					
Inspector General Federal Funds.....	80,000	68,085	80,000	---	+11,915
HCFAC funding (NA).....	(334,097)	---	---	(-334,097)	---
Total, Inspector General Program Level.....	(414,097)	(68,085)	(80,000)	(-334,097)	(+11,915)
Office for Civil Rights					
Federal Funds.....	38,798	32,530	38,798	---	+6,268
Retirement Pay and Medical Benefits for Commissioned Officers					
Retirement Payments.....	457,459	456,266	456,266	-1,193	---
Survivors Benefits.....	31,559	31,583	31,583	+24	---
Dependents' Medical Care.....	141,390	130,840	130,840	-10,550	---
Total, Medical Benefits for Commissioned Officers..	630,408	618,689	618,689	-11,719	---
Public Health and Social Services Emergency Fund (PHSSEF)					
Assistant Secretary for Preparedness and Response					
Operations.....	30,938	30,879	30,938	---	+59
Preparedness and Emergency Operations.....	24,654	24,607	24,654	---	+47
National Disaster Medical System.....	49,904	49,809	49,904	---	+95
Hospital Preparedness Cooperative Agreement Grants:					
Formula Grants.....	254,555	227,201	254,555	---	+27,354
Biomedical Advanced Research and Development Authority (BARDA).....	511,700	511,700	520,000	+8,300	+8,300
Policy and Planning.....	14,877	14,849	14,877	---	+28
Project BioShield.....	510,000	510,000	530,000	+20,000	+20,000
Subtotal, Preparedness and Response.....	1,396,628	1,369,045	1,424,928	+28,300	+55,883

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Assistant Secretary for Administration					
Assistant Secretary for Administration, Cybersecurity...	50,860	73,263	50,860	---	-22,403
Office of Security and Strategic Information.....	7,470	7,456	7,470	---	+14
Public Health and Science					
Medical Reserve Corps.....	6,000	5,989	6,000	---	+11
Pandemic Influenza Preparedness.....	57,000	206,863	250,000	+193,000	+43,137
Pandemic Flu balances (Public Law 111-32).....	(15,000)	---	---	(-15,000)	---
Subtotal, Pandemic Influenza Preparedness.....	72,000	206,863	250,000	+178,000	+43,137
Subtotal, Non-pandemic flu/BioShield/Parklawn/Other construction.....	950,958	945,753	959,258	+8,300	+13,505
Total, PHSSEF.....	1,517,958	1,662,616	1,739,258	+221,300	+76,642
Account for the State Response to the Opioid Abuse Crisis, CURES Act2/.....					
	500,000	500,000	500,000	---	---
=====					
Total, Office of the Secretary.....	3,395,541	3,341,979	3,420,388	+24,847	+78,409
Federal Funds.....	3,288,160	3,224,802	3,308,007	+19,847	+83,205
Trust Funds.....	107,381	117,177	112,381	+5,000	-4,796
(Evaluation Tap Funding).....	(64,828)	(57,465)	(57,465)	(-7,363)	---
Total, Office of the Secretary Program Level.....	3,475,369	3,399,444	3,477,853	+2,484	+78,409
=====					
Total, Title II, Health and Human Services.....	780,155,146	820,780,259	837,007,290	+56,852,144	+16,227,031
Federal Funds.....	775,598,156	816,314,886	832,690,518	+57,092,362	+16,375,632
Current year.....	(646,478,704)	(677,367,127)	(693,742,759)	(+47,264,055)	(+16,375,632)
FY 2019.....	(129,119,452)	(138,947,759)	(138,947,759)	(+9,828,307)	---
Trust Funds.....	4,556,990	4,465,373	4,316,772	-240,218	-148,601
Total, Pandemic Flu balances (Public Law 111-32)...	(30,000)	---	---	(-30,000)	---
Total, Prevention and Public Health Fund 1/.....	(931,000)	(840,600)	(840,600)	(-90,400)	---

Title II Footnotes:

- 1/ Sec.4002 of Public Law 111-148
- 2/ 21st Century CURES Act (Public Law 114-255); FY2017 funds provided in Public Law 114-254
- 3/ FY2018 budget request proposes consolidating the Agency for Healthcare Research and Quality within the National Institutes of Health as the National Institute for Research on Safety and Quality

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - DEPARTMENT OF EDUCATION					
EDUCATION FOR THE DISADVANTAGED					
Grants to Local Educational Agencies (LEAs)					
Basic Grants:					
Advance from prior year.....	(2,390,776)	(1,840,776)	(1,840,776)	(-550,000)	---
Forward funded.....	4,613,625	2,733,460	4,613,625	---	+1,880,165 FF
Current funded.....	5,000	466,100	5,000	---	-461,100
Subtotal, Basic grants current year approp....	4,618,625	3,199,560	4,618,625	---	+1,419,065
Subtotal, Basic grants total funds available..	(7,009,401)	(5,040,336)	(6,459,401)	(-550,000)	(+1,419,065)
Basic Grants FY 2019 Advance.....	1,840,776	3,231,497	1,840,776	---	-1,390,721
Subtotal, Basic grants, program level.....	6,459,401	6,431,057	6,459,401	---	+28,344
Concentration Grants:					
Advance from prior year.....	(1,362,301)	(1,362,301)	(1,362,301)	---	---
FY 2019 Advance.....	1,362,301	1,362,301	1,362,301	---	---
Subtotal.....	1,362,301	1,362,301	1,362,301	---	---
Targeted Grants:					
Advance from prior year.....	(3,544,050)	(3,819,050)	(3,819,050)	(+275,000)	---
FY 2019 Advance.....	3,819,050	3,544,050	3,819,050	---	+275,000
Subtotal.....	3,819,050	3,544,050	3,819,050	---	+275,000
Education Finance Incentive Grants:					
Advance from prior year.....	(3,544,050)	(3,819,050)	(3,819,050)	(+275,000)	---
FY 2019 Advance.....	3,819,050	3,544,050	3,819,050	---	+275,000
Subtotal.....	3,819,050	3,544,050	3,819,050	---	+275,000
Subtotal, Grants to LEAs, program level.....	15,459,802	15,881,458	15,459,802	---	-421,656
FOCUS Grants (ESIA-I-E).....	---	1,000,000	---	---	-1,000,000
Innovative Approaches to Literacy.....	27,000	---	27,000	---	+27,000
Comprehensive literacy development grants	190,000	---	---	-190,000	---
State Agency Programs:					
Migrant.....	374,751	374,039	374,751	---	+712 FF
Neglected and Delinquent/High Risk Youth.....	47,614	47,523	47,614	---	+91 FF
Subtotal, State Agency programs.....	422,365	421,562	422,365	---	+803
Migrant Education:					
High School Equivalency Program.....	44,623	44,538	44,623	---	+85
Total, Education for the disadvantaged.....	16,143,790	16,347,558	15,953,790	-190,000	-393,768
Current Year.....	(5,302,613)	(4,665,660)	(5,112,613)	(-190,000)	(+446,953)
FY 2019.....	(10,841,177)	(11,681,898)	(10,841,177)	---	(-840,721)
Subtotal, Forward Funded.....	(5,225,990)	(3,155,022)	(5,035,990)	(-190,000)	(+1,880,968)
IMPACT AID					
Basic Support Payments.....	1,189,233	1,166,012	1,194,233	+5,000	+28,221
Payments for Children with Disabilities.....	48,316	48,224	48,316	---	+92
Facilities Maintenance (Sec. 8008).....	4,835	4,826	4,835	---	+9
Construction (Sec. 8007).....	17,406	17,373	17,406	---	+33
Payments for Federal Property (Sec. 8002).....	68,813	---	68,813	---	+68,813
Total, Impact aid.....	1,328,603	1,236,435	1,333,603	+5,000	+97,168

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request	
SCHOOL IMPROVEMENT PROGRAMS						
Supporting Effective Instruction State Grants.....	374,389	---	---	-374,389	---	FF
Advance from prior year.....	(1,681,441)	(1,681,441)	(1,681,441)	---	---	
FY 2019.....	1,681,441	---	---	-1,681,441	---	
Subtotal, Supporting Effective Instruction State Grants, program level.....	2,055,830	---	---	-2,055,830	---	
Supplemental Education Grants.....	16,699	16,667	16,699	---	+32	
21st Century Community Learning Centers.....	1,191,673	---	1,000,000	-191,673	+1,000,000	FF
State Assessments.....	369,100	377,281	369,100	---	-8,181	FF
Education for Homeless Children and Youth.....	77,000	69,867	77,000	---	+7,133	FF
Training and Advisory Services (Civil Rights).....	6,575	6,563	6,575	---	+12	
Education for Native Hawaiians.....	33,397	---	33,397	---	+33,397	
Alaska Native Education Equity.....	32,453	---	32,453	---	+32,453	
Rural Education.....	175,840	175,506	175,840	---	+334	FF
Comprehensive Centers.....	50,000	51,347	50,000	---	-1,347	
Student Support and Academic Enrichment grants.....	400,000	---	500,000	+100,000	+500,000	FF
Total, School Improvement Programs.....	4,408,567	697,231	2,261,064	-2,147,503	+1,563,833	
Current Year.....	(2,727,126)	(697,231)	(2,261,064)	(-466,062)	(+1,563,833)	
FY 2019.....	(1,681,441)	---	---	(-1,681,441)	---	
Subtotal, Forward Funded.....	(2,588,002)	(622,654)	(2,121,940)	(-466,062)	(+1,499,286)	
INDIAN EDUCATION						
Grants to Local Educational Agencies.....	100,381	100,190	100,381	---	+191	
Federal Programs:						
Special Programs for Indian Children.....	57,993	37,921	57,993	---	+20,072	
National Activities.....	6,565	5,554	6,565	---	+1,011	
Subtotal, Federal Programs.....	64,558	43,475	64,558	---	+21,083	
Total, Indian Education.....	164,939	143,665	164,939	---	+21,274	
INNOVATION AND IMPROVEMENT						
Education Innovation and Research.....	100,000	370,000	---	-100,000	-370,000	
American History and Civics Academies.....	1,815	---	---	-1,815	---	
American History and Civics National Activities.....	1,700	---	1,700	---	+1,700	
School Leader Recruitment and Support.....	14,500	---	---	-14,500	---	
Charter Schools Grants.....	342,172	500,000	370,000	+27,828	-130,000	
Magnet Schools Assistance.....	97,647	96,463	96,463	-1,184	---	
Teacher and School Leader Incentive Grants.....	200,000	199,563	200,000	---	+437	
Ready-to-Learn Television.....	25,741	---	25,741	---	+25,741	
Supporting Effective Educator Development (SEED).....	65,000	42,000	42,000	-23,000	---	
Arts in Education.....	27,000	---	---	-27,000	---	
Javits Gifted and Talented Students.....	12,000	---	12,000	---	+12,000	
Total, Innovation and Improvement.....	887,575	1,208,026	747,904	-139,671	-460,122	
Current Year.....	(887,575)	(1,208,026)	(747,904)	(-139,671)	(-460,122)	
SAFE SCHOOLS AND CITIZENSHIP EDUCATION						
Promise Neighborhoods.....	73,254	60,000	60,000	-13,254	---	
School Safety National Activities.....	68,000	74,857	68,000	---	-6,857	
Full-Service Community Schools.....	10,000	---	10,000	---	+10,000	
Total, Safe Schools and Citizenship Education.....	151,254	134,857	138,000	-13,254	+3,143	
ENGLISH LANGUAGE ACQUISITION						
Current funded.....	47,931	47,840	47,931	---	+91	
Forward funded.....	689,469	688,158	689,469	---	+1,311	FF
Total, English Language Acquisition.....	737,400	735,998	737,400	---	+1,402	

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request	
SPECIAL EDUCATION						
State Grants:						
Grants to States Part B current year.....	2,719,465	1,766,099	1,038,024	-1,681,441	-728,075	FF
Part B advance from prior year.....	(9,283,383)	(9,283,383)	(9,283,383)	---	---	
Grants to States Part B (FY 2019).....	9,283,383	10,124,103	11,164,824	+1,881,441	+1,040,721	
Subtotal, program level.....	12,002,848	11,890,202	12,202,848	+200,000	+312,646	
Preschool Grants.....	368,238	367,538	368,238	---	+700	FF
Grants for Infants and Families.....	458,556	457,684	458,556	---	+872	FF
Subtotal, program level.....	12,829,642	12,715,424	13,029,642	+200,000	+314,218	
IDEA National Activities (current funded):						
State Personnel Development.....	38,630	41,551	38,630	---	-2,921	
Technical Assistance and Dissemination (including Special Olympics Education).....	56,928	44,261	44,261	-12,667	---	
Personnel Preparation.....	83,700	83,541	83,700	---	+159	
Parent Information Centers.....	27,411	27,359	27,411	---	+52	
Educational Technology, Media, and Materials.....	28,047	29,990	28,047	---	-1,943	
Subtotal, IDEA National Activities.....	234,716	226,702	222,049	-12,667	-4,653	
Total, Special education.....	13,064,358	12,942,126	13,251,691	+187,333	+309,565	
Current Year.....	(3,780,975)	(2,818,023)	(2,086,867)	(-1,694,108)	(-731,156)	
FY 2019.....	(9,283,383)	(10,124,103)	(11,164,824)	(+1,881,441)	(+1,040,721)	
Subtotal, Forward Funded.....	(3,546,259)	(2,591,321)	(1,864,818)	(-1,681,441)	(-726,503)	
REHABILITATION SERVICES						
Vocational Rehabilitation State Grants.....	3,398,554	3,452,931	3,452,931	+54,377	---	
Client Assistance State grants.....	13,000	12,975	13,000	---	+25	
Training.....	29,388	30,131	29,388	---	-743	
Demonstration and Training programs.....	5,796	5,785	5,796	---	+11	
Protection and Advocacy of Individual Rights (PAIR).....	17,650	17,616	17,650	---	+34	
Supported Employment State grants.....	27,548	---	---	-27,548	---	
Independent Living:						
Services for Older Blind Individuals.....	33,317	33,254	33,317	---	+63	
Helen Keller National Center for Deaf/Blind Youth and Adults.....	10,336	10,316	10,500	+164	+184	
Total, Rehabilitation services.....	3,535,589	3,563,008	3,562,582	+26,993	-426	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES						
American Printing House for the Blind.....	25,431	25,383	26,431	+1,000	+1,048	
National Technical Institute for the Deaf (NTID):						
Operations.....	70,016	69,883	70,016	---	+133	
Gallaudet University:						
Operations.....	121,275	121,044	128,000	+6,725	+6,956	
Total, Special Institutions for Persons with Disabilities.....	216,722	216,310	224,447	+7,725	+8,137	
CAREER, TECHNICAL, AND ADULT EDUCATION						
Career Education:						
Basic State Grants/Secondary & Technical Education						
State Grants, current funded.....	326,598	158,499	326,598	---	+168,099	FF
Advance from prior year.....	(791,000)	(791,000)	(791,000)	---	---	
FY 2019.....	791,000	791,000	791,000	---	---	
Subtotal, Basic State Grants, program level....	1,117,598	949,499	1,117,598	---	+168,099	
National Programs.....	7,421	27,407	7,421	---	-19,986	FF
Subtotal, Career Education.....	1,125,019	976,906	1,125,019	---	+148,113	

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Adult Education:					
State Grants/Adult Basic and Literacy Education:					
State Grants, current funded.....	581,955	485,849	581,955	---	+96,106 FF
National Leadership Activities.....	13,712	13,686	13,712	---	+26 FF
Subtotal, Adult education.....	595,667	499,535	595,667	---	+96,132
Total, Career, Technical, and Adult Education....	1,720,686	1,476,441	1,720,686	---	+244,245
Current Year.....	(929,686)	(685,441)	(929,686)	---	(+244,245)
FY 2019.....	(791,000)	(791,000)	(791,000)	---	---
Subtotal, Forward Funded.....	(929,686)	(685,441)	(929,686)	---	(+244,245)
STUDENT FINANCIAL ASSISTANCE					
Pell Grants -- maximum grant (NA).....	(4,860)	(4,860)	(4,860)	---	---
Pell Grants.....	22,475,352	22,432,626	22,475,352	---	+42,726
Federal Supplemental Educational Opportunity Grants.....	733,130	---	733,130	---	+733,130
Federal Work Study.....	989,728	500,000	989,728	---	+489,728
Total, Student Financial Assistance (SFA).....	24,198,210	22,932,626	24,198,210	---	+1,265,584
STUDENT AID ADMINISTRATION					
Salaries and Expenses.....	696,643	680,711	680,711	-15,932	---
Servicing Activities.....	880,211	1,017,000	1,017,000	+136,789	---
Total, Student Aid Administration.....	1,576,854	1,697,711	1,697,711	+120,857	---
HIGHER EDUCATION					
Aid for Institutional Development:					
Strengthening Institutions.....	86,534	---	86,534	---	+86,534
Hispanic Serving Institutions.....	107,795	107,590	107,795	---	+205
Promoting Post-Baccalaureate Opportunities for					
Hispanic Americans.....	9,671	9,653	9,671	---	+18
Strengthening Historically Black Colleges (HBCUs)...	244,694	244,229	244,694	---	+465
Strengthening Historically Black Graduate					
Institutions.....	63,281	63,161	63,281	---	+120
Strengthening Predominantly Black Institutions.....	9,942	9,923	9,942	---	+19
Asian American Pacific Islander.....	3,348	3,342	3,348	---	+6
Strengthening Alaska Native and					
Native Hawaiian-Serving Institutions.....	13,802	13,776	13,802	---	+26
Strengthening Native American-Serving Nontribal					
Institutions.....	3,348	3,342	3,348	---	+6
Strengthening Tribal Colleges.....	27,599	27,547	27,599	---	+52
Strengthening HBCU Masters programs.....	7,500	---	7,500	---	+7,500
Subtotal, Aid for Institutional development.....	577,514	482,563	577,514	---	+94,951
International Education and Foreign Language:					
Domestic Programs.....	65,103	---	65,103	---	+65,103
Overseas Programs.....	7,061	---	---	-7,061	---
Subtotal, International Education & Foreign Lang..	72,164	---	65,103	-7,061	+65,103
Postsecondary Program for Students with Intellectual					
Disabilities.....	11,800	11,778	11,800	---	+22
Minority Science and Engineering Improvement.....	9,648	9,630	9,648	---	+18
Tribally Controlled Postsec Voc/Tech Institutions.....	8,286	8,270	8,286	---	+16
Federal TRIO Programs.....	950,000	808,289	1,010,000	+60,000	+201,711
GEAR UP.....	339,754	219,000	350,000	+10,246	+131,000
Graduate Assistance in Areas of National Need.....	28,047	5,775	5,775	-22,272	---
Teacher Quality Partnerships.....	43,092	---	---	-43,092	---
Child Care Access Means Parents in School.....	15,134	---	---	-15,134	---
Total, Higher Education.....	2,055,439	1,545,305	2,038,126	-17,313	+492,821

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(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

HOWARD UNIVERSITY					
Academic Program.....	191,091	190,721	191,091	---	+370
Endowment Program.....	3,405	3,405	3,405	---	---
Howard University Hospital.....	27,325	27,273	27,325	---	+52
	=====	=====	=====	=====	=====
Total, Howard University.....	221,821	221,399	221,821	---	+422
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM...					
	435	434	434	-1	---
HISTORICALLY BLACK COLLEGE AND UNIVERSITY (HBCU) CAPITAL FINANCING PROGRAM ACCOUNT					
HBCU Federal Administration.....	334	333	333	-1	---
HBCU Loan Subsidies.....	20,150	20,112	20,112	-38	---
	=====	=====	=====	=====	=====
Total, HBCU Capital Financing Program.....	20,484	20,445	20,445	-39	---
INSTITUTE OF EDUCATION SCIENCES (IES)					
Research, Development and Dissemination.....	187,500	194,629	187,500	---	-7,129
Statistics.....	109,500	111,787	109,500	---	-2,287
Regional Educational Laboratories.....	54,423	54,320	54,423	---	+103
Research in Special Education.....	54,000	53,897	54,000	---	+103
Special Education Studies and Evaluations.....	10,818	10,797	10,818	---	+21
Statewide Data Systems.....	32,281	34,473	32,281	---	-2,192
Assessment:					
National Assessment.....	149,000	148,717	149,000	---	+283
National Assessment Governing Board.....	7,745	8,219	7,745	---	-474
	-----	-----	-----	-----	-----
Subtotal, Assessment.....	156,745	156,936	156,745	---	-191
	=====	=====	=====	=====	=====
Total, IES.....	605,267	616,839	605,267	---	-11,572
DEPARTMENTAL MANAGEMENT					
Program Administration:					
Salaries and Expenses.....	431,000	438,000	431,000	---	-7,000
Building Modernization.....	1,000	---	---	-1,000	---
	-----	-----	-----	-----	-----
Total, Program administration.....	432,000	438,000	431,000	-1,000	-7,000
Office for Civil Rights.....	108,500	106,797	108,500	---	+1,703
Office of Inspector General.....	59,256	61,143	59,256	---	-1,887
	=====	=====	=====	=====	=====
Total, Departmental management.....	599,756	605,940	598,756	-1,000	-7,184
	=====	=====	=====	=====	=====
Total, Title III, Department of Education.....	71,637,749	66,342,354	69,476,876	-2,160,873	+3,134,522
Current Year.....	(49,040,748)	(43,745,353)	(46,679,875)	(-2,360,873)	(+2,934,522)
FY 2019.....	(22,597,001)	(22,597,001)	(22,797,001)	(+200,000)	(+200,000)

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE IV--RELATED AGENCIES					
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED.....	8,000	6,117	8,000	---	+1,883
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE					
Operating Expenses					
Domestic Volunteer Service Programs:					
Volunteers in Service to America (VISTA).....	92,364	4,910	92,364	---	+87,454
National Senior Volunteer Corps:					
Foster Grandparents Program.....	107,702	117	107,702	---	+107,585
Senior Companion Program.....	45,512	117	45,512	---	+45,395
Retired Senior Volunteer Program.....	48,903	117	48,903	---	+48,786
Subtotal, Senior Volunteers.....	202,117	351	202,117	---	+201,766
Subtotal, Domestic Volunteer Service.....	294,481	5,261	294,481	---	+289,220
National and Community Service Programs:					
AmeriCorps State and National Grants.....	386,010	2,341	386,010	---	+383,669
Innovation, Assistance, and Other Activities.....	5,000	---	5,000	---	+5,000
Evaluation.....	4,000	---	4,000	---	+4,000
National Civilian Community Corps (NCCC)(subtitle E)	30,000	24,087	30,000	---	+5,913
State Commission Support Grants.....	16,538	---	16,538	---	+16,538
Subtotal, National and Community Service.....	441,548	26,428	441,548	---	+415,120
Total, Operating expenses.....	736,029	31,689	736,029	---	+704,340
National Service Trust.....	206,842	---	206,842	---	+206,842
Salaries and Expenses.....	81,737	99,735	81,737	---	-17,998
Office of Inspector General.....	5,750	3,568	5,750	---	+2,182
Total, Corp. for National and Community Service...	1,030,358	134,992	1,030,358	---	+895,366
CORPORATION FOR PUBLIC BROADCASTING:					
FY 2020 (current) with FY 2018 comparable.....	445,000	---	445,000	---	+445,000
FY 2019 advance with FY 2017 comparable (NA).....	(445,000)	(445,000)	(445,000)	---	---
Rescission of FY 2019 funds (NA).....	---	(-445,000)	---	---	(+445,000)
Subtotal, FY 2019 program level.....	445,000	---	445,000	---	+445,000
FY 2018 advance with FY 2016 comparable (NA).....	(445,000)	(445,000)	(445,000)	---	---
Rescission of FY 2018 funds (NA).....	---	(-441,500)	---	---	(+441,500)
Subtotal, FY 2018 program level.....	445,000	3,500	445,000	---	+441,500
Public television interconnection system (current)...	50,000	---	---	-50,000	---

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
FEDERAL MEDIATION AND CONCILIATION SERVICE.....	46,650	48,655	46,650	---	-2,005
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.....	17,184	17,053	17,134	-50	+81
INSTITUTE OF MUSEUM AND LIBRARY SERVICES.....	231,000	23,000	231,000	---	+208,000
MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION.....	7,765	8,700	7,500	-265	-1,200
MEDICARE PAYMENT ADVISORY COMMISSION.....	11,925	12,295	12,175	+250	-120
NATIONAL COUNCIL ON DISABILITY.....	3,250	3,211	3,200	-50	-11
NATIONAL LABOR RELATIONS BOARD.....	274,224	258,000	249,000	-25,224	-9,000
NATIONAL MEDIATION BOARD.....	13,800	13,205	13,500	-300	+295
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.....	13,225	12,615	12,875	-350	+260
RAILROAD RETIREMENT BOARD					
Dual Benefits Payments Account.....	25,000	22,000	22,000	-3,000	---
Less Income Tax Receipts on Dual Benefits.....	-2,000	-1,000	-1,000	+1,000	---
Subtotal, Dual Benefits.....	23,000	21,000	21,000	-2,000	---
Federal Payments to the Railroad Retirement Accounts....	150	150	150	---	---
Limitation on Administration.....	113,500	111,225	113,500	---	+2,275
Limitation on the Office of Inspector General.....	10,000	8,437	10,000	---	+1,563
SOCIAL SECURITY ADMINISTRATION					
Payments to Social Security Trust Funds.....	11,400	11,400	11,400	---	---
Supplemental Security Income Program					
Federal Benefit Payments.....	52,941,736	48,236,000	48,236,000	-4,705,736	---
Beneficiary Services.....	89,000	159,000	159,000	+70,000	---
Research and Demonstration.....	58,000	101,000	101,000	+43,000	---
Afghanistan Special Immigrant Visa.....	---	---	---	---	---
Administration.....	5,029,427	5,060,526	5,095,635	+66,208	+35,109
Subtotal, SSI program level.....	58,118,163	53,556,526	53,591,635	-4,526,528	+35,109
Less funds advanced in prior year.....	-14,500,000	-15,000,000	-15,000,000	-500,000	---
Subtotal, regular SSI current year.....	43,618,163	38,556,526	38,591,635	-5,026,528	+35,109
New advance, 1st quarter, FY 2019.....	15,000,000	19,500,000	19,500,000	+4,500,000	---
Total, SSI program.....	58,618,163	58,056,526	58,091,635	-526,528	+35,109
Limitation on Administrative Expenses					
OASI/DI Trust Funds.....	5,145,407	4,916,768	5,145,407	---	+228,639
HI/SMI Trust Funds.....	1,684,753	2,012,556	1,684,753	---	-327,803
Social Security Advisory Board.....	2,300	2,300	2,300	---	---
SSI.....	3,706,485	3,671,376	3,706,485	---	+35,109
Subtotal, regular LAE.....	10,538,945	10,603,000	10,538,945	---	-64,055
User Fees:					
SSI User Fee activities.....	126,000	118,000	118,000	-8,000	---
CBO adjustment.....	-3,000	-3,000	-3,000	---	---
SSPA User Fee Activities.....	1,000	1,000	1,000	---	---
CBO adjustment.....	-1,000	-1,000	-1,000	---	---
Subtotal, User fees.....	123,000	115,000	115,000	-8,000	---
Subtotal, Limitation on administrative expenses....	10,661,945	10,718,000	10,653,945	-8,000	-64,055

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

Program Integrity:					
OASDI Trust Funds.....	496,058	345,850	345,850	-150,208	---
SSI.....	1,322,942	1,389,150	1,389,150	+66,208	---

Subtotal, Program integrity funding.....	1,819,000	1,735,000	1,735,000	-84,000	---
=====					
Total, Limitation on Administrative Expenses.....	12,480,945	12,453,000	12,388,945	-92,000	-64,055

Office of Inspector General					
Federal Funds.....	29,787	30,000	30,000	+213	---
Trust Funds.....	75,713	75,500	75,500	-213	---

Total, Office of Inspector General.....	105,500	105,500	105,500	---	---

Adjustment: Trust fund transfers from general revenues..	-5,029,427	-5,060,526	-5,095,635	-66,208	-35,109
=====					
Total, Social Security Administration.....	66,186,581	65,565,900	65,501,845	-684,736	-64,055
Federal funds.....	58,782,350	58,212,926	58,248,035	-534,315	+35,109
Current year.....	(43,782,350)	(38,712,926)	(38,748,035)	(-5,034,315)	(+35,109)
New advances, 1st quarter, FY 2019.....	(15,000,000)	(19,500,000)	(19,500,000)	(+4,500,000)	---
Trust funds.....	7,404,231	7,352,974	7,253,810	-150,421	-99,164
=====					
Total, Title IV, Related Agencies.....	68,485,612	66,244,555	67,722,887	-762,725	+1,478,332
Federal Funds.....	60,945,956	58,759,624	60,333,402	-612,554	+1,573,778
Current Year.....	(45,500,956)	(39,259,624)	(40,388,402)	(-6,112,554)	(+1,128,778)
FY 2019 Advance.....	(15,000,000)	(19,500,000)	(19,500,000)	(+4,500,000)	---
FY 2020 Advance.....	(445,000)	---	(445,000)	---	(+445,000)
Trust Funds.....	7,539,656	7,484,931	7,389,485	-150,171	-95,446

DIVISION F--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R.3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAP					
Mandatory, total in bill.....	760,614,562	815,765,698	817,445,698	+56,831,136	+1,680,000
Less advances for subsequent years.....	-144,135,452	-158,462,759	-158,462,759	-14,327,307	---
Plus advances provided in prior years.....	133,701,502	144,135,452	144,135,452	+10,433,950	---
Total, mandatory, current year.....	750,180,612	801,438,391	803,118,391	+52,937,779	+1,680,000
Discretionary, total in bill.....	173,331,306	148,898,126	168,883,146	-4,448,160	+19,985,020
Less advances for subsequent years.....	-24,814,001	-23,470,001	-24,814,001	---	-1,344,000
Plus advances provided in prior years.....	24,814,001	24,814,001	24,814,001	---	---
Subtotal, discretionary, current year.....	173,331,306	150,242,126	168,883,146	-4,448,160	+18,641,020
Discretionary Scorekeeping adjustments:					
SSI User Fee Collection.....	-126,000	-118,000	-118,000	+8,000	---
CBO adjustment.....	3,000	3,000	3,000	---	---
Average Weekly Insured Unemployment (AWIU)					
Contingent.....	5,000	20,000	10,000	+5,000	-10,000
Medicare Eligible Accruals (permanent, indefinite)1/.....	28,594	32,484	32,484	+3,890	---
Adult employment and training activities					
(rescission).....	---	-324,000	---	---	+324,000
Dislocated Worker training and employment activities					
(rescission).....	---	-405,000	---	---	+405,000
Dislocated Workers assistance National Reserve					
(rescission).....	-75,000	-170,000	-200,000	-125,000	-30,000
H-1B (rescission).....	-46,000	---	---	+46,000	---
Rescissions (PL111-148):					
Independent Payment Advisory Board.....	-15,000	---	-15,000	---	-15,000
Preexisting Condition Insurance program.....	---	---	-323,000	-323,000	-323,000
Refugee and Entrant Assistance (PL 114-254):					
(Nonrecurring expenses fund) (by transfer)					
(Sec.170(a)).....	(300,000)	---	---	(-300,000)	---
Unaccompanied Minors Contingency Fund (\$200M,					
Sec.170(b)) (CBO estimate).....	100,000	---	---	-100,000	---
Nonrecurring expenses fund (rescission)					
(Sec.170(d)).....	-100,000	---	---	+100,000	---
Nonrecurring expenses fund (rescission).....	-100,000	-560,000	-560,000	-460,000	---
Childrens Health Insurance Program performance bonus					
(rescission).....	-5,750,000	-1,193,000	-88,613	+5,661,387	+1,104,387
Childrens Health Insurance Program one-time payment					
(rescission).....	-541,900	---	---	+541,900	---
(Public Law 114-254, Sec.201(a)).....	-170,000	---	---	+170,000	---
Childrens Health Insurance Program State allotment					
(Sec.301(b)) (rescission).....	-1,132,000	-3,279,000	-3,145,905	-2,013,905	+133,095
Child Enrollment contingency fund (rescission).....	-570,000	---	-1,143,268	-573,268	-1,143,268
Limitation on eligible health care entity.....	---	-330,000	-330,000	-330,000	---
CHIPRA unspent allotment recoupment (rescission)....	---	---	-800,000	-800,000	-800,000
Pell unobligated balances (rescission).....	-1,310,000	-3,900,000	-3,270,844	-1,960,844	+629,156
Pell: Restore year-round Pell with 150% cap.....	254,000	---	---	-254,000	---
Pell mandatory funds (rescission).....	-254,000	---	---	+254,000	---
SSA SSPA User Fee Collection.....	-1,000	-1,000	-1,000	---	---
CBO adjustment.....	1,000	1,000	1,000	---	---
Traditional Medicare program.....	305,000	---	---	-305,000	---
CNCS National Service Trust unobligated balances					
(rescission).....	---	-139,000	---	---	+139,000
Corporation for Public Broadcasting FY2018 advance					
(rescission).....	---	-414,550	---	---	+414,550
21ST Century Cures Act adjustment (PL 114-255).....	-852,000	-996,000	-996,000	-144,000	---
Total, discretionary.....	162,985,000	138,469,060	157,938,000	-5,047,000	+19,468,940
Grand Total, current year.....	913,165,612	939,907,451	961,056,391	+47,890,779	+21,148,940

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF STATE AND RELATED AGENCY					
Department of State					
Administration of Foreign Affairs					
Diplomatic and consular programs.....	4,247,775	3,903,034	4,068,537	-179,238	+165,503
Worldwide security protection.....	1,899,479	1,380,752	1,380,752	-518,727	---
Total, Diplomatic and consular programs.....	6,147,254	5,283,786	5,449,289	-697,965	+165,503
Capital investment fund.....	12,600	15,000	15,000	+2,400	---
Office of Inspector General.....	87,069	72,562	73,869	-13,200	+1,307
Educational and cultural exchange programs.....	634,143	285,000	590,900	-43,243	+305,900
Representation expenses.....	8,030	7,000	7,000	-1,030	---
Protection of foreign missions and officials.....	30,344	30,890	30,890	+546	---
Embassy security, construction, and maintenance.....	759,161	754,459	754,459	-4,702	---
Worldwide security upgrades.....	358,698	387,741	1,488,237	+1,129,539	+1,100,496
Total, Embassy security.....	1,117,859	1,142,200	2,242,696	+1,124,837	+1,100,496
Emergencies in the diplomatic and consular service....	7,900	7,885	7,885	-15	---
Repatriation Loans Program Account:					
Direct loans subsidy.....	1,300	1,300	1,300	---	---
Payment to the American Institute in Taiwan.....	31,963	26,312	30,557	-1,406	+4,245
Payment to the Foreign Service Retirement and Disability Fund.....	158,900	158,900	158,900	---	---
Total, Administration of Foreign Affairs.....	8,238,682	7,031,578	8,609,029	+370,347	+1,577,451
International Organizations					
Contributions to international organizations, current year assessment.....	1,262,966	900,195	1,074,645	-188,321	+174,450
Contributions for international peacekeeping activities, current year assessment.....	552,904	268,886	529,909	-22,995	+261,023
Total, International Organizations.....	1,815,870	1,169,081	1,604,554	-211,316	+435,473
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses.....	48,134	44,748	44,748	-3,386	---
Construction.....	29,400	27,900	27,900	-1,500	---
Total, Boundary and Water Commission.....	77,534	72,648	72,648	-4,886	---
American sections, international commissions.....	12,258	12,184	12,184	-74	---
International fisheries commissions.....	37,502	33,871	34,176	-3,326	+305
Total, International commissions.....	127,294	118,703	119,008	-8,286	+305
Related Agency					
Broadcasting Board of Governors					
International broadcasting operations.....	772,108	680,363	764,936	-7,172	+84,573
Reappropriation of surge capacity funds.....	---	3,000	---	---	-3,000
Broadcasting capital improvements.....	9,700	4,791	4,791	-4,909	---
Total, Broadcasting Board of Governors.....	781,808	688,154	769,727	-12,081	+81,573
Related Programs					
The Asia Foundation.....	17,000	---	15,810	-1,190	+15,810
United States Institute of Peace, Operating expenses..	37,884	19,117	35,300	-2,584	+16,183
Center for Middle Eastern-Western dialogue.....	122	140	140	+18	---

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Eisenhower Exchange Fellowship program.....	350	158	158	-192	---
Israeli Arab scholarship program.....	47	65	65	+18	---
East-West Center.....	16,700	---	---	-16,700	---
National Endowment for Democracy.....	170,000	103,500	170,000	---	+66,500
Total, Related programs.....	242,103	122,980	221,473	-20,630	+98,493
Other Commissions					
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses.....	888	675	675	-213	---
Commission on International Religious Freedom					
Salaries and expenses.....	3,500	4,500	4,500	+1,000	---
Commission on Security and Cooperation in Europe					
Salaries and expenses.....	2,579	2,579	2,579	---	---
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses.....	2,000	2,000	2,000	---	---
United States - China Economic and Security Review Commission					
Salaries and expenses.....	3,500	3,500	3,500	---	---
Total, title I, Department of State and Related Agency.....	11,218,224	9,143,750	11,337,045	+118,821	+2,193,295
TITLE II - UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ADMINISTRATION OF FOREIGN ASSISTANCE					
Funds Appropriated to the President					
Operating expenses, USAID.....	1,204,609	1,045,797	1,133,906	-70,703	+88,109
Capital Investment Fund.....	174,985	157,980	174,985	---	+17,005
Office of Inspector General, USAID.....	67,600	69,000	69,000	+1,400	---
Total, title II, Administration of Foreign Assistance.....	1,447,194	1,272,777	1,377,891	-69,303	+105,114
TITLE III - BILATERAL ECONOMIC ASSISTANCE					
Funds Appropriated to the President					
Global Health Programs:					
U.S. Agency for International Development.....	3,054,950	1,505,500	2,651,000	-403,950	+1,145,500
Department of State.....	5,670,000	4,975,000	5,670,000	---	+695,000
(Global fund contribution) /1.....	(1,350,000)	(1,125,000)	(1,350,000)	---	(+225,000)
Total, Global Health Programs.....	8,724,950	6,480,500	8,321,000	-403,950	+1,840,500
1/ The Bill includes authority for a Global Fund contribution and the accompanying report recommends up to \$1,350,000 for such a contribution					
Development assistance.....	2,995,465	---	2,780,971	-214,494	+2,780,971
Transfer out.....	(-50,000)	(-60,000)	(-50,000)	---	(+10,000)
Total, Development Assistance.....	2,995,465	---	2,780,971	-214,494	+2,780,971
International disaster assistance.....	498,483	690,259	1,033,483	+535,000	+343,224

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Transition initiatives.....	35,600	30,000	30,000	-5,600	---
Complex Crises fund.....	10,000	---	---	-10,000	---
Development Credit Authority: (By transfer).....	(50,000)	(60,000)	(50,000)	---	(-10,000)
Administrative expenses.....	10,000	9,120	9,120	-880	---
Economic Support Fund.....	1,041,761	---	1,041,761	---	+1,041,761
Economic Support and Development Fund.....	---	2,229,350	---	---	-2,229,350
Democracy Fund:					
Human Rights and Democracy Fund, Department of State.....	145,375	---	145,375	---	+145,375
Bureau of Democracy, Conflict, and Humanitarian Assistance, USAID.....	65,125	---	65,125	---	+65,125
Total, Democracy Fund.....	210,500	---	210,500	---	+210,500
Assistance for Europe, Eurasia and Central Asia.....	291,638	---	691,571	+399,933	+691,571
Department of State					
Migration and refugee assistance.....	912,802	715,241	877,802	-35,000	+162,561
United States Emergency Refugee and Migration Assistance Fund.....	10,000	---	---	-10,000	---
Total, Department of State.....	922,802	715,241	877,802	-45,000	+162,561
Independent Agencies					
Peace Corps.....	410,000	398,221	398,221	-11,779	---
Millennium Challenge Corporation.....	905,000	800,000	---	-905,000	-800,000
Program.....	---	---	697,600	+697,600	+697,600
Administration.....	---	---	102,400	+102,400	+102,400
Subtotal.....	905,000	800,000	800,000	-105,000	---
Inter-American Foundation.....	22,500	4,565	11,250	-11,250	+6,685
United States African Development Foundation.....	30,000	8,332	15,000	-15,000	+6,668
Total, Independent Agencies.....	1,367,500	1,211,118	1,224,471	-143,029	+13,353
Department of the Treasury					
International Affairs Technical Assistance.....	30,000	25,455	25,455	-4,545	---
Total, title III, Bilateral economic assistance, Appropriations.....	16,138,699 (16,138,699)	11,391,043 (11,391,043)	16,246,134 (16,246,134)	+107,435 (+107,435)	+4,855,091 (+4,855,091)
TITLE IV - INTERNATIONAL SECURITY ASSISTANCE					
Department of State					
International narcotics control and law enforcement... Nonproliferation, anti-terrorism, demining and related programs.....	889,664	695,550	848,139	-41,525	+152,589
Peacekeeping operations.....	500,696	312,766	617,873	+117,177	+305,107
	135,041	122,300	135,041	---	+12,741
Funds Appropriated to the President					
International Military Education and Training.....	110,300	100,160	105,160	-5,140	+5,000
Foreign Military Financing Program:					
Grants:					
Israel.....	3,100,000	3,100,000	3,100,000	---	---
Egypt.....	1,300,000	1,300,000	1,300,000	---	---

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other.....	385,805	270,713	1,225,863	+840,058	+955,150
Limitation on Administrative Expenses.....	(80,000)	(70,000)	(70,000)	(-10,000)	---
Total, Foreign Military Financing Program.....	4,785,805	4,670,713	5,625,863	+840,058	+955,150
=====					
Total, title IV, Security assistance.....	6,421,506	5,901,489	7,332,076	+910,570	+1,430,587
=====					
TITLE V - MULTILATERAL ASSISTANCE					
Multilateral Assistance					
Funds Appropriated to the President					
International Organizations and Programs.....	339,000	---	---	-339,000	---
International Financial Institutions					
World Bank Group					
Global Environment Facility.....	146,563	102,375	---	-146,563	-102,375
International Development Association.....	1,197,128	1,097,010	658,661	-538,467	-438,349
The International Bank for Reconstruction and Development (IBRD):					
IBRD paid in capital.....	5,963	---	---	-5,963	---
Subtotal, IBRD.....	5,963	---	---	-5,963	---
Clean Technology Fund.....	---	---	---	---	---
Strategic Climate Fund.....	---	---	---	---	---
Green Climate Fund.....	---	---	---	---	---
Global agriculture and food security program.....	23,000	---	---	-23,000	---
Total, World Bank Group.....	1,372,654	1,199,385	658,661	-713,993	-540,724
Inter-American Development Bank Group					
Inter-American Development Bank paid in capital.....	21,940	---	---	-21,940	---
Total, Inter-American Development Bank.....	21,940	---	---	-21,940	---
Asian Development Bank Group (IDB)					
Asian Development Fund.....	99,233	47,395	47,395	-51,838	---
Total, Asian Development Bank.....	99,233	47,395	47,395	-51,838	---
African Development Bank Group					
African Development Bank Paid in capital.....	32,418	32,418	32,418	---	---
(Limitation on callable capital).....	(507,861)	(507,861)	(507,861)	---	---
African Development Fund.....	214,332	171,300	109,387	-104,945	-61,913
Total, African Development Bank.....	246,750	203,718	141,805	-104,945	-61,913
International Fund for Agricultural Development.....	30,000	30,000	30,000	---	---

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
North American Development Bank.....	---	---	---	---	---
(Limitation on callable capital).....	---	---	---	---	---
Total, International Financial Institutions.....	1,770,577	1,480,498	877,861	-892,716	-602,637
=====					
Total, title V, Multilateral assistance.....	2,109,577	1,480,498	877,861	-1,231,716	-602,637
(Limitation on callable capital).....	(507,861)	(507,861)	(507,861)	---	---
=====					
TITLE VI - EXPORT AND INVESTMENT ASSISTANCE					
Export-Import Bank of the United States					
Administrative expenses.....	110,000	95,500	95,500	-14,500	---
Inspector General.....	5,700	5,000	5,700	---	+700
Offsetting collections.....	-530,000	-264,700	-264,700	+265,300	---
Total, Export-Import Bank of the United States..	-414,300	-164,200	-163,500	+250,800	+700
Overseas Private Investment Corporation					
Noncredit account:					
Administrative expenses.....	70,000	60,800	60,800	-9,200	---
Insurance fees and other offsetting collections...	-341,000	-270,000	-350,000	-9,000	-80,000
Subtotal.....	-271,000	-209,200	-289,200	-18,200	-80,000
Program account.....	20,000	---	10,000	-10,000	+10,000
Total, Overseas Private Investment Corporation....	-251,000	-209,200	-279,200	-28,200	-70,000
Funds Appropriated to the President					
Trade and Development Agency.....	75,000	12,105	70,500	-4,500	+58,395
=====					
Total, title VI, Export and investment assistance	-590,300	-361,295	-372,200	+218,100	-10,905
=====					
TITLE VII - GENERAL PROVISIONS					
Special immigrant visa proposal (Sec. 7083(a)).....	6,000	---	---	-6,000	---
ESF rescission of funds (Sec. 7083(b)).....	-6,000	---	---	+6,000	---
Development Assistance rescission (Sec. 7069(a)).....	---	---	-29,907	-29,907	-29,907
North American Development Bank Rescission.....	---	---	-10,000	-10,000	-10,000
Export-Import Bank, Tied Aid Rescission (Sec. 7060(c))	---	-165,000	-165,000	-165,000	---
Rescission of funds (Sec. 7069(d)).....	---	---	-1,090,000	-1,090,000	-1,090,000
Food for Peace Reimbursement sec. 7060.....	---	---	---	---	---
H&L Fraud and Detection Fee sec. 7050.....	---	---	---	---	---
Additional spending of P&I security sec. 7049(c).....	---	---	---	---	---
Use of Ebola balances for malaria (sec. 7058(e)).....	---	---	---	---	---
Consular and Border Security Programs.....	---	---	---	---	---
=====					
Total, title VII, General Provisions.....	---	-165,000	-1,294,907	-1,294,907	-1,129,907
=====					
TITLE VIII - OVERSEAS CONTINGENCY OPERATIONS / GLOBAL WAR ON TERRORISM (OCO/GWOT)					
Diplomatic and consular programs (OCO/GWOT).....	2,410,386	2,975,971	2,975,971	+565,585	---
(Worldwide security protection) (OCO/GWOT).....	(1,815,210)	(2,376,122)	(2,376,122)	(+560,912)	---
(Transfer to other agencies).....	(-5,000)	(-5,000)	---	(+5,000)	(+5,000)
Subtotal.....	2,410,386	2,975,971	2,975,971	+565,585	---

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General (OCO/GWOT).....	54,900	68,100	68,100	+13,200	---
Embassy security, construction, and maintenance (OCO/GWOT).....	1,238,800	---	71,778	-1,167,022	+71,778
Contributions to int'l organizations (OCO/GWOT).....	96,240	96,240	96,240	---	---
Contributions for International Peacekeeping Activities, current year assessment (OCO/GWOT).....	1,354,660	927,224	965,906	-388,754	+38,682
Broadcasting board of governors (OCO/GWOT).....	4,800	---	---	-4,800	---
Operating expenses of USAID (OCO/GWOT).....	152,080	136,555	136,555	-15,525	---
USAID Office of Inspector General:					
OIG (OCO/GWOT).....	---	2,500	2,500	+2,500	---
International Disaster Assistance (OCO/GWOT).....	3,313,203	1,817,941	1,788,203	-1,525,000	-29,738
(Famine prevention, relief, and mitigation) (OCO/GWOT).....	(990,000)	---	---	(-990,000)	---
Transition Initiatives (OCO/GWOT).....	37,000	62,043	62,043	+25,043	---
Complex Crises fund (OCO/GWOT).....	20,000	---	---	-20,000	---
Economic Support Fund (OCO/GWOT).....	2,609,242	---	2,353,672	-255,570	+2,353,672
Economic Support and Development Fund (OCO/GWOT).....	---	2,708,800	---	---	-2,708,800
Assistance for Europe, Eurasia and Central Asia (OCO/GWOT).....	453,696	---	---	-453,696	---
Migration and Refugee assistance (MRA) (OCO/GWOT).....	2,146,198	2,030,900	2,231,198	+85,000	+200,298
United States Emergency Refugee and Migration Assistance Fund (OCO/GWOT).....	40,000	---	---	-40,000	---
International narcotics control and law enforcement (OCO/GWOT).....	412,260	196,250	417,951	+5,691	+221,701
Nonproliferation, Anti-terrorism, Demining and Related programs (NADR) (OCO/GWOT).....	341,754	365,840	220,583	-121,171	-145,257
Peacekeeping Operations (PKO) (OCO/GWOT).....	473,973	179,100	325,213	-148,760	+146,113
Foreign Military Financing program (OCO/GWOT).....	1,325,808	450,000	460,000	-865,808	+10,000
Economic Support Fund (rescission) (OCO/GWOT) (Sec. 8005).....	---	---	-156,913	-156,913	-156,913
	=====	=====	=====	=====	=====
Total, Title VIII, OCO/GWOT.....	16,485,000	12,017,464	12,019,000	-4,466,000	+1,536
	=====	=====	=====	=====	=====
OTHER APPROPRIATIONS					
Department of State					
Administration of Foreign Affairs					
Diplomatic and Consular Programs (emergency).....	---	---	---	---	---
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	1,052,400	---	---	-1,052,400	---
(Worldwide security protection) (OCO/GWOT).....	(927,189)	---	---	(-927,189)	---
Office of Inspector General:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	2,500	---	---	-2,500	---
Embassy security, construction, and maintenance:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	654,411	---	---	-654,411	---
United States Agency for International Development					
Funds Appropriated to the President					
Operating expenses of USAID:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	5,000	---	---	-5,000	---
Capital Investment Fund, USAID:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	25,000	---	---	-25,000	---
USAID Office of Inspector General:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	2,500	---	---	-2,500	---

DIVISION G - STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bilateral Economic Assistance					
Funds Appropriated to the President					
International Disaster Assistance:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	616,100	---	---	-616,100	---
Transition Initiatives:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	50,234	---	---	-50,234	---
Economic Support Fund:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	1,030,555	---	---	-1,030,555	---
Assistance for Europe, Eurasia and Central Asia:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	157,000	---	---	-157,000	---
Migration and Refugee assistance (MRA):					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	300,000	---	---	-300,000	---
International narcotics control and law enforcement:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	26,300	---	---	-26,300	---
Nonproliferation, Anti-terrorism, Demining and Related programs (NADR):					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	128,000	---	---	-128,000	---
Peacekeeping Operations (PKO):					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	50,000	---	---	-50,000	---
Foreign Military Financing program:					
Security Assistance Act (P.L. 114-254) (OCO/GWOT)...	200,000	---	---	-200,000	---
	=====	=====	=====	=====	=====
Total, Other Appropriations.....	4,300,000	---	---	-4,300,000	---
 Grand Total.....	57,529,900	40,680,726	47,522,900	-10,007,000	+6,842,174
Appropriations.....	(36,750,900)	(28,825,262)	(36,798,807)	(+47,907)	(+7,973,545)
Emergency appropriations.....	---	---	---	---	---
 Overseas contingency operations, This bill..	(16,485,000)	(12,017,464)	(12,019,000)	(-4,466,000)	(+1,536)
Overseas contingency operations, Security Assistance Act (P.L. 114-254).....	(4,300,000)	---	---	(-4,300,000)	---
 Rescissions.....	(-6,000)	(-165,000)	(-1,294,907)	(-1,288,907)	(-1,129,907)
(By transfer).....	(50,000)	(60,000)	(50,000)	---	(-10,000)
(Transfer out).....	(-50,000)	(-60,000)	(-50,000)	---	(+10,000)
(Limitation on administrative expenses).....	(80,000)	(70,000)	(70,000)	(-10,000)	---
(Limitation on callable capital).....	(507,861)	(507,861)	(507,861)	---	---
	=====	=====	=====	=====	=====

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses.....	114,000	111,899	108,899	-5,101	-3,000
Immediate Office of the Secretary.....	(2,758)	---	(2,758)	---	(+2,758)
Immediate Office of the Deputy Secretary.....	(1,040)	---	(1,040)	---	(+1,040)
Office of the General Counsel.....	(20,772)	---	(20,772)	---	(+20,772)
Office of the Under Secretary of Transportation for Policy.....	(10,033)	---	(10,033)	---	(+10,033)
Office of the Assistant Secretary for Budget and Programs.....	(14,019)	---	(14,019)	---	(+14,019)
Office of the Assistant Secretary for Governmental Affairs.....	(2,546)	---	(2,546)	---	(+2,546)
Office of the Assistant Secretary for Administration.....	(29,356)	---	(24,255)	(-5,101)	(+24,255)
Office of Public Affairs.....	(2,142)	---	(2,142)	---	(+2,142)
Office of the Executive Secretariat.....	(1,760)	---	(1,760)	---	(+1,760)
Office of Intelligence, Security, and Emergency Response.....	(11,089)	---	(11,089)	---	(+11,089)
Office of the Chief Information Officer.....	(18,485)	---	(18,485)	---	(+18,485)
Research and Technology.....	13,000	8,465	8,465	-4,535	---
National Infrastructure Investments.....	500,000	---	---	-500,000	---
National Surface Transportation and Innovative Finance Bureau.....	3,000	3,000	1,000	-2,000	-2,000
Maritime Guaranteed Loan administrative expenses (by transfer).....	---	---	(3,000)	(+3,000)	(+3,000)
Financial Management Capital.....	4,000	3,000	---	-4,000	-3,000
Cyber Security Initiatives.....	15,000	10,000	15,000	---	+5,000
Office of Civil Rights.....	9,751	9,500	9,500	-251	---
Transportation Planning, Research, and Development....	12,000	8,500	8,500	-3,500	---
Working Capital Fund.....	(190,389)	(202,245)	(202,245)	(+11,856)	---
Minority Business Resource Center Program.....	941	500	500	-441	---
(Limitation on guaranteed loans).....	(18,367)	---	---	(-18,367)	---
Small and Disadvantaged Business Utilization and Outreach /Minority Business Outreach.....	4,646	3,999	3,999	-647	---
Payments to Air Carriers (Airport & Airway Trust Fund)	150,000	---	150,000	---	+150,000
Administrative Provisions					
Working Capital Fund (Sec. 104) (reappropriation).....	---	12,000	---	---	-12,000
Total, Office of the Secretary.....	826,338	170,863	305,863	-520,475	+135,000
Federal Aviation Administration					
Operations.....	10,025,852	9,890,886	10,185,482	+159,630	+294,596
Air traffic organization.....	(7,559,785)	(7,491,938)	(7,691,814)	(+132,029)	(+199,876)
Aviation safety.....	(1,298,482)	(1,257,981)	(1,309,749)	(+11,267)	(+51,768)
Commercial space transportation.....	(19,826)	(17,905)	(21,587)	(+1,761)	(+3,682)
Finance and management.....	(771,342)	(758,192)	(777,506)	(+6,164)	(+19,314)
NextGen.....	(60,155)	(59,041)	(59,951)	(-204)	(+910)
Security and Hazardous Materials Safety.....	(107,161)	(100,961)	(112,622)	(+5,461)	(+11,661)
Staff offices.....	(209,101)	(204,868)	(212,253)	(+3,152)	(+7,385)
Facilities and Equipment (Airport & Airway Trust Fund)	2,855,000	2,766,200	2,855,000	---	+88,800
Rescission of unobligated balances.....	---	-31,200	---	---	+31,200
Research, Engineering, and Development (Airport & Airway Trust Fund).....	176,500	150,000	170,000	-6,500	+20,000

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grants-in-Aid for Airports (Airport and Airway Trust Fund)(Liquidation of contract authorization).....	(3,750,000)	(3,000,000)	(3,000,000)	(-750,000)	---
(Limitation on obligations).....	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Administration.....	(107,691)	(111,863)	(111,863)	(+4,172)	---
Airport cooperative research program.....	(15,000)	(15,000)	(15,000)	---	---
Airport technology research.....	(31,375)	(33,210)	(33,210)	(+1,835)	---
Small community air service development program.....	(10,000)	---	---	(-10,000)	---
Total, Federal Aviation Administration.....	13,057,352	12,775,886	13,210,482	+153,130	+434,596
Limitations on obligations.....	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Total budgetary resources.....	(16,407,352)	(16,125,886)	(16,560,482)	(+153,130)	(+434,596)
Federal Highway Administration					
Limitation on Administrative Expenses.....	(435,795)	(442,692)	(442,692)	(+6,897)	---
Federal-Aid Highways (Highway Trust Fund):					
(Liquidation of contract authorization).....	(44,005,100)	(44,973,212)	(44,973,212)	(+968,112)	---
(Limitation on obligations).....	(43,266,100)	(44,234,212)	(44,234,212)	(+968,112)	---
(Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---	---
Rescission of contract authority (Highway Trust Fund).....	-857,000	---	-800,000	+57,000	-800,000
Total, Federal Highway Administration.....	-857,000	---	-800,000	+57,000	-800,000
Limitations on obligations.....	(43,266,100)	(44,234,212)	(44,234,212)	(+968,112)	---
Exempt contract authority.....	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources.....	(43,148,100)	(44,973,212)	(44,173,212)	(+1,025,112)	(-800,000)
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund)(Liquidation of contract authorization).....	(277,200)	(283,000)	(283,000)	(+5,800)	---
(Limitation on obligations).....	(277,200)	(283,000)	(283,000)	(+5,800)	---
Motor Carrier Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization).....	(367,000)	(374,800)	(374,800)	(+7,800)	---
(Limitation on obligations).....	(367,000)	(374,800)	(474,800)	(+107,800)	(+100,000)
Total, Federal Motor Carrier Safety Administration.....	---	---	---	---	---
Limitations on obligations.....	(644,200)	(657,800)	(757,800)	(+113,600)	(+100,000)
Total budgetary resources.....	(644,200)	(657,800)	(757,800)	(+113,600)	(+100,000)
National Highway Traffic Safety Administration					
Operations and Research (general fund).....	180,075	152,510	180,075	---	+27,565
Operations and Research (Highway Trust Fund)					
(Liquidation of contract authorization).....	(145,900)	(149,000)	(149,000)	(+3,100)	---
(Limitation on obligations).....	(145,900)	(149,000)	(149,000)	(+3,100)	---
Subtotal, Operations and Research.....	325,975	301,510	329,075	+3,100	+27,565
Highway Traffic Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization).....	(585,372)	(597,629)	(597,629)	(+12,257)	---
(Limitation on obligations).....	(585,372)	(597,629)	(597,629)	(+12,257)	---
Highway safety programs (23 USC 402).....	(252,300)	(261,200)	(261,200)	(+8,900)	---
National priority safety programs (23 USC 405).....	(277,500)	(280,200)	(280,200)	(+2,700)	---
High visibility enforcement.....	(29,500)	(29,900)	(29,900)	(+400)	---
Administrative expenses.....	(26,072)	(26,329)	(26,329)	(+257)	---
Total, National Highway Traffic Safety Administration.....	180,075	152,510	180,075	---	+27,565
Limitations on obligations.....	(731,272)	(746,629)	(746,629)	(+15,357)	---
Total budgetary resources.....	(911,347)	(899,139)	(926,704)	(+15,357)	(+27,565)

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Railroad Administration					
Safety and Operations.....	218,298	199,000	218,298	---	+19,298
Railroad Research and Development.....	40,100	39,100	40,100	---	+1,000
Federal State Partnership for State of Good Repair....	25,000	25,945	500,000	+475,000	+474,055
Consolidated Rail Infrastructure and Safety					
Improvements.....	68,000	25,000	25,000	-43,000	---
Restoration and Enhancement Grants.....	5,000	---	---	-5,000	---
Subtotal.....	356,398	289,045	783,398	+427,000	+494,353
National Railroad Passenger Corporation:					
Northeast Corridor Grants.....	328,000	235,000	328,000	---	+93,000
National Network.....	1,167,000	525,000	1,100,000	-67,000	+575,000
Subtotal.....	1,495,000	760,000	1,428,000	-67,000	+668,000
Administrative Provisions					
Transportation Technology Center financing (Sec. 151).....	---	100,000	---	---	-100,000
Total, Federal Railroad Administration.....	1,851,398	1,149,045	2,211,398	+360,000	+1,062,353
Federal Transit Administration					
Administrative Expenses.....	113,165	110,795	110,795	-2,370	---
Transit Formula Grants (Hwy Trust Fund, Mass Transit					
Account (Liquidation of contract authorization)....	(10,800,000)	(10,300,000)	(10,300,000)	(-500,000)	---
(Limitation on obligations).....	(9,733,706)	(9,733,353)	(9,733,353)	(-353)	---
Technical Assistance and Training.....	5,000	---	5,000	---	+5,000
Capital Investment Grants.....	2,412,631	1,232,000	1,752,990	-659,641	+520,990
Washington Metropolitan Area Transit Authority Capital					
and Preventive Maintenance.....	150,000	149,715	150,000	---	+285
Total, Federal Transit Administration.....	2,680,796	1,492,510	2,018,785	-662,011	+526,275
Limitations on obligations.....	(9,733,706)	(9,733,353)	(9,733,353)	(-353)	---
Total budgetary resources.....	(12,414,502)	(11,225,863)	(11,752,138)	(-662,364)	(+526,275)
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust					
Fund).....	36,028	28,346	31,346	-4,682	+3,000
Maritime Administration					
Maritime Security Program.....	300,000	210,000	300,000	---	+90,000
Operations and Training.....	175,560	171,820	175,620	+60	+3,800
Assistance to Small Shipyards.....	10,000	---	3,000	-7,000	+3,000
Ship Disposal.....	34,000	9,000	9,000	-25,000	---
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses.....	3,000	---	3,000	---	+3,000
Transfer to NST Innovative Finance Bureau					
(transfer out).....	---	---	(-3,000)	(-3,000)	(-3,000)
Total, Maritime Administration.....	522,560	390,820	490,620	-31,940	+99,800
Pipeline and Hazardous Materials Safety Administration					
Operational Expenses:					
General Fund.....	22,500	20,960	20,500	-2,000	-460
Hazardous Materials Safety:					
General Fund.....	57,000	55,513	57,000	---	+1,487

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Pipeline Safety:					
Pipeline Safety Fund.....	128,000	124,263	131,000	+3,000	+6,737
Oil Spill Liability Trust Fund.....	20,288	22,081	23,000	+2,712	+919
Underground Natural Gas Storage Facility Safety Fund.....	8,000	8,000	8,000	---	---
Subtotal.....	156,288	154,344	162,000	+5,712	+7,656
Subtotal, Pipeline and Hazardous Materials Safety Administration.....	235,788	230,817	239,500	+3,712	+8,683
Pipeline safety user fees.....	-128,000	-124,263	-131,000	-3,000	-6,737
Underground Natural Gas Storage Facility Safety Fund user fee.....	-8,000	-8,000	-8,000	---	---
Emergency Preparedness Grants:					
Limitation on emergency preparedness fund.....	(28,318)	(28,318)	(28,318)	---	---
Total, Pipeline and Hazardous Materials Safety Administration.....	99,788	98,554	100,500	+712	+1,946
Office of Inspector General					
Salaries and Expenses.....	90,152	87,306	92,152	+2,000	+4,846
General Provisions - Department of Transportation					
Extending the availability of certain payments (Sec. 186(1)).....	---	2,000	---	---	-2,000
=====					
Total, title I, Department of Transportation....	18,487,487	16,347,840	17,841,221	-646,266	+1,493,381
Appropriations.....	(19,344,487)	(16,379,040)	(18,641,221)	(-703,266)	(+2,262,181)
Rescissions.....	---	(-31,200)	---	---	(+31,200)
Rescissions of contract authority.....	(-857,000)	---	(-800,000)	(+57,000)	(-800,000)
Limitations on obligations.....	(57,725,278)	(58,721,994)	(58,821,994)	(+1,096,716)	(+100,000)
Total budgetary resources.....	(76,212,765)	(75,069,834)	(76,663,215)	(+450,450)	(+1,593,381)
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DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices.....	14,000	14,708	14,708	+708	---
Administration Support Offices.....	517,647	517,803	518,303	+656	+500
Program Office Salaries and Expenses:					
Public and Indian Housing.....	216,000	216,633	216,633	+633	---
Community Planning and Development.....	110,000	107,554	107,554	-2,446	---
Housing.....	392,000	365,829	392,000	---	+26,171
Policy Development and Research.....	24,000	24,065	24,065	+65	---
Fair Housing and Equal Opportunity.....	72,000	69,808	69,808	-2,192	---
Office of Lead Hazard Control and Healthy Homes...	9,353	7,600	7,600	-1,753	---
Subtotal.....	823,353	791,489	817,660	-5,693	+26,171
Total, Management and Administration.....	1,355,000	1,324,000	1,350,671	-4,329	+26,671
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals.....	18,355,000	17,583,826	18,709,725	+354,725	+1,125,899
Tenant protection vouchers.....	110,000	60,000	60,000	-50,000	---
Administrative fees.....	1,650,000	1,550,000	1,550,000	-100,000	---
Sec. 811 mainstream voucher renewals.....	120,000	107,074	150,000	+30,000	+42,926
Incremental VASH vouchers.....	40,000	---	---	-40,000	---
VASH renewals.....	---	---	(577,000)	(+577,000)	(+577,000)
Tribal veterans affairs supportive housing renewals.....	7,000	7,000	7,000	---	---
Incremental family unification vouchers.....	10,000	---	---	-10,000	---
PHA Modernization.....	---	10,000	10,000	+10,000	---
Subtotal (available this fiscal year).....	20,292,000	19,317,900	20,486,725	+194,725	+1,168,825
Advance appropriations.....	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances.....	-4,000,000	-4,000,000	-4,000,000	---	---
Total, Tenant-based Rental Assistance appropriated in this bill.....	20,292,000	19,317,900	20,486,725	+194,725	+1,168,825
Public Housing Capital Fund.....	1,941,500	628,000	1,850,000	-91,500	+1,222,000
Public Housing Operating Fund.....	4,400,000	3,900,000	4,400,000	---	+500,000
Choice Neighborhoods.....	137,500	---	20,000	-117,500	+20,000
Family Self-Sufficiency.....	75,000	75,000	75,000	---	---
Native American Housing Block Grants.....	654,000	600,000	654,000	---	+54,000
Indian Housing Loan Guarantee Fund Program Account....	7,227	---	7,227	---	+7,227
(Limitation on guaranteed loans).....	(1,762,683)	---	(1,953,243)	(+190,560)	(+1,953,243)
Native Hawaiian Housing Block Grant.....	2,000	---	---	-2,000	---
Total, Public and Indian Housing.....	27,509,227	24,520,900	27,492,952	-16,275	+2,972,052
Community Planning and Development					
Housing Opportunities for Persons with AIDS.....	356,000	330,000	356,000	---	+26,000

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Community Development Fund:					
CDBG formula.....	3,000,000	---	2,900,000	-100,000	+2,900,000
Indian CDBG.....	60,000	---	60,000	---	+60,000
Subtotal.....	3,060,000	---	2,960,000	-100,000	+2,960,000
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans).....	(300,000)	---	(300,000)	---	(+300,000)
HOME Investment Partnerships Program.....	950,000	---	850,000	-100,000	+850,000
Self-help and Assisted Homeownership Opportunity Program.....	54,000	---	45,000	-9,000	+45,000
Homeless Assistance Grants.....	2,383,000	2,250,000	2,383,000	---	+133,000
Total, Community Planning and Development.....	6,803,000	2,580,000	6,594,000	-209,000	+4,014,000
Housing Programs					
Project-based Rental Assistance:					
Renewals.....	10,581,000	10,466,100	11,082,000	+501,000	+615,900
Contract administrators.....	235,000	285,000	---	-235,000	-285,000
Subtotal (available this fiscal year).....	10,816,000	10,751,100	11,082,000	+266,000	+330,900
Advance appropriations.....	400,000	400,000	400,000	---	---
Less appropriations from prior year advances.....	-400,000	-400,000	-400,000	---	---
Total, Project-based Rental Assistance appropriated in this bill.....	10,816,000	10,751,100	11,082,000	+266,000	+330,900
Housing for the Elderly.....	502,400	510,000	573,000	+70,600	+63,000
Housing for Persons with Disabilities.....	146,200	121,300	147,000	+800	+25,700
Housing Counseling Assistance.....	55,000	47,000	50,000	-5,000	+3,000
Rental Housing Assistance.....	20,000	14,000	14,000	-6,000	---
Manufactured Housing Fees Trust Fund.....	10,500	11,000	11,000	+500	---
Offsetting collections.....	-10,500	-11,000	-11,000	-500	---
Total, Housing Programs.....	11,539,600	11,443,400	11,866,000	+326,400	+422,600
Federal Housing Administration					
Mutual Mortgage Insurance Program Account:					
(Limitation on guaranteed loans).....	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans).....	(5,000)	(5,000)	(5,000)	---	---
Offsetting receipts.....	-7,437,000	-7,392,000	-7,392,000	+45,000	---
Proposed offsetting receipts (HECM).....	-97,000	300,000	---	+97,000	-300,000
Additional offsetting receipts (Sec. 222).....	---	-30,000	---	---	+30,000
Administrative contract expenses.....	130,000	160,000	135,000	+5,000	-25,000
General and Special Risk Program Account:					
(Limitation on guaranteed loans).....	(30,000,000)	(30,000,000)	(30,000,000)	---	---
(Limitation on direct loans).....	(5,000)	(5,000)	(5,000)	---	---
Offsetting receipts.....	-464,000	-619,000	-619,000	-155,000	---
Total, Federal Housing Administration.....	-7,868,000	-7,581,000	-7,876,000	-8,000	-295,000
Government National Mortgage Association					
Guarantees of Mortgage-backed Securities Loan Guarantee Program Account:					
(Limitation on guaranteed loans).....	(500,000,000)	(500,000,000)	(500,000,000)	---	---
Administrative expenses.....	23,000	25,400	25,400	+2,400	---
Offsetting receipts.....	-101,000	-116,000	-116,000	-15,000	---
Offsetting receipts.....	-1,102,000	-1,560,000	-1,560,000	-458,000	---
Proposed offsetting receipts (HECM).....	-21,000	60,000	---	+21,000	-60,000
Additional contract expenses.....	1,000	1,000	1,000	---	---
Total, Gov't National Mortgage Association....	-1,200,000	-1,589,600	-1,649,600	-449,600	-60,000

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Policy Development and Research					
Research and Technology.....	89,000	85,000	85,000	-4,000	---
Fair Housing and Equal Opportunity					
Fair Housing Activities.....	65,300	65,300	65,300	---	---
Office of Lead Hazard Control and Healthy Homes					
Lead Hazard Reduction.....	145,000	130,000	130,000	-15,000	---
Information Technology Fund.....	257,000	250,000	150,000	-107,000	-100,000
Office of Inspector General.....	128,082	126,000	128,082	---	+2,082
	=====	=====	=====	=====	=====
Total, title II, Department of Housing and Urban Development.....	38,823,209	31,354,000	38,336,405	-486,804	+6,982,405
Appropriations.....	(43,655,709)	(36,322,000)	(43,634,405)	(-21,304)	(+7,312,405)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts.....	(-9,222,000)	(-9,357,000)	(-9,687,000)	(-465,000)	(-330,000)
Offsetting collections.....	(-10,500)	(-11,000)	(-11,000)	(-500)	---
(Limitation on direct loans).....	(10,000)	(10,000)	(10,000)	---	---
(Limitation on guaranteed loans).....	(932,062,683)	(930,000,000)	(932,253,243)	(+190,560)	(+2,253,243)
	=====	=====	=====	=====	=====
TITLE III - OTHER INDEPENDENT AGENCIES					
Access Board.....	8,190	7,928	8,190	---	+262
Federal Maritime Commission.....	27,490	26,149	27,490	---	+1,341
National Railroad Passenger Corporation Office of Inspector General.....	23,274	23,274	23,274	---	---
National Transportation Safety Board.....	106,000	105,170	106,000	---	+830
Neighborhood Reinvestment Corporation.....	140,000	27,400	140,000	---	+112,600
Surface Transportation Board.....	37,000	37,100	37,100	+100	---
Offsetting collections.....	-1,250	-1,250	-1,250	---	---
	-----	-----	-----	-----	-----
Subtotal.....	35,750	35,850	35,850	+100	---
United States Interagency Council on Homelessness.....	3,600	570	570	-3,030	---
	=====	=====	=====	=====	=====
Total, title III, Other Independent Agencies.....	344,304	226,341	341,374	-2,930	+115,033
	=====	=====	=====	=====	=====
TITLE IV - GENERAL PROVISIONS - THIS ACT					
Unobligated balances (Sec. 417) (rescission).....	-4,000	---	-7,000	-3,000	-7,000
Emergency Relief Program (Sec 419) (emergency).....	528,000	---	---	-528,000	---
CDBG Disaster Relief (Sec 420) (emergency).....	400,000	---	---	-400,000	---
	=====	=====	=====	=====	=====
Total, title IV, General Provisions This Act....	924,000	---	-7,000	-931,000	-7,000
	=====	=====	=====	=====	=====

DIVISION H - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	58,579,000	47,928,181	56,512,000	-2,067,000	+8,583,819
Appropriations.....	(63,345,750)	(52,928,631)	(62,618,250)	(-727,500)	(+9,689,619)
Rescissions.....	(-4,000)	(-31,200)	(-7,000)	(-3,000)	(+24,200)
Rescissions of contract authority.....	(-857,000)	---	(-800,000)	(+57,000)	(-800,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts.....	(-9,222,000)	(-9,357,000)	(-9,687,000)	(-465,000)	(-330,000)
Offsetting collections.....	(-11,750)	(-12,250)	(-12,250)	(-500)	---
(by transfer).....	---	---	3,000	+3,000	+3,000
(transfer out).....	---	---	-3,000	-3,000	-3,000
(Limitation on obligations).....	(57,725,278)	(58,721,994)	(58,821,994)	(+1,096,716)	(+100,000)
Total budgetary resources.....	(116,304,278)	(106,650,175)	(115,333,994)	(-970,284)	(+8,683,819)

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army.....	40,042,962	41,533,674	41,427,054	+1,384,092	-106,620
Military Personnel, Navy.....	27,889,405	28,917,918	28,707,918	+818,513	-210,000
Military Personnel, Marine Corps.....	12,735,182	13,278,714	13,165,714	+430,532	-113,000
Military Personnel, Air Force.....	27,958,795	28,962,740	28,738,320	+779,525	-224,420
Reserve Personnel, Army.....	4,524,863	4,804,628	4,721,128	+196,265	-83,500
Reserve Personnel, Navy.....	1,921,045	2,000,362	1,987,662	+66,617	-12,700
Reserve Personnel, Marine Corps.....	744,795	766,703	762,793	+17,998	-3,910
Reserve Personnel, Air Force.....	1,725,526	1,824,334	1,808,434	+82,908	-15,900
National Guard Personnel, Army.....	7,899,423	8,379,376	8,252,426	+353,003	-126,950
National Guard Personnel, Air Force.....	3,283,982	3,413,187	3,406,137	+122,155	-7,050
Total, Title I, Military Personnel.....	128,725,978	133,881,636	132,977,586	+4,251,608	-904,050
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army.....	32,738,173	38,945,417	38,467,246	+5,729,073	-478,171
Operation and Maintenance, Navy.....	38,552,017	45,439,407	45,972,535	+7,420,518	+533,128
Operation and Maintenance, Marine Corps.....	5,676,152	6,933,408	6,885,884	+1,209,732	-47,524
Operation and Maintenance, Air Force.....	36,247,724	39,429,232	38,592,745	+2,345,021	-836,487
Operation and Maintenance, Defense-Wide.....	32,373,949	34,585,817	33,516,085	+1,142,136	-1,069,732
Operation and Maintenance, Army Reserve.....	2,743,688	2,906,842	2,870,163	+126,475	-36,679
Operation and Maintenance, Navy Reserve.....	929,656	1,084,007	1,038,507	+108,851	-45,500
Operation and Maintenance, Marine Corps Reserve.....	271,133	278,837	282,337	+11,204	+3,500
Operation and Maintenance, Air Force Reserve.....	3,069,229	3,267,507	3,233,745	+164,516	-33,762
Operation and Maintenance, Army National Guard.....	6,861,478	7,307,170	7,275,820	+414,342	-31,350
Operation and Maintenance, Air National Guard.....	6,615,095	6,939,968	6,735,930	+120,835	-204,038
United States Court of Appeals for the Armed Forces.....	14,194	14,538	14,538	+344	---
Environmental Restoration, Army.....	170,167	215,809	215,809	+45,642	---
Environmental Restoration, Navy.....	289,262	281,415	353,649	+64,387	+72,234
Environmental Restoration, Air Force.....	371,521	293,749	338,749	-32,772	+45,000
Environmental Restoration, Defense-Wide.....	9,009	9,002	19,002	+9,993	+10,000
Environmental Restoration, Formerly Used Defense Sites..	222,084	208,673	233,673	+11,589	+25,000
Overseas Humanitarian, Disaster, and Civic Aid.....	123,125	104,900	107,900	-15,225	+3,000
Cooperative Threat Reduction Account.....	325,604	324,600	324,600	-1,004	---
Operation and Maintenance, National Defense Restoration Fund.....	---	---	5,000,000	+5,000,000	+5,000,000
Total, Title II, Operation and maintenance.....	167,603,260	188,570,298	191,478,917	+23,875,657	+2,908,619
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army.....	4,587,598	4,149,894	4,456,533	-131,065	+306,639
Missile Procurement, Army.....	1,533,804	2,519,054	2,581,600	+1,047,796	+62,546
Procurement of Weapons and Tracked Combat Vehicles, Army.....	2,229,455	2,423,608	3,556,175	+1,326,720	+1,132,567
Procurement of Ammunition, Army.....	1,483,566	1,879,283	1,811,808	+328,242	-67,475
Other Procurement, Army.....	6,147,328	6,469,331	6,386,044	+238,716	-83,287
Aircraft Procurement, Navy.....	16,135,335	15,056,235	17,908,270	+1,772,935	+2,852,035
Weapons Procurement, Navy.....	3,265,285	3,420,107	3,414,026	+148,741	-6,081
Procurement of Ammunition, Navy and Marine Corps.....	633,678	792,345	735,651	+101,973	-56,694
Shipbuilding and Conversion, Navy.....	21,156,886	19,903,682	21,503,726	+346,840	+1,600,044
Other Procurement, Navy.....	6,308,919	8,277,789	7,852,952	+1,544,033	-424,837
Procurement, Marine Corps.....	1,307,456	2,064,825	1,838,846	+531,390	-225,979
Aircraft Procurement, Air Force.....	14,253,623	15,430,849	16,569,196	+2,315,573	+1,138,347
Missile Procurement, Air Force.....	2,348,121	2,296,182	2,203,101	-145,020	-93,081
Space Procurement, Air Force.....	2,733,243	3,370,775	3,210,355	+477,112	-160,420
Procurement of Ammunition, Air Force.....	1,589,219	1,376,602	1,316,977	-272,242	-59,625
Other Procurement, Air Force.....	17,768,224	19,603,497	19,318,814	+1,550,590	-284,683
Procurement, Defense-Wide.....	4,881,022	4,835,418	5,229,239	+348,217	+393,821
Defense Production Act Purchases.....	64,065	37,401	67,401	+3,336	+30,000
Procurement, National Defense Restoration Fund.....	---	---	12,622,931	+12,622,931	+12,622,931
Total, Title III, Procurement.....	108,426,827	113,906,877	132,583,645	+24,156,818	+18,676,768

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army.....	8,332,965	9,425,440	9,701,222	+1,368,257	+275,782
Research, Development, Test and Evaluation, Navy.....	17,214,530	17,675,035	17,238,619	+24,089	-436,416
Research, Development, Test and Evaluation, Air Force...	27,788,548	34,914,359	33,895,980	+6,107,432	-1,018,379
Research, Development, Test and Evaluation, Defense-Wide	18,778,550	20,490,902	20,637,853	+1,859,303	+146,951
Operational Test and Evaluation, Defense.....	186,994	210,900	210,900	+23,906	---
Research, Development, Test and Evaluation, National Defense Restoration Fund.....	---	---	1,000,000	+1,000,000	+1,000,000
Total, Title IV, Research, Development, Test and Evaluation.....	72,301,587	82,716,636	82,684,574	+10,382,987	-32,062
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds.....	1,511,613	1,586,596	1,586,596	+74,983	---
National Defense Sealift Fund.....	---	509,327	---	---	-509,327
Total, Title V, Revolving and Management Funds....	1,511,613	2,095,923	1,586,596	+74,983	-509,327
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program					
Operation and maintenance.....	31,277,002	32,095,923	31,742,923	+465,921	-353,000
Procurement.....	402,161	895,328	895,328	+493,167	---
Research, development, test and evaluation.....	2,102,107	673,215	1,340,315	-761,792	+667,100
Total, Defense Health Program 1/	33,781,270	33,664,466	33,978,566	+197,296	+314,100
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance.....	119,985	104,237	104,237	-15,748	---
Procurement.....	15,132	18,081	18,081	+2,949	---
Research, development, test and evaluation.....	388,609	839,414	839,414	+450,805	---
Total, Chemical Agents 2/.....	523,726	961,732	961,732	+438,006	---
Drug Interdiction and Counter-Drug Activities, Defense1/	998,800	790,814	854,814	-143,986	+64,000
Joint Improvised-Threat Defeat Fund.....	---	14,442	---	---	-14,442
Joint Urgent Operational Needs Fund.....	---	99,795	---	---	-99,795
Office of the Inspector General 1/.....	312,035	336,887	336,887	+24,852	---
Total, Title VI, Other Department of Defense Programs.....	35,615,831	35,868,136	36,131,999	+516,168	+263,863
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund.....	514,000	514,000	514,000	---	---
Intelligence Community Management Account (ICMA).....	515,596	532,000	522,100	+6,504	-9,900
Total, Title VII, Related agencies.....	1,029,596	1,046,000	1,036,100	+6,504	-9,900

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec.8005).....	(4,500,000)	(5,000,000)	(4,500,000)	---	(-500,000)
FFRDC (Sec.8023).....	-60,000	---	-210,000	-150,000	-210,000
Rescissions (Sec.8040).....	-2,002,622	---	-891,381	+1,111,241	-891,381
National grants (Sec.8047).....	44,000	---	44,000	---	+44,000
Shipbuilding and conversion, Navy Judgment Fund.....	---	5,000	---	---	-5,000
O&M, Defense-wide transfer authority (Sec.8051).....	(30,000)	(30,000)	(30,000)	---	---
John C. Stennis Center for Public Service Development Trust Fund (O&M, Navy transfer authority).....	(1,000)	---	---	(-1,000)	---
Fisher House Foundation (Sec.8066).....	5,000	---	10,000	+5,000	+10,000
Revised economic assumptions (Sec.8073).....	-157,000	---	-289,000	-132,000	-289,000
Defense acquisition workforce development excess cash balances (rescission) (Sec.8081).....	-531,000	---	-10,000	+521,000	-10,000
Fisher House O&M Army Navy Air Force transfer authority (Sec.8086).....	(11,000)	(11,000)	(11,000)	---	---
Defense Health O&M transfer authority (Sec.8090).....	(122,375)	(115,519)	(115,519)	(-6,856)	---
Working Capital Fund, Army excess cash balances (Sec.8110).....	-336,000	---	-75,000	+261,000	-75,000
Revised fuel costs (Sec.8111).....	-1,155,000	---	-1,007,267	+147,733	-1,007,267
Ship Modernization, Operation, and Sustainment Fund (rescission).....	-1,391,070	---	---	+1,391,070	---
Operation and Maintenance, Defense-Wide (Department of the Interior Compact Review Agreement).....	---	123,900	---	---	-123,900
Military pay raise (Sec.8121).....	---	---	206,400	+206,400	+206,400
Public Schools on Military Installations (Sec.8122).....	---	---	235,000	+235,000	+235,000
Total, Title VIII, General Provisions.....	-5,583,692	128,900	-1,987,248	+3,596,444	-2,116,148
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM (GWOT)					
Military Personnel					
Military Personnel, Army (GWOT).....	1,948,648	2,635,317	2,635,317	+686,669	---
Military Personnel, Navy (GWOT).....	327,427	377,857	377,857	+50,430	---
Military Personnel, Marine Corps (GWOT).....	179,733	103,800	103,800	-75,933	---
Military Personnel, Air Force (GWOT).....	705,706	912,779	912,779	+207,073	---
Reserve Personnel, Army (GWOT).....	42,506	24,942	24,942	-17,564	---
Reserve Personnel, Navy (GWOT).....	11,929	9,091	9,091	-2,838	---
Reserve Personnel, Marine Corps (GWOT).....	3,764	2,328	2,328	-1,436	---
Reserve Personnel, Air Force (GWOT).....	20,535	20,569	20,569	+34	---
National Guard Personnel, Army (GWOT).....	196,472	184,589	184,589	-11,883	---
National Guard Personnel, Air Force (GWOT).....	5,288	5,004	5,004	-284	---
Military Personnel, National Defense Restoration Fund (GWOT).....	---	---	1,000,000	+1,000,000	+1,000,000
Total, Military Personnel (OCO/GWOT).....	3,442,008	4,276,276	5,276,276	+1,834,268	+1,000,000

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operation and Maintenance					
Operation & Maintenance, Army (GWOT).....	15,693,068	16,126,403	16,126,403	+433,335	---
Operation & Maintenance, Navy (GWOT).....	7,887,349	5,875,015	5,875,015	-2,012,334	---
(Coast Guard) (by transfer) (GWOT).....	---	(161,885)	(161,885)	(+161,885)	---
Operation & Maintenance, Marine Corps (GWOT).....	1,607,259	1,116,640	1,116,640	-490,619	---
Operation & Maintenance, Air Force (GWOT).....	10,556,598	10,266,295	10,266,295	-290,303	---
Operation & Maintenance, Defense-Wide (GWOT).....	6,476,649	7,712,080	6,944,201	+467,552	-767,879
(Coalition support funds) (GWOT).....	(920,000)	---	---	(-920,000)	---
Operation & Maintenance, Army Reserve (GWOT).....	38,679	24,699	24,699	-13,980	---
Operation & Maintenance, Navy Reserve (GWOT).....	26,265	23,980	23,980	-2,285	---
Operation & Maintenance, Marine Corps Reserve (GWOT)....	3,304	3,367	3,367	+63	---
Operation & Maintenance, Air Force Reserve (GWOT).....	57,586	58,523	58,523	+937	---
Operation & Maintenance, Army National Guard (GWOT).....	127,035	108,111	108,111	-18,924	---
Operation & Maintenance, Air National Guard (GWOT).....	20,000	15,400	15,400	-4,600	---
Operation & Maintenance, National Defense Restoration Fund (GWOT).....	---	---	2,000,000	+2,000,000	+2,000,000
Subtotal, Operation and Maintenance.....	42,493,792	41,330,513	42,562,634	+68,842	+1,232,121
Afghanistan Security Forces Fund (GWOT).....	4,262,715	4,937,515	4,925,515	+662,800	-12,000
Counter-ISIL Train and Equip Fund (GWOT).....	980,000	1,769,000	1,769,000	+789,000	---
Total, Operation and Maintenance (OCO/GWOT).....	47,736,507	48,037,028	49,257,149	+1,520,642	+1,220,121
Procurement					
Aircraft Procurement, Army (GWOT).....	313,171	424,686	424,686	+111,515	---
Missile Procurement, Army (GWOT).....	405,317	559,283	557,583	+152,266	-1,700
Procurement of Weapons and Tracked Combat Vehicles, Army (GWOT).....	395,944	1,191,139	1,191,139	+795,195	---
Procurement of Ammunition, Army (GWOT).....	290,670	193,436	193,436	-97,234	---
Other Procurement, Army (GWOT).....	1,343,010	405,575	405,575	-937,435	---
Aircraft Procurement, Navy (GWOT).....	367,930	157,300	157,300	-210,630	---
Weapons Procurement, Navy (GWOT).....	8,600	152,373	130,994	+122,394	-21,379
Procurement of Ammunition, Navy and Marine Corps (GWOT)...	65,380	225,587	223,843	+158,463	-1,744
Other Procurement, Navy (GWOT).....	99,786	220,059	207,984	+108,198	-12,075
Procurement, Marine Corps (GWOT).....	118,939	65,274	64,071	-54,868	-1,203
Aircraft Procurement, Air Force (GWOT).....	927,249	740,778	510,836	-416,413	-229,942
Missile Procurement, Air Force (GWOT).....	235,095	395,400	381,700	+146,605	-13,700
Space Procurement, Air Force (GWOT).....	---	2,256	2,256	+2,256	---
Procurement of Ammunition, Air Force (GWOT).....	273,345	501,509	501,509	+228,164	---
Other Procurement, Air Force (GWOT).....	3,529,456	4,008,887	3,998,887	+469,431	-10,000
Procurement, Defense-Wide (GWOT).....	244,184	518,026	510,741	+266,557	-7,285
National Guard and Reserve Equipment (GWOT)	750,000	---	1,000,000	+250,000	+1,000,000
Procurement, National Defense Restoration Fund (GWOT)...	---	---	6,000,000	+6,000,000	+6,000,000
Total, Procurement (OCO/GWOT).....	9,368,076	9,761,568	16,462,540	+7,094,464	+6,700,972

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (GWOT)...	100,522	119,368	125,368	+24,846	+6,000
Research, Development, Test & Evaluation, Navy (GWOT)...	78,323	130,365	124,865	+46,542	-5,500
Research, Development, Test & Evaluation, Air Force (GWOT).....	67,905	135,358	144,508	+76,603	+9,150
Research, Development, Test and Evaluation, Defense-Wide (GWOT).....	159,919	226,096	226,096	+66,177	---
Research, Development, Test and Evaluation, National Defense Restoration Fund (GWOT).....	---	---	1,000,000	+1,000,000	+1,000,000
Total, Research, Development, Test and Evaluation (OCO/GWOT).....	406,669	611,187	1,620,837	+1,214,168	+1,009,650
Revolving and Management Funds					
Defense Working Capital Funds (GWOT).....	140,633	148,956	148,956	+8,323	---
Other Department of Defense Programs					
Defense Health Program:					
Operation & Maintenance (GWOT).....	331,764	395,805	395,805	+64,041	---
Drug Interdiction and Counter-Drug Activities, Defense (GWOT).....	215,333	196,300	196,300	-19,033	---
Joint Improvised-Threat Defeat Fund (GWOT).....	339,472	483,058	483,058	+143,586	---
Office of the Inspector General (GWOT).....	22,062	24,692	24,692	+2,630	---
Total, Other Department of Defense Programs (OCO/GWOT).....	908,631	1,099,855	1,099,855	+191,224	---
TITLE IX General Provisions					
Additional transfer authority (GWOT) (Sec.9002).....	(2,500,000)	(4,500,000)	(2,500,000)	---	(-2,000,000)
Ukraine Security Assistance Initiative (GWOT) (Sec.9013)	150,000	---	150,000	---	+150,000
Intelligence, Surveillance, and Reconnaissance (GWOT) (Sec.9017).....	500,000	---	500,000	---	+500,000
Rescissions (GWOT) (Sec.9019).....	-819,000	---	-587,613	+231,387	-587,613
Coalition support funds (rescission) (GWOT)	-11,524	---	---	+11,524	---
Total, General Provisions.....	-180,524	---	62,387	+242,911	+62,387
Grand Total, Title IX (OCO/GWOT).....	61,822,000	63,934,870	73,928,000	+12,106,000	+9,993,130

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE X					
ADDITIONAL APPROPRIATIONS (OCO/GWOT)					
Military Personnel					
Military Personnel, Air Force (GWOT).....	131,375	---	---	-131,375	---
Operation and Maintenance					
Operation & Maintenance, Army (GWOT).....	986,754	---	---	-986,754	---
Operation & Maintenance, Navy (GWOT).....	1,772,631	---	---	-1,772,631	---
Operation & Maintenance, Marine Corps (GWOT).....	255,250	---	---	-255,250	---
Operation & Maintenance, Air Force (GWOT).....	1,566,272	---	---	-1,566,272	---
Operation & Maintenance, Defense-Wide (GWOT).....	650,951	---	---	-650,951	---
Operation & Maintenance, Navy Reserve (GWOT).....	3,208	---	---	-3,208	---
Operation & Maintenance, Air Force Reserve (GWOT).....	115,099	---	---	-115,099	---
Operation & Maintenance, Army National Guard (GWOT).....	87,868	---	---	-87,868	---
Operation & Maintenance, Air National Guard (GWOT).....	23,000	---	---	-23,000	---
Counter-ISIL Train and Equip Fund (GWOT).....	626,400	---	---	-626,400	---
Counter-ISIL Overseas Contingency Operations Transfer Fund.....	1,610,000	---	---	-1,610,000	---

Total, Operation and Maintenance OCO/GWOT Requirements.....	7,697,433	---	---	-7,697,433	---
Procurement					
Aircraft Procurement, Army (GWOT).....	316,784	---	---	-316,784	---
Missile Procurement, Army (GWOT).....	579,754	---	---	-579,754	---
Procurement of Weapons and Tracked Combat Vehicles, Army (GWOT).....	61,218	---	---	-61,218	---
Procurement of Ammunition, Army (GWOT).....	447,685	---	---	-447,685	---
Other Procurement, Army (GWOT).....	412,109	---	---	-412,109	---
Aircraft Procurement, Navy (GWOT).....	314,257	---	---	-314,257	---
Weapons Procurement, Navy (GWOT).....	129,000	---	---	-129,000	---
Procurement of Ammunition, Navy and Marine Corps (GWOT).....	103,100	---	---	-103,100	---
Other Procurement, Navy (GWOT).....	151,297	---	---	-151,297	---
Procurement, Marine Corps (GWOT).....	212,280	---	---	-212,280	---
Aircraft Procurement, Air Force (GWOT).....	856,820	---	---	-856,820	---
Space Procurement, Air Force (GWOT).....	19,900	---	---	-19,900	---
Procurement of Ammunition, Air Force (GWOT).....	70,000	---	---	-70,000	---
Other Procurement, Air Force (GWOT).....	1,335,381	---	---	-1,335,381	---
Procurement, Defense-Wide (GWOT).....	510,635	---	---	-510,635	---

Total, Procurement OCO/GWOT Requirements.....	5,520,220	---	---	-5,520,220	---

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (GWOT)...	163,134	---	---	-163,134	---
Research, Development, Test & Evaluation, Navy (GWOT)...	248,214	---	---	-248,214	---
Research, Development, Test & Evaluation, Air Force (GWOT).....	297,300	---	---	-297,300	---
Research, Development, Test and Evaluation, Defense-Wide (GWOT).....	279,185	---	---	-279,185	---
Operational Test and Evaluation, Defense (GWOT)	2,725	---	---	-2,725	---
Total, RDTE OCO/GWOT Requirements.....	990,558	---	---	-990,558	---
Revolving and Management Funds					
Defense Working Capital Funds (GWOT)	285,681	---	---	-285,681	---
Other Department of Defense Programs					
Chemical Agents and Munitions Destruction, Defense Research, Development, Test, and Evaluation OCO/GWOT Requirements (GWOT)	127,000	---	---	-127,000	---
TITLE X General Provisions					
Additional transfer authority (GWOT) (Sec.10002).....	(250,000)	---	---	(-250,000)	---
Total, Title X (OCO/GWOT).....	14,752,267	---	---	-14,752,267	---
=====					
OTHER APPROPRIATIONS					
SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017					
Military Personnel (OCO/GWOT).....	265,118	---	---	-265,118	---
Operation and Maintenance (OCO/GWOT).....	4,615,935	---	---	-4,615,935	---
Procurement (OCO/GWOT)).....	724,447	---	---	-724,447	---
Research, Development, Test, and Evaluation (OCO/GWOT).....	81,700	---	---	-81,700	---
Other Department of Defense Programs (OCO/GWOT).....	87,800	---	---	-87,800	---
Total, Other Appropriations.....	5,775,000	---	---	-5,775,000	---
=====					
Grand Total, Bill					
Appropriations.....	591,980,267	622,149,276	650,420,169	+58,439,902	+28,270,893
Global War on Terrorism (GWOT).....	(513,555,692)	(558,214,406)	(577,393,550)	(+63,837,858)	(+19,179,144)
Rescissions.....	(83,179,791)	(63,934,870)	(74,515,613)	(-8,664,178)	(+10,580,743)
Rescissions (GWOT).....	(-3,924,692)	---	(-901,381)	(+3,023,311)	(-901,381)
Rescissions (GWOT).....	(-830,524)	---	(-587,613)	(+242,911)	(-587,613)
(Transfer Authority).....	4,664,375	5,156,519	4,656,519	-7,856	-500,000
(Transfer Authority) (GWOT).....	2,750,000	4,500,000	2,500,000	-250,000	-2,000,000
=====					

DIVISION I - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Lease of defense real property (permanent).....	37,000	38,000	38,000	+1,000	---
Disposal of defense real property (permanent).....	8,000	8,000	8,000	---	---
DHP, O&M to DOD-VA Joint Incentive Fund (permanent):					
Defense function.....	-15,000	-15,000	-15,000	---	---
Non-defense function.....	15,000	15,000	15,000	---	---
DHP, O&M to Joint DOD-VA Medical Facility					
Demonstration Fund (Sec.8090):					
Defense function.....	-122,375	-115,519	-115,519	+6,856	---
Non-defense function.....	122,375	115,519	115,519	-6,856	---
O&M, Defense-wide transfer to Department					
of the Interior:					
Defense function.....	---	-123,900	---	---	+123,900
Non-defense function.....	---	123,900	---	---	-123,900
Navy transfer to John C. Stennis Center for Public					
Service Development Trust Fund:					
Defense function.....	-1,000	---	---	+1,000	---
Non-defense function.....	1,000	---	---	-1,000	---
Tricare accrual (permanent, indefinite auth.) 3/.....	6,953,000	8,145,000	8,145,000	+1,192,000	---
Total, scorekeeping adjustments.....	6,998,000	8,191,000	8,191,000	+1,193,000	---
=====					
RECAPITULATION					
Title I - Military Personnel.....	128,725,978	133,881,636	132,977,586	+4,251,608	-904,050
Title II - Operation and Maintenance.....	167,603,260	188,570,298	191,478,917	+23,875,657	+2,908,619
Title III - Procurement.....	108,426,827	113,906,877	132,583,645	+24,156,818	+18,676,768
Title IV - Research, Development, Test and Evaluation...	72,301,587	82,716,636	82,684,574	+10,382,987	-32,062
Title V - Revolving and Management Funds.....	1,511,613	2,095,923	1,586,596	+74,983	-509,327
Title VI - Other Department of Defense Programs.....	35,615,831	35,868,136	36,131,999	+516,168	+263,863
Title VII - Related Agencies.....	1,029,596	1,046,000	1,036,100	+6,504	-9,900
Title VIII - General Provisions (net).....	-5,583,692	128,900	-1,987,248	+3,596,444	-2,116,148
Title IX - Global War on Terrorism (GWOT).....	61,822,000	63,934,870	73,928,000	+12,106,000	+9,993,130
Title X - Additional Appropriations.....	14,752,267	---	---	-14,752,267	---
Total, Department of Defense.....	586,205,267	622,149,276	650,420,169	+64,214,902	+28,270,893
Other appropriations (PL 114-254).....	5,775,000	---	---	-5,775,000	---
Scorekeeping adjustments.....	6,998,000	8,191,000	8,191,000	+1,193,000	---
Total mandatory and discretionary.....	598,978,267	630,340,276	658,611,169	+59,632,902	+28,270,893
=====					

1/ Included in Budget under Operation and Maintenance

2/ Included in Budget under Procurement

3/ Contributions to Department of Defense

Medicare-Eligible Retiree Health Care Fund
(Sec. 725, P.L. 108-375). Budget request excludes
proposal to amend TRICARE

DIVISION J - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - LEGISLATIVE BRANCH					
HOUSE OF REPRESENTATIVES					
Payment to Widows and Heirs of Deceased Members of Congress (FY17 PL 114-223, Sec.142)1/.....	174	---	---	-174	---
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker.....	6,645	6,645	6,645	---	---
Office of the Majority Floor Leader.....	2,180	2,180	2,180	---	---
Office of the Minority Floor Leader.....	7,114	7,114	7,114	---	---
Office of the Majority Whip.....	1,887	1,887	1,887	---	---
Office of the Minority Whip.....	1,460	1,460	1,460	---	---
Republican Conference.....	1,505	1,505	1,505	---	---
Democratic Caucus.....	1,487	1,487	1,487	---	---
Subtotal, House Leadership Offices.....	22,278	22,278	22,278	---	---
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses.....	562,632	567,000	562,632	---	-4,368
Committee Employees					
Standing Committees, Special and Select.....	127,053	129,062	127,053	---	-2,009
Committee on Appropriations (including studies and investigations).....	23,271	23,226	23,226	-45	---
Subtotal, Committee employees.....	150,324	152,288	150,279	-45	-2,009
Salaries, Officers and Employees					
Office of the Clerk.....	26,268	28,421	27,945	+1,677	-476
Office of the Sergeant at Arms.....	15,505	18,076	20,505	+5,000	+2,429
Office of the Chief Administrative Officer.....	117,165	133,635	127,165	+10,000	-6,470
Office of the Inspector General.....	4,963	5,037	4,968	+5	-69
Office of General Counsel.....	1,444	1,492	1,492	+48	---
Office of the Parliamentarian.....	1,999	2,037	2,037	+38	---
Office of the Law Revision Counsel of the House.....	3,167	3,261	3,209	+42	-52
Office of the Legislative Counsel of the House.....	8,979	9,437	9,437	+458	---
Office of Interparliamentary Affairs.....	814	816	814	---	-2
Other authorized employees.....	1,183	584	584	-599	---
Subtotal, Salaries, officers and employees.....	181,487	202,796	198,156	+16,669	-4,640
Allowances and Expenses					
Supplies, materials, administrative costs and Federal tort claims.....	3,625	3,625	3,625	---	---
Official mail for committees, leadership offices, and administrative offices of the House.....	190	190	190	---	---
Government contributions.....	245,334	251,630	233,540	-11,794	-18,090
Business Continuity and Disaster Recovery.....	16,217	16,186	16,186	-31	---
Transition activities.....	2,084	2,273	2,273	+189	---
Wounded Warrior program.....	2,500	2,500	2,750	+250	+250
Office of Congressional Ethics.....	1,658	1,699	1,670	+12	-29
Miscellaneous items.....	720	722	720	---	-2
Subtotal, Allowances and expenses.....	272,328	278,825	260,954	-11,374	-17,871
Total, House of Representatives (discretionary)...	1,189,049	1,223,187	1,194,299	+5,250	-28,888
Total, House of Representatives (mandatory).....	174	---	---	-174	---

DIVISION J - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
JOINT ITEMS					
Joint Economic Committee.....	4,203	4,203	4,203	---	---
Joint Committee on Taxation.....	10,095	11,169	10,455	+360	-714
Office of the Attending Physician					
Medical supplies, equipment, expenses, and allowances...	3,838	3,838	3,838	---	---
Office of Congressional Accessibility Services					
Salaries and expenses.....	1,429	1,444	1,444	+15	---
Total, Joint items.....	19,565	20,654	19,940	+375	-714
CAPITOL POLICE					
Salaries.....	325,300	347,096	347,700	+22,400	+604
General expenses.....	68,000	75,211	74,800	+6,800	-411
Total, Capitol Police.....	393,300	422,307	422,500	+29,200	+193
OFFICE OF COMPLIANCE					
Salaries and expenses.....	3,959	4,056	3,959	---	-97
CONGRESSIONAL BUDGET OFFICE					
Salaries and expenses.....	46,500	49,945	48,500	+2,000	-1,445
ARCHITECT OF THE CAPITOL (AOC)					
Capital Construction and Operations.....	92,957	98,360	92,750	-207	-5,610
Capitol building.....	32,584	54,898	45,300	+12,716	-9,598
Capitol grounds.....	12,826	14,279	13,333	+507	-946
House of Representatives buildings:					
House office buildings.....	185,731	176,948	169,294	-16,437	-7,654
House Historic Buildings Revitalization Trust Fund..	17,000	10,000	10,000	-7,000	---
Capitol Power Plant.....	95,646	117,205	115,694	+20,048	-1,511
Offsetting collections.....	-9,000	-9,000	-9,000	---	---
Subtotal, Capitol Power Plant.....	86,646	108,205	106,694	+20,048	-1,511
Library buildings and grounds.....	47,080	121,182	76,097	+29,017	-45,085
Capitol police buildings, grounds and security.....	20,033	54,177	33,249	+13,216	-20,928
Botanic Garden.....	14,067	13,400	13,400	-667	---
Capitol Visitor Center.....	20,557	21,470	21,470	+913	---
Total, Architect of the Capitol.....	529,481	672,919	581,587	+52,106	-91,332
LIBRARY OF CONGRESS					
Salaries and expenses.....	457,017	504,260	464,209	+7,192	-40,051
Authority to spend receipts.....	-6,350	-6,350	-6,350	---	---
Subtotal, Salaries and expenses.....	450,667	497,910	457,859	+7,192	-40,051
Copyright Office, Salaries and expenses.....	68,825	77,709	72,011	+3,186	-5,698
Authority to spend receipts.....	-39,548	-38,864	-41,305	-1,757	-2,441
Prior year unobligated balances.....	-6,179	-7,429	-2,260	+3,919	+5,169
Subtotal, Copyright Office.....	23,098	31,416	28,446	+5,348	-2,970
Congressional Research Service, Salaries and expenses...	107,945	119,279	111,474	+3,529	-7,805
Books for the blind and physically handicapped,					
Salaries and expenses.....	50,248	52,815	50,248	---	-2,567
Copyright Office funding flexibility information					
technology (Sec.1103(b))(CBO estimate).....	---	2,000	---	---	-2,000
Total, Library of Congress.....	631,958	703,420	648,027	+16,069	-55,393

DIVISION J - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
GOVERNMENT PUBLISHING OFFICE					
Congressional publishing	79,736	79,528	79,528	-208	---
Public Information Programs of the Superintendent of Documents, Salaries and expenses.....	29,500	29,000	29,000	-500	---
Government Publishing Office Business Operations Revolving Fund	7,832	8,540	8,540	+708	---
	=====	=====	=====	=====	=====
Total, Government Publishing Office	117,068	117,068	117,068	---	---
GOVERNMENT ACCOUNTABILITY OFFICE					
Salaries and expenses.....	567,856	614,478	568,306	+450	-46,172
Offsetting collections.....	-23,350	-23,800	-23,800	-450	---
	=====	=====	=====	=====	=====
Total, Government Accountability Office.....	544,506	590,678	544,506	---	-46,172
OPEN WORLD LEADERSHIP CENTER TRUST FUND					
Payment to the Open World Leadership Center (OWLC) Trust Fund.....	5,600	5,800	5,600	---	-200
JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT					
Stennis Center for Public Service.....	430	430	430	---	---
ADMINISTRATIVE PROVISIONS					
Scorekeeping adjustment (CBO estimate) 2/.....	-1,000	---	-2,000	-1,000	-2,000
OTHER SCOREKEEPING ADJUSTMENTS					
AOC House Office Buildings Fund (PL114-254)(CBO estimate).....	---	-4,000	-4,000	-4,000	---
	=====	=====	=====	=====	=====
Grand total (including scorekeeping adjustments)..	3,480,590	3,806,464	3,580,416	+99,826	-226,048
Discretionary.....	(3,480,416)	(3,806,464)	(3,580,416)	(+100,000)	(-226,048)
Mandatory 1/.....	(174)	---	---	(-174)	---
	=====	=====	=====	=====	=====
1/ FY2017 funds provided in Continuing Appropriations Act, 2017 (Public Law 114-223)					
2/ FY2017 is Sec. 175 of Further Continuing Appropriations Act, 2017 (Public Law 114-254)					

DIVISION J - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAPITULATION					
House of Representatives (discretionary).....	1,189,049	1,223,187	1,194,299	+5,250	-28,888
House of Representatives (mandatory) 1/.....	174	---	---	-174	---
Joint Items.....	19,565	20,654	19,940	+375	-714
Capitol Police.....	393,300	422,307	422,500	+29,200	+193
Office of Compliance.....	3,959	4,056	3,959	---	-97
Congressional Budget Office.....	46,500	49,945	48,500	+2,000	-1,445
Architect of the Capitol.....	529,481	672,919	581,587	+52,106	-91,332
Library of Congress.....	631,958	703,420	648,027	+16,069	-55,393
Government Publishing Office	117,068	117,068	117,068	---	---
Government Accountability Office.....	544,506	590,678	544,506	---	-46,172
Open World Leadership Center.....	5,600	5,800	5,600	---	-200
Stennis Center for Public Service.....	430	430	430	---	---
Administrative Provisions 2/.....	-1,000	---	-2,000	-1,000	-2,000
Other Scorekeeping adjustments.....	---	-4,000	-4,000	-4,000	---
	=====	=====	=====	=====	=====
Grand total.....	3,480,590	3,806,464	3,580,416	+99,826	-226,048
Discretionary.....	(3,480,416)	(3,806,464)	(3,580,416)	(+100,000)	(-226,048)
Mandatory 1/.....	(174)	---	---	(-174)	---

1/ FY2017 funds provided in Continuing Appropriations Act, 2017 (Public Law 114-223)

2/ FY2017 is Sec. 175 of Further Continuing Appropriations Act, 2017 (Public Law 114-254)

DIVISION K - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE					
Military Construction, Army.....	513,459	920,394	923,994	+410,535	+3,600
Military Construction, Navy and Marine Corps.....	1,021,580	1,616,665	1,558,085	+536,505	-58,580
Military Construction, Air Force.....	1,491,058	1,738,796	1,540,474	+49,416	-198,322
Military Construction, Defense-Wide.....	2,025,444	3,114,913	2,791,272	+765,828	-323,641
Total, Active components.....	5,051,541	7,390,768	6,813,825	+1,762,284	-576,943
Military Construction, Army National Guard.....	232,930	210,652	210,652	-22,278	---
Military Construction, Air National Guard.....	143,957	161,491	161,491	+17,534	---
Military Construction, Army Reserve.....	68,230	73,712	73,712	+5,482	---
Military Construction, Navy Reserve.....	38,597	65,271	65,271	+26,674	---
Military Construction, Air Force Reserve.....	188,950	63,535	63,535	-125,415	---
Total, Reserve components.....	672,664	574,661	574,661	-98,003	---
North Atlantic Treaty Organization Security Investment Program.....	177,932	154,000	177,932	---	+23,932
Chemical demilitarization construction, Defense-Wide..	---	---	---	---	---
Department of Defense Base Closure Account.....	240,237	255,867	290,867	+50,630	+35,000
Total, Military Construction.....	6,142,374	8,375,296	7,857,285	+1,714,911	-518,011
Family Housing Construction, Army.....	157,172	182,662	182,662	+25,490	---
Family Housing Operation and Maintenance, Army.....	325,995	346,625	346,625	+20,630	---
Family Housing Construction, Navy and Marine Corps....	94,011	83,682	83,682	-10,329	---
Family Housing Operation and Maintenance, Navy and Marine Corps.....	300,915	328,282	328,282	+27,367	---
Family Housing Construction, Air Force.....	61,352	85,062	85,062	+23,710	---
Family Housing Operation and Maintenance, Air Force...	274,429	318,324	318,324	+43,895	---
Family Housing Operation and Maintenance, Defense-Wide	59,157	59,169	59,169	+12	---
DoD Military Unaccompanied Housing Improvement Fund...	---	623	623	+623	---
Department of Defense Family Housing Improvement Fund..	3,258	2,726	2,726	-532	---
Total, Family Housing.....	1,276,289	1,407,155	1,407,155	+130,866	---
ADMINISTRATIVE PROVISIONS					
Military Construction, Army (Sec. 126) (rescission)...	-29,602	---	-10,000	+19,602	-10,000
Military Construction, Navy and Marine Corps (H. Sec. 126) (rescission).....	---	---	-10,000	-10,000	-10,000
Military Construction, Air Force (Sec. 127) (rescission).....	-51,460	---	---	+51,460	---
Military Construction, Defense-Wide (Sec. 126) (rescission).....	-141,600	---	-27,440	+114,160	-27,440
Military Construction, Defense-Wide - Planning and Design (Sec. 127).....	-30,000	---	---	+30,000	---
Military Construction, Army (Sec. 125).....	40,500	---	43,800	+3,300	+43,800
Military Construction, Navy and Marine Corps (Sec. 125).....	227,099	---	126,900	-100,199	+126,900
Military Construction, Air National Guard (Sec. 125)..	---	---	41,900	+41,900	+41,900
Military Construction, Army National Guard (Sec. 125)..	67,500	---	56,000	-11,500	+56,000
Military Construction, Army Reserve (Sec. 125).....	30,000	---	56,000	+26,000	+56,000
NATO Security Investment Program (Sec. 127) (rescission).....	-30,000	---	---	+30,000	---
42 USC 3374 (Sec. 128).....	-25,000	---	---	+25,000	---
Military Construction, Air Force (Sec. 125).....	149,500	---	70,300	-79,200	+70,300
Military Construction, Air National Guard (Sec. 125)..	11,000	---	---	-11,000	---
Military Construction, Navy and Marine Corps (Sec. 126).....	89,400	---	---	-89,400	---
Military Construction, Air Force Reserve (Sec. 125)...	---	---	44,100	+44,100	+44,100
NATO Security Investment Program (Sec. 126).....	---	---	-25,000	-25,000	-25,000

DIVISION K - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Family Housing Construction, Army (Sec. 126).....	---	---	-18,000	-18,000	-18,000
Family Housing Construction, Navy and Marine Corps (Sec. 126).....	---	---	-8,000	-8,000	-8,000
Family Housing Construction, Air Force (Sec. 126).....	---	---	-20,000	-20,000	-20,000
=====					
Total, Administrative Provisions.....	307,337	---	320,560	+13,223	+320,560
Appropriations.....	(614,999)	---	(439,000)	(-175,999)	(+439,000)
Rescissions.....	(-307,662)	---	(-118,440)	(+189,222)	(-118,440)
=====					
Total, title I, Department of Defense.....	7,726,000	9,782,451	9,585,000	+1,859,000	-197,451
Appropriations.....	(8,033,662)	(9,782,451)	(9,703,440)	(+1,669,778)	(-79,011)
Rescissions.....	(-307,662)	---	(-118,440)	(+189,222)	(-118,440)
=====					
TITLE II - DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions:					
Advance from prior year.....	(86,083,128)	(90,119,449)	(90,119,449)	(+4,036,321)	---
Subtotal, current year.....	86,083,128	90,119,449	90,119,449	+4,036,321	---
Advance appropriation, FY 2019.....	90,119,449	95,768,462	95,768,462	+5,649,013	---
Readjustment benefits:					
Advance from prior year.....	(16,340,828)	(13,708,648)	(13,708,648)	(-2,632,180)	---
Subtotal.....	16,340,828	13,708,648	13,708,648	-2,632,180	---
Advance appropriation, FY 2019.....	13,708,648	11,832,175	11,832,175	-1,876,473	---
Veterans insurance and indemnities:					
Advance from prior year.....	(91,920)	(107,899)	(107,899)	(+15,979)	---
Current year request.....	16,605	12,439	12,439	-4,166	---
Subtotal.....	108,525	120,338	120,338	+11,813	---
Advance appropriation, FY 2019.....	107,899	109,090	109,090	+1,191	---
Veterans housing benefit program fund:					
(Limitation on direct loans).....	(500)	(500)	(500)	---	---
Administrative expenses.....	198,856	178,626	178,626	-20,230	---
Vocational rehabilitation loans program account.....	36	30	30	-6	---
(Limitation on direct loans).....	(2,517)	(2,356)	(2,356)	(-161)	---
Administrative expenses.....	389	395	395	+6	---
Native American veteran housing loan program account..	1,163	1,163	1,163	---	---
General operating expenses, VBA.....	2,856,160	2,844,000	2,899,000	+42,840	+55,000
=====					
Total, Veterans Benefits Administration.....	107,009,205	110,746,380	110,801,380	+3,792,175	+55,000
Appropriations.....	(3,073,209)	(3,036,653)	(3,091,653)	(+18,444)	(+55,000)
Advance appropriations, FY 2019.....	(103,935,996)	(107,709,727)	(107,709,727)	(+3,773,731)	---
=====					
Advances from prior year appropriations.....	(102,515,876)	(103,935,996)	(103,935,996)	(+1,420,120)	---
Veterans Health Administration					
Medical services:					
Advance from prior year.....	(51,673,000)	(44,886,554)	(44,886,554)	(-6,786,446)	---
Current year request.....	1,078,993	1,031,808	1,033,808	-45,185	+2,000

DIVISION K - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Supplemental funding for opioid abuse prevention (P.L. 115-31) /1.....	50,000	---	---	-50,000	---
Medical Services (Sec. 217) (rescission).....	-7,246,181	---	---	+7,246,181	---
Subtotal.....	45,555,812	45,918,362	45,920,362	+364,550	+2,000
Advance appropriation, FY 2019.....	44,886,554	49,161,165	49,161,165	+4,274,611	---
1/ Funding for opioid abuse prevention was included in the FY17 supplemental. In FY18, it is provided within the amount recommended by the Committee					
Medical community care:					
Advance from prior year.....	---	(9,409,118)	(9,409,118)	(+9,409,118)	---
Current year request.....	7,246,181	254,000	254,000	-6,992,181	---
Subtotal.....	7,246,181	9,663,118	9,663,118	+2,416,937	---
Advance appropriation, FY 2019.....	9,409,118	8,384,704	8,384,704	-1,024,414	---
Medical support and compliance:					
Advance from prior year.....	(6,524,000)	(6,654,480)	(6,654,480)	(+130,480)	---
Current year request.....	---	284,397	284,397	+284,397	---
Subtotal.....	6,524,000	6,938,877	6,938,877	+414,877	---
Advance appropriation, FY 2019.....	6,654,480	7,239,156	7,239,156	+584,676	---
Medical facilities:					
Advance from prior year.....	(5,074,000)	(5,434,880)	(5,434,880)	(+360,880)	---
Current year request.....	247,668	1,079,795	1,079,795	+832,127	---
Subtotal.....	5,321,668	6,514,675	6,514,675	+1,193,007	---
Advance appropriation, FY 2019.....	5,434,880	5,914,288	5,914,288	+479,408	---
Medical and prosthetic research.....	675,366	640,000	698,228	+22,862	+58,228
Medical care cost recovery collections:					
Offsetting collections.....	-2,637,000	-2,507,000	-2,507,000	+130,000	---
Appropriations (indefinite).....	2,637,000	2,507,000	2,507,000	-130,000	---
Subtotal.....	---	---	---	---	---
DoD-VA Joint Medical Funds (transfers out).....	(-274,731)	(-297,137)	(-297,137)	(-22,406)	---
DoD-VA Joint Medical Funds (by transfer).....	(274,731)	(297,137)	(297,137)	(+22,406)	---
DoD-VA Health Care Sharing Incentive Fund (Transfer out).....	(-15,000)	(-15,000)	(-15,000)	---	---
DoD-VA Health Care Sharing Incentive Fund (by transfer).....	(15,000)	(15,000)	(15,000)	---	---
Total, Veterans Health Administration.....	68,437,059	73,989,313	74,049,541	+5,612,482	+60,228
Appropriations.....	(2,052,027)	(3,290,000)	(3,350,228)	(+1,298,201)	(+60,228)
(By transfer).....	(289,731)	(312,137)	(312,137)	(+22,406)	---
Advance appropriations, FY 2019.....	(66,385,032)	(70,699,313)	(70,699,313)	(+4,314,281)	---
Advances from prior year appropriations.....	(63,271,000)	(66,385,032)	(66,385,032)	(+3,114,032)	---
National Cemetery Administration					
National Cemetery Administration.....	286,193	306,193	306,193	+20,000	---
Departmental Administration					
General administration.....	345,391	346,891	341,891	-3,500	-5,000
Board of Veterans Appeals.....	156,096	155,596	156,096	---	+500
Information technology systems.....	4,278,259	4,055,500	4,133,000	-145,259	+77,500
Office of Inspector General.....	160,106	159,606	160,106	---	+500
Construction, major projects.....	528,110	512,430	410,530	-117,580	-101,900

DIVISION K - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction, minor projects.....	372,069	342,570	342,570	-29,499	---
Grants for construction of State extended care facilities.....	90,000	90,000	90,000	---	---
Grants for the construction of veterans cemeteries....	45,000	45,000	45,000	---	---
Total, Departmental Administration.....	5,975,031	5,707,593	5,679,193	-295,838	-28,400
Administrative Provisions					
JIF rescission.....	-40,000	---	---	+40,000	---
General rescission (Sec. 233).....	-169,000	---	-399,972	-230,972	-399,972
General reduction (Sec. 234).....	-23,000	---	-71,188	-48,188	-71,188
Proposed mandatory disability exams language.....	---	40,000	---	---	-40,000
Total, Administrative Provisions.....	-232,000	40,000	-471,160	-239,160	-511,160
Total, title II.....	181,475,488	190,789,479	190,365,147	+8,889,659	-424,332
Appropriations.....	(11,363,460)	(12,380,439)	(12,356,079)	(+992,619)	(-24,360)
Rescissions.....	(-209,000)	---	(-399,972)	(-190,972)	(-399,972)
(By transfer).....	(289,731)	(312,137)	(312,137)	(+22,406)	---
Advance Appropriations, FY 2019:					
Mandatory.....	(103,935,996)	(107,709,727)	(107,709,727)	(+3,773,731)	---
Discretionary.....	(66,385,032)	(70,699,313)	(70,699,313)	(+4,314,281)	---
Advances from prior year appropriations:					
Mandatory.....	(102,515,876)	(103,935,996)	(103,935,996)	(+1,420,120)	---
Discretionary.....	(63,271,000)	(66,385,032)	(66,385,032)	(+3,114,032)	---
(Limitation on direct loans).....	(3,017)	(2,856)	(2,856)	(-161)	---
Discretionary.....	(77,522,887)	(83,067,313)	(82,642,981)	(+5,120,094)	(-424,332)
Advances from prior year less FY 2019 advances	(-3,114,032)	(-4,314,281)	(-4,314,281)	(-1,200,249)	---
Net discretionary.....	(74,408,855)	(78,753,032)	(78,328,700)	(+3,919,845)	(-424,332)
Mandatory.....	(103,952,801)	(107,722,166)	(107,722,166)	(+3,769,565)	---
Advances from prior year less FY 2019 advances	(-1,420,120)	(-3,773,731)	(-3,773,731)	(-2,353,611)	---
Net mandatory.....	(102,532,481)	(103,948,435)	(103,948,435)	(+1,415,954)	---
Total mandatory and discretionary.....	176,941,336	182,701,467	182,277,135	+5,335,799	-424,332
TITLE III - RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses.....	75,100	75,100	75,100	---	---
Foreign currency fluctuations account.....	---	---	---	---	---
Total, American Battle Monuments Commission.....	75,100	75,100	75,100	---	---
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses.....	30,945	33,608	33,600	+2,655	-8
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses.....	70,800	70,800	78,800	+8,000	+8,000
Armed Forces Retirement Home - Trust Fund					
Operation and maintenance.....	41,300	41,300	41,300	---	---
Capital program.....	1,000	1,000	1,000	---	---

DIVISION K - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Payment from General Fund.....	22,000	22,000	22,000	---	---
Total, Armed Forces Retirement Home.....	64,300	64,300	64,300	---	---
Total, title III.....	241,145	243,808	251,800	+10,655	+7,992
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS					
Overseas Contingency Operations					
Army.....	---	124,000	131,458	+131,458	+7,458
Additional funding for planning and design (P.L. 115-31).....	39,500	---	---	-39,500	---
Navy.....	38,409	---	13,390	-25,019	+13,390
Additional funding for construction (P.L. 115-31).....	66,708	---	---	-66,708	---
Subtotal.....	105,117	---	13,390	-91,727	+13,390
Air Force.....	11,440	207,200	275,522	+264,082	+68,322
Additional funding for construction (P.L. 115-31).....	93,000	---	---	-93,000	---
Subtotal.....	104,440	207,200	275,522	+171,082	+68,322
Defense-Wide.....	---	---	22,400	+22,400	+22,400
Army National Guard					
Additional funding for planning and design (P.L. 115-31).....	12,000	---	---	-12,000	---
Air National Guard					
Additional funding for construction (P.L. 115-31).....	13,000	---	---	-13,000	---
Army Reserve					
Additional funding for planning and design (P.L. 115-31).....	10,000	---	---	-10,000	---
Navy Reserve					
Additional funding for construction (P.L. 115-31).....	4,525	---	---	-4,525	---
Air Force Reserve					
Additional funding for planning and design (P.L. 115-31).....	9,000	---	---	-9,000	---
Subtotal.....	297,582	331,200	442,770	+145,188	+111,570
European Reassurance Initiative					
Army.....	18,900	15,700	15,700	-3,200	---
Navy.....	21,400	18,500	18,500	-2,900	---
Air Force.....	68,280	270,830	159,130	+90,850	-111,700
Additional funding for planning and design (P.L. 115-31).....	12,300	---	---	-12,300	---
Subtotal.....	80,580	270,830	159,130	+78,550	-111,700
Defense-Wide.....	5,000	1,900	1,900	-3,100	---
Administrative Provision					
Military Construction, Air Force (Sec. 101, P.L. 115-31) (rescission).....	-12,300	---	---	+12,300	---
Subtotal.....	113,580	306,930	195,230	+81,650	-111,700

DIVISION K - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES
 APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
 (Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Counterterrorism Support					
Air Force.....	8,571	---	---	-8,571	---
Total, title IV.....	419,733	638,130	638,000	+218,267	-130
Grand total.....	189,862,366	201,453,868	200,839,947	+10,977,581	-613,921
Appropriations.....	(19,638,267)	(22,406,698)	(22,311,319)	(+2,673,052)	(-95,379)
Rescissions.....	(-516,662)	---	(-518,412)	(-1,750)	(-518,412)
Rescission of OCO.....	(-12,300)	---	---	(+12,300)	---
Advance appropriations, FY 2019.....	(170,321,028)	(178,409,040)	(178,409,040)	(+8,088,012)	---
Overseas contingency operations.....	(432,033)	(638,130)	(638,000)	(+205,967)	(-130)
Advances from prior year appropriations.....	(165,786,876)	(170,321,028)	(170,321,028)	(+4,534,152)	---
(By transfer).....	(289,731)	(312,137)	(312,137)	(+22,406)	---
(Transfer out).....	(-289,731)	(-312,137)	(-312,137)	(-22,406)	---
(Limitation on direct loans).....	(3,017)	(2,856)	(2,856)	(-161)	---

DIVISION L - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
Investigations.....	121,000	86,000	106,000	-15,000	+20,000
Construction.....	1,876,000	1,020,000	1,697,500	-178,500	+677,500
Mississippi River and Tributaries.....	362,000	253,000	301,000	-61,000	+48,000
Operation and Maintenance.....	3,149,000	3,100,000	3,519,325	+370,325	+419,325
Regulatory Program.....	200,000	200,000	200,000	---	---
Formerly Utilized Sites Remedial Action Program (FUSRAP).....	112,000	118,000	118,000	+6,000	---
Flood Control and Coastal Emergencies.....	32,000	35,000	32,000	---	-3,000
Expenses.....	181,000	185,000	179,175	-1,825	-5,825
Office of Assistant Secretary of the Army (Civil Works).....	4,764	5,000	4,764	---	-236
	=====	=====	=====	=====	=====
Total, title I, Department of Defense - Civil... Appropriations.....	6,037,764 (6,037,764)	5,002,000 (5,002,000)	6,157,764 (6,157,764)	+120,000 (+120,000)	+1,155,764 (+1,155,764)
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project					
Central Utah Project Completion Account..... Bureau of Reclamation	10,500	8,983	8,983	-1,517	---
Water and Related Resources.....	1,155,894	960,017	1,091,790	-64,104	+131,773
Central Valley Project Restoration Fund.....	55,606	41,376	41,376	-14,230	---
California Bay-Delta Restoration.....	36,000	37,000	37,000	+1,000	---
Policy and Administration.....	59,000	59,000	59,000	---	---
	=====	=====	=====	=====	=====
Total, Bureau of Reclamation.....	1,306,500	1,097,393	1,229,166	-77,334	+131,773
	=====	=====	=====	=====	=====
Total, title II, Department of the Interior.... Appropriations.....	1,317,000 (1,317,000)	1,106,376 (1,106,376)	1,238,149 (1,238,149)	-78,851 (-78,851)	+131,773 (+131,773)
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy Efficiency and Renewable Energy.....	2,090,200	636,149	1,085,508	-1,004,692	+449,359
Electricity Delivery and Energy Reliability.....	230,000	120,000	228,500	-1,500	+108,500
Nuclear Energy.....	880,000	570,000	836,000	-44,000	+266,000
Defense function.....	136,616	133,000	133,000	-3,616	---
	=====	=====	=====	=====	=====
Subtotal.....	1,016,616	703,000	969,000	-47,616	+266,000
Fossil Energy Research and Development.....	618,000	280,000	668,000	+50,000	+388,000
Fossil proviso.....	50,000	---	---	-50,000	---
	=====	=====	=====	=====	=====
Subtotal.....	668,000	280,000	668,000	---	+388,000
Naval Petroleum and Oil Shale Reserves.....	14,950	4,900	4,900	-10,050	---
Strategic Petroleum Reserve.....	223,000	180,000	252,000	+29,000	+72,000
Sale of crude oil.....	-340,000	-350,000	-350,000	-10,000	---
Use of sale proceeds.....	340,000	350,000	350,000	+10,000	---
	=====	=====	=====	=====	=====
Subtotal.....	223,000	180,000	252,000	+29,000	+72,000
SPR petroleum account.....	---	8,400	---	---	-8,400
Sale of crude oil (Sec. 307).....	---	---	-8,400	-8,400	-8,400
Use of sale proceeds (Sec. 307).....	---	---	8,400	+8,400	+8,400
	=====	=====	=====	=====	=====
Subtotal.....	---	8,400	---	---	-8,400

DIVISION L - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Northeast Home Heating Oil Reserve.....	6,500	6,500	6,500	---	---
Energy Information Administration.....	122,000	118,000	118,000	-4,000	---
Non-defense Environmental Cleanup.....	247,000	218,400	222,400	-24,600	+4,000
Uranium Enrichment Decontamination and Decommissioning Fund.....	768,000	752,749	768,000	---	+15,251
Science.....	5,392,000	4,472,516	5,393,200	+1,200	+920,684
Nuclear Waste Disposal.....	---	90,000	90,000	+90,000	---
Advanced Research Projects Agency-Energy.....	306,000	20,000	---	-306,000	-20,000
Rescission.....	---	-46,367	---	---	+46,367
Subtotal.....	306,000	-26,367	---	-306,000	+26,367
Title 17 Innovative Technology Loan Guarantee Program.	37,000	2,000	2,000	-35,000	---
Offsetting collection.....	-30,000	-2,000	-2,000	+28,000	---
Rescission.....	---	-250,000	-411,000	-411,000	-161,000
Subtotal.....	7,000	-250,000	-411,000	-418,000	-161,000
Advanced Technology Vehicles Manufacturing Loans program.....	5,000	2,000	5,000	---	+3,000
Tribal Energy Loan Guarantee Program.....	9,000	---	500	-8,500	+500
Rescission.....	-9,000	---	---	+9,000	---
Subtotal.....	---	---	500	+500	+500
Departmental Administration.....	246,000	241,652	255,493	+9,493	+13,841
Miscellaneous revenues.....	-103,000	-96,000	-96,000	+7,000	---
Net appropriation.....	143,000	145,652	159,493	+16,493	+13,841
Office of the Inspector General.....	44,424	49,000	49,000	+4,576	---
Total, Energy programs.....	11,283,690	7,510,899	9,609,001	-1,674,689	+2,098,102
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons Activities.....	9,318,093	10,239,344	10,239,344	+921,251	---
Rescission.....	-64,126	---	---	+64,126	---
Budget amendment rescission.....	-8,400	---	---	+8,400	---
Subtotal.....	9,245,567	10,239,344	10,239,344	+993,777	---
Defense Nuclear Nonproliferation.....	1,902,000	1,842,310	1,825,461	-76,539	-16,849
Rescission.....	-19,128	-49,000	-49,000	-29,872	---
Subtotal.....	1,882,872	1,793,310	1,776,461	-106,411	-16,849
Naval Reactors.....	1,420,120	1,479,751	1,486,000	+65,880	+6,249
Rescission.....	-307	---	---	+307	---
Subtotal.....	1,419,813	1,479,751	1,486,000	+66,187	+6,249
Federal Salaries and Expenses.....	390,000	418,595	412,595	+22,595	-6,000
Total, National Nuclear Security Administration.	12,938,252	13,931,000	13,914,400	+976,148	-16,600
Environmental and Other Defense Activities					
Defense Environmental Cleanup.....	5,405,000	5,537,186	5,405,000	---	-132,186
Defense Uranium Enrichment Decontamination and Decommissioning.....	563,000	---	---	-563,000	---
Other Defense Activities.....	784,000	815,512	825,000	+41,000	+9,488

DIVISION L - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES
 APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
 (Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Defense nuclear waste disposal.....	---	30,000	30,000	+30,000	---
Total, Environmental and Other Defense Activities.....	6,752,000	6,382,698	6,260,000	-492,000	-122,698
Total, Atomic Energy Defense Activities.....	19,690,252	20,313,698	20,174,400	+484,148	-139,298
Power Marketing Administrations /1					
Operation and maintenance, Southeastern Power					
Administration.....	1,000	6,379	6,379	+5,379	---
Offsetting collections.....	-1,000	-6,379	-6,379	-5,379	---
Subtotal.....	---	---	---	---	---
Operation and maintenance, Southwestern Power					
Administration.....	45,643	30,288	30,288	-15,355	---
Offsetting collections.....	-34,586	-18,888	-18,888	+15,698	---
Subtotal.....	11,057	11,400	11,400	+343	---
Construction, Rehabilitation, Operation and					
Maintenance, Western Area Power Administration.....	273,144	267,686	232,276	-40,868	-35,410
Offsetting collections.....	-177,563	-174,314	-138,904	+38,659	+35,410
Subtotal.....	95,581	93,372	93,372	-2,209	---
Falcon and Amistad Operating and Maintenance Fund.....	4,070	4,176	4,176	+106	---
Offsetting collections.....	-3,838	-3,948	-3,948	-110	---
Subtotal.....	232	228	228	-4	---
Total, Power Marketing Administrations.....	106,870	105,000	105,000	-1,870	---
Federal Energy Regulatory Commission					
Salaries and expenses.....	346,800	367,600	367,600	+20,800	---
Revenues applied.....	-346,800	-367,600	-367,600	-20,800	---
General Provisions					
Title III Rescissions:					
Department of Energy:					
Energy Programs and PMAs.....	-81,063	---	---	+81,063	---
Atomic Energy Defense Activities (050).....	-13,740	---	---	+13,740	---
Fossil Energy Research and Development.....	-240,000	---	---	+240,000	---
Subtotal.....	-334,803	---	---	+334,803	---
Uranium lease and take-back revolving fund.....	---	10,000	---	---	-10,000
Uranium lease and take-back revolving fund initial					
capitalization.....	---	1,000	---	---	-1,000
Northeast gasoline supply reserve sale.....	---	-70,000	---	---	+70,000
=====					
Total, title III, Department of Energy.....	30,746,009	27,870,597	29,888,401	-857,608	+2,017,804
Appropriations.....	(31,181,773)	(28,215,964)	(30,348,401)	(-833,372)	(+2,132,437)
Rescissions.....	(-435,764)	(-345,367)	(-460,000)	(-24,236)	(-114,633)
=====					
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission.....	152,000	26,660	130,000	-22,000	+103,340
Defense Nuclear Facilities Safety Board.....	30,872	30,600	30,600	-272	---
Delta Regional Authority.....	25,000	2,500	15,000	-10,000	+12,500
Denali Commission.....	15,000	7,300	11,000	-4,000	+3,700
Northern Border Regional Commission.....	10,000	850	5,000	-5,000	+4,150
Southeast Crescent Regional Commission.....	250	---	250	---	+250

DIVISION L - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES
 APPROPRIATIONS ACT, FY 2018 (H.R. 3354)
 (Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear Regulatory Commission:					
Salaries and expenses.....	905,000	939,137	939,137	+34,137	---
Revenues.....	-794,580	-803,409	-779,829	+14,751	+23,580
Subtotal.....	110,420	135,728	159,308	+48,888	+23,580
Office of Inspector General.....	12,129	12,859	12,859	+730	---
Revenues.....	-10,044	-10,555	-10,555	-511	---
Subtotal.....	2,085	2,304	2,304	+219	---
Total, Nuclear Regulatory Commission.....	112,505	138,032	161,612	+49,107	+23,580
Nuclear Waste Technical Review Board.....	3,600	3,600	3,600	---	---
Total, title IV, Independent agencies.....	349,227	209,542	357,062	+7,835	+147,520
Appropriations.....	(349,227)	(209,542)	(357,062)	(+7,835)	(+147,520)
Grand total.....	38,450,000	34,188,515	37,641,376	-808,624	+3,452,861
Appropriations.....	(38,885,764)	(34,533,882)	(38,101,376)	(-784,388)	(+3,567,494)
Rescissions.....	(-435,764)	(-345,367)	(-460,000)	(-24,236)	(-114,633)

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling

DIVISION M - DEPARTMENT OF HOMELAND SECURITY
BORDER INFRASTRUCTURE CONSTRUCTION APPROPRIATIONS ACT (H.R. 3354)
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request

DEPARTMENT OF HOMELAND SECURITY					
U.S. Customs and Border Protection					
Procurement, Construction, and Improvements					
Border bollard fencing.....	---	---	784,000	+784,000	+784,000
Bollard levee wall.....	---	---	498,000	+498,000	+498,000
Secondary fencing.....	---	---	251,000	+251,000	+251,000
Planning for border wall construction.....	---	---	38,239	+38,239	+38,239

Subtotal, Procurement, Construction, and Improvements.....	---	---	1,571,239	+1,571,239	+1,571,239

Subtotal, U.S. Customs and Border Protection..	---	---	1,571,239	+1,571,239	+1,571,239

Total, Department of Homeland Security.....	---	---	1,571,239	+1,571,239	+1,571,239
=====					
Grand total.....	---	---	1,571,239	+1,571,239	+1,571,239
=====					

Mrs. LOWEY. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, I rise in strong opposition to this bill, which would turn back the clock on American excellence, following President Trump's lead on divesting from education, health, foreign assistance, science, and infrastructure.

The process for this bill has been outrageous, and this debate, frankly, is an utter waste of time. Just hours ago, Congressional leadership and the President agreed to pass a package including Hurricane Harvey assistance as well as a debt limit extension and a continuing resolution to keep government running until December 15. We should be working to pass that measure now so that we can work toward a bipartisan budget agreement instead of wasting days on a bill that undercuts economic growth and priorities on which families rely, and is so hyperpartisan it will never earn the Democratic support needed to be enacted.

Breaking from longstanding tradition that enables Members to advance amendments in an open process, the Rules Committee required amendments be submitted 12 days ago during the District work period and reported a restrictive, structured rule for relatively few of them so far.

The majority denied consideration of many amendments that would address timely, high-profile challenges, some of which cut to the core of our democracy, and would have been allowed under an open rule. In one of the most egregious examples, the majority blocked an amendment to provide safeguards to ensure the integrity of government reports on violent domestic extremism, the likes of which erupted in Charlottesville in recent weeks, resulting in the death of a young woman exercising her right to freedom of speech.

Not only were amendments to address the President's revocation of DACA deemed out of order, in an affront to the Appropriations Committee and to this institution, the majority removed a bipartisan amendment passed in committee that would have allowed DREAMers to work for the Federal Government.

My friends, we have a responsibility to pass the DREAM Act now. It is absurd that, after years of receiving bipartisan majority support, Republican leadership has refused to allow a vote.

The Rules Committee should make in order amendments to protect the integrity of our elections and the independence of the special counsel's Russia investigation.

This bill also fails on the merits. The nondefense bills are below sequestration levels set in law, slashing funding for teacher training, apprenticeship grants to help young adults train for good jobs, law enforcement grants that help keep our communities safe, envi-

ronmental protections that ensure we drink clean water, breathe clean air, highway and transit grants that improve the quality of life for our constituents, and a number of scientific and research programs that are important for global competitiveness.

This bill is littered with riders with deep-rooted opposition, like cutting funding for Planned Parenthood. If the majority is serious about governing, loading must-pass spending bills with these policy riders is a surefire way to fail.

Turning to the State and Foreign Operations division of the bill, I want to thank Steve Marchese, Erin Kolodjeski, and Matt Washington with the subcommittee; Liz Leibowitz and Dean Fischer from my office; Craig Higgins, Susan Adams, Clelia Alvarado, David Bortnick, Winnie Chang, Lacy Kilrairie, Megan O'Donnell, and Alex Pinson with the majority.

Diplomacy and development efforts are critical to protecting our country's national security and building stronger and more stable communities around the world. That is why cuts in this division are so deeply troubling.

As demonstrated through both the President's unworkable request and the subcommittee's unsustainable allocation, the majority does not fully embrace the vital role diplomatic and development activities add to our national security and economic interests abroad.

On the positive side, the bill sustains our bipartisan and unwavering support for our close ally and partner Israel, as well as Jordan. And I do appreciate Chairman ROGERS protecting resources for basic education, water, sanitation, democracy, and some vital women's programs, which provide communities the foundations for inclusive economic growth and poverty reduction.

While he rejected the most extreme proposals in the President's budget, the allocation is insufficient to respond to global challenges. We must reverse dangerous and shortsighted cuts for programs such as multilateral cooperation, international family planning, and climate change, as well as the expansion of the Global Gag Rule to all global health programs, and the prohibition on U.S. contributions to UNFPA.

The Rules Committee should have made in order amendments I submitted to strike the expansion of the Global Gag Rule and the ban on funding for the United Nations Population Fund, and to restore essential funding for international development and diplomacy.

Despite the administration's professed hope that other nations will fill the gaps created by cuts in this bill, we are at risk of that void being filled by those who oppose our values and interests, leaving the world far different from what we want for our children and grandchildren.

It is time for the majority to set aside its most extreme proposals, including the border wall and interior immigration enforcement, and work with Democrats to write bipartisan legislation that could actually be enacted.

Mr. Chairman, I urge a "no" vote, and I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the State and Foreign Operations Subcommittee, my predecessor as full chairman.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise today in strong support of the fiscal year 2018 appropriations measure before us today. The committee, as the chairman said, has worked at a historic pace to produce a bill that reflects the priorities of the American people. Chairman FRELINGHUYSEN should be recognized for his leadership in bringing this legislation through committee and before the House in record time.

While the entirety of the package should be supported, I want to highlight, Mr. Chairman, the funding provided for the Department of State and Foreign Operations. This portion of the bill reduces international diplomatic and development programs by \$10 billion, a 17 percent reduction from fiscal year '17. In a tough budget environment, the bill strikes a delicate balance between fiscal responsibility and support for continued U.S. leadership and foreign aid.

First and foremost, over \$6 billion is allocated for embassy security, which will enable the State Department to safeguard American diplomatic facilities overseas, in line with the recommendations of the Benghazi Accountability Review Board.

Second, the bill contains \$8.4 billion for security assistance to support key U.S. allies and partners. The U.S.-Israel Memorandum of Understanding is fully funded at \$3.1 billion. The bill also maintains foreign military financing for Egypt, Jordan, Tunisia; and it increases security assistance for Ukraine, and provides extra support for other countries facing Russian aggression.

In our own hemisphere, the bill will help counter transnational criminal organizations and the flow of illegal drugs by supporting our partnerships with Colombia, Central America, and Mexico.

Third, the bill promotes American values around the world by maintaining funding for key democracy programs.

Fourth, the bill continues our country's strong tradition of helping the most vulnerable, providing \$8.3 billion for global health programs and over \$5.9 billion for humanitarian assistance. At the same time, the bill protects and preserves life by embracing

an expanded Mexico City policy, prohibiting funding for the U.N. Population Fund, and continuing all pro-life riders carried in prior House bills.

Finally, at a time when we must remain focused on balancing Federal spending, this bill eliminates many programs, aims to improve oversight and management, and makes our government more accountable. No funds are provided for President Obama's Global Climate Change Initiative. Funding for the U.N. is reduced by \$900 million, and international banks and financial institutions are cut by over \$800 million.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. ROGERS of Kentucky. Mr. Chairman, this legislation advances both our national security and economic interests. I urge support for the bill.

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Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. SERRANO), the ranking member of the Subcommittee on Commerce, Justice, Science, and Related Agencies.

Mr. SERRANO. Mr. Chairman, I thank Ranking Member LOWEY.

I wish we could be here under other circumstances. The process to consider the CJS portion of this bill as part of an omnibus package is not in keeping with how the appropriations process should work. Each bill should be given individual consideration under an open rule.

Some on the other side are cheering this floor process, which is ironic given their years of opposition to such a lumped-together package.

I am not sure what has changed their minds today, and at this point we don't even know if Members will be allowed to offer amendments that are necessary to improve half of the bill and rein in this out-of-control administration because the Rules Committee has not yet provided us with that information.

I also wish that the substance of what we are considering this week were better. As the ranking member of the CJS Subcommittee, I can say that the CJS portion of this bill received an inadequate allocation. After scorekeeping adjustments, the bill includes an approximately 1 percent cut below fiscal year 2017. This is far below the level needed to adequately fund the programs in this bill which are crucial to economic development, scientific innovation, and protecting our Nation's cherished constitutional values.

Before we touch upon these serious problems, let me mention some areas where both sides agree. I do want to commend Chairman CULBERSON for rejecting several of the worst ideas in the Trump administration's budget. This

includes rebuffing proposals that would have reduced research funding at the National Science Foundation and eliminated the Minority Business Development Agency. This bill also rejects cuts to educational efforts in the NSF, NASA, and a proposed cut for the FBI.

Unfortunately, far too many of the President's terrible proposals are given credence by this legislation. The Legal Services Corporation, the Manufacturing Extension Partnership Program, and the Economic Development Administration all absorb significant cuts below the current funding level. The Census Bureau is greatly underfunded and will be unable to complete the important and necessary work that must be done now to prepare for the 2020 Census.

A number of other programs are shortchanged, including climate change research programs at NSF and NOAA, several National Weather Service initiatives, and a number of DOJ grant programs, like the COPS Hiring Program and several police reform grant programs. Democrats and Republicans, alike, support most, if not all, of these programs, but we simply cannot fix these problems under this allocation.

I am also troubled that this bill allows many of the administration's most disturbing priorities and initiatives related to immigration and civil rights to move forward without the necessary congressional oversight. In the wake of Charlottesville and Tuesday's DACA decision, there are many in this country who are justifiably questioning the President's commitment to tolerance, fairness, and inclusiveness.

The Trump administration's budget request for the Department of Justice raises those questions as well. A proposal to harm immigrants by increasing criminal enforcement is funded in this bill. There is no attempt to limit the Department's actions to undermine affirmative action, support voter restriction that disproportionately hurts minority populations, and ignore LGBT protections. Many of these ideas have long been rejected by the American people, but the President and the Attorney General continue to give them credibility.

Democrats and Republicans have offered amendments to limit the reach of these drastic policy changes, but at this point, it is unclear whether any of these amendments will be made in order. I hope we will have a serious opportunity to make changes to this bill, but that seems unlikely.

In its current form, I cannot support this portion of the bill or the bill as a whole.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Alabama (Mr. ADERHOLT), chairman of the Agri-

culture Subcommittee on Appropriations.

Mr. ADERHOLT. Mr. Chairman, it is my distinct honor to bring the fiscal year 2018 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies bill before you today as part of the Make America Secure and Prosperous Appropriations Act.

I do want to thank Chairman FRELINGHUYSEN for his commitment to the annual appropriations process. Under his steadfast leadership, the House is scheduled to vote on all 12 appropriations bills, which is an extraordinary achievement.

I would also like to thank Ranking Member LOWEY and Ranking Member BISHOP for their cooperative spirit. Mr. BISHOP is the new ranking member for the Agriculture Subcommittee, and I have enjoyed working with him over the past several months as we have moved forward to try to help rural America and rural communities.

The Agriculture Appropriations bill responsibly targets funds to national programs that provide the most benefit to the American people and to the United States economy. The bill received bipartisan support throughout the process, even though much of the funding and policies reflect a conservative policy.

The overall total for both discretionary and mandatory spending in the bill equals \$144.9 billion. That is \$4.1 billion above the President's request and \$8.6 billion below the FY17 enacted level. The bill includes \$20 billion in discretionary budget authority, which is \$1.1 billion below the FY17 enacted level when adjusting for the Commodity Futures Trading Commission. The mandatory funds in this bill support USDA's farm production, conservation, crop insurance, and nutrition programs.

I would like to thank all the Members who have submitted requests and gave input as we have moved forward and crafted this legislation. Knowing what programs Members are interested in has helped us direct funding to support rural communities across the country and also combat animal and plant pests and disease threats, promote U.S. agricultural exports, support food safety and medical product safety, provide U.S. commodities to those in need overseas, and address the critical needs of research.

We protected our most vulnerable populations in this bill by providing funding for all of USDA's nutrition programs at levels that ensure all eligible participants will receive the nutrition assistance that they need. We made sure that the farm loan programs will meet current estimates of demand during the current economic downturn in several areas of the farm economy.

Furthermore, the bill provides \$5.2 billion to the Food and Drug Administration, including the preservation of

nearly \$2.8 billion in discretionary resources to assist the FDA in protecting and promoting public health. The bill continues to support the food safety activities associated with the Food Safety Modernization Act and provides \$60 million in new funds to the 21st Century Cures Act.

In closing, I would like to especially thank the staff on the Agriculture Appropriations Subcommittee, my personal staff, the minority staff, and Mr. BISHOP's staff.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chair, I yield an additional 15 seconds to the gentleman to thank the staff.

Mr. ADERHOLT. Mr. Chair, I appreciate, again, the bipartisan cooperation that went into crafting this bill. It is very important.

Mr. Chair, I would ask my colleagues to support this legislation.

Mrs. LOWEY. Mr. Chair, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), who is the ranking member of the Subcommittee on Energy and Water Development, and Related Agencies.

Ms. KAPTUR. Mr. Chair, I want to thank Ranking Member LOWEY for yielding me time. Thank you to all members of the committee for the long hours you have dedicated to these bills, certainly our chairman, RODNEY FRELINGHUYSEN. The artificially low allocations you were given have resulted in a package that I cannot support, but I want to note your efforts to find compromise where it was possible.

Though the House passed the Energy and Water bill as part of July's Christmas tree minibus, I am back down here today because the Republican majority has harmed the Department of Energy's funding for the Advanced Technology Vehicles Manufacturing Loan Program, or, as they call it, the ATVM. It has been gutted as a pay-for to cover another shortsighted Republican cut to a Federal Emergency Management program.

Today's rule allowed this boneheaded Republican action, plotted just weeks ago before Mother Nature's catastrophic fury hit Texas with Hurricane Harvey. It doesn't look good to the American people when the majority cuts programs that are desperately needed. It doesn't serve America's future if money is pulled from developing engine technologies to increase fuel economy of cars, expand domestic manufacturing, and create good-paying American jobs.

Unless you live under a rock, you know these initiatives are both popular and effective and necessary: 61 percent of Republicans in Ohio support the requirement of getting to an average of 40 miles per gallon in new cars by 2025, with 73 percent of the public, overall, supporting that.

The Department of Energy's Advanced Technology Vehicle program

supported Ford's development of the EcoBoost engine, which is built in Ohio at Brook Park, in my own district. Advanced Vehicle Research supported the development of all-electric vehicles, from Nissan's Leaf in Tennessee to Tesla's Model S in California. It supports America's competitiveness in a fiercely competitive and tough global marketplace that is, many times, not on the level.

We should support innovation and collaboration, not eliminate job-creating programs. I will fight to preserve this program in the final spending package.

The CHAIR. The time of the gentlewoman has expired.

Mrs. LOWEY. Mr. Chair, I yield an additional 1 minute to the gentlewoman.

Ms. KAPTUR. Mr. Chair, thus, I encourage all my colleagues to oppose this sort of backward maneuver and oppose the final bill.

In closing, I would like to say, and to acknowledge publicly, a very big thank you and congratulations to Taunja Berquam on her upcoming retirement from Congress. I know she will have a bright future ahead.

After her distinguished and exemplary service with the Army Corps of Engineers, including in Iraq, she dedicated over a decade of her brilliant life and mind to the important task of managing the Appropriation's Energy and Water Development, and Related Agencies Subcommittee accounts during my tenure as ranking member, as well as for Representative PETER VISCLOSKEY before me.

Taunja's high-minded commitment to democratic principles is unyielding. Our committee is losing a trusted and honorable adviser. Her expertise and no-nonsense approach served our members, the staff, and the American people extraordinarily well.

Taunja, you will be missed, and you can leave knowing that you made a positive difference for America's future in nuclear readiness, in our energy future security, and in vital Army Corps development from coast to coast. We thank you.

Mr. FRELINGHUYSEN. Mr. Chairman, let me associate myself with the remarks of Ms. KAPTUR.

Taunja, thank you for your service to our Nation, your help to both Republicans and Democrats, and to the Nation. We are indebted to you. Good luck to you.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. CULBERSON), the chairman of the Commerce, Justice, Science, and Related Agencies Subcommittee, who spoke so eloquently this morning.

Mr. CULBERSON. Mr. Chairman, first of all, I want to thank everyone here in the House for their kind words and their prayers and their support this morning for the Hurricane Harvey

relief bill. I want to thank you in particular, Chairman FRELINGHUYSEN, for your hard work, along with the Speaker, to get that legislation passed through the House in record time to get relief to the people of Texas and Louisiana, and know that we are praying for the people of Puerto Rico and Florida who are facing this terrible hurricane right now.

Today, I am pleased to present the fiscal year 2018 Commerce, Justice, Science, and Related Agencies Appropriations bill.

I want to particularly thank my ranking member, JOSÉ SERRANO, who has been a good partner to work with and for his support when it comes to science, and NASA has deeply appreciated it. His input has improved the bill significantly.

I am also very grateful to Chairman FRELINGHUYSEN and Ranking Member LOWEY for their help in writing this bill, and the superb staff work on both sides of the aisle in putting it together.

□ 1700

This Commerce, Justice, Science, and Related Agencies bill provides \$54 billion in discretionary funding this year, which is \$2.6 billion below fiscal year 2017.

We have done our best to be good stewards of our constituents' hard-earned and very precious tax dollars. We fund critical programs in this bill while cutting or freezing lower priority programs.

One of the main priorities of the Commerce, Justice, Science, and Related Agencies bill is to fund both Federal and local law enforcement agencies. Our bill provides the FBI with \$8.8 billion, which is a \$92 million increase over the budget request.

The FBI has done a superb job in protecting this Nation against espionage, cybercrime, terrorism, and hate crimes. The threats against our security are real and evolving. We have done our best in this bill to make sure that the FBI has the resources it needs to continue to protect this great Nation.

The Commerce, Justice, Science, and Related Agencies bill also provides increases across all other Federal law enforcement agencies, Mr. Chairman, to enhance their capabilities, to combat illegal immigration, violent crime, and go after human and opioid traffickers. Unfortunately, Houston, Texas, is a center of human trafficking. And our legislation makes sure that all Federal agencies have the resources they need to combat these modern human slaves.

We have provided funding for 65 new immigration judge teams to reduce the 500,000 immigration case backlog; we have got a \$22 million increase in here, Mr. Chairman, for U.S. attorneys, an \$88 million increase for U.S. marshals, a \$98 million increase for the DEA, and a \$35 million increase for ATF.

We have also provided strong funding for priority State and local law enforcement programs that protect women and children and help support our local police officers. I am especially grateful, and I want to say a special thank you, to all of the first responders who saved so many lives in Houston and across southeast Texas and southwest Louisiana. Our first responders have been absolutely magnificent in helping protect the people of Texas, and I know they will be there for the people of Puerto Rico and Florida.

Our legislation includes \$527 million to fight human trafficking and protect women against violence. We have provided \$72.5 million to help protect missing and exploited children. We have provided \$500 million for the Byrne JAG program to help local law enforcement agencies and \$220 million to help reimburse State and local agencies for housing criminal aliens.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chair, I yield an additional 30 seconds to the gentleman from Texas.

Mr. CULBERSON. Mr. Chair, the bill also provides \$19.9 billion for NASA, which is a \$218 million increase, and the bill advances space exploration and ensures America will remain the world leader in space exploration and technology.

The bill makes sure that the human spaceflight program is fully funded and that we will have Americans launched back into space on American-built rockets as soon as humanly possible.

The bill does not adopt the proposed cut to the National Science Foundation, and we have continued to fund basic scientific research.

We have included numerous oversight provisions, Mr. Chairman, to protect hard-earned taxpayer dollars, and we have also continued provisions included in previous year bills to protect our Second Amendment rights.

Mr. Chair, I thank the chairman for the time and urge all Members to support the CJS bill.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip.

Mr. HOYER. Mr. Chair, I thank the gentlewoman for yielding. Initially, I want to say that I hope that very soon, in a bipartisan way, we will bring a DACA bill to this floor.

Let me quote what President Trump said last night. Trump tweeted that he wanted to "legalize DACA," another call to action, and further muddled where the administration stood and what it would do.

He said: We need to come together and do this, and we really have no choice.

Now, I want to speak about this bill. As the chairman knows, and as the

ranking member knows, I served on the Appropriations Committee for 23 years, so I have taken leave of absence because I am one of the leaders on our side of the aisle.

For most of those years, we worked in a bipartisan fashion. This is a partisan bill. It is sad, and it is not regular order at all. Regular order is doing one bill after another until you have passed the 12 bills. In fact, I don't think I have ever seen this process done in this fashion.

When I was the majority leader, the first year we passed all 12 bills individually, discretely, separately, and sent them to the Senate before the August break.

HAL ROGERS, the former chairman of this committee, said of the President's budget: "While we have a responsibility to reduce our Federal deficit, I am disappointed that many of the reductions and eliminations proposed in the President's skinny budget are draconian, careless and counterproductive." I think the same could be applied to the budget that is before us.

The omnibus appropriations package the House is considering this week is, as all of us here recognize—all of us recognize—the chairman, I have great respect for, and I am not going to ask him publicly whether he thinks the Senate is going to adopt any one of these bills, but I know his answer.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. Mr. Chair, I yield an additional 1 minute to the gentleman from Maryland.

Mr. HOYER. Mr. Chair, let me say to my colleagues, this is not the way to do it. JOHN MCCAIN gave a compelling speech on the floor of the United States Senate as he was challenged with a brain tumor and thinking deeply about what we ought to do. And he said: We need to act together. We need to be bipartisan. We need to do the people's work in a way they expect us to do it: together.

Mr. Chairman, this bill is not going to get a Democratic vote. That is sad. It is sad for the House; it is sad for the country; and it is sad for the people who will be shortchanged by this bill.

I urge my colleagues to vote "no," and I urge the majority party to return to the table, as surely we will, to work in a bipartisan fashion to construct bills that we can all be proud of.

There will be compromises. We won't get all that we want, but they will be bills that the American people can be proud of and that this House can be proud of. Let us return to the bipartisan comity and respect for one another that so long prevailed in the Appropriations Committee. How sad we have fallen to this place.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Homeland Security

Subcommittee on Appropriations. As I learned this morning, he is a true son of Houston, whose eloquence and compassion we heard this morning.

Mr. CARTER of Texas. Mr. Chairman, I want to thank Mr. FRELINGHUYSEN and Mrs. LOWEY for all the work that we did together on this bill. The whole bill is a good bill. It deserves this House's support.

But I am here to present the Department of Homeland Security Appropriations bill for fiscal year 2018, which, in turn, deserves your support. This is a good bill that is essentially for the security of our Nation. It not only funds vital security and law enforcement capabilities, but it also restores funding for critical Federal assistance grant programs and disaster relief.

As importantly, it provides the oversight essential to ensure the Department's actions are in accordance with congressional intent.

Let's look at it. For CBP, \$1.6 billion for 74 miles of border wall construction that was previously included in the Make America Secure Appropriations Act that was passed in July.

In addition to the funding for the wall construction, this bill will fund additional border patrol agents and virtually all of the technology, infrastructure, and assets needed for the security of our borders.

For ICE, this bill funds 44,000 detention beds; 10,000 more beds than were funded in 2016; almost 4,700 more than the number funded in 2017.

This bill will strengthen ICE's ability to enforce immigration laws and conduct investigations into human trafficking, child exploitation, and transnational crime.

For TSA, although the bill does not include the proposed increase in aviation security fees, it fully funds required transportation security screeners.

For the Coast Guard, all major acquisition programs are funded at the required level: the polar icebreaker, the offshore patrol cutter, and the fast response cutter.

For FEMA, the bill fully funds the request for disaster assistance. It restores nearly \$940 million to the Federal assistance for first responder grants and education training exercises. Additionally, the bill fully funds all cybersecurity acquisition requirements at the requested levels, fully funds the Secret Service, and fully funds E-Verify.

In conclusion, my colleagues, this bill strengthens the security of our Nation. It also sends a powerful message that if you break our Nation's laws and cross the border illegally, you will suffer the consequences: apprehension and a guaranteed stay in detention.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member of the Committee on Transportation, Housing and Urban Development, and Related Agencies.

Mr. PRICE of North Carolina. Mr. Chairman, I thank our ranking member for yielding, and I thank her and our chairman for their good work.

I must still rise, however, in opposition to the fiscal 2018 Transportation, Housing and Urban Development, and Related Agencies bill, and the Republican Omnibus bill.

I want to stress, Mr. Chairman, that I am heartened, as I imagine every Member of this body is heartened, by the bipartisan cooperation we have been able to muster to reach out to our neighbors in Texas and Louisiana who have been so devastated. It is the same kind of solidarity and cooperation that I know we will muster, whatever the need is after Irma reaches our shores. We anticipate that storm with a great deal of concern and apprehension.

We have a history in this body of pulling together when it matters for our neighbors whenever disasters strike. That kind of cooperation is absolutely essential to who we are as a country and who we are as an institution.

Mr. Chair, I want to urge that we bring that same spirit of cooperation, that same understanding of the historic cooperation that has characterized appropriations, to our larger appropriations challenge. After all, this is the power of the purse. This is our main constitutional power, and history shows it works best when it is exercised cooperatively, no matter who the President is or what the party division is.

We need to work in a cooperative fashion to make sure that this power is just as effectively and responsibly exercised as possible. This eight-bill exercise in which we are engaged today is a deeply flawed process. We need to overcome this, and I believe eventually we will, with a bipartisan budget agreement such as we have had each of the last 4 years. This will let us cooperatively write appropriations bills that address our country's needs. But that is not where we are today, Mr. Chairman.

I do want to give the chairman of our subcommittee, MARIO DIAZ-BALART of Florida, credit for an open and collaborative process, but he and the subcommittee have been dealt an inadequate hand. We simply can't do what needs to be done with this allocation.

In the case of the T-HUD bill, we have only appropriated \$56.5 billion for vital transportation, housing and community development programs, and that is \$1.1 billion less than the enacted level. We have got to do better than this. We have got to do right by our country's infrastructure needs.

One of the most egregious omissions in this bill is funding for the TIGER program. This is a program that has addressed infrastructure needs across our country. Estimates are that we are addressing only 5 percent of the meri-

torious projects put forward under TIGER.

I can tell you about one project we are funding. I visited it last week: Union Station in Raleigh, North Carolina, a beautiful multimodal facility that is going to facilitate passenger rail, transit, buses, intermodal transportation, and it is going to revitalize a landmark downtown district.

□ 1715

That is an ideal use of TIGER funds. Communities all over this country need that sort of investment, yet this bill zeros that program out completely. It also cuts New Starts for transit—Capital Investment Grants—by \$659 million.

Now, I give the chairman credit for including bill language to ensure that the FTA continues to rate and review projects in the New Starts pipeline, but at this funding level, only a few of those projects can actually be funded. Our cities across this country are eager to institute transit programs. They have gone through all the steps to do this responsibly. We need to keep faith with those communities by improving on this aspect of our bill.

Over at HUD, the Choice Neighborhoods program—formerly called HOPE VI—that has transformed dozens of public housing developments into thriving, mixed-income communities, receives only \$20 million in this bill compared to \$137 million in the fiscal '17 bill. Now, I recognize this is a placeholder amount, and I look forward to working to improve this number moving forward.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. Mr. Chairman, I yield an additional 1 minute to the gentleman.

Mr. PRICE of North Carolina. Additionally, the Community Development Block Grant and HOME programs are each cut by \$100 million in this bill despite bipartisan calls from local elected officials across the country to preserve those funding streams.

We are in the midst of a housing crisis nationally. Only one in four people eligible for Federal rental assistance can receive it. We have a huge public housing capital backlog, and our infrastructure continues to crumble, resulting in decaying highways and bridges and congested roads. We should be increasing our commitment to meet these housing and transportation needs, not shortchanging them. We have done this for far too long already.

We have returned again and again to appropriations, especially domestic appropriations, to bear the whole brunt of deficit reduction. The results are a disaster for our economy and for the work of our appropriations committees.

It is truly the worst of both worlds. We are not really addressing the main

drivers of the deficit, yet we are doing untold damage to critical national investments.

I strongly object also to several policy riders in this bill. They unnecessarily attack high-speed rail, they roll back transportation safety, and they harm labor rights.

No number of amendments offered today can fix this bill. I remain hopeful that ultimately we can get a serious budget agreement. In the meantime, I urge my colleagues to reject this omnibus bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. CALVERT), who is the chairman of the Appropriations Committee's Interior, Environment, and Related Agencies Subcommittee.

Mr. CALVERT. Mr. Chairman, it is my distinct honor to bring to the House floor the fiscal year 2018 Interior, Environment, and Related Agencies appropriations bill.

Before I go into the details of the bill, I would like to commend Chairman FRELINGHUYSEN for his commitment to the appropriations process. Under Chairman FRELINGHUYSEN's leadership, the committee has moved its bills through the full committee and is now bringing all 12 fiscal year 2018 bills to the House floor.

As reported by the Appropriations Committee, the fiscal year 2018 Interior and Environment bill is funded at \$31.456 billion, which is \$824 million below the fiscal year 2017 enacted level and \$4.3 billion above the budget request.

This legislation makes a concerted effort to prioritize critical needs within our allocation while also addressing specific interests and concerns brought to our attention through more than 5,000 individual Member requests.

In the interest of time, I won't outline all of the programs and activities funded in this bill, but I would like to point out a few highlights. The committee has provided robust wildland fire funding in this bill. Fire suppression accounts are again fully funded at the 10-year average level, and the bill increases funding for hazardous fuels reduction.

The bill funds the Payments in Lieu of Taxes, PILT, program at the fiscal year 2017 enacted level. Rural counties in 49 of the 50 States rely on these funds to make up for lost tax revenue.

Overall, funding for the EPA is reduced by \$534 million, or 6.5 percent, from last year. This legislation provides \$5 billion worth of investment in water infrastructure through funding in the WIFIA program and the Clean Water and Drinking Water revolving loan funds. This bill also provides increases to accelerate the cleanup of contaminated Superfund and Brownfield sites. These programs help create jobs and spur economic development in communities across the country.

The bill provides \$2.9 billion for the National Park Service. It increases the construction account by \$10 million and maintains increases provided last year to address longstanding park operations and deferred maintenance needs.

We have also addressed a number of concerns within the Fish and Wildlife Service accounts. The bill restores core programs and popular grant programs to fiscal year 2017 enacted levels. It also restores funds to combat international wildlife trafficking, protects fish hatcheries from cuts and closures, continues funding to fight invasive mussels and Asian carp, and reduces the backlog of species that are recovered but not yet delisted.

The bill provides \$275 million for Land and Water Conservation Fund programs that enjoy bipartisan support.

The West Coast, and my home State of California in particular, is counting on the expertise of the USGS to make earthquake early warning systems operational. This bill provides \$10.2 million for this public safety program that will protect millions of lives and critical infrastructure.

The bill also makes critical investments in Indian Country—a top priority of the committee. It honors our commitment to Native Americans with particular emphasis on Indian health, law enforcement, education, and water settlements.

In closing, I would like to thank the staff on both sides of the aisle who have worked long hours on this legislation. On the minority side, I would like to thank Rita Culp, Jocelyn Hunn, and Rebecca Taylor. On the majority side, I would like to thank Darren Benjamin, Betsy Bina, Jason Gray, Jackie Kilroy, Kristin Richmond, and Dave LesStrang, our chief clerk from the committee staff; as well as on my personal staff, Ian Foley, Rebecca Keightley, Tricia Evans, and Dave Kennett for a job well done.

Lastly, I would like to thank my good friend and ranking member, BETTY MCCOLLUM, for working with me to address a number of critical needs throughout the bill. While we may disagree on some issues, we are never disagreeable with each other and we continue to work well together.

Mr. Chairman, this is a good bill, and I urge its adoption.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO), who is the outstanding ranking member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Ms. DELAURO. Mr. Chairman, I rise in opposition to this bill. While I am glad to see the Labor, Health and Human Services, Education, and Related Agencies bill on the floor, this is the first time it has been considered

with amendments since the 2010 appropriations cycle. But even with that, I cannot support the underlying bill.

I will be blunt. This process is a sham. The combined omnibus would violate the Budget Control Act caps. It triggers a sequester of \$72 billion from the Department of Defense. I am troubled to see the Labor-HHS bill, once again, bearing the brunt of Republican budget cuts.

The overall cuts to nondefense discretionary spending is \$8 billion, and the Labor-HHS bill is cut by more than \$5 billion. This cut, by the way, is completely unnecessary because the allocations that we approved are approximately \$5 billion below what they have said we need for nondefense spending, which is allowed under the Budget Control Act. We have the resources available, yet the majority refuses to allocate them to the essential programs funded through this bill.

I will also note that when adjusting for inflation, the Labor-HHS bill is approximately \$30 billion below what it was in 2010.

Instead of moving this bill, we ought to be negotiating a bipartisan budget deal to lift the sequestration caps on both defense and nondefense programs, then we could begin working on a bipartisan basis to draft a reasonable Labor-HHS bill that adequately funds the programs that support the middle class.

The biggest economic challenge of our time is that too many people are in jobs that just don't pay them enough to live on. The programs in this bill provide opportunities for hardworking Americans to improve themselves and for our economy to grow. We need a country that works for the middle class and the vulnerable, not just the wealthy and those with the most lobbyists.

Right now, we grow jobs, but not incomes. The Federal Government has long played a key role in helping American workers learn and grow through workforce development and connecting businesses with talent. But the programs that help grow our economy, educate our students, and protect our women and seniors cannot operate if the Labor-HHS bill is starved for funding, which is why I oppose the underlying bill.

I admit that there are a few bright spots. I strongly support the increases for NIH research, emergency preparedness, special education, and the TRIO and GEAR UP programs. Unfortunately, the modest increases in this bill are far outweighed by decimating cuts to programs that ought to be seeing increases.

This bill fails our students and is fundamentally anti-teacher. It fails to make new investments in Title I. It eliminates \$2 billion for supporting effective instruction grants—what that is is teacher training.

This bill's approach to women's health pushes a dangerous and harmful ideological agenda and eliminates funding for Title X Family Planning. It also eliminates the Teen Pregnancy Prevention Program, and it includes ideological riders that would block funding for Planned Parenthood and effectively block lifesaving research that use stem cells from fetal tissue.

The bill cuts access to the Mental Health Block Grant and the Substance Abuse Prevention Program. It cuts nurse training, tobacco prevention, and it completely eliminates the Minority HIV/AIDS Initiative.

It hurts workers by eliminating the Employment Service, which helped nearly 6 million unemployed workers, including veterans, find jobs in 2015. It eliminates grants expanding the highly effective Registered Apprenticeship model that connects jobseekers with good-paying jobs that employers are desperate to fill. It also cuts funding for other job training programs like Job Corps and the Dislocated Workers Program.

Why would we eliminate programs that for so long have been about economic opportunity and a ladder to the middle class?

There are the riders, which I mentioned. This bill blocks funding for the Affordable Care Act. It continues to prohibit funding for gun violence prevention, which has had a chilling effect on gun violence research.

Finally, it prohibits the Department of Labor from ensuring that financial advisers act in the best interests of their clients. This week we expect to see several more harmful riders added to the bill.

At full committee markup, we proposed more than 40 amendments to strengthen and improve this bill, but the majority rejected all of them.

Mr. Chairman, I urge my colleagues to oppose this minibill because the funding in this bill fails to meet our country's needs, and it breaks our promises to women, to seniors, to students, and to our workforce.

While I am strongly opposed to this bill, I do want to thank the committee staff—majority and minority—the ranking member; the chair of the committee; and the chair of the subcommittee, Mr. COLE.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I yield to the gentleman from North Carolina (Mr. HUDSON) for the purpose of a colloquy.

Mr. HUDSON. Mr. Chairman, I would like to begin by expressing my appreciation to Chairman FRELINGHUYSEN and Interior Subcommittee Chairman CALVERT for their strong leadership and good work on this legislation and to thank them for this opportunity to speak today.

I rise to advocate on behalf of the U.S. national forests and their upkeep, specifically through the capital improvements and maintenance program. This program provides funding to pave our national forest roads, such as those within the Uwharrie National Forest located in my district.

Each year, the U.S. Forest Service is given funding to maintain roadways across our Nation. While they do their best to sustain roadways and trail access points, they can only do so much with the resources they are given. These roadways are an integral part of ensuring critical public access to our U.S. forestlands.

Unfortunately, many of our national forest roadways have become severely eroded from travel, age, and the elements. The erosion has created problems for those who visit the Uwharrie National Forest as well as those who access these roads to travel to and from their homes. First responders have also not been able to reach residents in emergencies due to road conditions in recent years, causing major safety risks for people who live along these roads.

I emphasize this is more than just a headache for these residents, it is a real safety issue. I have seen roads firsthand after storms, and there is no way fire trucks and ambulances can access these roads in their current condition, and I believe it is completely unacceptable.

I have been advocating on behalf of the Uwharrie National Forest since my first term in Congress, and I will continue to engage with local, State, and Federal stakeholders on this issue.

□ 1730

I appreciate Chairman CALVERT's attention to this issue and his support for the Capital Improvement and Maintenance program. I look forward to working together with the chairman to find a long-term solution to this issue.

Mr. CALVERT. Reclaiming my time, I thank the gentleman for drawing the House's attention to the road construction and maintenance needs of the Forest Service. I would be pleased to work with him and anyone else interested in our national forests as we move through the FY 2018 spending process.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Subcommittee on Defense.

Mr. VISCLOSKY. Mr. Chairman, I extend my gratitude to Chairman FRELINGHUYSEN, Ranking Member LOWEY, Chairman DIAZ-BALART, Ranking Member PRICE, and all of our staff for their very hard work in crafting the transportation portion of the underlying bill.

I am pleased that, in comparison to the President's budget, this bill includes a \$500 million increase for the Capital Investment Grant program.

This program provides critical funding to transit projects throughout our Nation.

While this funding increase is encouraging, it is my hope that a higher number can be agreed to in conference. The Senate Appropriations Committee has approved a funding level of \$2.1 billion, and I strongly believe that the chairs and ranking members have demonstrated a commitment to providing robust funding for transportation investments to grow jobs and our economy.

I am particularly grateful for the inclusion of report language that protects those in the queue for CIG projects and that the Senate Appropriations Committee has also approved similar language.

I was alarmed that the President's budget sought to eliminate funding for projects that had not yet received full funding grant agreements. I would emphasize that 23 States currently have CIG projects, and this language would undermine the millions of dollars and years' worth of human capital these communities have invested.

These projects are an investment in our national economy. These projects connect people in our communities to educational and job opportunities and allow businesses to grow and thrive. It is absolutely critical that we prioritize these investments in transportation infrastructure.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), chairman of the Labor, Health and Human Services, Education, and Related Agencies Subcommittee.

Mr. COLE. Mr. Chairman, I want to begin by thanking the chairman of the full committee, the ranking member of the full committee, certainly the ranking member of the subcommittee, and the staff for the tremendous assistance they provided in putting together this rather large and complex piece of legislation.

It is fair to note for the record that the allocation we received of \$156 billion is \$5 billion less than we had last year. While our lower allocation this year forced us to make some difficult decisions, I want to remind my colleagues that the cuts we are making today amount to barely 3 percent of what we spent last year and is essentially what we spent in fiscal year 2016.

The bill before us today focuses on key national priorities: investing in biomedical research to find cures for diseases like Alzheimer's and cancer; ensuring our country is fully prepared and able to protect our citizens from disease outbreaks or bioterrorism; continuing to support early childhood education, particularly for those at risk; helping first-generation college students prepare for, access, and complete a postsecondary education; and continuing to support people living with disabilities.

The bill also preserves funds for popular programs like career and technical education, support for Historically Black Colleges and Universities, programs to help Native Americans, the AmeriCorps program, LIHEAP, and the Corporation for Public Broadcasting.

The National Institutes of Health, our Nation's premier biomedical research agency, is funded at \$1.1 billion above last year. NIH is working to find cures for Alzheimer's disease, cancer, and develop the next generation of medical treatment through the use of precision medicine techniques.

We need to continue to build upon the \$2 billion increase provided in the omnibus last year. I view this proposal as a floor, not a ceiling, for biomedical research funding. I am hopeful that this number can increase as the process moves forward.

Biodefense and preparedness programs, including new funding to prevent a pandemic flu from occurring, are increased across the bill.

We are all aware of the terrible toll prescription drugs and opioid abuse is taking on our Nation. I am proud to say this bill includes another \$500 million to continue comprehensive grant programs to enable States, localities, and tribes to develop anti-opioid initiatives focused on prevention, education, and treatment and recovery services.

Head Start receives a \$22 million increase in this bill. Preschool programs are continued at \$250 million. Childcare programs receive a \$4 million increase. Special education programs for students with disabilities are increased by \$200 million, which will help local school districts ease the financial burden of providing specialized educational services. TRIO and GEAR UP, which help disadvantaged students prepare for and complete college, receive increases of \$60 million and \$10 million, respectively, over last year.

The bill also includes \$500 million for the Student Support and Academic Enrichment grant program. These funds can be used flexibly by school districts across the country, whether the need is in the area of counseling, computer science instruction, or teacher training and arts programming.

Pell grants are maintained at a maximum of \$5,920.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. I yield the gentleman an additional 1 minute.

Mr. COLE. I will also note that this is an initial allocation and the beginning of the congressional funding process. As always, I look forward to working with our counterparts in the Senate and my friends across the aisle to see if there are additional areas where we can cooperate.

Finally, I want to note that the bill protects human life by continuing longstanding prohibitions against Federal tax dollars being used to pay for

abortions, including new provisions to ensure that no tax dollars are used for research on human fetal tissue obtained by an abortion.

This bill represents a balanced approach that will benefit every American and maintain the appropriate stewardship of taxpayer dollars that we have been entrusted with as Members of Congress.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD), ranking member of the Homeland Security Subcommittee of the Appropriations Committee.

Ms. ROYBAL-ALLARD. Mr. Chairman, the FY 2018 Department of Homeland Security funding bill addresses many bipartisan priorities, including maintaining funding for first responder and antiterrorism grants and the Emergency Food and Shelter Program. It provides increases above the request for the Office for Civil Rights and Civil Liberties, Nonprofit Security grants, new Coast Guard assets, and ICE child exploitation investigations. It also restores funding for Science and Technology Centers of Excellence.

The bill restores funding for flood mapping grants, which the administration proposed to eliminate, and funding for pre-disaster mitigation grants, for which the administration proposed a 60 percent cut. These grants support precisely the kinds of programs that help communities mitigate and prepare for the impacts of natural disasters like Hurricane Harvey, and we should be investing in them even more.

The bill also provides the President's request for the Disaster Relief Fund. We will, however, need to appropriate more money beyond that approved by the House earlier today in order to address the damage caused by Harvey and, potentially, Irma.

While there is much in this bill Democrats can support, unfortunately, for several reasons, we cannot support this bill. For example, we cannot support the bill's \$705 million increase for Interior immigration enforcement. This includes an increase of 4,676 detention beds, which is 10,000 above fiscal year 2016, and the hiring of 1,000 additional ICE officers and agents.

The administration says its more aggressive enforcement approach is critical to national security and public safety. In fact, ICE is now arresting people with no criminal infractions who have lived, worked, and paid taxes in this country for years—and even decades.

These arrests are not required for national security or public safety. They have tragic consequences for families and communities all over this country. The trauma being inflicted on them cannot be overstated.

Mr. Chairman, we are dealing with a moral question as much as a legal one. ICE has the discretion to enforce our

immigration laws fairly and justly, and Congress has the discretion to prioritize how we spend taxpayer dollars.

Instead of overly aggressive immigration enforcement, we should be investing more in real security vulnerabilities. These include cybersecurity, human trafficking investigations, Coast Guard vessels and aircraft, flood mapping, and pre-disaster mitigation.

We should invest in more Customs officers. We should restore funding for research and laboratory facilities at the Science and Technology Directorate and for TSA's Law Enforcement Officer Reimbursement Program. Unfortunately, we are not doing any of this.

However, before concluding, I want to take a moment to talk about the Trump administration's announcement yesterday on ending the DACA program.

An amendment I offered in committee to clarify the basic authority of DHS to continue the program failed on a party-line vote. It would have given Congress time to enact a more formal authorization and given DREAMers the peace of mind of knowing they would not have to go back into the shadows. With the administration's announcement yesterday, that peace of mind has been cruelly snatched away.

We shouldn't wait 6 months to fix this problem. The majority should bring my bipartisan, bicameral bill, the DREAM Act, to the floor as soon as possible so that DREAMers can continue to contribute to this country free of the fear of being deported from the only home they know.

In closing, Mr. Chairman, I want to extend my appreciation for the efforts of the subcommittee chairman, Chairman CARTER, and his staff, who worked with the minority throughout the development of this bill. Consistent with prior years, Chairman CARTER has carried out his responsibilities honorably, fairly, and collaboratively.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), chairman of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee on Appropriations.

Mr. DIAZ-BALART. Mr. Chairman, before I begin, I want to thank the chairman, our members, colleagues, and the leadership for being so understanding.

Tomorrow, I will be heading back to south Florida to be there in case this horrible storm does head our way. Again, everyone has been incredibly supportive and shown great solidarity. I am exceedingly grateful for that.

I rise today to express the strongest possible support for this bill. I applaud the leadership of Chairman FRELINGHUYSEN for making it possible to consider it on the floor today.

I would like to highlight some of the vital issues in this bill.

The Transportation, Housing and Urban Development, and Related Agencies division provides \$56.5 billion in discretionary budget authority. That is \$1.1 billion below the fiscal year 2017 enacted level, but it is \$8.6 billion above the budget request.

We have targeted transportation and housing funding to essential investments in safety, infrastructure, and assistance for our most vulnerable citizens: the elderly; the disabled; and, yes, America's heroes, our veterans.

We also had to prioritize by reducing or eliminating nonessential programs and scaling back administrative accounts.

For the Department of Transportation, the bill includes \$17.8 billion in discretionary appropriations and \$76.7 billion in total resources. That includes support for the FAST Act obligation limitations.

The Federal Aviation Administration is funded at \$16.6 billion, Mr. Chairman. We provide this increase to keep advancing NextGen programs with over \$1 billion and to continue to operate the safest, most complex, most advanced air traffic control system in the world.

The bill reflects FAST Act priorities for highways, rail, and transit. It includes \$45 billion in road and bridge funding from the highway trust fund, which is almost \$1 billion above fiscal year 2017 levels. This funding will provide much-needed improvements to America's highways and bridges.

The bill provides \$2.2 billion to the Federal Railroad Administration to continue our commitment to rail safety and to make critical infrastructure investments. This includes FAST Act rail infrastructure investments to address the state of good repair backlog, which we really need to address.

As a reflection of tough choices, Mr. Chairman, our funding level for transit Capital Investment Grants is \$600 million below the 2017 level.

□ 1745

But we have, and this is important, included funding and direction to keep upcoming projects in the pipeline.

For housing programs, we work to ensure that we continue assistance to our most vulnerable population. The bill includes \$38.3 billion for Department of Housing and Urban Development. The bill also includes significant increases to keep pace with inflation, almost \$1 billion above last year, for direct rental assistance to maintain, again, housing for those who are currently served.

Homeless assistance remains a top priority in this bill. We included funding at the enacted level and well above the budget request.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield an additional 1 minute to the gentleman from Florida.

Mr. DIAZ-BALART. Mr. Chairman, the bill restores a number of programs that Members, frankly, from both sides of the aisle made sure that we were aware of.

The bill restores a number of community development programs that were proposed for elimination in the budget request, including CDBG and HOME. Again, we listened to Members from both sides of the aisle, and we made sure that that was a priority in this bill. These programs, again, support decisionmaking at the local level where it should be.

Before I close, I want to thank the hardworking and talented staff who helped put this together, the subcommittee staff. I was going to read their names, and again, I know I am running out of time, but I think this is the best staff anywhere in Congress. I also want to thank my personal staff, my chief of staff, Miguel Mendoza, who is the deputy chief of staff as well, and from the minority staff, Joe Carlile and Angela, and so many others who have worked hand-in-hand with my committee staff. And I would be remiss if I did not, in particular, thank Mr. PRICE, the ranking member. He has been great to work with, work cooperatively. I ask for your favorable support of this bill.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. BISHOP), the ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

Mr. BISHOP of Georgia. Mr. Chairman, let me just say I believe that we are missing out on the opportunity to effectively do our jobs.

As elected Members of Congress, we are here to fight for what is right, what is fair, and what is just. When presented with the administration's budget, it is Congress that is charged to serve as the first line of defense for the needs of the American people.

And the agriculture bill before us, as a part of this omnibus, is our attempt at doing just that. However, the progress made in the agriculture bill will end here because we do not have a budget resolution to conference, and it is entangled with other very contentious bills, and that is most unfortunate.

In light of the draconian budget request presented by the President, Congressman ADERHOLT and I, along with our bipartisan Agriculture Appropriations Subcommittee colleagues, worked diligently to protect as much of our country's agriculture and food and drug safety systems as we could.

In order to inflict the least amount of damage, the funding reductions were spread across several programs. But let me be clear, the communities that make up this great Nation need these programs to be robustly funded in order to keep us competitive in the global marketplace.

The United States of America will not continue to be the Nation that produces the safest, most abundant, highest quality, most economical food and fiber anywhere in the industrialized world if sufficient resources are not made available by this Congress.

While we were able to maintain McGovern-Dole at the 2017 level, the Food for Peace program was reduced.

This bill provides \$830.4 million for research and education activities, which includes approximately \$161 million in funding, consistent with fiscal year 2017, for minority serving land-grant institutions. These funds will assist in increasing minority representation and participation in the multidisciplinary agriculture community in fields such as agriculture research, agribusiness, as well as farming and ranching.

At the same time, the Commodities Future Trade Commission was deprived of the \$2 million of funds that it needs to protect U.S. customers from nefarious trade activity. Unprecedented language was inserted into the bill that allows the CFTC Chairman to reduce the pay and benefits of his employees if he deems it necessary to avoid a RIF or furlough, whether or not it abrogates established collective bargaining agreements.

And unfortunately, the amendment I submitted to strike that provision was not made in order by the House Rules Committee.

Funding for the Food and Drug Administration remains flat, which is in stark contrast to the Trump budget that sought to cut it by more than \$900 million. And still, funding for this agency that oversees the safety of our food, drugs, and medical devices will not grow, despite our significant dependence on their activities and the increasing workload each and every year.

FDA is being forced to do more with less resources, and that limits its ability to adequately protect the health, safety, and welfare of the American people.

Nutrition. Mandatory funding for SNAP and child nutrition were funded consistent with the current estimates. That is good. Additionally, school kitchen grants are funded at \$25 million, which the Trump administration requested be zeroed out. I thank the committee for this.

Now, we just voted for a bill to provide aid for the victims of Hurricane Harvey just as the potential impact of Hurricane Irma looks over us. Instead of being proactive to ensure our citizens who have been and will be impacted by impending natural disasters are protected, we are going to the floor with a package which inadequately funds our Federal agencies and does not completely meet the needs of the citizens of this great Nation.

This approach to funding our government for fiscal year 2018 all but guar-

antees our short term, if not a full year, continuing resolution. But just like every year, Democratic votes will be needed to enact an appropriations law. Working together on a bipartisan basis will be absolutely necessary for it to move forward.

Mr. Chairman, we still have a lot of work to do to discharge our obligations to the American people.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. BISHOP of Georgia. Mr. Chairman, regretfully, this bill falls short.

I would like to thank Mr. ADERHOLT for his work as chairman of the subcommittee, Chairman FRELINGHUYSEN, and both of them for conducting the Appropriations Committee markups fairly and collegially, and Mrs. LOWEY, our full committee ranking member, for her very strong and inspiring leadership.

And with that, let me thank our staffs on the majority and minority sides for all of their cooperation.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. GRAVES), the chairman of the Financial Services and General Government Subcommittee on Appropriations.

Mr. GRAVES of Georgia. Mr. Chairman, I want to thank Chairman FRELINGHUYSEN for his support and his team for bringing us to this point today and this week to do what many thought couldn't be done, and that is, getting all 12 of our appropriation bills done in a timely fashion.

But today it is a privilege for me to present the Financial Services and General Government Appropriations Act, and this wouldn't be possible without Ranking Member QUIGLEY's effort and his team, and I appreciate their work as we have been through many months of effort together.

But I believe this is the prosperous part of the Make America Secure and Prosperous Appropriations Act, and I will explain why that is. Because this bill includes many of the reforms that were found in the CHOICE Act, which we passed earlier this spring in the House, which eliminated many of the harmful Dodd-Frank regulations, streamlining outdated agency processes, and reining in those rogue agencies that we have heard so much about, while allowing the economy and the markets to begin working for American families. And we will also restore the financial freedoms that help Americans earn a living and achieve their American Dream, of which we have all been hearing about over these last weeks in August.

But this bill also invests in small businesses. It invests in the small businesses through the SBA by \$1 billion, nearly \$1 billion of new investment to

the Small Business Administration, with significant funding for small business loans and particularly to those veterans of ours who are out there working hard and starting their own businesses.

But this bill also carries the entire Financial Institution Bankruptcy Act, which passed this House earlier this year, as well, on a bipartisan vote.

But IRS funding, again, is kept at a 2009 level, actually a little bit below that, but allowing targeted investments in consumer service and cybersecurity. But this bill maintains our commitment to the IRS oversight that we have been working on so hard over the last couple of years by prohibiting the harmful regulations that we have seen from them that have impacted our 501(c)(4) organizations.

It prohibits them targeting these groups based on their political beliefs or their exercising of their First Amendment rights, but it also allows for many of the other protections for taxpayers that we have been longing to do.

To combat the opioid crisis, we include more than \$360 million to aid Federal drug control programs like drug courts and drug free communities.

But it is also important to note that we carry the pro-life provisions that have been a pattern and a custom and a privilege that this House has done for so many years over the past, but we have added to that. We have expanded it by including the Harris amendment that prohibits funding from being provided through multi-State plans that cover abortion, and we also included a provision that repeals the District of Columbia's assisted suicide measure.

Now, this bill comes in at about \$20 billion, and that is a big number. But let me point out that is over 6 percent less. That is a 6 percent cut just from last year, so we are making a difference.

Now, when crafting this bill, I took my direction straight from the Members of this House, Republican and Democrat. This is a result of your interests, interests of your constituents included in this in a bipartisan fashion with a bipartisan vote out of committee.

Now, many tough decisions were made.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield an additional 1 minute to the gentleman.

Mr. GRAVES of Georgia. Mr. Chairman, now, many tough decisions have been made across all these bills, but this one as well, with a strong focus on financial freedom for all Americans. Now, I believe this bill will make America prosperous again.

So I want to thank Chairman FRELINGHUYSEN, all the subcommittee chairs, the full committee staff, the

minority staff, and ranking members. This whole team has been great to work with, but it is important to thank my subcommittee. They have been through a lot of hard work with me, Mr. Chairman, and they have done a great job working with me and the many hours of hard work and weekends that they put in.

Mr. Chairman, I strongly urge every Member to support this bill.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), ranking member of the Interior, Environment, and Related Agencies Subcommittee.

Ms. MCCOLLUM. Mr. Chair, I would like to just take a brief second and thank the full committee chair and the full committee ranking member for their support as we move forward in this progress, and a special thank you to all the great staff on both sides of the aisle, the Democratic and Republican staff.

But my very special thanks to Chairman CALVERT, and once again, for his staff and our staff, for their work in an open and collaborative approach. This committee has a challenging portfolio of issues, and I commend the chairman's efforts to find solutions in yet another difficult budget year.

Unfortunately, the fiscal year 2018 Interior, Environment, and Related Agencies Subcommittee allocation is \$824 million less than last year's enacted level.

□ 1800

This devastating cut to the allocation shortchanges the protection of our Nation's natural and cultural resources and has real consequences for American families and communities.

Adequate funding for the Interior, Environment division is critical at a time when the Trump administration is attacking the science behind climate change and rolling back regulations that protect the water we drink and the air we breathe.

We are at a defining moment in history. Our lack of action to combat climate change now will impact the world we pass on to our children and grandchildren. We can no longer afford to disregard the overwhelming scientific evidence that the planet is warming, sea levels are rising, and glaciers are melting.

We have all seen the destruction inflicted by Hurricane Harvey. As the waters recede, the Environmental Protection Agency is playing a key role in keeping Americans safe. Once again, we are reminded of the importance of agencies like the EPA both during times of crisis and on a daily basis.

Unfortunately, EPA receives the most significant programmatic cuts to this division. Slashing the Environmental Protection Agency by \$534 million will severely impact the Agency's ability to protect human health and

safety and ensure clean air and clean water for all Americans.

The Agency's budget is already \$2.2 billion below FY10 levels. It is irresponsible to cut the EPA even further.

The bill also cuts programs critical to managing public lands and reduces funding necessary for endangered species listing protection. The American people expect us to be good stewards of our public lands and wildlife, but this bill falls short on that commitment.

Despite the bill's shortcomings in environmental protection and resource conservation, I want to express how proud I am of this subcommittee's non-partisan approach to addressing issues facing our Native American brothers and sisters.

I am pleased that the bill recommends an increase of \$108 million over the fiscal year 2017 enacted level for programs critical to Indian Country. The health, education, and safety of tribal communities is a Federal responsibility that our subcommittee takes very seriously. That is one bright spot in this bill.

Unfortunately, this bill falls far short in too many other areas, both as a result of our low allocation and as a result of wildfire suppression costs that are burning a hole in this bill. Since the start of this year, more than 1.1 million acres have burned. As a result, the U.S. Forest Service does not have adequate funding in the current fiscal year to combat these disasters. They will need to borrow funds from nonfire accounts, making it harder for the Service to conduct preparedness activities to reduce the severity of wildfires. That is why every member of the Interior Subcommittee is a cosponsor of Chairman SIMPSON's Wildfire Disaster Funding Act.

I am very disappointed that the majority's leadership missed an opportunity to include those commonsense reforms in this legislation. That is why I have called for emergency funding for wildfire suppression activities in the next disaster supplemental.

Finally, in addition to the irresponsible cuts to the EPA and natural resource programs, I must express my concern and disappointment with the partisan riders in this bill that pander to special interests at the expense of the public good. These riders jeopardize protection and recovery for vulnerable species, restrict protection of our oceans, undermine clean water and clean air safeguards, and even prevent the development of renewable energy.

Mr. Chairman, this bill is not sufficient to meet the needs of the American people. I know that we can do better than this. Congress needs a bipartisan budget agreement that increases nondefense discretionary spending levels.

Despite my current opposition, I want to be clear that I will continue to work with Chairman CALVERT through

this year's appropriations process to produce a responsible bill that both parties can support.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the House Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman of the Appropriations Committee, the gentleman from New Jersey, for yielding me time.

Mr. Chairman, I am pleased to support H.R. 3354, the Make America Secure and Prosperous Appropriations Act of 2018, which includes the Commerce-Justice-Science funding bill that provides appropriations for many of the programs within the Science, Space, and Technology Committee's jurisdiction.

Chairman CULBERSON has worked closely with us on the Science, Space, and Technology Committee to include responsible, pro-science funding levels for NASA, the National Science Foundation, NOAA, and the National Institute of Standards and Technology. His consultation and cooperation are much appreciated. I thank Chairman CULBERSON and his clerk, John Martens, for their leadership in passing this legislation that sets America on a path to remain the world's leader in innovation.

The appropriations included in this legislation are consistent with the NASA Transition Authorization Act, the American Innovation and Competitiveness Act, and the Weather Research and Forecasting Innovation Act, all three of which were enacted into law earlier this year.

The CJS bill fully funds the planetary science and exploration programs at NASA, implements a national interest standard for every NSF grant, and increases weather research and commercial data use to improve forecasting to save lives and property, which is especially timely today.

Later, I will offer an amendment, with Chairman CULBERSON's support, to increase basic research in the physical and biological sciences at the National Science Foundation.

I strongly encourage my colleagues to support this pro-science, fiscally responsible appropriations bill.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 4 minutes to the gentleman from Illinois (Mr. QUIGLEY), ranking member of the Subcommittee on Financial Services and General Government.

Mr. QUIGLEY. Mr. Chairman, I thank the ranking member for yielding. I want to thank Mrs. LOWEY and the chairman for their leadership throughout the appropriations process.

Mr. Chairman, as ranking member of the Financial Services and General Government Subcommittee, I also thank Chairman GRAVES, whom I have gotten to know and work more closely with over the last few months. Our dis-

cussions have been both passionate and productive, and I thank Chairman GRAVES for his willingness to compromise on shared priorities.

Of course, I would like to thank Dena, Kelly, Ariana, Marybeth, and Brad on the majority staff and our talented staff director, Lisa, on the minority staff for all of the time and effort they spent working together to putting the FSGG portion of the bill together. And to my own staff, Doug, who writes these things and doesn't put his own name on there, I want to thank him anyway.

Unfortunately, the FSGG portion of the bill before us will make it more difficult for us to grow small businesses, enforce consumer protections, and promote good governance. With \$1.6 billion in cuts from fiscal year 2017, many successful and established programs will suffer.

The Small Business Administration is cut by \$39 million, with most coming from reductions to entrepreneurial programs that assist millions of small-business owners.

The Community Development Financial Institutions Fund is cut by \$58 million, or 28 percent, which means fewer resources to spur economic growth and revitalize our most underserved and neglected communities.

GSA has zero funds to start new construction and completely rescinds the money provided in the FY17 omnibus for the new FBI headquarters, compromising our national security.

And the IRS, which has already lost over a billion dollars in funding and 18,000 staff over the past 7 years, is further weakened by additional cuts that weaken the agency's ability to close the tax gap, catch tax cheats, and provide sufficient services for honest taxpayers.

In addition, the FSGG bill contains a long list of policy riders that will undermine enforcement of the Affordable Care Act, restrict the ability for a woman to make personal healthcare decisions, and block the District of Columbia from using local funds to make local decisions.

Furthermore, this bill contains 88 pages of authorizing text to repeal key provisions of Dodd-Frank and weaken the Consumer Financial Protection Bureau.

Less than a decade ago, a financial crisis sparked the biggest global recession since the Great Depression and pushed our economy to the brink of collapse. No serious person would argue that the status quo, which almost crippled our economy, was working before the crisis. We need to make our financial markets safer, more transparent, and more accountable, and that is exactly what Dodd-Frank did.

Lastly, as I mentioned in my testimony before the Rules Committee, it is worth mentioning again how disappointed I am that the Rules Com-

mittee decided to unilaterally strip a provision agreed to by the committee. Congressman AGUILAR's language, which passed by voice vote in the course of committee markup, was adopted according to regular order.

The provision is straightforward. It simply clarifies that DACA recipients be eligible for Federal employment. Yet, without any explanation, this section has disappeared as if it never existed. Given the administration's shameful decision to rescind the DACA program, I anticipate that we will rigorously debate this issue over the next couple days.

Again, while I cannot support this bill, I remain committed to working with my colleagues on the majority side to strengthen funding and remove harmful and unnecessary riders.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 6 minutes to the gentleman from Oklahoma (Mr. COLE) for the purpose of three colloquies.

Mr. COLE. Mr. Chairman, I yield to the gentleman from Georgia (Mr. COLLINS), my colleague, for the purpose of a colloquy.

Mr. COLLINS of Georgia. Mr. Chairman, I have become increasingly aware of the problem with hospital-acquired pressure ulcers.

Research shows millions of people suffer from this condition and that 60,000 hospital patients a year die because of this painful ailment. Eleven percent of those affected are our veterans.

Their suffering is tremendous, and the cost of this condition to our health system could be as high as \$25 billion. However, with proper commonsense prevention and better management of these infections, the number of those suffering and the cost of treatment can be greatly reduced.

I have reached out to CMS about doing a pilot program that promotes better prevention and management methods, and I have discussed the problem with innovative Georgia companies. I rise today to make other Members aware of this issue and ask for your continued support in this process.

Mr. COLE. I thank the gentleman for raising this issue. Along with Congressman WOODALL and Congresswoman HANDEL, you have been leaders in this effort. I appreciate what you are doing and will stay in touch as progress is made.

Mr. COLLINS of Georgia. As always, the gentleman is gracious, and I do appreciate it. Mr. Chairman, I will work with the administration.

Mr. COLE. Mr. Chairman, I yield to the gentlewoman from Minnesota (Ms. MCCOLLUM) for the purpose of a colloquy.

Ms. MCCOLLUM. Mr. Chairman, thank you for your work on this bill providing funding to critical programs. I appreciate the opportunity to speak about the importance of the Community Services Block Grant. This program funds community action agencies

that address poverty and assist seniors and other vulnerable populations in becoming self-sufficient. I have seen, in my district, the valuable services these groups provide helping people find jobs.

Mr. COLE. I thank my colleague from Minnesota for speaking about the importance of this program in her district. I agree that Community Services Block Grant provides important services to help people escape poverty. The program has broad bipartisan support.

As the gentlewoman knows, several challenging decisions have to be made to meet overall spending priorities and allocation. I take to heart the concern expressed by the gentlewoman and, as we move forward, I will work to ensure funding for the Community Services Block Grant reflects the priority of our Members.

Ms. MCCOLLUM. I thank the chairman, my friend, for his response and commitment to robustly funding the Community Services Block Grant. I know this program, as I said, helps people across the Nation and brings great value to the communities it serves.

Mr. COLE. Mr. Chairman, I yield to the gentleman from South Carolina (Mr. NORMAN), my colleague, for the purpose of a colloquy.

Mr. NORMAN. Mr. Chairman, thank you for your work on this bill which provides funding to critical programs within a difficult but fiscally responsible allocation. I appreciate the opportunity to clarify on the RECORD a question I have on funding for the National Emergency Grant program.

The National Emergency Grant program provides critical job training and reemployment funding for workers who have lost their jobs as a result of plant closures or mass layoffs.

Does this bill fully fund the National Emergency Grant program?

Mr. COLE. I thank my colleague from South Carolina for raising this important question. I agree that the National Emergency Grant program is an important bipartisan program to train workers and help them find new careers.

Current year funds for the Dislocated Workers National Reserve are increased by \$109 million and advance appropriations for fiscal year 2019 are eliminated, for a total of \$130 million. Within that total, the National Emergency Grant program is approximately \$70 million each year.

It is expected that, after fully funding the National Emergency Grants, the Department of Labor will use additional funds from the Dislocated Workers National Reserve for other authorized purposes, such as technical assistance and grants to help workers dislocated from the coal industry find new employment.

So the short answer to the question is, yes, the National Emergency Grant program is fully funded in this bill.

Mr. NORMAN. I thank the chairman for his response and commitment to

the National Emergency Grant program. I have seen firsthand the importance of this program in my district, including the recent layoffs at the VC Summer power plant and throughout the country.

□ 1815

Getting people who are laid off from their jobs back to work as quickly as possible is critically important for affected communities and for the economy. I fully support this program and this bill.

Mr. Chair, I urge my colleagues to vote "yes."

Mrs. LOWEY. Mr. Chair, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chair, I yield to the gentleman from Washington (Mr. KILMER) for the purpose of a colloquy.

Mr. KILMER. Mr. Chairman, I would like to thank Chairman CALVERT and Ranking Member MCCOLLUM for supporting important policies and programs protecting the unique landscapes you find in the Pacific Northwest.

Our region values Federal lands, and, likewise, we are proud to host all branches of the United States military.

People come from all over to hike and travel through our forests and waterways, and we want to make sure sensitive areas are protected.

The goals of protecting our environment, the economy that relies upon it, and ensuring the readiness of those serving in uniform are not mutually exclusive. For the past several years, I have been working with the Park Service, the Navy, and many other agencies to understand their missions, concerns, and interests with regard to the impact of local military jet noise.

At the same time, I have worked to ensure that they can go the extra mile when it comes to public outreach on their plans. Through this effort, I have learned that the Park Service and the Navy measure noise differently. This has led to difficulty in understanding the impact of the noise on the missions of other agencies, local communities, and protected lands, such as Olympic National Park. Moreover, it complicates any basis to examine possible solutions.

In order to support a fact-based conversation regarding the impact of this noise, I wrote to the Council on Environmental Quality in March asking that they work with both agencies to find an agreeable method of measuring and reporting the sound of military aviation.

While I have recently been notified that the CEQ is looking into the matter, I look to Chairman CALVERT for his support to ensure that the relevant parties cooperate and resolve this issue.

Mr. CALVERT. Mr. Chair, I thank the gentleman for drawing attention to the issue. It is my hope that we can move forward with the fiscal year 2018 process, and my colleague and I can continue to work together with the relevant agencies to address this issue so that his constituents and others around the Nation can continue to enjoy all that the Park Service and other Interior lands have to offer without compromising military readiness.

Mr. KILMER. Mr. Chair, I appreciate Chairman CALVERT's willingness to work with me on this effort. Having grown up on the Olympic Peninsula, I understand our responsibility to be stewards of the environment and to make sure that the Navy is a good neighbor.

I look forward to working with the chairman, CEQ, the Park Service, and the Navy to address this issue.

Mrs. LOWEY. Mr. Chair, I yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member on the Financial Services Committee.

Ms. MAXINE WATERS of California. Mr. Chair, I strongly oppose H.R. 3354, a bill that not only fails to make critical investments in our Nation's future, but also eliminates important protections for everyday Americans.

As ranking member of the Financial Services Committee, I am particularly concerned that H.R. 3354 imposes such severe cuts on the Department of Housing and Urban Development that it will result in families losing their housing assistance and putting them at risk for homelessness.

The bill also takes some of the worst provisions from the Republican's "Wrong" CHOICE Act that would return our economy to the reckless practices that caused the financial crisis.

One provision takes away the authority of the Consumer Financial Protection Bureau to stop abusive practices by banks like Wells Fargo, which ripped off more than 3.5 million of its customers. Another provision repeals the Labor Department's commonsense rule that protects seniors from conflicted retirement advice from unscrupulous financial advisers.

There are so many gifts to Wall Street, one would think Christmas came early. But it isn't Christmas, Mr. Chair. It is September, and we are in the middle of hurricane season. Our cities are literally under water, yet the Republican leadership has done nothing to prevent the National Flood Insurance Program from expiring at the end of the month.

Republicans have also let us come dangerously close to defaulting on our debt and the obligations owed to servicemembers, veterans, seniors, and the most vulnerable among us. Just yesterday, 800,000 young Democrats were told by our President that their future is in the hands of a hostile Congress.

We must oppose this bill so we can get to work on what Congress should really be doing.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Chairman, I yield to the gentleman from North Carolina (Mr. PITTENGER), my colleague, for the purpose of a colloquy.

Mr. PITTENGER. Mr. Chairman, earlier today the House passed a critical \$8 billion disaster relief package that is intended to fund the immediate needs for Federal disaster relief.

Similar to Hurricane Harvey, a year ago, eastern North Carolina was devastated by Hurricane Matthew. Our State suffered \$4.8 billion in damage, including 98,000 homes and 19,000 businesses. 82,000 people have made applications to FEMA.

Mr. Chairman, although the package passed by the House this morning was for Hurricane Harvey relief, can you please explain how it will be also helpful for Hurricane Matthew victims?

I would like to be able to assure my constituents that Congress will continue to support their long-term disaster relief needs.

Mr. CARTER of Texas. Mr. Chair, I thank the gentleman for yielding, and I thank him for bringing up this issue.

Last week, FEMA was forced to restrict obligations for past disasters to prioritize funding for immediate life-saving efforts in response to Hurricane Harvey.

The supplemental funding bill that passed the House this morning will enable FEMA to lift these restrictions and resume funding for long-term recovery efforts, such as those in North Carolina and other parts of our Nation.

Mr. PITTENGER. Mr. Chair, if the gentleman will continue to yield, as we consider the great plight in Texas of Hurricane Harvey, I also want to offer my sincere thanks for the outpouring of support that my State continues to receive, that they need after the devastation of Hurricane Matthew.

Mr. Chair, I want to thank Chairman FRELINGHUYSEN, who has offered my State great support, and Chairman CARTER.

Mrs. LOWEY. Mr. Chair, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Chairman, I yield to the gentleman from Iowa (Mr. YOUNG) for the purpose of a colloquy.

Mr. YOUNG of Iowa. Mr. Chairman, I rise today to express my support for REAP, the Rural Energy for America Program; the Biomass Crop Assistance Program; the Biorefinery Assistance Program as well; and for improving the changes in mandatory spending for these energy programs when this bill is conferred with the Senate.

These programs are very important to my State, other States as well. They have been used to help farmers reduce their overall operating costs and make their farming businesses more competitive. These programs have also enabled rural businesses to obtain financing assistance, ensuring rural Iowa has similar opportunities to thrive and develop.

Now, I know that we have budget constraints, we are facing them, and I know the chairman had to make some tough decisions. I believe he took a very thoughtful approach to the overall agriculture appropriations bill, and I am very thankful to be on that subcommittee.

During the full committee markup, I was pleased that the subcommittee chairman committed to working with me to find alternative offsets to reduce these spending changes.

Mr. Chair, I appreciate Chairman ADERHOLT's attention, and I appreciate Chairman FRELINGHUYSEN's attention to this matter, too.

Mr. ADERHOLT. Mr. Chairman, I am very sympathetic to the gentleman from Iowa's concerns regarding the reduction in the bill's mandatory energy programs in the farm bill, in particular, the Rural Energy for America Program.

The gentleman from Iowa is indeed a valued member of our subcommittee, and he was very instrumental in developing many parts of the overall bill, and I appreciate his input greatly.

A number of factors went into our decision for which programs to reduce in order to achieve the \$1.1 billion reduction in the bill's funding level over this last year.

As I did mention, as he noted, in our full committee markup, I committed to working with the gentleman from Iowa to see where we could find alternative offsets, and we will continue to do that as we move forward. So I thank the gentleman for bringing this to our attention again here on the floor of the House.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Chairman, I thank Chairman FRELINGHUYSEN for the work he has done with the Appropriations Committee.

Mr. Chair, I rise to speak about two important sections of the funding bill: the Agriculture and the State, Foreign Operations Appropriations bill.

I am pleased to support the committee's work in addressing several crucial issues facing America's agricultural community.

I commend the committee for encouraging expansion of the foot and mouth disease vaccine supply through the Animal and Plant Health Inspection Service at the USDA.

I am also pleased to support the committee's recognition for the critical contributions the National Animal

Health Laboratory Network makes in responding to emergency threats to American Agriculture, funding the National Veterinary Stockpile, and for supporting pest management and disease research.

I also want to recognize the committee's support for citrus greening research and response, which is vital to the State of Florida's economy. This vital program we are supporting today will provide valuable protection for our agricultural system from pests and disease, and will encourage innovative solutions to agricultural issues to the future.

In regards to the State and Foreign Operations Appropriations budget, I want to first thank the committee for including language that will make the international broadcasting funds available at levels no lower than the previous year. This will ensure the administration has the ability to increase the transmissions of information into North Korea, which is critical for eroding support for Kim Jong-un's brutal regime, breaking the dictator's stronghold on information.

Finally, I want to mention foreign assistance and development. Today, America is confronting unprecedented instability and growing humanitarian crises around the world, all of which have a direct impact on our national security and economic interests at home.

The U.S. Government must use each and every dollar more efficiently and effectively. This appropriations bill takes important steps in making it more effective. This investment in foreign aid can yield great returns and can help increase trade, trade that is vital not only to my State of Florida, where it supports over 2.5 million jobs, but to the entire United States.

Eleven of the 15 largest importers of U.S. goods and services are countries that graduated from U.S. foreign assistance, and 12 of the 15 fastest growing markets for U.S. exports are former recipients of our aid.

The State Department and U.S. development agencies work to advance America's economic interests by promoting exports that today make up almost 13 percent of America's \$18 trillion economy and supports about one in five American jobs.

We must look to cut the duplicative and ineffective programs while empowering the parts of our foreign assistance that work to become even more effective.

Mrs. LOWEY. Mr. Chair, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, how much time is remaining on each side? I am prepared to yield back, if the gentlewoman is prepared.

The ACTING CHAIR (Mr. BISHOP of Utah). The gentleman from New Jersey has 8½ minutes remaining. The gentlewoman from New York has 8 minutes remaining.

Mrs. LOWEY. Mr. Chair, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

Mr. AMODEI. Mr. Chair, I appreciate the opportunity to engage in a colloquy with you on an important issue related to the Consumer Financial Protection Bureau.

This Congress should act swiftly and establish a five-member, bipartisan commission at the CFPB. A commission structure will bring much needed certainty and stability to consumers and small businesses who are the most deeply impacted by regulation that reduces access to banking products and drives up costs.

According to FDIC data, financial institutions of all sizes provide more than \$4 trillion in consumer loans to help America's consumers achieve their dreams of purchasing a car, buying their first home, or even providing an education for their children. Financial institutions also provide more than \$600 billion in small business loans to help entrepreneurs start or grow their businesses and create jobs. The ability of banks and credit unions to continue to serve their communities by providing access to credit is critical to making these dreams a reality. Therefore, it is important that the agencies that regulate our nation's depository institutions are stable, transparent, and provide long term certainty.

A five-member, bipartisan commission at the CFPB will help achieve just that. Right now, a sole director at the CFPB over politicizes what should be an impartial regulatory body. With every new Director there could be a dramatic regulatory whipsaw effect. This volatility will leave financial institutions limited in their ability to properly serve customers because of an inability to plan for the long-term.

Protecting consumers and increasing access to well-regulated financial products should be a top priority of the CFPB. A bipartisan board will ensure consumers best interests are always first by increasing transparency and stability in the rulemaking process and allowing for more robust debate with many different viewpoints considered.

On multiple occasions, the House of Representatives has passed legislation to create a bipartisan commission, and most importantly, the American people have made clear that they believe a bipartisan commission is a better form of leadership at the CFPB. In fact, a recent Morning Consult poll showed that registered voters support a bipartisan commission at the CFPB by a 3 to 1 margin, and that just 14 percent of voters believe the CFPB structure should be left the way it is now.

Congress must implement structural changes at the CFPB. The future of consumer and small business lending is too vital to have uncertainty at the Bureau.

Mr. Chairman, do you agree that the regulatory agencies that oversee banks and credit unions should take into account the impact to all stakeholders and bring certainty to the regulatory framework?

Will you commit to working with me to depoliticize the CFPB once and for all, and bring a stable form of leadership to the Bureau that is in keeping with most other financial service regulators?

Mr. GRAVES. Mr. Chair, I appreciate the gentleman's comments and all the ideas of others with regard to this out of control agency and I share his passion for bringing the CFPB under Appropriations oversight as soon as possible. This is one idea of many, and I look forward to working with the gentleman from Nevada and others in the near future as we work to protect consumers from this rogue agency in some form or fashion.

Mr. VISCLOSKY. Mr. Chair, I would like to extend my gratitude to Chairman FRELINGHUYSEN, Ranking Member LOWEY, Chairman DIAZ-BALART, Ranking Member PRICE, and all of the staff for their hard work in crafting the transportation portion of this bill. It is an extremely difficult year to be tasked with funding the federal government, and I understand that tough decisions had to be made.

I am pleased that in comparison to the President's budget, this bill includes a \$500 million increase for the Capital Investment Grant (CIG) program. This program provides critical funding to transit projects throughout the nation. While this funding increase is encouraging, it is my hope that a higher number can be agreed upon in conference. The Senate Appropriations Committee has approved a funding level of \$2.1 billion, and I strongly believe that the Chairs and Ranking Members have demonstrated a commitment to providing robust funding for transportation investments to grow jobs and our economy.

I also am particularly grateful for the inclusion of report language that protects the pipeline for CIG projects, and that the Senate Appropriations Committee has also approved similar language. I was alarmed that the President's budget sought to eliminate funding for projects that had not yet received Full Funding Grant Agreements. 23 states currently have CIG projects and this language would undermine the millions of dollars and years' worth of human capital they have invested. This language is a responsible step that provides much needed certainty to communities and shows the President that Congress is committed to keeping its word to localities that were promised matching federal funds.

Funding CIG projects is an investment in national economic development. These projects connect people in our communities to educational and job opportunities and allow businesses to grow and thrive. It is absolutely critical that we prioritize these investments in transportation infrastructure.

Mrs. NAPOLITANO. Mr. Chair I rise in strong opposition to H.R. 3354—"Make America Secure and Prosperous Appropriations Act, 2018". I am particularly concerned with Section 134 of Division H which prohibits states from setting meal break, rest break, and wage standards to protect truck drivers.

On July 9, 2014, the Ninth U.S. Circuit Court of Appeals ruled that trucking operators in California must abide by California labor law and allow for a 30-minute meal break after 5 hours of work and a 10-minute rest break after 4 hours of work. This meal and rest break standard is very reasonable when you consider that truck drivers can be subject to 14 hours of on-duty time. Section 134 overturns the Circuit Court's decision and prohibits California from addressing truck driving safety with these regulations.

Section 134 goes further than just overturning California's laws, it also preempts laws in 21 states and territories that guarantee meal and rest breaks. These states include Colorado, Connecticut, Delaware, Illinois, Kentucky, Maine, Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, New York, North Dakota, Oregon, Rhode Island, Tennessee, Vermont, Washington, West Virginia, Guam, and Puerto Rico States should be allowed to set meal and rest break standards as they see fit for the health and safety of their workers.

Section 134 is additionally harmful because it attacks the wages of truck drivers. Section 134 allows trucking companies to pay truck drivers on a per load basis even if their routes are delayed for no fault of their own. This is a major problem in Southern California where truck drivers are delayed by overcrowding at the ports, by traffic on our freeways, and by delays at warehouses. A truck driver in Southern California can set out to haul 5 loads per day but only end up hauling 2 loads. California sets standards to make sure that truck drivers make at least the minimum wage and are paid for sick time. Section 134 would overturn state based wage laws and allow trucking companies to pay drivers less than the minimum wage.

Section 134 should have no place in this appropriations bill because this is a legislative rider in the jurisdiction of the Transportation and Infrastructure Committee. The Transportation Committee debated this provision during consideration of the Fast Act and it was wisely rejected by the FAST Act Conference Committee.

Mr. Chair, Section 134 is opposed by the State of California, the Teamsters, truck safety groups, and the Owner-Operated Independent Truck Drivers which represent over 90 percent of the companies in the trucking industry.

Mr. Chair, I strongly oppose section 134 and urge my colleagues to vote against this bill.

Mr. BILIRAKIS. Mr. Chair, as the co-chair of the Congressional Caucus on Parkinson's Disease and a member of the Congressional Multiple Sclerosis Caucus, I'm proud of the collective work of the 114th Congress in enacting 21st Century Cures—a bipartisan undertaking to help our healthcare innovation infrastructure thrive and deliver more hope for all patients.

Personally, I have family members who have suffered with Parkinson's—I witness this debilitating disease through them. It's hard to watch. Few things in America are truly universal—diseases, sadly, are one of those things.

Currently, we do not have accurate information about how many people are living with neurological diseases like Parkinson's and Multiple Sclerosis, geographic location, or even basic attributes like gender, ethnicity, etc. Lack of accurate information slows critical research while erecting new and reinforcing existing barriers to health care services that these vulnerable patients need.

21st Century Cures addressed this issue by statutorily developing the necessary infrastructure to collect data on neurological diseases so key health stakeholders could better understand the patient population, facilitate research, and proactively plan for health care needs—saving lives while controlling costs.

This infrastructure is the National Neurological Conditions Surveillance System.

Information provided by the National Neurological Conditions Surveillance System will provide a foundation for understanding factors, such as clusters of diagnoses in certain geographic regions, variances in the number of men and women diagnosed with neurological diseases, and differences in health care practices among patients. Unfortunately, funds were not appropriated to formally establish this database at CDC.

Mr. Chair, I understand that we must practice fiscal discipline and exercise fiscal constraint. I understand difficult decisions must be made in this appropriation bill. I understand the fiscal environment in which we now find ourselves due to our low budget caps here in the House. However, as the budget caps are higher in the Senate, I ask that should the measure we are considering be put before a conference committee, that funding be made available for the National Neurological Conditions Surveillance System so that we can realize the mission of 21st Century Cures—to accelerate medical product development and bring new innovations and advances to patients who need them faster and more efficiently. I hope you will work with me to find funding for this critical system for patients.

Ms. JACKSON LEE. Mr. Chair, I rise to express my strong and unwavering support of the Deferred Action for Childhood Arrivals program (DACA) and unyielding opposition to the President's decision, announced by the Attorney General, to rescind a policy that liberated 800,000 young persons—124,000 of them in Texas—from the shadows of life, welcomed them into the mainstream, and encouraged them to realize their potential and achieve the American Dream.

At the heart of the Trump Administration's cruel, and heartless, and misguided decision to rescind DACA is the specious claim that President Obama lacked the constitutional and statutory authority to take executive actions to implement the DACA policy.

That is why I offered an amendment to Division C of Rules Committee Print 115–31 that would prohibit the Administration from using appropriated funds to implement its decision to rescind DACA.

Specifically, that Jackson Lee Amendment provided the following section at the end of Division E of the bill:

SEC. _____. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce the Memorandum of September 5, 2017, from the Acting Secretary of Homeland Security pertaining to "Rescission of the June 15, 2012 Memorandum Entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children."

Regrettably, this Jackson Lee Amendment was not made in order by the Rules Committee.

There was no need for the President to make any decision about DACA right now; there was pending no real deadline, no actual court case, no legal requirement.

Florida is bracing for the impact of Hurricane Irma and Houston is still struggling to recover and rebuild in the aftermath of Hurricane Harvey, one of the most catastrophic weather events in the nation's history.

And in my congressional district, we are mourning the loss of the heroic DREAMER, Alonso Guillen, who came to the U.S. from Mexico as a child, and died here his boat capsized while he was rescuing survivors of the flooding caused by Hurricane Harvey in the Houston area.

The President and Attorney General should have focused on the crisis at hand and not created another one because of a made up deadline.

There is no heart in ending DACA and leaving the fate of 800,000 young persons in limbo and at the mercy of a Republican Congress that has passed no major legislation and has no guarantee that the President would even sign a bill if they do.

Republicans in Congress need to bring H.R. 3440, the Dream Act of 2017, to the floor right now and vote for it so it can pass both houses of Congress with a veto-proof majority.

Mr. Chair, now let me briefly discuss why the executive actions taken by President Obama are reasonable, responsible, and within his constitutional authority.

Pursuant to Article II, Section 3 of the Constitution, the President, the nation's Chief Executive, "shall take Care that the Laws be faithfully executed."

In addition to establishing the President's obligation to execute the law, the Supreme Court has consistently interpreted the "Take Care" Clause as ensuring presidential control over those who execute and enforce the law and the authority to decide how best to enforce the laws. See, e.g., *Arizona v. United States*; *Bowsher v. Synar*; *Buckley v. Valeo*; *Printz v. United States*; *Free Enterprise Fund v. PCAOB*.

Every law enforcement agency, including the agencies that enforce immigration laws, has "prosecutorial discretion"—the inherent power to decide whom to investigate, arrest, detain, charge, and prosecute.

Thus, enforcement agencies, including the U.S. Department of Homeland Security (DHS), properly may exercise their discretion to devise and implement policies specific to the laws they are charged with enforcing, the population they serve, and the problems they face so that they can prioritize our nation's resources to meet mission critical enforcement goals.

Mr. Chair, deferred action has been utilized in our nation for decades by Administrations headed by presidents of both parties without controversy or challenge.

In fact, as far back as 1976, INS and DHS leaders have issued at least 11 different memoranda providing guidance on the use of similar forms of prosecutorial discretion.

Executive authority to take action is thus "fairly wide," and the federal government's discretion is extremely "broad" as the Supreme Court held in the recent case of *Arizona v. United States*, 132 S. Ct. 2492, 2499 (2012), an opinion written Justice Kennedy and joined by Chief Justice Roberts:

"Congress has specified which aliens may be removed from the United States and the procedures for doing so. Aliens may be removed if they were inadmissible at the time of entry, have been convicted of certain crimes, or meet other criteria set by federal law. Removal is a civil, not criminal, matter. A prin-

cipal feature of the removal system is the broad discretion exercised by immigration officials. Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all. If removal proceedings commence, aliens may seek asylum and other discretionary relief allowing them to remain in the country or at least to leave without formal removal." (emphasis added) (citations omitted).

The Court's decision in *Arizona v. United States*, also strongly suggests that the executive branch's discretion in matters of deportation may be exercised on an individual basis, or it may be used to protect entire classes of individuals such as "[u]nauthorized workers trying to support their families" or immigrants who originate from countries torn apart by internal conflicts:

"Discretion in the enforcement of immigration law embraces immediate human concerns. Unauthorized workers trying to support their families, for example, likely pose less danger than alien smugglers or aliens who commit a serious crime. The equities of an individual case may turn on many factors, including whether the alien has children born in the United States, long ties to the community, or a record of distinguished military service."

Some discretionary decisions involve policy choices that bear on this Nation's international relations. Returning an alien to his own country may be deemed inappropriate even where he has committed a removable offense or fails to meet the criteria for admission. The foreign state may be mired in civil war, complicit in political persecution, or enduring conditions that create a real risk that the alien or his family will be harmed upon return.

The dynamic nature of relations with other countries requires the Executive Branch to ensure that enforcement policies are consistent with this Nation's foreign policy with respect to these and other realities."

Exercising thoughtful discretion in the enforcement of the nation's immigration law saves scarce taxpayer funds, optimizes limited resources, and produces results that are more humane and consistent with America's reputation as the most compassionate nation on earth.

Mr. Chair, a DREAMER (an undocumented student) seeking to earn her college degree and aspiring to attend medical school to better herself and her new community is not a threat to the nation's security.

Law abiding but unauthorized immigrants doing honest work to support their families pose far less danger to society than human traffickers, drug smugglers, or those who have committed a serious crime.

President Obama was correct in concluding that exercising his discretion regarding the implementation of DACA enhances the safety of all members of the public, serves national security interests, and furthers the public interest in keeping families together.

Mr. Chair, according to numerous studies conducted by the Congressional Budget Office, Social Security Administration, and Council of Economic Advisors, the DACA generates substantial economic benefits to our nation.

For example, unfreezing DAPA and expanded DACA is estimated to increase GDP by \$230 billion and create an average of 28,814 jobs per year over the next 10 years.

That is a lot of jobs!

Mr. Chair, in exercising his broad discretion in the area of removal proceedings, President Obama acted responsibly and reasonably in determining the circumstances in which it makes sense to pursue removal and when it does not.

In exercising this broad discretion, President Obama did nothing was novel or unprecedented.

Let me cite a just a few examples of executive action taken by American presidents, both Republican and Democratic, on issues affecting immigrants over the past 35 years:

1. In 1987, President Ronald Reagan used executive action in 1987 to allow 200,000 Nicaraguans facing deportation to apply for relief from expulsion and work authorization.

2. In 1980, President Jimmy Carter exercised parole authority to allow Cubans to enter the U.S., and about 123,000 "Mariel Cubans" were paroled into the U.S. by 1981.

3. In 1990, President George H.W. Bush issued an executive order that granted Deferred Enforced Departure (DED) to certain nationals of the People's Republic of China who were in the United States.

4. In 1992, the Bush administration granted DED to certain nationals of El Salvador.

5. In 1997, President Bill Clinton issued an executive order granting DED to certain Haitians who had arrived in the United States before Dec. 31, 1995.

6. In 2010, the Obama Administration began a policy of granting parole to the spouses, parents, and children of military members.

Mr. Chair, because of President Obama's leadership and visionary executive action, 124,000 undocumented immigrants in my home state of Texas have received deferred action.

91 percent of these immigrants are employed or in school and contribute \$6.3 billion annually to the Texas economy and \$460.3 billion to the national economy.

Mr. Chair, let me note that DACA was and is a welcome development but not a substitute for undertaking the comprehensive reform and modernization of the nation's immigration laws supported by the American people.

Only Congress can do that.

America's borders are dynamic, with constantly evolving security challenges.

Border security must be undertaken in a manner that allows actors to use pragmatism and common sense.

Comprehensive immigration reform is desperately needed to ensure that Lady Liberty's lamp remains the symbol of a land that welcomes immigrants to a community of immigrants and does so in a manner that secures our borders and protects our homeland.

Instead of wasting time scapegoating DREAMERS, we should instead seize the opportunity to pass legislation that secures our borders, preserves America's character as the most open and welcoming country in the history of the world, and will yield hundreds of billions of dollars in economic growth.

Mr. HUIZENGA. Mr. Chair, my amendment would prohibit funds from being used to implement a misguided and harmful rule from the Occupational Safety and Health Administration regarding occupational exposure to respirable crystalline silica.

This destructive rule was first proposed in 2013 and significantly threatens jobs in a number of industries around the country including: construction, foundries, aggregates, oil and gas, brick manufacturers, maritime as well as several other industries.

The limits set in this rule are simply unworkable, without extraordinary costs to both workers and job creators in my district and manufacturing centers across America. We are talking about the loss of thousands upon thousands of American jobs.

Furthermore, even if these companies were able to meet this unreasonable requirement without putting hardworking Americans out of work, commercial laboratories have not been able to measure workplace silica levels with any accuracy or consistency making it nearly impossible for employers to determine if they are in compliance.

We are in the midst of strong economic growth, but burdensome regulations like this threaten our economic well-being. In fact, the cost of compliance for the construction industry alone has been estimated to be nearly \$5 billion per year.

This rule's impact on the Foundry industry would also be catastrophic. Independent analyses show it would cost the industry \$2.2 billion annually, which represents 9.9 percent of the industry's revenue and an astounding 276 percent of its profits.

Another key industry that will suffer under this regulation is hydraulic fracturing which uses tremendous amounts of sand. The American energy sector has boomed in recent years—increasing economic prosperity and creating thousands of jobs across America. Hydraulic fracturing is also a major reason why our nation has become more energy independent and allowed us to help our allies in Europe while countering countries such as Russia and Iran.

The deadline for the construction industry to comply with this rule is September 23.

We cannot stand by while another burdensome and unworkable regulation is piled on job creators that are finally starting to see growth. We need to act now to protect American Jobs. I encourage you to join me in voting for this amendment to stop this job-destroying rule.

Mr. MCCAUL. Mr. Chair, I include in the RECORD the following exchange of letters regarding H.R. 3354.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 8, 2017.

Hon. JOHN CARTER,
Chairman, House Committee on Appropriations,
Subcommittee on Homeland Security, Washington, DC.

Hon. LUCILLE ROYBAL-ALLARD,
Ranking Member, House Committee on Appropriations, Subcommittee on Homeland Security, Washington, DC.

DEAR CHAIRMAN CARTER, AND RANKING MEMBER ROYBAL-ALLARD: I write to convey our mutual understanding regarding Section 503(a)(5) of Title E of the Rules Committee Print for H.R. 3354, the Make America Secure and Prosperous Appropriations Act. Specifically, this section does not authorize the Department of Homeland Security (DHS) to utilize section 872 of the Homeland Security Act of 2002 to use appropriated funds to reorganize DHS organizational units.

As Chairman of the House Homeland Security Committee, I strongly believe that any significant reorganization of components within the Department should be subject to specific statutory authorization. Toward that end, last month, the House passed H.R. 2825, the Department of Homeland Security Authorization Act of 2017, which strikes section 872. As the Department has matured, it is no longer necessary for DHS to have unilateral authority to reorganize its organizational units. I appreciate your commitment to making DHS a more efficient and effective organization.

Respectfully,

MICHAEL T. MCCAUL,
Chairman.

BENNIE G. THOMPSON,
Ranking Member.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, September 12, 2017.

Hon. MICHAEL T. MCCAUL,
Chairman, House Committee on Homeland Security, Washington, DC.

Hon. BENNIE THOMPSON,
Ranking Member, House Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: We write to confirm our mutual understanding regarding Section 503(a)(5) of Title E of the Rules Committee Print for H.R. 3354, the Make America Secure and Prosperous Appropriations Act. Specifically, this section does not provide any new authority for the Department of Homeland Security (DHS) to reorganize DHS organizational units. Any such reorganization authority is limited to existing authority under section 872 of the Homeland Security Act of 2002.

We appreciate your efforts to authorize DHS and look forward to working with you to further the Department's vital homeland security mission.

Respectfully,

JOHN R. CARTER,
Chairman, Subcommittee on Homeland Security.

LUCILLE ROYBAL-ALLARD,
Ranking Member, Subcommittee on Homeland Security.

Ms. STEFANIK. Mr. Chair, today I rise to recognize and support the Environmental Protection Agency's work on acid rain.

My district is the proud home of the Adirondacks, which for decades were being destroyed by acid rain from the mid-west.

Thanks to the work of the EPA to support efforts to halt this epidemic, we are recovering in spectacular fashion.

Trout populations are returning to once dead lakes, waters and trees are getting healthier, and the park is a booming economic engine for our district.

I've visited a lab in Ray Brook where the water samples collected by the Adirondack Lake Survey Corporation are tested, and ask that you help me ensure that the grant funding for this important work is renewed.

The EPA's programs and grants have been essential in restoring this ecological gem in my district.

I look forward to continuing to work with my colleagues in Congress to support these important programs.

The ACTING CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–31, modified by Rules Committee Print 115–32 and the amendment printed in part A of House Report 115–295, shall be considered as adopted, and the bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Interior and Environment, Agriculture and Rural Development, Commerce, Justice, Science, Financial Services and General Government, Homeland Security, Labor, Health and Human Services, Education, State and Foreign Operations, Transportation, Housing and Urban Development, Defense, Military Construction and Veterans Affairs, Legislative Branch, and Energy and Water Development Appropriations Act, 2018”.

SEC. 2. ADDITIONAL REFERENCE.

This Act may also be referred to as the “Make America Secure and Prosperous Appropriations Act, 2018”.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), \$1,074,503,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2018, so as to result in a final appropriation estimated at

not more than \$1,074,503,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, \$12,800,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances available for this account from prior appropriations, \$1,769,000 are permanently rescinded.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$104,256,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: Provided, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a re-

source developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: Provided, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the sale of wild horses and burros that results in their destruction for processing into commercial products, including for human consumption.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, \$1,247,109,000 to remain available until September 30, 2019: Provided, That not to exceed \$17,122,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)); of which not to exceed \$3,270,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2015; of which not to exceed \$1,498,000 shall be used for any activity regarding petitions to list species that are indigenous to the United States pursuant to subsections

(b)(3)(A) and (b)(3)(B); and, of which not to exceed \$501,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) for species that are not indigenous to the United States.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; \$16,540,000, to remain available until expended.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$40,641,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding section 200306 of title 54, United States Code, not more than \$10,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed \$320,000 for administrative expenses: Provided, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

Of the unobligated balances available for this account from prior appropriations, \$4,572,000 are permanently rescinded.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), \$53,495,000, to remain available until expended, of which \$22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which \$30,800,000 is to be derived from the Land and Water Conservation Fund.

Of the unobligated balances available for this account from appropriations made for fiscal years prior to fiscal year 2013, \$3,000,000 are permanently rescinded.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), \$38,145,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), \$3,900,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), \$11,061,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and

Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$62,571,000, to remain available until expended: Provided, That of the amount provided herein, \$4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That \$6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting \$10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That any amount apportioned in 2018 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2019, shall be reapportioned, together with funds appropriated in 2020, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided fur-

ther, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading "United States Fish and Wildlife Service—Resource Management" and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, \$2,410,031,000, of which \$10,032,000 for planning and interagency coordination in support of Everglades restoration and \$124,461,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2019: Provided, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95-348.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, \$59,629,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), \$75,410,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2019, of which \$5,000,000 shall be for Save America's Treasures grants for preservation of national significant sites, structures, and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): Provided, That an individual Save America's Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: Provided further, That of the funds provided for the Historic Preservation Fund, \$500,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently underrepresented, as determined by the Secretary, \$10,500,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, and \$3,000,000 is for grants to Historically Black Colleges and Universities: Provided further, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and nonprofit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, \$219,844,000, to remain available until expended: Provided, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2018 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be

issued which includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232-18: Provided further, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: Provided further, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND AND WATER CONSERVATION FUND
(RESCISSION)

The contract authority provided for fiscal year 2018 by section 200308 of title 54, United States Code, is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE
(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$120,575,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$79,006,000 is for the State assistance program and of which \$10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

Of the unobligated balances available for this account from prior appropriations, \$4,500,000 are permanently rescinded.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, \$15,000,000, to remain available until expended, for Centennial Challenge projects and programs: Provided, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109-432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for

purposes authorized under section 204 of title 23, United States Code. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$1,038,922,000, to remain available until September 30, 2019; of which \$70,933,913 shall remain available until expended for satellite operations; and of which \$7,266,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost: Provided, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for water resources and natural hazards activities through permits and licenses; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT
OCEAN ENERGY MANAGEMENT
(INCLUDING RESCISSION OF FUNDS)

For expenses necessary for granting leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto,

as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, \$171,000,000, of which \$114,166,000 is to remain available until September 30, 2019, and of which \$56,834,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2018 appropriation estimated at not more than \$114,166,000: Provided further, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

Of the unobligated balances available for this account, \$25,000,000 are permanently rescinded.

BUREAU OF SAFETY AND ENVIRONMENTAL
ENFORCEMENT
OFFSHORE SAFETY AND ENVIRONMENTAL
ENFORCEMENT
(INCLUDING RESCISSION OF FUNDS)

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, \$136,411,000, of which \$108,540,000 is to remain available until September 30, 2019, and of which \$27,871,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2018 appropriation estimated at not more than \$108,540,000.

For an additional amount, \$50,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2018, as provided in this Act: Provided, That to the extent that amounts realized from such inspection fees exceed \$50,000,000, the amounts realized in excess of \$50,000,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2018, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

Of the unobligated balances available for this account, \$12,000,000 are permanently rescinded.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$12,700,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, \$113,790,000, to remain available until September 30, 2019: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95-87 (30 U.S.C. 1257), \$40,000, to remain available until expended: Provided, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2018 appropriation estimated at not more than \$113,790,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, \$24,672,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, \$75,000,000, to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act: Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That such additional amount shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section: Provided further, That such additional amount shall be allocated to States within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), \$2,362,211,000, to remain available until September 30, 2019, except as otherwise provided herein; of which not to exceed \$8,500 may be for official reception and representation expenses; of which not to exceed \$74,650,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: Provided further, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: Provided further, That not to exceed \$662,570,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2018, and shall remain available until September 30, 2019: Provided further, That not to exceed \$50,991,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed \$80,168,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2018: Provided further, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2019, may be transferred during fiscal year 2020 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2020: Provided further, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: Provided further, That the Bureau of Indian Affairs may accept transfers of funds from U.S. Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads on the Tohono O'odham Nation.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2018, such sums as may be necessary, which shall be available for obligation through September 30, 2019: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, includ-

ing architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483; \$202,213,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2018, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of \$100,000 that are provided to grant schools under Public Law 100-297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations, as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of title 43, Code of Federal Regulations; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by section 1125(b) of Public Law 95-561 (25 U.S.C. 2005(b)), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in section 5205(f) of Public Law 100-296 (25 U.S.C. 2504(f)): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in section 2508 of Public Law 100-297 (25 U.S.C. 2507(e)): Provided further, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS
AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99-264, 100-580, 101-618, 111-11, 111-291, and 114-322, and for implementation of other land and water rights settlements, \$55,457,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, \$9,272,000, of which \$1,252,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize

total loan principal, any part of which is to be guaranteed or insured, not to exceed \$123,565,389.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding Public Law 87-279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106-113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101-301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: Provided, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: Provided further, That the term "satellite school" means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, \$122,940,000, to remain available until September 30, 2019; of which not to exceed \$15,000 may be for official reception and representation expenses; and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which \$9,000,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended.

ADMINISTRATIVE PROVISIONS

For fiscal year 2018, up to \$400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: Provided, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: Provided further, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: Provided further, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: Provided further, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108-188, \$90,930,000, of which: (1) \$81,500,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by subsection (c) of the Act of February 20, 1929 (48 U.S.C. 1661(e)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands, as authorized by Public Law 94-241 (90 Stat. 272); and (2) \$9,430,000 shall be available until September 30, 2019, for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, \$3,300,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99-658 and Public Law 108-188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108-188 and Public Law 104-134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: Provided, That such costs, including the cost of

modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: Provided further, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$65,675,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$49,952,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$119,400,000, to remain available until expended, of which not to exceed \$18,990,000 from this or any other Act, may be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Departmental Operations" account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2018, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of \$15 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: Provided further, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than \$500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: Provided further, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103-412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: Provided further, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued inter-

est and income, and such funds shall remain available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, \$935,850,000, to remain available until expended, of which not to exceed \$8,212,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That of the funds provided \$182,500,000 is for fuels management activities: Provided further, That of the funds provided \$19,948,000 is for burned area rehabilitation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109-154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the

Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: Provided further, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), \$10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., \$7,568,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, \$65,388,000, to remain available until expended: Provided, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93-638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: Provided further, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: Provided further, That the Secretary may enter into

grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, \$137,757,000, to remain available until September 30, 2019; of which \$41,727,000 shall remain available until expended for the purpose of mineral revenue management activities: Provided, That notwithstanding any other provision of law, \$15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

PAYMENTS IN LIEU OF TAXES

For necessary expenses for payments authorized by chapter 69 of title 31, United States Code, \$465,000,000 shall be available for fiscal year 2018.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106-224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer,

from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire suppression" shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed \$500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2018. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York

and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2018, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the "Offshore Safety and Environmental Enforcement" account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2018 shall be:

- (1) \$10,500 for facilities with no wells, but with processing equipment or gathering lines;
- (2) \$17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and
- (3) \$31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2018. Fees for fiscal year 2018 shall be:

- (1) \$30,500 per inspection for rigs operating in water depths of 500 feet or more; and
- (2) \$16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark

that can be readily identified by commercial and recreational fishers.

EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 111. Paragraph (1) of section 122(a) of division E of Public Law 112-74 (125 Stat. 1013) is amended by striking “fiscal years 2012 through 2020,” in the first sentence and inserting “fiscal year 2012 and each fiscal year thereafter,”.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 112. Notwithstanding any other provision of law, during fiscal year 2018, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

SAGE-GROUSE

SEC. 113. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

- (1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);
- (2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 114. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: Provided, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: Provided further, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: Provided further, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC DESIGNATION

SEC. 115. None of the funds made available by this Act may be used to make a determination of eligibility or to list the Trestles Historic District, San Diego County, California, on the National Register of Historic Places.

REISSUANCE OF FINAL RULES

SEC. 116. Before the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and the final rule published on September 10, 2012 (77 Fed. Reg. 55530 et seq.), without regard to any other provision of statute or regulation that applies to issuance of such rules. Such reissuances (including this section) shall not be subject to judicial review.

GRAY WOLVES RANGE-WIDE

SEC. 117. None of the funds made available by this Act may be used by the Secretary of the Interior to treat any gray wolf in any of the 48 contiguous States or the District of Columbia as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, \$629,238,000, to remain available until September 30, 2019: Provided, That of the funds included under this heading, \$4,100,000 shall be for Research: National Priorities as specified in the report accompanying this Act: Provided further, That of the unobligated balances from appropriations made available under this heading, \$27,000,000 are permanently rescinded.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed \$19,000 for official reception and representation expenses, \$2,398,840,000, to remain available until September 30, 2019: Provided, That of the amounts provided under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees made available, not less than the amount of appropriations for that program project for fiscal year 2014: Provided further, That of the funds included under this heading, \$12,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: Provided further, That of the funds included under this heading, \$402,000,000 shall be for Geographic Programs specified in the report accompanying this Act: Provided further, That of the unobligated balances from appropriations made available under this heading, \$41,000,000 are permanently rescinded.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, \$3,674,000, to remain available until September 30, 2020: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections under such section 3024 are received during fiscal year 2018, which shall remain available until expended and be used for necessary expenses in this appropriation, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$0: Provided further, That to the extent such offsetting collections received in fiscal year 2018 exceed \$3,674,000, those excess amounts shall remain available until expended and be used for necessary expenses in this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$40,000,000, to remain available until September 30, 2019.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$39,553,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) \$1,116,374,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2017, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,116,374,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, \$7,778,000 shall be paid to the “Office of Inspector General” appropriation to remain available until September 30, 2019, and \$15,496,000 shall be paid to the “Science and Technology” appropriation to remain available until September 30, 2019.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, \$91,874,000, to remain available until expended, of which \$66,505,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; \$25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency’s responsibilities under the Oil Pollution Act of 1990, \$18,047,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,288,161,000, to remain available until expended, of which—

- (1) \$1,143,887,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which \$863,233,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That for fiscal year 2017, funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control

revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2018 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2018, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2018, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2018, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of \$2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: Provided further, That for fiscal year 2018, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92-203: Provided further, That for fiscal year 2018, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or \$30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or \$20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2018, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2018, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drink-

ing Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act;

(2) \$10,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(3) \$90,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: Provided, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: Provided further, That at least 10 percent shall be allocated for assistance in persistent poverty counties: Provided further, That for purposes of this section, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

(4) \$75,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(5) \$40,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the report accompanying this Act; and

(6) \$1,066,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: \$47,745,000 shall be for carrying out section 128 of CERCLA; \$9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; \$1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading

"Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; \$17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, \$25,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed \$3,049,000,000.

In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, \$5,000,000, to remain available until September 30, 2019.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For fiscal year 2018, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112-177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w-8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2018.

Notwithstanding any other provision of law, in addition to the activities specified in section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w-8), fees collected in this and prior fiscal years under such section shall be available for the following activities as they relate to pesticide licensing: processing and review of data submitted in association with a registration, information submitted pursuant to section 6(a)(2) of FIFRA, supplemental distributor labels, transfers of registrations and data compensation rights, additional uses registered by States under section 24(c) of FIFRA, data compensation petitions, review of minor amendments, and notifications;

laboratory support and audits; administrative support; development of policy and guidance; rulemaking support; information collection activities; and the portions of salaries related to work in these areas.

The Administrator is authorized to transfer up to \$300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading "Environmental Programs and Management" to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 26(b) of the Toxic Substances Control Act (15 U.S.C. 2625(b)) for fiscal year 2018.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed \$150,000 per project.

For fiscal year 2018, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

Of the unobligated balances available for the "State and Tribal Assistance Grants" account, \$60,000,000 are permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control Act, not less than \$1,500,000 of the funds made available under this title for the National Estuary Program shall be for making competitive awards described in section 320(g)(4).

TITLE III RELATED AGENCIES DEPARTMENT OF AGRICULTURE FOREST SERVICE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$875,000.

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$278,368,000, to remain available through September 30, 2021: Provided, That of the funds provided, \$75,037,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management and conducting an international program as authorized,

\$198,710,000, to remain available through September 30, 2021, as authorized by law; of which \$36,184,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands as authorized by law, \$1,885,827,000, to remain available through September 30, 2021: Provided, That of the funds provided, \$370,305,000 shall be for forest products: Provided further, That of the funds provided, \$392,500,000 shall be for hazardous fuels management activities, of which not to exceed \$15,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: Provided further, That of the funds provided, up to \$15,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land. Provided further, That notwithstanding section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

In addition, \$4,500,000, to remain available through September 30, 2021, from communication site rental fees established by the Forest Service for the cost of administering communication site activities.

CAPITAL IMPROVEMENT AND MAINTENANCE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$354,733,000, to remain available through September 30, 2021, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That funds becoming available in fiscal year 2018 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$25,000,000, to be derived from the Land and Water Conserva-

tion Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, \$850,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to the Sisk Act (16 U.S.C. 484a), pursuant to the Land Sale and Exchange Acts (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589; and Public Law 78–310), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751(b)(1)), to remain available through September 30, 2021, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by section 4(b) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643(b)), \$45,000, to remain available through September 30, 2021, to be derived from the fund established pursuant to such Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUSTAINMENT USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), \$2,225,000, to remain available through September 30, 2021.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, \$2,506,357,000, to remain available through September 30, 2021: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the "National Forest System" account: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That of the

funds provided, \$19,290,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), \$76,011,000 is for State fire assistance, and \$14,618,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): Provided further, That amounts in this paragraph may be transferred to the "Forest and Rangeland Research" account to fund forest and rangeland research: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That funds made available to implement the Community Forest Restoration Act, Public Law 106-393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriation: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: Provided further, That funds designated for wildfire suppression, shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

**ADMINISTRATIVE PROVISIONS—FOREST SERVICE
(INCLUDING TRANSFERS OF FUNDS)**

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading "Wildland Fire Management" will be obligated within 30 days: Provided, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the Wildland Fire Management Account, or reprogram funds within the Wildland Fire Management Account, to be used for the purposes of hazardous fuels management and emergency rehabilitation of burned-over National Forest Sys-

tem lands and water, such transferred funds shall remain available through September 30, 2021: Provided, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That this section does not apply to funds derived from the Land and Water Conservation Fund.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States private and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the United States Agency for International Development, the Department of State, and the Millennium Challenge Corporation), United States private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106-224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107-171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than \$82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than \$14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to \$5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1701 et seq.).

Of the funds available to the Forest Service, \$4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, up to \$3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in

support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefiting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than \$300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: Provided further, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98-244, up to \$3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefiting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: Provided further, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed \$65,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed \$500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report not later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line item and account, to the House and Senate Committees on Appropriations.

Any unobligated balance of funds appropriated in a previous fiscal year in the FLAME

Wildfire Suppression Reserve Fund account shall remain available through September 30, 2020.

The Forest Service shall submit, through the Office of Budget and Program Analysis, to the Office of Management and Budget a proposed system of administrative control of funds for its accounts, as described in 31 U.S.C. 1514, not later than December 31, 2017.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$3,867,260,000, together with payments received during the fiscal year pursuant to sections 231(b) and 233 of the Public Health Service Act (42 U.S.C. 238(b), 238b), for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That \$2,000,000 shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, including alcohol detoxification services: Provided further, That \$928,830,000 for Purchased/Referred Care, including \$53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: Provided further, That of the funds provided, up to \$36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further That of the funds provided, \$11,000,000 shall remain available until expended to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and \$29,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to \$4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: Provided further, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of that Act (25 U.S.C. 1616a-1) and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a-1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): Provided further, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for aftercare pilot programs at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the

Indian Health Service and shall remain available until expended: Provided further, That funds provided in this Act may be used for annual contracts and grants for which the performance period falls within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: Provided further, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That the Bureau of Indian Affairs may collect from the Indian Health Service, and from tribes and tribal organizations operating health facilities pursuant to Public Law 93-638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): Provided further, That of the funds provided, \$130,000,000 is for the Indian Health Care Improvement Fund and may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2018, such sums as may be necessary: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$551,643,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed \$500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development:

Provided further, That not to exceed \$2,700,000 from this account and the "Indian Health Services" account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed \$500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86-121, the Indian Sanitation Facilities Act and Public Law 93-638: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted

into law: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, \$75,370,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, \$72,780,000: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2018, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed \$750 for official reception and representation expenses, \$2,994,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chair-

man and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$11,000,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, \$15,431,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homestead on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716): Provided further, That \$200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20 U.S.C. 4411 et seq.), \$9,835,000, which shall become available on July 1, 2018, and shall remain available until September 30, 2019.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including re-

search in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, \$716,600,000, to remain available until September 30, 2019, except as otherwise provided herein; of which not to exceed \$6,908,000 for the instrumentation program, collections acquisition, exhibition reinstallation, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, \$168,500,000, including support for revitalization of the National Air and Space Museum, to remain available until expended, of which not to exceed \$10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$132,961,000, to remain available until September 30, 2019, of which not to exceed \$3,620,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, \$22,564,000, to remain available until expended: Provided, That contracts awarded for

environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$23,740,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$13,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$10,000,000, to remain available until September 30, 2019.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, \$145,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES
GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, \$145,000,000 to remain available until expended, of which \$134,000,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and \$11,000,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including \$8,700,000 for the purposes of section 7(h): Provided, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants of up to \$10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the

sums appropriated for grantmaking purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS
SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, \$2,600,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: Provided further, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: Provided further, That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), \$2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION
SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665), \$6,400,000.

NATIONAL CAPITAL PLANNING COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, \$7,948,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM
HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106-292 (36 U.S.C. 2301-2310), \$57,000,000, of which \$1,215,000 shall remain available until September 30, 2020, for the Museum's equipment replacement program; and of which \$2,500,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Dwight D. Eisenhower Memorial Commission, \$1,600,000, to remain available until expended.

CAPITAL CONSTRUCTION

For necessary expenses of the Dwight D. Eisenhower Memorial Commission for design and construction of a memorial in honor of Dwight D. Eisenhower, as authorized by Public Law 106-79, \$15,000,000, to remain available until expended: Provided, That the contract with respect to the procurement shall contain the "availability of funds" clause described in section 52.232.18 of title 48, Code of Federal Regulations: Provided further, That the funds appropriated herein shall be deemed to satisfy the criteria for issuing a permit contained in 40 U.S.C. 8906(a)(4) and (b).

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Women's Suffrage Centennial Commission, as authorized by

Public Law 115-31, \$1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION
SALARIES AND EXPENSES

For activities of the World War I Centennial Commission as authorized by the World War I Centennial Commission Act (Public Law 112-272) and the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), \$3,000,000: Provided, That the Commission may accept money, in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

TITLE IV
GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) **LIMITATION OF FUNDS.**—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) **EXCEPTIONS.**—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) **REPORT.**—On September 30, 2019, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) **MINERAL EXAMINATIONS.**—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-

party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR
LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235) shall continue in effect in fiscal year 2018.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2018
LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2018 under the headings "Department of Health and Human Services, Indian Health Service, Contract Support Costs" and "Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs" are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2018 with the Bureau of Indian Affairs or the Indian Health Service: Provided, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit

(defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93-638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT
GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM
PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foun-

dation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

RECREATION FEE

SEC. 416. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking "September 30, 2018" and inserting "September 30, 2019".

PROHIBITION ON USE OF FUNDS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 418. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

MODIFICATION OF AUTHORITIES

SEC. 419. Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C.

8903 note; Public Law 106-79) is amended by striking “September 30, 2017” and inserting “September 30, 2018”.

FUNDING PROHIBITION

SEC. 420. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

CONTRACTING AUTHORITIES

SEC. 421. Section 412 of Division E of Public Law 112-74 is amended by striking “fiscal year 2017” and inserting “fiscal year 2019”.

CHESAPEAKE BAY INITIATIVE

SEC. 422. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312; 16 U.S.C. 461 note) is amended by striking “2017” and inserting “2019”.

EXTENSION OF GRAZING PERMITS

SEC. 423. The terms and conditions of section 325 of Public Law 108-108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2018.

FUNDING PROHIBITION

SEC. 424. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

SEC. 425. Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109-54) is amended by striking “2016” and inserting “2018”.

USE OF AMERICAN IRON AND STEEL

SEC. 426. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term “iron and steel” products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the “Administrator”) finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the

request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

MIDWAY ISLAND

SEC. 427. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

POLICIES RELATING TO BIOMASS ENERGY

SEC. 428. For fiscal year 2018 and each fiscal year thereafter, to support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use.

(B) encourage private investment throughout the forest biomass supply chain, including in—

- (i) working forests;
- (ii) harvesting operations;
- (iii) forest improvement operations;
- (iv) forest bioenergy production;
- (v) wood products manufacturing; or
- (vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 429. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

“(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), \$24,000,000 for fiscal year 2018.

“(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), \$13,000,000 for fiscal year 2018.”.

CLARIFICATION OF EXEMPTIONS

SEC. 430. Notwithstanding section 404(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(2)), none of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

WATERS OF THE UNITED STATES

SEC. 431. (a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term “Waters of the United States rule” means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: Definition of ‘Waters of the United States’” on June 29, 2015 (80 Fed. Reg. 37053).

OZONE

SEC. 432. To implement the national ambient air quality standards for ozone published in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292):

(1) the Governor of each State shall designate areas of the State as attainment, nonattainment, or unclassifiable with respect to the standards not later than October 26, 2024;

(2) the Administrator of the Environmental Protection Agency shall promulgate final designations for all areas in all States with respect to the standards not later than October 26, 2025;

(3) each State shall submit the plan required by section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)) for the standards not later than October 26, 2026;

(4) the standards shall not apply to the review and disposition of a preconstruction permit application required under part C or D of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) if the Administrator or the State, local or tribal permitting authority, as applicable, has determined the application to be complete prior to the date of promulgation of final designations, or has published a public notice of a preliminary determination or draft permit before the date that is 60 days after the date of promulgation of final designations; and

(5) the provisions of subsections (1) through (4) above shall apply notwithstanding the deadlines set forth in Section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) and Section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)).

FINANCIAL ASSURANCE

SEC. 433. None of the funds made available by this or any other Act may be used to finalize, implement, administer, or enforce the proposed rule entitled “Financial Responsibility Requirements Under CERCLA § 108(b) for Classes of Facilities in the Hardrock Mining Industry” published by the Environmental Protection Agency in the Federal Register on January 11, 2017 (82 Fed. Reg. 3388 et seq.).

AGRICULTURAL NUTRIENTS

SEC. 434. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

LIMITATION ON USE OF FUNDS FOR NATIONAL OCEAN POLICY

SEC. 435. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

HUNTING, FISHING, AND RECREATIONAL SHOOTING ON FEDERAL LAND

SEC. 436. (a) **LIMITATION ON USE OF FUNDS.**—None of the funds made available by this or any other Act for any fiscal year may be used to prohibit the use of or access to Federal land (as such term is defined in section 3 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)) for hunting, fishing, or recreational shooting if such use or access—

(1) was not prohibited on such Federal land as of January 1, 2013; and

(2) was conducted in compliance with the resource management plan (as defined in section 101 of such Act (16 U.S.C. 6511)) applicable to such Federal land as of January 1, 2013.

(b) **TEMPORARY CLOSURES ALLOWED.**—Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Agriculture may temporarily close, for a period not to exceed 30 days, Federal land managed by the Secretary to hunting, fishing, or recreational shooting if the Secretary determines that the temporary closure is necessary to accommodate a special event or for public safety reasons. The Secretary may extend a temporary closure for one additional 90-day period only if the Secretary determines the extension is necessary because of extraordinary weather conditions or for public safety reasons.

(c) **AUTHORITY OF STATES.**—Nothing in this section shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations.

AVAILABILITY OF VACANT GRAZING ALLOTMENTS

SEC. 437. The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to the National Forest System lands, shall make vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are unusable because of drought or wildfire, as determined by the Secretary concerned. The terms and conditions contained in a permit or lease made available pursuant to this section shall be the same as the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment made available. Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall not apply with respect to any Federal agency action under this section.

WIND TURBINE FUNDING LIMITATION

SEC. 438. None of the funds made available by this Act may be used to conduct reviews of site assessment or construction and operation plans for any project that would entail the construction or location of wind turbines less than 24 nautical miles from the State of Maryland shoreline.

REFERENCES TO ACT

SEC. 439. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 440. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–238. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

ited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 441. \$0.

This division may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018”.

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$21,703,000, of which not to exceed \$4,850,000 shall be available for the immediate Office of the Secretary; not to exceed \$501,000 shall be available for the Office of Tribal Relations; not to exceed \$800,000 shall be available for the Assistant to the Secretary for Rural Development: Provided, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Assistant; not to exceed \$1,448,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed \$1,171,000 shall be available for the Office of Advocacy and Outreach; not to exceed \$3,581,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$2,781,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed \$3,091,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$6,261,000 shall be available for the Office of Communications: Provided further, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent: Provided further, That not to exceed \$11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of

Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$16,777,000, of which \$4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, \$13,399,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$9,093,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$49,538,000, of which not less than \$33,000,000 is for cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$5,836,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$800,000: Provided, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$23,304,000.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$3,503,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), \$95,628,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$42,970,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, \$3,945,000.

OFFICE OF THE UNDER SECRETARY FOR
RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, \$800,000: Provided, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$76,788,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$183,781,000, of which up to \$63,350,000 shall be available until expended for the Census of Agriculture: Provided, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,132,625,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to section 703 of the Act of September 21, 1944 (7 U.S.C. 2250) for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$500,000, except for headhouses or greenhouses which shall each be limited to \$1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed \$1,100,000 each, and except for two buildings to be constructed at a cost not to exceed \$3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$500,000, whichever is greater: Provided further, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds

that acceptance of the facility is in the interest of the United States: Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$60,000,000 to remain available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$830,402,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the report accompanying this Act: Provided, That funds for research grants for 1994 institutions, education grants for 1890 institutions, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: Provided further, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: Provided further, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: Provided further, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: Provided further, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that Act.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT
FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$475,876,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 209 of the District of Columbia Public Postsecondary Education Reorganization Act (38-1202.09, D.C. Official Code) shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary

administrative expenses, \$35,000,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2019: Provided further, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Integrated research, education, and extension competitive grants program under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998.

OFFICE OF THE UNDER SECRETARY FOR
MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$800,000: Provided, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$906,400,000, of which \$450,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which \$11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which \$35,250,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$700,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$55,340,000, to remain available until expended, shall be used to support avian health; of which \$4,200,000, to remain available until expended, shall be for information technology infrastructure; of which \$160,000,000, to remain available until expended, shall be for specialty crop pests; of which, \$8,800,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$14,500,000, to remain available until expended, shall be for zoonotic disease management; of which \$36,500,000, to remain available until expended, shall be for emergency preparedness and response; of which \$38,000,000, to remain available until expended, shall be for tree and wood pests; of which \$5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: Provided, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: Provided further, That of amounts available under this heading for the screwworm program, \$4,990,000 shall remain available until expended: Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation

and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2018, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$77,573,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to section 9701 of title 31, United States Code.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$61,227,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise provided in this Act; and (3) not more than \$20,705,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961 (Public Law 87-128).

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and simi-

lar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,109,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, \$42,888,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$60,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$800,000: Provided, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,038,069,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2018 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): Provided further, That the Food Safety and Inspection Service shall continue implementation of section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246) as further clarified by the amendments made in section 12106 of the Agricultural Act of 2014 (Public Law 113-79): Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, \$875,000: Provided, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to pay the

salaries and expenses of up to one administrative support staff for the Office.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,166,317,000: Provided, That not more than 50 percent of the \$78,013,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over \$25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office: Provided further, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2018 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: Provided further, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That funds made available to county committees shall remain available until expended: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$3,398,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb-2), \$6,000,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND
PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$2,500,000,000 for guaranteed farm ownership loans and \$1,500,000,000 for farm ownership direct loans; \$1,593,423,000 for unsubsidized guaranteed operating loans and \$1,304,851,000 for direct operating loans; emergency loans, \$25,610,000; Indian tribe land acquisition loans, \$20,000,000; guaranteed conservation loans, \$150,000,000; Indian highly fractionated land loans, \$10,000,000; and for boll weevil eradication program loans, \$60,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, \$52,716,000 for direct operating loans, \$17,687,000 for unsubsidized guaranteed operating loans, emergency loans, \$1,260,000, to remain available until expended; and \$2,272,000 for Indian highly fractionated land loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$305,291,000, of which \$297,386,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY
SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, \$55,000,000: Provided, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination

of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$858,911,000, to remain available until September 30, 2019: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, \$40,000,000, to remain available until expended: Provided, That of the amounts made available under this heading, \$20,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, \$10,000,000 is provided: Provided, That of the amounts made available under this heading, \$5,000,000 shall remain available until expended for watershed rehabilitation projects in states with high-hazard dams and other watershed structures and that have recently incurred flooding events which caused fatalities.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C.

713a–11): Provided, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$220,835,000: Provided, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$900,000,000 shall be for direct loans and \$24,000,000,000 shall be for unsubsidized guaranteed loans; \$24,000,000 for section 504 housing repair loans; \$28,398,000 for section 515 rental housing; \$230,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; \$5,000,000 for section 523 self-help housing land development loans; and \$5,000,000 for section 524 site development loans: Provided, That section 514(f)(3)(A) of the Housing Act of 1949 (42 U.S.C. 1484(f)(3)(A)) is amended by striking “United States” and inserting “United States,” and by inserting before the semicolon the following: “, or a person legally admitted to the United States and authorized to work in agriculture”.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$34,650,000 shall be for direct loans; section 504 housing repair loans, \$2,959,000; section 523 self-help housing land development loans, \$368,000; section 524 site development loans, \$58,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$7,472,000: Provided, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: Provided further, That applicants in communities that have a current rural area

waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490g) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: Provided further, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2018: Provided further, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment (ROI) on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as "Asset Management Fee" (AMF) of up to \$7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), \$10,008,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account. In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$401,300,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$1,345,293,000, of which \$40,000,000 shall be available until September 30, 2019; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: Provided further, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: Provided further, That rental assistance provided under agreements entered into prior to fiscal year 2018 for a farm labor multifamily housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: Provided further, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multifamily housing project financed under section 514 or 516 of the Act: Provided

further, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2018 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, \$35,000,000, to remain available until expended: Provided, That of the funds made available under this heading, \$20,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: Provided further, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: Provided further, That funds made available for such vouchers shall be subject to the availability of annual appropriations: Provided further, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: Provided further, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: Provided further, That of the funds made available under this heading, \$15,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multifamily housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: Provided further, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: Provided further, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: Provided further, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative

expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$25,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,600,000,000 for direct loans and \$148,305,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$4,849,000, to remain available until expended.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, \$58,251,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed \$500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and \$5,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aaa et seq.) and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), \$17,500,000.

For the cost of direct loans, \$4,041,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which \$404,100 shall be available through June 30, 2018, for Federally Recognized Native American Tribes; and of which \$606,150 shall be available through June 30, 2018, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, \$4,230,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$196,000,000 shall not be obligated and \$196,000,000 are rescinded.

The cost of grants authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed \$10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$21,000,000, of which \$2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed \$3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$10,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$291,000: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$472,700,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That \$45,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105-83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided

for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105-83 for training and technical assistance programs: Provided further, That not to exceed \$20,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$6,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed \$16,897,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed \$4,000,000 shall be for solid waste management grants: Provided further, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 of that Act, rural electric, \$5,500,000,000; guaranteed underwriting loans pursuant to section 313A, \$750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, \$690,000,000: Provided, That up to \$2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, \$863,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$30,750,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, \$26,991,000.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, \$4,521,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL ECONOMIC INFRASTRUCTURE ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474 and 1490m; for rural community facilities, as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; for grants for

telemedicine distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq.; and for grants to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits, as authorized by 7 U.S.C. 950aaa; \$122,692,000, to remain available until expended:

Provided, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: Provided further, That any balances available for the very low-income housing repair and rural housing preservation grants in the "Rural Housing Assistance Grant" account, the rural community facilities grants in the "Rural Community Facilities Program Account", and the telemedicine and distance learning grants and broadband grants in the "Distance Learning, Telemedicine and Broadband Program" account shall be transferred to and merged with funds made available under this heading: Provided further, That of the amounts provided under this heading, not more than \$60,000,000 shall be made available through June 30, 2018, for jurisdictions in the Appalachian region, as defined by 40 U.S.C. 14102(a)(1): Provided further, That eligible activities under each of the Rural Housing Assistance Grants program, Rural Community Facilities program, and Distance Learning, Telemedicine and Broadband program accounts shall receive not less than 15 percent of the amounts provided under this heading.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, \$800,000: Provided, That funds made available by this Act to an agency in the Food, Nutrition, and Consumer services mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$24,280,944,000 to remain available through September 30, 2019, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, \$17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, \$25,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than \$1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: Provided further, That of the total amount available, \$23,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111-80): Provided further, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking "2010 through 2017" and inserting "2010 through 2018": Provided further, That section 9(h)(3) of the Richard B. Russell National

School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking “for fiscal year 2017” and inserting “for fiscal year 2018”: Provided further, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking “for fiscal year 2017” and inserting “for fiscal year 2018”.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$6,150,000,000, to remain available through September 30, 2019: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$60,000,000 shall be used for breastfeeding peer counselors and other related activities, and \$13,600,000 shall be used for infrastructure: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$73,609,950,000, of which \$3,000,000,000, to remain available through December 31, 2019, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available through September 30, 2019: Provided further, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2019: Provided further, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): Provided further, That, subject to section 731 of this Act, funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association

Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$317,139,000, to remain available through September 30, 2019: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2018 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2019: Provided further, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$148,541,000: Provided, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, \$875,000: Provided, That funds made available by this Act to an agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$195,268,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND

FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83-480) and the Food for Progress Act of 1985, \$149,000, shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered

prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,400,000,000, to remain available until expended: Provided, That the Administrator of the United States Agency for International Development shall in each instance notify in writing the Committees on Appropriations of both Houses of Congress, the Committee on Agriculture of the House, and the Committee on Agriculture, Nutrition, and Forestry of the Senate and make publicly available online the amount and use of authority in section 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to notwithstand the minimum level of nonemergency assistance required by section 412(e)(2) of the Food for Peace Act (7 U.S.C. 1736(f)(2)) not later than 15 days after the date of such action.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$201,626,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, \$6,735,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$6,382,000 shall be transferred to and merged with the appropriation for “Foreign Agricultural Service, Salaries and Expenses”, and of which \$353,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration that are funded by this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114-255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$5,145,945,000: Provided, That of the amount provided under this heading, \$937,434,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; \$193,291,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$493,600,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available

until expended; \$54,000,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; \$24,142,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; \$12,100,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; \$672,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: Provided further, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2018 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2018, including any such fees collected prior to fiscal year 2018 but credited for fiscal year 2018, shall be subject to the fiscal year 2018 limitations: Provided further, That the Secretary may accept payment during fiscal year 2018 of user fees specified under this heading and authorized for fiscal year 2019, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2019 for which the Secretary accepts payment in fiscal year 2018 shall not be included in amounts under this heading: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$1,026,803,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$1,634,578,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$374,233,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$195,349,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$487,836,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$63,331,000 shall be for the National Center for Toxicological Research; (7) \$625,646,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$178,785,000 shall be for Rent and Related activities, of which \$51,973,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$237,871,000 shall be for payments to the General Services Administration for rent; and (10) \$321,513,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: Provided further, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner of Food and Drugs: Provided further, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.

379dd(n)) shall only be from amounts made available under this heading for other activities: Provided further, That of the amounts that are made available under this heading for “other activities”, and that are not derived from user fees, \$1,500,000 shall be transferred to and merged with the appropriation for “Department of Health and Human Services—Office of Inspector General” for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: Provided further, That of the total amount made available under this heading, \$1,500,000 shall be used by the Commissioner of Food and Drugs, in coordination with the Secretary of Agriculture, for consumer outreach and education regarding agricultural biotechnology and biotechnology-derived food products and animal feed, including through publication and distribution of science-based educational information on the environmental, nutritional, food safety, economic, and humanitarian impacts of such biotechnology, food products, and feed: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), and medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$8,771,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, \$248,000,000, including not to exceed \$3,000 for official reception and representation expenses, and not to exceed \$25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than \$49,000,000, to remain available until September 30, 2019, shall be for the purchase of information technology and of which not less than \$2,700,000 shall be for expenses of the Office of the Inspector General: Provided, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: Provided further, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be trans-

ferred to and recorded in a new no-year account in the Treasury, which may be established for the sole purpose of recording adjustments for and liquidating such unpaid obligations: Provided further, That notwithstanding any other provision of law, the Chairman of the Commodity Futures Trading Commission may adjust the schedule of compensation and benefits for employees if the Chairman determines that furloughs or reductions-in-force may result from a collective bargaining agreement.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$68,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships: Provided further, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: Provided, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: Provided further, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses

of Congress and in accordance with the requirements of section 717 of this Act: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: Provided further, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over \$25,000 prior to receipt of written approval by the Chief Information Officer: Provided further, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to \$250,000 based upon the performance of an agency measured against the performance plan requirements described in the

explanatory statement accompanying Public Law 113-235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than \$20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2019, for information technology expenses: Provided, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2019, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113-79), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than \$2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 714. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The program authorized by section 14(h)(1) of the Watershed Protection and Flood Preven-

tion Act (16 U.S.C. 1012(h)(1)): Provided, That the funds appropriated by section 14(h)(1) of such Act are hereby permanently cancelled;

(2) The program authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) in excess of \$1,000,000;

(3) The program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111);

(4) The program authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103); and

(5) The program authorized by section 524(b) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524(b)): Provided, That the funds made available by section 524(b) of such Act for fiscal year 2018 are hereby permanently cancelled.

SEC. 715. Notwithstanding subsection (b) of section 14222 of Public Law 110-246 (7 U.S.C. 612c-6; in this section referred to as "section 14222"), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as "section 32") in excess of \$878,255,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—\$465,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000; Administration of Section 32 Commodity Purchases—\$35,853,000: Provided, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2018, such unobligated balances shall carryover into the next fiscal year and shall remain available until expended for any of the three stated purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed \$75,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: Provided further, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year sub-section (i)(1)(E) of section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a), except in an amount that excludes the transfer of \$125,000,000 of the funds to be transferred under subsection (c) of section 14222, until October 1, 2018: Provided further, That \$125,000,000 made available on October 1, 2018, to carry out such section 19 shall be excluded from the limitation described in subsection (b)(2)(A)(x) of section 14222: Provided further, That, with the exception of any available carryover funds authorized in the first proviso of this section to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause (3) of section 32, or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c): Provided further, That the available unobligated balances under (b)(2)(A)(x) of section 14222 in excess of the limitation set forth in this section, excluding amounts to be transferred pursuant to the second proviso of this section, are hereby permanently rescinded.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture,

Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2018 appropriations Act.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

- (1) creates new programs;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;
- (5) reorganizes offices, programs, or activities;

or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or
- (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or

activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of \$500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 718. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee.

SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. (a) Unless the Secretary of Agriculture notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this Act may be used to—

- (1) make a grant allocation of discretionary grant award totaling \$1,000,000 or more;
- (2) make a discretionary contract award totaling \$1,000,000 or more;
- (3) issue a letter of intent to make an allocation or award in excess of the limits in subparagraph (1) or (2); or

(4) announce publicly the intention to make an allocation or award in excess of the limits in subparagraph (1) or (2).

(b) The Secretary of Agriculture shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than \$1,000,000 provided during the previous quarter.

(c) The notification required by paragraph (a) and the report required by paragraph (b) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

SEC. 723. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, the Chairman of the Commodity Futures Trading Commission, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 724. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 725. The Secretary shall establish an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall enter into agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 726. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: Provided, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: Provided, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 728. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United

States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 729. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 730. Funds provided by this or any prior Appropriations Act for the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: Provided, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

SEC. 731. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both Houses of Congress a research and evaluation plan for fiscal year 2018, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.

SEC. 732. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p-2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 733. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 734. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 735. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the hazard analysis

and risk-based preventive control requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the production, distribution, sale, or receipt of dried spent grain byproducts of the alcoholic beverage production process.

SEC. 736. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

- (A) veterinary control and oversight;
- (B) disease history and vaccination practices;
- (C) livestock demographics and traceability;
- (D) epidemiological separation from potential sources of infection;
- (E) surveillance practices;
- (F) diagnostic laboratory capabilities; and
- (G) emergency preparedness and response;

and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 737. None of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal of such licenses, to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing.

SEC. 738. No partially hydrogenated oils as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.) shall be deemed unsafe within the meaning of section 409(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(a)) and no food that is introduced or delivered for introduction into interstate commerce that bears or contains a partially hydrogenated oil shall be deemed adulterated under sections 402(a)(1) or 402(a)(2)(C)(i) of this Act by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

SEC. 739. The Secretary may charge a fee for lenders to access Department loan guarantee systems in connection with such lenders' participation in loan guarantee programs of the Rural Housing Service: Provided, That the funds collected from such fees shall be made available to the Secretary without further appropriation and such funds shall be deposited into the Rural Development Salaries and Expense Account and shall remain available until expended for obligation and expenditure by the Secretary for administrative expenses of the Rural Housing Service Loan Guarantee Program in addition to other available funds: Provided further, That such fees collected shall not exceed \$50 per loan.

SEC. 740. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 741. Of the unobligated balances from amounts made available for the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$600,000,000 are rescinded.

SEC. 742. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the

Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the "Secretary") or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for "Rural Utilities Service—Rural Water and Waste Disposal Program Account" for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms "United States" and "State" shall include each of the several States, the District of Columbia, and each federally recognized Indian tribe.

SEC. 743. (a) For the period beginning on the date of enactment of this Act through school year 2018–2019, with respect to the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and final regulations published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Secretary of Agriculture shall allow States to grant an exemption from the whole grain requirements that took effect on or after July 1, 2014, and the States shall establish a process for evaluating and responding, in a reasonable amount of time, to requests for an exemption: Provided, That school food authorities demonstrate hardship, including financial hardship, in procuring specific whole grain products which are acceptable to the students and compliant with the whole grain-rich requirements: Provided further, That school food

authorities shall comply with the applicable grain component or standard with respect to the school lunch or school breakfast program that was in effect prior to July 1, 2014.

(b) For the period beginning on the date of enactment of this Act through school year 2018–2019, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to implement any regulations under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111–296), or any other law that would require a reduction in the quantity of sodium contained in federally reimbursed meals, foods, and snacks sold in schools below Target 1 (as described in section 220.8(f)(3) of title 7, Code of Federal Regulations (or successor regulations)).

(c) For the period beginning on the date of enactment of this Act through school year 2018–2019, notwithstanding any other provision of law, the Secretary shall allow States to grant special exemptions for the service of flavored, low-fat fluid milk in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), and as a competitive food available on campus during the school day, to schools which demonstrate a reduction in student milk consumption or an increase in school milk waste.

SEC. 744. Of the total amounts made available by this Act for direct loans and grants in the following headings: “Rural Housing Service—Rural Housing Insurance Fund Program Account”; “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Economic Infrastructure Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; and “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: Provided, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: Provided further, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 745. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 746. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 747. None of the funds made available by this Act may be used to implement, administer,

or enforce the “variety” requirements of the final rule entitled “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term “variety” as defined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and “variety” as applied in the definition of the term “staple food” as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: Provided, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 748. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any regulations applicable to food manufacturers for population-wide sodium reduction actions or to develop, issue, promote or advance final guidance applicable to food manufacturers for long term population-wide sodium reduction actions until the date on which a dietary reference intake report with respect to sodium is completed.

SEC. 749. The Secretary of Agriculture and the Secretary’s designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453 of the Social Security Act (42 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 524 of the Housing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding section 453(l)(1) of the Social Security Act.

SEC. 750. Of the unobligated balances from amounts made available to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a), \$8,000,000 are rescinded.

SEC. 751. None of the funds made available to the Commodity Futures Trading Commission by this Act or any other Act in the current fiscal year or any other fiscal year may be used to pay the salaries and expenses of personnel to lower the de minimis quantity of swap dealing established under section 1a(49)(D) of the Commodity Exchange Act (7 U.S.C. 1a(49)(D)) to less than \$8,000,000,000.

SEC. 752. None of the funds made available by this Act or any other Act in the current fiscal year or any other fiscal year may be used to implement, administer, or enforce the final rule with the regulation identifier number 0910–AG38 published by the Food and Drug Administration in the Federal Register on May 10, 2016 (81 Fed. Reg. 28974) with respect to traditional large and premium cigars. For the purposes of this section, the term “traditional large and premium cigar” means—

(1) any roll of tobacco that is wrapped in 100 percent leaf tobacco, is bunched with 100 percent tobacco filler, contains no filter, tip, or non-tobacco mouthpiece, weighs at least 6 pounds per 1,000 count, and—

(A) has a 100 percent leaf tobacco binder and is hand rolled;

(B) has a 100 percent leaf tobacco binder and is made using human hands to lay the leaf to-

bacco wrapper or binder onto only one machine that bunches, wraps, and caps each individual cigar; or

(C) has a homogenized tobacco leaf binder and is made in the United States using human hands to lay the 100 percent leaf tobacco wrapper onto only one machine that bunches, wraps, and caps each individual cigar; and

(2) is not a cigarette or a little cigar (as such terms are defined in paragraphs (3) and (11), respectively, of section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387)).

SEC. 753. (a) None of the funds appropriated or otherwise made available by this Act or any other Act with respect to any fiscal year may, for each tobacco product which the Secretary of Health and Human Services by regulation under section 901(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to be subject to chapter IX of such Act, be used to treat—

(1) any reference in sections 905(j) or 910(a) of such Act (21 U.S.C. 387e(j), 387j(a)) to February 15, 2007, as other than a reference to the effective date of the regulation under which the tobacco product is deemed to be subject to the requirements of such chapter pursuant to section 901(b) of such Act (21 U.S.C. 387a(b)); and

(2) any reference in such sections to 21 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act as other than a reference to 21 months after the effective date of such deeming regulation.

(b)(1) Notwithstanding any other provision of law, not later than 21 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue a notice of proposed rulemaking to establish a product standard for vapor products pursuant to section 907 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387g) to include but not limited to—

(A) characterizing flavors; and

(B) batteries.

(2) Notwithstanding any other provision of law, not later than 36 months after the date of enactment of this Act, the Secretary shall promulgate a final rule pursuant to such notice.

(c) A vapor product shall be deemed to be misbranded under section 903(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387c(a)) if the advertising with respect to the vapor product is disseminated by a manufacturer, distributor, or retailer of the product in a newspaper, magazine, periodical, or other publication (including any publication of periodic or limited distribution) other than an adult publication.

(d)(1) A retailer may only sell any vapor product in a direct face-to-face exchange without the assistance of any electronic or mechanical device (such as a vending machine).

(2) This subsection shall not apply with respect to sales of vapor products conducted through—

(A) mail-order; or

(B) a vending machine or self-service display if, with respect to the facility in which such vending machine or display is located, the retailer of such products ensures that no person under 18 years of age is present or permitted to enter.

(3) A violation of this section is deemed to constitute a violation of the Federal Food, Drug, and Cosmetic Act relating to a tobacco product for purposes of section 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

(e)(1) Not later than 12 months after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate final regulations to require that the labeling of vapor products contain—

(A) the phrase “Keep Out of Reach of Children”;

(B) the phrase “Underage Sale Prohibited”; and

(C) an accurate statement of the nicotine content of the vapor product.

(2) A vapor product whose label is in violation of the regulations required by paragraph (1) is deemed to be misbranded under section 903 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387c).

(f)(1) Every person who owns or operates an establishment in any State engaged in the retail sale of a vapor product shall register that establishment with the Secretary of Health and Human Services within the later of 60 days after the date of enactment of this Act, or 30 days after first engaging in such retail sale.

(2) The requirements of this subsection do not apply with respect to any establishment subject to an active registration under—

(A) any State law relating to tobacco products; or

(B) section 905 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387e).

(3) The Secretary shall make available for inspection, to any person so requesting, any registration filed under this section.

(g) In this section:

(1) The term “adult publication” means any newspaper, magazine, periodical, or other publication—

(A) whose readers younger than 18 years of age constitute 15 percent or less of the total readership as measured by competent and reliable survey evidence; and

(B) that is read by fewer than 2 million persons younger than 18 years of age as measured by competent and reliable survey evidence.

(2) The terms “label” and “labeling” have the meanings given to such terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(3) The term “tobacco product” has the meaning given to such term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) The term “vapor product”—

(A) means any non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution or other form;

(B) includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any vapor cartridge or other container of nicotine in a solution or other form; and

(C) does not include any product regulated as a drug or device by the Food and Drug Administration under chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et. seq.).

SEC. 754. (a) No funds shall be used to finalize the proposed rule entitled “Eligibility of the People’s Republic of China (PRC) to Export to the United States Poultry Products from Birds Slaughtered in the PRC” published in the Federal Register by the Department of Agriculture on June 16, 2017 (82 Fed. Reg. 27625), unless the Secretary of Agriculture shall—

(1) ensure that the poultry slaughter inspection system for the PRC is equivalent to that of the U.S.;

(2) ensure that, before any poultry products can enter the United States from any such poultry plant, such poultry products comply with all other applicable requirements for poultry products in interstate commerce in the United States;

(3) conduct periodic verification reviews and audits of any such plants in the PRC intending to export into the United States processed poultry products;

(4) conduct re-inspection of such poultry products at United States ports-of-entry to check the general condition of such products, for the proper certification and labeling of such products, and for any damage to such products

that may have occurred during transportation; and

(5) ensure that shipments of any such poultry products selected to enter the United States are subject to additional re-inspection procedures at appropriate levels to verify that the products comply with relevant Federal regulations or standards, including examinations for product defects and laboratory analyses to detect harmful chemical residues or pathogen testing appropriate for the products involved.

(b) This section shall be applied in a manner consistent with obligations of the United States under any trade agreement to which the United States is a party.

SEC. 755. None of the funds made available by this Act or funds from the Commodity Credit Corporation may be used by the Secretary of Agriculture or provided to the Department of Defense to purchase, produce, or defray the costs of purchase or production of, or develop, facilitate, expedite, or expand production of, an alternative fuel (under the meaning given such term by subparagraph (I) of section 32901(a)(1) of title 49, United States Code) for the Department of Defense.

SEC. 756. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

SEC. 757. For necessary expenses to carry out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114–255), in addition to amounts available for such activities under the heading “Salaries and Expenses”, \$60,000,000, to remain available until expended, is provided for Department of Health and Human Services—Food and Drug Administration—FDA Innovation Account: Provided, That amounts appropriated by this section are appropriated pursuant to section 1002(b)(3) of such Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Secretary of Health and Human Services to other accounts of the Department of Health and Human Services solely for the activities described in section 1002(b)(4) such Act: Provided further, That such transfer authority is in addition to any other transfer authority provided by law.

SEC. 758. For an additional amount for “Animal and Plant Health Inspection Service—Salaries and Expenses”, \$5,500,000, to remain available until September 30, 2019, for one-time control and management and associate activities directly related to the multiple-agency response to citrus greening.

SEC. 759. There is hereby appropriated \$1,000,000, to remain available until September 30, 2019, for the cost of loans and grants consistent with section 243 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953), for necessary expenses of the Secretary to support projects under the healthy food financing initiative that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities.

SEC. 760. The provisions of sections 202 and 320 of H.R. 238, One Hundred Fifteenth Congress (the “Commodity End-User Relief Act”), as passed by the House of Representatives on January 12, 2017, are hereby enacted into law, except that the amendment made by such section 320 shall be added at the end of paragraph (47) rather than (48).

REFERENCES TO ACT

SEC. 761. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 762. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–232. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 763. \$0.

This division may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018”.

DIVISION C—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$480,000,000, to remain available until September 30, 2019, of which \$13,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than \$16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent

members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$112,500,000, to remain available until expended: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

**ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS**

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), \$140,000,000, to remain available until expended, of which \$17,000,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$36,000,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

**MINORITY BUSINESS DEVELOPMENT AGENCY
MINORITY BUSINESS DEVELOPMENT**

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$34,000,000.

BUREAU OF ECONOMIC ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$96,000,000, to remain available until September 30, 2019.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, \$256,000,000: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That the Bureau of the Census shall collect and analyze data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised ques-

tions implemented in the Current Population Survey beginning in February 2014.

**PERIODIC CENSUSES AND PROGRAMS
(INCLUDING TRANSFER OF FUNDS)**

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, \$1,251,000,000, to remain available until September 30, 2019: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That within the amounts appropriated, \$2,580,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census: Provided further, That not more than 50 percent of the amounts made available under this heading for information technology related to 2020 census delivery, including the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate a plan for expenditure that: (1) identifies for each CEDCaP project/investment over \$25,000: (A) the functional and performance capabilities to be delivered and the mission benefits to be realized; (B) the estimated lifecycle cost, including estimates for development as well as maintenance and operations; and (C) key milestones to be met; (2) details for each project/investment: (A) reasons for any cost and schedule variances; and (B) top risks and mitigation strategies; and (3) has been submitted to the Government Accountability Office.

**NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION
SALARIES AND EXPENSES**

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$30,000,000: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

**PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION**

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

**UNITED STATES PATENT AND TRADEMARK OFFICE
SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)**

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, \$3,500,000,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2018, so as to

result in a fiscal year 2018 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2018, should the total amount of such offsetting collections be less than \$3,500,000,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of \$3,500,000,000 in fiscal year 2018 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office "Salaries and Expenses" account: Provided further, That from amounts provided herein, not to exceed \$900 shall be made available in fiscal year 2018 for official reception and representation expenses: Provided further, That in fiscal year 2018 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: Provided further, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112-29): Provided further, That within the amounts appropriated, \$2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

**NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY**

**SCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES**

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), \$660,000,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund": Provided, That not to exceed \$5,000 shall be for official reception and representation expenses: Provided further, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, \$105,000,000, to remain available until expended, of which \$100,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which \$5,000,000 shall be for the National Network for Manufacturing Innovation.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), \$100,000,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,240,199,000, to remain available until September 30, 2019, except that funds provided for cooperative enforcement shall remain available until September 30, 2020: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: Provided further, That in addition, \$144,000,000 shall be derived by transfer from the fund entitled “Promote and Develop Fishery Products and Research Pertaining to American Fisheries”, which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: Provided further, That of the \$3,411,699,000 provided for in direct obligations under this heading, \$3,240,199,000 is appropriated from the general fund, \$144,000,000 is provided by transfer and \$27,500,000 is derived from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in addition, for necessary retired pay expenses under the Retired Serviceman’s Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents’ Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,643,110,000, to remain available until September 30, 2020, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: Provided, That of the \$1,656,110,000 provided for in direct obligations under this heading, \$1,643,110,000 is appropriated from the general fund and \$13,000,000 is provided from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: Provided further, That, within the amounts appropriated, \$1,302,000 shall be transferred to the “Office of Inspector General” account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2019: Provided, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: Provided further, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN’S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed \$350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES DISASTER ASSISTANCE

For the necessary expenses associated with the mitigation of fishery disasters, \$20,000,000 to remain available until expended: Provided, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters as declared by the Secretary of Commerce in 2017.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2018, obli-

gations of direct loans may not exceed \$24,000,000 for Individual Fishing Quota loans and not to exceed \$100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT
SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed \$4,500 for official reception and representation, \$58,000,000.

RENOVATION AND MODERNIZATION
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, \$1,000,000, to remain available until expended: Provided, That the Secretary of Commerce may transfer up to \$8,224,000 to this account from funds available to the Department of Commerce: Provided further, That the transfer authority provided in the first proviso is in addition to any other transfer authority contained in this Act: Provided further, That any transfer pursuant to the authority provided under this heading shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$32,744,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE
(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2018: Provided, That the

life cycle cost for the Joint Polar Satellite System is \$11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is \$10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof, local government, tribal government, territory, or possession or any subdivisions thereof: Provided, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" and shall remain available until September 30, 2020, for such purposes: Provided further, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

This title may be cited as the "Department of Commerce Appropriations Act, 2018".

TITLE II DEPARTMENT OF JUSTICE GENERAL ADMINISTRATION SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$39,000,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the administration of the Department of Justice, including planning, development, deployment and departmental direction, \$30,941,000, to remain available until expended: Provided, That the Attorney General may transfer up to \$35,400,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: Provided further, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act: Provided further, That any transfer pursuant to the first proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of immigration-related activities of the Executive Office for Immigration Review, \$504,500,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account: Provided, That not to exceed \$35,000,000 of the total amount made available under this heading shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$95,583,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$13,000,000: Provided, That, notwithstanding any other provision of law, upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; the administration of pardon and clemency petitions; and rent of private or Government-owned space in the District of Columbia, \$897,500,000, of which not to exceed \$20,000,000 for litigation support contracts shall remain available until expended: Provided, That of the amount provided for INTERPOL Washington dues payments, not to exceed \$685,000 shall remain available until expended: Provided further, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with

the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: Provided further, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$10,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$163,980,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$126,000,000 in fiscal year 2018), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2018, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at \$37,980,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$2,057,252,000: Provided, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: Provided further, That not to exceed \$25,000,000 shall remain available until expended: Provided further, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$225,000,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, deposits to the United States Trustee System Fund and amounts herein appropriated shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, fees collected pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That to the extent that fees collected in fiscal year 2018, net of amounts necessary to pay refunds due depositors, exceed \$225,000,000, those excess amounts shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2018, net of amounts necessary to pay refunds due depositors, (estimated at \$135,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from amounts deposited in the Fund in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at \$90,000,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,374,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$16,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: Provided, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, \$15,000,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,255,000,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, \$1,536,000,000, to remain available until expended: Provided, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: Provided further, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: Provided further, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, \$100,000,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking organizations, transnational organized crime, and money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in transnational organized crime and drug trafficking, \$526,000,000, of which \$50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$8,814,747,000, of which not to exceed \$216,900,000 shall remain available until expended: Provided, That not to exceed \$184,500 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of federally owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; \$51,895,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,164,051,000, of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,293,776,000, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$20,000,000 shall remain available until expended: Provided, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$7,070,248,000: Provided, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed \$5,400 shall be available for official reception and representation expenses: Provided further, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2019: Provided further, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident

thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$95,000,000, to remain available until expended: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and the Rape Survivor Child Custody Act of 2015 (Public Law 114-22) ("the 2015 Act"); and for related victims services, \$527,000,000, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: Provided further, That of the amount provided—

(1) \$215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$30,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) \$3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) \$11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: Provided, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: Provided further, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: Provided further, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) \$53,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which \$4,000,000 is for a homicide reduction initiative;

(6) \$35,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$35,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$20,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$45,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) \$16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: Provided, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) \$6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: Provided, That such funds may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(15) \$500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women;

(16) \$4,000,000 is for grants to assist tribal governments;

(17) \$45,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386, for programs authorized under Public Law 109-164, or programs authorized under Public Law 113-4; and

(18) \$1,500,000 for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); and other programs, \$83,000,000, to remain available until expended, of which—

(1) \$44,500,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act; and

(2) \$38,500,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Public Safety Officer Medal of Valor Act of 2001 (Public Law 107-12); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198) ("CARA"); and other programs, \$1,143,500,000, to remain available until expended as follows—

(1) \$500,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$10,000,000 is for the Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), \$4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, \$2,000,000 is for a program to improve juvenile indigent defense, \$2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System, \$10,000,000 is for competitive and evidence-based programs to reduce gun crime and gang violence, \$2,500,000 is for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405 and for grants for wrongful conviction review, \$15,500,000 is for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79), and \$10,000,000 is for white collar crime prevention grants, including as authorized by section 401 of Public Law 110-403;

(2) \$220,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): Provided, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) \$20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(4) \$22,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act;

(5) \$1,000,000 for the National Sex Offender Public Website;

(6) \$73,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System;

(7) \$125,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106-546) (the Debbie Smith DNA Backlog Grant Program): Provided, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108-405, section 303);

(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program (Public Law 108-405, section 412); and

(C) \$4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108-405;

(8) \$9,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(9) \$118,000,000 for comprehensive opioid abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid abuse reduction consistent with underlying program authorities—

(A) \$43,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) \$12,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act;

(C) \$12,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) \$7,000,000 for a veterans treatment courts program; and

(E) \$14,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(10) \$10,000,000 for emergency law enforcement assistance for events occurring during or after fiscal year 2018, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10501; Public Law 98-473); and

(11) \$45,000,000 for the Comprehensive School Safety Initiative:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance, the following amounts are made available until expended—

(1) \$75,000,000 for youth mentoring grants;

(2) \$21,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(3) \$72,500,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act); and

(4) \$2,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the Victims of Child Abuse Act of 1990.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to “Public Safety Officer Benefits” from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance, the following amounts are made available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act—

(1) \$11,000,000 for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) \$10,000,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114-199);

(3) \$65,000,000 for initiatives to improve police-community relations, as described in the report accompanying this Act;

(4) \$68,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed \$5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy, and \$2,000,000 shall be for competitive grants focusing on girls in the juvenile justice system;

(5) \$45,000,000 for a grant program for community-based sexual assault response reform; and

(6) \$35,000,000 is for regional information sharing activities, as authorized by part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the

Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 207. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 208. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 209. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the report accompanying this Act, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 210. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of Federal Prison Industries, Incorporated.

SEC. 211. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 212. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 3 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 213. In addition to any amounts that otherwise may be available (or authorized to be made available) by law, 7 percent of funds made available for grant or reimbursement programs—

(1) under the heading "State and Local Law Enforcement Assistance" (except for funds made available under paragraph (2) under such heading); and

(2) under the headings "Juvenile Justice Programs" (except for funds made available under paragraph (3) under such heading) and "Community Oriented Policing Services Programs", to be transferred to and merged with funds made available under the heading "State and Local Law Enforcement Assistance", shall be available for assistance to Indian tribes without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 215. None of the funds made available under this or any other Act, for fiscal year 2018 and each fiscal year thereafter, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 216. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2018, except up to \$40,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall

be available for obligation in fiscal year 2018, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2018, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

This title may be cited as the "Department of Justice Appropriations Act, 2018".

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,544,000.

NATIONAL AERONAUTICS AND SPACE

ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and operation of mission and administrative aircraft, \$5,858,500,000, to remain available until September 30, 2019: Provided, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed \$8,000,000,000: Provided further, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104: Provided further, That, of the amounts provided, \$495,000,000 is for an orbiter and a lander to meet the science goals for the Jupiter Europa mission as outlined in the most recent planetary science decadal survey: Provided further, That the National Aeronautics and Space Administration shall use the Space Launch System as the launch vehicles for the Jupiter Europa mission, plan for an orbiter launch no later than 2022 and a lander launch no later than 2024, and include in the fiscal year 2019 budget the 5-year funding profile necessary to achieve these goals.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances there-

for, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$660,000,000, to remain available until September 30, 2019.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$686,500,000, to remain available until September 30, 2019.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$4,550,000,000, to remain available until September 30, 2019: Provided, That not less than \$1,350,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: Provided further, That not less than \$2,150,000,000 shall be for the Space Launch System (SLS) launch vehicle, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an Exploration Upper Stage developed simultaneously: Provided further, That of the amounts provided for SLS, not less than \$300,000,000 shall be for Exploration Upper Stage development: Provided further, That \$600,000,000 shall be for exploration ground systems: Provided further, That the National Aeronautics and Space Administration (NASA) shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5-year budget profile for an integrated budget that includes the Space Launch System, the Orion Multi-Purpose Crew Vehicle, and associated ground systems, that will meet the Exploration Mission 2 (EM-2) management agreement launch date of no later than 2021 at a success level equal to the Agency Baseline Commitment for EM-2 of the Orion Multi-Purpose Crew Vehicle: Provided further, That \$450,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and

operation of mission and administrative aircraft, \$4,676,634,000, to remain available until September 30, 2019.

EDUCATION

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$90,000,000, to remain available until September 30, 2019, of which \$18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and \$40,000,000 shall be for the National Space Grant College and Fellowship Program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$2,826,200,000, to remain available until September 30, 2019.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$486,100,000, to remain available until September 30, 2023: Provided, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: Provided further, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2018 in an amount not to exceed \$9,470,300: Provided further, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$37,900,000, of which \$500,000 shall remain available until September 30, 2019.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFERS OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until a prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation,

except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, except that "Construction and Environmental Compliance and Restoration" may be increased up to 20 percent by such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

NATIONAL SCIENCE FOUNDATION RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$6,033,645,000, to remain available until September 30, 2019, of which not to exceed \$544,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, \$77,800,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, \$880,000,000, to remain available until September 30, 2019.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$328,510,000: Provided, That not to exceed \$8,280 is for official reception and representation expenses: Provided

further, That contracts may be entered into under this heading in fiscal year 2018 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,370,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, \$15,200,000, of which \$400,000 shall remain available until September 30, 2019.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The Director of the National Science Foundation shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the National Science Foundation.

This title may be cited as the "Science Appropriations Act, 2018".

TITLE IV RELATED AGENCIES COMMISSION ON CIVIL RIGHTS SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,183,000: Provided, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act (GINA) of 2008 (Public Law 110-233), the ADA

Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to \$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$363,807,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,250 from available funds: Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$2,250 for official reception and representation expenses, \$92,500,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$300,000,000, of which \$267,000,000 is for basic field programs and required independent audits; \$5,000,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$19,000,000 is for management and grants oversight; \$4,000,000 is for client self-help and information technology; \$4,000,000 is for a Pro Bono Innovation Fund; and \$1,000,000 is for loan repayment assistance: Provided, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): Provided further, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: Provided further, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2017 and 2018, respectively.

MARINE MAMMAL COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,431,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the em-

ployment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$53,000,000, of which \$1,000,000 shall remain available until expended: Provided, That of the total amount made available under this heading, not to exceed \$124,000 shall be available for official reception and representation expenses.

TRADE ENFORCEMENT TRUST FUND
(INCLUDING TRANSFER OF FUNDS)

For activities of the United States Trade Representative authorized by section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), including transfers, \$15,000,000, to be derived from the Trade Enforcement Trust Fund: Provided, That any transfer pursuant to subsection (d)(1) of such section shall be treated as a reprogramming under section 505 of this Act.

STATE JUSTICE INSTITUTE
SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) \$5,111,000, of which \$500,000 shall remain available until September 30, 2019: Provided, That not to exceed \$2,250 shall be available for official reception and representation expenses: Provided further, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V
GENERAL PROVISIONS
(INCLUDING RESCISSIONS)

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program,

project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term “promotional items” has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than \$4,632,000,000 during fiscal year 2018 from the fund established by section 1402 of Public Law 98-473 (42 U.S.C. 10601): Provided, That notwithstanding such section 1402(d), of the amounts available from the Fund for obligation, 5 percent shall be available for grants to Indian tribal governments to improve services and justice for victims of crime.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST and the Federal Bureau of Investigation (FBI) to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the FBI and other appropriate agencies; and

(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST, the FBI, and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the FBI, that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

SEC. 515. None of the funds made available in this Act shall be used in any way whatsoever to

support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 516. (a) Notwithstanding any other provision of law or treaty, in fiscal year 2018 and each fiscal year thereafter, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 517. Notwithstanding any other provision of law, in fiscal year 2018 and each fiscal year thereafter, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 518. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States–Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States–Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States–Morocco Free Trade Agreement.

SEC. 519. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act of 1978; The Electronic Communications Privacy Act of 1986; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; USA FREEDOM Act of 2015; and the laws amended by these Acts.

SEC. 520. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 521. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for fiscal year 2018.

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 523. (a) Of the unobligated balances from prior year appropriations available to the Department of Commerce, the following funds are hereby rescinded, not later than September 30, 2018, from the following accounts in the specified amounts—

(1) "Economic Development Administration, Economic Development Assistance Programs", \$47,000,000; and

(2) "National Oceanic and Atmospheric Administration, Operations, Research, and Facilities", \$20,000,000.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2018, from the following accounts in the specified amounts—

- (1) “Working Capital Fund”, \$409,834,000;
- (2) “Federal Bureau of Investigation, Salaries and Expenses”, \$195,000,000 from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;
- (3) “State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs”, \$17,500,000;
- (4) “State and Local Law Enforcement Activities, Office of Justice Programs”, \$60,000,000;
- (5) “State and Local Law Enforcement Activities, Community Oriented Policing Services”, \$17,500,000;
- (6) “Legal Activities, Assets Forfeiture Fund”, \$304,000,000 is permanently rescinded; and
- (7) “Federal Bureau of Investigation, Salaries and Expenses”, \$53,365,000.

(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2018, specifying the amount of each rescission made pursuant to subsections (a) and (b), and the Department of Justice shall ensure that sufficient balances are available in the “Working Capital Fund” to rescind the amount specified in subsection (b) and shall transfer unobligated balances from discretionary appropriations (except from “Federal Bureau of Investigation, Salaries and Expenses”, “Fees and Expenses of Witnesses”, “Public Safety Officer Benefits”, and amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985) made available in this Act to the Department into the “Working Capital Fund” if necessary to meet the amount specified in subsection (b) and this transfer authority is in addition to any other transfer authority contained in this Act.

SEC. 524. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 525. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 526. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

- (1) is not a United States citizen or a member of the Armed Forces of the United States; and
- (2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 527. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

- (1) is not a citizen of the United States or a member of the Armed Forces of the United States; and
- (2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 528. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

- (1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.
- (2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.
- (3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.
- (4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 529. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP, after consultation with the Federal Bureau of Investigation, have certified—

- (1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and
- (2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, and the Federal Bureau of Investigation, no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 530. None of the funds made available by this or any other Act, for fiscal year 2018 and each fiscal year thereafter, may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

- (1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 531. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication, or other law enforcement- or victim assistance-related activity.

SEC. 532. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 533. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 534. The Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation shall provide a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of such Department or agency, including the purpose of such travel.

SEC. 535. Of the amounts made available by this Act, not less than 10 percent of each total amount provided, respectively, for Public Works grants authorized by the Public Works and Economic Development Act of 1965 and grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) shall be allocated for assistance in persistent poverty counties: Provided, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

SEC. 536. None of the funds made available by this Act may be used to approve the registration or renewal of, or maintain the registration of, a mark, trade name, or commercial name, under the Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 6, 1946 (commonly referred to as the “Trademark Act of 1946”; 15 U.S.C. 1051 et seq.), including the receipt or acceptance of post-registration affidavits or declarations, where such mark, trade name, or commercial name is the same or substantially similar to a mark, trade name, or commercial name that was used in connection with a business or assets that were confiscated, as that term is defined in section 4(4) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023(4)), unless the original owner of the mark, trade name, or commercial name, or the bona-fide successor-in-interest has expressly consented.

SEC. 537. None of the funds made available by this Act may be used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

SEC. 538. (a) A State may bring a civil action against the United States in an appropriate United States district court for such declaratory and injunctive relief (including preliminary injunctive relief) as may be necessary to restore the sovereignty reserved to the States by the Constitution. It shall be duty of the courts of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any such action.

(b) This section shall take effect on the date of enactment of this Act and continue in effect through all fiscal years thereafter.

SEC. 539. None of the funds made available by this Act may be used to relocate the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Canine Training Center or the ATF National Canine Division.

SEC. 540. None of the funds made available by this Act may be used to enter into a civil settlement agreement on behalf of the United States that includes a term requiring that any donation be made to any non-party by any party-defendant to such agreement.

SEC. 541. None of the funds made available by this Act may be used to implement or enforce the designation of any area of the Chesapeake Bay watershed as critical habitat for the Atlantic Sturgeon pursuant to the proposed rule published June 3, 2016 (81 Fed. Reg. 35701).

SEC. 542. None of the funds made available by this Act may be used by the Equal Employment Opportunity Commission for the "collection of information", as defined in the Paperwork Reduction Act (44 U.S.C. § 3502(3)(A)), from employers relating to employees' earnings and hours worked, as set forth in and designated as Component 2 by the notice published by the Commission on July 14, 2016, in the Federal Register (81 Fed. Reg. 45479), or for any final "collection of information" related to such earnings and hours worked and to such notice.

REFERENCES TO ACT

SEC. 543. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 544. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 115–231. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 545. \$0.

This division may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2018".

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles;

maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, \$201,751,000: Provided, That of the amount appropriated under this heading—

(1) not to exceed \$350,000 is for official reception and representation expenses;

(2) not to exceed \$258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(3) not to exceed \$24,000,000 shall remain available until September 30, 2019, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, \$123,000,000: Provided, That of the amount appropriated under this heading: (1) up to \$28,000,000 may be transferred to the Departmental Offices Salaries and Expenses appropriation and shall be available for administrative support to the Office of Terrorism and Financial Intelligence; and (2) up to \$5,000,000 shall remain available until September 30, 2019.

CYBERSECURITY ENHANCEMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, \$27,264,000, to remain available until September 30, 2020: Provided, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: Provided further, That the Chief Information Officer of the individual offices and bureaus shall submit a spend plan for each investment to the Treasury Chief Information Officer for approval: Provided further, That the submitted spend plan shall be reviewed and approved by the Treasury Chief Information Officer prior to the obligation of funds under this heading: Provided further, That of the total amount made available under this heading \$1,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: Provided further, That such funds shall supplement and not supplant any other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings

owned by the Department of the Treasury, \$3,077,000, to remain available until September 30, 2020: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$34,112,000, including hire of passenger motor vehicles; of which not to exceed \$100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to \$2,800,000 to remain available until September 30, 2019, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed \$1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; \$165,113,000, of which \$5,000,000 shall remain available until September 30, 2019; of which not to exceed \$6,000,000 shall be available for official travel expenses; of which not to exceed \$500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed \$1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), \$37,044,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed \$10,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, \$115,003,000, of which not to exceed \$34,335,000 shall remain available until September 30, 2020.

**TREASURY FORFEITURE FUND
(RESCISSION)**

Of the unobligated balances available under this heading, \$876,000,000 are hereby permanently rescinded not later than September 30, 2018.

(INCLUDING RETURN OF FUNDS)

In addition, of amounts in the Treasury Forfeiture Fund, \$38,800,000 from funds paid to the United States Government by BNP Paribas S.A. as part of, or related to, a plea agreement dated June 27, 2014, entered into between the Department of Justice and BNP Paribas S.A., and subject to a consent order entered by the United States District Court for the Southern District of New York on May 1, 2015, in *United States v. BNPP*, No. 14 Cr. 460 (S.D.N.Y.), are hereby returned to the general fund of the Treasury.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, \$330,837,000; of which not to exceed \$4,210,000, to remain available until September 30, 2020, is for information systems modernization initiatives; and of which \$5,000 shall be available for official reception and representation expenses.

In addition, \$165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101-380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, \$111,439,000; of which not to exceed \$6,000 for official reception and representation expenses; not to exceed \$50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: Provided, That of the amount appropriated under this heading, \$5,000,000 shall be for the costs of accelerating the processing of formula and label applications: Provided further, That of the amount appropriated under this heading, \$5,000,000, to remain available until September 30, 2019, shall be for the costs associated with enforcement of the trade practice provisions of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: Provided, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2018 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed \$30,000,000.

**COMMUNITY DEVELOPMENT FINANCIAL
INSTITUTIONS FUND PROGRAM ACCOUNT**

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103-325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX-3, \$190,000,000. Of the amount appropriated under this heading—

(1) not less than \$137,000,000, notwithstanding section 108(e) of Public Law 103-325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging

Community Development Financial Institutions Assistance awards, and section 108(d) of Public Law 103-325 (12 U.S.C. 4707(d)) shall not apply with respect to financial assistance in the form of direct loans, is available until September 30, 2019, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103-325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to \$5,896,000 may be used for the cost of direct loans, and of which up to \$3,000,000, subsection (d) of section 108 of Public Law 103-325 (12 U.S.C. 4707 (d)) shall not apply to the use of such funds, may be available to provide financial assistance, technical assistance, training and outreach to community development financial institutions to expand investments that benefit individuals with disabilities: Provided, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$50,000,000;

(2) not less than \$15,000,000, notwithstanding section 108(e) of Public Law 103-325 (12 U.S.C. 4707(e)), is available until September 30, 2019, for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Native Alaskan communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than \$15,000,000 is available until September 30, 2019, for the Bank Enterprise Award program;

(4) up to \$23,000,000 is available until September 30, 2018, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than \$1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to \$300,000 is for administrative expenses to carry out the direct loan program; and

(5) during fiscal year 2018, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): Provided, That commitments to guarantee bonds and notes under such section 114A shall not exceed \$500,000,000: Provided further, That such section 114A shall remain in effect until September 30, 2018: Provided further, That of the funds awarded under this heading, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: Provided further, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent series of 5-year data available from the American Community Survey from the Census Bureau.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$2,315,754,000, of which \$8,890,000 shall be for the Tax Counseling for

the Elderly Program; of which \$12,000,000 shall be available for low-income taxpayer clinic grants; of which \$15,000,000, to remain available until September 30, 2019, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, of which not less than \$206,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: Provided, That of the amounts made available for the Taxpayer Advocate Service, not less than \$5,000,000 shall be for identity theft casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$4,810,000,000, of which not to exceed \$50,000,000 shall remain available until September 30, 2019, and of which not less than \$60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$3,850,189,000, of which not to exceed \$50,000,000 shall remain available until September 30, 2019; of which not to exceed \$10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed \$1,000,000 shall remain available until September 30, 2020, for research; of which not to exceed \$20,000 shall be for official reception and representation expenses: Provided, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: Provided further, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2019, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, \$110,000,000, to remain available until September 30, 2020, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That not later than 30 days after the end of each quarter, the Internal

Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for CADE 2 and Return Renew Program information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. None of the funds made available to the Internal Revenue Service by this Act may be used to make a video unless the Service-Wide Video Editorial Board determines in advance that making the video is appropriate, taking into account the cost, topic, tone, and purpose of the video.

SEC. 106. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 107. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 108. None of the funds made available in this Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 109. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled "Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California" (Reference Number 2013-10-037).

SEC. 110. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or

(2) under any hiring or personnel selection process with respect to re-hiring a former employee, unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 111. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 112. None of the funds made available by this Act may be used by the Internal Revenue Service to implement or enforce section 5000A of the Internal Revenue Code of 1986, section 6055 of such Code, section 1502(c) of the Patient Protection and Affordable Care Act (Public Law 111-148), or any amendments made by section 1502(b) of such Act.

SEC. 113. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, no funds in this or any other Act shall be available to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such person to satisfy a filing or reporting requirement under such Code.

SEC. 114. None of the funds made available by this Act may be used by the Internal Revenue Service to implement or enforce Internal Revenue Service Notice 2017-10 with respect to transactions entered into before January 23, 2017.

SEC. 115. None of the funds made available by this Act may be used to finalize, implement, or enforce amendments to Treasury Regulations proposed in the Notice of Proposed Rulemaking in the Federal Register on August 4, 2016 (81 Fed. Reg. 51413) (relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes under section 2704 of the Internal Revenue Code of 1986), or any substantially similar amendments to such regulations.

SEC. 116. None of the funds made available by this Act may be used by the Internal Revenue Service to make a determination that a church, an integrated auxiliary of a church, or a convention or association of churches is not exempt from taxation for participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for public office unless—

(1) the Commissioner of Internal Revenue consents to such determination;

(2) not later than 30 days after such determination, the Commissioner notifies the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate of such determination; and

(3) such determination is effective with respect to the church, integrated auxiliary of a church, or convention or association of churches not earlier than 90 days after the date of the notification under paragraph (2).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 117. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their de-

pendents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 118. Not to exceed 2 percent of any appropriations in this title made available under the headings "Departmental Offices—Salaries and Expenses", "Office of Inspector General", "Special Inspector General for the Troubled Asset Relief Program", "Financial Crimes Enforcement Network", "Bureau of the Fiscal Service", and "Alcohol and Tobacco Tax and Trade Bureau" may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 119. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 120. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the \$1 Federal Reserve note.

SEC. 121. The Secretary of the Treasury may transfer funds from the "Bureau of the Fiscal Service—Salaries and Expenses" to the Debt Collection Fund as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 122. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 123. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 124. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for Fiscal Year 2018.

SEC. 125. Not to exceed \$5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 126. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: Provided, That such Capital Investment Plan shall include capital investment spending from all accounts within

the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: Provided further, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 127. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 128. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 129. During fiscal year 2018—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status under section 501(c)(4) of such Code of organizations created on, before, or after such date.

SEC. 130. (a) None of the funds made available by this Act may be used to approve, license, facilitate, authorize, or otherwise allow the use, purchase, trafficking, or import of property confiscated by the Cuban Government.

(b) In this section, the terms “confiscated”, “Cuban Government”, “property”, and “trafficking” have the meanings given such terms in paragraphs (4), (5), (12)(A), and (13), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

SEC. 131. (a) None of the funds made available in this Act may be used to authorize a general

license or approve a specific license under section 501.801 or 515.527 of title 31, Code of Federal Regulations, with respect to a mark, trade name, or commercial name that is the same as or substantially similar to a mark, trade name, or commercial name that was used in connection with a business or assets that were confiscated unless the original owner of the mark, trade name, or commercial name, or the bona-fide successor-in-interest has expressly consented.

(b) In this section, the term “confiscated” has a meaning given such term in section 4(4) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023(4)).

SEC. 132. Notwithstanding paragraph (2) of section 402(c) of the Helping Families Save their Homes Act of 2009, in utilizing funds made available by paragraph (1) of section 402(c) of such Act, the Special Inspector General for the Troubled Asset Relief Program shall prioritize the performance of audits or investigations of any program that is funded in whole or in part by funds appropriated under the Emergency Economic Stabilization Act of 2008, to the extent that such priority is consistent with other aspects of the mission of the Special Inspector General.

SEC. 133. None of the funds appropriated or otherwise made available in this Act may be obligated or expended to provide for the enforcement of any rule, regulation, policy, or guideline implemented pursuant to the Department of the Treasury “Guidance for United States Positions on MDBs Engaging with Developing Countries on Coal-Fired Power Generation” dated October 29, 2013, when enforcement of such rule, regulation, policy, or guideline would prohibit or have the effect of prohibiting, the carrying out of any coal-fired or other power generation project the purpose of which is to increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

This title may be cited as the “Department of the Treasury Appropriations Act, 2018”.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed \$19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, \$12,917,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating ex-

penses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit \$25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), \$750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, \$11,800,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, \$100,000,000, of which not

to exceed \$12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, \$100,000,000, of which not to exceed \$3,000 shall be available for official representation expenses: Provided, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: Provided further, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff position shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: Provided further, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: Provided further, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: Provided further, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: Provided further, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469); not to exceed \$10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, \$18,400,000: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$254,000,000, to remain available until September 30, 2019, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: Provided, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to \$2,700,000 may be used for auditing services and associated activities: Provided further, That, notwithstanding the requirements of Public Law 106-58, any unexpended funds obligated prior to fiscal year 2016 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: Provided further, That each HIDTA designated as of September 30, 2017, shall be funded at not less than the fiscal year 2017 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: Provided further, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2018 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469), \$108,843,000, to remain available until expended, which shall be available as follows: \$91,000,000 for the Drug-Free Communities Program, of which \$2,000,000 shall be made available as directed by section 4 of Public Law 107-82, as amended by Public Law 109-469 (21 U.S.C. 1521 note); \$2,000,000 for drug court training and technical assistance; \$9,500,000 for anti-doping activities; \$2,343,000 for the United States membership dues to the World Anti-Doping Agency; \$1,000,000 shall be made available as directed by section 1105 of Public Law 109-469; and \$3,000,000, to remain available until expended, shall be for activities authorized by section 103 of Public Law 114-198: Provided, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, \$798,000, to remain available until September 30, 2019.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, \$20,000,000, to remain available until expended: Provided, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, \$4,288,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurbishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed \$90,000 pursuant to 3 U.S.C. 106(b)(2), \$302,000: Provided, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings "The White House", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council and Homeland Security Council", "Office of Administration", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: Provided, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: Provided further, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 202. Within 90 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203). Such report shall include—

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2019, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

(B) the methodology and data sources used to calculate such estimated obligations; and

(C) the specific section of such Act that requires the obligation of funds; and

(2) the estimated receipts through fiscal year 2019 from assessments, user fees, and other fees by the Federal agency making the collections, by fiscal year, including—

(A) the methodology and data sources used to calculate such estimated collections; and

(B) the specific section of such Act that authorizes the collection of funds.

SEC. 203. (a) During fiscal year 2018, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal-year period beginning in fiscal year 2018; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2018.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2018 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of \$100,000,000.

This title may be cited as the “Executive Office of the President Appropriations Act, 2018”.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$78,538,000, of which \$1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, \$15,000,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, \$30,592,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, \$18,556,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, \$5,082,710,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660), not to exceed \$7,366,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, \$1,110,375,000 to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), \$39,929,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including

building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$574,593,000, of which not to exceed \$20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$87,920,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$28,708,000; of which \$1,800,000 shall remain available through September 30, 2019, to provide education and training to Federal court personnel; and of which not to exceed \$1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$18,338,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for “Courts of Appeals, District Courts, and Other Judicial Services” shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting “Federal” for “executive” each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the second sentence (relating to the District of Kansas) following paragraph (12), by striking “26 years and 6 months” and inserting “27 years and 6 months”.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking “24 years and 6 months” and inserting “25 years and 6 months”.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by inserting after “except in the case of” the following: “the northern district of Alabama,”;

(2) in the first sentence by inserting after “the central district of California” the following: “,”;

(3) in the first sentence by striking “15 years” and inserting “16 years”;

(4) by adding at the end of the first sentence the following: “The first vacancy in the office of district judge in the district of Alabama occurring 15 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.”;

(5) in the third sentence (relating to the central District of California), by striking “14 years and 6 months” and inserting “15 years and 6 months”; and

(6) in the fourth sentence (relating to the western district of North Carolina), by striking “13 years” and inserting “14 years”.

SEC. 307. (a) Section 2(a)(2)(C)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(b) Section 2(a)(2)(D)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(c) Section 2(a)(2)(F)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(d) Section 2(a)(2)(G)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(e) Section 2(a)(2)(H)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

This title may be cited as the “Judiciary Appropriations Act, 2018”.

TITLE IV DISTRICT OF COLUMBIA

FEDERAL FUNDS FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$30,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident’s academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose thereof.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF CO- LUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$13,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$265,400,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$14,000,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, \$121,000,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the District of Columbia Court System, \$71,500,000, of which not to exceed \$2,500 is for official reception and representation expenses; and \$58,900,000, to remain available until September 30, 2019, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: Provided further, That notwithstanding any other provision of law, all

amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than \$6,000,000 of the funds provided under this heading among the items and entities funded under this heading: Provided further, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS (INCLUDING TRANSFER OF FUNDS)

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$49,890,000, to remain available until expended: Provided, That not more than \$20,000,000 in unobligated funds provided in this account may be transferred to and merged with funds made available under the heading “Federal Payment to the District of Columbia Courts,” to be available for the same period and purposes as funds made available under that heading for capital improvements to District of Columbia courthouse facilities: Provided, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DIS- TRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$244,298,000, of which not to exceed \$2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which \$180,840,000 shall be for necessary expenses of Community Supervision and Ser Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; and of which \$63,458,000 shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all

amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That amounts under this heading may be used for programmatic incentives for defendants to successfully complete their terms of supervision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$40,082,000: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, \$1,900,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2019, to the Commission on Judicial Disabilities and Tenure, \$295,000, and for the Judicial Nomination Commission, \$270,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, \$45,000,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112-10): Provided, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112-10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: Provided further, That within funds provided for opportunity scholarships \$3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, \$435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, \$5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund") for programs and activities set forth under the heading "Part A—Summary of Expenses" and at the rate set forth under such heading, as included in D.C. Bill 22-242, as amended as of the date of the enactment of this Act: Provided, That notwithstanding any other

provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1-204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47-369.01 and 47-369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2018 under this heading shall not exceed the estimates included in D.C. Bill 22-242, as amended as of the date of the enactment of this Act, or the sum of the total revenues of the District of Columbia for such fiscal year: Provided further, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2018, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the "District of Columbia Appropriations Act, 2018".

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., \$3,100,000, to remain available until September 30, 2019, of which not to exceed \$1,000 is for official reception and representation expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$4,000 for official reception and representation expenses, \$123,000,000.

ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. During fiscal year 2018, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as "ROV") rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

SEC. 502. None of the funds appropriated by this Act may be used to finalize any rule by the Consumer Product Safety Commission relating to blade-contact injuries on table saws.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107-252; 52 U.S.C. 20901 et seq.), \$7,000,000, of which \$1,500,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under such Act.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-5902; not to exceed \$4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, \$322,035,000, to remain available until expended: Provided, That \$322,035,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title 1 of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation estimated at \$0: Provided further, That any offsetting collections received in excess of \$322,035,000 in fiscal year 2018 shall not be available for obligation: Provided further, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2017, shall not be available for obligation: Provided further, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed \$111,150,000 for fiscal year 2018: Provided further, That, of the amount appropriated under this heading, not less than \$11,020,000 shall be for the salaries and expenses of the Office of Inspector General.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$39,136,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, \$71,250,000, of which not to exceed \$5,000

shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, \$26,200,000, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere; and of which not to exceed \$1,500 shall be available for official reception and representation expenses: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$306,317,000, to remain available until expended: Provided, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed \$126,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That, notwithstanding any other provision of law, not to exceed \$16,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2018, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$164,317,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving

governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of \$7,864,111,000, of which—

(1) \$0 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services);

(2) \$180,000,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) \$0 is for Major Repairs and Alterations;

(B) \$110,000,000 is for Basic Repairs and Alterations;

(C) \$70,000,000 is for Special Emphasis Programs of which—

(i) \$20,000,000 is for Judiciary Capital Security;

(ii) \$30,000,000 is for Fire and Life Safety; and

(iii) \$20,000,000 is for Consolidation Activities:

Provided, That consolidation projects result in reduced annual rent paid by the tenant agency: Provided further, That no consolidation project exceed \$10,000,000 in costs: Provided further, That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: Provided further, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: Provided further, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for “Repairs and Alterations” may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading “Repairs and Alterations”, may be transferred to Basic Repairs and Alterations or used to fund author-

ized increases in prospectus projects: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading “Repairs and Alterations” or used to fund authorized increases in prospectus projects;

(3) \$5,462,345,000 for rental of space to remain available until expended; and

(4) \$2,221,766,000 for building operations to remain available until expended, of which \$1,146,089,000 is for building services, and \$1,075,677,000 is for salaries and expenses: Provided, That not to exceed 5 percent of any appropriation made available under this paragraph for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: Provided further, That section 521 of this title shall not apply with respect to funds made available under this heading for building operations: Provided further, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2018, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; \$53,499,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; and services as authorized by 5 U.S.C. 3109; \$45,645,000, of which \$24,357,000 is for Real and Personal Property Management and Disposal; \$21,288,000 is for the Office of the Administrator, of which not to exceed \$7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for the activities associated with the Civilian Board of Contract Appeals, \$8,795,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, \$65,000,000: Provided, That not to exceed \$50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed \$2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138, \$4,754,000.

FEDERAL CITIZEN SERVICES FUND
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; \$53,741,000, to be deposited into the Federal Citizen Services Fund: Provided, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: Provided further, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically: in the aggregate amount not to exceed \$100,000,000: Provided further, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2018 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: Provided further, That any appropriations provided to the Electronic Government Fund that remain unobligated may be transferred to the Federal Citizen Services Fund: Provided further, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

For carrying out the purposes of the Federal Assets Sale and Transfer Act of 2016 (Public Law 114-287), \$10,000,000, to be deposited into the Asset Proceeds and Space Management Fund, to remain available until expended.

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

For necessary expenses of the Environmental Review Improvement Fund established under section 41009(d) of the Fixing America's Surface Transportation Act (42 U.S.C. 4370m-8(d)), \$1,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—GENERAL
SERVICES ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 510. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 511. Funds in the Federal Buildings Fund made available for fiscal year 2018 for Federal Buildings Fund activities may be transferred between such activities only to the extent

necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 512. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2019 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 513. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 514. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 515. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 516. With respect to each project funded under the heading "Major Repairs and Alterations" or "Judiciary Capital Security Program", and with respect to E-Government projects funded under the heading "Federal Citizen Services Fund", the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 517. Section 16 of the Federal Assets Sale and Transfer Act of 2016 (Public Law 114-287) is amended—

(1) by inserting the following at the end of subparagraph (a)(1): "The Account shall be under the custody and control of the Chairperson of the Board and deposits in the Account shall remain available until expended.";

(2) by striking subparagraph (b)(1) and inserting in lieu thereof the following: (1) "ESTABLISHMENT. — There is established in the Treasury of the United States an account to be

known as the "Public Buildings Reform Board - Asset Proceeds and Space Management Fund" (in this subsection referred to as the "Fund"). The Fund shall be under the custody and control of the Administrator of General Services and deposits in the Fund shall remain available until expended.

SEC. 518. The unobligated balance of amounts provided for National Capital Region, FBI Headquarters Consolidation, in paragraph (1)(A) under the heading "General Services Administration—Federal Buildings Fund" in division E of Public Law 115-31 is rescinded.

SEC. 519. The Administrator of General Services shall make available to the public on the website of the General Services Administration any draft environmental assessment—

(1) prepared by the Administrator of General Services under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); and

(2) for which the Administrator of General Services has solicited public comment.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93-642, \$1,000,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed \$2,000 for official reception and representation expenses, \$44,490,000, to remain available until September 30, 2019, and in addition not to exceed \$2,345,000, to remain available until September 30, 2019, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS

ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, \$364,308,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110-409, 122 Stat. 4302-16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, \$4,241,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, \$7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND
RECORDS COMMISSION
GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, \$4,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION
COMMUNITY DEVELOPMENT REVOLVING LOAN
FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, \$2,000,000 shall be available until September 30, 2019, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$16,439,000.

OFFICE OF PERSONNEL MANAGEMENT
SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, \$129,341,000: Provided, That of the total amount made available under this heading, \$18,000,000 shall remain available until expended for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization: Provided further, That the amount made available by the previous proviso may not be obligated until the Director of the Office of Personnel Management submits to the Committees on Appropriations of the Senate and the House of Representatives a plan for expenditure of such amount, prepared in consultation with the Director of the Office of Management and Budget, the Administrator of the United States Digital Service, and the Secretary of Homeland Security, that—

(1) identifies the full scope and cost of the IT systems remediation and stabilization project;

(2) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11;

(3) includes a Major IT Business Case under the requirements established by the Office of Management and Budget Exhibit 300;

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Government;

(5) complies with all Office of Management and Budget, Department of Homeland Security and National Institute of Standards and Technology requirements related to securing the

agency's information system as described in 44 U.S.C. 3554; and

(6) is reviewed and commented upon within 90 days of plan development by the Inspector General of the Office of Personnel Management, and such comments are submitted to the Director of the Office of Personnel Management before the date of such submission:

Provided further, That, not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report that—

(A) evaluates—

(i) the steps taken by the Office of Personnel Management to prevent, mitigate, and respond to data breaches involving sensitive personnel records and information;

(ii) the Office's cybersecurity policies and procedures in place on the date of enactment of this Act, including policies and procedures relating to IT best practices such as data encryption, multifactor authentication, and continuous monitoring;

(iii) the Office's oversight of contractors providing IT services; and

(iv) the Office's compliance with government-wide initiatives to improve cybersecurity; and

(B) sets forth improvements that could be made to assist the Office of Personnel Management in addressing cybersecurity challenges:

Provided further, That of the total amount made available under this heading, \$584,000 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition \$131,414,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: Provided further, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2018, accept donations of money, property, and personal services: Provided further, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$5,000,000, and in addition, not to exceed \$25,000,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust

funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95-454), the Whistleblower Protection Act of 1989 (Public Law 101-12) as amended by Public Law 107-304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112-199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103-353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$24,750,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109-435), \$15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT
BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 20006e), \$8,000,000, to remain available until September 30, 2019.

PUBLIC BUILDINGS REFORM BOARD

SALARIES AND EXPENSES

For salaries and expenses of the Public Buildings Reform Board in carrying out the Federal Assets Sale and Transfer Act of 2016 (Public Law 114-287), \$5,000,000, to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,500 for official reception and representation expenses, \$1,652,000,000 to remain available until expended; of which funding for information technology initiatives shall be increased over the fiscal year 2017 level by not less than \$50,000,000; of which not less than \$14,748,358 shall be for the Office of Inspector General; of which not to exceed \$75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than \$68,950,000 shall be for the Division of Economic and Risk Analysis: In addition, for costs associated with relocation under a replacement lease for the Commission's headquarters

facilities, not to exceed \$244,507,000, to remain available until September 30, 2019. For purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2018, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2018. Provided, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: Provided further, That not to exceed \$1,652,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account and not to exceed \$244,507,000 of such offsetting collections shall be available until September 30, 2019, for costs under this heading associated with relocation under a replacement lease for the Commission's headquarters facilities: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2018 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2018 appropriation from the general fund estimated at not more than \$0: Provided further, That if any amount of the appropriation under this heading for costs associated with relocation under a replacement lease for the Commission's headquarters facilities is subsequently de-obligated on or before September 30, 2019, any such amount derived from the general fund shall be returned to the general fund, and any such amount derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities association under such section 31 in fiscal year 2018.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$750 for official reception and representation expenses; \$22,900,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed \$3,500 for official reception and representation expenses, \$265,000,000 of which not less than \$12,000,000 shall be available for examinations, reviews, and other lender oversight activities: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: Provided further, That the Small Business Administration may accept gifts in an amount not

to exceed \$4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2018 : Provided further, That \$6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2019.

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, \$211,100,000, to remain available until September 30, 2019 : Provided, That \$120,000,000 shall be available to fund grants for performance in fiscal year 2018 or fiscal year 2019 as authorized by section 21 of the Small Business Act: Provided further, That \$31,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: Provided further, That \$10,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$19,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$3,438,172, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2018 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed \$7,500,000,000: Provided further, That during fiscal year 2018 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed \$29,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: Provided further, That during fiscal year 2018 commitments for loans authorized under subparagraph (C) of section 502(7) of The Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed \$7,500,000,000: Provided further, That during fiscal year 2018 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed \$4,000,000,000: Provided further, That during fiscal year 2018, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of \$12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$152,782,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, \$186,458,000, to be available until expended, of which \$1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs

and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which \$176,458,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which \$9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 520. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 521. Of the unobligated balances available for the Immediate Disaster Assistance Program authorized by section 42 of the Small Business Act (15 U.S.C. 657n) and the Expedited Disaster Assistance Loan Program authorized by section 12085 of Public Law 110–246, \$2,600,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as emergency requirements pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 522. Section 7(m)(4)(E) of the Small Business Act (15 U.S.C. 636(m)(4)(E)) is amended by striking “25 percent” each place such term appears and inserting “50 percent”.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$58,118,000: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$234,650,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT
SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, \$51,100,000, of which \$500,000 shall remain available until expended: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI
GENERAL PROVISIONS—THIS ACT
(INCLUDING RESCISSION)

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: Provided, That prior to any significant reorganization or restructuring of of-

fices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2018 from appropriations made available for salaries and expenses for fiscal year 2018 in this Act, shall remain available through September 30, 2019, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term "Executive agency covered by this Act" means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. In fiscal year 2018 and any fiscal year thereafter, none of the funds made available in this or any other Act may be used by the Federal Trade Commission to complete or publish the study, recommendations, or report prepared by the Interagency Working Group on Food Marketed to Children pursuant to the directive described on pages 983 and 984 of the House Appropriations Committee Print of the explanatory statement accompanying the Omnibus Appropriations Act, 2009 (Public Law 111-8).

SEC. 621. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 622. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 623. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 624. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 625. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information

provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 626. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication activities, or other law enforcement- or victim assistance-related activity.

SEC. 627. Section 633(a) of title VI of division E of the Consolidated Appropriations Act, 2017 (Public Law 115-31) is amended—

(1) by inserting “and” at the end of paragraph (1);

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 628. The unobligated balance in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203) are permanently rescinded.

SEC. 629. None of the funds made available by this Act shall be used by the Securities and Exchange Commission to study, develop, propose, finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions to tax exempt organizations, or dues paid to trade associations.

SEC. 630. None of the funds made available by this Act may be used to enforce the requirements in section 316(b)(4)(D) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30118(b)(4)(D)) that the solicitation of contributions from member corporations stockholders and executive or administrative personnel, and the families of such stockholders or personnel, by trade associations must be separately and specifically approved by the member corporation involved prior to such solicitation, and that such member corporation does not approve any such solicitation by more than one such trade association in any calendar year.

SEC. 631. (1) None of the funds appropriated by this Act shall be available to pay for an abortion or the administrative expenses in connection with a multi-State qualified health plan offered under a contract under section 1334 of the Patient Protection and Affordable Care Act (42 U.S.C. 18054) which provides any benefits or coverage for abortions.

(2) The provision of paragraph (1) shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 632. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held, or maintained by that service unless the governmental entity obtains a warrant issued upon probable cause by a court of competent jurisdiction using the procedures described in the Federal Rules of Criminal Procedure.

SEC. 633. (a) No funds made available by this Act shall be expended on any enforcement action that—

(1) concerns a pyramid promotional scheme other than a scheme described in subsection (b); and

(2) begins after the date of enactment of this section.

(b) The pyramid promotional scheme described in this subsection is any plan or operation in which individuals give consideration for the right to receive compensation that is primarily based upon recruiting other individuals into such plan or operation rather than related to the—

(1) sale of products or services to ultimate users; or

(2) consumption by ultimate users.

(c) It is not evidence of a pyramid promotional scheme described in subsection (b) if participants in the plan or operation give consideration for the right to receive compensation based upon purchases of products or services by participants for personal use, consumption, or resale, as long as the plan or operation—

(1) does not require inventory loading; and

(2) implements a bona fide inventory repurchase agreement.

(d) For purposes of this section—

(1) the term “bona fide inventory repurchase agreement” means a program by which a plan or operation—

(A) promises to repurchase, on commercially reasonable terms, current and marketable inventory purchased and maintained by a participant for use, consumption, or resale, upon request at the termination of the participant's business relationship with the plan or operation; and

(B) clearly communicates such terms in its recruiting literature, sales manual, or contracts with participants, including the manner in which the repurchase is to be exercised and disclosure of any inventory not eligible for repurchase under the program;

(2) the term “commercially reasonable terms” means, with respect to a repurchase of current and marketable inventory, a repurchase within 12 months from the date of purchase at not less than 90 percent of the original net cost to the participant, less appropriate set-offs and legal claims, if any;

(3) the term “inventory loading” means a practice in which a plan or operation—

(A) requires or encourages its participants to purchase inventory in an amount exceeding that which the participant can reasonably expect to use, consume, or resell to ultimate users; and

(B) is not subject to a bona fide inventory repurchase agreement; and

(4) the term “ultimate users” means individuals who consume or use the products or services, whether or not they are participants in the plan or operation.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2018 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at

\$19,947 except station wagons for which the maximum shall be \$19,997: Provided, That these limits may be exceeded by not to exceed \$7,250 for police-type vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles: Provided further, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: Provided, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: Provided further, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: Provided further, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: Provided further, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13693 (March 19, 2015), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other in-

strumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the Armed Forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of

any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the United States Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: Provided, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): Provided further, That the total funds transferred or reimbursed shall not exceed

\$15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed \$17,000,000 for Government-Wide innovations, initiatives, and activities: Provided further, That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during fiscal year 2018 shall remain available for obligation through September 30, 2019: Provided further, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: Provided, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any non-governmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A; 126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 730. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 731. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 732. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) *IN GENERAL.*—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) *REPORT TO CONGRESS.*—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) *EXCEPTION.*—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 733. During fiscal year 2018, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 734. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms “contribution”, “expenditure”, “independent expenditure”, “electioneering communication”, “candidate”, “election”, and “Federal office” has the meaning given such term in the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

SEC. 735. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 736. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2018, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2018, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2018, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2018 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2018 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2017, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2017, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2017.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2018 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: Provided, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as “Rest of United States” pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2017.

SEC. 737. (a) The head of any Executive branch department, agency, board, commission,

or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2018 for which the cost to the United States Government was more than \$100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2018 for which the cost to the United States Government was more than \$20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and program-matically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 738. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 739. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled “Competitive Area” published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 740. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such

employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

SEC. 741. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to: (1) classified information; (2) communications to Congress; (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling." Provided, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 742. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 743. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal

violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 744. (a) During fiscal year 2018, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

(b) Any notification required by this section shall be made available on the Bureau's public Web site.

SEC. 745. None of the funds made available under this or any other Act may be used to implement or enforce Executive Order No. 13690, "Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input", including any related rules, interim final rules, or guidance.

SEC. 746. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

- (1) creates new programs;
- (2) eliminates a program, project, or responsibility center;
- (3) establishes or changes allocations specifically denied, limited or increased under this Act;
- (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;
- (5) re-establishes any program or project previously deferred through reprogramming;
- (6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of \$3,000,000 or 10 percent, whichever is less; or
- (7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2018.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

(4) at the discretion of the Chief Medical Examiner, an officer or employee of the Office of the Chief Medical Examiner who resides in the District of Columbia and is on call 24 hours a day;

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

(6) the Mayor of the District of Columbia; and

(7) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. No funds available for obligation or expenditure by the District of Columbia government under any authority shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.42), for all agencies of the District of Columbia government for fiscal year 2018 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2018 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2018 in this Act, shall remain available through September 30, 2019, for each such account for the purposes authorized: Provided, That a request shall be

submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a)(1) During fiscal year 2019, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2019 which (subject to the requirements of the District of Columbia Home Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2019 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1-204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2019 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2019.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2019 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2019 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. (a) Effective with respect to fiscal year 2013 and each succeeding fiscal year, the Local Budget Autonomy Amendment Act of 2012 (D.C. Law 19-321) is hereby repealed, and any provision of law amended or repealed by such Act shall be restored or revived as if such Act had not been enacted into law.

(b)(1) Section 450 of the District of Columbia Home Rule Act (sec. 1-204.50, D.C. Official Code) is amended—

(A) in the first sentence, by striking “The General Fund” and inserting “(a) IN GENERAL.—The General Fund”; and

(B) by adding at the end the following new subsection:

“(b) APPLICATION OF FEDERAL APPROPRIATIONS PROCESS.—Nothing in this Act shall be construed as creating a continuing appropriation of the General Fund described in subsection (a). All funds provided for the District of Columbia shall be appropriated on an annual fiscal year basis through the Federal appropriations process. For each fiscal year, the District shall be subject to all applicable requirements of sub-

chapter III of chapter 13 and subchapter II of chapter 15 of title 31, United States Code (commonly known as the ‘Anti-Deficiency Act’), the Budget and Accounting Act of 1921, and all other requirements and restrictions applicable to appropriations for such fiscal year.”.

(2) Section 603(a) of such Act (sec. 1-206.03(a), D.C. Official Code) is amended—

(A) by striking “existing”; and

(B) by striking the period at the end and inserting the following: “, or as authorizing the District of Columbia to make any such change.”.

(3) The amendments made by this subsection shall take effect as if included in the enactment of the District of Columbia Home Rule Act.

SEC. 818. (a) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any act, resolution, rule, regulation, guidance, or other law to permit any person to carry out any activity, or to reduce the penalties imposed with respect to any activity, to which subsection (a) of section 3 of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14402) applies (taking into consideration subsection (b) of such section).

(b) Effective February 18, 2017, the Death With Dignity Act of 2016 (D.C. Law 21-182) is hereby repealed.

SEC. 819. Except as expressly provided otherwise, any reference to “this Act” contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

TITLE IX—OTHER MATTERS

TABLE OF CONTENTS

SEC. 901.
The table of contents for this title is as follows:

- Sec. 901. Table of contents.
- Sec. 902. Directed rulemaking repeals.
- Sec. 903. Repeal and modification of provisions of the Financial Stability Act of 2010.
- Sec. 904. Bringing the Federal Deposit Insurance Corporation into the appropriations process.
- Sec. 905. Bringing the Federal Housing Finance Agency into the appropriations process.
- Sec. 906. Bringing the examination and supervision functions of the National Credit Union Administration into the appropriations process.
- Sec. 907. Bringing the Office of the Comptroller of the Currency into the appropriations process.
- Sec. 908. Bringing the non-monetary policy related functions of the Board of Governors of the Federal Reserve System into the appropriations process.
- Sec. 909. Increased threshold for disclosures relating to compensatory benefit plans.
- Sec. 910. Refunding or crediting overpayment of section 31 fees.
- Sec. 911. Safe harbor for investment fund research.
- Sec. 912. Annual review of government-business forum on capital formation.
- Sec. 913. Helping Angles Lead Our Startups.
- Sec. 914. Investor limitation for qualifying venture capital funds.
- Sec. 915. Manufactured Housing.
- Sec. 916. Requirements for deposit account termination requests and orders.
- Sec. 917. Amendments to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.
- Sec. 918. Safe harbor for certain loans held on portfolio.

Sec. 919. Changes required to small bank holding company policy statement on assessment of financial and managerial factors.

Sec. 920. Community financial institution mortgage relief.

Sec. 921. Regulations appropriate to business models.

Sec. 922. Eliminating barriers to jobs for loan originators.

Sec. 923. Small business loan data collection requirement.

Sec. 924. Depository institutions subject to maintenance of records and disclosure requirements.

Sec. 925. Rate of interest after transfer of loan.

Sec. 926. Bringing the Bureau into the regular appropriations process.

Sec. 927. Elimination of supervision authority.

Sec. 928. Removal of authority to regulate small-dollar credit.

Sec. 929. Removal of Bureau UDAP authority.

Sec. 930. Repeal of authority to restrict arbitration.

Sec. 931. Exemption from risk retention requirements for nonresidential mortgage.

Sec. 932. Prohibition on requiring a single ballot.

Sec. 933. Repeal of the Volcker Rule and other provisions.

DIRECTED RULEMAKING REPEALS

SEC. 902.

With respect to any directed rulemaking required by a provision of law repealed by this title, to the extent any rule was issued or revised pursuant to such directed rulemaking, such rule or revision shall have no force or effect.

REPEAL AND MODIFICATION OF PROVISIONS OF THE FINANCIAL STABILITY ACT OF 2010

SEC. 903.

(a) **REPEALS.**—The following provisions of the Financial Stability Act of 2010 are repealed, and the provisions of law amended or repealed by such provisions are restored or revived as if such provisions had not been enacted:

- (1) Subtitle B.
- (2) Section 113.
- (3) Section 114.
- (4) Section 115.
- (5) Section 116.
- (6) Section 117.
- (7) Section 119.
- (8) Section 120.
- (9) Section 121.
- (10) Section 161.
- (11) Section 162.
- (12) Section 164.
- (13) Section 166.
- (14) Section 167.
- (15) Section 168.
- (16) Section 170.
- (17) Section 172.
- (18) Section 174.
- (19) Section 175.

(b) **ADDITIONAL MODIFICATIONS.**—The Financial Stability Act of 2010 (12 U.S.C. 5311 et seq.) is amended—

(1) in section 102(a), by striking paragraph (5);

(2) in section 111—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “who shall each” and inserting “who shall, except as provided below, each”; and

(II) by striking subparagraphs (B) through (I) and inserting the following:

“(B) each member of the Board of Governors, who shall collectively have 1 vote on the Council;

“(C) the Comptroller of the Currency;

“(D) the Director of the Bureau;

“(E) each member of the Commission, who shall collectively have 1 vote on the Council;

“(F) each member of the Corporation, who shall collectively have 1 vote on the Council;

“(G) each member of the Commodity Futures Trading Commission, who shall collectively have 1 vote on the Council;

“(H) the Director of the Federal Housing Finance Agency;

“(I) each member of the National Credit Union Administration Board, who shall collectively have 1 vote on the Council; and”;

(ii) in paragraph (2)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively; and

(iii) by adding at the end the following:

“(4) **VOTING BY MULTI-PERSON ENTITY.**—

“(A) **VOTING WITHIN THE ENTITY.**—An entity described under subparagraph (B), (E), (F), (G), or (I) of paragraph (1) shall determine the entity’s Council vote by using the voting process normally applicable to votes by the entity’s members.

“(B) **CASTING OF ENTITY VOTE.**—The 1 collective Council vote of an entity described under subparagraph (A) shall be cast by the head of such agency or, in the event such head is unable to cast such vote, the next most senior member of the entity available.”;

(B) in subsection (c)(1), by striking “The independent member of the Council shall serve for a term of 6 years, and each nonvoting member described in subparagraphs (C), (D), and (E) of” and inserting “Each nonvoting members described under”;

(C) in subsection (e), by adding at the end the following:

“(3) **STAFF ACCESS.**—Any member of the Council may select to have one or more individuals on the member’s staff attend a meeting of the Council, including any meeting of representatives of the member agencies other than the members themselves.

“(4) **CONGRESSIONAL OVERSIGHT.**—All public meetings of the Council shall be open to the attendance by members of the authorization and oversight committees of the House of Representatives and the Senate.

“(5) **TRANSCRIPTION REQUIREMENT FOR NON-PUBLIC MEETINGS.**—The Council shall create and preserve transcripts for all non-public meetings of the Council.

“(6) **MEMBER AGENCY MEETINGS.**—Any meeting of representatives of the member agencies other than the members themselves shall be open to attendance by staff of the authorization and oversight committees of the House of Representatives and the Senate.”;

(D) by striking subsection (g) (relating to the nonapplicability of FACA);

(E) by inserting after subsection (f) the following:

“(g) **OPEN MEETING REQUIREMENT.**—The Council shall be an agency for purposes of section 552b of title 5, United States Code (commonly referred to as the ‘Government in the Sunshine Act’).

“(h) **CONFIDENTIAL CONGRESSIONAL BRIEFINGS.**—The Chairperson shall at regular times but not less than annually provide confidential briefings to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, which may in the discretion of the Chairman of the respective committee be attended by any combination of the committee’s members or staff.”; and

(F) by redesignating subsections (h) through (j) as subsections (i) through (k), respectively;

(3) in section 112—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking “direct the Office of Financial Research to”;

(ii) by striking subparagraphs (B), (H), and (I);

(iii) by redesignating subparagraphs (C), (D), (E), (F), (G), (J), (K), (L), (M), and (N) as subparagraphs (B), (C), (D), (E), (F), (G), (H), (I), (J), and (K), respectively;

(iv) in subparagraph (K), as so redesignated—

(I) in clause (iii), by adding “and” at the end;

(II) by striking clauses (iv) and (v); and

(III) by redesignating clause (vi) as clause (iv); and

(B) in subsection (d)—

(i) in paragraph (1), by striking “the Office of Financial Research, member agencies,” and inserting “member agencies”;

(ii) in paragraph (2), by striking “the Office of Financial Research, any member agency,” and inserting “member agencies”;

(iii) in paragraph (3)—

(I) by striking “, acting through the Office of Financial Research,” each place it appears; and

(II) in subparagraph (B), by striking “the Office of Financial Research or”;

(iv) in paragraph (5)(A), by striking “, the Office of Financial Research.”;

(4) by amending section 118 to read as follows:

“SEC. 118. COUNCIL FUNDING.

“There is authorized to be appropriated to the Council \$4,000,000 for fiscal year 2018 and each fiscal year thereafter to carry out the duties of the Council.”;

(5) in section 163—

(A) by striking subsection (a);

(B) by redesignating subsection (b) as subsection (a); and

(C) in subsection (a), as so redesignated, by striking “or a nonbank financial company supervised by the Board of Governors” each place such term appears;

(6) in section 165—

(A) by striking “nonbank financial companies supervised by the Board of Governors and” each place such term appears;

(B) by striking “nonbank financial company supervised by the Board of Governors and” each place such term appears;

(C) in subsection (a), by amending paragraph (2) to read as follows:

“(2) **TAILORED APPLICATION.**—In prescribing more stringent prudential standards under this section, the Board of Governors may differentiate among companies on an individual basis or by category, taking into consideration their capital structure, riskiness, complexity, financial activities (including the financial activities of their subsidiaries), size, and any other risk-related factors that the Board of Governors deems appropriate.”;

(D) in subsection (b)—

(i) in paragraph (1)(B)(iv), by striking “, on its own or pursuant to a recommendation made by the Council in accordance with section 115,”;

(ii) in paragraph (2)—

(I) by striking “foreign nonbank financial company supervised by the Board of Governors or”;

(II) by striking “shall—” and all that follows through “give due” and inserting “shall give due”;

(III) in subparagraph (A), by striking “; and” and inserting a period; and

(IV) by striking subparagraph (B);

(iii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking clause (i);

(bb) by redesignating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively; and

(cc) in clause (iii), as so redesignated, by adding “and” at the end;

(II) by striking subparagraphs (B) and (C); and

(III) by redesignating subparagraph (D) as subparagraph (B); and

(iv) in paragraph (4), by striking “a nonbank financial company supervised by the Board of Governors or”;

(E) in subsection (c)—
(i) in paragraph (1), by striking “under section 115(c)”; and

(ii) in paragraph (2)—
(I) by amending subparagraph (A) to read as follows:

“(A) any recommendations of the Council;”;

and
(II) in subparagraph (D), by striking “nonbank financial company supervised by the Board of Governors or”;

(F) in subsection (d)—
(i) by striking “a nonbank financial company supervised by the Board of Governors or” each place such term appears;

(ii) in paragraph (1), by striking “periodically” and inserting “not more often than every 2 years”;

(iii) in paragraph (3)—
(I) by striking “The Board” and inserting the following:

“(A) IN GENERAL.—The Board”;

(II) by striking “shall review” and inserting the following: “shall—
“(i) review”;

(III) by striking the period and inserting “; and”;

(IV) by adding at the end the following:

“(ii) not later than the end of the 6-month period beginning on the date the bank holding company submits the resolution plan, provide feedback to the bank holding company on such plan.

“(B) DISCLOSURE OF ASSESSMENT FRAMEWORK.—The Board of Governors shall publicly disclose, including on the website of the Board of Governors, the assessment framework that is used to review information under this paragraph and shall provide the public with a notice and comment period before finalizing such assessment framework.”.

(iv) in paragraph (6), by striking “nonbank financial company supervised by the Board, any bank holding company,” and inserting “bank holding company”;

(G) in subsection (e)—

(i) in paragraph (1), by striking “a nonbank financial company supervised by the Board of Governors or”;

(ii) in paragraph (3), by striking “the nonbank financial company supervised by the Board of Governors or” each place such term appears; and

(iii) in paragraph (4), by striking “a nonbank financial company supervised by the Board of Governors or”;

(H) in subsection (g)(1), by striking “and any nonbank financial company supervised by the Board of Governors”;

(I) in subsection (h)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(iii) in paragraph (1), as so redesignated, by striking “paragraph (3)” each place such term appears and inserting “paragraph (2)”;

and
(iv) in paragraph (2), as so redesignated—

(I) in subparagraph (A), by striking “the nonbank financial company supervised by the Board of Governors or bank holding company described in subsection (a), as applicable” and inserting “a bank holding company described in subsection (a)”;

and
(II) in subparagraph (B), by striking “the nonbank financial company supervised by the Board of Governors or a bank holding company described in subsection (a), as applicable” and inserting “a bank holding company described in subsection (a)”;

(J) in subsection (i)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking “, in coordination with the appropriate primary financial regulatory agencies and the Federal Insurance Office,”;

(II) in subparagraph (B)—

(aa) by amending clause (i) to read as follows:

“(i) shall—

“(I) issue regulations, after providing for public notice and comment, that provide for at least 3 different sets of conditions under which the evaluation required by this subsection shall be conducted, including baseline, adverse, and severely adverse, and methodologies, including models used to estimate losses on certain assets, and the Board of Governors shall not carry out any such evaluation until 60 days after such regulations are issued; and

“(II) provide copies of such regulations to the Comptroller General of the United States and the Panel of Economic Advisors of the Congressional Budget Office before publishing such regulations;”;

(bb) in clause (ii), by striking “and nonbank financial companies”;

(cc) in clause (iv), by striking “and” at the end;

(dd) in clause (v), by striking the period and inserting the following: “, including any results of a resubmitted test;”;

and
(ee) by adding at the end the following:

“(vi) shall, in establishing the severely adverse condition under clause (i), provide detailed consideration of the model’s effects on financial stability and the cost and availability of credit;

“(vii) shall, in developing the models and methodologies and providing them for notice and comment under this subparagraph, publish a process to test the models and methodologies for their potential to magnify systemic and institutional risks instead of facilitating increased resiliency;

“(viii) shall design and publish a process to test and document the sensitivity and uncertainty associated with the model system’s data quality, specifications, and assumptions; and

“(ix) shall communicate the range and sources of uncertainty surrounding the models and methodologies.”;

(III) by adding at the end the following:

“(C) CCAR REQUIREMENTS.—

“(i) PARAMETERS AND CONSEQUENCES APPLICABLE TO CCAR.—The requirements of subparagraph (B) shall apply to CCAR.

“(ii) TWO-YEAR LIMITATION.—The Board of Governors may not subject a company to CCAR more than once every two years.

“(iii) MID-CYCLE RESUBMISSION.—If a company receives a quantitative objection to, or otherwise desires to amend the company’s capital plan, the company may file a new streamlined plan at any time after a capital planning exercise has been completed and before a subsequent capital planning exercise.

“(iv) LIMITATION ON QUALITATIVE CAPITAL PLANNING OBJECTIONS.—In carrying out CCAR, the Board of Governors may not object to a company’s capital plan on the basis of qualitative deficiencies in the company’s capital planning process.

“(v) COMPANY INQUIRIES.—The Board of Governors shall establish and publish procedures for responding to inquiries from companies subject to CCAR, including establishing the time frame in which such responses will be made, and make such procedures publicly available.

“(vi) CCAR DEFINED.—For purposes of this subparagraph and subparagraph (E), the term ‘CCAR’ means the Comprehensive Capital Analysis and Review established by the Board of Governors.”;

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by striking “a bank holding company” and inserting “bank holding company”;

(bb) by striking “semiannual” and inserting “annual”;

(cc) by striking “All other financial companies” and inserting “All other bank holding companies”;

(dd) by striking “and are regulated by a primary Federal financial regulatory agency”;

(II) in subparagraph (B)—

(aa) by striking “and to its primary financial regulatory agency”; and

(bb) by striking “primary financial regulatory agency” the second time it appears and inserting “Board of Governors”;

and
(III) in subparagraph (C)—

(aa) by striking “Each Federal primary financial regulatory agency, in coordination with the Board of Governors and the Federal Insurance Office,” and inserting “The Board of Governors”;

and
(bb) by striking “consistent and comparable”;

and
(iii) by adding at the end the following:

“(3) ACCOUNTABILITY AND APPROPRIATENESS IN BANK HOLDING COMPANY STRESS TESTS.—

“(A) QUALITY AND ACCOUNTABILITY ASSURANCE.—No annual test or exercise conducted by the Board of Governors under this subsection or any other provision of law shall serve as a basis for restricting a capital distribution by a bank holding company unless the Board of Governor’s Vice Chair for Supervision certifies in writing to the Congress that any model or combination of models used therein are demonstrably more accurate than any similar model or combination of models utilized by the bank holding company in a stress test conducted under paragraph (2).

“(B) PROCESS.—Any action taken by the Board of Governors to restrict a capital distribution by a bank holding company on the basis of a stress test or exercise conducted by the Board of Governors under this subsection or any other provision of law shall be conducted pursuant to a capital directive subject to, and issued in accordance with, section 908(b)(2) of the International Lending Supervision Act of 1983 (12 U.S.C. 3907(b)(2)).”;

(K) in subsection (j)—

(i) in paragraph (1), by striking “or a nonbank financial company supervised by the Board of Governors”;

and
(ii) in paragraph (2), by striking “the factors described in subsections (a) and (b) of section 113 and any other” and inserting “any”; and

(L) in subsection (k)(1), by striking “or nonbank financial company supervised by the Board of Governors”.

(c) TREATMENT OF OTHER RESOLUTION PLAN REQUIREMENTS.—

(I) IN GENERAL.—With respect to an appropriate Federal banking agency that requires a banking organization to submit to the agency a resolution plan not described under section 165(d) of the Dodd-Frank Wall Street Reform and Consumer Protection Act—

(A) the agency shall comply with the requirements of paragraphs (3) and (4) of such section 165(d);

(B) the agency may not require the submission of such a resolution plan more often than every 2 years; and

(C) paragraphs (6) and (7) of such section 165(d) shall apply to such a resolution plan.

(2) DEFINITIONS.—For purposes of this subsection, the terms “appropriate Federal banking agency” and “banking organization” have the meaning given those terms, respectively, under section 105.

(d) ACTIONS TO CREATE A BANK HOLDING COMPANY.—Section 3(b)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(b)(1)) is amended—

(1) by striking “Upon receiving” and inserting the following:

“(A) IN GENERAL.—Upon receiving”;

(2) by striking “Notwithstanding any other provision” and inserting the following:

“(B) IMMEDIATE ACTION.—

“(i) IN GENERAL.—Notwithstanding any other provision”;

(3) by adding at the end the following:

“(ii) EXCEPTION.—The Board may not take any action pursuant to clause (i) on an application that would cause any company to become a bank holding company unless such application involves the company acquiring a bank that is critically undercapitalized (as such term is defined under section 38(b) of the Federal Deposit Insurance Act).”.

(e) CONCENTRATION LIMITS APPLIED ONLY TO BANKING ORGANIZATIONS.—Section 14 of the Bank Holding Company Act of 1956 (12 U.S.C. 1852) is amended—

(1) by striking “financial company” each place such term appears and inserting “banking organization”;

(2) in subsection (a)—

(A) by amending paragraph (2) to read as follows:

“(2) the term ‘banking organization’ means—

“(A) an insured depository institution;

“(B) a bank holding company;

“(C) a savings and loan holding company;

“(D) a company that controls an insured depository institution; and

“(E) a foreign bank or company that is treated as a bank holding company for purposes of this Act; and”;

(B) in paragraph (3)—

(i) in subparagraph (A)(ii), by adding “and” at the end;

(ii) in subparagraph (B)(ii), by striking “; and” and inserting a period; and

(iii) by striking subparagraph (C); and

(3) in subsection (b), by striking “financial companies” and inserting “banking organizations”.

(f) CONFORMING AMENDMENT.—Section 3502(5) of title 44, United States Code, is amended by striking “the Office of Financial Research.”.

(g) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking the items relating to subtitle B of title I and 113, 114, 115, 116, 117, 119, 120, 121, 161, 162, 164, 166, 167, 168, 170, 172, 174, and 175.

BRINGING THE FEDERAL DEPOSIT INSURANCE CORPORATION INTO THE APPROPRIATIONS PROCESS
SEC. 904.

(a) IN GENERAL.—Section 10(a) of the Federal Deposit Insurance Act (12 U.S.C. 1820(a)) is amended—

(1) by striking “(a) The” and inserting the following:

“(a) POWERS.—

“(1) IN GENERAL.—The”;

(2) by inserting “, subject to paragraph (2),” after “The Board of Directors of the Corporation”; and

(3) by adding at the end the following new paragraph:

“(2) APPROPRIATIONS REQUIREMENT.—Except as provided under paragraph (3), the Corporation may, only to the extent as provided in advance by appropriations Acts, cover the costs incurred in carrying out the provisions of this Act, including with respect to the administrative costs of the Corporation and the costs of the examination and supervision of insured depository institutions.

“(3) EXCEPTION FOR CERTAIN PROGRAMS.—Paragraph (2) shall not apply to the Corporation’s Insurance Business Line Programs and Receivership Management Business Line Programs, as in existence on the date of enactment of this paragraph, and the proportion of the administrative costs of the Corporation related to such programs.”.

(b) EXAMINATION FEES.—Section 10(e)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1820(e)(1)) is amended by striking “to meet the expenses of the Corporation in carrying out such examinations” and inserting “and may be

expended by the Board only to the extent as provided in advance by appropriations Acts to cover the costs incurred in carrying out such examinations”.

(c) OFFSET OF ADDITIONAL FEES.—The Federal Deposit Insurance Corporation shall reduce the amount of insurance premiums charged by the Corporation under the Federal Deposit Insurance Act in an amount equal to any additional fees charged by the Corporation by reason of the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to expenses paid and fees collected on or after October 1, 2018.

BRINGING THE FEDERAL HOUSING FINANCE AGENCY INTO THE APPROPRIATIONS PROCESS
SEC. 905.

(a) IN GENERAL.—Section 1316 of the Housing and Community Development Act of 1992 (12 U.S.C. 4516) is amended—

(1) by amending subsection (a) to read as follows:

“(a) APPROPRIATIONS REQUIREMENT.—

“(1) RECOVERY OF COSTS OF ANNUAL APPROPRIATION.—The Agency shall collect assessments and other fees that are designed to recover the costs to the Government of the annual appropriation to the Agency by Congress.

“(2) OFFSETTING COLLECTIONS.—Assessments and other fees described under paragraph (1) for any fiscal year—

“(A) shall be deposited and credited as offsetting collections to the account providing appropriations to the Agency; and

“(B) shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts.”; and

(2) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to expenses paid and assessments and other fees collected on or after October 1, 2018.

BRINGING THE EXAMINATION AND SUPERVISION FUNCTIONS OF THE NATIONAL CREDIT UNION ADMINISTRATION INTO THE APPROPRIATIONS PROCESS
SEC. 906.

(a) OPERATING FEES.—Section 105(d) of the Federal Credit Union Act (12 U.S.C. 1755(d)) is amended—

(1) by striking “All” and inserting “(1) All”;

(2) by striking “for the account of the Administration and may be expended by the Board to defray the expenses incurred in carrying out the provisions of this Act including the examination and supervision of Federal credit unions” and inserting “and may be expended by the Board only to the extent as provided in advance by appropriations Acts, to cover the costs incurred in carrying out the provisions of this Act with respect to the costs of the examination and supervision of Federal credit unions and the proportion of the administrative costs of the Board related to the examination and supervision of Federal credit unions”; and

(3) by adding at the end the following:

“(2)(A) The Board may only use amounts in the NCUA Operating Fund to the extent as provided in advance by appropriations Acts, including to pay for the costs incurred by the Board in carrying out the examination and supervision of Federal credit unions and the proportion of the administrative costs of the Board related to the examination and supervision of Federal credit unions.

“(B) Subparagraph (A) shall not apply to the Board’s activities carried out pursuant to title II.”.

(b) STAFF FUNDING.—Section 120(j)(3) of the Federal Credit Union Act (12 U.S.C. 1766(j)(3)) is amended—

(1) by inserting “related to the examination and supervision of Federal credit unions under

this Act and the proportion of the administrative costs of the Board related to the examination and supervision of Federal credit unions under this Act” before “shall be paid”; and

(2) by striking “insured credit unions under this Act” and inserting “Federal credit unions under this title, only to the extent as provided in advance by appropriations Acts”.

(c) USE OF DEPOSIT FUNDS.—Section 202(c)(1)(B)(iv) of the Federal Credit Union Act (12 U.S.C. 1782(c)(1)(B)(iv)) is amended—

(1) by striking “The” and inserting “To the extent provided for in advance by appropriations Acts, the”; and

(2) by adding at the end the following new sentence: “This clause shall not apply to the Board’s activities carried out pursuant to this title.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to expenses paid and fees collected on or after October 1, 2018.

BRINGING THE OFFICE OF THE COMPTROLLER OF THE CURRENCY INTO THE APPROPRIATIONS PROCESS
SEC. 907.

(a) IN GENERAL.—Section 5240A of the Revised Statutes of the United States (12 U.S.C. 16) is amended—

(1) by striking “Sec. 5240A. The Comptroller of the Currency may collect an assessment, fee, or other charge from any entity described in section 3(q)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)(1)), as the Comptroller determines is necessary or appropriate to carry out the responsibilities of the Office of the Comptroller of the Currency. In establishing the amount of an assessment, fee, or charge collected from an entity under this section,” and inserting the following:

“SEC. 5240A. COLLECTION OF FEES; APPROPRIATIONS REQUIREMENT.

“(a) IN GENERAL.—In establishing the amount of an assessment, fee, or charge collected from an entity under subsection (b),”;

(2) by striking “Funds derived” and all that follows through the end of the section; and

(3) by adding at the end the following:

“(b) APPROPRIATIONS REQUIREMENT.—

“(1) RECOVERY OF COSTS OF ANNUAL APPROPRIATION.—The Comptroller of the Currency shall impose and collect assessments, fees, or other charges that are designed to recover the costs to the Government of the annual appropriation to the Office of the Comptroller of the Currency by Congress.

“(2) OFFSETTING COLLECTIONS.—Assessments and other fees described under paragraph (1) for any fiscal year—

“(A) shall be deposited and credited as offsetting collections to the account providing appropriations to the Office of the Comptroller of the Currency; and

“(B) shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts.”.

(b) CONFORMING AMENDMENT.—Section 5240 (12 U.S.C. 481 et seq.) of the Revised Statutes of the United States is amended by striking the fourth undesignated paragraph.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to expenses paid and fees collected on or after October 1, 2018.

BRINGING THE NON-MONETARY POLICY RELATED FUNCTIONS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM INTO THE APPROPRIATIONS PROCESS
SEC. 908.

(a) IN GENERAL.—The Federal Reserve Act is amended by inserting after section 11B the following:

“SEC. 11C. APPROPRIATIONS REQUIREMENT FOR NON-MONETARY POLICY RELATED ADMINISTRATIVE COSTS.

“(a) APPROPRIATIONS REQUIREMENT.—

“(1) **RECOVERY OF COSTS OF ANNUAL APPROPRIATION.**—The Board of Governors of the Federal Reserve System and the Federal reserve banks shall collect assessments and other fees, as provided under this Act, that are designed to recover the costs to the Government of the annual appropriation to the Board of Governors of the Federal Reserve System by Congress. The Board of Governors of the Federal Reserve System and the Federal reserve banks may only incur obligations or allow and pay expenses with respect to non-monetary policy related administrative costs pursuant to an appropriations Act.

“(2) **OFFSETTING COLLECTIONS.**—Assessments and other fees described under paragraph (1) for any fiscal year—

“(A) shall be deposited and credited as offsetting collections to the account providing appropriations to the Board of Governors of the Federal Reserve System; and

“(B) shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts.

“(3) **LIMITATION.**—This subsection shall only apply to the non-monetary policy related administrative costs of the Board of Governors of the Federal Reserve System.

“(b) **DEFINITIONS.**—For purposes of this section:

“(1) **MONETARY POLICY.**—The term ‘monetary policy’ means a strategy for producing a generally acceptable exchange medium that supports the productive employment of economic resources by reliably serving as both a unit of account and store of value.

“(2) **NON-MONETARY POLICY RELATED ADMINISTRATIVE COSTS.**—The term ‘non-monetary policy related administrative costs’ means administrative costs not related to the conduct of monetary policy, and includes—

“(A) direct operating expenses for supervising and regulating entities supervised and regulated by the Board of Governors of the Federal Reserve System, including conducting examinations, conducting stress tests, communicating with the entities regarding supervisory matters and laws, and regulations;

“(B) operating expenses for activities integral to carrying out supervisory and regulatory responsibilities, such as training staff in the supervisory function, research and analysis functions including library subscription services, and collecting and processing regulatory reports filed by supervised institutions; and

“(C) support, overhead, and pension expenses related to the items described under subparagraphs (A) and (B).”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to expenses paid and fees collected on or after October 1, 2018.

INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS SEC. 909.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from \$5,000,000 to \$20,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest \$1,000,000.

REFUNDING OR CREDITING OVERPAYMENT OF SECTION 31 FEES SEC. 910.

(a) **IN GENERAL.**—Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is amended by adding at the end the following:

“(n) **OVERPAYMENT.**—If a national securities exchange or national securities association pays to the Commission an amount in excess of fees and assessments due under this section and informs the Commission of such amount paid in excess within 10 years of the date of the payment, the Commission shall offset future fees and assessments due by such exchange or association in an amount equal to such excess amount.”.

(b) **APPLICABILITY.**—The amendment made by this section shall apply to any fees and assessments paid before, on, or after the date of enactment of this section.

SAFE HARBOR FOR INVESTMENT FUND RESEARCH SEC. 911.

(a) **EXPANSION OF THE SAFE HARBOR.**—Not later than the end of the 45-day period beginning on the date of enactment of this Act, the Securities and Exchange Commission shall propose, and not later than the end of the 120-day period beginning on such date, the Commission shall adopt, upon such terms, conditions, or requirements as the Commission may determine necessary or appropriate in the public interest, for the protection of investors, and for the promotion of capital formation, revisions to section 230.139 of title 17, Code of Federal Regulations, to provide that a covered investment fund research report that is published or distributed by a broker or dealer—

(1) shall be deemed, for purposes of sections 2(a)(10) and 5(c) of the Securities Act of 1933 (15 U.S.C. 77b(a)(10), 77e(c)), not to constitute an offer for sale or an offer to sell a security that is the subject of an offering pursuant to a registration statement that is effective, even if the broker or dealer is participating or will participate in the registered offering of the covered investment fund’s securities; and

(2) shall be deemed to satisfy the conditions of subsection (a)(1) or (a)(2) of section 230.139 of title 17, Code of Federal Regulations, or any successor provisions, for purposes of the Commission’s rules and regulations under the Federal securities laws and the rules of any self-regulatory organization.

(b) **IMPLEMENTATION OF SAFE HARBOR.**—In implementing the safe harbor pursuant to subsection (a), the Commission shall—

(1) not, in the case of a covered investment fund with a class of securities in substantially continuous distribution, condition the safe harbor on whether the broker’s or dealer’s publication or distribution of a covered investment fund research report constitutes such broker’s or dealer’s initiation or reinitiation of research coverage on such covered investment fund or its securities;

(2) not—

(A) require the covered investment fund to have been registered as an investment company under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)) for any period exceeding the period of time referenced under paragraph (a)(1)(i)(A)(1) of section 230.139 of title 17, Code of Federal Regulations; or

(B) impose a minimum float provision exceeding that referenced in paragraph (a)(1)(i)(A)(1)(i) of section 230.139 of title 17, Code of Federal Regulations;

(3) provide that a self-regulatory organization may not maintain or enforce any rule that would—

(A) prohibit the ability of a member to publish or distribute a covered investment fund research report solely because the member is also participating in a registered offering or other distribu-

tion of any securities of such covered investment fund; or

(B) prohibit the ability of a member to participate in a registered offering or other distribution of securities of a covered investment fund solely because the member has published or distributed a covered investment fund research report about such covered investment fund or its securities; and

(4) provide that a covered investment fund research report shall not be subject to section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)) or the rules and regulations thereunder, except that such report may still be subject to such section and the rules and regulations thereunder to the extent that it is otherwise not subject to the content standards in the rules of any self-regulatory organization related to research reports, including those contained in the rules governing communications with the public regarding investment companies or substantially similar standards.

(c) **RULES OF CONSTRUCTION.**—Nothing in this Act shall be construed as in any way limiting—

(1) the applicability of the antifraud or antimanipulation provisions of the Federal securities laws and rules adopted thereunder to a covered investment fund research report, including section 17 of the Securities Act of 1933 (15 U.S.C. 77q), section 34(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–33), and sections 9 and 10 of the Securities Exchange Act of 1934 (15 U.S.C. 78i, 78j); or

(2) the authority of any self-regulatory organization to examine or supervise a member’s practices in connection with such member’s publication or distribution of a covered investment fund research report for compliance with applicable provisions of the Federal securities laws or self-regulatory organization rules related to research reports, including those contained in rules governing communications with the public.

(d) **INTERIM EFFECTIVENESS OF SAFE HARBOR.**—

(1) **IN GENERAL.**—From and after the 120-day period beginning on the date of enactment of this Act, if the Commission has not adopted revisions to section 230.139 of title 17, Code of Federal Regulations, as required by subsection (a), and until such time as the Commission has done so, a broker or dealer distributing or publishing a covered investment fund research report after such date shall be able to rely on the provisions of section 230.139 of title 17, Code of Federal Regulations, and the broker or dealer’s publication of such report shall be deemed to satisfy the conditions of subsection (a)(1) or (a)(2) of section 230.139 of title 17, Code of Federal Regulations, if the covered investment fund that is the subject of such report satisfies the reporting history requirements (without regard to Form S–3 or Form F–3 eligibility) and minimum float provisions of such subsections for purposes of the Commission’s rules and regulations under the Federal securities laws and the rules of any self-regulatory organization, as if revised and implemented in accordance with subsections (a) and (b).

(2) **STATUS OF COVERED INVESTMENT FUND.**—After such period and until the Commission has adopted revisions to section 230.139 and FINRA has revised rule 2210, for purposes of subsection (c)(7)(O) of such rule, a covered investment fund shall be deemed to be a security that is listed on a national securities exchange and that is not subject to section 24(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–24(b)). Communications concerning only covered investment funds that fall within the scope of such section shall not be required to be filed with FINRA.

(e) **DEFINITIONS.**—For purposes of this section:

(1) The term “covered investment fund research report” means a research report published or distributed by a broker or dealer about

a covered investment fund or any securities issued by the covered investment fund, but not including a research report to the extent that it is published or distributed by the covered investment fund or any affiliate of the covered investment fund.

(2) The term “covered investment fund” means—

(A) an investment company registered under, or that has filed an election to be treated as a business development company under, the Investment Company Act of 1940 and that has filed a registration statement under the Securities Act of 1933 for the public offering of a class of its securities, which registration statement has been declared effective by the Commission; and

(B) a trust or other person—

(i) issuing securities in an offering registered under the Securities Act of 1933 and which class of securities is listed for trading on a national securities exchange;

(ii) the assets of which consist primarily of commodities, currencies, or derivative instruments that reference commodities or currencies, or interests in the foregoing; and

(iii) that provides in its registration statement under the Securities Act of 1933 that a class of its securities are purchased or redeemed, subject to conditions or limitations, for a ratable share of its assets.

(3) The term “FINRA” means the Financial Industry Regulatory Authority.

(4) The term “research report” has the meaning given that term under section 2(a)(3) of the Securities Act of 1933 (15 U.S.C. 77b(a)(3)), except that such term shall not include an oral communication.

(5) The term “self-regulatory organization” has the meaning given to that term under section 3(a)(26) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(26)).

ANNUAL REVIEW OF GOVERNMENT-BUSINESS FORUM ON CAPITAL FORMATION

SEC. 912.

Section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c-1) is amended by adding at the end the following:

“(e) The Commission shall—

“(1) review the findings and recommendations of the forum; and

“(2) each time the forum submits a finding or recommendation to the Commission, promptly issue a public statement—

“(A) assessing the finding or recommendation of the forum; and

“(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.”.

HELPING ANGLES LEAD OUR STARTUPS

SEC. 913.

(a) DEFINITION OF ANGEL INVESTOR GROUP.—As used in this subtitle, the term “angel investor group” means any group that—

(1) is composed of accredited investors interested in investing personal capital in early-stage companies;

(2) holds regular meetings and has defined processes and procedures for making investment decisions, either individually or among the membership of the group as a whole; and

(3) is neither associated nor affiliated with brokers, dealers, or investment advisers.

(b) CLARIFICATION OF GENERAL SOLICITATION.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall revise Regulation D of its rules (17 CFR 230.500 et seq.) to require that in carrying out the prohibition against general solicitation or general advertising contained in section 230.502(c) of title 17, Code of Federal Regulations, the prohibition shall not apply to a presentation or other com-

munication made by or on behalf of an issuer which is made at an event—

(A) sponsored by—

(i) the United States or any territory thereof, by the District of Columbia, by any State, by a political subdivision of any State or territory, or by any agency or public instrumentality of any of the foregoing;

(ii) a college, university, or other institution of higher education;

(iii) a nonprofit organization;

(iv) an angel investor group;

(v) a venture forum, venture capital association, or trade association; or

(vi) any other group, person or entity as the Securities and Exchange Commission may determine by rule;

(B) where any advertising for the event does not reference any specific offering of securities by the issuer;

(C) the sponsor of which—

(i) does not make investment recommendations or provide investment advice to event attendees;

(ii) does not engage in an active role in any investment negotiations between the issuer and investors attending the event;

(iii) does not charge event attendees any fees other than administrative fees; and

(iv) does not receive any compensation with respect to such event that would require registration of the sponsor as a broker or a dealer under the Securities Exchange Act of 1934, or as an investment advisor under the Investment Advisers Act of 1940; and

(D) where no specific information regarding an offering of securities by the issuer is communicated or distributed by or on behalf of the issuer, other than—

(i) that the issuer is in the process of offering securities or planning to offer securities;

(ii) the type and amount of securities being offered;

(iii) the amount of securities being offered that have already been subscribed for; and

(iv) the intended use of proceeds of the offering.

(2) RULE OF CONSTRUCTION.—Paragraph (1) may only be construed as requiring the Securities and Exchange Commission to amend the requirements of Regulation D with respect to presentations and communications, and not with respect to purchases or sales.

INVESTOR LIMITATION FOR QUALIFYING VENTURE CAPITAL FUNDS

SEC. 914.

Section 3(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-3(c)(1)) is amended—

(1) by inserting after “one hundred persons” the following: “(or, with respect to a qualifying venture capital fund, 500 persons);” and

(2) by adding at the end the following:

“(C) The term ‘qualifying venture capital fund’ means any venture capital fund (as defined pursuant to section 203(l)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(l)(1)) with no more than \$50,000,000 in aggregate capital contributions and uncalled committed capital, as such dollar amount is annually adjusted by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

MANUFACTURED HOUSING

SEC. 915.

(a) MORTGAGE ORIGINATOR DEFINITION.—Section 103 of the Truth in Lending Act (15 U.S.C. 1602) is amended—

(1) by redesignating the second subsection (cc) and subsection (dd) as subsections (dd) and (ee), respectively; and

(2) in paragraph (2)(C) of subsection (dd), as so redesignated, by striking “an employee of a retailer of manufactured homes who is not described in clause (i) or (iii) of subparagraph (A)

and who does not advise a consumer on loan terms (including rates, fees, and other costs)” and inserting “a retailer of manufactured or modular homes or its employees unless such retailer or its employees receive compensation or gain for engaging in activities described in subparagraph (A) that is in excess of any compensation or gain received in a comparable cash transaction”.

(b) HIGH-COST MORTGAGE DEFINITION.—Section 103 of the Truth in Lending Act (15 U.S.C. 1602), as amended by subsection (a), is further amended—

(1) by redesignating subsection (aa) (relating to disclosure of greater amount or percentage), as so designated by section 1100A of the Consumer Financial Protection Act of 2010, as subsection (bb);

(2) by redesignating subsection (bb) (relating to high cost mortgages), as so designated by section 1100A of the Consumer Financial Protection Act of 2010, as subsection (aa), and moving such subsection to immediately follow subsection (z); and

(3) in subsection (aa)(1)(A), as so redesignated—

(A) in clause (i)(I), by striking “(8.5 percent-age points, if the dwelling is personal property and the transaction is for less than \$50,000)” and inserting “(10 percentage points if the dwelling is personal property or is a transaction that does not include the purchase of real property on which a dwelling is to be placed, and the transaction is for less than \$75,000 (as such amount is adjusted by the Bureau to reflect the change in the Consumer Price Index))”; and

(B) in clause (ii)—

(i) in subclause (I), by striking “or” at the end; and

(ii) by adding at the end the following:

“(III) in the case of a transaction for less than \$75,000 (as such amount is adjusted by the Bureau to reflect the change in the Consumer Price Index) in which the dwelling is personal property (or is a consumer credit transaction that does not include the purchase of real property on which a dwelling is to be placed) the greater of 5 percent of the total transaction amount or \$3,000 (as such amount is adjusted by the Bureau to reflect the change in the Consumer Price Index); or”.

REQUIREMENTS FOR DEPOSIT ACCOUNT TERMINATION REQUESTS AND ORDERS

SEC. 916.

(a) TERMINATION REQUESTS OR ORDERS MUST BE MATERIAL.—

(1) IN GENERAL.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate a specific customer account or group of customer accounts or to otherwise restrict or discourage a depository institution from entering into or maintaining a banking relationship with a specific customer or group of customers unless—

(A) the agency has a material reason for such request or order; and

(B) such reason is not based solely on reputation risk.

(2) TREATMENT OF NATIONAL SECURITY THREATS.—If an appropriate Federal banking agency believes a specific customer or group of customers is, or is acting as a conduit for, an entity which—

(A) poses a threat to national security;

(B) is involved in terrorist financing;

(C) is an agency of the government of Iran, North Korea, Syria, or any country listed from time to time on the State Sponsors of Terrorism list;

(D) is located in, or is subject to the jurisdiction of, any country specified in subparagraph (C); or

(E) does business with any entity described in subparagraph (C) or (D), unless the appropriate

Federal banking agency determines that the customer or group of customers has used due diligence to avoid doing business with any entity described in subparagraph (C) or (D), such belief shall satisfy the requirement under paragraph (1).

(b) NOTICE REQUIREMENT.—

(1) IN GENERAL.—If an appropriate Federal banking agency formally or informally requests or orders a depository institution to terminate a specific customer account or a group of customer accounts, the agency shall—

(A) provide such request or order to the institution in writing; and

(B) accompany such request or order with a written justification for why such termination is needed, including any specific laws or regulations the agency believes are being violated by the customer or group of customers, if any.

(2) JUSTIFICATION REQUIREMENT.—A justification described under paragraph (1)(B) may not be based solely on the reputation risk to the depository institution.

(c) CUSTOMER NOTICE.—

(1) NOTICE REQUIRED.—Except as provided under paragraph (2), if an appropriate Federal banking agency orders a depository institution to terminate a specific customer account or a group of customer accounts, the depository institution shall inform the customer or customers of the justification for the customer's account termination described under subsection (b).

(2) NOTICE PROHIBITED IN CASES OF NATIONAL SECURITY.—If an appropriate Federal banking agency requests or orders a depository institution to terminate a specific customer account or a group of customer accounts based on a belief that the customer or customers pose a threat to national security, or are otherwise described under subsection (a)(2), neither the depository institution nor the appropriate Federal banking agency may inform the customer or customers of the justification for the customer's account termination.

(d) REPORTING REQUIREMENT.—Each appropriate Federal banking agency shall issue an annual report to the Congress stating—

(1) the aggregate number of specific customer accounts that the agency requested or ordered a depository institution to terminate during the previous year; and

(2) the legal authority on which the agency relied in making such requests and orders and the frequency on which the agency relied on each such authority.

(e) DEFINITIONS.—For purposes of this section:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term “appropriate Federal banking agency” means—

(A) the appropriate Federal banking agency, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) the National Credit Union Administration, in the case of an insured credit union.

(2) DEPOSITORY INSTITUTION.—The term “depository institution” means—

(A) a depository institution, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) an insured credit union.

AMENDMENTS TO THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989

SEC. 917.

Section 951 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833a) is amended—

(1) in subsection (c)(2), by striking “affecting a federally insured financial institution” and inserting “against a federally insured financial institution or by a federally insured financial institution against an unaffiliated third person”; and

(2) in subsection (g)—

(A) in the heading, by striking “SUBPOENAS” and inserting “INVESTIGATIONS”; and

(B) by amending paragraph (1)(C) to read as follows:

“(C) summon witnesses and require the production of any books, papers, correspondence, memoranda, or other records which the Attorney General deems relevant or material to the inquiry, if the Attorney General—

“(i) requests a court order from a court of competent jurisdiction for such actions and offers specific and articulable facts showing that there are reasonable grounds to believe that the information or testimony sought is relevant and material for conducting an investigation under this section; or

“(ii) either personally or through delegation no lower than the Deputy Attorney General, issues and signs a subpoena for such actions and such subpoena is supported by specific and articulable facts showing that there are reasonable grounds to believe that the information or testimony sought is relevant for conducting an investigation under this section.”.

SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO

SEC. 918.

(a) IN GENERAL.—Section 129C of the Truth in Lending Act (15 U.S.C. 1639c) is amended by adding at the end the following:

“(j) SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.—

“(1) SAFE HARBOR FOR CREDITORS THAT ARE DEPOSITORY INSTITUTIONS.—

“(A) IN GENERAL.—A creditor that is a depository institution shall not be subject to suit for failure to comply with subsection (a), (c)(1), or (f)(2) of this section or section 129H with respect to a residential mortgage loan, and the banking regulators shall treat such loan as a qualified mortgage, if—

“(i) the creditor has, since the origination of the loan, held the loan on the balance sheet of the creditor; and

“(ii) all prepayment penalties with respect to the loan comply with the limitations described under subsection (c)(3).

“(B) EXCEPTION FOR CERTAIN TRANSFERS.—In the case of a depository institution that transfers a loan originated by that institution to another depository institution by reason of the bankruptcy or failure of the originating depository institution or the purchase of the originating depository institution, the depository institution transferring such loan shall be deemed to have complied with the requirement under subparagraph (A)(i).

“(2) SAFE HARBOR FOR MORTGAGE ORIGINATORS.—A mortgage originator shall not be subject to suit for a violation of section 129B(c)(3)(B) for steering a consumer to a residential mortgage loan if—

“(A) the creditor of such loan is a depository institution and has informed the mortgage originator that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan; and

“(B) the mortgage originator informs the consumer that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan.

“(3) DEFINITIONS.—For purposes of this subsection:

“(A) BANKING REGULATORS.—The term ‘banking regulators’ means the Federal banking agencies, the Bureau, and the National Credit Union Administration.

“(B) DEPOSITORY INSTITUTION.—The term ‘depository institution’ has the meaning given that term under section 19(b)(1) of the Federal Reserve Act (12 U.S.C. 505(b)(1)).

“(C) FEDERAL BANKING AGENCIES.—The term ‘Federal banking agencies’ has the meaning given that term under section 3 of the Federal Deposit Insurance Act.”.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by this section may be construed as preventing a balloon loan from qualifying for the safe harbor provided under section 129C(j) of the Truth in Lending Act if the balloon loan otherwise meets all of the requirements under such subsection (j), regardless of whether the balloon loan meets the requirements described under clauses (i) through (iv) of section 129C(b)(2)(E) of such Act.

CHANGES REQUIRED TO SMALL BANK HOLDING COMPANY POLICY STATEMENT ON ASSESSMENT OF FINANCIAL AND MANAGERIAL FACTORS
SEC. 919.

(a) IN GENERAL.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Board of Governors of the Federal Reserve System shall revise the Small Bank Holding Company Policy Statement on Assessment of Financial and Managerial Factors (12 CFR part 225—appendix C) to raise the consolidated asset threshold under such policy statement from \$1,000,000,000 (as adjusted by Public Law 113–250) to \$10,000,000,000.

(b) CONFORMING AMENDMENT.—Subparagraph (C) of section 171(b)(5) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5371(b)(5)) is amended to read as follows:

“(C) any bank holding company or savings and loan holding company that is subject to the application of the Small Bank Holding Company Policy Statement on Assessment of Financial and Managerial Factors of the Board of Governors (12 CFR part 225—appendix C).”.

COMMUNITY FINANCIAL INSTITUTION MORTGAGE RELIEF

SEC. 920.

(a) EXEMPTION FROM ESCROW REQUIREMENTS FOR LOANS HELD BY SMALLER CREDITORS.—Section 129D of the Truth in Lending Act (15 U.S.C. 1639d) is amended—

(1) by adding at the end the following:

“(k) SAFE HARBOR FOR LOANS HELD BY SMALLER CREDITORS.—

“(1) IN GENERAL.—A creditor shall not be in violation of subsection (a) with respect to a loan if—

“(A) the creditor has consolidated assets of \$10,000,000,000 or less; and

“(B) the creditor holds the loan on the balance sheet of the creditor for the 3-year period beginning on the date of the origination of the loan.

“(2) EXCEPTION FOR CERTAIN TRANSFERS.—In the case of a creditor that transfers a loan to another person by reason of the bankruptcy or failure of the creditor, the purchase of the creditor, or a supervisory act or recommendation from a State or Federal regulator, the creditor shall be deemed to have complied with the requirement under paragraph (1)(B).”; and

(2) by striking the term “Board” each place such term appears and inserting “Bureau”.

(b) MODIFICATION TO EXEMPTION FOR SMALL SERVICERS OF MORTGAGE LOANS.—Section 6 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605) is amended by adding at the end the following:

“(n) SMALL SERVICER EXEMPTION.—The Bureau shall, by regulation, provide exemptions to, or adjustments for, the provisions of this section for a servicer that annually services 20,000 or fewer mortgage loans, in order to reduce regulatory burdens while appropriately balancing consumer protections.”.

REGULATIONS APPROPRIATE TO BUSINESS MODELS

SEC. 921.

(a) IN GENERAL.—For any regulatory action occurring after the date of the enactment of this Act, each Federal financial institutions regulatory agency shall—

(1) take into consideration the risk profile and business models of each type of institution or class of institutions subject to the regulatory action;

(2) determine the necessity, appropriateness, and impact of applying such regulatory action to such institutions or classes of institutions; and

(3) tailor such regulatory action in a manner that limits the regulatory compliance impact, cost, liability risk, and other burdens, as appropriate, for the risk profile and business model of the institution or class of institutions involved.

(b) **OTHER CONSIDERATIONS.**—In carrying out the requirements of subsection (a), each Federal financial institutions regulatory agency shall consider—

(1) the impact that such regulatory action, both by itself and in conjunction with the aggregate effect of other regulations, has on the ability of the applicable institution or class of institutions to serve evolving and diverse customer needs;

(2) the potential impact of examination manuals, regulatory actions taken with respect to third-party service providers, or other regulatory directives that may be in conflict or inconsistent with the tailoring of such regulatory action described in subsection (a)(3); and

(3) the underlying policy objectives of the regulatory action and statutory scheme involved.

(c) **NOTICE OF PROPOSED AND FINAL RULEMAKING.**—Each Federal financial institutions regulatory agency shall disclose in every notice of proposed rulemaking and in any final rulemaking for a regulatory action how the agency has applied subsections (a) and (b).

(d) **REPORTS TO CONGRESS.**—

(1) **INDIVIDUAL AGENCY REPORTS.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act and annually thereafter, each Federal financial institutions regulatory agency shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the specific actions taken to tailor the regulatory actions of the agency pursuant to the requirements of this Act.

(B) **APPEARANCE BEFORE THE COMMITTEES.**—The head of each Federal financial institution regulatory agency shall appear before the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate after each report is made pursuant to subparagraph (A) to testify on the contents of such report.

(2) **FIEC REPORTS.**—

(A) **IN GENERAL.**—Not later than 3 months after each report is submitted under paragraph (1), the Financial Institutions Examination Council shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

(i) the extent to which regulatory actions tailored pursuant to this Act result in different treatment of similarly situated institutions of diverse charter types; and

(ii) the reasons for such differential treatment.

(B) **APPEARANCE BEFORE THE COMMITTEES.**—The Chairman of the Financial Institutions Examination Council shall appear before the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate after each report is made pursuant to subparagraph (A) to testify on the contents of such report.

(e) **LIMITED LOOK-BACK APPLICATION.**—

(1) **IN GENERAL.**—Each Federal financial institutions regulatory agency shall conduct a review of all regulations adopted during the period beginning on the date that is seven years before the date of the introduction of this Act in the House of Representatives and ending on the date of the enactment of this Act, and apply the requirements of this Act to such regulations.

(2) **REVISION.**—If the application of the requirements of this Act to any such regulation

requires such regulation to be revised, the applicable Federal financial institutions regulatory agency shall revise such regulation within 3 years of the enactment of this Act.

(f) **DEFINITIONS.**—In this Act, the following definitions shall apply:

(1) **FEDERAL FINANCIAL INSTITUTIONS REGULATORY AGENCIES.**—The term “Federal financial institutions regulatory agencies” means the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Bureau of Consumer Financial Protection.

(2) **REGULATORY ACTION.**—The term “regulatory action” means any proposed, interim, or final rule or regulation, guidance, or published interpretation.

ELIMINATING BARRIERS TO JOBS FOR LOAN ORIGINATORS

SEC. 922.

(a) **IN GENERAL.**—The S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) is amended by adding at the end the following:

“SEC. 1518. EMPLOYMENT TRANSITION OF LOAN ORIGINATORS.

“(a) **TEMPORARY AUTHORITY TO ORIGINATE LOANS FOR LOAN ORIGINATORS MOVING FROM A DEPOSITORY INSTITUTION TO A NON-DEPOSITORY INSTITUTION.**—

“(1) **IN GENERAL.**—Upon employment by a State-licensed mortgage company, an individual who is a registered loan originator shall be deemed to have temporary authority to act as a loan originator in an application State for the period described in paragraph (2) if the individual—

“(A) has not had an application for a loan originator license denied, or had such a license revoked or suspended in any governmental jurisdiction;

“(B) has not been subject to or served with a cease and desist order in any governmental jurisdiction or as described in section 1514(c);

“(C) has not been convicted of a felony that would preclude licensure under the law of the application State;

“(D) has submitted an application to be a State-licensed loan originator in the application State; and

“(E) was registered in the Nationwide Mortgage Licensing System and Registry as a loan originator during the 12-month period preceding the date of submission of the information required under section 1505(a).

“(2) **PERIOD.**—The period described in paragraph (1) shall begin on the date that the individual submits the information required under section 1505(a) and shall end on the earliest of—

“(A) the date that the individual withdraws the application to be a State-licensed loan originator in the application State;

“(B) the date that the application State denies, or issues a notice of intent to deny, the application;

“(C) the date that the application State grants a State license; or

“(D) the date that is 120 days after the date on which the individual submits the application, if the application is listed on the Nationwide Mortgage Licensing System and Registry as incomplete.

“(b) **TEMPORARY AUTHORITY TO ORIGINATE LOANS FOR STATE-LICENSED LOAN ORIGINATORS MOVING INTERSTATE.**—

“(1) **IN GENERAL.**—A State-licensed loan originator shall be deemed to have temporary authority to act as a loan originator in an application State for the period described in paragraph (2) if the State-licensed loan originator—

“(A) meets the requirements of subparagraphs (A), (B), (C), and (D) of subsection (a)(1);

“(B) is employed by a State-licensed mortgage company in the application State; and

“(C) was licensed in a State that is not the application State during the 30-day period preceding the date of submission of the information required under section 1505(a) in connection with the application submitted to the application State.

“(2) **PERIOD.**—The period described in paragraph (1) shall begin on the date that the State-licensed loan originator submits the information required under section 1505(a) in connection with the application submitted to the application State and end on the earliest of—

“(A) the date that the State-licensed loan originator withdraws the application to be a State-licensed loan originator in the application State;

“(B) the date that the application State denies, or issues a notice of intent to deny, the application;

“(C) the date that the application State grants a State license; or

“(D) the date that is 120 days after the date on which the State-licensed loan originator submits the application, if the application is listed on the Nationwide Mortgage Licensing System and Registry as incomplete.

“(c) **APPLICABILITY.**—

“(1) Any person employing an individual who is deemed to have temporary authority to act as a loan originator in an application State pursuant to this section shall be subject to the requirements of this title and to applicable State law to the same extent as if such individual was a State-licensed loan originator licensed by the application State.

“(2) Any individual who is deemed to have temporary authority to act as a loan originator in an application State pursuant to this section and who engages in residential mortgage loan origination activities shall be subject to the requirements of this title and to applicable State law to the same extent as if such individual was a State-licensed loan originator licensed by the application State.

“(d) **DEFINITIONS.**—In this section, the following definitions shall apply:

“(1) **STATE-LICENSED MORTGAGE COMPANY.**—The term ‘State-licensed mortgage company’ means an entity licensed or registered under the law of any State to engage in residential mortgage loan origination and processing activities.

“(2) **APPLICATION STATE.**—The term ‘application State’ means a State in which a registered loan originator or a State-licensed loan originator seeks to be licensed.”.

(b) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in section 1(b) of the Housing and Economic Recovery Act of 2008 (42 U.S.C. 4501 note) is amended by inserting after the item relating to section 1517 the following:

“Sec. 1518. Employment transition of loan originators.”.

(c) **AMENDMENT TO CIVIL LIABILITY OF THE BUREAU AND OTHER OFFICIALS.**—Section 1513 of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5112) is amended by striking “are loan originators or are applying for licensing or registration as loan originators” and inserting “are applying for licensing or registration using the Nationwide Mortgage Licensing System and Registry”.

(d) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on the date that is 18 months after the date of the enactment of this Act.

SMALL BUSINESS LOAN DATA COLLECTION REQUIREMENT

SEC. 923.

(a) **REPEAL.**—Section 704B of the Equal Credit Opportunity Act (15 U.S.C. 1691c-2) is repealed.

(b) **CONFORMING AMENDMENTS.**—Section 701(b) of the Equal Credit Opportunity Act (15 U.S.C. 1691(b)) is amended—

(1) in paragraph (3), by inserting “or” at the end;

(2) in paragraph (4), by striking “; or” and inserting a period; and

(3) by striking paragraph (5).

(c) **CLERICAL AMENDMENT.**—The table of sections for title VII of the Consumer Credit Protection Act is amended by striking the item relating to section 704B.

DEPOSITORY INSTITUTIONS SUBJECT TO MAINTENANCE OF RECORDS AND DISCLOSURE REQUIREMENTS

SEC. 924.

(a) **IN GENERAL.**—Section 304 of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803) is amended—

(1) by redesignating subsection (i) as paragraph (2) and adjusting the margin appropriately; and

(2) by inserting before such paragraph (2) the following:

“(i) **EXEMPTIONS.**—

“(1) **IN GENERAL.**—With respect to a depository institution, the requirements of subsections (a) and (b) shall not apply—

“(A) with respect to closed-end mortgage loans, if such depository institution originated less than 100 closed-end mortgage loans in each of the two preceding calendar years; and

“(B) with respect to open-end lines of credit, if such depository institution originated less than 200 open-end lines of credit in each of the two preceding calendar years.”.

(b) **TECHNICAL CORRECTION.**—Section 304(i)(2) of such Act, as redesignated by subsection (a), is amended by striking “section 303(2)(A)” and inserting “section 303(3)(A)”.

RATE OF INTEREST AFTER TRANSFER OF LOAN

SEC. 925.

(a) **AMENDMENT TO THE REVISED STATUTES.**—Section 5197 of the Revised Statutes of the United States (12 U.S.C. 85) is amended by adding at the end the following new sentence: “A loan that is valid when made as to its maximum rate of interest in accordance with this section shall remain valid with respect to such rate regardless of whether the loan is subsequently sold, assigned, or otherwise transferred to a third party, and may be enforced by such third party notwithstanding any State law to the contrary.”.

(b) **AMENDMENT TO THE HOME OWNERS’ LOAN ACT.**—Section 4(g)(1) of the Home Owners’ Loan Act (12 U.S.C. 1463(g)(1)) is amended by adding at the end the following new sentence: “A loan that is valid when made as to its maximum rate of interest in accordance with this subsection shall remain valid with respect to such rate regardless of whether the loan is subsequently sold, assigned, or otherwise transferred to a third party, and may be enforced by such third party notwithstanding any State law to the contrary.”.

(c) **AMENDMENT TO THE FEDERAL CREDIT UNION ACT.**—Section 205(g)(1) of the Federal Credit Union Act (12 U.S.C. 1785(g)(1)) is amended by adding at the end the following new sentence: “A loan that is valid when made as to its maximum rate of interest in accordance with this subsection shall remain valid with respect to such rate regardless of whether the loan is subsequently sold, assigned, or otherwise transferred to a third party, and may be enforced by such third party notwithstanding any State law to the contrary.”.

(d) **AMENDMENT TO THE FEDERAL DEPOSIT INSURANCE ACT.**—Section 27(a) of the Federal Deposit Insurance Act (12 U.S.C. 1831d(a)) is amended by adding at the end the following new sentence: “A loan that is valid when made as to its maximum rate of interest in accordance with this section shall remain valid with respect to such rate regardless of whether the loan is subsequently sold, assigned, or otherwise transferred to a third party, and may be enforced by such third party notwithstanding any State law to the contrary.”.

BRINGING THE BUREAU INTO THE REGULAR APPROPRIATIONS PROCESS

SEC. 926.

(a) **IN GENERAL.**—Section 1017 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497) is amended—

(1) in subsection (a)—

(A) by amending the heading of such subsection to read as follows: “**BUDGET, FINANCIAL MANAGEMENT, AND AUDIT.**—”;

(B) by striking paragraphs (1), (2), and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively; and

(D) by striking subparagraphs (E) and (F) of paragraph (1), as so redesignated;

(2) by striking subsections (b) and (c);

(3) by redesignating subsections (d) and (e) as subsections (b) and (c), respectively; and

(4) in subsection (c), as so redesignated—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

“(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Bureau for each of fiscal years 2018 and 2019 an amount equal to the aggregate amount of funds transferred by the Board of Governors to the Bureau during fiscal year 2015.”; and

(B) by redesignating paragraph (4) as paragraph (2).

(b) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by subsection (a) shall take effect on October 1, 2018.

(2) **IMMEDIATE REPEAL OF REVIEWABILITY PROVISION.**—Notwithstanding paragraph (1), subparagraph (C) of section 1017(a)(2) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497(a)(2)) is repealed effective on the date of the enactment of this Act.

ELIMINATION OF SUPERVISION AUTHORITY

SEC. 927.

(a) **IN GENERAL.**—The Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(1) in section 1002(15)(B)(ii)(I), by striking “examination or”;

(2) in section 1013(a)(1)(B), by striking “compliance examiners, compliance supervision analysts,”;

(3) in section 1016(c)—

(A) in paragraph (5), by striking “supervisory and”; and

(B) in paragraph (6), by striking “orders, and supervisory actions” and inserting “and orders”;

(4) in section 1024—

(A) in the heading, by striking “**SUPERVISION OF**” and inserting “**AUTHORITY WITH RESPECT TO CERTAIN**”;

(B) in subsection (a)—

(i) in paragraph (1)(B), by striking “as defined by rule in accordance with paragraph (2)” and inserting “as of the date of the enactment of the Financial CHOICE Act of 2017”;

(ii) by striking paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (2); and

(iv) in subparagraph (A) of paragraph (2), as so redesignated, by striking “1025(a) or”;

(C) by striking subsection (b);

(D) by redesignating subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e), respectively;

(E) in subsection (e), as so redesignated—

(i) in the heading, by striking “**AND EXAMINATION AUTHORITY**”; and

(ii) by striking “, conduct examinations,” each place such term appears;

(F) in subsection (d), as so redesignated—

(i) by inserting “rulemaking and enforcement, but not supervisory,” before “authority of the Bureau”; and

(ii) by striking “conducting any examination or requiring any report from a service provider

subject to this subsection” and inserting “carrying out any authority pursuant to this subsection with respect to a service provider”;

(5) by striking section 1025;

(6) in section 1026—

(A) by amending subsection (a) to read as follows:

“(a) **SCOPE OF COVERAGE.**—This section shall apply to any covered person that is an insured depository institution or an insured credit union.”;

(B) in subsection (b)(3), by striking “report of examination or related”;

(C) by striking subsection (c);

(D) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(E) in subsection (c), as so redesignated, by adding at the end the following:

“(3) **VERY LARGE INSTITUTIONS.**—

“(A) **PRIMARY ENFORCEMENT AUTHORITY.**—Notwithstanding paragraph (1), to the extent that the Bureau and another Federal agency are authorized to enforce a Federal consumer financial law, the Bureau shall have primary authority to enforce that Federal consumer financial law with respect to an insured depository institution or insured credit union, if such depository institution or credit union has total assets of more than \$10,000,000,000, and any affiliate thereof.

“(B) **REFERRAL.**—Any Federal agency, other than the Federal Trade Commission, that is authorized to enforce a Federal consumer financial law may recommend, in writing, to the Bureau that the Bureau initiate an enforcement proceeding with respect to a person described in subparagraph (A), as the Bureau is authorized to do by that Federal consumer financial law.

“(C) **BACKUP ENFORCEMENT AUTHORITY.**—If the Bureau does not, before the end of the 120-day period beginning on the date on which the Bureau receives a recommendation under subparagraph (B), initiate an enforcement proceeding, the other agency referred to in subparagraph (B) may initiate an enforcement proceeding.”; and

(F) in subsection (d), as so redesignated—

(i) by inserting after “subsection (a)” the following: “, or to any person described under subsection (c)(3)(A).”;

(ii) by striking “section 1025” and inserting “this section”; and

(iii) by striking “When conducting any examination or requiring any report from a service provider subject to this subsection” and inserting “In carrying out any authority pursuant to this subsection with respect to a service provider”;

(7) in section 1027—

(A) by striking “supervisory,” each place such term appears;

(B) in subsection (e)(1), by striking “supervisory or”; and

(C) in subsection (p), by striking “section 1024(c)(1)” and inserting “section 1024(b)(1)”;

(8) in section 1034—

(A) by striking subsections (b) and (c); and

(B) by redesignating subsection (d) as subsection (b);

(9) in section 1053—

(A) in subsection (b)(1)(A), by striking “sections 1024, 1025, and 1026” and inserting “sections 1024 and 1026”; and

(B) in subsection (c)(3)(B)(ii)(II), by striking “, by examination or otherwise.”;

(10) in section 1054(a), by striking “sections 1024, 1025, and 1026” and inserting “sections 1024 and 1026”;

(11) in section 1061—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking “; and” at the end and inserting a period;

(ii) by striking “means—” and all that follows through “(A) all” and inserting “means all”; and

(iii) by striking subparagraph (B); and
(B) in subsection (c)—

(i) by amending paragraph (1) to read as follows:

“(1) EXAMINATION.—A transferor agency that is a prudential regulator shall have exclusive authority (relative to the Bureau) to require reports from and conduct examinations for compliance with Federal consumer financial laws with respect to a person described in section 1026(a).”; and

(ii) in paragraph (2)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;
(12) in section 1063, by striking “sections 1024, 1025, and 1026” each place such term appears and inserting “sections 1024 and 1026”; and

(13) in section 1067, by striking subsection (e).
(b) HOME MORTGAGE DISCLOSURE ACT OF 1975.—Section 305(d) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2804(d)) is amended by striking “examine and”.

(c) OMNIBUS APPROPRIATIONS ACT, 2009.—Section 626 of the Omnibus Appropriations Act, 2009 (15 U.S.C. 1638 note) is repealed.

(d) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in the item relating to section 1024, by striking “SUPERVISION OF” and inserting “AUTHORITY WITH RESPECT TO CERTAIN”; and

(2) by striking the item relating to section 1025.

REMOVAL OF AUTHORITY TO REGULATE SMALL-DOLLAR CREDIT

SEC. 928.

The Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(1) in section 1024(a)(1)—

(A) in subparagraph (C), by adding “or” at the end;

(B) in subparagraph (D), by striking “; or” and inserting a period; and

(C) by striking subparagraph (E); and

(2) in section 1027, by adding at the end the following:

“(f) NO AUTHORITY TO REGULATE SMALL-DOLLAR CREDIT.—The Bureau may not exercise any rulemaking, enforcement, or other authority with respect to payday loans, vehicle title loans, or other similar loans.”.

REMOVAL OF BUREAU UDAAP AUTHORITY

SEC. 929.

(a) IN GENERAL.—The Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(1) in section 1021(b)(2), by striking “from unfair, deceptive, or abusive acts and practices and”;

(2) by striking section 1031;

(3) in section 1036(a)—

(A) in paragraph (1)—

(i) by striking “provider” and all that follows through “to offer” and inserting “provider to offer”;

(ii) by striking subparagraph (B); and

(B) in paragraph (2)(C), by striking “; or” at the end and inserting a period; and

(C) by striking paragraph (3); and

(4) in section 1061(b)(5)—

(A) in subparagraph (B)—

(i) by striking “(i) In general.—”; and

(ii) by striking clause (ii);

(B) by striking subparagraph (D); and

(C) by redesignating subparagraph (E) as subparagraph (D); and

(5) in section 1076(b)(2), by striking “determine—” and all that follows through “(B) provide for” and inserting “determine, provide for”.

(b) TELEMARKETING AND CONSUMER FRAUD AND ABUSE PREVENTION ACT.—Section 3(c) of

the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6102) is amended—

(1) in paragraph (1), by striking “; and” at the end and inserting a period;

(2) by striking paragraph (2); and

(3) by striking “subsection (a)—” and all that follows through “(1) shall” and inserting “subsection (a) shall”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking the item relating to section 1031.

REPEAL OF AUTHORITY TO RESTRICT ARBITRATION

SEC. 930.

(a) IN GENERAL.—Section 1028 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5518) is hereby repealed.

(b) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking the item relating to section 1028.

EXEMPTION FROM RISK RETENTION REQUIREMENTS FOR NONRESIDENTIAL MORTGAGE

SEC. 931.

(a) IN GENERAL.—Section 15G of the Securities Exchange Act of 1934 (15 U.S.C. 78o–11) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(B), by striking “and” at the end;

(B) in paragraph (4)(B), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(5) the term ‘asset-backed security’ refers only to an asset-backed security that is comprised wholly of residential mortgages.”;

(2) in subsection (b)—

(A) by striking paragraph (1); and

(B) by striking “(2) RESIDENTIAL MORTGAGES.—”;

(3) by striking subsection (h) and redesignating subsection (i) as subsection (h); and

(4) in subsection (h) (as so redesignated)—

(A) by striking “effective—” and all that follows through “(1) with respect to” and inserting “effective with respect to”;

(B) in paragraph (1), by striking “; and” and inserting a period; and

(C) by striking paragraph (2).

(b) CONFORMING AMENDMENT.—Section 941 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking subsection (c).

PROHIBITION ON REQUIRING A SINGLE BALLOT

SEC. 932.

Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following:

“(k) PROHIBITION ON REQUIRING A SINGLE BALLOT.—The Commission may not require that a solicitation of a proxy, consent, or authorization to vote a security of an issuer in an election of members of the board of directors of the issuer be made using a single ballot or card that lists both individuals nominated by (or on behalf of) the issuer and individuals nominated by (or on behalf of) other proponents and permits the person granting the proxy, consent, or authorization to select from among individuals in both groups.”.

REPEAL OF THE VOLCKER RULE AND OTHER PROVISIONS

SEC. 933.

(a) IN GENERAL.—The following sections of title VI of the Dodd-Frank Wall Street Reform and Consumer Protection Act are repealed, and the provisions of law amended or repealed by such sections are restored or revived as if such sections had not been enacted:

(1) Section 618.

(2) Section 619.

(3) Section 620.

(b) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking the items relating to sections 618, 619, and 620.

TITLE X—FINANCIAL INSTITUTION BANKRUPTCY

SEC. 1001. SHORT TITLE.

This title may be cited as the “Financial Institution Bankruptcy Act of 2017”.

SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

“(9A) The term ‘covered financial corporation’ means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

“(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956; or

“(B) a corporation that exists for the primary purpose of owning, controlling and financing its subsidiaries, that has total consolidated assets of \$50,000,000,000 or greater, and for which, in its most recently completed fiscal year—

“(i) annual gross revenues derived by the corporation and all of its subsidiaries from activities that are financial in nature (as defined in section 4(k) of the Bank Holding Company Act of 1956) and, if applicable, from the ownership or control of one or more insured depository institutions, represents 85 percent or more of the consolidated annual gross revenues of the corporation; or

“(ii) the consolidated assets of the corporation and all of its subsidiaries related to activities that are financial in nature (as defined in section 4(k) of the Bank Holding Company Act of 1956) and, if applicable, related to the ownership or control of one or more insured depository institutions, represents 85 percent or more of the consolidated assets of the corporation.”.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended by adding at the end the following:

“(l) Subchapter V of chapter 11 of this title applies only in a case under chapter 11 concerning a covered financial corporation.”.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)(B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) a covered financial corporation.”; and

(2) in subsection (d)—

(A) by striking “and” before “an uninsured State member bank”; and

(B) by striking “or” before “a corporation”; and

(C) by inserting “, or a covered financial corporation” after “Federal Deposit Insurance Corporation Improvement Act of 1991”.

(d) CONVERSION TO CHAPTER 7.—Section 1112 of title 11, United States Code, is amended by adding at the end the following:

“(g) Notwithstanding section 109(b), the court may convert a case under subchapter V to a case under chapter 7 if—

“(1) a transfer approved under section 1185 has been consummated;

“(2) the court has ordered the appointment of a special trustee under section 1186; and

“(3) the court finds, after notice and a hearing, that conversion is in the best interest of the creditors and the estate.”.

(e)(1) Section 726(a)(1) of title 11, United States Code, is amended by inserting after “first,” the following: “in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1186, and then”.

(2) Section 1129(a) of title 11, United States Code, is amended by inserting after paragraph (16) the following:

“(17) In a case under subchapter V, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses on the effective date of the plan.

“(18) In a case under subchapter V, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.”.

(f) Section 322(b)(2) of title 11, United States Code, is amended by striking “The” and inserting “In cases under subchapter V, the United States trustee shall recommend to the court, and in all other cases, the”.

SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

Chapter 11 of title 11, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

“§ 1181. Inapplicability of other sections

“Sections 303 and 321(c) do not apply in a case under this subchapter concerning a covered financial corporation. Section 365 does not apply to a transfer under section 1185, 1187, or 1188.

“§ 1182. Definitions for this subchapter

“In this subchapter, the following definitions shall apply:

“(1) The term ‘Board’ means the Board of Governors of the Federal Reserve System.

“(2) The term ‘bridge company’ means a newly formed corporation to which property of the estate may be transferred under section 1185(a) and the equity securities of which may be transferred to a special trustee under section 1186(a).

“(3) The term ‘capital structure debt’ means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1185(a).

“(4) The term ‘contractual right’ means a contractual right of a kind defined in section 555, 559, 560, or 561.

“(5) The term ‘qualified financial contract’ means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

“(6) The term ‘special trustee’ means the trustee of a trust formed under section 1186(a)(1).

“§ 1183. Commencement of a case concerning a covered financial corporation

“(a) A case under this subchapter concerning a covered financial corporation may be commenced by the filing of a petition with the court by the debtor under section 301 only if the debtor states to the best of its knowledge under penalty of perjury in the petition that it is a covered financial corporation.

“(b) The commencement of a case under subsection (a) constitutes an order for relief under this subchapter.

“(c) The members of the board of directors (or body performing similar functions) of a covered financial corporation shall have no liability to shareholders, creditors, or other parties in interest for a good faith filing of a petition to com-

mence a case under this subchapter, or for any reasonable action taken in good faith in contemplation of such a petition or a transfer under section 1185 or section 1186, whether prior to or after commencement of the case.

“(d) Counsel to the debtor shall provide, to the greatest extent practicable without disclosing the identity of the potential debtor, sufficient confidential notice to the chief judge of the court of appeals for the circuit embracing the district in which such counsel intends to file a petition to commence a case under this subchapter regarding the potential commencement of such case. The chief judge of such court shall randomly assign to preside over such case a bankruptcy judge selected from among the bankruptcy judges designated by the Chief Justice of the United States under section 298 of title 28.

“§ 1184. Regulators

“The Board, the Securities Exchange Commission, the Office of the Comptroller of the Currency of the Department of the Treasury, the Commodity Futures Trading Commission, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this subchapter.

“§ 1185. Special transfer of property of the estate

“(a) On request of the trustee, and after notice and a hearing that shall occur not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of executory contracts, unexpired leases, and qualified financial contracts of the debtor, to a bridge company. Upon the entry of an order approving such transfer, any property transferred, and any executory contracts, unexpired leases, and qualified financial contracts assigned under such order shall no longer be property of the estate. Except as provided under this section, the provisions of section 363 shall apply to a transfer and assignment under this section.

“(b) Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

“(1) the debtor;

“(2) the holders of the 20 largest secured claims against the debtor;

“(3) the holders of the 20 largest unsecured claims against the debtor;

“(4) counterparties to any debt, executory contract, unexpired lease, and qualified financial contract requested to be transferred under this section;

“(5) the Board;

“(6) the Federal Deposit Insurance Corporation;

“(7) the Secretary of the Treasury and the Office of the Comptroller of the Currency of the Treasury;

“(8) the Commodity Futures Trading Commission;

“(9) the Securities and Exchange Commission;

“(10) the United States trustee or bankruptcy administrator; and

“(11) each primary financial regulatory agency, as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

“(c) The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

“(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

“(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

“(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease or agreement (including a qualified financial contract) of the debtor unless—

“(A)(i) the bridge company assumes such debt, executory contract, unexpired lease or agreement (including a qualified financial contract), including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1) and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease or agreement (including a qualified financial contract); and

“(ii) the court has determined that assumption of such debt, executory contract, unexpired lease or agreement (including a qualified financial contract) by the bridge company is in the best interests of the estate; or

“(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

“(4) the transfer does not provide for the assumption by the bridge company of any debt, executory contract, unexpired lease or agreement (including a qualified financial contract) of the debtor secured by a lien on property of the estate unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

“(5) the transfer does not provide for the transfer of the equity of the debtor;

“(6) the trustee has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, or unexpired lease assumed and assigned to the bridge company;

“(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1186;

“(8) after giving effect to the transfer, adequate provision has been made for the fees, costs, and expenses of the estate and special trustee; and

“(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

“(d) Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

“(1) not have any property, executory contracts, unexpired leases, qualified financial contracts, or debts, other than any property acquired or executory contracts, unexpired leases, or debts assumed when acting as a transferee of a transfer under this section; and

“(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

“§ 1186. Special trustee

“(a)(1) An order approving a transfer under section 1185 shall require the trustee to transfer to a qualified and independent special trustee, who is appointed by the court, all of the equity securities in the bridge company that is the recipient of a transfer under section 1185 to hold in trust for the sole benefit of the estate, subject to satisfaction of the special trustee’s fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

“(2) In connection with the hearing to approve a transfer under section 1185, the trustee

shall confirm to the court that the Board has been consulted regarding the identity of the proposed special trustee and advise the court of the results of such consultation.

“(b) The trust agreement governing the trust shall provide—

“(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor’s estate;

“(2) that the special trustee provide—

“(A) quarterly reporting to the estate, which shall be filed with the court; and

“(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

“(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

“(A) any change in a director or senior officer of the bridge company;

“(B) any modification to the governing documents of the bridge company; and

“(C) any material corporate action of the bridge company, including—

“(i) recapitalization;

“(ii) a material borrowing;

“(iii) termination of an intercompany debt or guarantee;

“(iv) a transfer of a substantial portion of the assets of the bridge company; or

“(v) the issuance or sale of any securities of the bridge company;

“(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

“(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

“(6) the process and guidelines for the replacement of the special trustee; and

“(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

“(c)(1) The special trustee shall distribute the assets held in trust—

“(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

“(B) if the case is converted to a case under chapter 7, as ordered by the court.

“(2) As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

“(d) After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this subchapter.

“§1187. Temporary and supplemental automatic stay; assumed debt

“(a)(1) A petition filed under section 1183 operates as a stay, applicable to all entities, of the termination, acceleration, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

“(A) a default by the debtor under any such debt, contract, lease, or agreement; or

“(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

“(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

“(ii) the commencement of a case under this title concerning the debtor;

“(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

“(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating—

“(1) of the debtor at any time after the commencement of the case;

“(II) of an affiliate during the period from the commencement of the case until 48 hours after such order is entered;

“(III) of the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

“(aa) the bridge company; or

“(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185; or

“(IV) of an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

“(aa) the bridge company; or

“(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185.

“(2) A debt, contract, lease, or agreement described in this paragraph is—

“(A) any debt (other than capital structure debt), executory contract, or unexpired lease of the debtor (other than a qualified financial contract);

“(B) any agreement under which the debtor issued or is obligated for debt (other than capital structure debt);

“(C) any debt, executory contract, or unexpired lease of an affiliate (other than a qualified financial contract); or

“(D) any agreement under which an affiliate issued or is obligated for debt.

“(3) The stay under this subsection terminates—

“(A) for the benefit of the debtor, upon the earliest of—

“(i) 48 hours after the commencement of the case;

“(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1185;

“(iii) a final order of the court denying the request for a transfer under section 1185; or

“(iv) the time the case is dismissed; and

“(B) for the benefit of an affiliate, upon the earliest of—

“(i) the entry of an order authorizing a transfer under section 1185 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1185;

“(ii) a final order by the court denying the request for a transfer under section 1185;

“(iii) 48 hours after the commencement of the case if the court has not ordered a transfer under section 1185; or

“(iv) the time the case is dismissed.

“(4) Subsections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

“(b) A debt, executory contract (other than a qualified financial contract), or unexpired lease of the debtor, or an agreement under which the debtor has issued or is obligated for any debt, may be assumed by a bridge company in a transfer under section 1185 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

“(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

“(2) accelerates, terminates, or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease, or agreement on account of—

“(A) the assignment of the debt, contract, lease, or agreement; or

“(B) a change in control of any party to the debt, contract, lease, or agreement.

“(c)(1) A debt, contract, lease, or agreement of the kind described in subparagraph (A) or (B) of subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

“(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

“(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

“(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease or agreement on account of—

“(i) the assignment of the debt, contract, lease, or agreement; or

“(ii) a change in control of any party to the debt, contract, lease, or agreement.

“(2) If there is a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease or agreement of the kind described in subparagraph (A) or (B) of subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

“(A) shall cure the default;

“(B) compensates, or provides adequate assurance in connection with a transfer under section 1185 that the bridge company will promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

“(C) provides adequate assurance in connection with a transfer under section 1185 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1185(c)(4).

“§1188. Treatment of qualified financial contracts and affiliate contracts

“(a) Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1183 operates as a stay, during the period specified in section 1187(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

“(1) to cause the modification, liquidation, termination, or acceleration of a qualified financial contract of the debtor or an affiliate;

“(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

“(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

“(b)(1) During the period specified in section 1187(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under such qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

“(2) Any failure by a counterparty to any qualified financial contract of the debtor or any

affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

“(c) Subject to the court’s approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under, and in accordance with, section 1185 if and only if—

“(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1185;

“(2) all claims of the entity against the debtor in respect of any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

“(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

“(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

“(d) Notwithstanding any provision of a qualified financial contract or of applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed or assigned in a transfer under section 1185 may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1185, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1185 solely because of a condition described in section 1187(c)(1), other than a condition of the kind specified in section 1187(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

“(e) Notwithstanding any provision of any agreement or in applicable nonbankruptcy law, an agreement of an affiliate (including an executory contract, an unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) and any right or obligation under such agreement may not be accelerated, terminated, or modified, solely because of a condition described in section 1187(c)(1), other than a condition of the kind specified in section 1187(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate, at any time after the commencement of the case if—

“(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185 to the bridge company within the period specified in subsection (a);

“(2) the bridge company assumes—

“(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

“(B) any obligations in respect of rights of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

“(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

“§ 1189. Licenses, permits, and registrations

“(a) Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1185 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1185 may not be accelerated, terminated, or modified at any time after the request solely on account of—

“(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

“(2) the commencement of a case under this title concerning the debtor;

“(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

“(4) a transfer under section 1185.

“(b) Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1185 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

“§ 1190. Exemption from securities laws

“For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

“§ 1191. Inapplicability of certain avoiding powers

“A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in contemplation of or in connection with a transfer under section 1185 is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

“§ 1192. Consideration of financial stability

“The court may consider the effect that any decision in connection with this subchapter may have on financial stability in the United States.”.

SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

“§ 298. Judge for a case under subchapter V of chapter 11 of title 11

“(a)(1) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under subchapter V of chapter 11 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

“(2) Notwithstanding section 155, a case under subchapter V of chapter 11 of title 11 shall be heard under section 157 by a bankruptcy judge designated under paragraph (1), who shall be randomly assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending. To the greatest extent practicable, the approvals required under section 155 should be obtained.

“(3) If the bankruptcy judge assigned to hear a case under paragraph (2) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district.

“(b) A case under subchapter V of chapter 11 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.

“(c) In this section, the term ‘covered financial corporation’ has the meaning given that term in section 101(9A) of title 11.”.

(b) AMENDMENT TO SECTION 1334 OF TITLE 28.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

“(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1185 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed, in connection with a case under subchapter V of chapter 11 of title 11.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections of chapter 13 of title 28, United States Code, is amended by adding at the end the following:

“298. Judge for a case under subchapter V of chapter 11 of title 11.”.

(2) The table of subchapters of chapter 11 of title 11, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

“1181. Inapplicability of other sections.

“1182. Definitions for this subchapter.

“1183. Commencement of a case concerning a covered financial corporation.

“1184. Regulators.

“1185. Special transfer of property of the estate.

“1186. Special trustee.

“1187. Temporary and supplemental automatic stay; assumed debt.

“1188. Treatment of qualified financial contracts and affiliate contracts.

“1189. Licenses, permits, and registrations.

“1190. Exemption from securities laws.

“1191. Inapplicability of certain avoiding powers.

“1192. Consideration of financial stability.”.

TITLE XI

ADDITIONAL GENERAL PROVISIONS

REFERENCES TO ACT

SEC. 1101. Except as expressly provided otherwise, consistent with sections 746 and 819, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 1102. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–234. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 1103. \$0.

This division may be cited as the “Financial Services and General Government Appropriations Act, 2018”.

DIVISION E—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OPERATIONS AND SUPPORT

For necessary expenses of the Office of the Secretary and for executive management for operations and support, \$138,997,000: Provided, That not to exceed \$30,000 shall be for official reception and representation expenses.

MANAGEMENT DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the Management Directorate for operations and support, \$696,131,000, of which \$227,516,000 shall remain available until September 30, 2019: Provided, That not to exceed \$2,000 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Management Directorate for procurement, construction, and improvements, \$27,755,000, to remain available until September 30, 2019.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Management Directorate for research and development, \$2,545,000, to remain available until September 30, 2019.

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Intelligence and Analysis and the Office of Operations Coordination for operations and support, \$252,405,000, of which \$77,915,000 shall remain available until September 30, 2019: Provided, That not to exceed \$3,825 shall be for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Inspector General for operations and support, \$154,830,000: Provided, That not to exceed \$300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

ADMINISTRATIVE PROVISIONS

SEC. 101. Hereafter, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program, as authorized by section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454).

SEC. 102. Hereafter, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report that includes total obligations of the Department for that month and for the fiscal year at the appropriation and program, project, and activity levels, by the source year of the appropriation, not later than 30 days after the last day of each month.

SEC. 103. (a) Notwithstanding section 518 of division F of the Consolidated Appropriations Act, 2016 (Public Law 114-113), the Secretary of Homeland Security shall submit a report not later than October 15, 2018, to the Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal years 2017 and 2018.

(b) The Inspector General shall review the report required by subsection (a) to assess departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2019.

SEC. 104. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes, which shall be specified in terms of cost, schedule, and performance.

SEC. 105. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703(g)(4)(B) of title 31, United States Code (as added by Public Law 102-393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: Provided, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives are notified of the proposed transfers.

SEC. 106. (a) All official costs associated with the use of Government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Office of the Secretary.

(b) A travel report of all direct and indirect costs of official and nonofficial travel by the Secretary and Deputy Secretary by appropriation to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days after the end of fiscal year 2018.

SEC. 107. (a) Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committees on the Judiciary of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives, a report for fiscal year 2017 on visa overstay data by country as required by section 1376 of title 8, United States Code: Provided, That the report on visa overstay data shall also include—

(1) overstays from all nonimmigrant visa categories under the immigration laws, delineated by each of the classes and sub-classes of such categories; and

(2) numbers as well as rates of overstays for each class and sub-class of such nonimmigrant categories on a per-country basis.

(b) The Secretary of Homeland Security shall publish on the Department's website the metrics developed to measure the effectiveness of security between the ports of entry, including the methodology and data supporting the resulting measures.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law en-

forcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; \$11,553,315,000; of which \$3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which \$681,441,500 shall be available until September 30, 2019; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: Provided, That not to exceed \$34,425 shall be for official reception and representation expenses: Provided further, That not to exceed \$15,000,000 may be transferred to the Bureau of Indian Affairs for the maintenance and repair of roads on Native American reservations, as required by the Border Patrol: Provided further, That not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations: Provided further, That not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For U.S. Customs and Border Protection for procurement, construction and improvements, in addition to amounts otherwise made available under this heading by the Department of Homeland Security Border Infrastructure Construction Appropriations Act, 2018, \$437,480,000, of which \$377,705,000 shall remain available until September 30, 2020, and of which \$59,775,000 shall remain available until September 30, 2022: Provided, That such aggregate amount shall be available as follows: \$8,955,000 for Cross Border Tunnel Threat, \$17,438,000 for Integrated Fixed Towers, \$1,600,000 for Mobile Video Surveillance Systems, \$20,000,000 for Unattended Ground Sensors, \$49,738,000 for border road construction, \$33,193,000 for Remote Video Surveillance Systems, \$109,240,000 for non-intrusive inspection systems, \$55,530,000 for two multi-role enforcement aircraft, \$3,300,000 for FAA Next Generation radar systems, \$7,800,000 for various sensor upgrades, \$14,034,000 for one medium-lift helicopter, \$13,250,000 for Air and Marine tactical communications, \$12,421,000 for two light enforcement helicopters, \$3,573,000 for coastal interceptors, \$1,200,000 for Department of Defense reuse, \$45,000,000 for the Brown Field Border Patrol Station, \$14,775,000 for Office of Field Operations Facilities, and \$26,433,000 for revenue modernization.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; \$7,002,043,000; of which \$6,000,000 shall remain available until expended for efforts to enforce laws against forced child labor; of which \$33,700,000 shall remain available until September 30, 2019; of which not less than

\$4,413,244,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: Provided, That not to exceed \$11,475 shall be for official reception and representation expenses: Provided further, That not to exceed \$10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): Provided further, That not to exceed \$2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: Provided further, That not to exceed \$11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Immigration and Customs Enforcement for procurement, construction, and improvements, \$52,899,000, to remain available until September 30, 2020.

TRANSPORTATION SECURITY ADMINISTRATION OPERATIONS AND SUPPORT

For necessary expenses of the Transportation Security Administration for operations and support, \$7,082,874,000, of which \$1,770,719,000 shall remain available until September 30, 2019: Provided, That not to exceed \$7,650 shall be for official reception and representation expenses: Provided further, That security service fees authorized under section 4494 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: Provided further, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2018 so as to result in a final fiscal year appropriation from the general fund estimated at not more than \$4,612,874,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Transportation Security Administration for procurement, construction, and improvements, \$53,314,000, to remain available until September 30, 2020.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Transportation Security Administration for research and development, \$20,190,000, to remain available until September 30, 2019.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operations and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of not more than \$700,000) and repairs and service-life replacements, not to exceed a total of \$31,000,000; purchase, lease, or improvement of other equipment (at a unit cost of not more than \$250,000); minor shore construction projects not exceeding \$1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97-377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; \$7,163,464,000; of which \$340,000,000 shall be for defense-related activities; of which \$24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That not to exceed \$23,000 shall be for official reception and representation expenses.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, \$13,397,000, to remain available until September 30, 2022.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve; operations and maintenance of the Coast Guard Reserve Program; personnel and training costs; and equipment and services; \$114,875,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Coast Guard for acquisition, construction, renovation, and improvement of aids to navigation, shore facilities (including facilities at Department of Defense installations used by the Coast Guard), vessels, and aircraft, including equipment related thereto, \$1,298,745,000; of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which \$1,256,655,000 shall be available until September 30, 2022.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses of the Coast Guard for research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; \$18,641,000; to remain available until September 30, 2020, of which \$500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts, and combat-related special compensation, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,673,000,000, to remain available until expended.

UNITED STATES SECRET SERVICE OPERATIONS AND SUPPORT

For necessary expenses of the United States Secret Service for operations and support, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; rental of buildings in the District of Columbia; fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; conduct of and participation in firearms matches; presentation of awards; conduct of behavioral research in support of protective intelligence and operations; payment in advance for commercial accommodations as may be necessary to perform protective functions; and payment, without regard to section 5702 of title 5, United States Code, of subsistence expenses of employees who are on protective missions, whether at or away from their duty stations; \$1,893,215,000; of which \$33,692,000 shall remain available until September 30, 2019, of which \$6,000,000 shall be for a grant for activities related to investigations of missing and exploited children; and of

which not less than \$13,869,000 shall be for activities related to training in electronic crimes investigations and forensics: Provided, That not to exceed \$19,125 shall be for official reception and representation expenses: Provided further, That not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the United States Secret Service for procurement, construction, and improvements, \$64,030,000, to remain available until September 30, 2020.

RESEARCH AND DEVELOPMENT

For necessary expenses of the United States Secret Service for research and development, \$250,000, to remain available until September 30, 2019.

ADMINISTRATIVE PROVISIONS

SEC. 201. Section 201 of the Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115-31), related to overtime compensation limitations, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act.

SEC. 202. Funding made available under the heading "U.S. Customs and Border Protection—Operations and Support" and "U.S. Customs and Border Protection—Procurement, Construction, and Improvements" shall be available for customs expenses when necessary to maintain operations and prevent adverse personnel actions in Puerto Rico in addition to funding provided by 48 U.S.C. 740.

SEC. 203. Hereafter, no U.S. Customs and Border Protection aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security without prior notice to the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 204. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112-42), fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

SEC. 205. For an additional amount for "U.S. Customs and Border Protection—Operations and Support", \$39,000,000, to remain available until expended, to be reduced by amounts collected and credited to this appropriation in fiscal year 2018 from amounts authorized to be collected by section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)), section 10412 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8311), and section 817 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125): Provided, That to the extent that amounts realized from such collections exceed \$39,000,000, those amounts in excess of \$39,000,000 shall be credited to this appropriation, to remain available until expended.

SEC. 206. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: Provided, That this section shall apply only to

individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: Provided further, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 207. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to section 501(b) of title 46, United States Code, for the transportation of crude oil distributed from and to the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels for such transportation: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to such section with respect to such transportation, and the disposition of such requests.

SEC. 208. (a) None of the funds made available by this Act may be used to approve, license, facilitate, authorize, or otherwise allow the trafficking or import of property confiscated by the Cuban Government.

(b) In this section, the terms “confiscated”, “Cuban Government”, “property”, and “traffic” have the meanings given such terms in paragraphs (4), (5), (12)(A), and (13), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (2216 U.S.C. 6023).

SEC. 209. Without regard to the limitation as to time and condition of section 503(d), the Secretary may reprogram within and transfer funds to “U.S. Immigration and Customs Enforcement—Operations and Support” as necessary to ensure the detention of aliens prioritized for removal.

SEC. 210. None of the funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been materially violated.

SEC. 211. None of the funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than “adequate” or the equivalent median score in any subsequent performance evaluation system.

SEC. 212. Members of the House of Representatives and the Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the Attorney General, Deputy Attorney General, Assistant Attorneys General, and United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SEC. 213. Notwithstanding section 44923 of title 49, United States Code, for fiscal year 2018, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title.

SEC. 214. None of the funds made available by this Act under the heading “Coast Guard—Operating Expenses” shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to the appropriation made available by this Act under the heading “Coast Guard—Operating Expenses”: Provided, That to the extent such fees are insufficient to pay expenses of recreational vessel documentation under such section 12114, and there is a backlog of recreational vessel applications, personnel performing non-recreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform documentation under section 12114.

SEC. 215. Without regard to the limitation as to time and condition of section 503(d), after June 30, up to \$10,000,000 may be reprogrammed to or from the Military Pay and Allowances funding category within “Coast Guard—Operating Expenses” in accordance with subsection (a) of section 503.

SEC. 216. The United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under the heading “United States Secret Service—Operations and Support” at the end of the fiscal year.

SEC. 217. None of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: Provided, That the Director of the Secret Service may enter into agreements to provide such protection on a fully reimbursable basis.

SEC. 218. For purposes of section 503(a)(3) of this Act, up to \$15,000,000 may be reprogrammed within “United States Secret Service—Operations and Support”.

SEC. 219. Funding made available in this Act for “United States Secret Service—Operations and Support” is available for travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if the Director of the United States Secret Service or a designee notifies the Committees on Appropriations of the Senate and the House of Representatives 10 or more days in advance, or as early as practicable, prior to such expenditures.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the National Protection and Programs Directorate for operations and support, \$1,427,062,000, of which \$8,912,000 shall remain available until September 30, 2019: Provided, That not to exceed \$3,825 shall be for official reception and representation expenses.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until

expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the National Protection and Programs Directorate for procurement, construction, and improvements, \$335,033,000, to remain available until September 30, 2019.

RESEARCH AND DEVELOPMENT

For necessary expenses of the National Protection and Programs Directorate for research and development, \$11,126,000, to remain available until September 30, 2019.

OFFICE OF HEALTH AFFAIRS

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Health Affairs for operations and support, \$119,319,000, of which \$13,520,000 shall remain available until September 30, 2019.

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

For necessary expenses of the Federal Emergency Management Agency for operations and support, \$1,027,135,000: Provided, That not to exceed \$2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Federal Emergency Management Agency for procurement, construction, and improvements, \$76,578,000, to remain available until September 30, 2019.

FEDERAL ASSISTANCE

For activities of the Federal Emergency Management Agency for Federal assistance through grants, contracts, cooperative agreements, and other activities, \$3,003,798,000, which shall be allocated as follows:

(1) \$467,000,000 for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which \$55,000,000 shall be for Operation Stonegarden: Provided, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2018, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) \$630,000,000 for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which \$50,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) \$100,000,000 for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), of which \$10,000,000 shall be for Amtrak security.

(4) \$100,000,000 for Port Security Grants in accordance with section 70107 of title 46, United States Code.

(5) \$690,000,000, to remain available until September 30, 2018, of which \$345,000,000 shall be for Assistance to Firefighter Grants and \$345,000,000 shall be for Staffing for Adequate Fire and Emergency Response Grants under sections 33 and 34 respectively of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

(6) \$350,000,000 for emergency management performance grants under the National Flood Insurance Act of 1968 (42 U.S.C. 4001), the Robert T. Stafford Disaster Relief and Emergency

Assistance Act (42 U.S.C. 5121), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701), 6 U.S.C. 762, and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.).

(7) \$100,000,000 for the National Predisaster Mitigation Fund under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), to remain available until expended.

(8) \$177,531,000 for necessary expenses for Flood Hazard Mapping and Risk Analysis, in addition to and to supplement any other sums appropriated under the National Flood Insurance Fund, and such additional sums as may be provided by States or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)), to remain available until expended.

(9) \$120,000,000 for the emergency food and shelter program under title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331), to remain available until expended: Provided, That not to exceed 3.5 percent shall be for total administrative costs.

(10) \$269,267,000 to sustain current operations for training, exercises, technical assistance, and other programs.

DISASTER RELIEF FUND

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,327,720,000, to remain available until expended, of which \$6,793,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113-89; 128 Stat. 1020), \$203,500,000, to remain available until September 30, 2019, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which \$13,573,000 shall be available for mission support associated with flood management; and of which \$189,927,000 shall be available for flood plain management and flood mapping: Provided, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as offsetting collections to this account, to be available for flood plain management and flood mapping: Provided further, That in fiscal year 2017, no funds shall be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) in excess of—

(1) \$165,224,000 for operating expenses and salaries and expenses associated with flood insurance operations;

(2) \$1,123,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) \$175,000,000, which shall remain available until expended, for flood mitigation actions and for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding sections 1366(e) and 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017): Provided further, That the amounts collected under section 102 of the Flood Disaster Protec-

tion Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding section 102(f)(8), section 1366(e), and paragraphs (1) through (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): Provided further, That total administrative costs shall not exceed 4 percent of the total appropriation: Provided further, That up to \$5,000,000 is available to carry out section 24 of the Homeowner Flood Insurance Affordability Act of 2014 (42 U.S.C. 4033).

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 301. Notwithstanding section 2008(a)(12) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12)) or any other provision of law, not more than 5 percent of the amount of a grant made available in paragraphs (1) through (4) under “Federal Emergency Management Agency—Federal Assistance”, may be used by the grantee for expenses directly related to administration of the grant.

SEC. 302. Applications for grants under the heading “Federal Emergency Management Agency—Federal Assistance”, for paragraphs (1) through (4), shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application.

SEC. 303. Under the heading “Federal Emergency Management Agency—Federal Assistance”, for grants under paragraphs (1) through (4), the Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award.

SEC. 304. Under the heading “Federal Emergency Management Agency—Federal Assistance”, for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility.

SEC. 305. Notwithstanding any other provision of law, grants awarded to States along the Southwest Border of the United States under sections 2003 or 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) using funds provided under the heading “Federal Emergency Management Agency—Federal Assistance” for grants under paragraph (1) in this Act, or under the heading “Federal Emergency Management Agency—State and Local Programs” in Public Law 114-4, division F of Public Law 113-76, or division D of Public Law 113-6 may be used by recipients or sub-recipients for costs, or reimbursement of costs, related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States, provided that such costs were incurred between January 1, 2014, and December 31, 2014, or during the award period of performance.

SEC. 306. The aggregate charges assessed during fiscal year 2018, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security to be necessary for its Radiological Emergency Preparedness Program for the next fiscal year: Provided, That the methodology for assessment and collection of fees shall

be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: Provided further, That such fees shall be deposited in a Radiological Emergency Preparedness Program account as offsetting collections and will become available for authorized purposes on October 1, 2018, and remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

U.S. CITIZENSHIP AND IMMIGRATION SERVICES OPERATIONS AND SUPPORT

For necessary expenses of U.S. Citizenship and Immigration Services for operations and support of the E-Verify Program, \$108,856,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Citizenship and Immigration Services for procurement, construction, and improvements of the E-Verify Program, \$22,657,000, to remain available until September 30, 2021.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS OPERATIONS AND SUPPORT

For necessary expenses of the Federal Law Enforcement Training Centers for operations and support, including the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, \$260,099,000, of which \$49,409,000 shall remain available until September 30, 2019: Provided, That not to exceed \$7,180 shall be for official reception and representation expenses.

SCIENCE AND TECHNOLOGY DIRECTORATE OPERATIONS AND SUPPORT

For necessary expenses of the Science and Technology Directorate for operations and support, including the purchase or lease of not to exceed 5 vehicles, \$254,618,000, of which \$134,795,000 shall remain available until September 30, 2019: Provided, That not to exceed \$7,650 shall be for official reception and representation expenses.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Science and Technology Directorate for research and development, \$383,482,000, to remain available until September 30, 2020.

DOMESTIC NUCLEAR DETECTION OFFICE OPERATIONS AND SUPPORT

For necessary expenses of the Domestic Nuclear Detection Office for operations and support, \$54,664,000: Provided, That not to exceed \$2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Domestic Nuclear Detection Office for procurement, construction, and improvements, \$87,096,000, to remain available until September 30, 2020.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Domestic Nuclear Detection Office for research and development, \$144,161,000, to remain available until September 30, 2020.

FEDERAL ASSISTANCE

For necessary expenses of the Domestic Nuclear Detection Office for Federal assistance through grants, contracts, cooperative agreements, and other activities, \$44,519,000, to remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS

SEC. 401. Notwithstanding any other provision of law, funds otherwise made available to U.S. Citizenship and Immigration Services may be

used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: Provided, That the Director of U.S. Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

SEC. 402. None of the funds made available in this Act may be used by U.S. Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by U.S. Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 403. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided by employees (including employees serving on a temporary or term basis) of U.S. Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Immigration Service Analysts, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 404. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, up to \$10,000,000 may be allocated by U.S. Citizenship and Immigration Services in fiscal year 2018 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to U.S. Citizenship and Immigration Services for grants for immigrant integration under subsection (a) may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 405. The Director of the Federal Law Enforcement Training Centers is authorized to distribute funds to Federal law enforcement agencies for expenses incurred participating in training accreditation.

SEC. 406. The Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 407. (a) There is to be established a "Federal Law Enforcement Training Centers—Procurement, Construction, and Improvements" appropriations account for planning, operational development, engineering, and purchases prior to sustainment and for information technology-related procurement, construction, and improvements, including non-tangible assets of the Federal Law Enforcement Training Centers.

(b) The Director of the Federal Law Enforcement Training Centers may accept transfers to the account established by subsection (a) from Government agencies requesting the construction of special use facilities, as authorized by the Economy Act (31 U.S.C. 1535(b)): Provided, That the Federal Law Enforcement Training Centers maintain administrative control and ownership upon completion of such facilities.

SEC. 408. The functions of the Federal Law Enforcement Training Centers instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

TITLE V GENERAL PROVISIONS (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the components in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or eliminates a program, project, or activity, or increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(2) contracts out any function or activity presently performed by Federal employees or any new function or activity proposed to be performed by Federal employees in the President's budget proposal for fiscal year 2018 for the Department of Homeland Security;

(3) augments funding for existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(4) reduces funding for any program, project, or activity, or numbers of personnel, by 10 percent or more;

(5) reorganizes components; or

(6) results from any general savings from a reduction in personnel that would result in a change in funding levels for programs, projects, or activities as approved by the Congress.

(b) Subsection (a) shall not apply if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of such reprogramming.

(c) Up to 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 30 days in advance of such transfer, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfer.

(d) Notwithstanding subsections (a), (b), and (c), no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in subsections (a), (b), (c), and (d) shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

(f) Notwithstanding subsection (c), the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations available to the Department of Homeland Security: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 504. Section 504 of the Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115-31), related to the operations of a working capital fund, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2018, as recorded in the financial records at the time of a reprogramming notification, but not later than June 30, 2019, from appropriations for "Operations and Support" and for "Coast Guard—Operating Expenses", and salaries and expenses for "Coast Guard—Acquisition, Construction, and Improvements" and "Coast Guard—Reserve Training" for fiscal year 2018 in this Act shall remain available through September 30, 2019, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a notification shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives in accordance with section 503.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2018 until the enactment of an Act authorizing intelligence activities for fiscal year 2018.

SEC. 507. (a) The Secretary of Homeland Security, or the designee of the Secretary, shall notify the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of—

(1) making or awarding a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of \$1,000,000;

(2) awarding a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Department of Homeland Security funds;

(3) making a sole-source grant award; or

(4) announcing publicly the intention to make or award items under paragraph (1), (2), or (3), including a contract covered by the Federal Acquisition Regulation.

(b) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(c) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account from which the funds are being drawn.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance notification to the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Centers is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be

used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110-161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act: Provided, That for purposes of the preceding sentence, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 513. Section 519 of division F of Public Law 114-113, regarding a prohibition on funding for any position designated as a Principal Federal Official, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act.

SEC. 514. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 515. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 516. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and
(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 517. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 518. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 519. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 520. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 521. (a) For an additional amount for financial systems modernization, \$42,233,000, to remain available until September 30, 2019.

(b) Funds made available in subsection (a) for financial systems modernization may be trans-

ferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 522. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 523. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 524. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or non-governmental organizations: Provided further, That the total cost to the Department of Homeland Security of any such conference shall not exceed \$500,000.

SEC. 525. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 526. None of the funds made available to the Department of Homeland Security by this or any other Act may be obligated for any structural pay reform that affects more than 100 full-time positions or costs more than \$5,000,000 in a single year before the end of the 30-day period beginning on the date on which the Secretary of Homeland Security submits to Congress a notification that includes—

(1) the number of full-time positions affected by such change;

(2) funding required for such change for the current year and through the Future Years Homeland Security Program;

(3) justification for such change; and

(4) an analysis of compensation alternatives to such change that were considered by the Department.

SEC. 527. (a) Any agency receiving funds made available in this Act shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Committees on Appropriations of the Senate and the House of Representatives in this Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises homeland or national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the Committees on Appropriations of the Senate and the House of Representatives for not less than 45 days except as otherwise specified in law.

SEC. 528. (a) Funding provided in this Act for “Operations and Support” may be used for minor procurement, construction, and improvements.

(b) For purposes of subsection (a), “minor” refers to end items with a unit cost of \$250,000 or less for personal property, and \$2,000,000 or less for real property.

SEC. 529. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 530. For fiscal year 2018, the Secretary of Homeland Security may provide, out of funds available to the Department of Homeland Security, for the primary and secondary schooling of dependents of Department of Homeland Security personnel who are stationed outside the continental United States and for the transportation of such dependents in the same manner and to the same extent that, pursuant to 14 U.S.C. 544, the Secretary may provide, out of funds appropriated to or for the use of the Coast Guard, for the primary and secondary schooling of, and the transportation of, dependents of Coast Guard personnel stationed outside the continental United States.

(RESCISSIONS)

SEC. 531. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177):

(1) \$12,928,000 from Public Law 115-31 under the heading “Transportation Security Administration—Operations and Support”;

(2) \$1,785,697 from Public Law 108-334 under the heading “Coast Guard—Alteration of Bridges”;

(3) \$1,920,100 from Public Law 109-90 under the heading “Coast Guard—Alteration of Bridges”;

(4) \$1,791,454 from Public Law 109-295 under the heading “Coast Guard—Alteration of Bridges”;

(5) \$3,221,594 from Public Law 110-161 under the heading “Coast Guard—Alteration of Bridges”;

(6) \$3,680,885 from Public Law 111-83 under the heading “Coast Guard—Alteration of Bridges”;

(7) \$25,000,000 from Public Law 114-113 under the heading “Coast Guard—Acquisition, Construction, and Improvements”; and

(8) \$95,000,000 from Public Law 115-31 under the heading “Coast Guard—Acquisition, Construction, and Improvements”.

(RESCISSIONS)

SEC. 532. From the unobligated balances available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code (added by section 638 of Public Law 102-393), \$187,000,000 shall be rescinded.

SEC. 534. Not later than 90 days from the date of this Act, the Commissioner of United States Customs and Border Protection shall: (a) conduct a survey of international passenger traffic at the airports listed in section 122.15(b) of title 19, Code of Federal Regulations, and designate any airport as a port of entry if that airport: (1)

has scheduled international service by one or more air carriers; and (2) received over 75,000 international passenger arrivals during the most recent calendar year in which federal passenger data is available; (b) ensure a sufficient number of United States Customs and Border Protection officers are available at any airport designated as a port of entry under subsection (a) in order for landing rights requests to be granted in accordance with section 122.14 of title 19, Code of Federal Regulations.

SEC. 535. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 536. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 537. Nothing in the preceding section shall remove the obligation of the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement to provide escort services necessary for a female detainee to receive such service outside the detention facility: Provided, That nothing in this section in any way diminishes the effect of section [preceding section] intended to address the philosophical beliefs of individual employees of U.S. Immigration and Customs Enforcement.

SEC. 538. In fiscal year 2018, nonimmigrants shall be admitted to the United States under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) to perform agricultural labor or services, without regard to whether such labor is, or services are, of a temporary or seasonal nature.

SEC. 539. (a) Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Christopher William Gard, Constance Rhoda Keely Yates, and Charles Matthew William Gard shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) If Christopher William Gard, Constance Rhoda Keely Yates, or Charles Matthew William Gard enters the United States before the filing deadline specified in subsection (c), he or she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) Upon the granting of an immigrant visa or permanent residence to Christopher William Gard, Constance Rhoda Keely Yates, and Charles Matthew William Gard, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 202(e) of such Act.

(e) The natural parents, brothers, and sisters of Christopher William Gard, Constance Rhoda Keely Yates, and Charles Matthew William

Gard shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

STATUTE OF LIMITATIONS

SEC. 540.

(a) IN GENERAL.—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended—

(1) in subsection (a)(1)—

(A) by striking “Except” and inserting “Notwithstanding section 3716(e) of title 31, United States Code, and except”; and

(B) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”; and

(2) in subsection (b)—

(A) in paragraph (1) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”; and

(B) in paragraph (3) by inserting “for project completion as certified by the grantee” after “final expenditure report”.

(b) APPLICABILITY.—

(1) IN GENERAL.—With respect to disaster or emergency assistance provided to a State or local government on or after January 1, 2004—

(A) no administrative action may be taken to recover a payment of such assistance after the date of enactment of this Act if the action is prohibited under section 705(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205(a)(1)); and

(B) any administrative action to recover a payment of such assistance that is pending on such date of enactment shall be terminated if the action is prohibited under section 705(a)(1) of such Act.

(2) LIMITATION.—This section and the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

REFERENCES TO ACT

SEC. 541. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 542. Any reference to a “report accompanying this Act” contained in this division or the Department of Homeland Security Border Infrastructure Construction Appropriations Act, 2018, shall be treated as a reference to House Report 115-239. The effect of such Report shall be limited to this division and such Act and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division and such Act.

SPENDING REDUCTION ACCOUNT

SEC. 543. \$0.

This division may be cited as the “Department of Homeland Security Appropriations Act, 2018”.

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as “WIOA”), the Second Chance Act of

2007, \$3,042,720,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,624,108,000 as follows:

(A) \$776,736,000 for adult employment and training activities, of which \$64,736,000 shall be available for the period July 1, 2018 through June 30, 2019, and of which \$712,000,000 shall be available for the period October 1, 2018 through June 30, 2019;

(B) \$831,842,000 for youth activities, which shall be available for the period April 1, 2018 through June 30, 2019; and

(C) \$1,015,530,000 for dislocated worker employment and training activities, of which \$155,530,000 shall be available for the period July 1, 2018 through June 30, 2019, and of which \$860,000,000 shall be available for the period October 1, 2018 through June 30, 2019:

Provided, That the funds available for allotment to outlying areas to carry out subtitle B of title I of the WIOA shall not be subject to the requirements of section 127(b)(1)(B)(ii) of such Act; and

(2) for national programs, \$418,612,000 as follows:

(A) \$130,000,000 for the dislocated workers assistance national reserve, which shall be available for the period October 1, 2017 through September 30, 2019: Provided, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out section 168(b) of the WIOA may be used for technical assistance projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as “Secretary”) may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: Provided further, That, of the funds provided under this subparagraph, up to \$66,000,000 may be made available for applications submitted in accordance with section 170 of the WIOA for training and employment assistance for workers in the Appalachian region, as defined by 40 U.S.C. 14102 (a)(1):

(B) \$50,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2018 through June 30, 2019;

(C) \$72,000,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including \$66,716,000 for formula grants (of which not less than 70 percent shall be for employment and training services), \$4,850,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$434,000 for other discretionary purposes, which shall be available for the period July 1, 2018 through June 30, 2019: Provided, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) \$84,534,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2018 through June 30, 2019; and

(E) \$82,078,000 for ex-offender activities, under the authority of section 169 of the WIOA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2018 through June 30, 2019: Provided, That of this amount, \$25,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas.

JOB CORPS
(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, \$1,688,155,000, plus reimbursements, as follows:

(1) \$1,572,886,000 for Job Corps Operations, which shall be available for the period July 1, 2018 through June 30, 2019;

(2) \$83,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2018 through June 30, 2021, and which may include the acquisition, maintenance, and repair of major items of equipment: Provided, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: Provided further, That any funds transferred pursuant to the preceding proviso shall not be available for obligation after June 30, 2019: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

(3) \$32,269,000 for necessary expenses of Job Corps, which shall be available for obligation for the period October 1, 2017 through September 30, 2018: Provided, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

FEDERAL UNEMPLOYMENT BENEFITS AND
ALLOWANCES

For payments during fiscal year 2018 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, \$790,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2018: Provided, That notwithstanding section 502 of this Act, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

STATE UNEMPLOYMENT INSURANCE AND
EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, \$70,000,000, together with not to exceed \$2,760,903,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) \$2,665,775,000 from the Trust Fund is for grants to States for the administration of State

unemployment insurance laws as authorized under title III of the Social Security Act (including not less than \$160,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and to provide reemployment services and referrals to training as appropriate, for claimants of unemployment insurance for ex-service members under 5 U.S.C. 8521 et. seq. and for claimants of regular unemployment compensation, including those who are profiled as most likely to exhaust their benefits in each State, and \$6,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, and shall be available for obligation by the States through December 31, 2018, except that funds used for automation shall be available for Federal obligation through December 31, 2018, and for State obligation through September 30, 2020, or, if the automation is being carried out through consortia of States, for State obligation through September 30, 2023, and for expenditure through September 30, 2024, and funds for competitive grants awarded to States for improved operations and to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews and provide reemployment services and referrals to training, as appropriate, shall be available for Federal obligation through December 31, 2018, and for obligation by the States through September 30, 2020, and funds for the Unemployment Insurance Integrity Center of Excellence shall be available for obligation by the State through September 30, 2019, and funds used for unemployment insurance workloads experienced through September 30, 2018 shall be available for Federal obligation through December 31, 2018;

(2) \$13,000,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) \$19,818,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(4) \$62,310,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which \$48,028,000 shall be available for the Federal administration of such activities, and \$14,282,000 shall be available for grants to States for the administration of such activities; and

(5) \$70,000,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2018 through June 30, 2019:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2018 is projected by the Department of Labor to exceed 2,246,000, an additional \$28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that

are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the Unemployment Insurance Integrity Center of Excellence: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: Provided further, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States and non-State entities under such grants, subject to the conditions applicable to the grants: Provided further, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the final rule entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" at part 200 of title 2, Code of Federal Regulations: Provided further, That the Secretary, at the request of a State participating in a consortium with other States, may reallocate funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: Provided further, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and nonprofit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2019, for such purposes.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND
AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the revolving fund established by section 901(e) of the Social Security Act, to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and

to the “Federal Unemployment Benefits and Allowances” account, such sums as may be necessary, which shall be available for obligation through September 30, 2019.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$106,461,000, together with not to exceed \$49,887,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, \$175,600,000.

PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation (“Corporation”) is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2018, for the Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2018 shall be available for obligations for administrative expenses in excess of \$424,417,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2018, an amount not to exceed an additional \$9,200,000 shall be available through September 30, 2019, for obligation for administrative expenses for every 20,000 additional terminated participants: Provided further, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

WAGE AND HOUR DIVISION SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$217,500,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, \$41,129,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, \$94,500,000.

OFFICE OF WORKERS’ COMPENSATION PROGRAMS SALARIES AND EXPENSES

For necessary expenses for the Office of Workers’ Compensation Programs, \$114,377,000, together with \$2,173,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers’ Compensation Act.

SPECIAL BENEFITS (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of

benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2004); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers’ Compensation Act, \$220,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year, for deposit into and to assume the attributes of the Employees’ Compensation Fund established under 5 U.S.C. 8147(a): Provided, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2017, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2018: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees’ Compensation Act, \$71,188,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, \$24,540,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, \$22,968,000;

(3) For periodic roll disability management and medical review, \$21,946,000;

(4) For program integrity, \$1,734,000; and

(5) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers’ Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, \$54,319,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2019, \$15,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$59,846,000, to remain available until expended: Provided, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND (INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund (the “Fund”), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2018 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed \$38,246,000 for transfer to the Office of Workers’ Compensation Programs, “Salaries and Expenses”; not to exceed \$30,595,000 for transfer to Departmental Management, “Salaries and Expenses”; not to exceed \$330,000 for transfer to Departmental Management, “Office of Inspector General”; and not to exceed \$356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$531,470,000, including not to exceed \$100,850,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the “Act”), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2018, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (“DART”) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations

which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That not less than \$3,500,000 shall be for Voluntary Protection Programs.

MINE SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$359,975,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to \$2,000,000 for mine rescue and recovery activities and not less than \$10,537,000 for State assistance grants: Provided, That amounts available for State assistance grants may be used for the purchase and maintenance of new equipment required by the final rule entitled "Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors" published by the Department of Labor in the Federal Register on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for operators that demonstrate financial need as determined by the Secretary: Provided further, That notwithstanding 31 U.S.C. 3302, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: Provided further, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to \$2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: Provided further, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: Provided further, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: Provided further, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: Provided further, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reim-

bursements to State, Federal, and local agencies and their employees for services rendered, \$544,000,000, together with not to exceed \$65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

OFFICE OF DISABILITY EMPLOYMENT POLICY SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, \$36,800,000.

DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, \$272,539,000, together with not to exceed \$308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That \$8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2019: Provided further, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: Provided further, That grants made for the purpose of evaluation shall be awarded through fair and open competition: Provided further, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: Provided further, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: Provided further, That of the amounts made available to the Women's Bureau, \$994,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$236,514,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) \$175,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support disabled veterans' outreach program specialists under section 4103A of such title and local veterans' employment representatives under section 4104(b) of such title, and for the expenses described in section 4102A(b)(5)(C), which shall be available for obligation by the States through December 31, 2018, and not to exceed 3 percent for the necessary Federal expenditures for data systems and contract support to allow for the tracking of participant and performance information: Provided, That, in addition, such funds may be used to support such specialists and representatives in the provision of services to transitioning members of the Armed Forces who have participated in the Transition Assistance Program and have been identified as in need of intensive services, to members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, and to the spouses or other family caregivers of such wounded, ill, or injured members;

(2) \$16,073,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144;

(3) \$42,027,000 is for Federal administration of chapters 41, 42, and 43 of title 38, United States Code: Provided, That of such amounts, not more than \$1,000,000 shall be available for necessary expenses of the HIRE Vets Medallion Award Program authorized by the HIRE Vets Act (Division O of the Consolidated Appropriations Act, 2017 (Public Law 115-31; 38 U.S.C. 4100 note)), which shall be in addition to amounts available in the HIRE Vets Medallion Award Fund established by section 5 of such Act; and

(4) \$3,414,000 is for the National Veterans' Employment and Training Services Institute under 38 U.S.C. 4109:

Provided, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made: Provided further, That the HIRE Vets Medallion Award Fund shall be available to the Secretary for necessary expenses of the HIRE Vets Medallion Award Program authorized by the Hire Vets Act (Division O of the Consolidated Appropriations Act, 2017 (Public Law 115-31; 38 U.S.C. 4100 note)).

In addition, from the General Fund of the Treasury, \$47,537,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: Provided, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2018, to provide services under such section: Provided further, That services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, \$20,769,000, which shall be available through September 30, 2019.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$83,487,000, together with not to exceed \$5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. Except as otherwise provided in this section, none of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a) may be used for any purpose other than competitive grants for training individuals who are older than 16 years of age and are not currently enrolled in school within a local educational agency in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training.

SEC. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

(TRANSFER OF FUNDS)

SEC. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees: Provided, That this section shall not apply to section 171 of the WIOA.

(b) Notwithstanding section 102, the Secretary may transfer not more than 0.5 percent of each discretionary appropriation made available to the Employment and Training Administration by this Act to "Program Administration" in order to carry out program integrity activities relating to any of the programs or activities that are funded under any such discretionary appropriations: Provided, That funds transferred from under paragraphs (1) and (2) of the "Office of Job Corps" account shall be available under paragraph (3) of such account in order to carry out program integrity activities relating to the Job Corps program: Provided further, That funds transferred under this subsection shall be available for obligation through September 30, 2019.

(TRANSFER OF FUNDS)

SEC. 107. (a) The Secretary may reserve not more than 0.75 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2019: Provided,

That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Training and Employment Services", "Job Corps", "Community Service Employment for Older Americans", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", "Office of Disability Employment Policy", funding made available to the "Bureau of International Labor Affairs" and "Women's Bureau" within the "Departmental Management, Salaries and Expenses" account, and "Veterans Employment and Training".

SEC. 108. Notwithstanding any other provision of law, beginning October 1, 2017, the Secretary of Labor, in consultation with the Secretary of Agriculture may select an entity to operate a Civilian Conservation Center on a competitive basis in accordance with section 147 of the WIOA, if the Secretary of Labor determines such Center has had consistently low performance under the performance accountability system in effect for the Job Corps program prior to July 1, 2016, or with respect to expected levels of performance established under section 159(c) of such Act beginning July 1, 2016.

SEC. 109. (a) Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall be applied as if the following text is part of such section:

"(s)(1) The provisions of this section shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—

"(A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

"(B) who receives from such employer on average weekly compensation of not less than \$591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and

"(C) whose duties include any of the following:

"(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

"(ii) inspecting property damage or reviewing factual information to prepare damage estimates;

"(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;

"(iv) negotiating settlements; or

"(v) making recommendations regarding litigation.

"(2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1).

"(3) For purposes of this subsection—

"(A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

"(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by

applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

"(C) the term 'affiliate' means a company that, by reason of ownership or control of 25 percent or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company."

(b) This section shall be effective on the date of enactment of this Act.

(RESCISSION)

SEC. 110. Of the funds made available under the heading "Employment and Training Administration—Training and Employment Services" in division H of Public Law 115-31, \$200,000,000 is rescinded, to be derived from the amount made available in paragraph (2)(A) under such heading for the period October 1, 2017, through September 30, 2018.

SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.—

(1) IN GENERAL.—Subject to paragraph (2), if a petition for H-2B nonimmigrants filed by an employer in the seafood industry is granted, the employer may bring the nonimmigrants described in the petition into the United States at any time during the 120-day period beginning on the start date for which the employer is seeking the services of the nonimmigrants without filing another petition.

(2) REQUIREMENTS FOR CROSSINGS AFTER 90TH DAY.—An employer in the seafood industry may not bring H-2B nonimmigrants into the United States after the date that is 90 days after the start date for which the employer is seeking the services of the nonimmigrants unless the employer—

(A) completes a new assessment of the local labor market by—

(i) listing job orders in local newspapers on 2 separate Sundays; and

(ii) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

(B) offers the job to an equally or better qualified United States worker who—

(i) applies for the job; and

(ii) will be available at the time and place of need.

(3) EXEMPTION FROM RULES WITH RESPECT TO STAGGERING.—The Secretary of Labor shall not consider an employer in the seafood industry who brings H-2B nonimmigrants into the United States during the 120-day period specified in paragraph (1) to be staggering the date of need in violation of section 655.20(d) of title 20, Code of Federal Regulations, or any other applicable provision of law.

(b) H-2B NONIMMIGRANTS DEFINED.—In this section, the term "H-2B nonimmigrants" means aliens admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

SEC. 112. The determination of prevailing wage for the purposes of the H-2B program shall be the greater of—(1) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position in the same location; or (2) the prevailing wage level for the occupational classification of the position in the geographic area in which the H-2B nonimmigrant will be employed,

based on the best information available at the time of filing the petition. In the determination of prevailing wage for the purposes of the H-2B program, the Secretary shall accept private wage surveys even in instances where Occupational Employment Statistics survey data are available unless the Secretary determines that the methodology and data in the provided survey are not statistically supported.

SEC. 113. None of the funds in this Act shall be used to enforce the definition of corresponding employment found in 20 CFR 655.5 or the three-fourths guarantee rule definition found in 20 CFR 655.20, or any references thereto. Further, for the purpose of regulating admission of temporary workers under the H-2B program, the definition of temporary need shall be that provided in 8 CFR 214.2(h)(6)(ii)(B).

SEC. 114. Notwithstanding any other provision of law, the final rule issued by the Department of Labor entitled "Definition of the Term 'Fiduciary': Conflict of Interest Rule-Retirement Investment Advice" and published by the Department of Labor in the Federal Register on April 8, 2016 (81 Fed. Reg. 20946 et seq.), shall have no force or effect.

This title may be cited as the "Department of Labor Appropriations Act, 2018".

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES

ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the "PHS Act") with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,491,522,000: Provided, That no more than \$100,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: Provided further, That no more than \$99,893,000 shall be available until expended for carrying out the provisions of sections 224(g)–(n) and (q) of the PHS Act, and for expenses incurred by the Department of Health and Human Services (referred to in this Act as "HHS") pertaining to administrative claims made under such law.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, sections 1128E and 1921 of the Social Security Act, and the Health Care Quality Improvement Act of 1986, \$748,236,000: Provided, That sections 736(h)(1), 747(c)(2), 751(j)(2), 762(k), and the proportional funding amounts in paragraphs (1) through (4) of section 756(f) of the PHS Act shall not apply to funds made available under this heading: Provided further, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as the "Secretary") may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: Provided further, That no funds shall be available for section 340G–1 of the PHS Act: Provided further, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: Provided further, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such sections.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, \$848,617,000: Provided, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than \$80,593,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and \$10,276,000 shall be available for projects described in subparagraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, \$2,318,781,000, of which \$1,970,881,000 shall remain available to the Secretary through September 30, 2020, for parts A and B of title XXVI of the PHS Act, and of which not less than \$900,313,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, \$100,518,000.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act of 1969, and sections 711 and 1820 of the Social Security Act, \$156,060,000, of which \$43,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: Provided, That of the funds made available under this heading for Medicare rural hospital flexibility grants, \$14,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to \$1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: Provided further, That notwithstanding section 338J(k) of the PHS Act, \$10,000,000 shall be available for State Offices of Rural Health.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, \$151,993,000: Provided, That funds made available under this heading may be used to supplement program support funding provided under the headings "Primary Health Care", "Health Workforce", "Maternal and Child Health", "Ryan White HIV/AIDS Program", "Health Care Systems", and "Rural Health".

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the "Trust Fund"), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed \$8,250,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, \$470,700,000.

HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES, AND TUBERCULOSIS PREVENTION

For carrying out titles II, III, XVII, and XXIII of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, \$1,117,278,000.

EMERGING AND ZOO NOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, \$499,522,000.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, \$703,696,000: Provided, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: Provided further, That of the funds available under this heading, \$10,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: Provided further, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, \$137,560,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, health informatics, and workforce development, \$328,697,000: Provided, That in addition to amounts provided herein, \$150,700,000 shall be available from amounts available under section 241 of the PHS Act to carry out Public Health Scientific Services.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, \$142,750,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, \$286,059,000: Provided, That of the funds provided under this heading, \$112,000,000 shall be available for an evidence-based opioid drug overdose prevention program.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, \$325,200,000.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$55,358,000, to remain available until expended: Provided, That this amount shall be available consistent with the provision regarding administrative expenses in section 151(b) of division B, title I of Public Law 106–554.

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, \$435,121,000, of which \$128,421,000 for international HIV/AIDS shall remain available through September 30, 2019: Provided, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, \$1,450,000,000, of which \$600,000,000 shall remain available until expended for the Strategic National Stockpile: Provided, That in the event the Director of the Centers for Disease Control and Prevention (referred to in this title as “CDC”) activates the Emergency Operations Center, the Director of the CDC may detail CDC staff without reimbursement for up to 90 days to support the work of the CDC Emergency Operations Center, so long as the Director provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: Provided further, That funds appropriated under this heading may be used to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construction, demolition, and renovation of facilities, \$10,000,000, to remain available until September 30, 2022: Provided, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: Provided further, That in addition, the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be credited to and merged with the amounts made available under this heading to support the replacement of the mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, \$103,570,000: Provided, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: Provided further, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting

purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: Provided further, That CDC may use up to \$10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: Provided further, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: Provided further, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2019.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, \$5,471,181,000, of which up to \$10,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$3,256,521,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, \$432,363,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, \$1,899,733,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, \$1,810,011,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, \$5,005,813,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, \$2,713,775,000, of which \$824,443,000 shall be from funds available under section 241 of the PHS Act: Provided, That not less than \$373,361,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, \$1,401,727,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, \$743,881,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, \$725,387,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, \$2,458,733,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, \$566,515,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, \$443,624,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, \$152,599,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, \$490,796,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, \$1,107,497,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, \$1,625,461,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, \$536,774,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, \$362,506,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, \$136,741,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, \$293,583,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), \$73,353,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, \$413,848,000: Provided, That of the amounts available for improvement of information systems, \$4,000,000 shall be available until September 30, 2019: Provided further, That in fiscal year 2018, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as “NIH”).

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, \$718,867,000: Provided, That up to \$25,835,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: Provided further, That at least \$526,120,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, \$1,705,248,000: Provided, That funding shall be available for the

purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That \$165,000,000 shall be for the National Children's Study Follow-on: Provided further, That \$682,980,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: Provided further, That of the funds provided, \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: Provided further, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act.

In addition to other funds appropriated for the Common Fund established under section 402A(c) of the PHS Act, \$12,600,000 is appropriated to the Common Fund from the 10-year Pediatric Research Initiative Fund described in section 9008 of title 26, United States Code, for the purpose of carrying out section 402(b)(7)(B)(ii) of the PHS Act (relating to pediatric research), as authorized in the Gabriella Miller Kids First Research Act.

BUILDINGS AND FACILITIES

For the study of, construction or demolition of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, \$128,863,000, to remain available through September 30, 2022.

NIH INNOVATION ACCOUNT

For necessary expenses to carry out the purposes described in section 1001(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes in the appropriations provided to the NIH in this Act, \$496,000,000, to remain available until expended: Provided, That such amounts are appropriated pursuant to section 1001(b)(3) of such Act and are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act: Provided further, That of the amount appropriated under this heading, \$300,000,000 shall be transferred to the "National Cancer Institute" account for the purposes described in section 1001(b)(4)(C) of such Act, \$43,000,000 shall be transferred to the "National Institute of Neurological Disorders and Stroke" account for the purposes described in section 1001(b)(4)(B) of such Act, and \$43,000,000 shall be transferred to the "National Institute of Mental Health" account for the purposes described in section 1001(b)(4)(B) of such Act: Provided further, That remaining amounts may be transferred by the Director of the NIH to any accounts of the NIH: Provided further, That upon a determination by the Director that funds transferred pursuant to any of the previous provisos are not necessary for the purposes provided, such amounts may be transferred back to this account: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, \$928,668,000: Provided, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, \$21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B

of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: Provided further, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: Provided further, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act: Provided further, That of the funds made available under this heading, \$15,000,000 shall be to carry out section 224 of the Protecting Access to Medicare Act of 2014 (Public Law 113-93; 42 U.S.C. 290aa 22 note).

SUBSTANCE ABUSE TREATMENT

For carrying out titles III and V of the PHS Act with respect to substance abuse treatment and title XIX of such Act with respect to substance abuse treatment and prevention, \$2,130,306,000: Provided, That in addition to amounts provided herein, \$81,200,000 shall be available under section 241 of the PHS Act to supplement funds otherwise available for substance abuse treatment activities and to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX: Provided further, That none of the funds provided for section 1921 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, \$165,373,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention" in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, \$108,922,000: Provided, That in addition to amounts provided herein, \$23,426,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: Provided further, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: Provided further, That amounts made available in this Act for carrying out section 501(o) of the PHS Act shall remain available through September 30, 2019: Provided further, That funds made available under this heading may be used to supplement program support funding provided under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention".

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act,

and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, \$300,000,000: Provided, That section 947(c) of the PHS Act shall not apply in fiscal year 2018: Provided further, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2019.

CENTERS FOR MEDICARE AND MEDICAID SERVICES GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$284,798,384,000, to remain available until expended.

For making, after May 31, 2018, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2018 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2019, \$134,847,759,000, to remain available until expended.

Payment under such title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D-16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$323,497,300,000.

In addition, for making matching payments under section 1844 and benefit payments under section 1860D-16 of the Social Security Act that were not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed \$3,451,141,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 1893(h) of the Social Security Act; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: Provided, That no funds shall be derived from offsetting collections through fees collected from qualified health plans offered through an Exchange established under Public Law 111-148 to operate such an Exchange: Provided further, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That the Secretary is directed to collect fees in fiscal year 2018 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH CARE FRAUD AND ABUSE CONTROL
ACCOUNT

In addition to amounts otherwise available for program integrity and program management, \$745,000,000, to remain available through September 30, 2019, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which \$486,936,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage under Part C and the Medicare Prescription Drug Program under Part D of the Social Security Act and for activities described in section 1893(b) of such Act, of which \$82,132,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, of which \$82,132,000 shall be for the Medicaid and Children's Health Insurance Program ("CHIP") program integrity activities, and of which \$93,800,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: Provided, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2018 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation: Provided further, That of the amount provided under this heading, \$311,000,000 is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$434,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act: Provided further, That the Secretary shall support the Senior Medicare Patrol program to combat health care fraud and abuse from the funds provided to this account.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT
ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For carrying out, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, \$2,995,400,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2019, \$1,400,000,000, to remain available until expended.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, \$3,390,304,000: Provided, That all but \$491,000,000 of this amount shall be allocated as though the total appropriation for such payments for fiscal year 2018 was less than \$1,975,000,000: Provided further, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than \$2,988,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations.

REFUGEE AND ENTRANT ASSISTANCE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 ("TVPA"), and the Torture Victims Relief Act of 1998, \$1,022,811,000, of which \$993,321,000 shall remain available through September 30, 2020 for carrying out such sections 414, 501, 462, and 235: Provided, That amounts available under this heading to carry out the TVPA shall also be available for research and evaluation with respect to activities under such Act: Provided further, That the limitation in section 205 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting "10 percent" for "3 percent".

PAYMENTS TO STATES FOR THE CHILD CARE AND
DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 2014 ("CCDBG Act"), \$2,860,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: Provided, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements: Provided further, That all funds made available to carry out section 418 of the Social Security Act (42 U.S.C. 618), including funds appropriated for that purpose in such section 418 or any other provision of law, shall be subject to the reservation of funds authority in paragraphs (4) and (5) of section 658O(a) of the CCDBG Act.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX–A of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Every Student Succeeds Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), part B–1 of title IV and sections 429, 473A, 477(i), 1110, 1114A, and 1115 of the Social Security Act, and the Community Services Block Grant Act ("CSBG Act"); for necessary administrative expenses to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social Security Act, the Act of July 5, 1960, the Low-Income Home Energy Assistance Act of 1981, the Child Care and Development Block Grant Act of 2014, the Assets for Independence Act, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, \$11,181,500,000, of which \$37,943,000, to remain available through September 30, 2019, shall be for grants to States for adoption and legal guardianship incentive payments, as defined by section 473A of the Social Security Act and may be made for adoptions and legal guardianships completed before September 30, 2018: Provided, That \$9,275,000,000 shall be for making payments under the Head Start Act: Provided fur-

ther, That of the amount in the previous proviso, \$8,610,000,000 shall be available for payments under section 640 of the Head Start Act, of which \$21,905,000 shall be available for a cost of living adjustment notwithstanding section 640(a)(3)(A) of such Act: Provided further, That of the amount provided for making payments under the Head Start Act, \$25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of such Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: Provided further, That notwithstanding such section 640, of the amount provided for making payments under the Head Start Act, and in addition to funds otherwise available under such section 640 for such purposes, \$640,000,000 shall be available through March 31, 2019 for Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, for discretionary grants for high quality infant and toddler care through Early Head Start-Child Care Partnerships, to entities defined as eligible under section 645A(d) of such Act, for training and technical assistance for such activities, and for up to \$14,000,000 in Federal costs of administration and evaluation, and, notwithstanding section 645A(c)(2) of such Act, these funds are available to serve children under age 4: Provided further, That funds described in the preceding two provisos shall not be included in the calculation of "base grant" in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of such Act: Provided further, That \$250,000,000 shall be available until December 31, 2018 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: Provided further, That up to 3 percent of the funds in the preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: Provided further, That \$617,500,000 shall be for making payments under the CSBG Act: Provided further, That \$17,850,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than \$10,000,000 shall be for section 680(a)(2) and not less than \$7,500,000 shall be for section 680(a)(3)(B) of such Act: Provided further, That, notwithstanding section 675C(a)(3) of such Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That these procedures shall apply to such grant funds made available after November 29, 1999: Provided further, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That \$1,864,000 shall be for a human services case management system for federally

declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: Provided further, That up to \$2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, section 436 of the Social Security Act, \$325,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, \$59,765,000: Provided, That notwithstanding sections 438(c)(3)(A) and 436(b)(2) of such Act, \$10,000,000 shall be available for such section 436(b)(2), of which no funds shall be available for carrying out sections 438(c)(3)(A)(ii) and (iii) of such Act.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For carrying out, except as otherwise provided, title IV-E of the Social Security Act, \$6,225,000,000.

For carrying out, except as otherwise provided, title IV-E of the Social Security Act, for the first quarter of fiscal year 2019, \$2,700,000,000.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, section 474 of title IV-E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 ("OAA"), titles III and XXIX of the PHS Act, sections 1252 and 1253 of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX-B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, \$2,237,224,000: Provided, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: Provided further, That of the amounts provided under this heading, \$300,000,000 shall be available for carrying out title V of the OAA: Provided further, That with respect to the previous proviso, such funds shall be available through June 30, 2019, and may be recaptured and reobligated in accordance with section 517(c) of the OAA: Provided further, That of amounts made available under this heading to carry out sections 311, 331, and 336 of the OAA, up to one percent of such amounts shall be available for developing and implementing evidence-based practices for enhancing senior nutrition: Provided further, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: Provided further, That \$2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or an insurance program: Provided further, That ap-

plicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: Provided further, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete: Provided further, That none of the funds made available under this heading may be used by an eligible system (as defined in section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802)) to continue to pursue any legal action in a Federal or State court on behalf of an individual or group of individuals with a developmental disability (as defined in section 102(8)(A) of the Developmental Disabilities and Assistance and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A))) that is attributable to a mental impairment (or a combination of mental and physical impairments), that has as the requested remedy the closure of State operated intermediate care facilities for people with intellectual or developmental disabilities, unless reasonable public notice of the action has been provided to such individuals (or, in the case of mental incapacitation, the legal guardians who have been specifically awarded authority by the courts to make healthcare and residential decisions on behalf of such individuals) who are affected by such action, within 90 days of instituting such legal action, which informs such individuals (or such legal guardians) of their legal rights and how to exercise such rights consistent with current Federal Rules of Civil Procedure: Provided further, That the limitations in the immediately preceding proviso shall not apply in the case of an individual who is neither competent to consent nor has a legal guardian, nor shall the proviso apply in the case of individuals who are a ward of the State or subject to public guardianship.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, \$292,881,000, together with \$57,465,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of the funds made available under this heading, \$20,000,000 shall be for making competitive grants which exclusively implement education in sexual risk avoidance (defined as voluntarily refraining from non-marital sexual activity): Provided further, That funding for such competitive grants for sexual risk avoidance shall use medically accurate information referenced to peer-reviewed publications by educational, scientific, governmental, or health organizations; implement an evidence-based approach integrating research findings with practical implementation that aligns with the needs and desired outcomes for the intended audience; and teach the benefits associated with self-regulation, success sequencing for poverty prevention, healthy relationships, goal setting, and resisting sexual coercion, dating violence, and other youth risk behaviors such as underage drinking or illicit drug use without normalizing teen sexual activity: Provided further, That no more than 10 percent of the funding for such competitive grants for sexual risk avoidance shall be available for technical assistance and administrative costs of such programs: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mecha-

nisms, medical and administrative services deemed necessary for such adoptions: Provided further, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

STATE RESPONSE TO THE OPIOID ABUSE CRISIS ACCOUNT, CURES ACT

For necessary expenses to carry out the purposes described under section 1003(c) of the 21st Century Cures Act, \$500,000,000, to remain available until expended: Provided, That such amounts are appropriated pursuant to section 1003(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1003(b)(2)(A) of such Act, and may be transferred by the Secretary of Health and Human Services to other accounts of the Department solely for the purposes provided in such Act: Provided further, That such transfer authority is in addition to any other transfer authority provided by law.

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare Hearings and Appeals, \$112,381,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund: Provided, That of amounts the Secretary retains for adjudications related to Recovery Audit Contractor (RAC) appeals under section 1893(h)(1)(c) of the Social Security Act, \$5,000,000 shall be used as additional funds for the necessary expenses of the Office of Medicare Hearings and Appeals and the Departmental Appeals Board to process RAC-related appeals, and to establish a process to provide educational feedback from such Office and Board to the Centers for Medicare and Medicaid Services to reduce the claims overturn rate from the claims that are reviewed by such Office or Board.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, \$38,381,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, \$80,000,000: Provided, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$38,798,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, \$959,258,000, of which

\$520,000,000 shall remain available through September 30, 2019, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: Provided, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: Provided further, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F-2 of the PHS Act: Provided further, That \$5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2020.

For expenses necessary for procuring security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act), \$530,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, \$250,000,000, of which \$210,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: Provided, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics: Provided further, That the limitation in section 205 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting "10 percent" for "3 percent".

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 203. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 204. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.4 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) and the implementation and effectiveness of programs funded in this title.

(TRANSFER OF FUNDS)

SEC. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of

Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 206. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the execution of a contract awarded in fiscal year 2018 under section 338B of such Act.

SEC. 207. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 208. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 209. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 210. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

SEC. 211. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2018:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary

of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title 1 of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

(TRANSFER OF FUNDS)

SEC. 213. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 215. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of NIH ("Director") may use funds authorized under section 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to or research and activities described in such section 402(b)(12).

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

SEC. 216. Not to exceed \$45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed \$3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 217. Of the amounts made available for NIH, 1 percent of the amount made available for

National Research Service Awards ("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under sections 736, 739, or 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 218. (a) The Biomedical Advanced Research and Development Authority ("BARDA") may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F-2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)), if—

(1) funds are available and obligated—

(A) for the full period of the contract or for the first fiscal year in which the contract is in effect; and

(B) for the estimated costs associated with a necessary termination of the contract; and

(2) the Secretary determines that a multi-year contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA's programs.

(b) A contract entered into under this section—

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

(2) shall be subject to the congressional notice requirement stated in subsection (d) of such section.

SEC. 219. (a) The Secretary shall establish a publicly accessible Web site to provide information regarding the uses of funds made available under section 4002 of the Patient Protection and Affordable Care Act of 2010 ("ACA").

(b) With respect to funds provided under section 4002 of the ACA, the Secretary shall include on the Web site established under subsection (a) at a minimum the following information:

(1) In the case of each transfer of funds under section 4002(c), a statement indicating the program or activity receiving funds, the operating division or office that will administer the funds, and the planned uses of the funds, to be posted not later than the day after the transfer is made.

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of \$25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

(4) A report detailing the uses of all funds transferred under section 4002(c) during the fiscal year, to be posted not later than 90 days after the end of the fiscal year.

(c) With respect to awards made in fiscal years 2013 through 2018, the Secretary shall also include on the Web site established under subsection (a), semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of \$25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including the purpose of the award and the identity of the recipient), to be posted not later than 30 days after the end of each 6-month period.

(d) In carrying out this section, the Secretary shall—

(1) present the information required in subsection (b)(1) on a single webpage or on a single database;

(2) ensure that all information required in this section is directly accessible from the single webpage or database; and

(3) ensure that all information required in this section is able to be organized by program or State.

SEC. 220. (a) The Secretary shall publish in the fiscal year 2019 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the ACA, and the amendments made by that Act, in the proposed fiscal year and each fiscal year since the enactment of the ACA.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the ACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

(2) For each such fiscal year, the number of full-time equivalent employees or contracted employees assigned to each authorized and funded provision detailed in accordance with paragraph (1).

(c) In carrying out this section, the Secretary may exclude from the report employees or contractors who—

(1) are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

(2) spend less than 50 percent of their time on activities funded by or newly authorized in the ACA; or

(3) work on contracts for which FTE reporting is not a requirement of their contract, such as fixed-price contracts.

SEC. 221. The Secretary shall publish, as part of the fiscal year 2019 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare and Medicaid Services specifically for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2019. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading "Health Insurance Exchange Transparency" in the committee report accompanying this Act.

SEC. 222. (a) The Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate:

(1) Detailed monthly enrollment figures from the Exchanges established under the Patient Protection and Affordable Care Act of 2010 pertaining to enrollments during the open enrollment period; and

(2) Notification of any new or competitive grant awards, including supplements, authorized under section 330 of the Public Health Service Act.

(b) The Committees on Appropriations of the House and Senate must be notified at least 2 business days in advance of any public release of enrollment information or the award of such grants.

SEC. 223. None of the funds made available by this Act from the Federal Hospital Insurance

Trust Fund or the Federal Supplemental Medical Insurance Trust Fund, or transferred from other accounts funded by this Act to the "Centers for Medicare and Medicaid Services—Program Management" account, may be used for payments under section 1342(b)(1) of Public Law 111-148 (relating to risk corridors).

SEC. 224. The Secretary shall include in the fiscal year 2019 budget justification an analysis of how section 2713 of the PHS Act will impact eligibility for discretionary HHS programs.

(TRANSFER OF FUNDS)

SEC. 225. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the ACA to the accounts specified, in the amounts specified, and for the activities specified under the heading "Prevention and Public Health Fund" in the committee report accompanying this Act.

(b) Notwithstanding section 4002(c) of the ACA, the Secretary may not further transfer these amounts.

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 226. None of the funds appropriated in this Act may be used to carry out title X of the PHS Act.

SEC. 227. Effective during the period beginning on November 1, 2015 and ending January 1, 2020, any provision of law that refers (including through cross-reference to another provision of law) to the current recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention shall be administered by the Secretary involved as if—

(1) such reference to such current recommendations were a reference to the recommendations of such Task Force with respect to breast cancer screening, mammography, and prevention last issued before 2009; and

(2) such recommendations last issued before 2009 applied to any screening mammography modality under section 1861(jj) of the Social Security Act (42 U.S.C. 1395x(jj)).

SEC. 228. In making Federal financial assistance, the NIH shall continue to apply the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, to the same extent and in the same manner as the NIH applied such provisions in the third quarter of fiscal year 2017. None of the funds appropriated by this Act may be used by the NIH to develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated rates beyond the proportional effect of such approvals in such quarter.

SEC. 229. None of the funds appropriated in this Act may be used to implement, further, enforce, or advance the Navigators program as provided under section 1311(i) of Public Law 111-148 and title I and subtitle B of title II of Public Law 111-152.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2018".

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I and subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965 (referred to in this Act as "ESEA") and section 418A of the Higher Education Act of 1965 (referred to in this Act as "HEA"), \$15,953,790,000, of which \$5,035,990,000 shall become available on July 1, 2018, and shall remain available through September 30, 2019,

and of which \$10,841,177,000 shall become available on October 1, 2018, and shall remain available through September 30, 2019, for academic year 2018–2019: Provided, That \$6,459,401,000 shall be for basic grants under section 1124 of the ESEA: Provided further, That up to \$5,000,000 of these funds shall be available to the Secretary of Education (referred to in this title as “Secretary”) on October 1, 2017, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: Provided further, That \$1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: Provided further, That \$3,819,050,000 shall be for targeted grants under section 1125 of the ESEA: Provided further, That \$3,819,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: Provided further, That \$27,000,000 shall be for carrying out subpart 2 of part B of title II: Provided further, That \$44,623,000 shall be for carrying out section 418A of the HEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VII of the ESEA, \$1,333,603,000, of which \$1,194,233,000 shall be for basic support payments under section 7003(b), \$48,316,000 shall be for payments for children with disabilities under section 7003(d), \$17,406,000, to remain available for obligation through September 30, 2019, shall be for construction under section 7007(b), \$68,813,000 shall be for Federal property payments under section 7002, and \$4,835,000, to remain available until expended, shall be for facilities maintenance under section 7008: Provided, That for purposes of computing the amount of a payment for an eligible local educational agency under section 7003(a) for school year 2017–2018, children enrolled in a school of such agency that would otherwise be eligible for payment under section 7003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 7003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by part B of title I, subpart 1 of part A of title IV, part B of title IV, part B of title V, and parts B and C of title VI of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, \$2,261,072,000, of which \$2,121,940,000 shall become available on July 1, 2018, and remain available through September 30, 2019, for academic year 2018–2019: Provided, That \$369,100,000 shall be for part B of title I: Provided further, That \$1,000,000,000 shall be for part B of title IV: Provided further, That \$33,397,000 shall be for part B of title VI and may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That \$32,453,000 shall be for part C of title VI and shall be awarded on a competitive basis, and also may be used for construction: Provided fur-

ther, That \$50,000,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: Provided further, That \$16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide technical assistance in the implementation of these grants: Provided further, That \$175,840,000 shall be for part B of title V: Provided further, That \$500,000,000 shall be available for grants under subpart 1 of part A of title IV.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VI, part A of the ESEA, \$164,939,000, of which \$57,993,000 shall be for subpart 2 of part A of title VI and \$6,565,000 shall be for subpart 3 of part A of title VI.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C and D and subpart 4 of part F of title IV of the ESEA, \$747,904,000.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subparts 2 and 3 of part F of title IV of the ESEA, \$138,000,000: Provided, That \$68,000,000 shall be available for section 4631, of which up to \$5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence (“Project SERV”) program: Provided further, That \$10,000,000 shall be available for section 4625: Provided further, That \$60,000,000 shall be available through December 31, 2018, for section 4624: Provided further, That section 4623(b) of the ESEA shall apply to funds appropriated for Promise Neighborhoods under this heading in prior appropriations acts.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, \$737,400,000, which shall become available on July 1, 2018, and shall remain available through September 30, 2019, except that 6.5 percent of such amount shall be available on October 1, 2017, and shall remain available through September 30, 2019, to carry out activities under section 3111(c)(1)(C).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) \$13,251,691,000, of which \$1,864,818,000 shall become available on July 1, 2018, and shall remain available through September 30, 2019, and of which \$11,164,824,000 shall become available on October 1, 2018, and shall remain available through September 30, 2019, for academic year 2018–2019: Provided, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2016, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2016: Provided further, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative

populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty: Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: Provided further, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): Provided further, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: Provided further, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied: Provided further, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: Provided further, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): Provided further, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: Provided further, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart.

REHABILITATION SERVICES

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, \$3,562,582,000, of which \$3,452,931,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: Provided, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallocation of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income (“SSI”) and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: Provided further, That States may award subgrants for a portion of the

funds to other public and private, nonprofit entities: Provided further, That any funds made available subsequent to reallocation for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2019.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act to promote the Education of the Blind of March 3, 1879, \$26,431,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, \$70,016,000: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, \$128,000,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act ("AEFLA"), \$1,720,686,000, of which \$929,686,000 shall become available on July 1, 2018, and shall remain available through September 30, 2019, and of which \$791,000,000 shall become available on October 1, 2018, and shall remain available through September 30, 2019: Provided, That of the amounts made available for AEFLA, \$13,712,000 shall be for national leadership activities under section 242.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, \$24,198,210,000, which shall remain available through September 30, 2019.

The maximum Pell Grant for which a student shall be eligible during award year 2018–2019 shall be \$4,860.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, \$1,697,711,000, to remain available through September 30, 2019.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles III, IV, V, VI, and VII of the HEA, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, \$2,038,126,000: Provided, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That up to 1.5 percent of the funds made available under chapter 2 of subpart

2 of part A of title IV of the HEA may be used for evaluation.

HOWARD UNIVERSITY

For partial support of Howard University, \$221,821,000, of which not less than \$3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, \$434,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, \$20,112,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2019: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$313,513,000: Provided further, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, \$333,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, \$605,267,000, which shall remain available through September 30, 2019: Provided, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, post-secondary, and workforce data systems, or to further develop such systems: Provided further, That up to \$6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$431,000,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$108,500,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$59,256,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or

for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting "2018" for "2017".

SEC. 306. Funds appropriated in this Act and consolidated for evaluation purposes under section 8601(c) of the ESEA shall be available from July 1, 2018, through September 30, 2019.

SEC. 307. (a) An institution of higher education that maintains an endowment fund supported with funds appropriated for title III or V of the HEA for fiscal year 2018 may use the income from that fund to award scholarships to students, subject to the limitation in section 331(c)(3)(B)(i) of the HEA. The use of such income for such purposes, prior to the enactment of this Act, shall be considered to have been an allowable use of that income, subject to that limitation.

(b) Subsection (a) shall be in effect until titles III and V of the HEA are reauthorized.

SEC. 308. Section 114(f) of the HEA (20 U.S.C. 1011c(f)) is amended by striking "2017" and inserting "2018".

SEC. 309. Section 458(a) of the HEA (20 U.S.C. 1087h(a)) is amended in paragraph (4) by striking "2017" and inserting "2018".

(RESCISSION)

SEC. 310. Of the unobligated balances available from Public Law 114–113 under the heading "Student Financial Assistance" for carrying out subpart 1 of part A of title IV of the HEA, \$3,270,844,000 are hereby rescinded.

This title may be cited as the "Department of Education Appropriations Act, 2018".

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established under section 8502 of

title 41, United States Code, \$8,000,000: Provided, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform contract requirements of the Committee as prescribed under section 51-3.2 of title 41, Code of Federal Regulations, the Committee shall enter into a written agreement with any such central nonprofit agency: Provided further, That such agreement shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: Provided further, That such agreement shall include the elements listed under this heading in the explanatory statement accompanying Public Law 114-113: Provided further, That any such central nonprofit agency may not charge a fee under section 51-3.5 of title 41, Code of Federal Regulations, unless such fee is under the terms of the written agreement between the Committee and any such central nonprofit agency: Provided further, That no less than \$1,250,000 shall be available for the Office of Inspector General to remain available through September 30, 2019.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as “CNCS”) to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as “1973 Act”) and the National and Community Service Act of 1990 (referred to in this title as “1990 Act”), \$736,029,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: Provided, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) \$16,538,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (3) \$30,000,000 shall be available to carry out subtitle E of the 1990 Act; and (4) \$3,800,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: Provided further, That for the purposes of carrying out the 1990 Act, satisfying the requirements in section 122(c)(1)(D) may include a determination of need by the local community.

PAYMENT TO THE NATIONAL SERVICE TRUST (INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, \$206,842,000, to remain available until expended: Provided, That CNCS may transfer additional funds from the amount provided within “Operating Expenses” allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire

of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$81,737,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$5,750,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2018, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

SEC. 404. In addition to the requirements in section 146(a) of the 1990 Act, use of an educational award for the purpose described in section 148(a)(4) shall be limited to individuals who are veterans as defined under section 101 of the Act.

SEC. 405. For the purpose of carrying out section 189D of the 1990 Act—

(1) entities described in paragraph (a) of such section shall be considered “qualified entities” under section 3 of the National Child Protection Act of 1993 (“NCPA”);

(2) individuals described in such section shall be considered “volunteers” under section 3 of NCPA; and

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92-544.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting (“CPB”), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2020, \$445,000,000: Provided, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers,

agents, and employees of CPB: Provided further, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service (“Service”) to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, \$46,650,000, including up to \$900,000 to remain available through September 30, 2019, for activities authorized by the Labor-Management Cooperation Act of 1978: Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director’s jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, \$17,134,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, \$231,000,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, \$7,500,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, \$12,175,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, \$3,200,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, \$249,000,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of

the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

ADMINISTRATIVE PROVISIONS

SEC. 406. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means in an election to determine a representative for the purposes of collective bargaining.

SEC. 407. (a) None of the funds made available by this Act may be used to enforce the National Labor Relations Act (29 U.S.C. 152) against any Indian Tribe, including any enterprise or institution owned and operated by an Indian Tribe and located on its Indian lands.

(b) For purposes of this section—

(1) the term “Indian Tribe” means any Indian Tribe, band, nation, pueblo, Native Alaskan group, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians;

(2) the term “Indian” means any individual who is a member of an Indian Tribe; and

(3) the term “Indian lands” means—

(A) all lands within the limits of any Indian reservation;

(B) any lands title to which is either held in trust by the United States for the benefit of any Indian Tribe or individual or held by any Indian Tribe or individual subject to restriction by the United States against alienation; and

(C) any lands in the State of Oklahoma that are within the boundaries of a former reservation (as defined by the Secretary of the Interior) of a federally recognized Indian Tribe.

SEC. 408. None of the funds made available by this Act may be used to issue, enforce, or litigate any administrative directive, regulation, representation issue, or unfair labor practice proceeding, or any other administrative complaint, charge, claim, or proceeding based on the standard for determining whether entities are “joint employers” set forth by the National Labor Relations Board in *Browning-Ferris Industries of California, Inc.*, 362 NLRB No. 186 (August 27, 2015).

SEC. 409. None of the funds made available by this Act may be used to—

(1) implement, create, apply, or enforce through prosecution, adjudication, rulemaking, or the issuing of any interpretation, opinion, certification, decision, or policy, any standard for initial bargaining unit determinations that conflicts with the standard articulated in the majority opinion in *Wheeling Island Gaming Inc. and United Food and Commercial Workers International Union*, Local 23, 355 NLRB 127 (August 27, 2010) (including the majority opinion in footnote 2), except for unit determinations governed by section 103.30 of title 34, Code of Federal Regulations, for employers covered by such section; or

(2) implement, create, apply, or enforce through prosecution, adjudication, rulemaking, or the issuing of any interpretation, opinion, certification, decision, or policy, any standard for initial bargaining unit determinations that utilize the overwhelming community of interest test except in accretion cases.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emer-

gency boards appointed by the President, \$13,500,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, \$12,875,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$22,000,000, which shall include amounts becoming available in fiscal year 2018 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$150,000, to remain available through September 30, 2019, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board (“Board”) for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$113,500,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: Provided, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: Provided further, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than \$10,000,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m) and 1131(b)(2) of the Social Security Act, \$11,400,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$38,591,635,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that

year shall be returned to the Treasury: Provided further, That not more than \$101,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2020.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2019, \$19,500,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed \$20,000 for official reception and representation expenses, not more than \$12,273,945,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: Provided, That not less than \$2,300,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2018 not needed for fiscal year 2018 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available under this heading, not more than \$1,735,000,000, to remain available through March 31, 2019, is for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys: Provided, That, of such amount, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$1,462,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: Provided further, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104-121 for fiscal years 1996 through 2002.

In addition, \$118,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section

1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2018 exceed \$118,000,000, the amounts shall be available in fiscal year 2019 only to the extent provided in advance in appropriations Acts.

In addition, up to \$1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$30,000,000, together with not to exceed \$75,500,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

TITLE V
GENERAL PROVISIONS
(TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$28,000 and \$20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government

subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 508. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the

agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate information that is deliberately false or misleading.

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2018 that are different than those specified in this Act, the accompanying detailed table in the committee report accompanying this Act, or the fiscal year 2018 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding \$500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2018, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be trans-

mitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 519. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 520. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug: Provided, That such limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

SEC. 521. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 522. None of the funds made available under this or any other Act, or any prior Appropriations Act, may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations, or successors.

SEC. 523. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M-12-12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

SEC. 524. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

SEC. 525. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall be governed by

the provisions of section 526 of division H of Public Law 113-76, except that in carrying out such Pilots section 526 shall be applied by substituting "FISCAL YEAR 2018" for "FISCAL YEAR 2014" in the title of subsection (b) and by substituting "September 30, 2022" for "September 30, 2018" each place it appears: Provided, That such pilots shall include communities that have experienced civil unrest.

(b) In addition, Federal agencies may use Federal discretionary funds that are made available in this Act to participate in Performance Partnership Pilots that are being carried out pursuant to the authority provided by section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, and section 525 of division H of Public Law 114-113.

(c) Pilot sites selected under authorities in this Act and prior appropriations Acts may be granted by relevant agencies up to an additional 5 years to operate under such authorities.

SEC. 526. Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a quarterly report on the status of balances of appropriations: Provided, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

SEC. 527. None of the funds made available in this Act may be used to implement, administer, enforce, or further any provision of Public Law 111-148 or title I or subtitle B of title II of Public Law 111-152 and the amendment made by such provision: Provided, That funds in this Act may be used to implement, administer, enforce, or further the rate setting process for calendar year 2018 and fiscal year 2019 for Medicare under title XVIII of the Social Security Act: Provided further, That funds in this Act may be used to implement, administer, enforce, or further the final rules for the provisions of (and amendments made by) sections 2501(c), 2501(d), and 2503 of Public Law 111-148, as amended by sections 1206(a) and 1101(e) of Public Law 111-152, insofar as each respective rule relates to calendar year 2018.

SEC. 528. None of the funds made available by this Act may be used to conduct or support research using human fetal tissue if such tissue is obtained pursuant to an induced abortion.

SEC. 529 (a) IN GENERAL.—Notwithstanding any other provision of law, none of the funds made available by this Act may be made available either directly, through a State (including through managed care contracts with a State), or through any other means, to a prohibited entity.

(b) PROHIBITED ENTITY.—The term "prohibited entity" means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and

(2) for which the total amount of Federal grants to such entity, including grants to any affiliates, subsidiaries, or clinics of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded \$23,000,000.

(c)(1) **END OF PROHIBITION.**—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

(2) **REPAYMENT.**—The Secretary of Health and Human Services shall seek repayment of any Federal assistance received by any entity that had made a certification described in paragraph (1) and subsequently violated the terms of such certification.

(RESCISSION)

SEC. 530. Of the unobligated balances in the “Nonrecurring expenses fund” established in section 223 of division G of Public Law 110–161 \$560,000,000 is rescinded.

(RESCISSION)

SEC. 531. Of the funds made available for fiscal year 2018 under section 3403 of Public Law 111–148, \$15,000,000 are rescinded.

SEC. 532. Amounts deposited in the Child Enrollment Contingency Fund prior to the beginning of fiscal year 2018 under section 2104(n)(2) of the Social Security Act and the income derived from investment of those funds pursuant to section 2104(n)(2)(C) of that Act, shall not be available for obligation in this fiscal year.

(RESCISSION)

SEC. 533. Of the unobligated balances of amounts appropriated under section 1101(g) of Public Law 111–148 (42 U.S.C. 18001(g)), \$323,000,000 is rescinded.

(RESCISSION)

SEC. 534. Of the funds made available for purposes of carrying out section 2105(a)(3) of the Social Security Act, \$88,613,000 are hereby rescinded.

(RESCISSION)

SEC. 535. Of any available amounts appropriated under section 301(b)(3) of Public Law 114–10, \$3,945,905,000 are hereby rescinded.

SEC. 536. (a) This section may be cited as the “Conscience Protection Act of 2017”.

(b) Congress finds as follows:

(1) Thomas Jefferson stated a conviction common to our Nation’s founders when he declared in 1809 that “[n]o provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority”.

(2) In 1973, the Supreme Court concluded that the government must leave the abortion decision “to the medical judgment of the pregnant woman’s attending physician”, recognizing that a physician may choose not to participate in abortion. *Roe v. Wade*, 410 U.S. 113, 164 (1973). The Court cited with approval a policy that “neither physician, hospital, nor hospital personnel shall be required to perform any act violative of personally-held moral principles”, 410 U.S. at 143 n. 38, and cited State laws upholding this principle. *Doe v. Bolton*, 410 U.S. 179, 197–8 (1973).

(3) Congress’s enactments to protect this right of conscience in health care include the Church amendment of 1973 (42 U.S.C. 300a–7), the Coats-Snowe amendment of 1996 (42 U.S.C. 238n), and

the Weldon amendment approved by Congresses and Presidents of both parties every year since 2004.

(4) None of these laws explicitly provides a “private right of action” so victims of discrimination can defend their conscience rights in court, and administrative enforcement by the Department of Health and Human Services Office for Civil Rights has been lax, at times allowing cases to languish for years without resolution.

(5) Defying the Federal Weldon amendment, California’s Department of Managed Health Care has mandated coverage for all elective abortions in all health plans under its jurisdiction. Other States such as New York and Washington have taken or considered similar action, and some States may go farther to require all physicians and hospitals to provide or facilitate abortions. On June 21, 2016, the Obama Administration concluded a nearly two-year investigation of this matter by determining that California’s decision to require insurance plans under the California Department for Managed Health Care authority to cover all legal abortion services did not violate the Weldon amendment. Until the new Administration is able to reverse this finding, individuals will have to choose between ignoring their conscience or forgoing health care coverage.

(6) The vast majority of medical professionals do not perform abortions, with 86 percent of ob/gyns unwilling to provide them in a recent study (*Obstetrics & Gynecology*, Sept. 2011) and the great majority of hospitals choosing to do so in rare cases or not at all.

(7) A health care provider’s decision not to participate in an abortion, like Congress’s decision not to fund most abortions, erects no new barrier to those seeking to perform or undergo abortions but leaves each party free to act as he or she wishes.

(8) Such protection poses no conflict with other Federal laws, such as the law requiring emergency stabilizing treatment for a pregnant woman and her unborn child when either is in distress (*Emergency Medical Treatment and Active Labor Act*). As the previous Administration has said, these areas of law have operated side by side for many years and both should be fully enforced (76 Fed. Reg. 9968–77 (2011) at 9973).

(9) Reaffirming longstanding Federal policy on conscience rights and providing a right of action in cases where it is violated allows longstanding and widely supported Federal laws to work as intended.

(c) Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by inserting after section 245 the following:

“SEC. 245A. PROHIBITING GOVERNMENTAL DISCRIMINATION AGAINST PROVIDERS OF HEALTH SERVICES THAT ARE NOT INVOLVED IN ABORTION.

“(a) **IN GENERAL.**—Notwithstanding any other law, the Federal Government, and any State or local government that receives Federal financial assistance, may not penalize, retaliate against, or otherwise discriminate against a health care provider on the basis that the provider does not—

“(1) perform, refer for, pay for, or otherwise participate in abortion;

“(2) provide or sponsor abortion coverage; or

“(3) facilitate or make arrangements for any of the activities specified in this subsection.

“(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

“(1) to prevent any health care provider from voluntarily electing to participate in abortions or abortion referrals;

“(2) to prevent any health care provider from voluntarily electing to provide or sponsor abortion coverage or health benefits coverage that includes abortion;

“(3) to prevent an accrediting agency, the Federal Government, or a State or local govern-

ment from establishing standards of medical competency applicable only to those who have knowingly, voluntarily, and specifically elected to perform abortions, or from enforcing contractual obligations applicable only to those who, as part of such contract, knowingly, voluntarily, and specifically elect to provide abortions;

“(4) to affect, or be affected by, section 1867 of the Social Security Act (42 U.S.C. 1395dd, commonly referred to as the ‘Emergency Medical Treatment and Active Labor Act’); or

“(5) to supersede any law enacted by any State for the purpose of regulating insurance, except as specified in subsection (a).

“(c) **ADMINISTRATION.**—The Secretary shall designate the Director of the Office for Civil Rights of the Department of Health and Human Services—

“(1) to receive complaints alleging a violation of this section, section 245 of this Act, or any of subsections (b) through (e) of section 401 of the Health Programs Extension Act of 1973; and

“(2) to pursue the investigation of such complaints in coordination with the Attorney General.

“(d) **DEFINITIONS.**—For purposes of this section:

“(1) **FEDERAL FINANCIAL ASSISTANCE.**—The term ‘Federal financial assistance’ means Federal payments to cover the cost of health care services or benefits, or other Federal payments, grants, or loans to promote or otherwise facilitate health-related activities.

“(2) **HEALTH CARE PROVIDER.**—The term ‘health care provider’ means—

“(A) an individual physician, nurse, or other health care professional;

“(B) a hospital, health system, or other health care facility or organization (including a party to a proposed merger or other collaborative arrangement relating to health services, and an entity resulting therefrom);

“(C) a provider-sponsored organization, an accountable care organization, or a health maintenance organization;

“(D) a social services provider that provides or authorizes referrals for health care services;

“(E) a program of training in the health professions or an applicant to or participant in such a program;

“(F) an issuer of health insurance coverage; or

“(G) a group health plan or student health plan, or a sponsor or administrator thereof.

“(3) **STATE OR LOCAL GOVERNMENT THAT RECEIVES FEDERAL FINANCIAL ASSISTANCE.**—The term ‘State or local government that receives Federal financial assistance’ includes every agency and other governmental unit and subdivision of a State or local government, if such State or local government, or any agency or governmental unit or subdivision thereof, receives Federal financial assistance.

“SEC. 245B. CIVIL ACTION FOR CERTAIN VIOLATIONS.

“(a) **IN GENERAL.**—A qualified party may, in a civil action, obtain appropriate relief with regard to a designated violation.

“(b) **DEFINITIONS.**—For purposes of this section:

(1) **QUALIFIED PARTY.**—The term ‘qualified party’ means—

“(A) the Attorney General of the United States; or

“(B) any person or entity adversely affected by the designated violation.

“(2) **DESIGNATED VIOLATION.**—The term ‘designated violation’ means an actual or threatened violation of—

“(A) section 245 or 245A of this Act; or

“(B) any of subsections (b) through (e) of section 401 of the Health Programs Extension Act of 1973 regarding an objection to abortion.

“(c) **ADMINISTRATIVE REMEDIES NOT REQUIRED.**—An action under this section may be

commenced, and relief may be granted, without regard to whether the party commencing the action has sought or exhausted available administrative remedies.

“(d) DEFENDANTS IN ACTIONS UNDER THIS SECTION MAY INCLUDE GOVERNMENTAL ENTITIES AS WELL AS OTHERS.—

“(1) IN GENERAL.—An action under this section may be maintained against, among others, a party that is a Federal or State governmental entity. Relief in an action under this section may include money damages even if the defendant is such a governmental entity.

“(2) DEFINITION.—For the purposes of this subsection, the term ‘State governmental entity’ means a State, a local government within a State, and any agency or other governmental unit or subdivision of a State or of such a local government.

“(e) NATURE OF RELIEF.—In an action under this section, the court shall grant—

“(1) all necessary equitable and legal relief, including, where appropriate, declaratory relief and compensatory damages, to prevent the occurrence, continuance, or repetition of the designated violation and to compensate for losses resulting from the designated violation; and

“(2) to a prevailing plaintiff, reasonable attorneys’ fees and litigation expenses as part of the costs.”.

SEC. 537. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled “Establishing a Minimum Wage for Contractors” published by the Department of Labor in the Federal Register on October 7, 2014 (79 Fed. Reg. 60634), with respect to Federal contracts, permits, or other contract-like instruments entered into with the Federal Government in connection with Federal property or lands, specifically related to offering seasonal recreational services or seasonal recreation equipment rental for the general public: Provided, That this section shall not apply to lodging and food services associated with seasonal recreation services.

REFERENCES TO ACT

SEC. 538. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 539. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115-244. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 540. \$0.

This division may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2018”.

DIVISION G—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise pro-

vided for, \$5,449,289,000, of which up to \$610,000,000 may remain available until September 30, 2019, and of which up to \$1,380,752,000 may remain available until expended for Worldwide Security Protection: Provided, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed \$700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, \$2,522,390,000, of which up to \$476,879,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, \$1,260,517,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, \$740,052,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, \$926,330,000, of which up to \$903,873,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(B) not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any other provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed \$10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading “Emergencies in the Diplomatic and Consular Service”, to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Funds appropriated under this heading may be made available for Conflict Stabilization Operations and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife.

(E) Funds appropriated under this heading in this Act that are designated for Worldwide Security Protection shall continue to be made available for support of security-related training at sites in existence prior to the enactment of this Act.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, as authorized, \$15,000,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$73,869,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96-465), as it relates to post inspections: Provided, That of the funds appropriated under this heading, \$13,060,000 may remain available until September 30, 2019.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, \$590,900,000, to remain available until expended, of which not less than \$236,000,000 shall be for the Fulbright Program and not less than \$111,360,000 shall be for Citizen Exchange Program, including \$4,125,000 for the Congress-Bundestag Youth Exchange: Provided, That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: Provided further, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, \$7,000,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$30,890,000, to remain available until September 30, 2019.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$754,459,000, to remain available until expended, of which not to exceed \$25,000 may be used for domestic and overseas representation expenses as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$1,488,237,000, to remain available until expended: Provided, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2018.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized, \$7,885,000, to remain available until expended, of which not to exceed \$1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading “Repatriation Loans Program Account”, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$1,300,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,440,856.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96-8), \$30,557,000.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

Not to exceed \$1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553), and, in addition, as authorized by section 5 of such Act, \$743,000, to be derived from the reserve authorized by such section, to be used for the purposes set out in that section.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, \$158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$1,074,645,000: Provided, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: Provided further, That not later than June 1, 2018, and 30 days after the end of fiscal year 2018, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2018 and fiscal year 2019 assessment costs including offsets from available credits and updated foreign currency exchange rates: Provided further, That any such credits shall only be available for United States assessed contributions to the United Nations regular budget, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: Provided further, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs, including offsets from available credits and updated foreign currency exchange rates: Provided further, That

any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$529,909,000, of which 15 percent shall remain available until September 30, 2019: Provided, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: Provided further, That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to bring to justice individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the Web site of the United Nations: Provided further, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: Provided further, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: Provided further, That not later than June 1, 2018, and 30 days after the end of fiscal year 2018, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including those resulting from United Nations peacekeeping missions or the

United Nations Tax Equalization Fund, and provide updated fiscal year 2018 and fiscal year 2019 assessment costs including offsets from available credits: Provided further, That any such credits shall only be available for United States assessed contributions to United Nations peacekeeping missions, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: Provided further, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs, including offsets from available credits: Provided further, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a draw down when mission goals have been substantially achieved.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$44,748,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$27,900,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103-182), \$12,184,000: Provided, That of the amount provided under this heading for the International Joint Commission, up to \$500,000 may remain available until September 30, 2019, and \$9,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$34,176,000: Provided, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, \$764,936,000: Provided, That in addition to amounts otherwise available for such purposes, up to \$34,935,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than \$13,800,000 shall be for Internet freedom programs: Provided further, That of the total amount appropriated under this heading, not to exceed \$35,000 may be used for representation expenses, of which \$10,000 may be used for such expenses within the United States as authorized, and not to exceed \$30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: Provided further, That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the BBG that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: Provided further, That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to \$5,000,000 in receipts from advertising and revenue from business ventures, up to \$500,000 in receipts from cooperating international organizations, and up to \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, \$4,791,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), \$15,810,000, to remain available until expended.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to remain available until September 30, 2019, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN
DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of

Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2018, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2018, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title 2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2018, to remain available until expended.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), \$170,000,000, to remain available until expended, of which \$117,500,000 shall be allocated in the traditional and customary manner, including for the core institutes, and \$52,500,000 shall be for democracy programs.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF
AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, \$675,000, as authorized by chapter 3123 of title 54, United States Code: Provided, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: Provided further, That such authority shall terminate on October 1, 2018: Provided further, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

UNITED STATES COMMISSION ON INTERNATIONAL
RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain available until September 30, 2019, including not more than \$4,000 for representation expenses.

COMMISSION ON SECURITY AND COOPERATION IN
EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, \$2,579,000, including not more than \$4,000 for representation expenses, to remain available until September 30, 2019.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic

of China, as authorized by title III of the U.S.-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), \$3,500,000, including not more than \$4,000 for representation expenses, to remain available until September 30, 2019.

UNITED STATES-CHINA ECONOMIC AND SECURITY
REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), \$3,500,000, including not more than \$4,000 for representation expenses, to remain available until September 30, 2019: Provided, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall continue in effect during fiscal year 2018 and shall apply to funds appropriated under this heading as if included in this Act.

TITLE II

UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$1,133,906,000, of which up to \$170,085,000 may remain available until September 30, 2019: Provided, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses" in accordance with the provisions of those sections: Provided further, That of the funds appropriated or made available under this heading, not to exceed \$250,000 may be available for representation and entertainment expenses, of which not to exceed \$5,000 may be available for entertainment expenses, and not to exceed \$100,500 shall be for official residence expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, \$174,985,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available subject to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$69,000,000, of which up to

\$10,350,000 may remain available until September 30, 2019, for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, \$2,651,000,000, to remain available until September 30, 2019, and which shall be apportioned directly to the United States Agency for International Development: Provided, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: Provided further, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance and the United Nations Children's Fund: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular

method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensive information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, \$5,670,000,000, to remain available until September 30, 2022, which shall be apportioned directly to the Department of State: Provided, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108-25), as amended, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2018 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this

paragraph, up to \$17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, \$2,780,971,000, to remain available until September 30, 2019.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, \$1,033,483,000, to remain available until expended.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, \$30,000,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to \$15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to \$50,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Europe, Eurasia and Central Asia": Provided, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: Provided further, That funds provided as a gift that are used for purposes of this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such cost, including if the cost results in a

negative subsidy, shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed \$300,000,000: Provided further, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to \$1,750,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, \$9,120,000, of which up to \$1,300,000 may remain available until September 30, 2019.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$1,041,761,000, to remain available until September 30, 2019.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, including to carry out the purposes of section 502(b)(3) and (5) of Public Law 98-164 (22 U.S.C. 4411), \$145,375,000, to remain available until September 30, 2019, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: Provided, That funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes: Provided further, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, \$65,125,000, to remain available until September 30, 2019, which shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102-511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179), \$691,571,000, to remain available until September 30, 2019, which shall be available, notwithstanding any other provision of law, except section 7070 of this Act, for assistance and related programs for countries identified in section 3 of Public Law 102-511 and section 3(c) of Public Law 101-179, in addition to funds otherwise available for such purposes: Provided, That funds appropriated by this Act under the headings "Global Health Programs" and "Economic Support Fund" that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of Public Law 102-511 and section 601 of Public Law 101-179: Provided further, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$877,802,000, to remain available until expended, of which not less than \$35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and \$7,500,000 shall be made available for refugees resettling in Israel.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, \$398,221,000, of which \$5,500,000 is for the Office of Inspector General, to remain available until September 30, 2019: Provided, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed \$5,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: Provided further, That of the funds appropriated under this heading, not to exceed \$104,000 may be available for representation expenses, of which not to exceed \$4,000 may be made available for entertainment expenses: Provided further, That any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: Provided further, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That notwithstanding the previous proviso, section 614 of division E of Public Law 113-76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), \$697,600,000, to remain available until expended: Provided, That up to 5 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the MCA for fiscal year 2018: Provided further, That section 605(e) of the MCA shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: Provided further, That the Millennium Challenge Corporation (MCC) Chief Executive Officer shall notify the Committees on Appropriations not later than 15 days prior to com-

mencing negotiations for any country compact or threshold country program; signing any such compact or threshold program; or terminating or suspending any such compact or threshold program: Provided further, That funds appropriated under this heading by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available to implement section 609(g) of the MCA shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That no country should be eligible for a threshold program after such country has completed a country compact: Provided further, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: Provided further, That notwithstanding section 606(a)(2) of the MCA, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: Provided further, That notwithstanding section 606(b)(1) of the MCA, in addition to countries described in the preceding proviso, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is not among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: Provided further, That any MCC candidate country under section 606 of the MCA with a per capita income that changes in the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for the fiscal year and the 2 subsequent fiscal years: Provided further, That publication in the Federal Register of a notice of availability of a copy of a Compact on the MCC Web site shall be deemed to satisfy the requirements of section 610(b)(2) of the MCA for such Compact: Provided further, That none of the funds made available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be available for a threshold program in a country that is not currently a candidate country.

In addition, for the administrative expenses of the MCC, \$102,400,000, of which up to \$15,360,000 may remain available until September 30, 2019: Provided, That of the funds appropriated under this paragraph, not to exceed \$100,000 may be available for representation and entertainment expenses, of which not to exceed \$5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, \$11,250,000, to remain available until September 30, 2019: Provided, That of the funds appropriated under this heading, not to exceed \$1,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980 (Public Law 96-533),

\$15,000,000, to remain available until September 30, 2019, of which not to exceed \$1,000 may be available for representation expenses: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h-3(a)(2)), in exceptional circumstances the Board of Directors of the USADF may waive the \$250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: Provided further, That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: Provided further, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: Provided further, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on such accounts, in furtherance of the purposes of the African Development Foundation Act: Provided further, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, \$25,455,000, of which \$3,182,000 may remain available until September 30, 2019.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$848,139,000, to remain available until September 30, 2019: Provided, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, and other judicial authorities, utilizing regional partners: Provided further, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of \$5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs

and activities, \$617,873,000, to remain available until September 30, 2019, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act, or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): Provided, That the Secretary of State shall inform the appropriate congressional committees of information regarding any separate arrangements relating to the "Road-map for the Clarification of Past and Present Outstanding Issues Regarding Iran's Nuclear Program" between the IAEA and the Islamic Republic of Iran, in classified form if necessary, if such information becomes known to the Department of State: Provided further, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: Provided further, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$135,041,000: Provided, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: Provided further, That of the funds appropriated under this heading, not less than \$31,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: Provided further, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$105,160,000, of which up to \$11,000,000 may remain available until September 30, 2019: Provided, That the civilian per-

sonnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That of the funds appropriated under this heading, not to exceed \$55,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$5,625,863,000: Provided, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: Provided further, That of the funds appropriated under this heading, not less than \$3,100,000,000 shall be available for grants only for Israel: Provided further, That funds appropriated under this heading for grants only for Israel shall be disbursed within 30 days of enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than \$815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That none of the funds made available under this heading shall be made available to support or continue any program initially funded under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), section 2282 of title 10, United States Code, section 333 of title 10, United States Code, as added by section 1241 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2497), or any successor authorities, unless the Secretary of State, in coordination with the Secretary of Defense, has justified such program to the Committees on Appropriations: Provided further, That funds appropriated or otherwise made available under this heading shall be non-repayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for

the “Foreign Military Sales Financing Program” in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than \$80,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed \$4,000 may be available for entertainment expenses and not to exceed \$130,000 may be available for representation expenses: Provided further, That not more than \$950,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2018 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$658,661,000, to remain available until September 30, 2019.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, \$47,395,000, to remain available until September 30, 2019.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, \$32,418,000, to remain available until September 30, 2019.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$507,860,808.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, \$109,387,000, to remain available until September 30, 2019.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, \$30,000,000, to remain available until September 30, 2019.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$5,700,000, of which up to \$855,000 may remain available until September 30, 2019.

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed \$95,500,000, of which up to \$14,325,000 may remain available until September 30, 2019: Provided, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: Provided further, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at \$0.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal

year limitations, as provided by section 9104 of title 31, United States Code, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$60,800,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans as authorized by section 234 of the Foreign Assistance Act of 1961, \$10,000,000, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account, to remain available until September 30, 2020: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds so obligated in fiscal year 2018 remain available for disbursement through 2026; funds obligated in fiscal year 2019 remain available for disbursement through 2027; and funds obligated in fiscal year 2020 remain available for disbursement through 2028: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$70,500,000, to remain available until September 30, 2019: Provided, That of the funds appropriated under this heading, not more than \$5,000 may be available for representation and entertainment expenses.

TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2018 or any previous fiscal year, disaggregated by fiscal year: Provided, That the report required by this section shall be submitted

not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) CAPITAL SECURITY COST SHARING INFORMATION.—The Secretary of State shall promptly inform the Committees on Appropriations of each instance in which a Federal department or agency is delinquent in providing the full amount of funding required by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note).

(b) EXCEPTION.—Notwithstanding paragraph (2) of section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106-113 and contained in appendix G of that Act), as amended by section 111 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), a project to construct a facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2018 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the contribution of the Department of State for this purpose.

(d) CONSULTATION AND NOTIFICATION REQUIREMENTS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas United States diplomatic facilities during fiscal year 2018, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That notifications pursuant to this subsection shall include the information enumerated under the heading “Embassy Security, Construction, and Maintenance” in the report accompanying this Act.

(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) Funds appropriated by this Act under the heading “Embassy Security, Construction, and Maintenance” shall be made available to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing.

(2) Notwithstanding any other provision of law, the opening, closure, or any significant modification to an interim or temporary United States diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

(f) TRANSFER OF FUNDS AUTHORITY.—Funds appropriated under the heading “Diplomatic and Consular Programs”, including for Worldwide Security Protection, and under the heading “Embassy Security, Construction, and Maintenance” in titles I and VIII of this Act may be transferred to, and merged with, funds appropriated by such titles under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: Provided, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law.

(g) SOFT TARGETS.—Funds appropriated by this Act under the heading “Embassy Security, Construction, and Maintenance” shall be made available for security enhancements for soft targets in accordance with section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701).

(h) REPORTS.—

(1) None of the funds appropriated under the heading “Embassy Security, Construction, and Maintenance” in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, made available through Federal agency Capital Security Cost Sharing contributions and reimbursements, or generated from the proceeds of real property sales, other than from real property sales located in London, United Kingdom, may be made available for site acquisition and mitigation, planning, design, or construction of the New London Embassy: Provided, That the reporting requirement contained in section 7004(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74) shall remain in effect during fiscal year 2018.

(2) Within 45 days of enactment of this Act and every 4 months thereafter until September 30, 2019, the Secretary of State shall submit to the Committees on Appropriations a report on the new Mexico City Embassy and Beirut Embassy projects: Provided, That such report shall include, for each of the projects—

(A) a detailed breakout of the project factors that formed the basis of the initial cost estimate used to justify such project to the Committees on Appropriations, as described under the heading “Embassy Security Construction and Maintenance” in the report accompanying this Act;

(B) a comparison of the current project factors as compared to the project factors submitted pursuant to subparagraph (A) of this subsection, and an explanation of any changes; and

(C) the impact of currency exchange rate fluctuations on project costs.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVEMENT.—Funds appropriated by this Act for the

operations of the Department of State under the headings “Diplomatic and Consular Programs” and “Capital Investment Fund” shall be made available to implement the recommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG) report entitled “Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds”: Provided, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31) for implementing the FADR and OIG recommendations: Provided further, That such funds may not be obligated for enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updated plan is submitted to the Committees on Appropriations: Provided further, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations.

(b) WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the service centers included in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2018: Provided, That the amounts for such service centers shall be the amounts included in such budget justification, except as provided in section 7015(b) of this Act: Provided further, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: Provided further, That prior to increasing the percentage charged to Department of State bureaus and offices for procurement-related activities, the Secretary of State shall include the proposed increase in the Department of State budget justification or, at least 60 days prior to the increase, provide the Committees on Appropriations a justification for such increase, including a detailed assessment of the cost and benefit of the services provided by the procurement fee: Provided further, That Federal agency components may only pay for Working Capital Fund services that are consistent with the purpose and authorities of such components: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(c) CERTIFICATION REQUIREMENT.—Prior to the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the oversight or management of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial management policies, procedures and regulations, as applicable: Provided, That if the Secretary is unable to make such certification for an individual bureau or office, the Secretary shall submit a plan and timeline to such Committees detailing the steps to be taken to ensure such compliance.

(d) REPORT ON SOLE SOURCE AWARDS.—Not later than December 31, 2018, the Secretary of

State shall submit a report to the appropriate congressional committees detailing all sole-source awards made by the Department of State during the previous fiscal year in excess of \$2,000,000: Provided, That such report should be posted on the Department of State Web site.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: Provided, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER OF FUNDS AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading "Representation Expenses".

(2) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) TITLE VI AGENCIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2018, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS OF FUNDS BETWEEN AGENCIES.—

(1) None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Any agreement entered into by the United States Agency for International Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of \$1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Global Health Programs", "Development Assistance", "Economic Support Fund", and "Assistance for Europe, Eurasia and Central Asia" shall be subject to the regular notification procedures of the Committees on Appropriations: Provided, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriations account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations and related programs, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: Provided, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: Provided further, That funds transferred under such authority may be made available for the cost of such audits.

(f) REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State and the USAID Administrator shall each submit a report to the Committees on Appropriations detailing all transfers to another agency of the United States Government made pursuant to sections 632(a) and 632(b) of the Foreign Assistance Act of 1961 with funds provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31) as of the date of enactment of this Act: Provided, That such reports

shall include a list of each transfer made pursuant to such sections with the respective funding level, appropriation account, and the receiving agency.

PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the funds made available by this Act may be used for first-class travel by employees of United States Government departments and agencies funded by this Act in contravention of section 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

(b) COMPUTER NETWORKS.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit Web sites: Provided, That nothing in this subsection shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications; administrative discipline; and the monitoring of such Web sites undertaken as part of official business.

(c) PROHIBITION ON PROMOTION OF TOBACCO.—None of the funds made available by this Act should be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: Provided, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings "Development Credit Authority" and "Assistance for Europe, Eurasia and Central Asia" shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That the availability of funds pursuant to the previous proviso shall not be applicable to such funds until the Secretary of State submits the reports required under section 7011 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114-113) and under section 7011 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31): Provided further, That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 30, 2018, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on

Appropriations, that assistance for such country is in the national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State and the Administrator of the United States Agency for International Development shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2018 on funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs by a foreign government or entity against United States assistance programs, either directly or through grantees, contractors, and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2019 and for prior fiscal years and allocated for the central government of such country or for the West Bank and Gaza program if, not later than September 30, 2019, such taxes have not been reimbursed: Provided, That the Secretary of State shall report to the Committees on Appropriations by such date on the foreign governments and entities that have not reimbursed such taxes, including any amount of funds withheld pursuant to this subsection.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that—

(A) such foreign government or entity has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any foreign government or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the term “bilateral agreement” refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such

country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement; and

(2) the term “taxes and taxation” shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

(h) REPORT.—The Secretary of State, in consultation with the heads of other relevant departments or agencies of the United States Government, shall submit an update to the report required pursuant to section 7013(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31).

RESERVATIONS OF FUNDS

SEC. 7014. (a) REPROGRAMMING.—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: Provided, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) NOTIFICATION OF CHANGES IN PROGRAMS, PROJECTS, AND ACTIVITIES.—None of the funds made available in titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to—

- (1) create new programs;
- (2) eliminate a program, project, or activity;
- (3) close, suspend, open, or reopen a mission or post;
- (4) create, close, reorganize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees; unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—None of the funds provided under titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, to the departments and agencies funded under titles I and II of this Act that remain available for obligation in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$1,000,000 or 10 percent, whichever is less, that—

(1) augments or changes existing programs, projects, or activities;

(2) relocates an existing office or employees;

(3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(4) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) NOTIFICATION REQUIREMENT.—None of the funds made available by this Act under the headings “Global Health Programs”, “Development Assistance”, “Trade and Development Agency”, “International Narcotics Control and Law Enforcement”, “Economic Support Fund”, “Democracy Fund”, “Assistance for Europe, Eurasia and Central Asia”, “Peacekeeping Operations”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “Millennium Challenge Corporation”, “Foreign Military Financing Program”, “International Military Education and Training”, and “Peace Corps”, shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: Provided further, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

(d) **NOTIFICATION OF TRANSFER OF FUNDS.**—Notwithstanding any other provision of law, with the exception of funds transferred to, and merged with, funds appropriated under title I of this Act, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations, and funds made available for programs previously authorized under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), section 2282 of title 10, United States Code, section 333 of title 10, United States Code, as added by section 1241 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), or any successor authorities, shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) **WAIVER.**—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) **COUNTRY NOTIFICATION REQUIREMENTS.**—None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bolivia, Burma, Cambodia, Colombia, Cuba, Ecuador, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Pakistan, Philippines, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

(g) **TRUST FUNDS.**—Funds appropriated or otherwise made available in title III of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution as defined by section 7034(o)(3) of this Act shall be subject to the regular notification procedures of the Committees on Appropriations: Provided, That such notification shall include the information specified under this section in the report accompanying this Act.

(h) **WITHHOLDING OF FUNDS.**—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 7016. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as de-

fined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at \$7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7017. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles I and III through V of this Act, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2019: Provided, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS

SEC. 7019. (a) **ALLOCATION TABLES.**—Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available in the amounts specifically designated in the respective tables included in the report accompanying this Act: Provided, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961.

(b) **AUTHORIZED DEVIATIONS.**—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may only deviate up to 5 percent from the amounts specifically designated in the respective tables included in the report accompanying this Act: Provided, That such percentage may be exceeded only to respond to significant, exigent, or unforeseen events, or to address other exceptional circumstances directly related to the national interest: Provided further, That deviations pursuant to the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) **LIMITATION.**—For specifically designated amounts that are included, pursuant to sub-

section (a), in the report required by section 653(a) of the Foreign Assistance Act of 1961, no deviations authorized by subsection (b) may take place until submission of such report.

(d) **EXCEPTIONS.**—Subsections (a) and (b) shall not apply to—

(1) amounts designated for “International Military Education and Training” in the respective tables included in the report accompanying this Act; and

(2) funds for which the initial period of availability has expired.

REPRESENTATION AND ENTERTAINMENT EXPENSES

SEC. 7020. (a) **USES OF FUNDS.**—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests—

(1) are primarily for fostering relations outside of the Executive Branch;

(2) are principally for meals and events of a protocol nature;

(3) are not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) **LIMITATIONS.**—None of the funds appropriated or otherwise made available by this Act under the headings “International Military Education and Training” or “Foreign Military Financing Program” for Informational Program activities or under the headings “Global Health Programs”, “Development Assistance”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia” may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) **LETHAL MILITARY EQUIPMENT EXPORTS.**—

(1) **PROHIBITION.**—None of the funds appropriated or otherwise made available by titles III through VI of this Act may be made available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: Provided, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: Provided further, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) **DETERMINATION.**—Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) **REPORT.**—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interest.

(b) BILATERAL ASSISTANCE.

(1) **LIMITATIONS.**—Funds appropriated for bilateral assistance in titles III through VI of this

Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) **WAIVER.**—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: Provided, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading "Trade and Development Agency", may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund", "Assistance for Europe, Eurasia and Central Asia", and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: Provided, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) **WORLD MARKETS.**—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: Provided further, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) **EXPORTS.**—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit United States producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) **INTERNATIONAL FINANCIAL INSTITUTIONS.**—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions, as defined in section 7034(o)(3) of this Act, to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) **SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.**—

(1) **AGREEMENTS.**—If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part

II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) **USES OF LOCAL CURRENCIES.**—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) **PROGRAMMING ACCOUNTABILITY.**—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) **TERMINATION OF ASSISTANCE PROGRAMS.**—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) **REPORTING REQUIREMENT.**—The USAID Administrator shall report as part of the congressional budget justification submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(b) **SEPARATE ACCOUNTS FOR CASH TRANSFERS.**—

(1) **IN GENERAL.**—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) **APPLICABILITY OF OTHER PROVISIONS OF LAW.**—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-1159).

(3) **NOTIFICATION.**—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification

procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia": Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2018, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83-480): Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appropriated by this Act that are made available to the United States Agency for International Development may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) REPORTING REQUIREMENT.—In addition to the requirements of subsection (a)(1), the USAID Administrator shall report to the appropriate congressional committees not later than 45 days after the end of fiscal year 2018 on all awards subject to limited or no competition for local entities: Provided, That such report should be posted on the USAID Web site: Provided further, That the requirements of this subsection shall only apply to awards in excess of \$3,000,000 and sole source awards to local entities in excess of \$2,000,000.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: Provided, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this subsection.

(b) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) HUMAN RIGHTS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution conducts rigorous human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution: Provided, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(d) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that each such institution is effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

(5) results that eliminate the effects of proven retaliation.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A)(i) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed;

(ii) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(iii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iv) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(v) no level of acceptable fraud is assumed; and

(vi) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: Provided, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): Provided further, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of \$10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) **SUSPENSION OF ASSISTANCE.**—The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) **SUBMISSION OF INFORMATION.**—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2019 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) **REPORT.**—Not later than 90 days after the enactment of this Act and 6 months thereafter until September 30, 2019, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in paragraph (1) provided during the previous 6-month period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) **DEBT SERVICE PAYMENT PROHIBITION.**—None of the funds made available by this Act may be used by the government of any foreign country for debt service payments owed by any country to any international financial institution: Provided, That for purposes of this paragraph, the term “international financial institution” has the meaning given the term in section 7034(o)(3) of this Act.

(b) **NATIONAL BUDGET AND CONTRACT TRANSPARENCY.**—

(1) **MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.**—The Secretary of State shall continue to update and strengthen the “minimum requirements of fiscal transparency” for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) **DEFINITION.**—For purposes of paragraph (1), “minimum requirements of fiscal transparency” are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) **DETERMINATION AND REPORT.**—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of “significant progress” or “no significant progress” in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual “Fiscal Transparency Report” to be posted on the Department of State Web site: Provided, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: Provided further, That the annual report shall include a detailed description of how funds appropriated by this Act are

being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) **ASSISTANCE.**—Funds appropriated under title III of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: Provided, That such sums shall be in addition to funds otherwise available for such purposes: Provided further, That a description of the uses of such funds shall be included in the annual “Fiscal Transparency Report” required by paragraph (3).

(c) **ANTI-KLEPTOCRACY AND HUMAN RIGHTS.**—

(1)(A) **INELIGIBILITY.**—Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary shall also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) **EXCEPTION.**—Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: Provided, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) **WAIVER.**—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) **REPORT.**—Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) **POSTING OF REPORT.**—Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State Web site.

(6) **CLARIFICATION.**—For purposes of paragraphs (1)(B), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) **FOREIGN ASSISTANCE WEB SITE.**—Funds appropriated by this Act under titles I and II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State foreign assistance Web site: Provided, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) **FUNDING.**—Of the funds appropriated by this Act, not less than \$2,308,517,000 shall be made available for democracy programs.

(b) **AUTHORITY.**—Funds made available by this Act for democracy programs may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy, any regulation.

(c) **DEFINITION OF DEMOCRACY PROGRAMS.**—For purposes of funds appropriated by this Act, the term “democracy programs” means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, and institutions that are responsive and accountable to citizens.

(d) **PROGRAM PRIORITIZATION.**—Funds made available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law, as determined by the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate.

(e) **RESTRICTION ON PRIOR APPROVAL.**—With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: Provided, That the Secretary of State, in coordination with the USAID Administrator, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) **CONTINUATION OF CURRENT PRACTICES.**—USAID shall continue to implement civil society and political competition and consensus building programs abroad with funds appropriated by this Act in a manner that recognizes the unique benefits of grants and cooperative agreements in implementing such programs: Provided, That nothing in this paragraph shall be construed to affect the ability of any entity, including United States small businesses, from competing for proposals for USAID-funded civil society and political competition and consensus building programs.

(g) **COMMUNICATION AND REPORTING REQUIREMENTS.**—

(1) **INFORMING THE NATIONAL ENDOWMENT FOR DEMOCRACY.**—The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the National Endowment for Democracy of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(2) **REPORT ON FUNDING INSTRUMENTS.**—Not later than September 30, 2018, the Secretary of State and USAID Administrator shall each submit to the Committees on Appropriations a report detailing the use of contracts, grants, and cooperative agreements in the conduct of democracy programs with funds made available by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31), which shall include funding level, account, program sector and subsector, and a brief summary of purpose.

(3) **REPORT ON PROGRAM CHANGES.**—The Secretary of State or the USAID Administrator, as

appropriate, shall report to the appropriate congressional committees within 30 days of a decision to significantly change the objectives or the content of a democracy program or to close such a program due to the increasingly repressive nature of the host country government: Provided, That the report shall also include a strategy for continuing support for democracy promotion, if such programming is feasible, and may be submitted in classified form, if necessary.

INTERNATIONAL RELIGIOUS FREEDOM

SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM.—

(1) Funds appropriated by this Act under the heading “Diplomatic and Consular Programs” shall be made available for the Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, Department of State, the Office of the Ambassador-at-Large for International Religious Freedom, and the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, as authorized in the Near East and South Central Asia Religious Freedom Act of 2014 (Public Law 113–161), including for support staff at not less than the amounts specified for such offices in the table under such heading in the report accompanying this Act.

(2) Funds appropriated under the heading “Diplomatic and Consular Programs” and designated for the Office of International Religious Freedom shall be made available for the development and implementation of an international religious freedom curriculum in accordance with section 708(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4028).

(b) ASSISTANCE.—

(1) INTERNATIONAL RELIGIOUS FREEDOM PROGRAMS.—Of the funds appropriated by this Act under the heading “Democracy Fund” and available for the Human Rights and Democracy Fund (HRDF), not less than \$10,000,000 shall be made available for international religious freedom programs.

(2) PROTECTION AND INVESTIGATION PROGRAMS.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$10,000,000 shall be made available for programs to protect vulnerable and persecuted religious minorities, including for assistance authorized by section 5 of H.R. 390, the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017, as passed by the House of Representatives on June 6, 2017.

(3) HUMANITARIAN PROGRAMS.—Funds appropriated by this Act under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities, including victims of genocide designated by the Secretary of State and other groups that have suffered crimes against humanity and ethnic cleansing, to—

(A) accelerate the implementation of an immediate, coordinated, and sustained response to provide humanitarian assistance;

(B) enhance protection of conflict victims, including those facing a dire humanitarian crisis and severe persecution because of their faith or ethnicity; and

(C) improve access to secure locations for obtaining humanitarian and resettlement services.

(c) INTERNATIONAL BROADCASTING.—Funds appropriated by this Act under the heading “Broadcasting Board of Governors, International Broadcasting Operations” shall be made available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds

appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) LAW ENFORCEMENT AND SECURITY.—

(1) CHILD SOLDIERS.—Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2018.

(3) FORENSIC ASSISTANCE.—

(A) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$6,500,000 shall be made available for forensic anthropology assistance related to the exhumation of mass graves and the identification of victims of war crimes, genocide, and crimes against humanity, including in Iraq, Guatemala, Colombia, El Salvador, Syria, and Sri Lanka, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) Of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement”, not less than \$6,000,000 shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(4) INTERNATIONAL PRISON CONDITIONS.—Section 7065 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2018.

(5) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(6) SECURITY ASSISTANCE REPORT.—Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2017, by country and purpose of assistance, under the headings “Peacekeeping Operations”, “International Military Education and Training”, and “Foreign Military Financing Program”.

(7) FOREIGN MILITARY SALES AND FOREIGN MILITARY FINANCING PROGRAM.—

(A) AVAILABILITY.—Funds appropriated by this Act under the heading “Foreign Military Financing Program” for the general costs of administering military assistance and sales shall be made available to increase the efficiency and effectiveness of programs authorized by Chapter 2 of the Arms Export Control Act: Provided, That prior to the obligation of funds for such purposes, the Secretary of State shall consult with the Committees on Appropriations.

(B) QUARTERLY STATUS REPORT.—Following the submission of the quarterly report required by section 36 of Public Law 90–629 (22 U.S.C. 2776), the Secretary of State, in coordination with the Secretary of Defense, shall submit to the Committees on Appropriations a status report that contains the information described under the heading “Foreign Military Financing Program” in the report accompanying this Act.

(c) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development, from this or any other Act, may be made available as

a general contribution to the World Food Programme.

(d) DIRECTIVES AND AUTHORITIES.—

(1) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading “Assistance for Europe, Eurasia and Central Asia” shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) GENOCIDE VICTIMS MEMORIAL SITES AND TRIBUNALS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” may be made available as contributions to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) ADDITIONAL AUTHORITY.—Of the amount made available under the heading “Diplomatic and Consular Programs”, not to exceed \$1,000,000 may be used to make grants to carry out the activities of the Cultural Antiquities Task Force.

(4) INNOVATION.—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards: Provided, That each individual award may not exceed \$100,000: Provided further, That no more than 10 such awards may be made during fiscal year 2018: Provided further, That for purposes of this paragraph the term “innovation incentive award” means the provision of funding on a competitive basis that—

(A) encourages and rewards the development of solutions for a particular, well-defined problem related to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices facilitating further development of an idea or practice by third parties.

(5) REPORT.—The report required by section 502(d) of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115–31) shall be provided to the Committees on Appropriations.

(e) PARTNER VETTING.—The Secretary of State and USAID Administrator may initiate a partner vetting program to mitigate the risk of diversion of foreign assistance, or make significant modifications to any existing partner vetting program, only following consultation with the Committees on Appropriations: Provided, That the Secretary and Administrator should provide a direct vetting option for prime awardees in any partner vetting program initiated after the date of the enactment of this Act.

(f) CONTINGENCIES.—During fiscal year 2018, the President may use up to \$125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(g) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: Provided, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(h) CULTURAL PRESERVATION PROJECT DETERMINATION.—None of the funds appropriated in titles I and III of this Act may be used for the preservation of religious sites unless the Secretary of State or the USAID Administrator, as appropriate, determines and reports to the Committees on Appropriations that such sites are

historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

(i) **TRANSFER OF FUNDS FOR EXTRAORDINARY PROTECTION.**—The Secretary of State may transfer to, and merge with, funds under the heading “Protection of Foreign Missions and Officials” unobligated balances of expired funds appropriated under the heading “Diplomatic and Consular Programs” for fiscal year 2018, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: Provided, That not more than \$50,000,000 may be transferred.

(j) **GREEN CLIMATE FUND PROHIBITION.**—None of the funds appropriated or otherwise made available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available as a contribution, grant, or any other payment to the Green Climate Fund.

(k) **EXTENSION OF AUTHORITIES.**—

(1) **PASSPORT FEES.**—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting “September 30, 2018” for “September 30, 2010”.

(2) **INCENTIVES FOR CRITICAL POSTS.**—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2018.

(3) **USAID CIVIL SERVICE ANNUITANT WAIVER.**—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting “September 30, 2018” for “October 1, 2010” in subparagraph (B).

(4) **CATEGORICAL ELIGIBILITY.**—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) in section 599D (8 U.S.C. 1157 note)—

(i) in subsection (b)(3), by striking “and 2017” and inserting “2017, and 2018”; and

(ii) in subsection (e), by striking “2017” each place it appears and inserting “2018”; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2017” and inserting “2018”.

(5) **INSPECTOR GENERAL ANNUITANT WAIVER.**—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2018.

(6) **EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.**—

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking “2018” and inserting “2019”.

(B) Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking “and 2018” and inserting “2018, and 2019”.

(l) **DEPARTMENT OF STATE AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.**—Prior to implementing any reorganization of the Department of State or USAID, including any action taken pursuant to the March 13, 2017 Executive Order 13781 on a Comprehensive Plan for Reorganizing the Executive Branch, the Secretary of State shall submit a report to the appropriate congressional committees on such reorganization: Provided, That such report shall include—

(1) a detailed justification and analysis for each major element of such reorganization plans, including any proposals to—

(A) eliminate or consolidate covered departments, agencies, or organizations, including bureaus and offices within such departments, agencies, or organizations, with duplicative or overlapping programs or missions;

(B) expand, reconfigure, eliminate, or consolidate the United States official presence overseas, including through the disposal of excess property, at bilateral, regional, or multilateral embassies and missions;

(C) reduce, modernize, or otherwise modify the workforce of the Department of State and USAID, including Civil Service and Foreign Service, eligible family members, and locally employed staff; and

(D) improve the efficiency, effectiveness, performance, and accountability of the Department of State and USAID, including through modernizing information technology platforms and streamlining administrative functions; and

(2) projections of cost savings and efficiencies achieved through implementation of each element, an analysis of the impact of any such change on the ability to advance the national interests of the United States through diplomacy and development and to conduct adequate monitoring and oversight of foreign assistance programs, and any legislative change necessary to implement such proposals.

(m) **HIV/AIDS WORKING CAPITAL FUND.**—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) may be made available for pharmaceuticals and other products for child survival, malaria, and tuberculosis to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: Provided, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108–477) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(n) **LOAN GUARANTEES.**—Funds appropriated under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan, Ukraine, Iraq, Egypt, and Tunisia, which are authorized to be provided: Provided, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country: Provided further, That funds made available pursuant to this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations: Provided further, That amounts made available pursuant to this subsection from prior Acts that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act and shall be avail-

able only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(o) **DEFINITIONS.**—

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—Unless otherwise defined in this Act, for purposes of this Act the term “appropriate congressional committees” means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) **FUNDS APPROPRIATED BY THIS ACT AND PRIOR ACTS.**—Unless otherwise defined in this Act, for purposes of this Act the term “funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs” means funds that remain available for obligation, and have not expired.

(3) **INTERNATIONAL FINANCIAL INSTITUTIONS.**—In this Act “international financial institutions” means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) **SOUTHERN KORDOFAN REFERENCE.**—Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(5) **USAID.**—In this Act, the term “USAID” means the United States Agency for International Development.

(6) **CLARIFICATION.**—Unless otherwise provided for in this Act, for the purposes of this Act the terms “under this heading”, “under the heading”, “under the headings”, or similar phrases mean funds appropriated or otherwise made available under such heading or headings in all titles of this Act: Provided, That the term “under the heading in this title” or similar phrases means funds appropriated or otherwise made available only in such title.

(7) **SPEND PLAN.**—In this Act, the term “spend plan” means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—

(A) realistic and sustainable goals and criteria for measuring progress and a timeline for achieving such goals; and

(B) amounts and sources of funds by account.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example,

taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act (“Limitation on Assistance for the Palestinian Authority”).

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Pal-

estinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: Provided further, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2018, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity’s governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: Provided, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) RECOGNITION OF ACTS OF TERRORISM.—None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

(2) SECURITY ASSISTANCE AND REPORTING REQUIREMENT.—Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank

and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) AUDITS BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant sub-contractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act up to \$500,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection: Provided, That such funds are in addition to funds otherwise available for such purposes.

(e) COMPTROLLER GENERAL OF THE UNITED STATES AUDIT.—Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including any funds provided as cash transfer assistance, in fiscal year 2018 under the heading “Economic Support Fund”, and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) NOTIFICATION PROCEDURES.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

(g) REPORT.—Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13).

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: Provided, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the

Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109-446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: Provided, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) REPORT ON GOVERNANCE.—

(A) Not later than 90 days after enactment of this Act and every 90 days thereafter until September 30, 2018, the Secretary of State shall report to the appropriate congressional committees on steps taken by the Government of Egypt to—

(i) advance democracy and human rights in Egypt, including to govern democratically and protect the rights of religious minorities and women;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations and the media to function without interference; and

(iii) improve the transparency and accountability of security forces.

(B) The report required by subparagraph (A) may be provided in classified form if necessary.

(3) ECONOMIC SUPPORT FUND.—

(A) FUNDING.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$150,000,000 shall be made available for assistance for Egypt, subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961: Provided, That such funds may be made available for democracy programs and for development programs in the Sinai: Provided further, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(B) WITHHOLDING.—The Secretary of State shall withhold from obligation funds appropriated by this Act under the heading “Economic Support Fund” for assistance for Egypt, an amount of such funds that the Secretary determines to be equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt until the Secretary certifies and reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in “Public Prosecution Case No. 1110 for the Year 2012”.

(4) FOREIGN MILITARY FINANCING PROGRAM.—Of the funds appropriated by this Act under the heading “Foreign Military Financing Program”, \$1,300,000,000, to remain available until September 30, 2019, shall be made available for assistance for Egypt, which may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations.

(5) CONSULTATION REQUIREMENTS.—Not later than 90 days after enactment of this Act, the Secretary of State shall consult with the Committees on Appropriations on any plan to restructure military assistance for Egypt.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings “Diplomatic and Consular Programs”, “Economic Support Fund”, and “Nonproliferation, Anti-terrorism, Demining and Related Programs” shall be used by the Secretary of State—

(A) to support the United States policy to prevent Iran from achieving the capability to produce or otherwise obtain a nuclear weapon;

(B) to support an expeditious response to any violation of the Joint Comprehensive Plan of Action or United Nations Security Council Resolution 2231;

(C) to support the implementation and enforcement of sanctions against Iran for support of terrorism, human rights abuses, and ballistic missile and weapons proliferation; and

(D) for democracy programs for Iran, to be administered by the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) CONTINUATION OF PROHIBITION.—The terms and conditions of paragraph (2) of section 7041(c) in division I of Public Law 112-74 shall continue in effect during fiscal year 2018.

(3) REPORTS.—

(A) The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required by section 2 of the Iran Nuclear Agreement Review Act of 2015 (42 U.S.C. 2160e(d)(4)).

(B) Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on the status of the implementation and enforcement of bilateral United States and multilateral sanctions against Iran and actions taken by the United States and the international community to enforce such sanctions against Iran: Provided, That the report shall also include any entities involved in providing significant support for the development of a ballistic missile by the Government of Iran after October 1, 2015, including shipping and financing, and note whether such entities are currently under United States sanctions: Provided further, That such report shall be submitted in an unclassified form, but may contain a classified annex if necessary.

(c) IRAQ.—

(1) PURPOSES.—Funds appropriated by this Act shall be made available for assistance for Iraq to promote governance, security, and internal and regional stability, including in the Kurdistan Region of Iraq and other areas impacted by the conflict in Syria, and among religious and ethnic minority populations in Iraq.

(2) EXPLOSIVE ORDNANCE DISPOSAL PROGRAMS.—Funds appropriated by this Act under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” shall be made available for explosive ordnance disposal programs in areas liberated from extremist organizations in Iraq.

(3) KURDISTAN REGION.—

(A) Funds appropriated by this Act under the headings “International Narcotics Control and Law Enforcement” and “Foreign Military Financing Program” that are available for assistance for Iraq shall be made available to enhance the capacity of Kurdistan Regional Government security services and for security programs in the Kurdistan Region of Iraq to address requirements arising from the violence in Syria and Iraq: Provided, That the Secretary of State shall consult with the Committees on Appropriations prior to obligating such funds.

(B) Funds appropriated by this Act under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” should be made available for assistance for the Kurdistan Region of Iraq to address the needs of internally displaced persons (IDPs) and refugees: Provided, That funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for programs to mitigate the impact of such IDPs and refugees in such Region, including for assistance for communities hosting such persons.

(4) BASING RIGHTS AGREEMENT.—None of the funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into a permanent basing rights agreement between the United States and Iraq.

(d) JORDAN.—Of the funds appropriated by this Act under titles III and IV, not less than \$1,280,000,000 shall be made available for assistance for Jordan, of which not less than \$475,000,000 shall be for budget support for the Government of Jordan.

(e) LEBANON.—

(1) LIMITATION.—None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISF) or the Lebanese Armed Forces (LAF) if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219

of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) **CONSULTATION REQUIREMENT.**—Funds appropriated by this Act under the headings “International Narcotics Control and Law Enforcement” and “Foreign Military Financing Program” that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

(3) **FOREIGN MILITARY FINANCING PROGRAM.**—In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading “Foreign Military Financing Program” for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon’s borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: Provided, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2018: Provided further, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(f) **LIBYA.**—

(1) **LIMITATION.**—None of the funds appropriated by this Act may be made available for assistance for the central Government of Libya unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: Provided, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(2) **CERTIFICATION REQUIREMENT.**—Prior to the initial obligation of funds made available by this Act for assistance for Libya, the Secretary of State shall certify and report to the Committees on Appropriations that all practicable steps have been taken to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Libya.

(3) **REPORTING REQUIREMENT.**—The Secretary of State shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this subsection has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(g) **MOROCCO.**—Funds appropriated under title III of this Act that are made available for assistance for Morocco shall also be made available for assistance for any region or territory administered by Morocco, including the Western Sahara: Provided, That not later than 45 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall consult with the Committees on Appropriations on the proposed uses of such funds

based on the requirements described under this section in the report accompanying this Act.

(h) **REFUGEE ASSISTANCE IN NORTH AFRICA.**—The Secretary of State, in consultation with the United Nations High Commissioner for Refugees and the Executive Director of the World Food Programme, shall take all practicable steps to strengthen monitoring of the delivery of humanitarian assistance provided for refugees in North Africa, including the establishment of registration systems where they do not exist and any other efforts to ensure that all vulnerable refugees are receiving such assistance.

(i) **STRATEGY REQUIREMENT.**—Not later than 60 days after enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a strategy for United States engagement in North Africa, which shall include detailed information on how diplomatic engagement and assistance will be prioritized for such region, including to address economic and security needs.

(j) **SYRIA.**—

(1) **NON-LETHAL ASSISTANCE.**—Funds appropriated under title III of this Act shall be made available, to the extent practicable and notwithstanding any other provision of law, for non-lethal assistance for programs to address the needs of civilians affected by conflict in Syria, and for programs that seek to—

(A) establish governance in Syria that is representative, inclusive, and accountable;

(B) empower women through political and economic programs, and address the psychosocial needs of women and their families in Syria and neighboring countries;

(C) develop and implement political processes that are democratic, transparent, and strengthen the rule of law;

(D) further the legitimacy and viability of the Syrian opposition through cross-border programs;

(E) develop and sustain civil society and independent media in Syria;

(F) promote stability and economic development in Syria;

(G) document, investigate, and prosecute human rights violations in Syria, including through transitional justice programs and support for nongovernmental organizations;

(H) expand the role of women in negotiations to end the violence and in any political transition in Syria;

(I) assist Syrian refugees whose education has been interrupted by the ongoing conflict to complete higher education requirements at universities and other academic institutions in the region, and through distance learning;

(J) assist vulnerable populations in Syria and in neighboring countries;

(K) protect and preserve the cultural identity of the people of Syria as a counterbalance to extremism, particularly those living in neighboring countries and among youth;

(L) protect and preserve cultural heritage sites in Syria, particularly those damaged and destroyed by extremists; and

(M) counter extremism in Syria.

(2) **STRATEGY UPDATE.**—Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection may only be made available after the Secretary of State, in consultation with the heads of relevant United States Government agencies, submits, in classified form if necessary, an update to the comprehensive strategy required in section 7041(i)(3) of Public Law 113–76.

(3) **MONITORING AND OVERSIGHT.**—Prior to the obligation of funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for moni-

toring, oversight, and control of such assistance inside Syria: Provided, That the Secretary shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this subsection has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(4) **CONSULTATION AND NOTIFICATION.**—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(k) **TUNISIA.**—Of the funds appropriated under titles III and IV of this Act, not less than \$165,400,000 shall be made available for assistance for Tunisia.

(l) **WEST BANK AND GAZA.**—

(1) **REPORT ON ASSISTANCE.**—Prior to the initial obligation of funds made available by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) **LIMITATIONS.**—

(A) None of the funds appropriated under the heading “Economic Support Fund” in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(i) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(ii) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(B)(i) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that the Palestinians have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

(II) initiated or actively supported an ICC investigation against Israeli nationals for alleged crimes against Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: Provided, That any waiver of the provisions of section 1003 of Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply

beyond 12 months after the enactment of this Act.

(3) **REDUCTION.**—The Secretary of State shall reduce the amount of assistance made available by this Act under the heading “Economic Support Fund” for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority, the Palestine Liberation Organization, and any successor or affiliated organizations with such entities for payments to individuals and the families of such individuals who are imprisoned for acts of terrorism or who died committing such acts during the previous calendar year: Provided, That the Secretary shall report to the appropriate congressional committees on the amount reduced for fiscal year 2018 prior to the obligation of funds for the Palestinian Authority: Provided further, That the report required by the previous proviso shall also include steps taken to prevent any such payments.

(4) **SECURITY REPORT.**—The reporting requirements contained in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(5) **INCITEMENT REPORT.**—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

AFRICA

SEC. 7042. (a) AFRICAN GREAT LAKES REGION ASSISTANCE RESTRICTION.—Funds appropriated by this Act under the heading “International Military Education and Training” for the central government of a country in the African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) **BOKO HARAM.**—Funds appropriated by this Act that are made available for assistance for Cameroon, Chad, Niger, and Nigeria—

(1) shall be made available for assistance for women and girls who are targeted by the terrorist organization Boko Haram, consistent with the provisions of section 7059 of this Act, and for individuals displaced by Boko Haram violence; and

(2) may be made available for counterterrorism programs to combat Boko Haram.

(c) **CENTRAL AFRICAN REPUBLIC.**—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(d) **LORD’S RESISTANCE ARMY.**—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord’s Resistance Army (LRA) consistent with the goals of the Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(e) **MALAWI.**—Of the funds appropriated by this Act under the heading “Development Assistance”, not less than \$56,000,000 shall be made available for assistance for Malawi, of

which \$10,000,000 shall be made available for higher education programs.

(f) **SOUTH SUDAN.**—

(1) **STRATEGY UPDATE.**—Not later than 60 days after enactment of this Act the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit an update to the strategy required in section 7042(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31).

(2) **CERTIFICATION.**—None of the funds appropriated by this Act that are available for assistance for the central Government of South Sudan may be made available until the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking effective steps to—

(A) end hostilities and pursue good faith negotiations for a political settlement of the conflict;

(B) provide access for humanitarian organizations;

(C) end the recruitment and use of child soldiers;

(D) protect freedoms of expression, association, and assembly;

(E) reduce corruption related to the extraction and sale of oil and gas;

(F) establish democratic institutions;

(G) establish accountable military and police forces under civilian authority; and

(H) investigate and prosecute individuals credibly alleged to have committed gross violations of human rights, including at the Terrain compound in Juba, South Sudan on July 11, 2016.

(3) **EXCLUSIONS.**—The limitation of paragraph (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and

(C) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such Agreement.

(4) **CONSULTATION.**—Prior to the initial obligation of funds made available for the central Government of South Sudan pursuant to paragraphs (3)(B) and (C), the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds, steps taken by such government to advance or implement a peace agreement, and progress made by the Government of South Sudan in meeting the requirements in paragraph (2).

(g) **SUDAN.**—

(1) **LIMITATION.**—Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) **LIMITATION ON LOANS.**—None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) **EXCLUSIONS.**—The limitations of paragraphs (1) and (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance for democracy programs;

(C) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such

Agreement, or any other internationally recognized viable peace agreement in Sudan.

(h) **ZIMBABWE.**—

(1) **INSTRUCTION.**—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.

(2) **LIMITATIONS.**—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043.

(a) **BURMA.**—

(1) **BILATERAL ECONOMIC ASSISTANCE.**—

(A) Funds appropriated by this Act under the heading “Economic Support Fund” for assistance for Burma may be made available notwithstanding any other provision of law, except for this subsection, and following consultation with the appropriate congressional committees.

(B) Funds appropriated under title III of this Act for assistance for Burma—

(i) shall be made available to strengthen civil society organizations in Burma and for programs to strengthen independent media;

(ii) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading “Migration and Refugee Assistance”;

(iii) shall be made available for programs to promote ethnic and religious tolerance, including in Rakhine and Kachin states;

(iv) shall be made available to promote rural economic development in Burma, including through microfinance and sustainable power generation programs;

(v) shall be made available to increase opportunities for foreign direct investment by strengthening the rule of law, transparency, and accountability;

(vi) may not be made available to any individual or organization if the Secretary of State has credible information that such individual or organization has committed a gross violation of human rights, including against Rohingya and other minority groups, or that advocates violence against ethnic or religious groups and individuals in Burma;

(vii) may not be made available to any organization or entity controlled by the military of Burma; and

(viii) may be made available for programs administered by the Office of Transition Initiatives, United States Agency for International Development, for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose.

(2) **INTERNATIONAL SECURITY ASSISTANCE.**—None of the funds appropriated by this Act under the headings “International Military Education and Training” and “Foreign Military Financing Program” may be made available for assistance for Burma: Provided, That

the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(3) PROGRAMS, POSITION, AND RESPONSIBILITIES.—

(A) Any new program or activity in Burma initiated in fiscal year 2017 shall be subject to prior consultation with the appropriate congressional committees.

(B) Section 7043(b)(7) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2018.

(b) CAMBODIA.—

(1) CONDITIONS ON ASSISTANCE.—Of the funds appropriated in title IV of this Act that are made available for assistance for the central Government of Cambodia, 25 percent shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that such government—

(A) is taking effective steps to strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea;

(B) has ceased efforts to intimidate civil society and the political opposition in Cambodia, is credibly investigating the murder of social and political activists, and is taking actions to address the concerns detailed in the September 14, 2016 United Nations Human Rights Situation in Cambodia—Joint Statement; and

(C) is supporting the conduct of free and fair elections in Cambodia through a non-partisan election commission; fair election processes; credible post-election dispute resolution mechanisms; open and inclusive participation, to include the return of exiled former opposition leaders; and respect for freedoms of assembly and speech.

(2) KHMER ROUGE TRIBUNAL.—Funds appropriated by this Act that are made available for assistance for Cambodia may only be made available for a contribution to the Extraordinary Chambers in the Court of Cambodia if the Secretary of State certifies and reports to the appropriate congressional committees that such contribution is in the national interest of the United States and will support the prosecution and punishment of individuals responsible for genocide in Cambodia in a credible manner.

(c) NORTH KOREA.—

(1) BROADCASTS.—Funds appropriated by this Act under the heading “International Broadcasting Operations” shall be made available to maintain broadcasting hours into North Korea at levels not less than the prior fiscal year.

(2) REFUGEES.—Funds appropriated by this Act under the heading “Migration and Refugee Assistance” should be made available for assistance for refugees from North Korea, including protection activities in the People’s Republic of China and other countries in Asia.

(3) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act under the heading “Economic Support Fund” may be made available for assistance for the Government of North Korea.

(d) PEOPLE’S REPUBLIC OF CHINA.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading “Diplomatic and Consular Programs” in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People’s Republic of China (PRC) unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) PEOPLE’S LIBERATION ARMY.—The terms and requirements of section 620(h) of the For-

eign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People’s Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: Provided, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) COUNTER INFLUENCE PROGRAMS.—Funds appropriated by this Act for public diplomacy under title I and for assistance under titles III and IV shall be made available to counter the influence of the PRC, in accordance with the strategy required by section 7043(e)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76), following consultation with the Committees on Appropriations.

(4) PROHIBITION.—

(A) None of the funds appropriated by this Act under the headings “Global Health Programs”, “Development Assistance”, and “Economic Support Fund” may be made available for assistance for the Government of the People’s Republic of China.

(B) The limitation of subparagraph (A) shall not apply to assistance described in paragraph (2) of subsection (f) of this section and for programs to detect, prevent, and treat infectious disease.

(e) PHILIPPINES.—Prior to the initial obligation of funds appropriated by this Act for assistance for the Philippines, but not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations, which shall include the information required under this section in the report accompanying this Act.

(f) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) Notwithstanding any other provision of law, funds appropriated by this Act under the heading “Economic Support Fund” shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

(B) Funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for programs to promote and preserve Tibetan culture, development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: Provided, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) PERSONNEL REPORT.—Not later than 30 days after enactment of this Act and every 120 days thereafter until September 30, 2019, the

Secretary of State shall submit a report, in classified form if necessary, to the appropriate congressional committees detailing by agency the number of personnel present in Afghanistan under Chief of Mission authority per section 3927 of title 22, United States Code, at the end of the 120 day period preceding the submission of such report: Provided, That such report shall also include the number of locally employed staff and contractors supporting United States Embassy operations in Afghanistan during the reporting period.

(2) ASSISTANCE AND CONDITIONS.—

(A) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” may be made available for assistance for Afghanistan: Provided, That such funds may not be obligated for any project or activity that—

(i) includes the participation of any Afghan individual or organization, including government entity, that the Secretary of State determines to be involved in corrupt practices, illicit narcotics production or trafficking, or a violation of human rights;

(ii) cannot be sustained, as appropriate, by the Government of Afghanistan or another Afghan entity;

(iii) is not regularly accessible for the purposes of conducting effective oversight in accordance with applicable Federal statutes and regulations;

(iv) initiates any new, major infrastructure development; or

(v) legitimizes the Taliban or other extremist organizations in areas not under the control of the Government of Afghanistan.

(B) CERTIFICATION AND REPORT.—Prior to the initial obligation of funds made available by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” for assistance for the central Government of Afghanistan, the Secretary of State shall certify and report to the Committees on Appropriations, after consultation with the Government of Afghanistan, that—

(i) goals and benchmarks for the specific uses of such funds have been established by the Governments of the United States and Afghanistan;

(ii) conditions are in place that increase the transparency and accountability of the Government of Afghanistan for funds obligated under the New Development Partnership or other incentive-based programs;

(iii) the Government of Afghanistan is implementing laws and policies to govern democratically and protect the rights of individuals, civil society, and the media;

(iv) the Government of Afghanistan is taking consistent steps to protect and advance the rights of women and girls in Afghanistan;

(v) the Government of Afghanistan is effectively implementing a whole-of-government, anti-corruption strategy that has been endorsed by the High Council on Rule of Law and Anti-Corruption, as agreed to at the Brussels Conference on Afghanistan in October 2016, and is prosecuting individuals alleged to be involved in corrupt or illegal activities in Afghanistan;

(vi) monitoring and oversight frameworks for programs implemented with such funds are in accordance with all applicable audit policies of the Department of State and the United States Agency for International Development, including in areas under the control of the Taliban or other extremist organizations;

(vii) the necessary policies and procedures are in place to ensure Government of Afghanistan compliance with section 7013 of this Act, “Prohibition on Taxation of United States Assistance”; and

(viii) the Government of Afghanistan is publicly reporting its national budget, including revenues and expenditures.

(C) **WAIVER.**—The Secretary of State may waive the certification requirement of subparagraph (B) if the Secretary determines that to do so is important to the national security interest of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any of the requirements of subparagraph (B) cannot be met.

(D) **PROGRAMS.**—Funds appropriated by this Act that are made available for assistance for Afghanistan shall be made available in the following manner—

(i) for programs that protect and strengthen the rights of women and girls and promote the political and economic empowerment of women, including their meaningful inclusion in political processes;

(ii) for programs in South and Central Asia to expand linkages between Afghanistan and countries in the region; and

(iii) to assist the Government of Afghanistan in developing and executing a transparent and consistently applied system of legitimate revenue generation and expenditures.

(E) **TAXATION.**—None of the funds appropriated by this Act for assistance for Afghanistan may be made available for direct government-to-government assistance unless the Secretary of State certifies and reports to the Committees on Appropriations that United States companies and organizations that are implementing United States foreign assistance programs in Afghanistan in a manner consistent with United States laws and regulations are not subjected by such government to taxes or other fees in contravention of diplomatic and other agreements between the Governments of the United States and Afghanistan, or to retaliation for the nonpayment of taxes or fees imposed in the past: Provided, That not later than 90 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an assessment of the dollar value of improper taxes or fees levied by such government against such companies and organizations in fiscal years 2015, 2016, and 2017.

(3) **GOALS AND BENCHMARKS.**—Not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the goals and benchmarks required in paragraph (2)(B)(i): Provided, That not later than 6 months after the submission of such report and every 6 months thereafter until September 30, 2019, the Secretary of State shall submit a report to such committees on the status of achieving such goals and benchmarks: Provided further, That the Secretary of State should suspend assistance for the Government of Afghanistan if any report required by this paragraph indicates that such government is failing to make measurable progress in meeting such goals and benchmarks.

(4) **AUTHORITIES.**—

(A) Funds appropriated by this Act under title III through VI that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961;

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan, in accordance with section 7046(a)(2)(B)(ii) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74); and

(iii) for an endowment to empower women and girls.

(B) Section 7046(a)(2)(A) of division I of Public Law 112-74 shall apply to funds appropriated by this Act for assistance for Afghanistan.

(5) **BASING RIGHTS AGREEMENT.**—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(b) **PAKISTAN.**—

(1) **CERTIFICATION REQUIREMENT.**—None of the funds appropriated or otherwise made available by this Act under the headings “Economic Support Fund”, “International Narcotics Control and Law Enforcement”, and “Foreign Military Financing Program” for assistance for the Government of Pakistan may be made available unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Pakistan is—

(A) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and other domestic and foreign terrorist organizations, including taking effective steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(B) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(C) not financing or otherwise supporting schools supported by, affiliated with, or run by the Taliban or any designated foreign terrorist organization;

(D) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(E) preventing the proliferation of nuclear-related material and expertise;

(F) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(G) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(2) **WAIVER.**—The Secretary of State, after consultation with the Secretary of Defense, may waive the certification requirement of paragraph (1) if the Secretary determines that to do so is important to the national security interest of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any part of the certification requirement of paragraph (1) has not been met.

(3) **ASSISTANCE.**—

(A) Funds appropriated by this Act under the heading “Foreign Military Financing Program” for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) Funds appropriated by this Act under the headings “Economic Support Fund” and “Non-proliferation, Anti-terrorism, Demining and Related Programs” that are available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture IEDs, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(4) **SCHOLARSHIPS FOR WOMEN.**—The authority and directives of section 7044(d)(4) of the Department of State, Foreign Operations, and Re-

lated Programs Appropriations Act, 2015 (division J of Public Law 113-235) shall apply to funds appropriated by this Act that are made available for assistance for Pakistan: Provided, That prior to the obligation of funds for such purposes, the USAID Administrator shall consult with the Committees on Appropriations.

(5) **REPORTS.**—

(A)(i) The spend plan required by section 7076 of this Act for assistance for Pakistan shall include achievable and sustainable goals, benchmarks for measuring progress, and expected results regarding combating poverty and furthering development in Pakistan, countering terrorism and extremism, and establishing conditions conducive to the rule of law and transparent and accountable governance: Provided, That not later than 6 months after submission of such spend plan, and each 6 months thereafter until September 30, 2019, the Secretary of State shall submit a report to the Committees on Appropriations on the status of achieving the goals and benchmarks in such plan.

(ii) The Secretary of State should suspend assistance for the Government of Pakistan if any report required by clause (i) indicates that Pakistan is failing to make measurable progress in meeting such goals or benchmarks.

(B) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing the costs and objectives associated with significant infrastructure projects supported by the United States in Pakistan, and an assessment of the extent to which such projects achieve such objectives.

(6) **OVERSIGHT.**—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Pakistan.

(c) **SRI LANKA.**—

(1) **BILATERAL ECONOMIC ASSISTANCE.**—Funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for assistance for Sri Lanka for democracy and economic development programs, particularly in areas recovering from ethnic and religious conflict: Provided, That such funds shall be made available for programs to assist in the identification and resolution of cases of missing persons.

(2) **CERTIFICATION.**—Funds appropriated by this Act for assistance for the central Government of Sri Lanka may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is taking steps to—

(A) address the underlying causes of conflict in Sri Lanka;

(B) increase accountability and transparency in governance; and

(C) fulfill commitments with respect to transitional justice and the restoration of civil and human rights.

(3) **INTERNATIONAL SECURITY ASSISTANCE.**—Funds appropriated under title IV of this Act that are available for assistance for Sri Lanka shall be subject to the following conditions—

(A) not to exceed \$400,000 under the heading “Foreign Military Financing Program” may only be made available for programs to support humanitarian and disaster response efforts; to redeploy out of former conflict zones; and to restructure and reduce the size of the Sri Lankan armed forces; and

(B) funds under the heading “Peacekeeping Operations” may only be made available for training and equipment related to international peacekeeping operations.

(d) **REGIONAL PROGRAMS.**—

(1) **CROSS BORDER PROGRAMS.**—Funds appropriated by this Act under the heading “Economic Support Fund” for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) **SECURITY AND JUSTICE PROGRAMS.**—Funds appropriated by this Act under the headings “Economic Support Fund”, “International Narcotics Control and Law Enforcement”, and “Assistance for Europe, Eurasia and Central Asia” that are available for assistance for countries in South and Central Asia shall be made available to enhance the recruitment, retention, and professionalism of women in the judiciary, police, and other security forces.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) **FUNDING.**—Subject to the requirements of this subsection, of the funds appropriated under titles III and IV of this Act, \$615,000,000 should be made available for assistance for countries in Central America to implement the updated United States Strategy for Engagement in Central America: Provided, That such funds shall be made available to the maximum extent practicable on a cost-matching basis.

(2) **PRE-OBLIGATION REQUIREMENTS.**—Prior to the obligation of funds made available pursuant to paragraph (1), the Secretary of State shall submit to the Committees on Appropriations a multi-year spend plan as described under this section in the report accompanying this Act, including a description of how such funds shall prioritize addressing the key factors in countries in Central America that contribute to the migration of undocumented Central Americans to the United States.

(3) **ASSISTANCE FOR THE CENTRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA, AND HONDURAS.**—Of the funds made available pursuant to paragraph (1) that are available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, the following amounts shall be withheld from obligation and may only be made available as follows:

(A) 25 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is taking effective steps, which are in addition to those steps taken since the certification and report submitted during the prior year, if applicable, to—

(i) inform its citizens of the dangers of the journey to the southwest border of the United States;

(ii) combat human smuggling and trafficking;

(iii) improve border security, including to prevent illegal migration, human smuggling and trafficking, and trafficking of illicit drugs and other contraband; and

(iv) cooperate with United States Government agencies and other governments in the region to facilitate the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States who do not qualify for asylum, consistent with international law.

(B) An additional 50 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is taking effective steps, which are in addition to those steps taken since the certification and report submitted during the prior year, if applicable, to—

(i) work cooperatively with an autonomous, publicly accountable entity to provide oversight of the Plan of the Alliance for Prosperity in the Northern Triangle in Central America (the Plan);

(ii) combat corruption, including investigating and prosecuting current and former government officials credibly alleged to be corrupt;

(iii) implement reforms, policies, and programs to improve transparency and strengthen public institutions, including increasing the capacity and independence of the judiciary and the Office of the Attorney General;

(iv) implement a policy to ensure that local communities, civil society organizations (including indigenous and other marginalized groups), and local governments are consulted in the design, and participate in the implementation and evaluation of, activities of the Plan that affect such communities, organizations, and governments;

(v) counter the activities of criminal gangs, drug traffickers, and organized crime;

(vi) investigate and prosecute in the civilian justice system government personnel, including military and police personnel, who are credibly alleged to have violated human rights, and ensure that such personnel are cooperating in such cases;

(vii) cooperate with commissions against corruption and impunity and with regional human rights entities;

(viii) support programs to reduce poverty, expand education and vocational training for at-risk youth, create jobs, and promote equitable economic growth particularly in areas contributing to large numbers of migrants;

(ix) implement a plan that includes goals, benchmarks and timelines to create a professional, accountable civilian police force and end the role of the military in internal policing, and make such plan available to the Department of State;

(x) protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference;

(xi) increase government revenues, including by implementing tax reforms and strengthening customs agencies; and

(xii) resolve commercial disputes, including the confiscation of real property, between United States entities and such government.

(4) **NORTHERN TRIANGLE INCENTIVE AWARD.**—Amounts designated as “Northern Triangle Incentive Award” in the table under this section in the report accompanying this Act may be made available to El Salvador, Guatemala, or Honduras, only if the Secretary of State determines and reports to the appropriate congressional committees that the country has made extraordinary progress in meeting two or more of the conditions enumerated in paragraph (3): Provided, That such award shall be made in accordance with the requirements described under this section in the report accompanying this Act.

(5) **SUSPENSION OF ASSISTANCE AND PERIODIC REVIEW.**—

(A) The Secretary of State shall periodically review the progress of each of the central governments of El Salvador, Guatemala, and Honduras in meeting the requirements of paragraphs (3)(A) and (3)(B): Provided, That if the Secretary determines that sufficient progress has not been made by a central government, the Secretary shall suspend, in whole or in part, assistance for such government for programs supporting such requirement, and shall notify the appropriate congressional committees in writing of such action: Provided further, That the Secretary may resume funding for such programs only after the Secretary certifies to such committees that corrective measures have been taken.

(B) The Secretary of State shall, following a change of national government in El Salvador, Guatemala, or Honduras, determine and report to the appropriate congressional committees that any new government has committed to take the

steps to meet the requirements of paragraphs (3)(A) and (3)(B): Provided, That if the Secretary is unable to make such a determination in a timely manner, assistance made available under this subsection for such central government shall be suspended, in whole or in part, until such time as such determination and report can be made.

(6) **TRANSFER OF FUNDS.**—The Department of State and USAID may, following consultation with the Committees on Appropriations, transfer funds made available by this Act under the heading “Development Assistance” to the Inter-American Development Bank and the Inter-American Foundation to support the Strategy.

(b) **COLOMBIA.**—

(1) **ASSISTANCE.**—Of the funds appropriated by this Act under titles III and IV, not less than \$335,925,000 shall be made available for assistance for Colombia, including to support the efforts of the Government of Colombia to—

(A) conduct a unified campaign against narcotics trafficking, organizations designated as foreign terrorist organizations pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), and other criminal or illegal armed groups: Provided, That aircraft supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used to transport personnel and supplies involved in drug eradication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities;

(B) enhance security and stability in Colombia and the region;

(C) strengthen and expand governance, the rule of law, and access to justice throughout Colombia;

(D) promote economic and social development, including by improving access to areas impacted by conflict through demining programs; and

(E) implement a peace agreement between the Government of Colombia and illegal armed groups, in accordance with constitutional and legal requirements in Colombia:

Provided, That such funds shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) **LIMITATION.**—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Colombia may be made available for payment of reparations to conflict victims or compensation to demobilized combatants associated with a peace agreement between the Government of Colombia and illegal armed groups.

(3) **PRE-OBLIGATION REQUIREMENTS.**—Prior to the initial obligation of funds made available pursuant to paragraph (1), the Secretary of State, in consultation with the USAID Administrator, shall submit to the Committees on Appropriations a multi-year spend plan as described under this section in the report accompanying this Act.

(4) **COUNTERNARCOTICS.**—Of the funds made available by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” for assistance for Colombia, 30 percent may be obligated only in accordance with the conditions set forth under this section in the report accompanying this Act.

(5) **EXCEPTIONS.**—The limitation of paragraph (4) shall not apply to funds made available for humanitarian assistance, aviation instruction and maintenance, and maritime and riverine security programs.

(c) **CUBA.**—

(1) DIPLOMATIC FACILITIES.—

(A) None of the funds appropriated or otherwise made available by this Act and prior acts making appropriations for the Department of State, foreign operations, and related programs may be obligated or expended for—

(i) the establishment or operation of a United States diplomatic presence, including an embassy, consulate, or liaison office, in Cuba beyond that which was in existence prior to December 17, 2014, including the hiring of additional staff, unless such staff are necessary for protecting the health, safety, or security of diplomatic personnel or facilities in Cuba;

(ii) the facilitation of the establishment or operation of a diplomatic mission of Cuba, including an embassy, consulate, or liaison office, in the United States beyond that which was in existence prior to December 17, 2014; and

(iii) the support of Locally Employed Staff in contravention of section 512 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114-113).

(B) The limitation on the use of funds under subparagraph (A) shall not apply—

(i) with respect to assistance or support in furtherance of democracy-building efforts for Cuba described in section 109 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039); and

(ii) if the President determines and reports to the appropriate congressional committees that the government in Cuba has met the requirements and factors specified in section 205 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6065), including the extent to which such government has extradited or otherwise rendered to the United States all persons sought by the United States Department of Justice for crimes committed in the United States.

(2) DEMOCRACY PROMOTION.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, \$30,000,000 shall be made available to promote democracy and strengthen civil society in Cuba: Provided, That no funds shall be obligated for business promotion, economic reform, entrepreneurship, or any other assistance that is not democracy-building as expressly authorized in the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 and the Cuban Democracy Act of 1992.

(d) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act under the headings “Development Assistance” and “Economic Support Fund” that are made available for assistance for Haiti may not be made available for assistance for the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking effective steps, which are in addition to steps taken since the certification and report submitted during the prior year, if applicable, to—

(A) strengthen the rule of law in Haiti, including by—

(i) selecting judges in a transparent manner based on merit;

(ii) reducing pre-trial detention; and

(iii) respecting the independence of the judiciary.

(B) combat corruption, including by implementing the anti-corruption law enacted in 2014 and prosecuting corrupt officials; and

(C) increase government revenues, including by implementing tax reforms, and increase expenditures on public services.

(2) HAITIAN COAST GUARD.—The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the funds appropriated by this Act under titles

III and IV, not less than \$410,465,000 shall be made available for assistance for Ukraine.

(b) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That except as otherwise provided in section 7070(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: Provided further, That prior to executing the authority contained in the previous proviso the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

WAR CRIMES TRIBUNALS

SEC. 7047. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) Of the funds appropriated under title I of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State determines and reports to the Committees on Appropriations that the organization, department, or agency is—

(A) posting on a publicly available Web site, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agen-

cy, and providing the United States Government with necessary access to such financial and performance audits;

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to independent adjudicative bodies, including external arbitration; and

(v) results that eliminate the effects of proven retaliation; and

(C) effectively implementing and enforcing policies and procedures regarding travel, including a prohibition on first class travel.

(2) The restrictions imposed by or pursuant to paragraph (1) may be waived on a case-by-case basis if the Secretary of State determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—None of the funds appropriated by this Act may be made available in support of the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council is in the national security interest of the United States and that such Council is taking significant steps to remove Israel as a permanent agenda item and increase transparency in the election of members to such Council: Provided, That such report shall include a description of the national security interest served and the steps taken to remove Israel as a permanent agenda item and increase transparency in the election of members to such Council: Provided further, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2018, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item and increase transparency in the election of members to such Council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—None of the funds made available by this Act under the heading “Migration and Refugee Assistance” may be made available as a contribution to the United Nations Relief and Works Agency (UNRWA) until the Secretary of

State certifies and reports to the Committees on Appropriations, in writing, that UNRWA is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

(5) taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

(6) not engaging in operations with financial institutions or related entities in violation of relevant United States law, and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) **PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS.**—None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

(f) **CAPITAL PROJECTS.**—None of the funds made available by this Act may be used for the design, renovation, or construction of the United Nations Headquarters in New York: Provided, That any operating plan submitted pursuant to this Act for funds made available under the heading "Contributions to International Organizations" shall include information on capital projects, as described under such heading in the report accompanying this Act.

(g) **WITHHOLDING REPORT.**—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2018 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: Provided, That the Secretary of State shall update such report each time additional funds are withheld by operation of any provision of law: Provided further, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(h) **SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING OPERATIONS.**—Funds appropriated by this Act shall be made available to

implement section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323).

(i) **ADDITIONAL AVAILABILITY.**—Funds appropriated under title I of this Act which are returned or not made available due to the implementation of subsection (a) or the second proviso under the heading "Contributions for International Peacekeeping Activities" of such title shall remain available for obligation until September 30, 2019.

(j) **WAIVER.**—The restrictions imposed by or pursuant to subsection (d) may be waived on a case-by-case basis by the Secretary of State if the Secretary determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 7049. (a) **AUTHORITY.**—Funds made available by titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) **NOTIFICATION.**—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7050. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by Congress: Provided, That not to exceed \$25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96-533).

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) **TRANSFER AUTHORITY.**—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Diplomatic and Consular Programs", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", and "Andean Counterdrug Programs" may be used for any other program and in any region.

(b) **PROPERTY DISPOSAL.**—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the

equipment is no longer required to meet programmatic purposes in the designated country or region: Provided, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: Provided, That such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: Provided further, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: Provided further, That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

(d) **AIRCRAFT OPERATIONS AND MAINTENANCE.**—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011 (division F of Public Law 111-117) shall apply to this Act: Provided, That the date "September 30, 2009" in subsection (f)(2)(B) of such section shall be deemed to be "September 30, 2017".

LANDMINES AND CLUSTER MUNITIONS

SEC. 7054. (a) **LANDMINES.**—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(b) **CLUSTER MUNITIONS.**—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(2) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF ECONOMIC AND MILITARY ASSISTANCE

SEC. 7055. (a) Under the direction of the President, the Secretary of State should be responsible for the continuous supervision and general direction of economic assistance, law enforcement and justice sector assistance, military assistance, and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.

(b) Consistent with section 481(b) of the Foreign Assistance Act of 1961, the Secretary of State shall be responsible for coordinating all assistance provided by the United States Government to support international efforts to combat illicit narcotics production or trafficking: Provided, That the provision of assistance by the Department of Defense which is comparable to assistance that may be made available by this Act under the heading "International Narcotics Control and Law Enforcement" should be provided in a manner consistent with the requirements of section 333(b) of title 10, United States Code, as added by section 1241 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

LIMITATIONS RELATED TO FAMILY PLANNING AND REPRODUCTIVE HEALTH

SEC. 7056. (a) None of the funds appropriated or otherwise made available by this Act may be made available for the United Nations Population Fund.

(b) None of the funds appropriated or otherwise made available by this Act for global health assistance may be made available to any foreign nongovernmental organization that promotes or performs abortion, except in cases of rape or incest or when the life of the mother would be endangered if the fetus were carried to term.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2019.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: Provided, That funds made available to carry

out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading "Operating Expenses".

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980, may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Europe, Eurasia and Central Asia", may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83-480), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 15 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83-480), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011 (division F of Public Law 111-117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading "Global Health Programs" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended.

(b) LIMITATION.—Of the funds appropriated by this Act, not more than \$461,000,000 may be made available for family planning/reproductive health.

(c) GLOBAL FUND.—Of the funds appropriated by this Act that are available for a contribution

to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Global Fund is—

(1) maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public Web site;

(2) providing sufficient resources to maintain an independent OIG that—

(A) reports directly to the Board of the Global Fund;

(B) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(C) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(3) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation; and

(4) implementing the recommendations contained in the Consolidated Transformation Plan approved by the Board of the Global Fund on November 21, 2011:

Provided, That such withholding shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2018 pursuant to the application of any other provision contained in this or any other Act.

(d) CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—

(1) EMERGENCY RESERVE FUND.—Of the funds appropriated by this Act under the heading "Global Health Programs", \$10,000,000 shall be for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31) and shall be available under the same terms and conditions of such section.

(2) EXTRAORDINARY MEASURES.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds appropriated by this Act under the headings "Global Health Programs", "Development Assistance", "International Disaster Assistance", "Economic Support Fund", "Democracy Fund", "Assistance for Europe, Eurasia and Central Asia", "Migration and Refugee Assistance", and "Millennium Challenge Corporation" may be made available to combat such infectious disease or public health emergency, and may be transferred to, and merged with, funds appropriated under such headings for the purposes of this paragraph.

(3) OVERSIGHT OF FUNDS.—Funds made available pursuant to the authority of this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(e) MALARIA AND OTHER INFECTIOUS DISEASES.—Of the unobligated balances available under the heading "Bilateral Economic Assistance" in title IX of division J of the Consolidated and Further Continuing Appropriations

Act, 2015 (Public Law 113–235), \$250,000,000 shall be available for assistance or research to detect, prevent, treat, and control malaria, and \$72,500,000 shall be for assistance or research to detect, prevent, treat, and control emerging infectious diseases in countries at risk of such diseases: Provided, That amounts made available under this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

GENDER EQUALITY

SEC. 7059. (a) **GENDER EQUALITY.**—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) **WOMEN'S LEADERSHIP.**—Of the funds appropriated by title III of this Act, not less than \$50,000,000 shall be made available to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1)(A) Of the funds appropriated by titles III and IV of this Act, not less than \$150,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(B) Funds appropriated by titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and non-conflict settings.

(d) **WOMEN, PEACE, AND SECURITY.**—Funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", "Assistance for Europe, Eurasia and Central Asia", and "International Narcotics Control and Law Enforcement" should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

SECTOR ALLOCATIONS

SEC. 7060. (a) **BASIC EDUCATION AND HIGHER EDUCATION.**—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than \$800,000,000 shall be made available for assistance for basic education, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries.

(B) Not later than 30 days after enactment of this Act, the Administrator of the United States

Agency for International Development shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, balances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: Provided, That the USAID Administrator shall update such report on a quarterly basis until September 30, 2019.

(C) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than \$87,500,000 shall be made available for a contribution to multilateral partnerships that support education.

(2) **HIGHER EDUCATION.**—Of the funds appropriated by title III of this Act, not less than \$235,000,000 shall be made available for assistance for higher education, including not less than \$35,000,000 for new and ongoing partnerships for human and institutional capacity building between higher education institutions in the United States and developing countries.

(b) **CONSERVATION PROGRAMS AND LIMITATIONS.**—

(1) BIODIVERSITY.—

(A) Of the funds appropriated under title III of this Act, not less than \$265,000,000 shall be made available for biodiversity conservation programs.

(B) Of the funds appropriated by this Act under the heading "Economic Support Fund", \$102,375,000 shall be made available for a multilateral funding facility to support biodiversity conservation programs: Provided, That such funds may only be made available on a grant basis: Provided further, That such funds are in addition to amounts specified in subparagraph (A) and are subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) WILDLIFE POACHING AND TRAFFICKING.—

(A) Not less than \$90,664,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(B) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the appropriate congressional committees that to do so is in the national security interest of the United States.

(c) **DEVELOPMENT PROGRAMS.**—Of the funds appropriated by this Act under the heading "Development Assistance", not less than \$26,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than \$12,000,000 shall be made available for cooperative development programs of USAID.

(d) **FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.**—Of the funds appropriated under title III of this Act, not less than \$1,000,600,000 should be made available to carry out the provisions of the Global Food Security Act of 2016 (Public Law 114–195), of which not less than \$60,000,000 shall be made available for the Feed the Future Innovation Labs: Provided, That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by section 3206 of the Agricultural Act of 2014 (Public Law 113–79).

(e) **MICROENTERPRISE AND MICROFINANCE.**—Of the funds appropriated by this Act, not less than \$265,000,000 should be made available for microenterprise and microfinance development programs for the poor, especially women.

(f) **PROGRAMS TO COMBAT TRAFFICKING IN PERSONS.**—Of the funds appropriated by this

Act under the headings "Development Assistance", "Economic Support Fund", "Assistance for Europe, Eurasia and Central Asia", and "International Narcotics Control and Law Enforcement", not less than \$65,000,000 shall be made available for activities to combat trafficking in persons internationally, of which not less than \$40,000,000 shall be from funds made available under the heading "International Narcotics Control and Law Enforcement": Provided, That not later than 120 days after enactment of this Act, the Secretary of State shall submit an update to the report required pursuant to section 7060(f)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31).

(g) **WATER AND SANITATION.**—Of the funds appropriated by this Act, not less than \$400,000,000 shall be made available for water supply and sanitation projects pursuant to the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), of which not less than \$145,000,000 shall be for programs in sub-Saharan Africa.

COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE POPULATIONS OR INTERNALLY DISPLACED PERSONS

SEC. 7061. Funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund" shall be made available for programs in countries affected by significant populations of internally displaced persons or refugees to—

(1) expand and improve host government social services and basic infrastructure to accommodate the needs of such populations and persons;

(2) alleviate the social and economic strains placed on host communities, including through programs to promote livelihoods, vocational training, and formal and informal education;

(3) improve coordination of such assistance in a more effective and sustainable manner; and

(4) leverage increased assistance from donors other than the United States Government for central governments and local communities in such countries.

ARMS TRADE TREATY

SEC. 7062. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

INSPECTORS GENERAL

SEC. 7063. (a) **PROHIBITION ON USE OF FUNDS.**—None of the funds appropriated by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) **TIMELY ACCESS.**—A department or agency of the United States Government covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) **COMPLIANCE.**—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) **REPORT REQUIREMENT.**—Each Inspector General covered by this section shall report to

the Committees on Appropriations within 5 calendar days of any failure by any department or agency of the United States Government to provide its Inspector General access to all requested records, documents, and other materials.

REPORTING REQUIREMENTS CONCERNING INDIVIDUALS DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

SEC. 7064. Not later than 5 days after the conclusion of an agreement with a country, including a state with a compact of free association with the United States, to receive by transfer or release individuals detained at United States Naval Station, Guantánamo Bay, Cuba, the Secretary of State shall notify the Committees on Appropriations in writing of the terms of the agreement, including whether funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs will be made available for assistance for such country pursuant to such agreement.

MULTI-YEAR PLEDGES

SEC. 7065. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

PROHIBITION ON USE OF TORTURE

SEC. 7066. None of the funds made available in this Act may be used to support or justify the use of torture, cruel, or inhumane treatment by any official or contract employee of the United States Government.

EXTRADITION

SEC. 7067. (a) **LIMITATION.**—None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings “International Disaster Assistance”, “International Narcotics Control and Law Enforcement”, “Migration and Refugee Assistance”, and “Nonproliferation, Anti-terrorism, Demining and Related Assistance”) for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) **CLARIFICATION.**—Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) **WAIVER.**—The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interests of the United States.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 7068. Notwithstanding any other provision of law, and subject to the regular notifica-

tion procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, and the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

RESCISSIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 7069. (a) **ASSISTANCE.**—Of the unobligated balances available to the President under the heading “Development Assistance”, as identified by Treasury Appropriation Fund Symbol 72 X 1021, \$29,906,927.46 are rescinded.

(b) **NORTH AMERICAN DEVELOPMENT BANK.**—The unobligated balances available under the heading “Contribution to the North American Development Bank” in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114-113) are rescinded.

(c) **EXPORT-IMPORT BANK.**—Of the unobligated balances under the heading “Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation” for tied-aid grants in prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$165,000,000 are rescinded.

(d) **SEC. 129 OF PUBLIC LAW 110-329.**—Of the unobligated balances available for “Department of Energy—Energy Programs—Advanced Technology Vehicles Manufacturing Loan Program Account” under section 129 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110-329), \$1,965,575,000 is hereby rescinded.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7070. (a) **LIMITATION.**—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF CRIMEA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea: Provided, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote

against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea.

(c) OCCUPATION OF THE GEORGIAN TERRITORIES OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: Provided, That the Secretary shall publish on the Department of State Web site a list of any such central governments in a timely manner: Provided further, That the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available to support the Russian occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(d) ASSISTANCE TO COUNTER INFLUENCE AND AGGRESSION.—

(1) Funds appropriated by this Act under the headings “Assistance for Europe, Eurasia and Central Asia”, “International Narcotics Control and Law Enforcement”, “International Military Education and Training”, and “Foreign Military Financing Program” shall be made available for assistance to counter Russian influence and aggression in countries in Europe and Eurasia.

(2) Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) **DEMOCRACY PROGRAMS.**—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76).

(f) **REPORTS.**—Not later than 45 days after enactment of this Act, the Secretary of State shall update the reports required by subsections (b)(2) and (e) of section 7071 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76).

INTERNATIONAL MONETARY FUND

SEC. 7071. (a) **EXTENSIONS.**—The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117) shall apply to this Act.

(b) **REPAYMENT.**—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private creditors.

SPECIAL DEFENSE ACQUISITION FUND

SEC. 7072. Not to exceed \$900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (Fund), to remain available for obligation until September 30, 2020: Provided, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

COUNTERING FOREIGN FIGHTERS AND EXTREMIST ORGANIZATIONS

SEC. 7073. (a) **FUNDING.**— Funds appropriated under titles III and IV of this Act shall be made available for programs and activities to counter and defeat violent extremism and foreign fighters abroad, which shall include components to—

(1) counter the recruitment, radicalization, movement, and financing of such extremists and foreign fighters;

(2) secure borders of countries impacted by extremism;

(3) assist countries impacted by extremism to implement and establish criminal laws and policies to counter extremists and foreign fighters; and

(4) promote and strengthen democratic institutions and practices in countries impacted by extremism.

(b) **CONDITIONS.**—The Secretary of State shall—

(1) promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this section has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State or the United States Agency for International Development, as appropriate; and

(2) ensure programs to counter and defeat violent extremism and foreign fighters abroad are coordinated with and complement the efforts of other United States Government agencies and international partners.

ENTERPRISE FUNDS

SEC. 7074. (a) **NOTIFICATION REQUIREMENT.**—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) **DISTRIBUTION OF ASSETS PLAN.**—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) **TRANSITION OR OPERATING PLAN.**—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7075. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

BUDGET DOCUMENTS

SEC. 7076. (a) **OPERATING AND REORGANIZATION PLANS.**—

(1) Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2018, that provides details of the uses of such funds at the program, project, and activity level: Provided, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: Provided further, That if such department, agency, or organization receives an additional amount under the same heading in title VIII of this Act, operating plans required by this subsection shall include consolidated information on all such funds: Provided further, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the report accompanying this Act, as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(2) Concurrent with the submission of an operating plan pursuant to paragraph (1), each covered department, agency, or organization shall submit to the Committees on Appropriations information detailing any planned reorganization of such department, agency, or organization, including any action planned pursuant to the March 13, 2017 Executive Order 13781 on a Comprehensive Plan for Reorganizing the Executive Branch, including—

(A) a detailed explanation of the plan, including any policies and procedures currently or expected to be used to comply with Executive Order 13781;

(B) a detailed organization chart, including a brief description of each operating unit; and

(C) the number of employees for each operating unit.

(b) **SPEND PLANS.**—

(1) Prior to the initial obligation of funds, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations a spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Iraq, Lebanon, Pakistan, and the West Bank and Gaza;

(B) regional security initiatives listed under this section in the report accompanying this Act: Provided, That the spend plan for such initiatives shall include the amount of assistance planned for each country by account, to the maximum extent practicable; and

(C) democracy programs and sectors enumerated in subsections (a), (b), (d), (f), and (g) of section 7060 of this Act.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading “Department of the Treasury, International Affairs Technical Assistance” in title III.

(c) **SPENDING REPORT.**—Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2017

under the heading “Development Credit Authority”.

(d) **NOTIFICATIONS.**—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) **CONGRESSIONAL BUDGET JUSTIFICATION.**—

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2019: Provided, That any appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings “Diplomatic and Consular Programs” and “Operating Expenses”.

REPORTS AND RECORDS MANAGEMENT

SEC. 7077. (a) **PUBLIC POSTING OF REPORTS.**—

(1) **REQUIREMENT.**—Any agency receiving funds made available by this Act shall, subject to paragraphs (2) and (3), post on the publicly available Web site of such agency any report required by this Act to be submitted to the Committees on Appropriations, upon a determination by the head of such agency that to do so is in the national interest.

(2) **EXCEPTIONS.**—Paragraph (1) shall not apply to a report if—

(A) the public posting of such report would compromise national security, including the conduct of diplomacy; or

(B) the report contains proprietary, privileged, or sensitive information.

(3) **TIMING AND INTENTION.**—The head of the agency posting such report shall, unless otherwise provided for in this Act, do so only after such report has been made available to the Committees on Appropriations for not less than 45 days: Provided, That any report required by this Act to be submitted to the Committees on Appropriations shall include information from the submitting agency on whether such report will be publicly posted.

(b) **REQUESTS FOR DOCUMENTS.**—None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development.

(c) **RECORDS MANAGEMENT.**—

(1) **LIMITATION.**—None of the funds appropriated by this Act under the headings “Diplomatic and Consular Programs” and “Capital Investment Fund” in title I, and “Operating Expenses” and “Capital Investment Fund” in title II that are made available to the Department of State and USAID may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

(2) **DIRECTIVES.**—The Secretary of State and USAID Administrator shall—

(A) update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(B) use funds appropriated by this Act under the headings “Diplomatic and Consular Programs” and “Capital Investment Fund” in title

I, and “Operating Expenses” and “Capital Investment Fund” in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(C) direct departing employees that all Federal records generated by such employees, including senior officials, belong to the Federal Government; and

(D) significantly improve the response time for identifying and retrieving Federal records, including requests made pursuant to the Freedom of Information Act.

(3) **REPORT.**—Not later than 45 days after enactment of this Act, the Secretary of State and USAID Administrator shall each submit a report to the Committees on Appropriations and to the National Archives and Records Administration detailing, as appropriate and where applicable—

(A) any updates or modifications made to the policy of each agency regarding the use or the establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program since the submission to the Committees on Appropriations of the report required by section 7077(c)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31);

(B) the extent to which each agency is in compliance with applicable Federal records management statutes, regulations, and policies, including meeting Directive goal 1.2 of the Managing Government Records Directive (M-12-18) by December 31, 2016; and

(C) any steps taken since the submission of the report referenced in subparagraph (A) to—

(i) comply with paragraph (1)(B) of this subsection;

(ii) ensure that all employees at every level have been instructed in procedures and processes to ensure that the documentation of their official duties is captured, preserved, managed, protected, and accessible in official Government systems of the Department of State and USAID;

(iii) implement recommendation 1 made by the Office of Inspector General (OIG), Department of State, in the January 2016 Evaluation of the Department of State’s FOIA Process for Requests Involving the Office of the Secretary (ESP-16-01);

(iv) reduce the backlog of Freedom of Information Act (FOIA) and Congressional oversight requests, and measurably improve the response time for answering such requests; and

(v) strengthen cyber security measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain, improve the process to identify and remove inactive user accounts, update and enforce guidance related to the control of national security information, and implement the recommendations of the corresponding reports of the OIG as detailed under this section in the report accompanying this Act.

(4) **OPERATING PLANS.**—The operating plans required by section 7076(a) of this Act for funds appropriated under the headings listed in paragraph (1) shall include funds planned for—

(A) implementing the recommendations of the OIG reports referenced in clauses (iii) and (v); and

(B) measurably reducing the FOIA and Congressional oversight requests backlog.

GLOBAL INTERNET FREEDOM

SEC. 7078. (a) FUNDING.—Of the funds available for obligation during fiscal year 2018 under the headings “International Broadcasting Operations”, “Economic Support Fund”, “Democracy Fund”, and “Assistance for Europe, Eur-

asia and Central Asia”, not less than \$50,500,000 shall be made available for programs to promote Internet freedom globally: Provided, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interests of the United States: Provided further, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) **REQUIREMENTS.**—

(1) Funds appropriated by this Act under the headings “Economic Support Fund”, “Democracy Fund”, and “Assistance for Europe, Eurasia and Central Asia” that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace; the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114-113); and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: Provided, That the Secretary of State, in consultation with the Chief Executive Officer (CEO) of the Broadcasting Board of Governors (BBG), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(E) the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) Funds appropriated by this Act under the heading “International Broadcasting Operations” that are made available pursuant to subsection (a) shall be—

(A) made available only for tools and techniques to securely develop and distribute BBG digital content; facilitate audience access to such content on Web sites that are censored; coordinate the distribution of BBG digital content to targeted regional audiences; and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated with programs funded by this Act under the heading “International Broadcasting Operations”, and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the BBG CEO to provide Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the BBG and in a manner consistent with the BBG Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in paragraph (A) only after the BBG CEO, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) **COORDINATION AND SPEND PLANS.**—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the BBG CEO shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: Provided, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and USAID offices and bureaus.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7079. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers’ rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

(A) the third proviso of subsection 7079(b) of the Consolidated Appropriations Act, 2010;

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation’s Environmental and Social Policy Statement relating to coal;

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013; or

(D) the World Bank Group’s Directions for the World Bank Group’s Energy Sector released on July 16, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

QUORUM REQUIREMENT

SEC. 7080. Section 1 of Public Law 106-46 (12 U.S.C. 635a note) is amended by striking “July 21, 1999, and ends on December 2, 1999” and inserting “October 1, 2017, and ends on September

30, 2019": Provided, That the amendment made pursuant to this subparagraph to such law shall take effect upon enactment of this Act.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", \$2,975,971,000, to remain available until September 30, 2019, of which \$2,376,122,000 is for Worldwide Security Protection and shall remain available until expended: Provided, That the Secretary of State may transfer up to \$5,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: Provided further, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$68,100,000, to remain available until September 30, 2019, of which \$54,900,000 shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: Provided, That printing and reproduction costs of SIGAR shall not exceed amounts for such costs during fiscal year 2017: Provided further, That notwithstanding any other provision of law, any employee of SIGAR who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", \$71,778,000, to remain available until expended, for Worldwide Security Upgrades, acquisition, and construction as authorized: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", \$96,240,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for "Contributions for International Peacekeeping Activities",

\$965,906,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FUNDS APPROPRIATED TO THE PRESIDENT OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$136,555,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$2,500,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", \$1,788,203,000, to remain available until expended: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for "Transition Initiatives", \$62,043,000, to remain available until expended: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", \$2,353,672,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance" to respond to refugee crises, including in Africa, the Near East, South and Central Asia, and Europe and Eurasia, \$2,231,198,000, to remain available until expended, except that such funds shall not be made available for the resettlement costs of refugees in the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", \$417,951,000, to remain available until September

30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-terrorism, Demining and Related Programs", \$220,583,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", \$325,213,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That funds available for obligation under this heading in this Act may be used to pay assessed expenses of international peacekeeping activities in Somalia, subject to the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", \$460,000,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2018.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

COUNTERTERRORISM PARTNERSHIPS FUND

SEC. 8003. Funds appropriated by this Act under the heading "Nonproliferation, Anti-terrorism, Demining and Related Programs" shall be made available for the Counterterrorism Partnerships Fund for security programs in areas liberated from, under the influence of, or adversely affected by, the Islamic State of Iraq and Syria or other terrorist organizations: Provided, That such areas shall include the Kurdistan Region of Iraq: Provided further, That prior to the obligation of funds made available pursuant to this subsection, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such funds: Provided further, That the Secretary shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this section has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State: Provided further, That funds made available pursuant to this section shall be subject to

prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

RESCISSION

(INCLUDING RESCISSION OF FUNDS)

SEC. 8004. Of the unobligated balances available to the President under the heading “Economic Support Fund”, \$156,913,000, which shall be derived from amounts under such heading previously designated by Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, are hereby rescinded: Provided, That such amounts are designated by Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DESIGNATION

SEC. 8005. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

TITLE IX—ADDITIONAL GENERAL PROVISION

REFERENCES TO ACT

SEC. 9001. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 9002. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–253. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 9003. \$0

This division may be cited as the “Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018”.

DIVISION H—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$108,899,000, of which not to exceed \$2,758,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,040,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,772,000 shall be available for the Office of the General Counsel; not to exceed \$10,033,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$14,019,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$24,255,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,142,000 shall be

available for the Office of Public Affairs; not to exceed \$1,760,000 shall be available for the Office of the Executive Secretariat; not to exceed \$11,089,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$18,485,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 10 percent by all such transfers: Provided further, That notice of any change in funding greater than 10 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$8,465,109, of which \$2,618,000 shall remain available until September 30, 2020: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau authorized by 49 U.S.C. 116, \$1,000,000: Provided, That the Secretary is required to notify the House and Senate Committees on Appropriations prior to exercising the authorities of 49 U.S.C. 116(h).

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, \$15,000,000, to remain available through September 30, 2019.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,500,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$8,500,001: Provided, That of such amount, \$3,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): Provided further, That there may be transferred to this appropriation, to remain available until expended, amounts

transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$202,245,000 shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, sub-activity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For necessary expenses of the Minority Business Resource Center, the provision of financial education outreach activities to eligible transportation-related small businesses, the monitoring of existing loans in the guaranteed loan program, and the modification of such loans of the Minority Business Resource Center, \$500,301, as authorized by 49 U.S.C. 332; Provided, That notwithstanding that section, these funds may be for business opportunities related to any mode of transportation.

SMALL AND DISADVANTAGED BUSINESS

UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, \$3,999,093, to remain available until September 30, 2019: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$150,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the

Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE
SECRETARY OF TRANSPORTATION
(INCLUDING TRANSFER OF FUNDS)

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: Provided, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees; Provided further, That such reserve will not exceed one month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits; Provided further, That the Working Capital Fund will be fully reimbursed by each customer agency for the actual cost of the transit benefit.

SEC. 104. Hereafter, the Secretary may transfer to the National Surface Transportation and Innovative Finance Bureau, for the purposes of the Bureau, funds allocated to the administrative costs of processing applications for the programs referred to in 49 U.S.C. 116(d)(1) and funds allocated to any office or office function that the Secretary determines has duties, responsibilities, resources, or expertise that support the purposes of the Bureau: Provided, That any such funds, or portions thereof, transferred to the Bureau may be transferred back to and merged with the original account.

SEC. 105. Section 503(l)(4) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 823(l)(4)) is amended—

(1) by striking the heading “SAFETY AND OPERATIONS ACCOUNT” and inserting the heading “NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU ACCOUNT, OFFICE OF THE SECRETARY”; and

(2) in subparagraph (A) by striking “the Safety and Operations account of the Federal Railroad Administration” and inserting “the National Surface Transportation and Innovative Finance Bureau account.”

FEDERAL AVIATION ADMINISTRATION
OPERATIONS
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance

of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$10,185,482,000, to remain available until September 30, 2019, of which \$8,859,900,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,691,814,000 shall be available for air traffic organization activities; not to exceed \$1,309,749,000 shall be available for aviation safety activities; not to exceed \$21,587,000 shall be available for commercial space transportation activities; not to exceed \$777,506,000 shall be available for finance and management activities; not to exceed \$59,951,000 shall be available for NextGen and operations planning activities; not to exceed \$112,622,000 shall be available for security and hazardous materials safety; and not to exceed \$212,253,000 shall be available for staff offices: Provided, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 5 percent: Provided further, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: Provided further, That the amount herein appropriated shall be reduced by \$100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than \$162,000,000 shall be for the contract tower program, including the contract tower cost share program: Provided further, That none of the funds in this Act for aeronautical charting and

cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: Provided further, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,855,000,000, of which \$493,000,000 shall remain available until September 30, 2019, \$2,247,000,000 shall remain available until September 30, 2020, and \$115,000,000 shall remain available until expended: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2019 through 2023, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$170,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2020: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including

those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2018, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of funds limited under this heading, not more than \$111,863,000 shall be available for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, and not less than \$33,210,000 shall be available for Airport Technology Research.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2017.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for

an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the non-commercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants, pending as of January 1, 2016, as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA-APO-90-7 as of August, 1990).

SEC. 119D. Notwithstanding any other provision of law, none of the funds made available in this Act may be obligated or expended to limit an Organization Designation Authorization holder from utilizing authorized delegated functions, unless the FAA documents, through surveillance, oversight or accident/incident finding, a systemic airworthiness noncompliance performance issue on the part of the ODA holder with regard to a specific function or where an ODA's capability has not been previously established in terms of a new compliance method or design feature: Provided, that where the FAA has limited the authority of the ODA the FAA shall work with the ODA holder to develop the capability to execute that function safely and effectively.

FEDERAL HIGHWAY ADMINISTRATION LIMITATION ON ADMINISTRATIVE EXPENSES (HIGHWAY TRUST FUND) (INCLUDING TRANSFER OF FUNDS)

Not to exceed \$439,443,925, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administra-

tion. In addition, \$3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Firing America's Surface Transportation Act shall not exceed total obligations of \$44,234,212,000 for fiscal year 2018: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, \$44,973,212,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION) (HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of \$800,000,000 is hereby permanently rescinded on November 30, 2017: Provided, That such rescission shall not apply to funds distributed in accordance with sections 104(b)(3) and 130(f) of title 23, United States Code; section 133(d)(1)(A) of such title; the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141); sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA-LU (Public Law 109-59); and section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141): Provided further, That such rescission shall not apply to funds that are exempt from the obligation limitation or subject to special no-year obligation limitation: Provided further, That the amount to be rescinded from a State shall be determined by multiplying the total amount of the rescission by the ratio that the unobligated balances subject to the rescission as of September 30, 2017, for the State; bears to the unobligated balances subject to the rescission as of September 30, 2017, for all States: Provided further, That the amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the rescission amount calculated for such State by the ratio that the unobligated balance as of September 30, 2017, for such program in such State; bears to the unobligated balances as of September 30, 2017, for all programs to which the rescission applies in such State.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2018, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2018, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the im-

sition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

SEC. 125. For this fiscal year, the Federal Highway Administration shall reinstate Interim Approval IA-5, relating to the provisional use of an alternative lettering style on certain highway guide signs, as it existed before its termination, as announced in the Federal Register on January 25, 2016 [(81 Fed. Reg. 4083)].

SEC. 126. Section 127(t) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting "NORTH DAKOTA AND" before "IDAHO";

(2) in the matter preceding paragraph (1) by inserting "North Dakota or" before "Idaho"; and

(3) in paragraph (3) by striking "Idaho State law" and inserting "the law of the relevant State".

FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION
MOTOR CARRIER SAFETY OPERATIONS AND
PROGRAMS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, \$283,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$283,000,000 for "Motor Carrier Safety Operations and Programs" for fiscal year 2018, of which \$9,073,000, to remain available for obligation until September 30, 2020, is for the research and technology program, and of which \$34,824,000, to remain available for obligation until September 30, 2020, is for information management.

MOTOR CARRIER SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31131 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, \$374,800,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$374,800,000 in fiscal year 2018 for "Motor Carrier Safety Grants"; of which \$298,900,000 shall be available for the motor carrier safety assistance program, \$31,800,000 shall be available for the commercial driver's license program implementation program, \$43,100,000 shall be available for the high priority activities program, and \$1,000,000 shall be available for the commercial motor vehicle operators grant program: Provided further, That of the amounts provided for Commercial Vehicle Information Systems Network Development or other Motor Carrier Safety grants in the Transportation Equity Act for the 21st Century (Public Law 105-178), SAFETEA-LU (Public Law 109-59), or other appropriation or authorization acts prior to Fiscal Year 2017, \$100,000,000 in additional obligation limitation is provided for a highly automated commercial vehicle research and development program, in accordance with 49 U.S.C. 31108, and shall remain available until September 30, 2022: Provided further, That the activities funded by the previous proviso may be accomplished through direct expenditure, direct research activities, grants, cooperative agreements, contracts, intra or interagency agreements, other agreements with private and public organizations, and transfers to other Federal agencies for activities under this heading: Provided further, That such funds as necessary for payment of obligations incurred in carrying out this section shall be derived from the Highway Trust Fund (other than the Mass Transit Account), to be available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions

stipulated in section 350 of Public Law 107-87 and section 6901 of Public Law 110-28.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 133. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to amend, revise or otherwise modify by rulemaking, guidance, or interpretation the regulations in effect on December 4, 2015 relating to safety fitness determinations for motor carriers until the Inspector General of the Department of Transportation makes the certifications set out in section 5223(a) of Public Law 114-94.

SEC. 134. FEDERAL AUTHORITY.

(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "paragraphs (2) and (3)" and inserting "paragraphs (3) and (4)";

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

"(2) ADDITIONAL LIMITATION.—

"(A) IN GENERAL.—A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

"(B) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed to limit the provisions of paragraph (1).";

(4) in paragraph (3) (as redesignated) by striking "Paragraph (1)—" and inserting "Paragraphs (1) and (2)—"; and

(5) in paragraph (4)(A) (as redesignated) by striking "Paragraph (1)" and inserting "Paragraphs (1) and (2)".

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305).

NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION
OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$180,075,000, of which \$20,000,000 shall remain available through September 30, 2019.

OPERATIONS AND RESEARCH
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the Fixing America's Surface Transportation (FAST) Act, and chapter 303 of title 49, United States Code, \$149,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2018, are in excess of \$149,000,000, of which \$143,700,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,300,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the \$149,000,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2019, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404 and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, \$597,629,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2018, are in excess of \$597,629,000 for programs authorized under 23 U.S.C. 402, 404 and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which \$261,200,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; \$280,200,000 shall be for "National Priority Safety Programs" under 23 U.S.C. 405; \$29,900,000 shall be for "High Visibility Enforcement Program" under 23 U.S.C. 404; \$26,329,000 shall be for "Administrative Expenses" under section 4001(a)(6) of the Fixing America's Surface Transportation Act: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed \$500,000 of the funds made available for "National Priority Safety Programs" under 23 U.S.C. 405 for "Impaired Driving Countermeasures" (as described in subsection (d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the "Transfers" provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration's National Roadside Survey.

SEC. 143. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$218,298,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$40,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2018, except for federal funds awarded in accordance with section 3028(c) of Public Law 114-94.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair grants as authorized by section 24911 of title 49, United States Code, \$500,000,000, to remain available until expended: Provided, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: Provided further, That in selecting an applicant for a grant, the Secretary shall first give preference to eligible projects for which the environmental impact statement required under the National Environmental Policy Act and design work is already complete at the time of the grant application review, or to projects that address major critical assets which have conditions that pose a substantial risk now or in the future to the reliability of train service.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants as authorized by section 24407 of title 49, United States Code, \$25,000,000, to remain available until expended: Provided, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24407 of title 49, United States Code.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger

Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114-94), \$328,000,000, to remain available until expended: Provided, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the "National Network Grants to the National Railroad Passenger Corporation" heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114-94: Provided further, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114-94, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: Provided further, That of the amounts made available under this heading and the "National Network Grants to the National Railroad Passenger Corporation" heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America's Surface Transportation Act (division A of Public Law 114-94), \$1,100,000,000, to remain available until expended: Provided, That the Secretary may retain up to an additional \$2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter within 30 days of such quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2018, a summary of all overtime payments incurred by the Corporation for 2017 and the three prior calendar years: Provided further, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2017 and for the three prior calendar years.

SEC. 151. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

SEC. 152. None of the funds made available by this Act shall be used by the Surface Transportation Board to take any actions with respect to

the construction of a high speed rail project in California unless the permit is issued by the Board with respect to the project in its entirety.

FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$110,794,692: Provided, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That upon submission to the Congress of the fiscal year 2019 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2019.

TRANSIT FORMULA GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, and section 20005(b) of Public Law 112-141, and section 3006(b) of the Fixing America's Surface Transportation Act, \$10,300,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, and section 20005(b) of Public Law 112-141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of \$9,733,353,407 in fiscal year 2018.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, \$5,000,000.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, \$1,752,989,851, to remain available until expended, of which \$1,007,929,851 shall be available for projects authorized under section 5309(d) of title 49, United States Code, \$145,700,000 shall be available for projects authorized under section 5309(e) of such title, \$182,000,000 shall be available for projects authorized under section 5309(h) of the title, and \$400,000,000 shall be available for projects authorized under section 5309(q): Provided, That the Secretary shall continue to administer the Capital Investment Grant Program in accordance with the procedural and substantive requirements of section 5309 of title 49.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: Provided further, That prior to approving such grants, the Secretary

shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: Provided further, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110-432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading “Fixed Guideway Capital Investment” of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2022, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2017, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. (a) Except as provided in subsection (b), none of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

(b) The Metropolitan Transit Authority of Harris County, Texas, may attempt to construct or construct a new fixed guideway capital project, including light rail, in the locations referred to in subsection (a) if—

(1) voters in the jurisdiction that includes such locations approve a ballot proposition that specifies routes on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas; and

(2) the proposed construction of such routes is part of a comprehensive, multi-modal, service-area wide transportation plan that includes multiple additional segments of fixed guideway capital projects, including light rail for the jurisdiction set forth in the ballot proposition. The ballot language shall include reasonable cost estimates, sources of revenue to be used and the total amount of bonded indebtedness to be incurred as well as a description of each route and the beginning and end point of each proposed transit project.

SEC. 164. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 50 percent.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and bor-

rowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$31,346,012, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662. Of that amount, \$12,500,000 to be used on asset renewal activities shall be made available through September 30, 2019.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$175,620,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$6,000,000 shall remain available until expended for National Security Multi-Mission Vessel Program for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2019, for the Student Incentive Program at State Maritime Academies, and of which \$1,800,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$3,000,000 shall remain available through September 30, 2019, for Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code: Provided, That not later than February 1, 2018, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$3,000,000 to remain available until expended: Provided, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$9,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, \$3,000,000, which shall be transferred to and merged for use by the Office of the Secretary's National Surface Transportation and Innovative Finance Bureau to administer the Title XI program in addition to those programs listed in 49 U.S.C. 116(d)(1).

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: Provided, That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106-398: Provided further, That nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 54 U.S.C. 308704, section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PENALTY WAGES

SEC. 172.

(a) Foreign and Intercoastal Voyages.—Section 10313(g) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking “all claims in a class action suit by seamen” and inserting “each claim by a seaman”; and

(B) by striking “the seamen” and inserting “the seaman”; and

(2) in paragraph (3)—

(A) by striking “class action”; and

(B) in subparagraph (B), by striking “, by a seaman who is a claimant in the suit,” and inserting “by the seaman”.

(b) Coastwise Voyages.—Section 10504(c) of such title is amended—

(1) in paragraph (2)—

(A) by striking “all claims in a class action suit by seamen” and inserting “each claim by a seaman”; and

(B) by striking “the seamen” and inserting “the seaman”; and

(2) in paragraph (3)—

(A) by striking “class action”; and

(B) in subparagraph (B), by striking “, by a seaman who is a claimant in the suit” and inserting “by the seaman”.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$20,500,000.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$57,000,000, of which \$7,570,000 shall remain available until September 30, 2020: Provided, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$162,000,000, of which \$23,000,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2020; and of which \$131,000,000 shall be derived from the Pipeline Safety Fund, of which \$64,736,000 shall remain available until September 30, 2020; and of which \$8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account and shall remain available for carrying out 49 U.S.C. 60141, of which \$6,000,000 shall remain available until September 30, 2020.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2018 from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): Provided, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$92,152,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: Pro-

vided further, That the funds made available under this heading may be used to investigate, pursuant to section 4172 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 184. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant totaling \$500,000 or more unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: Provided, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation provides the House

and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, or discretionary grants that will be announced not less than 3 full business days before such announcement: Provided, That the requirement to provide a list in this subsection does not apply to any "quick release" of funds from the emergency relief program: Provided further, That no list shall involve funds that are not available for obligation.

SEC. 185. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 186. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: Provided further, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 187. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 188. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 189. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 190. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the "Department of Transportation Appropriations Act, 2018".

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$14,708,000: Provided, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES (INCLUDING TRANSFER OF FUNDS)

For necessary salaries and expenses for Administrative Support Offices, \$518,303,000, of which \$10,762,000 shall be available for, including the establishment of, the Office of the Chief Operations Officer; \$50,340,000 shall be available for the Office of the Chief Financial Officer; \$92,006,000 shall be available for the Office of the General Counsel; \$205,873,000 shall be available for the Office of Administration; \$38,245,000 shall be available for the Office of the Chief Human Capital Officer; \$49,588,000 shall be available for the Office of Field Policy and Management; \$19,065,000 shall be available for the Office of the Chief Procurement Officer; \$3,570,000 shall be available for the Office of Departmental Equal Employment Opportunity; \$4,975,000 shall be available for the Office of Strategic Planning and Management; and \$43,879,000 shall be available for the Office of the Chief Information Officer: Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided

for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: Provided further, That in addition to the transfer authority under section 221 of this Act, of the amount appropriated for the Office of the Chief Operations Officer under this heading, the Secretary may transfer up to \$10,000,000 to the heading "Information Technology Fund": Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$216,633,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, \$107,554,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, \$392,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$24,065,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$69,808,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$7,600,000.

WORKING CAPITAL FUND (INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the "Fund"), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency's printing, records management, space renovation, furniture, supply services, or other shared services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: Provided, That of the amounts made available in this title for salaries and expenses under the headings "Executive Offices", "Administrative Support Offices", "Program Office Salaries and Expenses", and "Government National Mortgage Association", the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the matter preceding the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional \$5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for use for any office or agency: Provided further, That amounts in the Fund shall be the only amounts available to each office or agency of the Depart-

ment for the services, or portion of services, specified in the matter preceding the first proviso: Provided further, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f): Provided further, That up to \$6,550,000 in the Fund may be available for the management reporting initiative to improve the effectiveness of enterprise data governance, analysis, and reporting, including information technology investments to make such improvements: Provided further, That to carry out the previous proviso, the Secretary shall transfer any amounts for related information technology investments to the heading "Information Technology Fund".

PUBLIC AND INDIAN HOUSING TENANT-BASED RENTAL ASSISTANCE (INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$16,486,725,000, to remain available until expended, shall be available on October 1, 2017 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2017), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2018: Provided, That the amounts made available under this heading are provided as follows:

(1) \$18,709,725,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2018 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the later of 60 days after enactment of this Act or March 1, 2018: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW

agreements and in accordance with the requirements of the MTW program and shall be subject to the same pro rata adjustments under the previous provisos: Provided further, That the Secretary may offset public housing agencies' calendar year 2018 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2017 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary from the agencies' calendar year 2018 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to \$100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$60,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: Provided further, That of the amounts made available under this paragraph, \$5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the re-

sult of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: Provided further, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the "Project-Based Rental Assistance" heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: Provided further, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) \$1,550,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided, That no less than \$1,540,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2018 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and in accordance with the requirements of the MTW program and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided

further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$150,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: Provided further, That any amounts provided under this paragraph in this Act or prior Acts, remaining available after funding renewals and administrative expenses under this paragraph, shall be available for incremental tenant-based assistance contracts under such section 811, including necessary administrative expenses;

(5) the Secretary shall separately track all special purpose vouchers funded under this heading, including the renewal, from amounts provided under paragraph (1) under this heading, of HUD-VASH vouchers, funded under this heading in prior Acts to address veterans' homelessness, of no less than \$577,000,000;

(6) \$7,000,000 shall be for renewal grants, including rental assistance and associated administrative fees for Tribal HUD-VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or Indian areas: Provided, That such amount shall be made available for renewal grants to the recipients that received assistance under the rental assistance and supportive housing demonstration program for Native American veterans authorized under the heading "Tenant-Based Rental Assistance" in title II of division K of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235, 128 Stat. 2733): Provided further, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients under the demonstration program: Provided further, That renewal grants under this paragraph shall be administered by block grant recipients in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996: Provided further, That assistance under this paragraph shall be modeled after, with necessary and appropriate adjustments for Native American grant recipients and veterans, the rental assistance and supportive housing program known as HUD-VASH program, including administration in conjunction with the Department of Veterans Affairs and overall implementation of section 8(o)(19) of the United States Housing Act of 1937: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waiver or alternative requirements are necessary for the effective delivery and administration of such assistance: Provided further, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary and;

(7) \$10,000,000 shall be available to support modernization of public housing agency (PHA) information technology systems with respect to

administration of program data and funding provided under this heading, including related expenses; Provided, That the Secretary may transfer up to \$10,000,000 of the amounts provided under this paragraph to the “Public Housing Capital Fund” heading under this title to support modernization of PHA information technology systems with respect to administration of program data and funding under such heading, including related expenses.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2018 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the “Act”) \$1,850,000,000, to remain available until September 30, 2021: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2018, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That up to \$8,300,000 shall be to support ongoing public housing financial and physical assessment activities: Provided further, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed \$20,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2018: Provided further, That of the amount made available under the previous proviso, not less than \$5,000,000 shall be for safety and security measures: Provided further, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as au-

thorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, up to \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That funding provided under the previous proviso shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2018 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2018 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), \$4,400,000,000, to remain available until September 30, 2019.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$20,000,000, to remain available until September 30, 2020: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That

grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amount provided, not less than \$10,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That no more than \$1,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: Provided further, That unobligated balances, including recaptures, remaining from funds appropriated under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2019: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$654,000,000, to remain available until September 30, 2022: Provided, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary

shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That of the amounts made available under this heading, \$3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: Provided further, That of the funds made available under the previous proviso, not less than \$2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): Provided further, That of the amounts made available under this heading, \$3,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country: Provided further, That of the amount provided under this heading, \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,391,304: Provided further, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: Provided further, That notwithstanding section 302(d) of NAHASDA, if on the date of enactment of this Act, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than the sum of its prior 3 years' initial formula allocation calculations, the Secretary shall adjust that recipient's formula allocation that it would otherwise receive down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on the date of enactment of this Act, and the sum of its prior 3 years' initial formula allocation calculations: Provided further, That grant amounts not allocated to a recipient pursuant to the previous proviso shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such proviso: Provided further, That the second proviso shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than \$5,000,000: Provided further, That to take effect, the three previous provisos do not require issuance or amendment of any regulation, shall not be subject to a formula challenge by an Indian tribe, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,486,486,486, to remain available until ex-

pendent: Provided further, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program: Provided further, That an additional \$1,727,000 shall be available until expended for such costs of guaranteed loans authorized under such section 184 issued to tribes and Indian housing authorities for the construction of rental housing for law enforcement, healthcare, educational, technical and other skilled workers: Provided further, That the funds specified in the previous proviso are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$466,756,757 to remain available until expended: Provided further, That the Secretary may specify any additional program requirements with respect to the previous two provisos through publication of a Mortgagee Letter or Notice.

COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$356,000,000, to remain available until September 30, 2019, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2020: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$2,960,000,000, to remain available until September 30, 2020, unless otherwise specified: Provided, That of the total amount provided, \$2,900,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended ("the Act" herein) (42 U.S.C. 5301 et seq.): Provided further, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: Provided further, That of the total amount provided under this heading \$60,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2018, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$850,000,000, to remain available until September 30, 2021: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: Provided further, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled "Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards" which became effective on such date: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$45,000,000, to remain available until September 30, 2020: Provided, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That of the total amount provided under this heading, \$30,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: Provided further, That of the total amount provided under this heading, \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, \$2,383,000,000, to remain available until September 30, 2020: Provided, That

any rental assistance amounts that are recapitured under such Continuum of Care program shall remain available until expended: Provided further, That not less than \$270,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than \$2,106,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: Provided further, That the Secretary shall collect system performance measures for each continuum of care, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing share of the score on performance criteria: Provided further, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: Provided further, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2018: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, \$10,682,000,000, to remain available until expended, shall be available on October 1, 2017 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2017), and \$400,000,000, to remain available until expended, shall be available on October 1, 2018: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: Provided further, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$573,000,000 to remain available until September 30, 2021: Provided, That of the amount provided under this heading, up to \$90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not ex-

ceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2021: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, and for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$147,000,000, to remain available until September 30, 2021: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2021: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$50,000,000, to remain available until September 30, 2019, including up to \$4,500,000 for administrative contract services: Provided, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: Provided further, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as

may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$14,000,000, to remain available until expended: Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$11,000,000, to remain available until expended, of which \$11,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2018 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2019: Provided, That during fiscal year 2018, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration,

\$135,000,000, to remain available until September 30, 2019: Provided further, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2018, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000: Provided further, That during fiscal year 2018 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2019: Provided, That during fiscal year 2018, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$500,000,000,000, to remain available until September 30, 2019: Provided, That \$25,400,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2018, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, \$85,000,000, to remain available until September 30, 2019: Provided, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided further, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: Provided further, That for non-competitive agreements entered into in accordance with the previous

two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: Provided further, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2019: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$130,000,000, to remain available until September 30, 2019, of which \$25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, \$50,000,000 shall be made available on a competitive basis for areas with the highest lead-based paint abatement needs: Provided further, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is

undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$150,000,000 shall remain available until September 30, 2019: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$128,082,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (INCLUDING TRANSFER OF FUNDS) (INCLUDING RESCISSION)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2018 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing

Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2018 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. The President's formal budget request for fiscal year 2019, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 209. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 210. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2018 and 2019, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring

project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term “project-based assistance” means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term “receiving project or projects” means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term “transferring project” means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term “Secretary” means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 211. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 212. The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title II of this Act

shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 213. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715e–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2018, insure and enter into commitments to insure mortgages under such section 255.

SEC. 214. Notwithstanding any other provision of law, in fiscal year 2018, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 215. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 216. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 217. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Sec-

retary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 218. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each account receiving appropriations for “Program Office Salaries and Expenses”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 219. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2018, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2018, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 220. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 221. The Secretary is authorized to transfer up to 10 percent or \$4,000,000, whichever is less, of funds appropriated for any office under the heading “Administrative Support Offices” or for any account under the general heading “Program Office Salaries and Expenses” to any other such office or account: Provided, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or \$4,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or \$4,000,000, whichever is less.

SEC. 222. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 60 or less; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

(1) the costs of rehabilitating and operating the property and all available Federal, State,

and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA"); and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

SEC. 223. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2018.

SEC. 224. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 225. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking "fiscal year" and all that follows through the period at the end and inserting "fiscal year 2018."; and

(2) in subsection (o), by striking "September" and all that follows through the period at the end and inserting "September 30, 2018.".

SEC. 226. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, non-profit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 227. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 228. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 229. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 230. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 231. Employees of the Department of Housing and Urban Development who are subject to administrative discipline in fiscal year 2018, including suspension from work, shall not receive awards (including performance, special act, or spot) for the remainder of fiscal year 2018 after the effective date of the disciplinary action.

SEC. 232. With respect to grant amounts awarded under the heading "Homeless Assistance Grants" for fiscal years 2016, 2017, and 2018 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipients CoC program.

SEC. 233. (a) From amounts made available under this title under the heading "Homeless Assistance Grants", the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

(d) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 234. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled "Affirmatively Furthering Fair Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled "Affirmatively Furthering Fair Housing Assessment Tool" (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 235. Section 579 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking "October 1, 2017" each place it appears and inserting in lieu thereof "October 1, 2022".

SEC. 236. None of the funds made available under this Act for new guarantees of mortgages insured under the Mutual Mortgage Insurance Fund may be used to guarantee or insure any mortgage on a property that is subject to a loan or other obligation, including those billed as taxes or assessments, for the purpose of financing any improvements under a Property Assessed Clean Energy or substantially similar program, if any portion of such loan or obligation is or has the potential to be in a lien position superior to the mortgage to be insured or guaranteed under the Mutual Mortgage Insurance Fund.

SEC. 237. The matter under the heading "Rental Assistance Demonstration" in the Department of Housing and Urban Development Appropriations Act, 2012 (42 U.S.C. 1437f note), as amended, is amended—

(1) in the 14th proviso—

(A) by inserting "or nonprofit" before "entity, then a capable entity,"; and

(B) by striking "preserves its interest" and inserting "or a nonprofit entity preserves an interest";

(2) by striking the 18th proviso and inserting the following: "Provided further, That for fiscal year 2012 and hereafter, owners of properties assisted or previously assisted under section 101 of the Housing and Urban Development Act of 1965, section 236(f)(2) of the National Housing Act, or section 8(e)(2) of the United States Housing Act of 1937, for which a contract expires or terminates due to prepayment on or after October 1, 2006, has caused or results in the termination of rental assistance or affordability restrictions or both and the issuance of tenant protection vouchers under section 8(o) or section 8(t) of the Act, or with a project rental assistance contract under section 202(c)(2) of Housing Act of 1959, shall be eligible, subject to requirements established by the Secretary, including but not limited to tenant consultation procedures, for conversion of assistance available or provided for such vouchers or assistance contracts, to assistance under a long-term project-based subsidy contract under section 8 of the Act, which shall have a term of no less than 20 years, which shall have initial rents set at comparable market rents for the market area, with subsequent rent adjustments only by an operating cost factor established by the Secretary, and which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), or, subject to agreement of the administering public housing agency, to assistance under section 8(o)(13) of the Act, to which the limitation under subparagraph (B) of section 8(o)(13) of the Act shall not apply and for which the Secretary may waive or alter the provisions of subparagraphs (C) and (D) of section 8(o)(13) of the Act ("Second Component" herein).";

(3) by inserting before the 19th proviso the following: "Provided further, That conversions of assistance under the Second Component may not be the basis for re-screening or termination of assistance or eviction of any tenant family in a property participating in the demonstration.";

(4) in the 20th proviso, as so reordered by the amendments made by the preceding provisions of this section, by striking "previous proviso" and all that follows through the end of the proviso and inserting "Second Component, except for conversion of section 202 project rental assistance contracts, shall be available for project-based subsidy contracts entered into pursuant to the Second Component:";

(5) in the 21st proviso, as so reordered by the amendments made by the preceding provisions of this section, by striking "previous two provisos" and inserting "Second Component, except for conversion of section 202 project rental assistance contracts,";

(6) in the 22nd proviso, as so reordered by the amendments made by the preceding provisions of this section, by striking "three previous provisos" and inserting "Second Component, except for conversion of section 202 project rental assistance contracts,";

(7) by inserting before the last proviso the following: "Provided further, That the Secretary may transfer amounts made available under the heading 'Housing for the Elderly' to the accounts under the headings 'Project-Based Rental Assistance' or 'Tenant-Based Rental Assistance' to facilitate any section 202 project rental assistance contract conversions under the Sec-

ond Component, and any increase in cost for 'Project-Based Rental Assistance' or 'Tenant-Based Rental Assistance' associated with such conversion shall be equal to amounts so transferred:"; and

(8) in the last proviso, by striking "previous four provisos" and inserting "Second Component, as applicable".

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2018".

TITLE III RELATED AGENCIES ACCESS BOARD SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$8,190,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, \$27,490,000: Provided, That not to exceed \$2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, \$23,274,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: Provided further, That concurrent with the President's budget request for fiscal year 2018, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2018 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), \$106,000,000, of which not to exceed

\$2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), \$140,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

SURFACE TRANSPORTATION BOARD SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$37,100,000: Provided, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2018, to result in a final appropriation from the general fund estimated at no more than \$35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS OPERATING EXPENSES

For closure of the United States Interagency Council on Homelessness, \$570,000, notwithstanding section 209 of title II of the McKinney-Vento Homeless Assistance Act, as amended.

TITLE IV GENERAL PROVISIONS—THIS ACT (INCLUDING RESCISSIONS)

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;
 (2) eliminates a program, project, or activity;
 (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2018 from appropriations made available for salaries and expenses for fiscal year 2018 in this Act, shall remain available through September 30, 2019, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: Provided, That for purposes of this section, public use shall not be construed to include economic development that primarily ben-

efits private entities: Provided further, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301–8305, popularly known as the “Buy American Act”).

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 8301–8305).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such at-

tendance is important to the national interest: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. (a) All unobligated balances, including recaptures and carryover, remaining from funds appropriated in division K of Public Law 115-31 for “Department of Transportation-Office of the Secretary-Salaries and Expenses”, “Department of Transportation-Office of the Secretary-Office of Civil Rights”, “Department of Transportation-Office of the Secretary-Small and Disadvantaged Business Utilization and Outreach”, “Department of Transportation-Federal Transit Administration-Administrative Expenses”, “Department of Transportation-Pipeline and Hazardous Materials Safety Administration-Operational Expenses”, “Surface Transportation Board-Salaries and Expenses”, “Access Board-Salaries and Expenses”, “Federal Maritime Commission-Salaries and Expenses”, “National Railroad Passenger Corporation-Office of Inspector General-Salaries and Expenses”, “National Transportation Safety Board-Salaries and Expenses”, and “United States Interagency Council on Homelessness-Operating Expenses” are rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated in division K of Public Law 115-31 for accounts under the headings “Department of Housing and Urban Development-Management and Administration” and “Department of Housing and Urban Development-Program Office Salaries and Expenses” are rescinded.

SEC. 417. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

REFERENCES TO ACT

SEC. 418. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 419. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115-237. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 420. \$0.

This division may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018”.

DIVISION I—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$41,427,054,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,707,918,000 (reduced by \$2,000,000) (increased by \$2,000,000).

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$13,165,714,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,738,320,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,721,128,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or

while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,987,662,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$762,793,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,808,434,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,252,426,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,406,137,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, \$38,483,846,000 (reduced by \$5,000,000) (reduced by \$5,600,000) (reduced by \$6,000,000): Provided, That not to ex-

ceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, \$45,980,133,000 (reduced by \$598,000) (reduced by \$7,000,000): Provided, That not to exceed \$15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,885,884,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, \$38,592,745,000: Provided, That not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$33,771,769,000 (increased by \$5,000,000) (reduced by \$10,000,000) (reduced by \$100,000) (increased by \$100,000) (reduced by \$194,897,000) (increased by \$194,897,000) (reduced by \$26,200,000) (reduced by \$20,000,000) (reduced by \$6,000,000) (reduced by \$4,000,000) (reduced by \$20,000,000) (reduced by \$1,000,000) (reduced by \$10,000,000) (reduced by \$2,500,000) (reduced by \$2,000,000) (reduced by \$8,000,000) (reduced by \$6,250,000) (reduced by \$10,000,000) (reduced by \$10,000,000) (reduced by \$30,000,000) (reduced by \$34,734,000) (reduced by \$60,000,000): Provided, That not more than \$15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than \$38,458,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That \$9,385,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged

with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That of the funds provided under this heading, \$415,000,000, of which \$100,000,000 to remain available until September 30, 2019, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,870,163,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,038,507,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$282,337,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,233,745,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,275,820,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including

medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,735,930,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$14,538,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$215,809,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$288,915,000 (increased by \$34,734,000) (increased by \$30,000,000), to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$308,749,000 (increased by \$30,000,000), to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force,

or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$9,002,000 (increased by \$10,000,000), to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$233,673,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$107,900,000, to remain available until September 30, 2018.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, \$324,600,000, to remain available until September 30, 2019.

OPERATION AND MAINTENANCE, NATIONAL
DEFENSE RESTORATION FUND
(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$5,000,000,000, for the "Operation and Maintenance, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,456,533,000, to remain available for obligation until September 30, 2020.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,581,600,000, to remain available for obligation until September 30, 2020.

PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be ac-

quired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$3,556,175,000, to remain available for obligation until September 30, 2020.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,811,808,000, to remain available for obligation until September 30, 2020.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,356,044,000 (increased by \$30,000,000), to remain available for obligation until September 30, 2020.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,908,270,000, to remain available for obligation until September 30, 2020.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,387,826,000 (increased by \$26,200,000), to remain available for obligation until September 30, 2020.

PROCUREMENT OF AMMUNITION, NAVY AND
MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$735,651,000, to remain available for obligation until September 30, 2020.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Ohio Replacement Submarine (AP), \$842,853,000;
Carrier Replacement Program, \$1,869,646,000;
Carrier Replacement Program (AP), \$2,561,058,000;
Virginia Class Submarine, \$3,305,315,000;
Virginia Class Submarine (AP), \$1,920,596,000;
CVN Refueling Overhauls, \$1,569,669,000;
CVN Refueling Overhauls (AP), \$75,897,000;
DDG-1000 Program, \$164,976,000;
DDG-51 Destroyer, \$3,499,079,000;
DDG-51 Destroyer (AP), \$90,336,000;
Littoral Combat Ship, \$1,566,971,000;
Expeditionary Sea Base, \$635,000,000;
LHA Replacement, \$1,695,077,000;
TAO Fleet Oiler, \$449,415,000;
TAO Fleet Oiler (AP), \$75,068,000;
Ship to Shore Connector, \$390,554,000;
Service Craft, \$23,994,000;
Towing, Salvage, and Rescue Ship, \$76,204,000;
LCU 1700, \$31,850,000;

For outfitting, post delivery, conversions, and first destination transportation, \$542,626,000; and

Completion of Prior Year Shipbuilding Programs, \$117,542,000.

In all: \$21,503,726,000, to remain available for obligation until September 30, 2022: Provided, That additional obligations may be incurred after September 30, 2022, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: Provided further, That funds appropriated or otherwise made available by this Act for production of the common missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the

provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328)).

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$7,852,952,000, to remain available for obligation until September 30, 2020.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,818,846,000 (increased by \$20,000,000), to remain available for obligation until September 30, 2020.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$16,553,196,000 (increased by \$16,000,000), to remain available for obligation until September 30, 2020.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$2,203,101,000, to remain available for obligation until September 30, 2020.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and

installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$3,210,355,000, to remain available for obligation until September 30, 2020.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,316,977,000, to remain available for obligation until September 30, 2020.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$19,318,814,000, to remain available for obligation until September 30, 2020.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$5,239,239,000 (reduced by \$10,000,000), to remain available for obligation until September 30, 2020.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533), \$67,401,000, to remain available until expended.

PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$12,622,931,000, for the "Procurement, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strat-

egy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to procurement accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act, except for missile defense requirements resulting from urgent or emergent operational needs: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$9,674,222,000 (increased by \$6,000,000) (increased by \$4,000,000) (increased by \$12,000,000) (increased by \$5,000,000), to remain available for obligation until September 30, 2019.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,196,521,000 (increased by \$598,000) (increased by \$20,000,000) (reduced by \$2,500,000) (increased by \$24,000,000), to remain available for obligation until September 30, 2019: Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$33,874,980,000 (increased by \$5,000,000) (increased by \$6,000,000) (increased by \$10,000,000) (reduced by \$30,000,000) (increased by \$30,000,000), to remain available for obligation until September 30, 2019.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$20,698,353,000 (reduced by \$16,000,000) (reduced by \$12,000,000) (reduced by \$2,500,000) (reduced by \$12,500,000) (increased by \$20,000,000) (reduced by \$20,000,000) (reduced by \$4,135,000) (increased by \$4,135,000) (reduced by \$27,500,000) (increased by \$10,000,000), to remain available for obligation until September 30, 2019:

Provided, That, of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$210,900,000, to remain available for obligation until September 30, 2019.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NATIONAL DEFENSE RESTORATION FUND (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$1,000,000,000, for the "Research, Development, Test and Evaluation, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to research, development, test and evaluation accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act, except for missile defense requirements resulting from urgent or emergent operational needs: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

TITLE V

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,586,596,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the De-

partment of Defense as authorized by law, \$33,931,566,000 (increased by \$7,000,000) (increased by \$1,000,000) (increased by \$10,000,000) (increased by \$2,000,000) (increased by \$2,000,000) (increased by \$10,000,000) (increased by \$5,000,000) (increased by \$10,000,000); of which \$31,735,923,000 (increased by \$2,000,000) (increased by \$5,000,000) shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2019, and of which up to \$15,349,700,000 may be available for contracts entered into under the TRICARE program; of which \$895,328,000, to remain available for obligation until September 30, 2020, shall be for procurement; and of which \$1,300,315,000 (increased by \$7,000,000) (increased by \$1,000,000) (increased by \$10,000,000) (increased by \$2,000,000) (increased by \$10,000,000) (increased by \$10,000,000), to remain available for obligation until September 30, 2019, shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: Provided further, That of the funds provided under this heading for research, development, test and evaluation, not less than \$627,100,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$961,732,000, of which \$104,237,000 shall be for operation and maintenance, of which not less than \$49,401,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$21,045,000 for activities on military installations and \$28,356,000, to remain available until September 30, 2019, to assist State and local governments; \$18,081,000 shall be for procurement, to remain available until September 30, 2020, of which \$18,081,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$839,414,000, to remain available until September 30, 2019, shall be for research, development, test and evaluation, of which \$750,700,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$854,814,000, of which \$532,648,000 shall be for counter-narcotics support; \$120,813,000 shall be for the drug demand reduction program; and \$201,353,000 shall be for the National Guard counter-drug program: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to

which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$336,887,000, of which \$334,087,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$2,800,000, to remain available until September 30, 2019, shall be for research, development, test and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$522,100,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary

in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2018: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that

such reprogramming or transfer is necessary as an emergency requirement: Provided, That this subsection shall not apply to transfers from the following appropriations accounts:

- (1) "Environmental Restoration, Army";
- (2) "Environmental Restoration, Navy";
- (3) "Environmental Restoration, Air Force";
- (4) "Environmental Restoration, Defense-Wide";
- (5) "Environmental Restoration, Formerly Used Defense Sites"; and
- (6) "Drug Interdiction and Counter-drug Activities, Defense".

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: Provided further, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be

procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used, subject to section 2306b of title 10, United States Code, for multiyear procurement contracts as follows: V-22 Osprey aircraft variants; up to 13 SSN Virginia Class Submarines and Government-furnished equipment; and DDG-51 Arleigh Burke class Flight III guided missile destroyers, the MK 41 Vertical Launching Systems, and associated Government-furnished systems and subsystems.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During the current fiscal year, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2019 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2019 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2019.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management

of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided,

That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. Of the funds made available in this Act, \$20,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$43,100,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$30,800,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) \$10,600,000 shall be available from "Air-craft Procurement, Air Force"; and

(3) \$1,700,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to

any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2018, not more than 6,000 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That, of the specific amount referred to previously in this subsection, not more than 1,180 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2019 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$210,000,000.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related

articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2018. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term *Buy American Act* means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term *Indian tribe* means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Rec-

ognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled "Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria", dated January 27, 2014.

SEC. 8032. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: Provided, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2019 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2019 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2019 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2019: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2019.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act and hereafter for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intel-

ligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term *Buy American Act* means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8038. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

“Aircraft Procurement, Navy”, 2016/2018, \$274,000,000;

“Aircraft Procurement, Air Force”, 2016/2018, \$82,700,000;

“Missile Procurement, Army”, 2017/2019, \$19,319,000;

“Procurement of Weapons and Tracked Combat Vehicles, Army”, 2017/2019, \$9,764,000;

“Other Procurement, Army”, 2017/2019, \$10,000,000;

“Aircraft Procurement, Navy”, 2017/2019, \$105,600,000;

“Weapons Procurement, Navy”, 2017/2019, \$54,122,000;

“Shipbuilding and Conversion, Navy”, 2017/2021, \$45,116,000;

“Aircraft Procurement, Air Force”, 2017/2019, \$63,293,000;

“Missile Procurement, Air Force”, 2017/2019, \$31,639,000;

“Space Procurement, Air Force”, 2017/2019, \$15,000,000;

“Other Procurement, Air Force”, 2017/2019, \$105,000,000;

“Research, Development, Test and Evaluation, Navy”, 2017/2018, \$34,128,000;

“Research, Development, Test and Evaluation, Air Force”, 2017/2018, \$41,700,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8045. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided

further, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8046. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: Provided, That the award shall be made to the provider that offers the best value to the government.

SEC. 8047. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the

provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House and Senate Appropriations Committees: Provided further, That the proposed modification may be implemented 30 days after the notification unless an objection is received from either the House or Senate Appropriations Committees: Provided further, That any proposed modification shall not preclude the ability of the commander of United States Pacific Command to meet operational requirements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8055. Of the funds appropriated in this Act under the heading “Operation and Maintenance, Defense-Wide”, \$25,000,000 (increased by \$10,000,000) shall be for continued implementation and expansion of the Sexual Assault Special Victims’ Counsel Program: Provided, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: Provided further, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: Provided further, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procure-

ment of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8062. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of “armor penetrator”, “armor piercing (AP)”, “armor piercing incendiary (API)”, or “armor-piercing incendiary tracer (API-T)”, except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either:

(1) rendered incapable of reuse by the demilitarization process; or

(2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8063. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8064. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Army”, \$66,881,780 shall remain available until expended: Provided, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8065. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P–1, R–1, and O–1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

SEC. 8066. In addition to amounts provided elsewhere in this Act, \$5,000,000 (increased by \$5,000,000) is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$705,800,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, \$92,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$221,500,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$120,000,000 shall be for co-production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for SRBMD, as amended; \$205,000,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which \$120,000,000 shall be for co-production activities of Arrow 3 Upper Tier missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for Arrow 3 Upper Tier, as amended; \$105,000,000 shall be for testing of the upper-tier component to the Israeli Missile Defense Architecture in the United States; and \$82,300,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", \$117,542,000 shall be available until September 30, 2018, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy", 2012/2018: Carrier Replacement Program \$20,000,000;

(2) Under the heading "Shipbuilding and Conversion, Navy", 2008/2018: DDG-51 Destroyer \$19,436,000;

(3) Under the heading "Shipbuilding and Conversion, Navy", 2012/2018: Littoral Combat Ship \$6,394,000;

(4) Under the heading "Shipbuilding and Conversion, Navy", 2012/2018: LHA Replacement \$14,200,000;

(5) Under the heading "Shipbuilding and Conversion, Navy", 2013/2018: DDG-51 Destroyer \$31,941,000;

(6) Under the heading "Shipbuilding and Conversion, Navy", 2014/2018: Littoral Combat Ship \$20,471,000; and

(7) Under the heading "Shipbuilding and Conversion, Navy", 2015/2018: LCAC \$5,100,000.

SEC. 8069. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for Fiscal Year 2018.

SEC. 8070. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8071. The budget of the President for fiscal year 2018 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8072. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8073. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by \$289,000,000.

SEC. 8074. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8075. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8076. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8077. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2019.

SEC. 8078. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8079. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2018: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8080. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command—New Jersey or make disproportionate personnel reductions at any Army Contracting Command—New Jersey sites without 30-day prior notification to the congressional defense committees.

(RESCISSION)

SEC. 8081. Of the unobligated balances available to the Department of Defense, the following funds are permanently rescinded from the following accounts and programs in the specified amounts to reflect excess cash balances in the Department of Defense Acquisition Workforce Development Fund:

From "Department of Defense Acquisition Workforce Development Fund, Defense", \$10,000,000.

SEC. 8082. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under

section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8083. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of \$10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8084. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8085. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8086. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Not to exceed \$500,000,000 appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8088. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8089. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$115,519,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: Provided,

That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8091. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

SEC. 8092. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,500,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017.

SEC. 8094. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8095. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8096. None of the funds appropriated or otherwise made available in this Act may be

used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 1034 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

SEC. 8097. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8098. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8099. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8100. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the "Foreign Claims Act"); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a)

shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 8101. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8102. The Secretary of Defense shall post grant awards on a public Website in a searchable format.

SEC. 8103. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: Provided, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8104. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 8105. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 8106. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction

of another Federal agency not financed by this Act unless explicitly provided for in a Defense Appropriations Act: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8107. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112-81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: Provided, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: Provided further, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8108. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8109. None of the funds provided in this Act for the T-AO Fleet Oiler or the Towing, Salvage, and Rescue Ship programs shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 8110. The amount appropriated in title II of this Act for "Operation and Maintenance, Army" is hereby reduced by \$75,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8111. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by \$1,007,267,000.

SEC. 8112. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8113. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8114. Of the amounts appropriated in this Act for "Operation and Maintenance, Navy", \$289,255,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under

section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): Provided, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

SEC. 8115. None of the funds made available by this Act for the Joint Surveillance Target Attack Radar System recapitalization program may be obligated or expended for pre-milestone B activities after March 31, 2018, except for source selection and other activities necessary to enter the engineering and manufacturing development phase.

SEC. 8116. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8117. Additional readiness funds made available in title II of this Act for “Operation and Maintenance, Army”, “Operation and Maintenance, Navy”, “Operation and Maintenance, Marine Corps”, and “Operation and Maintenance, Air Force” may be transferred to and merged with any appropriation of the Department of Defense for activities related to the Zika virus in order to provide health support for the full range of military operations and sustain the health of the members of the Armed Forces, civilian employees of the Department of Defense, and their families, to include: research and development, disease surveillance, vaccine development, rapid detection, vector controls and surveillance, training, and outbreak response: Provided, That the authority provided in this section is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 8118. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities, or for any activity necessary for the national defense, including intelligence activities.

SEC. 8119. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center pursuant to section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 8120. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to:

(1) the Rapid Prototyping Fund established under section 804(d) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note); or

(2) credited to a military-department specific fund established under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (as amended by section 897 of the National Defense Authorization Act for Fiscal Year 2017).

(INCLUDING TRANSFER FUND)

SEC. 8121. In addition to amounts provided elsewhere in this Act for military personnel pay, including active duty, reserve and National Guard personnel, \$206,400,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: Provided, That the transfer authority

provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8122. In addition to amounts provided elsewhere in this Act, there is appropriated \$235,000,000, for an additional amount for “Operation and Maintenance, Defense-Wide”, to remain available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That as a condition of receiving funds under this section a local educational agency or State shall provide a matching share as described in the notice titled “Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations” published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55893 et seq.): Provided further, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools to the extent such funds remain unobligated on the date of enactment of this section.

SEC. 8123. None of the funds made available by this Act may be used to carry out the changes to the Joint Travel Regulations of the Department of Defense described in the memorandum of the Per Diem Travel and Transportation Allowance Committee titled “UTD/CTD for MAP 118-13/CAP 118-13—Flat Rate Per Diem for Long Term TDY” and dated October 1, 2014.

SEC. 8124. In carrying out the program described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such memorandum, the Secretary of Defense shall apply such policy and guidance, except that—

(1) the limitation on periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(2) the term “assisted reproductive technology” shall include embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS/
GLOBAL WAR ON TERRORISM

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$2,635,317,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$377,857,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$103,800,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$912,779,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$24,942,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$9,091,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, \$2,328,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$20,569,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$184,589,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$5,004,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NATIONAL DEFENSE
RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$1,000,000,000, for the “Military Personnel, National Defense Restoration Fund”: Provided, That such funds provided under this heading shall only be available

for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to military personnel accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$16,126,403,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$5,875,015,000, of which up to \$161,885,000 may be transferred to the Coast Guard “Operating Expenses” account: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$1,116,640,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$10,266,295,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$6,944,201,000: Provided, That of the funds provided under this heading, not to exceed \$900,000,000, to remain available until September 30, 2019, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management

and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That funds provided under this heading may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant, and 15 days following notification to the appropriate congressional committees: Provided further, That funds provided under this heading may be used to support the Government of Jordan, in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: Provided further, That of the funds provided under this heading, not to exceed \$750,000,000, to remain available until September 30, 2019, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$24,699,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$23,980,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$3,367,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$58,523,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$108,111,000: Provided, That such amount is designated by the Congress for Overseas Contingency

Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$15,400,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NATIONAL DEFENSE RESTORATION FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$2,000,000,000, for the “Operation and Maintenance, National Defense Restoration Fund”: Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the “Afghanistan Security Forces Fund”, \$4,937,515,000 (reduced by \$12,000,000), to remain available until September 30, 2019: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: Provided further, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading “Afghanistan Infrastructure Fund” in prior Acts: Provided further, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: Provided further, That the Secretary may not use more than \$50,000,000 under the authority provided in this section: Provided further, That the Secretary shall notify in advance

such contract changes and adjustments in annual reports to the congressional defense committees: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That of the funds provided under this heading, not less than \$10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTER-ISIL TRAIN AND EQUIP FUND

For the "Counter-Islamic State of Iraq and the Levant Train and Equip Fund", \$1,769,000,000, to remain available until September 30, 2019: Provided, That such funds shall be available to the Secretary of Defense in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair and renovation; and sustainment, to foreign security forces, irregular forces, groups, or individuals participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant, and their affiliated or associated groups: Provided further, That these funds may be used in such amounts as the Secretary of Defense may determine to enhance the border security of nations adjacent to conflict areas including Jordan, Lebanon, Egypt, and Tunisia resulting from actions of the Islamic State of Iraq and the Levant: Provided further, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, in coordination with the Secretary of State, as having a security mission to counter the Islamic State of Iraq and the Levant, and following written notification to the congressional defense committees of such designation: Provided further, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces or individuals, such elements or individuals are appropriately vetted, including at a

minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: Provided further, That contributions of funds for the purposes provided herein from any foreign government or other entity may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines that such provision of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: Provided further, That the United States may accept equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant and returned by such forces or groups to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$424,686,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$557,583,000, to remain avail-

able until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$1,191,139,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$193,436,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$405,575,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$157,300,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$130,994,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$223,843,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$207,984,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$64,071,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$510,836,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$381,700,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SPACE PROCUREMENT, AIR FORCE

For an additional amount for “Space Procurement, Air Force”, \$2,256,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$501,509,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$3,998,887,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$510,741,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$1,000,000,000, to remain available for obligation until September 30, 2020: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$6,000,000,000, for the “Procurement, National Defense Restoration Fund”: Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to procurement accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$119,368,000 (increased by \$6,000,000), to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$124,865,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$144,508,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$226,096,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism

pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NATIONAL DEFENSE RESTORATION FUND (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$1,000,000,000, for the “Research, Development, Test and Evaluation, National Defense Restoration Fund”: Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to research, development, test and evaluation accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$148,956,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$395,805,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$196,300,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED-THREAT DEFEAT FUND (INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised-Threat Defeat Fund”, \$483,058,000, to remain available until September 30, 2020: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint

Improvised-Threat Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$24,692,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2018.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$2,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility:

(1) passenger motor vehicles up to a limit of \$75,000 per vehicle; and

(2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$5,000,000 of the amounts appropriated by this title under the heading "Operation and Maintenance, Army"

may be used, notwithstanding any other provision of law, to fund the Commanders' Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$2,000,000: Provided further, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: Provided further, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Up to \$500,000,000 of funds appropriated by this Act for the Defense Security Cooperation Agency in "Operation and Maintenance, Defense-Wide" may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 9012. None of the funds made available by this Act under the heading "Counter-ISIL Train and Equip Fund" may be used to procure or transfer man-portable air defense systems.

SEC. 9013. For the "Ukraine Security Assistance Initiative", \$150,000,000 is hereby appropriated, to remain available until September 30, 2018: Provided, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal weapons of a defensive nature; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or defensive articles provided to the Government of Ukraine from the inventory of the United States: Provided further, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of

the Department of Defense upon written notification to the congressional defense committees: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9014. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9013 of this Act.

SEC. 9015. None of the funds made available by this Act under section 9013 for “Assistance and Sustainment to the Military and National Security Forces of Ukraine” may be used to procure or transfer man-portable air defense systems.

SEC. 9016. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: Provided, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: Provided further, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9017. In addition to amounts otherwise made available in this Act, \$500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: Provided, That the transfer authority provided in this section is in addition to any other transfer author-

ity provided elsewhere in this Act: Provided further, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: Provided further, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the authority to provide funding under this section shall terminate on September 30, 2018.

SEC. 9018. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

(RESCISSIONS)

SEC. 9019. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Other Procurement, Air Force”, 2017/2019, \$25,100,000;

“Afghanistan Security Forces Fund”, 2017/2018, \$100,000,000; and

“Counter-ISIL Train and Equip Fund”, 2017/2018, \$112,513,000.

“Operation and Maintenance, Defense-Wide, DSCA Coalition Support Fund”, 2017/2018, \$350,000,000.

SEC. 9020. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 9021. (a) Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on the United States strategy to defeat Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria (ISIS), and their associated forces and co-belligerents.

(b) The report required under subsection (a) shall include the following:

(1) An analysis of the adequacy of the existing legal framework to accomplish the strategy described in subsection (a), particularly with respect to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C. 1541 note).

(2) An analysis of the budgetary resources necessary to accomplish the strategy described in subsection (a).

(c) Not later than 30 days after the date on which the President submits to the appropriate congressional committees the report required by subsection (a), the Secretary of State and the Secretary of Defense shall testify at any hearing held by any of the appropriate congressional

committees on the report and to which the Secretary is invited.

(d) In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

TITLE X—ADDITIONAL GENERAL PROVISIONS

REFERENCES TO ACT

SEC. 10001. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCES TO REPORT

SEC. 10002. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–219. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 10003. \$0.

SEC. 10004. None of the funds appropriated or otherwise made available under the heading “Afghanistan Security Forces Fund” may be used to procure uniforms for the Afghan National Army.

SEC. 10005. None of the funds made available in this Act may be used for the closure of a biosafety level 4 laboratory.

SEC. 10006. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

SEC. 10007. None of the funds made available by this Act may be used to purchase heavy water from Iran.

SEC. 10008. None of the funds appropriated by this Act may be used to plan for, begin, continue, complete, process, or approve a public-private competition under the Office of Management and Budget Circular A–76.

This division may be cited as the “Department of Defense Appropriations Act, 2018”.

DIVISION J—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,194,050,766 (increased by \$250,000), as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$22,278,891, including: Office of the Speaker, \$6,645,417, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,180,048, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$7,114,471, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$1,886,632, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,459,639, including \$5,000 for official expenses of the Minority Whip; Republican Conference, \$1,505,426; Democratic Caucus, \$1,487,258: Provided, That such amount for salaries and expenses shall remain available from January 3, 2018 until January 2, 2019.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$562,632,498 (reduced by \$11,025,000) (increased by \$11,025,000).

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$127,053,373: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2018, except that \$3,150,200 of such amount shall remain available until expended for committee room up-grading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$23,226,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2018.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$198,156,000, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than \$25,000 for official representation and reception expenses, of which not more than \$20,000 is for the Family Room and not more than \$2,000 is for the Office of the Chaplain, \$27,945,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than \$3,000 for official representation and reception expenses, \$20,505,000 of which \$6,696,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$127,165,000, of which \$2,108,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$4,968,000; for salaries and expenses of the Office of General Counsel, \$1,492,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$2,037,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,209,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$9,437,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$814,000; for other authorized employees, \$584,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$260,704,004 (increased by \$250,000), including: supplies, materials, administrative costs and Federal tort claims, \$3,625,000; official mail for committees, leadership offices, and administrative offices of the House, \$190,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$233,540,004, to remain available until March 31, 2019; Business Continuity and Disaster Recovery, \$16,186,000 of which \$5,000,000 shall remain available until expended; transition activities for new members and staff, \$2,273,000, to remain available until expended; Wounded Warrior Program \$2,500,000 (increased by \$250,000), to remain available until

expended; Office of Congressional Ethics, \$1,670,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, inter-parliamentary receptions, and gratuities to heirs of deceased employees of the House, \$720,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2018. Any amount remaining after all payments are made under such allowances for fiscal year 2018 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) **REGULATIONS.**—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) **DEFINITION.**—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds \$1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Cal-

endar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 108. None of the funds made available by this Act may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

AMENDING THE HOUSE SERVICES REVOLVING FUND

SEC. 109. (a) **COLLECTION OF CERTAIN SERVICE FEES.**—Section 105(a) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 5545(a)) is amended by adding at the end the following new paragraph:

"(7) The collection of a service fee from vendors of the Master Web Services Agreement or the Technology Services Contract for failure to abide by and maintain House of Representatives security policies."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

ADJUSTMENTS TO COMPENSATION

SEC. 110. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2018.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$10,455,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of \$2,175 per month to the Attending Physician;

(2) an allowance of \$1,300 per month to the Senior Medical Officer;

(3) an allowance of \$725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of \$725 per month to 2 assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) \$2,780,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,838,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,444,000, to be disbursed by the Secretary of the Senate.

ADMINISTRATIVE PROVISION

SEC. 1001. (a) **ESTABLISHMENT OF SENIOR LEVEL POSITIONS.**—Notwithstanding any order

issued by the Speaker of the House of Representatives pursuant to paragraph (1) of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532(1)), the chair of the Joint Committee on Taxation may establish and fix the compensation of senior level positions in the staff of the Joint Committee to meet critical scientific, technical, professional, or executive needs of the Joint Committee.

(b) **LIMITATION ON COMPENSATION.**—The annual rate of pay for any position established under this section may not exceed the annual rate of pay for level II of the Executive Schedule.

(c) **CONFORMING AMENDMENT.**—Subsection (e) of section 214 of the Postal Revenue and Federal Salary Act of 1967 (2 U.S.C. 4302) is repealed.

(d) **EFFECTIVE DATE.**—This section shall apply with respect to fiscal year 2018 and each succeeding fiscal year.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$347,700,000 of which overtime shall not exceed \$45,000,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$74,800,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2018 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$3,959,000, of which \$450,000 shall remain available until September 30, 2019: Provided, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$48,500,000.

ARCHITECT OF THE CAPITOL

CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for sur-

veys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$93,000,000 (reduced by \$250,000) (reduced by \$100,000) (increased by \$100,000).

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, \$45,300,000, of which \$19,458,000 shall remain available until September 30, 2022.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$13,333,000, of which \$3,195,000 shall remain available until September 30, 2022.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$169,294,000, of which \$45,130,000 shall remain available until September 30, 2022, and of which \$62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, \$10,000,000, to remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$106,694,000, of which \$28,057,000 shall remain available until September 30, 2022: Provided, That not more than \$9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2018.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$76,097,000, of which \$48,724,000 shall remain available until September 30, 2022.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and Architect of the Capitol security operations, \$33,249,000, of which \$12,300,000 shall remain available until September 30, 2022.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$13,400,000, of which \$2,600,000 shall remain available until September 30, 2022: Provided, That, of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, \$21,470,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1101. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

SCRIMS

SEC. 1102. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$464,209,234, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2018, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2018 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,350,000: Provided further, That, of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices:

Provided further, That, of the total amount appropriated, \$8,653,000 shall remain available until expended for the digital collections and educational curricula program: Provided further, That, of the total amount appropriated, \$1,300,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, \$72,011,000, of which not more than \$35,218,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2018 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than \$6,087,000 shall be derived from collections during fiscal year 2018 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$41,305,000: Provided further, That not more than \$100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That \$2,260,000 shall be derived from prior year unobligated balances: Provided further, That not more than \$6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Provided further, That, notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$111,474,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$50,248,000: Provided, That, of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISION

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1201. (a) IN GENERAL.—For fiscal year 2018, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$190,642,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$79,528,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: Provided further, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$29,000,000: Provided, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2016 and 2017 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, \$8,540,000, to remain available until expended, for information technology development and facilities repair: Provided, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: Provided further, That not more than \$7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: Provided further, That the business operations revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the business operations revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the business operations revolving fund may provide information in any format: Provided further, That the business operations revolving fund and the funds provided under the heading "Public Information Programs of the Superintendent of Documents" may not be used for contracted security services at the Government Publishing Office's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$544,505,919: Provided, That, in addition, \$23,800,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments

hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$5,600,000: Provided, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), \$430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2018 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

LIMITATION ON TRANSFERS

SEC. 206. None of the funds made available in this Act may be transferred to any department,

agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 207. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

REFERENCES TO ACT

SEC. 208. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

REFERENCES TO REPORT

SEC. 209. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 115-199. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 210. \$0.

SEC. 211. None of the funds made available by this Act may be used to deliver a printed copy of the Federal Register to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress), unless a printed copy is requested by the Member (or Delegate or Resident Commissioner). This division may be cited as the "Legislative Branch Appropriations Act, 2018".

DIVISION K—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$923,994,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$101,470,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,558,085,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$219,069,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,540,474,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$97,852,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,791,272,000, to remain available until September 30, 2022: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount, not to exceed \$185,717,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$210,652,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$16,271,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$161,491,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$18,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$73,712,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$6,887,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$65,271,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$4,430,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$63,535,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$4,725,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That, the Chief of the Air Force Reserve shall take immediate action to address unfunded military construction requirements for access control points and security issues at Air Force Reserve facilities.

**NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization

Acts, \$177,932,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE
ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$290,867,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$182,662,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$346,625,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND
MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$83,682,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$328,282,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$85,062,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$318,324,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$59,169,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING
IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$2,726,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE MILITARY**UNACCOMPANIED HOUSING IMPROVEMENT FUND**

For the Department of Defense Military Unaccompanied Housing Improvement Fund, \$623,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under

a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater

than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Pro-

gram incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$15,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2022:

"Military Construction, Army", \$43,800,000;
 "Military Construction, Navy and Marine Corps", \$126,900,000;
 "Military Construction, Air Force", \$70,300,000;
 "Military Construction, Army National Guard", \$56,000,000;
 "Military Construction, Army Reserve", \$56,000,000;
 "Military Construction, Air National Guard", \$41,900,000; and
 "Military Construction, Air Force Reserve", \$44,100,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2018 submitted to Congress by the Secretary of Defense: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 126. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

"Military Construction, Army", \$10,000,000;
 "Military Construction, Navy and Marine Corps", \$10,000,000;
 "Military Construction, Defense-Wide", \$27,440,000;
 "North Atlantic Treaty Organization Security Investment Program", \$25,000,000;
 "Family Housing Construction, Army", \$18,000,000;
 "Family Housing Construction, Navy and Marine Corps", \$8,000,000; and
 "Family Housing Construction, Air Force", \$20,000,000:

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 127. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 128. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United

States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$95,768,462,000, to remain available until expended and to become available on October 1, 2018: Provided, That not to exceed \$17,882,000 of the amount made available for fiscal year 2019 under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration", and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$11,832,175,000, to remain available until expended and to become available on October 1, 2018: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$121,529,000, which shall be in addition to remain available until expended, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017, of which \$109,090,000 shall become available on October 1, 2018.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2018, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$178,626,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$30,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,356,000.

In addition, for administrative expenses necessary to carry out the direct loan program,

\$395,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,163,000.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,894,000,000 (increased by \$5,000,000): Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2019.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,031,808,000 (reduced by \$1,031,808,000) (increased by \$1,031,808,000) (reduced by \$2,500,000) (increased by \$2,500,000) (reduced by \$2,000,000) (increased by \$2,000,000) (reduced by \$5,000,000) (increased by \$5,000,000), which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$49,161,165,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, \$1,400,000,000 shall remain available until September 30, 2020: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately writ-

ten prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$254,000,000 (reduced by \$5,000,000) (increased by \$5,000,000), which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$8,384,704,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That of the amount made available on October 1, 2018, under this heading, \$2,000,000,000 shall remain available until September 30, 2022.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$284,397,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$7,239,156,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, \$100,000,000 shall remain available until September 30, 2020.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$1,079,795,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$5,914,288,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, \$250,000,000 shall remain available until September 30, 2020.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$698,228,000, plus reimbursements, shall remain available until September 30, 2019.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one

passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$306,193,000, of which not to exceed 10 percent shall remain available until September 30, 2019.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$346,891,000 (reduced by \$5,000,000), of which not to exceed 5 percent shall remain available until September 30, 2019: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2019.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,135,500,000, plus reimbursements: Provided, That \$1,230,320,000 shall be for pay and associated costs, of which not to exceed \$36,000,000 shall remain available until September 30, 2019: Provided further, That \$2,486,650,000 shall be for operations and maintenance, of which not to exceed \$174,000,000 shall remain available until September 30, 2019: Provided further, That \$418,530,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2019: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent

a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: Provided further, That, of the funds made available for information technology systems development, modernization, and enhancement for the development of an electronic health record, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress:

(1) a detailed explanation of the solicitation submitted to Cerner Corporation for development of an electronic health record for the Department of Veterans Affairs;

(2) an explanation of how the electronic health record would replicate the Military Health System (MHS) Genesis record developed by Cerner for the Department of Defense, as well as the enhanced capabilities the Department of Veterans Affairs requires to achieve complete interoperability with the Department of Defense system and non-Department of Veterans Affairs providers who participate in the Department of Veterans Affairs healthcare system;

(3) a strategic plan for development of the electronic health record system, an associated implementation plan including timelines and performance milestones, a master schedule and annual and life-cycle cost estimates;

(4) information on plans to maintain current functionality and integration with Department of Defense records during the transition to MHS Genesis; and

(5) Department of Veterans Affairs plans to manage the transition process to MHS Genesis, including possible pilot programs, training for users, and use of change management tools: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$160,106,000, of which not to exceed 10 percent shall remain available until September 30, 2019.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$410,530,000, of which \$372,000,000 shall remain available until September 30, 2022, and of which \$38,530,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and invest-

ment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That funds made available under this heading for fiscal year 2018, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2018; and (2) by the awarding of a construction contract by September 30, 2019: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available under this heading, \$117,300,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of \$100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114-58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$342,570,000, to remain available until September 30, 2022, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which

are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$90,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2018 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2018, in this or any other Act, under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: Provided, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination

of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2017.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2018, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2018 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2018 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, the Office of Employment Discrimination Complaint Adjudication, the Office of Accountability Review, the Central Whistleblower Office, the Office of Diversity and Inclusion, and the Office of the Executive Director of Accountability and Whistleblower Protection, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management, \$3,932,000 for the Office of Employment Discrimination Complaint Adjudication, \$10,057,000 for the Office of Accountability Review, \$6,646,000 for the Central Whistleblower

Office, \$2,973,000 for the Office of Diversity and Inclusion, and \$917,000 for the Office of the Executive Director of Accountability and Whistleblower Protection: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 213. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the "Medical Services" and "Medical Community Care" accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled "Quarterly reporting", under the heading "General Administration" in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "Board of Veterans Appeals", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2018 may be transferred to or from the "Information Technology Systems" account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the "Information Technology Systems" account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2018 for "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$297,137,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 222 of title II of division A of Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017 (Public Law 114-223) is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2018, for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", up to \$306,378,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs

Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts available in this title for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 225. None of the funds made available for "Construction, Major Projects" may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 226. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled "Disability claims backlog", under the heading "General Operating Expenses, Veterans Benefits Administration" in the joint explanatory statement accompanying Public Law 114-223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

SEC. 227. Of the amounts made available for fiscal year 2018 for the "Medical Services" and "Medical Support and Compliance" accounts,

not more than \$226,012,000 shall be available to develop an electronic health record: Provided, That not more than 25 percent of the amount made available for such purpose may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both House of Congress a detailed explanation of the activities to develop the Military Health System Genesis electronic health record to be funded by the Veterans Health Administration rather than the Office of Information Technology, a timeline for completion, master schedule, performance milestones, and annual and life-cycle Veterans Health Administration cost estimates.

SEC. 228. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 229. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the "Medical Services" account any discretionary appropriations made available for fiscal year 2018 in this title (except appropriations made to the "General Operating Expenses, Veterans Benefits Administration" account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2018, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 231. Amounts made available for the Department of Veterans Affairs for fiscal year 2018, under the "Board of Veterans Appeals" and the "General Operating Expenses, Veterans Benefits Administration" accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 232. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSIONS OF FUNDS)

SEC. 233. Of the discretionary funds made available in Public Law 114–223 for the Department of Veterans Affairs for fiscal year 2018, \$313,730,000 are rescinded from “Medical Services”, \$63,282,000 are rescinded from “Medical Support and Compliance”, and \$22,960,000 are rescinded from “Medical Facilities”.

SEC. 234. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

(1) “Veterans Health Administration—Medical and Prosthetic Research”, \$6,823,000.

(2) “National Cemetery Administration”, \$3,003,000.

(3) “Departmental Administration—General Administration”, \$3,600,000.

(4) “Departmental Administration—Board of Veterans Appeals”, \$1,579,000.

(5) “Departmental Administration—General Operating Expenses, Veterans Benefits Administration”, \$35,470,000.

(6) “Departmental Administration—Information Technology Systems”, \$18,997,000.

(7) “Departmental Administration—Office of Inspector General”, \$1,716,000.

SEC. 235. (a) The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

(A) the term “civil service” has the meaning given such term in section 2101(1) of title 5, United States Code; and

(B) the term “Executive action” includes—

(i) any Executive order, presidential memorandum, or other action by the President; and

(ii) any agency policy, order, or other directive.

SEC. 236. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 8 or 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Services Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost versus benefit analysis of each planned realignment, including the cost of re-

placing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings’ condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 237. Section 8109(b) of title 38, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(4) notwithstanding subsection (a) of section 1344 of title 31, may use a passenger carrier (as such term is defined in subsection (h)(1) of such section) to transport such an employee between a parking facility and the medical facility of the Department at which the employee works.”.

SEC. 238. None of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the “Veterans Health Administration Clinical Preventive Services Guidance Statement on the Veterans Health Administration’s Screening for Breast Cancer Guidance” published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 239. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account may be used to provide—

(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

(2) adoption reimbursement to a covered veteran.

(b) In this section:

(1) The term “service-connected” has the meaning given such term in section 101 of title 38, United States Code.

(2) The term “covered veteran” means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) The term “assisted reproductive technology” means benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, including any limitations on the amount of such benefits available to such a member except that—

(A) the time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(B) such term includes embryo cryopreservation and storage without limitation

on the duration of such cryopreservation and storage.

(4) The term “adoption reimbursement” means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2017 (Public Law 115–31).

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$33,600,000: Provided, That of the amount, \$800,000 shall be transferred to the General Services Administration for planning and design of a courthouse: Provided further, That \$2,580,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$78,800,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2020. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington,

District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading “Department of Defense—Civil, Cemeterial Expenses, Army”, may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$147,158,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$31,890,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” \$434,652,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, \$24,300,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

SEC. 401. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

TITLE V GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential

Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

REFERENCES TO ACT

SEC. 513. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 514. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–188. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 515. \$0.

SEC. 516. The amounts otherwise provided by this Act are revised by reducing the amount made available for “Department of Veterans Affairs—Departmental Administration—Information Technology Services” (and the amount specified under such heading for operations and maintenance), and by increasing the amount made available in fiscal year 2018 for “Veterans Health Administration—Medical Services”, by \$2,500,000 and \$2,000,000, respectively.

SEC. 517. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs in contravention of subchapter III of chapter 20 of title 38, United States Code.

SEC. 518. None of the funds made available by this Act may be used to charge a veteran a fee for a veterans identification card pursuant to section 5706(c) of title 38, United States Code, if the veteran uses form DD–214 to apply for the identification card and indicates on the form that the veteran is “homeless”.

SEC. 519. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 520. (a) None of the funds appropriated or otherwise made available by this Act may be used by the Secretary of Veterans Affairs to purchase, breed, transport, house, feed, maintain, dispose of, or experiment on dogs as part of the conduct of any study assigned to pain category D or E, as defined by the Department of Agriculture.

(b) This section shall not apply to training programs or studies of service dogs described in section 1714 of title 38 United States Code or section 17.148 of title 38 of the Code of Federal Regulations.

This division may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018”.

DIVISION L—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

**CORPS OF ENGINEERS—CIVIL
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS—CIVIL**

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$105,000,000 (increased by \$1,000,000), to remain available until expended: Provided, That the Secretary shall initiate six new study starts during fiscal year 2018: Provided further, That the new study starts shall consist of five studies where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one study where the majority of benefits are derived from environmental restoration: Provided further, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,697,000,000 (reduced by \$10,000,000) (increased by \$10,000,000) (reduced by \$10,000,000) (increased by \$10,000,000) (reduced by \$45,000,000) (increased by \$45,000,000) (increased by \$500,000), to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: Provided, That the Secretary may initiate up to, but not more than, two new construction starts during fiscal year 2018: Provided further, That the new construction

starts shall consist of two projects where the majority of the benefits are derived from navigation transportation savings, flood and storm damage reduction, or environmental restoration: Provided further, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than August 31, 2018: Provided further, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of both Houses of Congress an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: Provided further, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$301,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$3,519,000,000 (increased by \$325,000) (reduced by \$500,000) (increased by \$500,000), to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable

waters and wetlands, \$200,000,000, to remain available until September 30, 2019.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$118,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$32,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$181,000,000 (reduced by \$1,000,000) (reduced by \$325,000) (reduced by \$500,000), to remain available until September 30, 2019, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$4,764,000, to remain available until September 30, 2019: Provided, That not more than 75 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title (as designated under such heading in the report of the Committee on Appropriations accompanying this Act) to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less; or
- (6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$5,400,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341); Provided further, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 105. None of the funds made available in this title may be used for any acquisition that is not consistent with 48 CFR 225.7007.

SEC. 106. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 107. Notwithstanding section 404(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(2)), none of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

SEC. 108. (a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and

Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

SEC. 109. As of the date of enactment of this Act and each fiscal year thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$8,983,000, to remain available until expended, of which \$898,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, \$1,450,000 shall be available until September 30, 2019, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2018, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$1,091,790,000, to remain available until expended, of which \$67,693,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited

to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$41,376,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2019, \$59,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$400,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term "transfer" means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program—Alternative Repayment Plan" and the "SJVDP—Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. None of the funds in this Act shall be available to implement the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. 9 S-88-1658 LKK/GGH) or subtitle A of title X of Public Law 111-11.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,103,908,000

(reduced by \$48,000,000) (increased by \$48,000,000) (reduced by \$1,000,000) (increased by \$1,000,000) (reduced by \$33,400,000) (increased by \$15,000,000), to remain available until expended: Provided, That of such amount, \$125,849,000 shall be available until September 30, 2019, for program direction.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$218,500,000, to remain available until expended: Provided, That of such amount, \$27,500,000 shall be available until September 30, 2019, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$969,000,000, to remain available until expended: Provided, That of such amount, \$70,000,000 shall be available until September 30, 2019, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$634,600,000 (increased by \$33,400,000), to remain available until expended: Provided, That of such amount \$60,000,000 shall be available until September 30, 2019, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, \$4,900,000, to remain available until expended: Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$252,000,000, to remain available until expended: Provided, That as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed \$350,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2018: Provided further, That the proceeds from such drawdown and sale shall be deposited into the "Energy Security and Infrastructure Modernization Fund" during fiscal year 2018 and shall be made available and shall remain available until expended

for necessary expenses in carrying out the Life Extension II project for the Strategic Petroleum Reserve.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$6,500,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, \$118,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$222,400,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A, of the Energy Policy Act of 1992, \$768,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$32,959,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 16 passenger motor vehicles for replacement only, including one ambulance and one bus, \$5,392,000,000 (increased by \$1,200,000), to remain available until expended: Provided, That of such amount, \$177,000,000 shall be available until September 30, 2019, for program direction.

NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended (hereinafter referred to as the "NWPAA"), including the acquisition of any real property or facility construction, or expansion, \$90,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: Provided, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 1.62 percent shall be provided to the Office of the Attorney General of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPAA: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 2.91 percent shall be provided to affected units of local government, as defined in the

NWPA, to conduct appropriate activities and participate in licensing activities under Section 116(c) of the NWPA: Provided further, That of the amounts provided to affected units of local government, 7.5 percent of the funds provided for the affected units of local government shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada affected units of local government: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 0.16 percent shall be provided to the affected Federally-recognized Indian tribes, as defined in the NWPA, solely for expenditures, other than salaries and expenses of tribal employees, to conduct appropriate activities and participate in licensing activities under section 118(b) of the NWPA: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 3.0 percent shall be provided to Nye County, Nevada, 0.05 percent shall be provided to Clark County, Nevada, and 0.46 percent shall be provided to the State of Nevada as payment equal to taxes under section 116(c)(3) of the NWPA: Provided further, That within 90 days of the completion of each Federal fiscal year, the Office of the Attorney General of the State of Nevada, each affected Federally-recognized Indian tribe, and each of the affected units of local government shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by the NWPA and this Act: Provided further, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used for litigation expenses; or (2) used for interim storage activities; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the NWPA, including but not limited to any proceeds from the sale of assets, shall be credited to this account, to remain available until expended, for carrying out the purposes of this account.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM
(INCLUDING RESCISSIONS OF FUNDS)

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 (42 U.S.C. 16512(b)) under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses to carry out this Loan Guarantee program, \$2,000,000 is appropriated, to remain available until September 30, 2019: Provided further, That \$2,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$0: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title

10, Code of Federal Regulations: Provided further, That of the subsidy amounts provided by section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 126), for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), \$160,660,000 is hereby rescinded: Provided further, That the authority provided in prior year appropriations Acts for commitments to guarantee loans under title XVII of the Energy Policy Act of 2005, excluding amounts for commitments made by October 1, 2017, is hereby rescinded.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$5,000,000, to remain available until September 30, 2019.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, \$500,000, to remain available until September 30, 2019.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$281,693,000 (reduced by \$1,200,000) (reduced by \$15,000,000) (reduced by \$1,000,000) (increased by \$1,000,000), to remain available until September 30, 2019, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$96,000,000 in fiscal year 2018 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$185,693,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$49,000,000, to remain available until September 30, 2019.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$10,239,344,000 (reduced by \$10,000,000) (increased by \$10,000,000), to remain available until expended: Provided, That of such amount, \$105,600,000 shall be available until September 30, 2019, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION
(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,825,461,000, to remain available until expended: Provided, That funds provided by this Act for Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and project support activities for such Project: Provided further, That of the unobligated balances from prior year appropriations available under this heading, \$49,000,000 is hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,486,000,000, to remain available until expended, of which, \$82,500,000 shall be transferred to “Department of Energy—Energy Programs—Nuclear Energy”, for the Advanced Test Reactor: Provided, That of such amount, \$46,651,000 shall be available until September 30, 2019, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, \$412,595,000, to remain available until September 30, 2019, including official reception and representation expenses not to exceed \$12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$5,405,000,000, to remain available until expended: Provided, That of such amount, \$300,000,000 shall be available until September 30, 2019, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$825,000,000, to remain available until expended: Provided, That of such amount,

\$284,400,000 shall be available until September 30, 2019, for program direction.

DEFENSE NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, as amended, including the acquisition of real property or facility construction or expansion, \$30,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$5,000: Provided, That during fiscal year 2018, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$6,379,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$6,379,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$0: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$51,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$30,288,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$18,888,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for an-

nual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$11,400,000: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$10,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, \$232,276,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended, of which \$230,251,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$138,904,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$93,372,000, of which \$91,347,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$179,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$4,176,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$3,948,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced

as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$228,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2018, the Administrator of the Western Area Power Administration may accept up to \$872,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed \$3,000, and the hire of passenger motor vehicles, \$367,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$367,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2018 shall be retained and used for expenses necessary in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling \$1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling \$1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each

grant allocation or discretionary grant award totaling less than \$1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the "Bill" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for fiscal year 2018.

SEC. 303. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 305. (a) None of the funds made available in this or any prior Act under the heading "Defense Nuclear Nonproliferation" may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 306. Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), upon a determination by the President in this fiscal year that a regional supply shortage of refined petroleum product of significant scope and duration exists, that a severe increase in the price of refined petroleum product will likely result from such shortage, and that a draw down and sale of refined petroleum product would assist directly and significantly in reducing the adverse impact of such shortage, the Secretary of Energy may draw down and sell refined petroleum product from the Strategic Petroleum Reserve. Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account established in section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247), and such amounts shall be available for obligation, without fiscal year limitation, consistent with that section.

SEC. 307. (a) **DRAWDOWN AND SALE.**—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), and in addition to sales authorized in sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241; 42 U.S.C. 6239 note) and section 5010 of the 21st Century Cures Act (42 U.S.C. 6241 note), the Secretary of Energy shall draw down and sell up to \$8,400,000 of crude oil from the Strategic Petroleum Reserve during this fiscal year.

(b) **PROCEEDS.**—Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account during this fiscal year and shall be available for the costs of crude oil sales authorized in sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241; 42 U.S.C. 6239 note) and section 5010 of the 21st Century Cures Act (42 U.S.C. 6241 note), to remain available until expended.

(c) **EMERGENCY PROTECTION.**—The Secretary shall not draw down and sell crude oil under this section in amounts that would limit the authority to sell petroleum products under section

161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

SEC. 308. (a) **NEW REGIONAL RESERVES.**—The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 309. Of the amounts made available under this title, not more than \$267,901,000 may be transferred to the working capital fund established under section 653 of the Department of Energy Organization Act (42 U.S.C. 7263).

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$130,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.), \$30,600,000, to remain available until September 30, 2019.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, \$15,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$11,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105-277), as amended by section 701 of appendix D, title VII, Public Law 106-113 (113 Stat. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities: Provided further, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$5,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$939,137,000, including official representation expenses not to exceed \$25,000, to remain available until expended, of which \$30,000,000 shall be derived from the Nuclear Waste Fund: Provided, That of the amount appropriated herein, not more than \$9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2019, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at \$779,829,000 in fiscal year 2018 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That of the amounts appropriated under this heading, not less than \$10,000,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and \$16,200,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation estimated at not more than \$159,308,000: Provided further, That of the amounts appropriated under this heading, \$10,000,000 shall be for university research and development in areas relevant to the Commission's mission, and \$5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$12,859,000, to remain available until September 30, 2019: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at \$10,555,000 in fiscal year 2018 shall be retained and be available until September 30, 2019, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation estimated at not more than \$2,304,000: Provided further, That of the amounts appropriated under this heading, \$1,131,000 shall be for Inspector General services

for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2019.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for "Nuclear Regulatory Commission—Salaries and Expenses" shall be expended as directed in the report of the Committee on Appropriations accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

- (1) total budget authority;
- (2) total unobligated balances; and
- (3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of

the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semi-annual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 505. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order No. 13547 of July 19, 2010.

SEC. 506. None of the funds made available by this Act may be used for the removal of any federally owned or operated dam unless the removal was previously authorized by Congress.

SEC. 507. None of the funds made available by this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

REFERENCES TO ACT

SEC. 508. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

SEC. 509. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 115-230. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 510. \$0.

SEC. 511. None of the funds made available by this division may be used for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

SEC. 512. For “Department of Energy—Electricity Delivery and Energy Reliability” for energy storage systems demonstrations as authorized by section 641 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17231), there is hereby appropriated, and the amount otherwise provided by this Act for “Department of Energy—Departmental Administration” is hereby reduced by, \$10,000,000.

SEC. 513. None of the funds made available by this Act may be used in contravention of section 2102 of the Water Resources Reform and Development Act of 2014 or section 210 of the Water Resources Development Act of 1986.

SEC. 514. None of the funds made available under title I of division D of this Act may be used to require an economic re-evaluation of any project authorized under title VIII of the Water Resources Development Act of 2007.

SEC. 515. The amounts otherwise provided by this Act are revised by reducing the amount made available for “Corps of Engineers—Civil—Investigations”, and increasing the amount made available for the same account, by \$3,000,000.

SEC. 516. The amounts otherwise provided by this Act are revised by reducing the amount made available for “Corps of Engineers—Civil—Construction”, and increasing the amount made available for the same account, by \$100,000,000.

SEC. 517. None of the funds made available by this Act for “Department of Energy—Energy Programs—Science” may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

SEC. 518. None of the funds made available by this Act may be used to prepare, propose, or promulgate any regulation or guidance that references or relies on the analysis contained in—

(1) “Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866”, published by the Interagency Working Group on Social Cost of Carbon, United States Government, in February 2010;

(2) “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866”, published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 and revised in November 2013;

(3) “Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews”, published by the Council on Environmental Quality on December 24, 2014 (79 Fed. Reg. 77801);

(4) “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866”, published by the Interagency Working Group on Social Cost of Carbon, United States Government, in July 2015;

(5) “Addendum to the Technical Support Document on Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866: Application of the Methodology to Estimate the Social Cost of Methane and the Social Cost of Nitrous Oxide”, published by the Interagency Working Group on Social Cost of Greenhouse Gases, United States Government, in August 2016; or

(6) “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866”, published by the Interagency Working Group on Social Cost of Greenhouse Gases, United States Government, in August 2016.

SEC. 519. None of the funds made available in this division may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section

325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2018”.

DIVISION M—DEPARTMENT OF HOMELAND SECURITY BORDER INFRASTRUCTURE CONSTRUCTION APPROPRIATION ACT, 2018

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2018, namely:

U.S. CUSTOMS AND BORDER PROTECTION PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses for U.S. Customs and Border Protection for procurement, construction, and improvements, \$1,571,239,000, to remain available until September 30, 2020, which shall be available as follows:

(1) \$784,000,000 for 32 miles of new border bollard fencing in the Rio Grande Valley, Texas.

(2) \$498,000,000 for 28 miles of new bollard levee wall in the Rio Grande Valley, Texas.

(3) \$251,000,000 for 14 miles of secondary fencing in San Diego, California.

(4) \$38,239,000 for planning for border wall construction.

TITLE I—GENERAL PROVISIONS

REFERENCES TO ACT

SEC. 101. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

This Act may be cited as the “Department of Homeland Security Border Infrastructure Construction Appropriations Act, 2018”.

□ 1830

The Acting CHAIR. Are there any points of order against the bill?

For what purpose does the gentleman from Virginia seek recognition?

POINT OF ORDER

Mr. GOODLATTE. Mr. Chairman, I raise a point of order against the provision beginning with the colon on page 327, line 22, and continuing through the word “crime” on page 328, line 2, of the Rules Committee print because it violates clause 2 of House rule XXI. Under clause 2(b) of rule XXI, a provision that changes existing law may not be reported in a general appropriations bill.

Section 510 of Division C provides that 5 percent of the amounts available for obligation from the Department of Justice’s Crime Victims Fund be made available for grants to Indian tribal governments in fiscal year 2018. This provision violates rule XXI because it changes existing law. The Victims of Crime Act already provides a statutory distribution formula of the Crime Victims Fund for fiscal year 2018. Section 510 would change the formula. This statutory formula is squarely in the jurisdiction of the Judiciary Committee.

As this amendment would change current law by altering a statutory formula, it is a violation of clause 2(b) of rule XXI.

Therefore, I insist on my point of order.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair is prepared to rule.

The Chair finds that this provision explicitly supersedes existing law.

The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Are there any other points of order against the bill?

For what purpose does the gentleman from Texas seek recognition?

POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I raise a point of order against the following provision of H.R. 3354 for failure to comply with clause 2 of rule XXI:

Beginning with the semicolon on page 535, line 12, through “(12 U.S.C. 3907(b)(2)).” on page 536, line 14.

This provision proposes to change existing law by altering the Federal Reserve’s conduct of the Comprehensive Capital Analysis and Review regime.

This constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI. I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on this point of order?

If not, the Chair is prepared to rule.

The Chair finds that this provision directly amends existing law.

The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Are there any other points of order against the bill?

For what purpose does the gentleman from Texas seek recognition?

POINT OF ORDER

Mr. HENSARLING. Mr. Chair, I raise a point of order against section 7080 of H.R. 3354 for failure to comply with clause 2 of rule XXI.

This provision proposes to directly amend existing law by changing the statutory quorum requirement of the Export-Import Bank.

This constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI. I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this section directly amends existing law.

The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

For what purpose does the gentleman from California seek recognition?

Ms. MAXINE WATERS of California. Mr. Chair, I appeal the ruling of the

Chair, and I seek time to debate the appeal.

The Acting CHAIR. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The Chair recognizes the gentlewoman from California for 5 minutes to debate the appeal.

Ms. MAXINE WATERS of California. Mr. Chairman, I must say, I am deeply disappointed by the sinister attempt being made here today to strip a critical Republican-led amendment from this appropriations bill that would thwart the will of overwhelming majorities in both Houses and undermine the work of the job-creating Export-Import Bank.

As of the end of 2016, as many as 50 major transactions, with an aggregate value of nearly \$40 billion, had piled up in the Bank's approval pipeline. And according to the Ex-Im Bank, if approved, these transactions would support more than 100,000 jobs in the United States.

The longer we wait, the greater the risk that these pending transactions will be withdrawn and sourced by our foreign competitors and the greater the likelihood that jobs that would have otherwise supported here in the United States will move offshore.

The chairman of the Financial Services Committee claims that striking this amendment would have "no budgetary effect" but this is hardly the case. President Trump's own fiscal year 2018 budget estimates that a fully functional Export-Import Bank would generate \$587.7 million in excess funds in the next fiscal year.

The Acting CHAIR. The gentlewoman will suspend.

The gentlewoman is reminded that debate on the appeal must be confined to the question of whether the Chair's ruling should be sustained or not and not the substance of the underlying section.

The gentlewoman is still recognized but must confine her remarks to the appeal itself.

Ms. MAXINE WATERS of California. Mr. Chair, I would like to continue to appeal the ruling of the Chair.

I hardly think it is in order, and I would ask the Chair to rule the request by Chairman HENSARLING as not in violation.

The Acting CHAIR. The question is again, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Acting Chair announced that the ayes had it.

The Acting CHAIR. The decision of the Chair stands as the judgment of the Committee.

No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 115-295, amendments en bloc described in section 3 of House Resolution 500, and

pro forma amendments described in section 4 of that resolution.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of House Resolution 500, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of further amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment, except as provided by section 4 of House Resolution 500, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 20 pro forma amendments each at any point for the purpose of debate.

It is now in order to consider amendment No. 1 printed in part B of House Report 115-295.

AMENDMENT'S EN BLOC NO. 1 OFFERED BY
MR. ADERHOLT OF ALABAMA

Mr. ADERHOLT. Mr. Chairman, pursuant to House Resolution 500, as the designee of Chairman FRELINGHUYSEN, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 19, and 20 printed in part B of House Report 115-295, offered by Mr. ADERHOLT of Alabama:

AMENDMENT NO. 1 OFFERED BY MR. CURBELO OF
FLORIDA

Page 141, line 23, after the first dollar amount, insert "(reduced by \$1,500,000)".

Page 142, line 11, after the dollar amount, insert "(reduced by \$1,500,000)".

Page 142, line 12, after the dollar amount, insert "(reduced by \$1,500,000)".

Page 147, line 21, after the dollar amount, insert "(increased by \$1,500,000)".

AMENDMENT NO. 2 OFFERED BY MR. GRAVES OF
LOUISIANA

Page 141, line 23, after the first dollar amount, insert "(reduced by \$400,000)".

Page 142, line 11, after the dollar amount, insert "(reduced by \$400,000)".

Page 142, line 12, after the dollar amount, insert "(reduced by \$400,000)".

Page 153, line 10, after the first dollar amount, insert "(increased by \$400,000)".

Page 153, line 10, after the second dollar amount, insert "(increased by \$400,000)".

AMENDMENT NO. 3 OFFERED BY MR. SOTO OF
FLORIDA

Page 144, line 4 after the first dollar amount, insert "(decreased by \$1,000,000)".

Page 153, line 10, after the first dollar amount, insert "(increased by \$1,000,000)".

Page 154, line 1, after the dollar amount, insert "(increased by \$1,000,000)".

AMENDMENT NO. 4 OFFERED BY MR. BERA OF
CALIFORNIA

Page 146, line 12, after dollar amount, insert "(decreased by \$2,000,000)".

Page 167, line 12, after dollar amount, insert "(increased by \$2,000,000)".

AMENDMENT NO. 5 OFFERED BY MR. MAST OF
FLORIDA

Page 147, line 6, after the dollar amount, insert "(reduced by \$5,563,000)".

Page 166, line 19, after the dollar amount, insert "(increased by \$5,563,000)".

AMENDMENT NO. 6 OFFERED BY MR. MAST OF
FLORIDA

Page 150, Line 5, after the dollar amount insert "(increased by \$2,000,000)".

Page 156, Line 13, after the dollar amount insert "(reduced by \$2,000,000)".

AMENDMENT NO. 7 OFFERED BY MR. NOLAN OF
MINNESOTA

Page 170, line 12, after the dollar amount, insert "(reduced by \$479,000)".

Page 185, line 17, after the dollar amount, insert "(increased by \$479,000)".

AMENDMENT NO. 8 OFFERED BY MR. MAST OF
FLORIDA

Page 198, line 22, after the dollar amount, insert "(increased by \$1,500,000)".

Page 199, line 10, after the dollar amount, insert "(reduced by \$1,500,000)".

AMENDMENT NO. 9 OFFERED BY MR. YOUNG OF
IOWA

Page 244, strike line 23 and all that follows through page 245, line 6.

AMENDMENT NO. 13 OFFERED BY MS. JACKSON
LEE OF TEXAS

At the end of division B (before the short title), insert the following:

SEC. ____ For an additional amount for "Department of Agriculture—National Institute of Food and Agriculture—Research and Education Activities", for the award of teaching, research, and extension capacity building grants at certain colleges and universities, as authorized by section 1417(b)(4) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(b)(4)), there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Agriculture—Office of the Chief Information Officer" is hereby reduced by, \$500,000.

AMENDMENT NO. 19 OFFERED BY MS. MOORE OF
WISCONSIN

At the end of division B (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used in contravention of—

(1) section 9(b)(10) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(10)); or

(2) section 245.8 of title 7, Code of Federal Regulations.

AMENDMENT NO. 20 OFFERED BY MR. SOTO OF
FLORIDA

Page 141, line 23, after the first dollar amount, insert "(decreased by \$600,000)".

Page 142, line 19, after the dollar amount, insert "(decreased by \$600,000)".

Page 163, line 9, after the dollar amount, insert “(increased by \$500,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Alabama (Mr. ADERHOLT) and the gentleman from Georgia (Mr. BISHOP) each will control 10 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ADERHOLT. Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I wanted to note a few concerns with items in the en bloc amendment. I am not opposing it, but I want to lay down some markers.

On the amendment by the gentleman from Florida relating to ag research, my major concern about the amendment is that the intent is, in effect, to earmark USDA competitive research grants. That really is a no-no. USDA's Agriculture and Food Research Initiative is one of the jewels in our bill. We have built up funding for it over time and have zealously protected it against any efforts by Congress to say what research is and is not funded.

The agency in charge, the National Institute of Food and Agriculture, has a complex internal process for deciding what areas to focus on, and that is free from political interference. For AFRI to retain its credibility, we must not start micromanaging that process and specifying research areas and amounts, as the amendment does.

My other concern is that cutting the Agricultural Marketing Service by \$2 million is not a wise choice. In many ways, AMS is the little engine that could. Of critical importance to many Members on both sides of the aisle is its role in overseeing the National Organic Program and the Specialty Crops Program.

Similarly, on the gentleman's NRCS amendment, I want to point out that cutting the National Agricultural Statistics Service, as the amendment would do, is not a good idea. NASS is USDA's premier statistics agency.

Anyone in the agriculture business can tell you that statistics are extremely important to farmers, to ranchers, and industry. NASS produces information on production and prices for virtually every crop grown in the United States, and the major livestock categories, floraculture, organic farming, farm income, land values, and even computer usage on farms; so this is an important agency that needs every penny that we give it.

The amendments relating to watershed and flood prevention operations and specialty crops for Members on my side of the aisle, unfortunately, make reductions to the Offices of General Counsel and the Chief Economist, both very important parts of USDA.

Again, I do not oppose the en bloc amendment, but I did want to make these points.

Mr. Chairman, I reserve the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from Alabama and the gentleman from New Jersey for their help.

The coast of Louisiana has experienced extraordinary challenges over the last several decades—everything from the management of the Mississippi River system through levees, the BP oil spill, and now, an invasive end sector scale on some of the vegetation in coastal Louisiana.

When you add up the cumulative impact of all of these things, our State has lost about 2,000 square miles of our coast. That is 2,000 square miles that the Gulf of Mexico has encroached upon; that is 2,000 square miles where our communities are much more vulnerable now to hurricanes. And we are certainly all sensitive to that with Hurricane Harvey just hitting our State and Texas, and Hurricane Irma currently headed toward the mainland of the United States.

An amendment that was agreed to as part of this en bloc package simply transfers \$400,000 from an administrative account to research through APHIS, to study this invasive scale. And this may sound like some small issue that doesn't matter, but it is causing significant impact, to the tune of square miles of additional coastal loss in Louisiana that is going to make our communities that much more vulnerable and cause significant environmental impact.

So I want to thank the gentleman from Alabama and the gentleman from New Jersey for their assistance and including our amendment today that is going to ensure that we can research this, that we can find a solution, and that we can be proactive and prevent additional loss and additional assault on the coast of Louisiana.

Mr. BISHOP of Georgia. Mr. Chairman, let me just inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Georgia has 7½ minutes remaining.

Mr. BISHOP of Georgia. Mr. Chair, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

□ 1845

Ms. MOORE. Mr. Chair, my amendment would protect the National School Lunch Act's current prohibition against discrimination or overt identification of any pupil for their inability to pay for their school lunches, a practice called lunch shaming.

Mr. Chair, I know what it is like to be both hungry and ashamed at lunchtime, because I had no lunch money. I couldn't wait until mock chicken day because that was the day that kids didn't like it and they would let me eat their unwanted food.

I starved at school, and today, as a Member of Congress, I am speaking out against lunch shaming, which should not occur in the United States of America. Certainly lunch shaming should not occur with embarrassing tactics of school administrators, like marking a child with a lunch money stamp or serving them a cold cheese sandwich instead of the nutritious hot meal received by their peers, or, remarkably, denying them food because they have no money.

Denying children food is definitely child abuse and neglect, and the school district is doing this while children are in their custody during school hours. I couldn't do anything about this as a child, but I am proud to be standing here today as a Member of Congress saying that this practice must end.

My amendment simply reinforces current law that states: “There shall be no physical segregation or any other discrimination against any child eligible for a free lunch or reduced-price lunch, nor shall there be any overt identification of any child by special tokens or tickets or any other means.”

I am just wanting to reinforce what is already on the books. I would urge adoption of this amendment. And if allowed, I think that this body should go further and take up H.R. 2401 sponsored by my colleague, Representative MICHELLE LUJAN GRISHAM of New Mexico, which has been the first State to ban the practice of lunch shaming.

Please vote for this amendment.

Mr. ADERHOLT. Mr. Chair, I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman from Georgia for his leadership, and the manager of this appropriations process.

I cannot start a discussion of my particular amendment, very briefly—and I thank my colleagues for the amendment being included in the en bloc—without again mentioning the devastation in the Gulf Coast region and the need that we have on all aspects of recovery, and will look forward to an effective investment for the long haul.

My amendment contributes to that aspect, and that is that the amendment makes a modest \$500,000 increase to the National Institute of Food and Agriculture's Research and Education Activities account. The intent of the amendment is to enable the NIFA to increase funding by \$500,000 to 1890 institutions, which are HBCU land grant colleges, to support education, research, and scholarship at HBCUs.

The amendment is paid for by an offset of \$944,000 in the chief information officer account. The offset is budget neutral and reduces outlays by \$1 million, according to the CBO.

This particular amendment supports the work of the National Institute of

Food and Agriculture by making a modest increase that will help our land grant colleges. It will help our land grant colleges in the context of them contributing, one, to a better understanding of food deserts, better understanding of expanding opportunities for research, economic analysis, extension in higher education, and it also will be supportive of colleges that, in many instances, are impacted by natural disasters. The HBCUs have been leaders in agricultural research.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. BISHOP of Georgia. Mr. Chair, I yield an additional 1 minute to the gentlewoman.

Ms. JACKSON LEE. Some of the colleges that I am speaking of will be major contributors in the concept of expanded food access for many of our communities.

Mr. Chair, I want to thank the gentleman for extending the time to me. The amendment is a good amendment and it would benefit rural, suburban, and urban areas by maximizing the potential for farming activity in those areas where green space is limited or land is underused. Again, the combination of agricultural fighting against food deserts, which many of my constituents are facing now after Hurricane Harvey, is an important extended impact that I think will be helpful as we go forward.

I thank my colleagues for their support of the Jackson Lee amendment No. 13.

Mr. BISHOP of Georgia. Mr. Chair, I yield back the balance of my time.

Mr. CURBELO of Florida. Mr. Chair, on August 26, 2015, several Oriental Fruit Flies were found in South Miami-Dade County, Florida. The discovery of this pest was cause for serious concern, as the very destructive Oriental Fruit Fly has been known to infest over 430 kinds of fruits and vegetables, including main crops grown in Florida like avocado, mango, tomato, squash, and peppers. Unlike other states, Florida's farm production provides essential produce during, and immediately following, each winter season, and the spread of this pest can have a devastating impact on our nation's food supply.

In coordination with state and federal officials, a quarantine was implemented in October 2015 to cover 98 square-miles in South Miami-Dade County. Through the dedicated work of officials at USDA and Florida Department of Agriculture, there have been no new discoveries of flies. The quarantine was lifted in February 2016.

While the quarantine was absolutely necessary to ensure complete eradication of the Fly, it had a devastating effect on the farmers located in the designated area. We cannot let an outbreak like this happen again.

A better understanding of how this pest spreads in our region would help lessen the impact of this threat. The \$1.5 million my amendment provides to the USDA's Agricultural Research Service would go towards studying inspection breakdowns at ports of

entry, how weather patterns influence the migration of Oriental Fruit Flies, and other factors are essential in discerning effective mitigation strategies. This is a small, but smart investment to help protect Florida's \$120 billion agriculture industry.

I urge all my colleagues to support my amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Alabama (Mr. ADERHOLT).

The en bloc amendments were agreed to.

AMENDMENT NO. 10 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 115-295.

Mr. CICILLINE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 245, strike line 7 and all that follows through "Executive Order 13547."

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chair, I want to thank my colleagues: Congressman BEYER, Congressman LANGEVIN, Congresswoman BONAMICI, Congressman KEATING, Congressman TED LIEU, and Congressman SCHNEIDER, who are co-sponsors of this amendment.

This amendment would strike the harmful provision that prevents implementation of the National Ocean Policy. The National Ocean Policy has helped guide ocean management for over 7 years. NOP offers an opportunity to develop commonsense tools to manage the ocean economy. The Regional Ocean Council allows States throughout the Northeast to pool resources, strengthen the voice of businessowners, and facilitate coordination with Federal partners.

The National Ocean Policy allows Federal agencies to coordinate implementation of over 100 ocean laws and allows State and local governments to have a say in the ocean planning process.

My home State of Rhode Island, the Ocean State, has benefited greatly from the National Ocean Policy, and I want to take a moment to acknowledge the extraordinary leadership of my colleague, Senator SHELDON WHITEHOUSE, who has championed this effort.

As one example, with help from the National Ocean Policy, the Block Island Wind Farm was successfully completed and today is powering an estimated 17,000 homes.

The Northeast depends on clean water for fishing, shipping, recreation, and tourism. Estuaries like Narragansett Bay, Cape Cod Bay, Buzzards Bay,

and Long Island Sound need relevant data on water quality to guide future decisions and management actions. It is a terrible idea to undermine the development of good ocean policy and efforts to protect water quality.

The National Ocean Policy does not create any new regulations, supersede existing regulations, or modify any agency's established mission, jurisdiction, or authority. Instead, it helps to coordinate the implementation of current regulations by Federal agencies to establish a more effective and efficient decisionmaking process.

NOP gives life to a vision of stewardship through the thoughtful implementation of regulations and coordination in protecting our treasured oceans.

Mr. Chair, I urge my colleagues to support this amendment and to strike this ill-advised provision.

Mr. Chair, I reserve the balance of my time.

Mr. ADERHOLT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chair, the executive order on National Ocean Policy is an Obama administration policy. It lacks clear statutory authority. Instead of streamlining Federal management, it potentially adds layers of additional bureaucracy and Federal overreach.

The National Ocean Policy has the potential to harm both terrestrial and marine economic values by affecting sectors such as agriculture, fishing, construction, manufacturing, oil, gas, and renewable energy, among others.

This body has taken the position in the past to pause the implementation of the executive order on the National Ocean Policy as this uncertainty continues around the meaning of the policy, how will we implement it, and the unintended consequences.

The policy was developed unilaterally by the prior administration without involving or consulting with Congress.

Additionally, the Natural Resources Committee has expressed concern about the policy, as did a letter signed by over 80 groups supporting the provision in the underlying bill. We are not saying that ocean policy in general does not make sense or is something that we could not support.

My home State of Alabama is a coastal State. All I am saying is that I think we need to revisit this policy, take a bottom-up approach by working with stakeholders, and have something work its way through Congress.

Working to resolve ocean management challenges should be nonpartisan and something that this Congress could achieve; therefore, I oppose the amendment and I urge my colleagues to do the same.

Mr. Chair, I reserve the balance of my time.

Mr. CICILLINE. Mr. Chair, may I inquire how much time I have?

The Acting CHAIR. The gentleman from Rhode Island has 3 minutes remaining.

Mr. CICILLINE. Mr. Chair, I yield 1½ minutes to the gentleman from the great State of Rhode Island (Mr. LANGEVIN), my distinguished senior colleague.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, once again we are on the House floor debating ocean planning. The reality is that comprehensive ocean planning works. We have done it in Rhode Island, and we have done it throughout the Northeast region. Ocean planning is a success because it brings everyone to the table. Everyone is part of the dialogue and the conversation.

The process forces cooperation and compromise by, again, opening dialogue among fishermen, scientists, boaters, and others.

There is an impression, by the way, from some of my colleagues that ocean planning is a Federal land grab of the oceans. Well, it is anything but. It is about local control done at the regional level—something many of my colleagues across the aisle often like to support.

Mr. Chairman, we can't turn back the clock on our oceans by allowing this rider to remain in the bill. We have come too far. I want to commend the work of the sponsors of this amendment. I also want to commend my colleague, Senator SHELDON WHITEHOUSE, across the aisle, who has done so much work to preserve the oceans, including creating the National Endowment for the Oceans Act.

Mr. Chairman, in the past we have driven species to the point of extinction, destroyed natural habitat, and driven our oceans to the brink. I implore my colleagues not to take us back to that era. Please support this amendment and support ocean planning.

Mr. ADERHOLT. Mr. Chair, I reserve the balance of my time.

Mr. CICILLINE. Mr. Chair, I yield 45 seconds to the distinguished gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Chairman, I rise today as a proud cosponsor of this amendment.

This amendment is significant not only to our oceans, but to our Great Lakes. The Great Lakes contain a fifth of the world's freshwater and are a magnificent natural wonder. They are critical to our economy and the quality of life in my district and in many States.

The National Ocean Policy helps protect the integrity of the Great Lakes' ecosystem. However, this bill would undermine the National Ocean Policy and the ability of agencies to coordi-

nate with States, local governments, and other agencies to protect these beautiful waters.

If we are to sustain our national, ecological, and environmental health, and its natural beauty and precious resources, we must protect the National Ocean Policy. That is why I support this amendment, and I urge my colleagues to do the same.

Mr. ADERHOLT. Mr. Chair, I reserve the balance of my time.

Mr. CICILLINE. Mr. Chair, I yield the balance of my time to the distinguished gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Chair, I thank the gentleman for yielding me time.

Mr. Chair, I find it troubling that Congress, having enacted numerous laws governing the oceans and coasts, and having put 11 departments and 4 different agencies in charge of administering those laws, now seems to pause in the effort to bring consistency to that process.

The USDA has an extremely limited role in ocean policy, and it is so little that I often wonder why the majority feels it necessary to stop it.

I also wonder why anyone in a rural area would want the USDA's voice to be excluded from any discussion of policy. Shouldn't the interests of the farmers and the ranchers who are served by the USDA be taken into consideration?

Mr. Chair, I support the amendment and I urge a "yes" vote.

The Acting CHAIR. The time of the gentleman from Rhode Island has expired.

Mr. ADERHOLT. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The amendment was agreed to.

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The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 115-295.

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 115-295.

AMENDMENT NO. 14 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 115-295.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to revoke an exception made—

(1) pursuant to the rule entitled "Exceptions to Geographic Areas for Official Agen-

cies Under the USGSA" published by the Department of Agriculture in the Federal Register on April 18, 2003 (68 Fed. Reg. 19139); and (2) on a date before April 14, 2017.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Illinois (Mr. RODNEY DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I rise today to offer this amendment which would prevent the Grain Inspection, Packers & Stockyards Administration from using any funds to revoke service agreements—also known as exceptions—in place before April 14, 2017.

At its core, this amendment, supported by my colleague, Congresswoman CHERI BUSTOS, is about reinforcing congressional intent, preventing further mismanagement, promoting good customer service—corrections we must make due to a bureaucratic failure at GIPSA.

Mr. Chairman, in the U.S., grain handlers are assigned a USDA-approved inspection agency based upon the grain handlers' geographic location. To utilize official inspection services, grain handlers must go through their assigned official inspection agency unless they apply for and receive an exception from GIPSA. Only with an exception may grain handlers receive services from an alternate inspection agency outside of their assigned territory.

During the drafting of the 2015 Agriculture Reauthorizations Act, one of my priorities was to provide for more opportunities for these exceptions to be considered and granted. That legislation passed this Chamber by a voice vote and included a provision which created a new process by which grain handlers could petition GIPSA for an exception.

When it was signed into law, I felt the provision accomplished my goal to provide grain handlers with greater opportunities to utilize exceptions.

In July of 2016, GIPSA reaffirmed my initial pleasure with the provision when it released its final rule governing the new exception process stating: "GIPSA currently has 95 agreements for agencies to operate outside of their assigned territories and GIPSA will continue to honor those agreements."

So imagine my surprise and disappointment when, in April of this year, GIPSA contradicted itself and released a directive opening a back door for official grain inspection agencies to revoke those 95 service agreements.

As a result of this directive, an official inspection agency can now unilaterally request that GIPSA or the USDA revoke a service agreement with neither the grain handler nor the alternate inspection agency having a say in the process.

This runs contrary to the original intent of the legislation, which was to provide grain handlers with greater opportunities to utilize exceptions, not less.

By supporting my amendment today, we can temporarily halt this misinterpretation. As it stands, GIPSA's interpretation of the law has caused many grain handlers to lose their service agreements—even though these grain handlers have operated under these exceptions for years.

This includes my constituent Scott Docherty of Topflight Grain Cooperative in Monticello, Illinois. Scott has been using the same grain inspection service for more than 20 years when GIPSA sent him a notice giving him less than 30 days to prepare for a change in service.

The issue at stake is a prime example of bureaucratic failure. In our current inspection process, the grain handlers are the customers, yet they are not given a say under the new directive, not granted enough time to plan for the disruption, and they are the last to find out about this drastic change in service.

They deserve better, Mr. Chairman. By supporting this amendment, we can reclaim congressional intent, prevent GIPSA from revoking the remaining service agreements in place before April 14 of this year, an outcome Congress never intended.

GIPSA's interpretation of the law may be wrong, but I do want to thank the USDA for working with me to ensure my amendment is not misinterpreted and accomplishes what I have sought to do. And that is, to prevent GIPSA from revoking the remaining service agreements. I look forward to working with them on finding a more permanent solution in future legislation.

Mr. Chair, I urge all of my colleagues to vote "yes" on this amendment.

Mr. Chair, I yield as much time as he may consume to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Chair, I rise in support of this amendment. I agree, it appears that the Grain Inspection, Packers & Stockyards Administration, known as GIPSA, is not currently implementing a provision from the 2015 Grain Standards Act Reauthorization.

Despite the efforts of my colleagues to try and work with the USDA to correct this interpretation, the agency continues down a path of unravelling a longstanding agreement that has allowed a designated official grain inspector to carry out inspections in another geographic area.

I hope this amendment sends a clear message to the Department that they are not following congressional intent, and they should reverse course.

Mr. Chair, I thank the gentleman for his continuous work on this issue, and I urge my colleagues to support this amendment.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I would like to thank Chairman ADERHOLT for his support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RODNEY DAVIS).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chair, I yield myself such time as I may consume.

This is the amendment that doesn't allow Federal funding to support any project that enforces Davis-Bacon rules.

Davis-Bacon rules have—actually, it is the last remaining Jim Crow law left on the books in America. It was established by a couple of Republicans in New York back in about 1932 or 1933, when they realized that of the few construction projects that were going on during the Great Depression, there was an Alabama contractor that underbid the local unions in New York to build a Federal building up in New York.

That contractor who came out of Alabama brought his labor out of Alabama, African Americans out of Alabama. So they got together and decided, let's pass a law to have a little trade protectionism between Alabama and New York. We are going to control who is in the union, and we will control the wages, and we will control the benefits.

I have been in the construction business, as of last Monday, for 42 years. We have paid Davis-Bacon wage scales most of those years, if not all of those years, and King Construction understands what this does.

First, it inflates wages, and the inflation of wages is dictated by a little board and committee that is supposed to be evaluating what is described as prevailing wage. But it is not prevailing wage, it is union scale, and it is a BOGSAT is what it is. BOGSAT, meaning a bunch of guys sitting

around a table deciding that they are having trouble competing with the rest of the private sector, so they want to raise the wages of their construction workers so that they can get the pick of the cream of the crop of the construction workers to go to work for them rather than their competitor or another industry.

That is how this has gone on for all of these years in the private sector, the Federal Government deciding what wages and what benefits should be paid. And now we are seeing benefits that are being paid in the fringe benefit category to people who have a health insurance program that is funded by the taxpayers, premiums funded by the taxpayers under ObamaCare.

So now, Davis-Bacon is even worse. It pays wages and it pays benefits that are designed to pay for their health insurance benefits, and they are doubling down on that and on the ObamaCare subsidy of their premiums. And so these wages no longer reflect prevailing wage. They haven't for a long time. They have long, and maybe always, been union scale. The union sits at the table with a few contractors in the BOGSAT, and they make the deal.

And I have a private contractor, a merit shop contractor, who has worked with this for 42 years. I have seen the inefficiencies it has created within our company, and competing companies as well.

And, yes, we like it when we can pay our labor the highest rates known to man. It makes our employees happy. And if I can look at our competition and we can sit down and say, you know what, we would like to give each of our employees a \$5 an hour raise or a \$10 an hour raise, and let's make sure that any other industry can't compete with the wages we are paying, because, after all, it doesn't really come out of our pocket as contractors. It comes out of the pockets of the taxpayers, borrowed from the Chinese.

That is what is going on, and the wages increase is a 20 percent increase on balance. So, for example, if you want to build five bridges, repeal Davis-Bacon. If you want to build four bridges, stick with the imposed Federal union scale, the legacy of Jim Crow. If you want to build—let's just say a USDA building, the same formula applies. You can build five buildings; you can build four. You can build four stories, or you can build five, but we need to have competition in this U.S. economy.

Mr. Chairman, I urge adoption of my amendment, and I reserve the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chair, what the Davis-Bacon Act does is protect the government, as well as the workers, in carrying out the policy of paying decent wages on government contracts.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work.

It requires that every contract for construction of which the Federal Government is a party in excess of \$2,000 contains a provision defining the minimum wages paid to various classes of labors and mechanics.

The House has taken numerous votes on this issue, and on every vote, this body has voted to maintain Davis-Bacon requirements. In fact, most recently, during consideration of the FY18 security omnibus, the House firmly rejected a similar amendment 249-178. I hope that we will defeat the amendment before us today and move on to more substantive matters.

I would also note that it is somewhat ironic that this amendment is being offered on the agriculture appropriations bill because the Davis-Bacon Act specifically protects rural community workforces. It requires that prevailing wage determinations for rural counties be based solely on local workforce costs. Wage data from urban areas must be excluded.

This requirement, I would note, came into force during the Presidency of Ronald Reagan. I urge all Members to vote "no." I urge my colleagues to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chair, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT), the chairman of the subcommittee.

Mr. ADERHOLT. Mr. Chair, I rise to support the gentleman's amendment. Each year, the Federal Government requires Davis-Bacon provisions on all sorts of constructions—as has already been mentioned, roads, bridges, dams, buildings, and the taxpayers pay more. You do the math. According to a recent study, Davis-Bacon inflates costs by 22 percent for construction costs. These added expenses come at a time when our Nation is nearly broke.

Therefore, I think it is time to put the taxpayers first, and I encourage my fellow Members to support this amendment.

Mr. KING of Iowa. Reclaiming my time, Mr. Chairman, and expending the balance of it, I would point out that some of these wages that we are looking at here, here are laborers in Indiana, a total of \$34.63 an hour. Here is an asbestos worker, \$46.05 an hour.

There are more here in the records, and I don't think that these are the kind of numbers that the gentleman is talking about. And I constantly hear

the script read to us from the other side but never a response.

Mr. Chair, I urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BISHOP of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 16 OFFERED BY MRS. HARTZLER

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 115-295.

Mrs. HARTZLER. Mr. Speaker, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to carry out subsection (p) of section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760).

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Missouri (Mrs. HARTZLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Missouri.

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Mrs. HARTZLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to return local control to the National School Lunch Program. For far too long, Washington has imposed burdensome and unnecessary mandates on our local schools. These misguided regulations have created a bureaucratic nightmare and mountains of paperwork for local school lunch administrators who truly want to spend their time focused on providing healthy meals for our children.

My amendment is simple. It stops a federally mandated formula called the Paid Lunch Equity program that requires all schools to raise their school lunch prices to an arbitrary level set here in Washington. This amendment does not address the actual nutritional content of lunches, although I believe that is a policy area that should be addressed. This amendment only stops regulations setting local school lunch prices.

Local officials know their communities best, and they should ultimately be responsible for setting school lunch prices in their cafeterias. Many schools are forced to raise their school lunch

prices each year just to meet the Federal mandate. This pushes families struggling to make ends meet off the school lunch program and leads to more hungry students and higher costs for hardworking families.

It is time to get Washington out of the local school lunch pricing business and return more control to our local schools. I ask my colleagues to join me today in supporting this commonsense amendment to return more control to local schools. Again, I ask my colleagues' support.

Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Chairman, I rise in support of this amendment. I believe that schools should have more local control in operating their meal programs, including the establishment of the price a family must pay for the meal. School meal prices differ from one community to the next, and they take into account local food and local labor costs and what families are willing and able to pay. I think it is always best to let the local schools make those decisions.

Mr. Chairman, I urge my colleagues to support the gentlewoman's amendment.

Mrs. HARTZLER. Mr. Chairman, I appreciate the chairman's support.

In closing, I would urge all my colleagues to support this commonsense measure to restore local control of our school lunch pricing. This exact language was passed in the House version of the Child Nutrition Reauthorization Act last year, but that bill has not passed, and we need to address this right now.

Mr. Chairman, I encourage my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. CARTER OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 115-295.

Mr. CARTER of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. _____. None of the funds made available by this division shall be used by the Food and Drug Administration to finalize, implement or enforce the draft standard memorandum of understanding made available for public comment on February 19, 2015, entitled "Draft Memorandum of Understanding Addressing Certain Distributions of Compounded Human Drug Products Between the State of [insert State] and the U.S. Food and Drug Administration."

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Georgia (Mr. CARTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. CARTER of Georgia. Mr. Chairman, I rise today in support of my amendment to H.R. 3354, the fiscal year '18 appropriations bill.

My amendment would withhold funding from the Food and Drug Administration to implement a memorandum of understanding that redefines key terms in the healthcare industry: distribute and dispense.

Distributing and dispensing in the healthcare field are commonly understood to be unique and distinct activities. Distributing is understood to mean the sale or transfer of a drug without a prescription, like between a wholesaler and a manufacturer. Dispensing is commonly understood to mean a medicine going specifically toward a patient.

The FDA's attempt to redefine these key terms would be especially detrimental to compounding pharmacies. Compounding pharmacies are desperately needed to combine or mix medicines to meet the unique needs of particular patients.

In the Food, Drug, and Cosmetic Act, the FDA is given limited regulatory authority over how much a compounding pharmacy is allowed to ship across State lines, and more specifically, over how much a pharmacy can distribute across State lines. But since the FDA is now attempting to redefine the word "dispense," the agency is attempting to gain more control over these pharmacies and is now limiting the amount of medicine that can go directly toward patients.

With the FDA redefining the word "dispensing," the agency is now also limiting how much a State can dispense across State lines, creating an unnecessary patient access problem, especially for patients served by pharmacies near State lines.

This amendment is necessary to convey to the FDA that they do not have the authority to go against the intent of Congress and redefine key terms in agency documents that are directly against what Congress laid out in the statute and the commonly understood meaning of the industry itself.

The amendment will also enforce the directives in Congress' last two appropriations reports that have been ignored by the FDA.

Mr. Chairman, I want to repeat that. The amendment will also enforce the directives in Congress' last two appropriations reports that have been ignored by the FDA, as well as language in the new FY18 Appropriations subcommittee report.

As the only pharmacist in Congress, I have seen firsthand how important ac-

cess to medications are for the people who need them. I have also seen how important compounded medications are for the individuals who rely on uniquely tailored medicines. It would be a tragedy for the FDA to limit these patients' access to medications because they redefined a term for which they would like to have more control.

I urge all of my colleagues to support this amendment that is crucial for patient access to important medications and stop the FDA from overreaching and going against the intent of Congress.

Mr. Chairman, I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this amendment because it undermines the Drug Quality and Security Act, which we passed here in 2013 to protect patients from contaminated compounded medications, which are drugs that are tailored to the specific needs of an individual patient.

By the way, there is bipartisan opposition to the Carter amendment: myself, Congressman FRED UPTON, Congresswoman DEBBIE DINGELL, and Congressman MIKE BISHOP. This is bipartisan opposition.

Let me be clear. The intent of the law was not to go after local compounding pharmacies but, rather, the larger compounding pharmacies who act as big drug companies. Traditional pharmaceutical companies that make vast quantities of drugs are held to robust safety standards. If these large compounding pharmacies intend to manufacture large quantities of drugs like a traditional pharmaceutical company and ship them across State lines, then they should be held to a similar safety standard.

This amendment would change the law and put patients at risk. Some people can potentially die. This is not hyperbole, given that a meningitis outbreak in 2012 was caused by unsafe compounded drugs. That was less than 5 years ago. I am astonished that we would entertain further undermining of the law. The meningitis outbreak associated with the New England Compound Center in 2012 led to 64 deaths and more than 750 illnesses across State lines.

There are inherent risks with compounding medications, and particularly with compounded medications shipped across State lines. That is why, in fact, we passed the Drug Quality and Security Act. By prohibiting the FDA from implementing this law, this amendment exposes patients to a potentially life-threatening catastrophe.

Again, as we saw in 2012, this amendment also takes away incentives for

pharmacies to register as an outsourcing facility and gives these facilities no reason to raise their quality and safety standards and to submit to the FDA for inspection. We owe it to the American people to not put their health and their safety at risk. Sixty-four people died.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Chairman, I rise in support of the gentleman's amendment, which has gained bipartisan support in our full committee. I am very sympathetic to the gentleman's concerns, and I trust his judgment on his experience as, currently, the only pharmacist that is serving in the House of Representatives.

This bill language is similar to the language in our House report. While the underlying bill did not go as far as limiting funds to be spent on the finalization, implementation, or enforcement of the proposed memorandum of understanding between the FDA and the States, our committee report language is conditional in that the FDA should not finalize the proposed rule if it fails to distinguish between distribution and dispensing a compounded product to a specific patient.

Dispensing is not defined in the Drug Quality and Security Act, and the FDA should not unilaterally take it upon themselves to start regulating the practice of pharmacy since this function is regulated by the State Boards of Pharmacy under the laws of the State legislatures. Therefore, I support the intent of this amendment until FDA clarifies its policy, and I recommend the amendment's approval.

Ms. DELAURO. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentlewoman from Connecticut has 2 minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Chairman, while I have great respect for my friend and colleague from Georgia, this misguided amendment would undermine FDA's work to enforce the critical patient safety protections that were passed in the Drug Quality and Security Act in response to a deadly fungal meningitis outbreak that killed 22 people in my home State of Michigan. Passing this amendment could ultimately lead to another crisis like what we saw.

This amendment would prohibit the FDA from finalizing a draft memorandum of understanding that outlines when and in what quantity traditional compounding pharmacies can distribute compounded drugs across State lines. Hamstringing FDA's ability to ensure that interstate shipments are only made from pharmacies in States

that are exercising oversight over that activity could create a gaping loophole and would turn back the clock to the days when bad actors like NECC were free to ship tainted products and murder people across the country without oversight.

It is completely unacceptable. We should be standing up for the strong patient protections in DQSA rather than turning back the clock.

Mr. CARTER of Georgia. Mr. Chairman, I yield 30 seconds to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, it is frustrating and egregious that this amendment is actually necessary, but it is. The FDA has, thus far, blatantly ignored congressional direction to respect the statutory difference between distributing and dispensing of compounded medications.

As a dentist and healthcare provider for more than 25 years, I can tell you from my professional experience how harmful this overreaching guidance from the FDA would be to patients. As a dentist, I often use specialty compounded medications to deliver the customized care my patients deserved. I relied on the expertise of my pharmacist colleagues to ensure that medications were available to patients as appropriate.

As a Congressman, I support this amendment to ensure FDA follows congressional intent. As a doctor, I support this amendment because it means better care for patients.

Mr. Chairman, I thank the gentleman from Georgia, and I urge my colleagues to support this amendment—and that is doctor's orders.

Ms. DELAURO. Mr. Chairman, why are we afraid of safety standards? The safety concerns with this amendment are also exacerbated by the fact that many States do not exercise appropriate oversight over compounding pharmacies.

A recent study revealed that nearly half of all States surveyed do not track the number of pharmacies that perform the sterile compounding in their State. They make proactive State oversight impossible.

Do we really want to allow these facilities to go unchecked? That is exactly what this amendment allows.

The FDA is a regulatory agency. It needs the ability to regulate large-scale shipment of compounded drugs across State lines, especially in certain States that have minimal, if any, safeguards for drugs compounded in pharmacies.

I was concerned that this law was weak to begin with, and this amendment would further weaken and threaten the safety of patients. Sixty-four people died, 22 of them in Michigan. We should ensure that any legislation passed by this body is not weakened. The safety of American children and our families and our kids are at stake.

Mr. Chairman, I urge my colleagues to oppose this amendment. This is not a road, a bridge, a helicopter, or anything else. This is people's lives.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, the Drug Quality and Security Act was passed in 2013 in response to the multistate fungal meningitis outbreak that occurred due to contaminated compounded drug products from the New England Compounding Center.

Drugs from a single facility in one state were shipped nationwide, over 750 patients were affected, and 64 patients died in 20 states across the country.

DQSA (D-Q-S-A) helps ensure that if compounders are shipping drugs nationwide, they are doing so from states that exercise meaningful oversight. This is an important patient safety protection in the law.

This amendment would weaken FDA's ability to implement this important patient protection legislation by denying FDA funding to finalize the Memorandum of Understanding Congress mandated FDA develop.

Congress must not forget the tragedy that happened just 5 years ago by turning back the clock and remove the protections Congress itself put in place to prevent another outbreak.

I urge my colleagues to oppose the amendment offered by Rep. CARTER.

□ 1930

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. CARTER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for a new hire who has not been verified through the E-Verify program, except for an employee compensated under a local compensation plan established under section 408 of the Foreign Service Act of 1980.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an amendment that requires that new hires under this appropriations bill are verified under E-Verify before they can go to work. It ensures that those funds that are made available in this appropriations bill will not be used for new hires unless they use the E-verify program as a responsibility that the Federal Government requires as a matter of law.

Current law requires the Federal Government to use E-Verify to enhance enforcement of Federal immigration law in all hiring. However, it has been brought to my attention that it isn't consistent across the different departments. We need to ensure that it is. It is in response to those concerns that I offer this amendment to require E-Verify.

I will just describe E-Verify.

Conditional to the hire, employers who have a prospective employee may go onboard the Federal internet site, which is the E-Verify site, and type in the valid information or perhaps the presented information of the prospective employee that has been offered a job. Should they clear E-Verify, you punch in what I just euphemistically call name, rank, and serial number. It is a short piece of data that includes birth date, name, and often birthplace. Then that goes into the internet site. It comes back to you and lets you know that you can legally hire the individual that is identified in this data. That is E-Verify.

Hopefully, in this Congress, the Federal Government will pass and make E-Verify mandatory for private sector employers. Hopefully, we will do that in this Congress. But the Federal Government needs to, Mr. Chairman, address this, and it needs to do so with our own employees. That is what the King amendment does. It ensures that E-Verify is used by our own employees.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Since President Bush ordered Federal agencies to comply with E-Verify back in 2007, this amendment, if it only applies to hiring at Federal agencies, would do absolutely nothing. I am not aware of any effort by the Trump administration to undo President Bush's order, so it is a needless use of the House's time.

I believe the gentleman's language would also require every one of the local county employees or local folks to be E-Verified. Wouldn't this add another burden on USDA when it has to implement the new farm bill?

If so, I would like to ask the gentleman what he expects would happen in an emergency, such as we experienced from Hurricane Harvey, when

USDA may need to bring on employees quickly. They would have to wait for E-Verify clearance.

I would also submit that it is not clear whether the language also covers every single person who receives any of the funds in this bill as a grantee. I think it is unclear and would risk requiring every single one of the thousands of grantees to go through E-Verify. Then you would impose a truly undue burden on many small farmers, ranchers, and businesses that receive grants in this bill. I would strongly oppose that.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield to the gentleman from Alabama (Mr. ADERHOLT), chairman of the subcommittee.

Mr. ADERHOLT. Mr. Chairman, I rise in support of the gentleman's amendment here. I support what the gentleman is doing with this amendment. I also appreciate his willingness to make a slight change to the amendment in order to maintain support from staff in embassies across the world that help USDA staff open markets to U.S. goods.

With that being said, I would like to urge my colleagues to support his amendment.

Mr. KING of Iowa. I would add for clarification, Mr. Chairman, that the provision the gentleman referred to is section 408 of the Foreign Service Act of 1980, which exempts those employees in foreign countries that surely would not want them uncovered under E-Verify.

In response to the gentleman's objection, I have tried to fool E-Verify by punching data into it. The longest delay I could create was 6 seconds. So as far as undue burden is concerned, a 6-second wait in the most extreme circumstances I don't think is extreme at all.

This is the right thing for the Federal Government to at least exercise the laws that we pass and we want to impose upon the rest of the country and upon ourselves.

So it is a clarification amendment, Mr. Chairman. I urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. DIAZ-BALART OF FLORIDA

Mr. DIAZ-BALART. Mr. Chairman, pursuant to section 3 of House Resolution 500, as a designee of Chairman FRELINGHUYSEN, I rise to offer en bloc No. 2 as part of the consideration of H.R. 3354. The list of the amendments included in the en bloc is at the desk and has been agreed to by both sides.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 23, 24, 27, 30, 31, 34, 35, 40, 41, 42, 43, 45, 47, and 60 printed in part B of House Report 115-295, offered by Mr. DIAZ-BALART of Florida:

AMENDMENT NO. 23 OFFERED BY MR.

DESAULNIER OF CALIFORNIA

Page 1141, line 18, after the first dollar amount, insert "(reduced by \$15,000,000)".

Page 1141, line 18, after the second dollar amount, insert "(reduced by \$400,000)".

Page 1141, line 21, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 1141, line 25, after the dollar amount, insert "(reduced by \$4,000,000)".

Page 1142, line 4, after the dollar amount, insert "(reduced by \$4,600,000)".

Page 1142, line 11, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 1143, line 6, after the first dollar amount, insert "(increased by \$15,000,000)".

AMENDMENT NO. 24 OFFERED BY MR. HANABUSA OF HAWAII

Page 1141, line 18, after the first dollar amount, insert "(reduced by \$7,000,000)".

Page 1141, line 25, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 1142, line 4, after the dollar amount, insert "(reduced by \$4,000,000)".

Page 1196, line 22, after the dollar amount, insert "(increased by \$7,000,000)".

AMENDMENT NO. 27 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 1162, line 20, after the dollar amount, insert "(reduced by \$12,000,000) (increased by \$12,000,000)".

AMENDMENT NO. 30 OFFERED BY MRS. LOWEY OF NEW YORK

On page 1184, line 3, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

AMENDMENT NO. 31 OFFERED BY MR. NOLAN OF MINNESOTA

Page 1184, line 24, after the dollar amount, insert "(reduced by \$500,000,000) (increased by \$500,000,000)".

AMENDMENT NO. 34 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 1190, line 3, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

AMENDMENT NO. 35 OFFERED BY MR. NOLAN OF MINNESOTA

Page 1190, line 19, after the dollar amount, insert "(reduced by \$659,641,149) (increased by \$659,641,149)".

AMENDMENT NO. 40 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

Page 1228, line 21, after dollar amount, insert "(increased by \$2,000,000)".

Page 1261, line 4, after the dollar amount, insert "(reduced by \$2,000,000)".

AMENDMENT NO. 41 OFFERED BY MS. TENNEY OF NEW YORK

Page 1232, line 5, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 1240, line 2, after the dollar amount, insert "(increased by \$10,000,000)".

Page 1240, line 4, after the dollar amount, insert "(increased by \$10,000,000)".

AMENDMENT NO. 42 OFFERED BY MR. NADLER OF NEW YORK

Page 1239, line 11, after the dollar amount, insert "(increased by \$19,000,000)".

Page 1261, line 4, after the dollar amount, insert "(reduced by \$19,000,000)".

AMENDMENT NO. 43 OFFERED BY MR. KNIGHT OF CALIFORNIA

Page 1240, line 2, after the dollar amount, insert "(increased by \$100,000,000)".

Page 1240, line 4, after the dollar amount, insert "(increased by \$100,000,000)".

Page 1261, line 4, after the dollar amount, insert "(reduced by \$100,000,000)".

AMENDMENT NO. 45 OFFERED BY MR.

DESAULNIER OF CALIFORNIA

Page 1243, line 2, after the dollar amount, insert "(increased by \$5,000,000)".

Page 1243, line 9, after the dollar amount, insert "(increased by \$5,000,000)".

Page 1255, line 6, after the dollar amount, insert "(reduced by \$5,000,000)".

AMENDMENT NO. 47 OFFERED BY MR. SOTO OF FLORIDA

Page 1249, line 5, after the dollar amount, insert "(increased by \$2,500,000)".

Page 1257, line 16, after the dollar amount, insert "(decreased by \$2,500,000)".

AMENDMENT NO. 60 OFFERED BY MR. NOLAN OF MINNESOTA

Page 1156, line 10, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Florida (Mr. DIAZ-BALART) and the gentleman from North Carolina (Mr. PRICE) each will control 10 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DIAZ-BALART. Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Chairman, I rise to offer two amendments in this en bloc package to this appropriations bill. These two amendments will finally provide the authorized funding levels of \$12 million for the regional infrastructure accelerator demonstration program, section 1441 of the FAST Act; and \$10 million for the transit-oriented development pilot program, section 1036 of the FAST Act. This funding will finally allow these two important programs to move forward, improving infrastructure projects and transportation options in my district in the Inland Empire and throughout our country.

I appreciate the chairman's and the ranking member's support.

Mr. DIAZ-BALART. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise today in support of my amendment that would appropriate additional resources to CDBG funds, or the Community Development Block Grant program. Back home in California's 25th District, CDBG funds are awarded to numerous nonprofit organizations that do significant and far-reaching work for our constituents.

These resources reach citizens of the city of Santa Clarita through programs like Bridge to Home, domestic violence victim support centers, home rehabilitation services, and summer youth development programs.

In the Antelope Valley, CDBG funds address community needs through

grants for street maintenance in low-income neighborhoods, emergency shelter for low-income people, and financing for the construction of Palmdale's senior center.

Mr. Chairman, it goes without saying that my constituents dramatically benefit from CDBG funds, and I am sure many of my colleagues here can attest to the same. That is why I was alarmed to see that the President's budget request completely defunded this program. I am thankful to Chairman DIAZ-BALART and his staff for understanding the importance of this program and supporting it in the underlying bill.

My amendment returns the total program funding to a level that is consistent with the FY 2017 enacted level, which will provide the funding stability our communities need to ensure these programs can continue to operate. I urge my colleagues to support this.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

Mr. NADLER. Mr. Chair, last year, Congress passed an updated formula for the Housing Opportunities for Persons with AIDS (the HOPWA program). The change was necessary to ensure the program better reflected how the HIV/AIDS epidemic is changing in this country. However, at the current HOPWA funding levels, the new formula leaves several jurisdictions, including New York City and Miami, at risk of losing funding for this important program.

In a program as efficient as HOPWA, when grantees lose funding, people living with AIDS lose their housing. Research clearly demonstrates that housing instability leads to worse health outcomes for those living with HIV/AIDS, and these potential cuts could have a devastating impact on these patients and their families. The new formula will only be effective in addressing the AIDS housing crisis if we maintain adequate funding levels.

My amendment increases funding for HOPWA by \$19 million, ensuring that, under the new formula, no jurisdiction loses funding in Fiscal Year 2018. The amendment is fully offset through the HUD Information Technology Fund.

I thank Chairman DIAZ-BALART and Ranking Member PRICE for their long-standing support of HOPWA and for accepting this important amendment to protect people living with AIDS and their families. I look forward to continuing our work on HOPWA in the future. I also speak for all New Yorkers in lending our support to Chairman DIAZ-BALART and his district in the face of Hurricane Irma, just as they stood with us during Superstorm Sandy.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Florida (Mr. DIAZ-BALART).

The en bloc amendments were agreed to.

AMENDMENT NO. 21 OFFERED BY MR. LIPINSKI

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 115-295.

Mr. LIPINSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1141, line 18, after the first dollar amount, insert "(reduced by \$9,000,000)".

Page 1180, line 6, after the dollar amount, insert "(increased by \$9,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Illinois (Mr. LIPINSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. LIPINSKI. Mr. Chairman, I rise in support of this amendment that will provide the National Highway Traffic Safety Administration with \$9 million in order to facilitate their critical work on self-driving cars.

Earlier today, the House passed the SELF DRIVE Act, which expanded NHTSA's authorities in this area. This amendment I am offering supplies the initial financial resources needed to carry out the directives of that bill. This includes validating the safety of self-driving cars; defining new testing protocols as the technology advances; and partnering with industry, along with State and local governments, to conduct oversight of these new vehicles.

NHTSA will play a key role in fostering adoption of this technology that promises so much: expanded mobility, much safer roads, decreased energy usage and emissions, and less congestion.

Mr. DIAZ-BALART. Will the gentleman yield?

Mr. LIPINSKI. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. If the gentleman would be all right with that, I would be willing to agree to his amendment. As long as we can move the process quickly, I would agree to the amendment.

Mr. LIPINSKI. I thank the chairman for supporting it.

Mr. Chairman, I yield back the balance of my time.

Mr. Chair, I rise in support of an amendment I've offered to provide the National Highway Traffic Safety Administration (NHTSA) an additional \$9 million. The purpose of this amendment is to enable the agency to focus on connected and automated vehicles by expanding its workforce to validate the safety of these transformative vehicles, defining new testing protocols as the technology advances, and to better collaborate with industry, and state and local governments to conduct adequate oversight of their deployment on our roads.

Connected and automated vehicles are a rapidly emerging technology with the potential to improve safety and mobility, decrease congestion, and increase the overall efficiency of

our nation's transportation network. But along with this progress comes a number of pressing policy challenges. The federal government can, and must, play a role in maximizing the societal benefits of these technologies.

In a time when the technology that enables automated vehicles is rapidly advancing, I firmly believe that we must continue to promote U.S. leadership in this industry, with the goal of full deployment of automated vehicles on our roads and highways. Policies that balance consumer protection while facilitating innovation will ultimately benefit our manufacturing and transportation industries and their workers.

As Co-Chair of the Unmanned Systems Caucus, I have been holding periodic roundtables around the country on connected and autonomous transportation policy for the past two years. I have listened to experts from O.E.M.s, tier 1 suppliers, information technology companies, transportation planners, and tech start-ups.

Part of this interest is from my background as an engineer, and my work as the Ranking Member of the House Science Committee's Research Subcommittee. Last Congress, I introduced the Future TRIP Act to promote automated vehicle research. Key provisions of that bill passed into law in the FAST Act.

NHTSA has done an admirable job of working with the industry in developing policy guidance while allowing enough flexibility to promote innovation for an industry that is constantly evolving. It is exactly this kind of consensus-based incremental change that will their safety on the road. NHTSA needs the ability to review and process vehicle exemptions, conduct testing, and review safety standards.

Earlier today, we passed H.R. 3388, the SELF DRIVE Act, which expanded NHTSA's authorities in this area. That bill is an important step toward defining the federal government's role in regulating automated vehicles. The bill supports the testing and deployment of automated vehicles through the waiver process, preempts a patchwork of differing state and local regulations to provide certainty to industry and vehicle operators, and ensures consumer confidence by improving safety standards.

My amendment provides the initial financial resources needed to carry out the directives authorized in the SELF DRIVE Act, and subsequently appropriates the resources to give NHTSA the ability to examine these ongoing challenges.

I appreciate the support of Chairman DIAZ-BALART, and I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. MITCHELL

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 115-295.

Mr. MITCHELL. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1141, line 18, after the first dollar amount, insert “(reduced by \$10,889,900)”.

Page 1141, line 18, after the second dollar amount, insert “(reduced by \$275,800)”.

Page 1141, line 20, after the dollar amount, insert “(reduced by \$104,000)”.

Page 1141, line 21, after the dollar amount, insert “(reduced by \$2,077,200)”.

Page 1141, line 23, after the dollar amount, insert “(reduced by \$1,003,300)”.

Page 1141, line 25, after the dollar amount, insert “(reduced by \$1,401,900)”.

Page 1142, line 2, after the dollar amount, insert “(reduced by \$254,600)”.

Page 1142, line 4, after the dollar amount, insert “(reduced by \$2,425,500)”.

Page 1142, line 6, after the dollar amount, insert “(reduced by \$214,200)”.

Page 1142, line 7, after the dollar amount, insert “(reduced by \$176,000)”.

Page 1142, line 9, after the dollar amount, insert “(reduced by \$1,108,900)”.

Page 1142, line 11, after the dollar amount, insert “(reduced by \$1,848,500)”.

Page 1189, line 8, after the dollar amount, insert “(reduced by \$11,079,469)”.

Page 1211, line 12, after the first dollar amount, insert “(reduced by \$1,470,800)”.

Page 1211, line 19, after the first dollar amount, insert “(reduced by \$51,830,300)”.

Page 1211, line 19, after the second dollar amount, insert “(reduced by \$1,076,200)”.

Page 1211, line 21, after the dollar amount, insert “(reduced by \$5,034,000)”.

Page 1211, line 23, after the dollar amount, insert “(reduced by \$9,200,600)”.

Page 1211, line 24, after the dollar amount, insert “(reduced by \$20,587,300)”.

Page 1211, line 25, after the dollar amount, insert “(reduced by \$3,824,500)”.

Page 1212, line 2, after the dollar amount, insert “(reduced by \$4,958,800)”.

Page 1212, line 3, after the dollar amount, insert “(reduced by \$1,906,500)”.

Page 1212, line 4, after the dollar amount, insert “(reduced by \$357,000)”.

Page 1212, line 6, after the dollar amount, insert “(reduced by \$497,500)”.

Page 1212, line 8, after the dollar amount, insert “(reduced by \$4,387,900)”.

Page 1213, line 9, after the dollar amount, insert “(reduced by \$21,663,300)”.

Page 1213, line 12, after the dollar amount, insert “(reduced by \$10,755,400)”.

Page 1213, line 15, after the dollar amount, insert “(reduced by \$39,200,000)”.

Page 1213, line 18, after the dollar amount, insert “(reduced by \$2,406,500)”.

Page 1213, line 21, after the dollar amount, insert “(reduced by \$6,980,800)”.

Page 1213, line 25, after the dollar amount, insert “(reduced by \$760,000)”.

Page 1304, line 22, after the dollar amount, insert “(increased by \$157,036,469)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Michigan (Mr. MITCHELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

□ 1945

Mr. MITCHELL. Mr. Chairman, I yield myself such time as I may consume.

Our Nation faces a dire fiscal situation. We have now reached our debt ceiling once again. The path we are on is not sustainable. It jeopardizes our future, our children's future, and our national security. We must get our fis-

cal house in order and take this problem seriously.

Paying lip service to the problem will not solve it. We must be responsible now before it is far too late. The reality is that we can make cuts to our government without impacting essential programs. In fact, the right cuts will grow our economy by stopping overeager bureaucrats who often seem dedicated to Federal mandates and massive regulations.

We, in Congress, should be focused on growing and protecting Main Street, not an already bloated Federal Government. The amendment I propose today makes the cuts to the bureaucracy, the administrative costs within the Department of Transportation, Housing and Urban Development, and Related Agencies.

The cuts focus on administrative expenses and salaries within these two departments. This modest 10 percent administrative cut saves taxpayers \$222 million and, admittedly, is but a small step.

I come from the world of private business, so I understand that fiscal responsibility requires ongoing and consistent small steps. My amendment, when combined with other similar amendments, will yield big savings for taxpayers and will do so without cutting projects or essential programs.

I urge my colleagues to seriously consider my amendment as we work to secure our fiscal future.

Mr. Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chair, let me thank the gentleman for bringing up this amendment. He has worked awfully hard, and I am a huge admirer of his.

Here is the problem: in the committee, we have actually gone line by line to identify cuts in salaries and expenses at HUD and DOT, and as a result, most administrative accounts are at or below the 2017 levels. By the way, that is one of the ways that we achieved \$1.1 billion in savings, again, below the 2017 budget.

When you do it across the board, it could affect safety programs, it could actually have unintended consequences. So while I am grateful for the chairman's hard work, I would urge a “no” vote at this time, and I look forward to continuing to work with the gentleman to make sure that his concerns are addressed in this bill and in future bills.

Mr. Chair, I reserve the balance of my time.

Mr. MITCHELL. Mr. Chairman, I respect the work of the committee, certainly the chairman.

As I said earlier, I come from the private sector where, frankly, a 10 percent

cut in administration is not uncommon. I worked at Chrysler Corporation back in the original loan guarantee days where Lee Iacocca said: “If you can't cut 10 percent of your budget, I will just find a new manager.”

We have made cuts. We made more substantial cuts than many other agencies. As noted earlier, we made significant cuts in, for example, the EPA, back to levels of 2005, 2006. I believe we can make these cuts and still maintain the safety and security of this Nation, maintain operations and programs, and while we may disagree, I will certainly work with the chairman and the committee to continue to work on getting our fiscal house in order.

Mr. Chairman, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I yield as much time as he may consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I rise to join the chairman in opposition.

The amendment would decimate the salaries and expense accounts at the Department of Transportation, Department of Housing and Urban Development, and related agencies. There are broad consequences for this, but I want to focus on one consequence: cybersecurity.

The inspectors general of both departments have indicated that both agencies have a lot of work to do in addressing cyber threats. The CIOs at DOT and HUD have been working to address these challenges. They have had issues in hiring and staffing cybersecurity professionals in what is a very competitive labor market.

The bill would make these challenges even more difficult by reducing the salaries and expenses of the CIO offices by 10 percent.

We owe it to our constituents to have a safe and secure transportation system and to safeguard personally identifiable information. This amendment would make it harder for these departments to do this, and I urge its defeat.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. MITCHELL).

The amendment was rejected.

AMENDMENT NO. 25 OFFERED BY
MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part B of House Report 115-295.

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1147, line 1, after the dollar amount, insert “(reduced by \$150,000,000)”.

Page 1304, line 22, after the dollar amount, insert “(increased by \$150,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment eliminates the \$150 million of discretionary spending wasted on one of the least essential programs in the entire United States Government, the so-called Essential Air Service. That is the program that subsidizes empty and near-empty planes to fly from small airports to regional hubs that are usually just a few hours away or less by car.

This was supposed to be a temporary program to allow local communities and airports to readjust to airline deregulation back in 1978.

Last year, the Essential Air Service cost a total of nearly \$300 million between direct taxpayer subsidies and fees to fly near-empty planes to underused airports. \$150 million of that is in our control, and this amendment zeros it out and puts it toward deficit reduction.

We are often told that we now have a \$200 per person cap on the subsidies, as if that wasn't bad enough, but that is only for flights under 210 miles. It continues unlimited subsidies over that distance, and actual subsidies per passenger can be over \$1,000 per seat.

Year after year we are promised reform, and year after year the cost goes up. By the way, Essential Air Service flights are flown out of Merced and Visalia airports that serve my district in the Sierra Nevada. A tiny number of people actually use them, and the alternative is hardly catastrophic. Visalia and Merced are less than an hour's drive from Fresno air terminal. But I can assure you that every person in my district who hears about this waste of their money is outraged by it.

Rural life has great advantages and great disadvantages, and it is not the job of taxpayers who choose to live elsewhere to level out the differences.

Apologists for this wasteful spending tell us it is an important economic driver for these small airports, and I am sure that is so. Whenever you give away money, the folks you are giving it to are always better off, but the folks you are taking it from are always worse off to exactly the same extent. Indeed, it is economic drivers like this that have Europe's economy right off a cliff.

Four years ago, one Member rushed to the microphone to suggest this was essential for emergency medical evacuations. Well, it has nothing to do with that. This program subsidizes regular scheduled commercial service that practically nobody uses. If it actually had a passenger base, we wouldn't need, in effect, to hand out wads of \$100 bills to the few passengers who use it, would we?

An airline that so recklessly used its funds would quickly bankrupt itself. The same principle holds true for governments.

The Washington Post is not known as a bastion of fiscal conservatism, but I cannot improve upon an editorial a few years ago when it said: "Ideally, EAS would be zeroed out, and the \$200 million we waste on it devoted to a truly national purpose: perhaps deficit reduction, military readiness, or the social safety net. Alas, if Congress and the White House were capable of making such choices, we probably never would have had sequestration in the first place."

There are many tough calls in setting fiscal priorities, but this isn't one of them. If the House of Representatives—where all appropriations begin, with a Republican majority pledged to stop wasting money—can't even agree to cut this useless program off from the trough, how does it expect to be taken seriously on the much tougher choices that lie ahead?

Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR (Mr. MITCHELL). The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to the gentleman's amendment. This Essential Air Service program ensures that small and rural communities have access to the national air transportation system. The program is vital to small businesses and farming communities and rural communities and rural entrepreneurs.

So the amendment would cut off air service to many rural communities and would put economies of many of our small towns potentially at risk. I thank the gentleman for his passion, but I would urge a "no" vote.

Mr. Chair, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, the gentleman is correct. It would cut off air service to communities that are usually just an hour or so drive from a major regional airport where they can obtain air service. This is the kindest cut of all. Eliminating a temporary program established 39 years ago has become a poster child for wasteful Federal spending.

Now, our national debt has nearly doubled in 8 years. American taxpayers will pay \$269 billion this year just in interest costs on that debt. If you are an average family paying average taxes, it means that \$2,200 of your taxes this year will accomplish nothing more than renting the money we have already spent.

Continuing to pay for this obsolete and wasteful program with money we don't have is simply obscene. It makes a mockery of any claim that we cut spending to the bone, and I would ask for adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. MCCLINTOCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 26 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part B of House Report 115-295.

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1150, line 23, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 1151, line 1, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 1242, line 5, after the dollar amount, insert "(increased by \$100,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, my amendment is quite simple. It would add \$100 million to the HOME Investment Partnerships Program, which is a really important initiative that supports homeownership, supports housing opportunities for people living in America's communities. It literally puts a roof over the head of many Americans. Thirty-five percent of low-income renters right now are unable to find affordable housing. This is not a time to cut this essential program.

Since 2004, Congress has cut this program in half, cutting over \$1 billion. We really need to focus more of our attention in how we create more stable communities, more stable neighborhoods, and housing is essential to that, and the HOME program is essential to housing.

Too many communities, too many cities and towns are struggling to hold themselves together. This is one really tangible way that the Federal Government can help those communities.

I have spoken to the chairman of the subcommittee, Mr. DIAZ-BALART, and I know he supports the HOME program. He has agreed to work with me to ensure that the final bill has robust funding for the HOME program, so I greatly appreciate the opportunity to work with him.

Mr. Chairman, I yield to Mr. DIAZ-BALART for any remarks that he might have.

Mr. DIAZ-BALART. Mr. Chairman, I want to thank the gentleman for bringing this up. This is something that I have got to give a lot of credit to the ranking member as well. This is a program that we are very familiar with. I look forward to working with the Member from Michigan on a program that I think a lot of us support, clearly I support, and the ranking member supports. I want to thank him for bringing it up.

Mr. KILDEE. Mr. Chairman, I will close. I know the chairman and the ranking member support this. I urge all of my colleagues, when this eventually comes back before us, to support robust funding.

Mr. Chairman, I will withdraw my amendment and count on the fact that we will work together to make sure that this program is fully supported.

Mr. Chair, I yield back the balance of my time and withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 28 OFFERED BY MR. WOODALL

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in part B of House Report 115-295.

Mr. WOODALL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1163, beginning line 23, strike "such" and all that follows through "That" on line 8 of page 1164.

Page 1164, beginning line 16, strike the colon and all that follows before the period at the end of line 24.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Georgia (Mr. WOODALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Mr. Chairman, this is an amendment to provide the maximum flexibility to States that are being asked, under this bill, to rescind \$800 million in an obligated budget authority.

As you know, Mr. Chairman, we put money in a lot of different pots and send it out to a lot of different places to do a whole lot of good for a whole lot of people, but when you have a bill that is going to ask the States to pull back some of that money, historically, we have limited the ability of States to make those decisions.

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With all due respect to anyone's hometown team, I will tell you no one knows more about how to take care of the safety of the citizens of Georgia than do the citizens of Georgia and our local elected officials.

What this amendment would do is allow our local Departments of Transportation, our State Department of Transportation, maximum flexibility in meeting this Federal mandate to rescind those \$800 million worth of unobligated funds.

I ask my colleagues for their support in providing that maximum flexibility, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I commend the gentleman for offering the amendment. I am compelled to oppose it, in part, because our authorizers have expressed reservations, at least on our side, about this amendment.

No one disagrees with giving the States flexibility, but we and the authorizers, in particular, have some questions about how the gentleman's amendment would go about providing that flexibility.

The set-asides in the bill reflect the agreement in the FAST Act. Therefore, before legislating on this, we need to be clear about how this would work and whether it does, in fact, violate the premises of the FAST Act and other questions raised by our colleagues.

I suggest a "no" vote. I also suggest that we could return to this and deal with it later once some of these questions might be cleared up.

Mr. Chairman, I yield back the balance of my time.

Mr. WOODALL. Mr. Chairman, I yield myself such time as I may consume.

I am one of those authorizers. I sit on the Transportation Committee, so I will make myself available to anyone who has questions about the intent of the Transportation Committee on that measure.

Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, I thank the gentleman for bringing this up. This is something he has done a lot of work on and he knows this issue very, very well. I think this is a well-done amendment. I welcome the amendment, and I wholeheartedly support it.

Mr. WOODALL. Mr. Chairman, I thank my friend for those comments.

Again, I want to provide maximum flexibility to what is a very difficult job, and that is reclaiming those obligated funds from each one of our districts back home. The question is: Will we trust our local officials to make the best decisions or will we structure how those decisions are made here? I trust our local engineers, our local builders, and our local folks in charge of our public safety.

Mr. Chairman, I encourage my colleagues to support this amendment,

and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 29 will not be offered.

AMENDMENT NO. 32 OFFERED BY MR. BUDD

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part B of House Report 115-295.

Mr. BUDD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1184, line 24, after the dollar amount, insert "(reduced by \$474,054,999)".

Page 1190, line 19, after the dollar amount, insert "(increased by \$1)".

Page 1190, line 20, after the dollar amount, insert "(increased by \$400,000,000)".

Page 1190, line 25, after the dollar amount, insert "(reduced by \$400,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from North Carolina (Mr. BUDD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. BUDD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to oppose a \$900 million earmark to the Gateway Project, an upgrade of an Amtrak rail bridge and tunnel between Newark and New York City. This earmark is a downpayment. The project is supposed to be \$29.5 billion.

My amendment would do two things: It would cut spending by \$474 million, and it would take \$400 million and add it to national transit funding.

Mr. Chairman, New Jersey canceled a project doing the same thing in 2010. That was when it cost \$8.7 billion. Now the Federal version costs \$13 billion. This is what the Governor's office said, defending the decision, in reference to comments made by Senator Frank Lautenberg:

"... perhaps he can explain why he is insisting New Jersey tax and toll payers fund 70 percent of a project, while billions in Federal funding pour out of Washington for high-speed rail lines in other States like Florida, which will pay only 20 percent of project costs."

Here we are, Mr. Chairman. Billions are about to pour out of Washington. If this earmark stands, then we send a clear message to the States: Short-change your infrastructure, and Washington will bail you out.

Mr. Chairman, I urge support, and I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I rise in strong opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, let's first get one thing straight: This is a cut in infrastructure investment, authorized by the FAST Act, which was passed by this body by a vote of 359-65. It is an authorized program in the FAST Act. This is not, by any stretch of the imagination, an earmark.

This amendment proposes a cut of \$474 million from the Federal Railroad Administration State of Good Repair program. This program was created to address the state of good repair backlog in our intercity rail transportation system. That backlog, by itself, is estimated to be at a whopping \$38 billion.

This program replaces or, frankly, rehabilitates any publicly owned or Amtrak-owned infrastructure and will ensure intercity rail service is safe, reliable, and ready to support economic and population growth. It is not, by any stretch of the imagination, an earmark. It is an authorized program.

Now, let me address the funding shift. Again, I respect the gentleman, but I respectfully oppose what the gentleman is proposing.

We have already allocated significant resources to the new search program, which I support, consistent, again, with the President's request. We have chosen to allocate funding for other projects, consistent with the wills of Congress of this House with the FAST Act that benefit both commuter and passenger rail and make significant returns on investment for our country, particularly, by the way, for our economy.

So we are funding transit infrastructure to get our economy moving, literally. And, as a nation, we have to address our critical infrastructure assets, which is why this was authorized by Congress in the FAST Act—I repeat.

This amendment would undermine that effort, so I would respectfully urge a “no” vote on the gentleman's amendment.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. DIAZ-BALART. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the chairman for yielding. I join him in opposing this amendment. It would reduce the total amount of spending on new infrastructure projects by \$474 million.

The main criticism of this bill, as the chairman has said, is that we ought to be doing more investment in infrastructure, not less. This amendment would make the bill's shortcomings even worse.

The Federal-State partnership for State of Good Repair program can be used for grants along the Northeast Corridor, the Chicago to Detroit Corridor, and publicly owned rail infrastructure throughout the Nation. These corridors include many of the Nation's passenger rail bottlenecks.

This amendment would take away dedicated funds to improve passenger rail service throughout our country. It is a distraction from the infrastructure challenges we face. We should be finding ways to invest in infrastructure: worthy new projects, expand mobility and opportunity. This amendment moves in the opposite direction.

Mr. Chairman, I urge its defeat.

Mr. DIAZ-BALART. Mr. Chairman, I reserve the balance of my time.

Mr. BUDD. Mr. Chairman, a couple of things. I look at this, and this still allows funding of existing projects and infrastructure, but it also reduces the deficit, too.

And I want to quote the Eno Center for Transportation here: “It is obvious from the beginning of the timeline that the new Hudson River tunnel project was conceived as a way around Governor Christie's cancellation of the ARC tunnel project. Instead of having Jersey Transit as the sponsor like ARC, the new tunnel would be under the aegis of Amtrak.”

Mr. Chairman, this isn't about Amtrak funding. This is about funding for a single project in New Jersey that the State, itself, wouldn't fund in 2010. Amtrak funding for the Northeast Corridor account remains untouched under my amendment.

We are talking about Amtrak funding for a single project. As the chairman, himself, has said, a significant proportion of the \$328 million in the Northeast Corridor account will go to Amtrak.

This is 300 times the size of an average earmark, when we had earmarks. We have an earmark ban in place right now. There is debate over this, but it is not fair with the ban in place that chairmen get huge earmarks and the rest of us, essentially, are banned. There should be one rule that applies to everyone, and right now the earmark ban is what applies.

One-sixth of the non-aviation DOT money in this bill is going to Gateway. In what universe is that reasonable?

Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Florida has 2 minutes remaining.

Mr. DIAZ-BALART. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I thank Chairman DIAZ-BALART for yielding me time.

Mr. Chairman, this is not an earmark. The Northeast Corridor region is an economic powerhouse. It generates \$3 trillion in annual economic output and is home to 20 percent of the Nation's gross domestic product, more than 51 million people, and 4 of the 10 largest metropolitan areas in the United States. It is a moneymaker for Amtrak and the Federal Government,

serving more than 750,000 people every day on 2,000 intercity and commuter trains.

Travel up and down this corridor of passengers and freight is critical to the economy of the entire country. If one of these tunnels were to fail, the negative economic and transportation implications would ripple to other States such as Kentucky, Delaware, Florida, Georgia, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, North Carolina, Vermont, Virginia, and West Virginia.

According to the Northeast Corridor Commission, underinvestment in the Northeast Corridor already costs the economy \$500 million annually, \$30 million more than the savings from the amendment.

The Gateway Project is a national priority. I urge a “no” vote on this amendment.

Mr. DIAZ-BALART. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, pursuant to section 3 of House Resolution 500, I move to strike the last word for the purpose of debate.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I yield to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to this amendment, which would eliminate funding for the Gateway Project.

The Gateway Project, which includes work on the Portal Bridge and construction of a new rail tunnel under the Hudson River, is widely recognized as one of the highest priority transportation projects in the country.

We should have built new tunnels and expanded capacity on the Northeast Corridor long ago, but the damage to the existing tunnels caused by Superstorm Sandy has brought a new urgency to the situation. If those tunnels were to go down, as they certainly will in the next 10 years without the Gateway Project, there would be no rail service between New York and New Jersey, massively disrupting transportation all along the Northeast Corridor from Washington to Boston. Twenty percent of the economy of the country would be disrupted.

This amendment cuts funding for Gateway and eliminates almost \$500 million from the bill completely, sending it to the spending reduction account. It does not direct that funding to other infrastructure projects. It does not restore TIGER funding. It reduces national infrastructure spending when we should be increasing it.

Mr. Chairman, I urge my colleagues to reject this extremely shortsighted and punitive measure.

Mr. DIAZ-BALART. Mr. Chairman, I yield to the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the Gateway program will create the new infrastructure essential to greater resiliency against future potential storms and disasters, while enabling repairs to damage and achieve capacity and reliability-related investments for the needs of the Northeast Corridor's operators for the next 30 to 50 years.

Without extensive repairs and rebuilding of the existing tunnel, service reliability is likely to continue to deteriorate due to ongoing damage from saltwater incursion during Superstorm Sandy, from which we are still suffering 5 years later, eventually forcing a shutdown of one or both tubes of the Hudson River Tunnel.

Mr. LANCE pointed out and Mr. NADLER pointed out the Northeast Corridor is not just the Northeast. It services the entire Nation. It serves a massive economic purpose.

It is essential we stand behind this. This is absolutely essential infrastructure spending. I support Chairman FRELINGHUYSEN, and I support the ranking member and the chairman of the subcommittee for their work. Again, it is truly a bipartisan effort and something that is absolutely essential.

Mr. Chairman, I urge defeat of the amendment.

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Mr. DIAZ-BALART. Mr. Chair, I yield to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Defense Subcommittee.

Mr. VISCLOSKY. Mr. Chair, I appreciate the chairman yielding. I rise in strong opposition to the gentleman's amendment and would associate myself with the chairman's remarks.

The gentleman indicated that there is deficit reduction involved in his amendment. I would emphasize to all of my colleagues in this Chamber that this account for fiscal year 2018 is already reduced by hundreds of millions of dollars. How much more are you going to cut?

I happen to live in Gary, Indiana. I don't live in New Jersey. I don't live in New York. What I appreciate is that the chairman, the ranking member, the members of the subcommittee put together a national investment bill. This is an investment in our Nation, one of the largest Metropolitan regions and economic engine. If we fail to make these types of investments, we are making a fundamental mistake, particularly given the fact that during the last campaign, we heard a lot about investing in infrastructure, and the gentleman is here tonight wanting to further reduce that particular investment.

This is an important account to every American citizen. I support the committee's position, and I am opposed to the gentleman's amendment.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

Mr. PAYNE. Mr. Chair, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PAYNE. Mr. Chair, I rise in opposition to the proposed amendment. To coin it an earmark is unfortunate. The amendment would strike the language passed out of the Appropriations Committee that supports transportation projects of national significance. The committee voted to appropriate \$900 million to rail programs already authorized by Congress in the FAST Act.

For the last 8 weeks, millions of commuters in the New York metropolitan area suffered through a summer of hell after Amtrak announced emergency track work at Penn Station, the busiest in North America, because of three derailments in the span of a few weeks. This was just an inkling of the turmoil that would be wrought if the Federal Government does not live up to its promise to fund much-needed repairs on the Northeast corridor.

I must emphasize, moneys approved by the Appropriations Committee are for programs already authorized by the FAST Act, which was passed with overwhelming bipartisan support.

I urge all of my colleagues to vote against the Budd amendment.

Mr. Chair, I yield back the balance of my time.

Mr. BUDD. Mr. Chairman, this is a lot of money, as I mentioned earlier. The State of Good Repair account is funding at 18 times last year's appropriated level. Let me say that again: 18 times last year's level and the budget request.

I will close with one more quote from Governor Christie regarding the decision to cancel the original version of this project. He said: "I don't want to hear about the jobs it will create. If I don't have money for the payroll, it will not create the jobs. This is not a difficult decision for me."

The Federal Government doesn't have the money for the payroll either, Mr. Chairman. We are \$20 trillion in debt. Heritage Action for America, Club for Growth, FreedomWorks, National Taxpayers Union, and Citizens Against Government Waste are scoring "yes" on my amendment.

Mr. Chairman, I urge a "yes" vote.

Mr. Chair, I thank the chairman for yielding, and I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, again, I think we know this issue. I strongly oppose the amendment, and I would urge a "no" vote.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUDD).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BUDD. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 33 OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part B of House Report 115-295.

Mr. BROOKS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1187, strike lines 3 through 15.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Alabama (Mr. BROOKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Mr. Chairman, America suffered four consecutive trillion-dollar-per-year deficits during the Obama and Bush administrations. The election of a Republican House in 2010 brought progress. The trillion-dollar-per-year deficits were cut to a low of \$439 billion in fiscal year 2015. A \$439 billion deficit is still horrible, but it is a whole lot better than a trillion-dollar deficit.

Unfortunately, America's solvency has deteriorated since 2015. In fiscal year 2016, America's deficit exploded to \$587 billion, \$148 billion worse than the previous year. In fiscal year 2017, this fiscal year, the nonpartisan Congressional Budget Office projects the deficit will again explode to \$693 billion, \$145 billion worse this year than last year, and that is before the bill comes due for the Hurricane Harvey destruction in Louisiana and Texas.

Congress will soon raise America's debt ceiling as a result, and within days thereafter, America's debt will blow through the \$20 trillion mark.

As a result of America's \$20 trillion debt, we pay over \$250 billion per year in debt service. How much is \$250 billion? It is roughly five times what we spend on transportation for things like highways, bridges, and interstates each year. That debt service money is gone, no longer able to provide services to Americans; rather, it is spent to make amends for past government excesses and irresponsible spending.

Worse yet, the nonpartisan Congressional Budget Office projects that America's debt service costs will increase by another \$600 billion within a decade to more than \$800 billion per year. The question is then asked: Where is that money going to come from? What is going to be cut? Will it

be Social Security, will it be Medicare, Medicaid, national defense? What?

The CBO, America's Comptroller General Gene Dodaro, and the Government Accountability Office have all warned Congress and the President in writing that America's deficits and debt past are: "Unsustainable."

To be clear, in the accounting field, the word "unsustainable" is bad, really bad. It is the equivalent of a bankruptcy warning. It is a warning that America is headed to a debilitating insolvency and bankruptcy if we don't do better.

In sum, Washington's financial irresponsibility is a betrayal of the American people, it is pushing America into a debilitating bankruptcy and insolvency that will destroy the American Dream for our children and grandchildren.

It is in this setting that I have beseeched the House of Representatives to be financially responsible. Please support my amendment that eliminates Federal Government operating subsidies of Amtrak, thus forcing Amtrak passengers to pay their actual costs of riding on Amtrak trains.

Stated differently, what policy justification is there for forcing Americans who don't use Amtrak to subsidize the travel of Americans who do use Amtrak? I know of none.

How bad is the Amtrak subsidy problem? The Congressional Research Service reports that, from 1971 to 2015, Federal Amtrak subsidies totaled \$78 billion in constant 2015 dollars.

In fiscal year 2014, Amtrak had a net loss of \$1.1 billion. Who will pay for that loss? America's children and grandchildren, that is who, because that is money we don't have, have to borrow to get, and cannot afford to pay back.

Instead of allowing Amtrak to continue to run up debts and add to our national debt, we should force Amtrak to be self-sufficient, we should force Amtrak passengers to pay their own travel costs, and we must cut Amtrak from the government dole. We don't give these kind of subsidies to people who ride on airplanes, and we don't give these kind of subsidies in a lot of other means of transportation.

Mr. Chair, I ask for a "yes" vote. Be financially responsible. Make Amtrak pay its own way.

Mr. Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chair, this amendment would shut down, as we have heard, all 15 of Amtrak's long-distance routes and all 28 State-supported routes.

Now, let me tell you, the gentleman from Alabama is absolutely very con-

sistent, he is sincere about trying to reduce the Federal deficit, and I commend him for that.

Now, here is the problem. This amendment results not in savings but in increased costs of \$423 million. I want to repeat that. This amendment would have the effect of increasing costs by \$423 million. It would stop all revenues associated with the national network immediately, but costs would continue to accrue for years, and in addition, some costs that were paid for from the national network account would now simply be shifted to the Northeast corridor account.

So, for instance, assets that are shared by both long distance and Northeast corridor, like stations or tracks, are funded under each account proportionally. These costs that were formerly paid by the national network would still need to be paid. So, again, this amendment actually costs more money.

I know that, obviously, is not the intent, because I know the gentleman from Alabama, and I can say that, is absolutely sincere.

This is something that we have to realize. This bill is not just arbitrary decisions. We held hearings, and we carefully scrubbed each account to make sure that the reductions that we made were responsible and that they were actually going to result in reductions.

So, again, this is not the right way to do it. This would actually increase costs. It is not prudent to eliminate an entire transportation option.

By the way, furthermore in this case, as I mentioned before, it would actually cost even more so to do so. So I would respectfully urge a "no" vote.

Mr. Chair, I reserve the balance of my time.

Mr. BROOKS of Alabama. Mr. Chairman, only in the Halls of Congress does a \$1.1 billion cut in subsidies for a mode of transportation allegedly result in higher costs to taxpayers.

I would submit that there is zero evidence that Amtrak passengers cannot absorb higher fares to pay their own way.

Mr. Chair, we are talking about \$1.1 billion out of a \$700 billion deficit for this fiscal year. We have to be responsible, we have to protect the future of our children and our grandchildren, and I urge the adoption of my amendment to do just that.

Mr. Chair, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I yield as much time as he would consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chair, I appreciate the chairman for yielding and join him in opposing this amendment.

Amtrak serves more than 500 destinations in 46 States. It is a more and more critical component of our trans-

portation system in North Carolina and many States like it across the country. It connects small communities that otherwise wouldn't have access to air service or other first-rate transportation.

In the past 11 years, Amtrak has had ten consecutive years of record ridership, serving over 32 million passengers last year. So this is an irresponsible amendment. It would eliminate thousands of jobs for Amtrak workers, and it would hurt the local economies that benefit from Amtrak routes.

Eliminating this national network service would also harm State-supported routes, and we in North Carolina and other States take notice when that is charged, and it is an accurate charge. They feed into these long-distance routes. It costs the government billions of dollars due to the violation of labor agreements. So it would be a very costly amendment. There is no doubt about it.

Support for a robust national rail system has been reaffirmed by members of both parties, and we can reaffirm it here tonight by voting against this amendment.

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Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BROOKS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROOKS of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT NO. 36 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part B of House Report 115-295.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1190, line 23, after the dollar amount, insert "(increased by \$48,000,000)".

Page 1190, line 25, after the dollar amount, insert "(reduced by \$48,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would increase funding for the Small Starts program by \$48 million. This is the amount that SunRail, a constituent passenger train system in my district, would need to begin phase 3 of construction. Phase 3 would connect the commuter rail system to the Orlando International Airport.

Currently, the Orlando Intermodal Terminal is under construction at the airport that would connect two transportation systems, both Brightline and SunRail, which were only really divided by a few miles, and Federal funding will eventually be key to connect this intermodal system and SunRail.

Central Florida needs to be more mobile, and I urge in the future that we look as we go forward with phase 3, and stand ready to help.

Mr. Chairman, I yield back the balance of my time and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 37 OFFERED BY MR. CARBAJAL

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in part B of House Report 115-295.

Mr. CARBAJAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1201, line 14, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from California (Mr. CARBAJAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARBAJAL. Mr. Chairman, I am offering an amendment to ensure we are taking the appropriate steps to improve pipeline safety to mitigate some of the devastating impacts of oil spills throughout our Nation. This is a particularly important issue for my constituents on the central coast where we have seen the damage oil spills wreak on our communities and local economies.

During the 1969 Santa Barbara oil spill, over 100,000 barrels of crude oil spilled into the Santa Barbara Channel. This was the largest oil spill in California's history that significantly harmed Santa Barbara's unique marine ecosystems and wildlife, recreational interests, and commercial fishing.

Paired with the 2015 Refugio oil spill, also in Santa Barbara County, where clean-up costs hit \$92 million, these incidents show us that we cannot continue to drag our feet. We need to implement pipeline safety and spill mitigation rules that Congress already passed 6 years ago.

In 2011, the House worked in a bipartisan way to pass the Pipeline Safety, Regulatory Certainty, and Job Creation Act. This law, which passed the House unanimously, directed the Pipeline and Hazardous Materials Safety Administration, or PHMSA, to update and strengthen key pipeline safety standards. The law called on PHMSA to issue a rule requiring automatic shutoff valves on new pipelines and to

strengthen requirements for the inclusion of leak detection technologies on pipelines.

My amendment is straightforward. It sets \$1 million of PHMSA's own budget for the finalization and implementation of sections 4 and 8 of the bipartisan 2011 pipeline safety law so that our Federal guidelines are up to date. Section 4 requires new pipelines to install automatic shutoff valves.

Mr. DIAZ-BALART. Will the gentleman yield?

Mr. CARBAJAL. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I want to thank the gentleman for bringing this issue up and just let him know that we are ready to accept his amendment. So if he would just yield back, I will accept this amendment. I want to thank the gentleman for bringing it up.

Mr. CARBAJAL. Mr. Chairman, if the amendment is in order to be accepted, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARBAJAL).

The amendment was agreed to.

AMENDMENT NO. 38 OFFERED BY MS. ROSEN

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in part B of House Report 115-295.

Ms. ROSEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1211, line 19, after the first dollar amount, insert “(reduced by \$47,000,000)”.

Page 1211, line 21, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 1211, line 23, after the dollar amount, insert “(reduced by \$8,000,000)”.

Page 1211, line 24, after the dollar amount, insert “(reduced by \$32,660,000)”.

Page 1212, line 3, after the dollar amount, insert “(reduced by \$1,865,000)”.

Page 1212, line 6, after the dollar amount, insert “(reduced by \$475,000)”.

Page 1294, line 2, after the dollar amount, insert “(increased by \$35,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Nevada (Ms. ROSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. ROSEN. Mr. Chairman, I rise in support of my amendment to increase funding by \$35 million for the Neighborhood Reinvestment Corporation, better known as NeighborWorks America.

For the past 40 years, NeighborWorks America, a congressionally chartered nonprofit, has provided financial support, technical assistance, and training for community-based development right here in the USA.

NeighborWorks partners with more than 240 organizations focused on pro-

viding access to homeownership and to safe and affordable rental housing. These organizations are public-private partnerships providing maximum transparency and accountability in their stewardship of scarce Federal dollars.

In fiscal year 2016, NeighborWorks America developed nearly 13,000 affordable homes, repaired over 55,000 houses, created more than 21,000 new homeowners, and assisted over 360,000 families with affordable housing.

NeighborWorks has demonstrated the ability to attract private sector investments to its affordable housing projects, leveraging 91 private dollars for every \$1 of funding appropriated.

Our country is finally on the pathway to recovering from a crippling housing crisis. My home State of Nevada was hit the hardest when the housing bubble burst and we experienced one of the highest rates of foreclosure. My district, which includes Las Vegas, has some of the lowest availability of affordable rental homes to households with low-income levels. In fact, there are only 15 affordable and available rental homes for every 100 rental households.

NeighborWorks has played a critical role in helping develop and preserve affordable housing, revitalize and sustain neighborhoods, and create jobs. Last year, Nevada affordable housing organizations like Neighborhood Housing Services of Southern Nevada, and Nevada HAND, received over \$600,000 in grants, providing homeownership counseling and education to over 6,500 households, creating over 600 new homeowners, and preserving homeownership for over 250 individuals. Congress needs to continue to strengthen programs that allow low-income families to keep a roof over their heads.

In addition to financial support and technical assistance, NeighborWorks offers home buyer and foreclosure counseling, and previously administered the National Foreclosure Mitigation Counseling program. Created in 2007 to address the nationwide housing foreclosure crisis, this program has counseled more than 2 million homeowners facing foreclosure in response to the housing crisis.

You may hear from my friends across the aisle that there is no longer a need for foreclosure mitigation counseling because foreclosure rates are decreasing nationwide. And I am glad to see the rates decrease, but the reality is that foreclosures continue to plague many parts of this country, including my district.

Statistics from the Department of Housing and Urban Development show that a foreclosed home depresses home values, reducing appraisal values by nearly 9 percent. Clearly, preventing even one foreclosure helps every household in a neighborhood.

Foreclosure mitigation counseling plays a crucial role in reducing chances

that a homeowner will not fall back into foreclosure. These programs enable counselors to work with homeowners on their budget and find the best option for their situation.

According to an Urban Institute study, counseled homeowners were nearly twice as likely to receive a cure for their serious delinquency or foreclosure as homeowners not counseled through the NeighborWorks program.

Additionally, NeighborWorks also offers disaster preparedness and recovery for communities, including training, resources, and assistance. In fact, organizations in and around the impact zone of Hurricane Harvey in Houston are ready to offer disaster recovery right where it is needed most, and we know Irma is on its way to Florida.

On the heels of one the worst natural disasters of our lifetime, and in the face of additional severe weather events, now is not the time to roll back our investment in NeighborWorks and the organization it supports.

Despite the continued need for affordable housing and NeighborWorks' success at revitalizing communities, the underlying bill would cripple NeighborWorks by slashing its funding. We cannot afford to reverse our progress made on affordable housing. Instead, we should continue critical investments in programs like NeighborWorks that have proven to be successful.

Mr. Chairman, I urge my colleagues to join me in voting "yes" for this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART, Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, let me first reassure the gentlewoman that I support the mission of Neighborhood Reinvestment Corporation. As a matter of fact, this bill that we are on provides \$140 million, the same amount that was provided in 2017. We are not rolling that back at all.

The reduction from FY16, however, reflects the elimination of the National Foreclosure and Mitigation Counseling program. Now, this program was to be a 1-year program when it began in 2007 in response to, obviously, the foreclosure crisis at the time. Again, this 1-year program then continued on for 9 years.

Now, recognizing that the economy improved, obviously, significantly, and foreclosure numbers continued to decline, Congress discontinued the NFMC program, again, in fiscal year 2017. In fact, the prior administration proposed elimination of the NFMC in its budget request for the very same reason.

So in 2016—let's put this in perspective. Foreclosure filings were at a 10-year low and declined to 14 percent

below the 2015 level. The foreclosure rate has stayed within a historically normal range for 3 years. So, further, the NRC has integrated foreclosure mitigation counseling into its other counseling programs, eliminating the need for a separate program. So, again, you know, we scrubbed these accounts. For those reasons, I respectfully would urge a "no" vote on this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. ROSEN. Mr. Chair, I yield the balance of my time to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I commend my colleague for offering this amendment, and I strongly support it. Like many Members, I have seen the difference that NeighborWorks makes in my own district: making available hundreds of affordable apartments, often for veterans, for families.

The administration proposed slashing NeighborWorks by \$113 million, so I commend the committee, our subcommittee, for refusing that proposal. But we need to bring it back to the fiscal year '16 level, and that is what my colleague is proposing. That would be \$35 million. It would bring us to that fiscal year '16 level of funding, and it would let NeighborWorks do even more good work in our communities. I urge adoption of the amendment.

Ms. ROSEN. Mr. Chairman, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. ROSEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ROSEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Nevada will be postponed.

□ 2045

AMENDMENT NO. 39 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in part B of House Report 115-295.

Mr. GROTHMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1215, line 25, after the dollar amount insert "(reduced by \$177,362,500)".

Page 1216, line 8, after the dollar amount insert "(reduced by \$177,362,500)".

Page 1304, line 22, after the dollar amount insert "(increased by \$177,362,500)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chairman recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chair, this amendment reduces the total funding for public housing tenant-based rental assistance, excluding veterans, elderly, and the disabled, by \$177 million. Our President, Donald Trump, who was trying to do what he could to balance the budget, actually had less funding for this program than what there was last year.

Because I am a person who believes in getting things done through compromise, I am reducing the increase in this program to only 2 percent from the 4 percent as the bill was shot out of the Appropriations Committee.

I have always had problems with this program. Like a lot of these programs, it kind of discourages work in that the more you work the more your rent goes up. I think, like a lot of these programs, it discourages marriage, because if you are married to somebody with a good job, you could lose your apartment. And, finally, like a lot of these programs, you could take the time to look at some of these projects. I talked to some of the people in my area who administer them. The apartments or rental units given to people who get Section 8 are better than a lot of working people, which doesn't seem right either.

I will also point out, since these appropriations bills were originally looked at, I mean at that time we already knew we were looking at blowing through a \$20 trillion deficit, since that time, we have had a couple major hurricanes out there which I think would cause everybody to look for ways to reduce the spending that was put in these bills in July.

Mr. Chair, I am going to ask that amendment No. 39 pass. I am going to ask that we restrict the increase to 2 percent. I can't believe I compromised so much on that, but we will go for a 2 percent increase instead of a 4 percent increase, and hope you will all be glad. Consider it a down payment to help the struggling people in Texas and Florida.

Mr. Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, we have scrubbed this bill for savings in overhead and administration, and I want to thank the gentleman for always bringing up these important issues. We have funded vouchers at a level that meets HUD's commitment to those currently receiving assistance, many of whom are elderly and disabled. I know obviously that is not what the gentleman is going after, or both. But again, we scrubbed this bill, and we think that the funding is where it

needs to be at this stage. I would respectfully urge a “no” vote on this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. GROTHMAN. Mr. Chair, I don't see how in our current position we can afford 4 percent increases on anything. Like I said, I think there is kind of an inference here that this is overall a good program, and people ought to be looking at this program. Like so many of these means-based programs, they kind of create a situation in which we both discourage work and discourage marriage. I am disappointed that there would be any alliance in this budget that people would feel a 4 percent upper was appropriate.

Mr. Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I yield as much time as he may consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chair, I thank the chairman for yielding time to me, and I join him in opposition to this amendment.

There are some conflicting accounts about what the underlying bill would do. Certainly there has been an attempt to contain the damage in the bill. Some groups like the National Low Income Housing Coalition, however, estimate that housing vouchers would be lost under the current bill, and then we have this amendment? This amendment would compound many times whatever problems are involved in the legislation. It would have a horrible impact on low-income families.

The gentleman has asserted here tonight that veterans wouldn't be harmed, that the disabled wouldn't be harmed, the elderly wouldn't be harmed. Read the amendment. Where is any of this stated? How can he make such statement? All these groups and more would be harmed.

Mr. Chair, I urge this amendment's rejection.

Mr. DIAZ-BALART. Mr. Chair, I yield back the balance of my time.

Mr. GROTHMAN. Mr. Chair, just one more time I will point out, it is all fine and good to say the Federal Government ought to be spending more money. We are broke, and we got a lot more broke in August when those hurricanes hit. I think it would be appropriate for everybody around here to remember that the day will come when we can no longer borrow money, and that will be a very ugly day indeed.

Like I said, we could have introduced the amendment to go back where Donald Trump wanted. I know he is a warrior and cares a lot about this country's children and grandchildren. I put a 2 percent upper in there. I think it is sad when people feel a 2 percent increase is being difficult on people. If there are problems back home, there is

nothing that prevents local States or counties or individuals out of their own pocketbook to put more money in this sort of program.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GROTHMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 44 OFFERED BY MR. COURTNEY

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part B of House Report 115-295.

Mr. COURTNEY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1240, line 4, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Connecticut (Mr. COURTNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. COURTNEY. Mr. Chairman, this amendment, which I introduced with my colleague Congressman JOHN LARSON also of Connecticut, will address a serious escalating problem in north central and eastern Connecticut. Thousands of homes there are currently at risk of collapse due to crumbling concrete foundations. A mineral identified as pyrrhotite was present in stone aggregate mined in a quarry in Willington, Connecticut, and used in concrete to pour home foundations in at least 36 towns in the region from the 1980s through the early 2000s.

Exposure to moisture causes the pyrrhotite to rust in the foundation over time, causing the foundation walls to bow and crack, eventually deteriorating to the point where homeowners can literally see through the cracks and even remove chunks of the foundation by hand.

This is a complex issue, and our amendment is a critical step to bring assistance to the region. It directs HUD to develop applications of Community Development Block Grants to pyrrhotite-related residential damage under its antiblight programs and procedures.

It is our belief that HUD, State, local, and private sector stakeholders can develop a collaborative basket of solutions to ease the burden of home-

owners and prevent damage to the broader real estate market and economy of the region.

Mr. Chair, I urge passage of this amendment, and I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I appreciate the gentleman's concern, and I look forward to working with him and also with HUD to address this issue, and I want to thank him for bringing this up.

Mr. Chair, I accept the amendment, and I yield back the balance of my time.

Mr. COURTNEY. Mr. Chair, I want to thank the chairman for his remarks, and I yield 1 minute to the gentleman from Connecticut (Mr. LARSON), my colleague.

Mr. LARSON of Connecticut. Mr. Chair, in less than a minute, I want to thank the chairman and I also want to thank the ranking member for their support in what is a critical issue to the citizens of the State of Connecticut. I want to thank Representative COURTNEY for spearheading this effort in the State of Connecticut, along with a young State senator named Timothy D. Larson.

Mr. COURTNEY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. COURTNEY).

The amendment was agreed to.

AMENDMENT NO. 46 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in part B of House Report 115-295.

Mr. GROTHMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1247, line 2, after the dollar amount, insert “(reduced by \$266,000,000)”.

Page 1304, line 22, after the dollar amount, insert “(increased by \$266,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chair, I would like to thank the chairman and ranking member for their collaborative effort to bring this bill forward. I do rise in support of my amendment to H.R. 3354, which should be amendment No. 46.

This amendment deals with project-based rental assistance rather than tenant-based rental assistance. It suffers from the same problems, however.

One more time, our President, when he introduced his budget looking at the \$20 trillion deficit, decided to reduce this program a little bit. And it probably would be good to reduce the program a little bit because, like many of these programs, it is fundamentally flawed in that it discourages work and also discourages marriage.

I have looked at some of these housing projects in my district, and it is again irritating that people who are getting free housing sometimes have better housing than people who are paying for their own housing; therefore, I make the modest request to get rid of the increase in the current budget. I am not going as far as our President who actually decreased this line, but I think it is fair to reduce the current bill by \$266 million, which is the increase in the current year.

Again, I think, as opposed to when this bill was originally put together, we have had a couple hurricanes which I think would cause everybody in this building to realize that insofar as we can spend any more money in this budget, it should be focused a little bit more on the people in Texas and Florida, and we should not be increasing other programs.

Mr. Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, this amendment would cut funding as was explained to what I believe is a vital HUD program that houses 1.2 million low- and very low-income households across the country. Now, a majority of those households include folks with either disabilities or, frankly, folks who are elderly. The average household income is less than \$12,000.

This funding level would not allow HUD to renew all expiring housing contracts with private owners. It also would cause some other issues of instability in that program, that platform, and it could cause housing providers to leave the program.

The gentleman has, I think, some very valid points about some of his concerns with all of these government programs. I just don't think this is the right way to do it.

Mr. Chair, again, I would urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. GROTHMAN. Mr. Chair, I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GROTHMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 48 OFFERED BY MR. STIVERS

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in part B of House Report 115-295.

Mr. STIVERS. Mr. Speaker, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1258, line 19, after the dollar amount, insert "(reduced by \$28,375,000) (increased by \$28,375,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Ohio (Mr. STIVERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. STIVERS. Mr. Chairman, my amendment would transfer funding for the Private Enforcement Initiative at HUD to the Administrative Enforcement Initiative. The amendment does not change the top line appropriation.

I believe the Fair Housing Act must be strongly enforced, and I believe this is best accomplished by strengthening HUD's Administrative Enforcement Initiative and enhancing the role of State and local agencies in finding and punishing bad actors.

The Private Enforcement Initiative has been abused by some nonprofits that are more interested in winning attorneys' fees than finding and punishing bad actors. The cost of these frivolous lawsuits ultimately is transferred onto low- and middle-income Americans in the form of more expensive rent and housing, worsening our country's affordable housing crisis.

I don't believe this is fair or what was intended under the Fair Housing Act. I believe there is a better way to more strongly and effectively enforce fair housing protections, a similar amendment passed 2 years ago, and I encourage my colleagues to support this amendment.

Mr. Chair, I reserve the balance of my time.

□ 2100

Mr. PRICE of North Carolina. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I strongly oppose this amendment. The Private Enforcement Initiative provides grants to nonprofit organizations to prevent and eliminate discriminatory housing practices.

These organizations receive complaints. They investigate them. They work to educate landlords and property

managers on their responsibilities under Federal fair housing law. Their work ensures that legitimate complaints move forward and that education is provided to housing providers when that is appropriate.

Across the country, PEI grantees are working to ensure that families with children have access to housing. Just this May, HUD and Project Sentinel, an organization in California, announced a conciliation agreement with a landlord who refused to rent to people with small children and infants. Another PEI grantee in California worked to ensure that a person with disabilities had access to a medically required service animal. Another grantee in Illinois worked to ensure that a mortgage lender did not discriminate on the basis of race. This is the kind of work that PEIs do.

It may seem expedient to some to transfer the funding and responsibility of investigating fair housing complaints to States and local units of government, but we would lose a lot by doing that. What we would lose is the organizational knowledge, the years of expertise that the PEI program has developed.

Now, if the gentleman has specific issues with the program about how it is run, you know, the authorizing committee can hear those complaints, not the appropriations process. This is not the place to refine the law under which the program operates, let alone to pull the plug on funding.

Given all of the good work that PEI grantees do across the country and in my district, I can't support eliminating this program, and I urge colleagues to oppose this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. STIVERS. Mr. Chairman, unfortunately, in some jurisdictions there are many abuses. "60 Minutes" had a great story about this. Other media outlets have featured the abuses as well.

The gentleman argues that, gee, we can't do this in the appropriations process. We do limitation amendments every day. Limitation amendments are germane and effective controls that we have in place and we are allowed to put in place on these spending programs.

I simply believe that the administrative enforcement initiative is more effective and will use the money to better help low- and moderate-income Americans.

I disagree with the gentleman, and I urge my colleagues to support the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, this amendment is a pretty good example, I must say, of throwing the baby out with the bathwater. There may be complaints here and there. There are ways to pursue those complaints. But the good work that these

organizations do, the documented cases of discrimination, discriminatory practices, exclusion that they have remedied, that they have made right, should be very compelling to us.

Certainly, the blunt instrument of simply withholding of funding isn't going to deal with that. It is going to likely do great damage to organizations that, across the country, have had a very positive impact.

This amendment would end their work. It would end the work of nonprofits that use funding to ensure housing providers remain in compliance with Federal housing law. It is a very bad idea.

Mr. Chair, let's oppose this amendment, and I yield back the balance of my time.

Mr. STIVERS. Mr. Chairman, I would direct the gentleman, Mr. Chairman, to a GAO report on this very program that talks about these abuses, and I hope he takes a serious look at it.

Mr. Chair, I urge my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. STIVERS).

The amendment was agreed to.

AMENDMENT NO. 49 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in part B of House Report 115-295.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise to offer amendment No. 49.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to establish or collect tolls on Interstate Route 80 in the Commonwealth of Pennsylvania.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Pennsylvania (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise to offer amendment No. 49 to the underlying bill, H.R. 3354, Make America Secure and Prosperous Appropriations Act.

Mr. Chairman, the Commonwealth of Pennsylvania, over a 5-year period, has failed three attempts to place tolls on Interstate 80. Pennsylvania's failed plan has cost millions of dollars, led actually to the indictments of several political insiders, and abetted in diminishing the average citizen's faith in their public institutions.

Unfortunately, Pennsylvania still has authorizing language for tolls of Interstate 80 in State law. Any move by Pennsylvania to dust off the plans

to toll one of its interstates must be met with scrutiny and open public debate, and this amendment will ensure that that happens.

The amendment I have offered with Mr. KELLY will simply limit funds from this bill for the purpose of placing tolls on Interstate 80 in Pennsylvania during the fiscal year 2018.

Mr. Chair, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I can't imagine why we would want to micromanage Pennsylvania's transportation system. I wouldn't want the body micromanaging North Carolina's.

We had a decision about tolling in my district a few years ago. Tolling wasn't anybody's first choice or second choice or third choice. But if tolling had not been instituted on a part of the loop road around Raleigh, North Carolina, if tolling had not been instituted, we would have waited 20 years for the road to be constructed. So we took a deep breath and we undertook a toll project, and that is why the road is built and serving commuters today.

Now, that decision could have gone either way, but we would have had no business in this body coming in and dictating that decision in North Carolina or any other State. I don't know why we should start tonight.

Federal law is very flexible about the use of Federal aid funds for new toll facilities and even existing toll-free roads. States will make different decisions about this.

I would say our infrastructure needs are pressing enough to require an all-of-the-above approach, and if tolls are appropriate and are accepted, then that is perhaps what we should do. But that is a decision for State and local officials and their constituents in considering these matters. We have no business in adopting an amendment of that sort, and I very much hope we will not.

Mr. Chair, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I am not sure. I appreciate the gentleman's opinion, but I don't see where Congress does not have input into a Federal highway, and that is what Interstate 80 is. It is approximately 311 miles. It is more than well-maintained. The cost of it, with significant gas taxes levied today, pays for not just the maintenance, but the construction and the improvements that are necessary.

Again, we are talking Federal gas tax, again, a nexus to this body that the gentleman doesn't seem to realize. What this amendment does is just call on and require an open debate with scrutiny, and so I, quite frankly, con-

tinue to just ask the support for this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I would like to clarify that I am not the least bit interested in getting into the merits of this project. It is none of my business, none of our business, so that is not the point. I haven't said a word about the merits of the project. I know nothing about it.

What I do know is that this is a decision that the State of Pennsylvania is perfectly capable of making for itself. I am not interested in the folks that might be on the losing side of a decision to come to this body to carry their water. We have no business doing that.

This is simply an inappropriate exercise of appropriations power, and I urge the amendment's rejection.

Mr. Chair, I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I made my arguments clear, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in part B of House Report 115-295.

AMENDMENT NO. 51 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

This is an amendment, a Davis-Bacon amendment, and it will be brought on each of the four segments of this appropriations bill that we are considering here in the House this evening and perhaps tomorrow morning, Mr. Chairman.

Just to make it clear, the text of the amendment is very simple. It says, "None of the funds made available by

this act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code," and this is commonly referred to as the Davis-Bacon Act.

What the Davis-Bacon Act is, it is a statute that exists from about 1933, and its genesis is back during the Great Depression when there was, let's say, labor protectionism brought about by the unions in New York City. When a contractor from Alabama bid a Federal building contract—and there were not many of them in those days—that Alabama contractor was successful and he imported African-American labor out of Alabama to do the work in the trade zone of the construction unions in New York City. And so two Republicans, a Republican Senator and a Republican Member of the House, got together and wrote the Davis-Bacon Act, which is defined as prevailing wage.

In my 42 years in the construction business, which we just concluded as of Labor Day, this past Labor Day, we have dealt with the Davis-Bacon Act quite a lot. Our math goes somewhere between an 8 and 35 percent increase in the cost of the projects. We use an average of 20 percent. I believe you will see some of those sophisticated studies go to a 22 percent increase in prices.

So we are dealing with taxpayers' moneys here in a fiscal time when we need to get to a balance. There never was a time we should be wasting taxpayers' money. A prevailing wage, a real prevailing wage is a merit shop wage, not a union scale imposed by a BOGSAT, which is a bunch of guys sitting around a table deciding whether they want to give raises to the different classifications within the labor force.

I have long opposed the Davis-Bacon wage scale. It messes up the efficiency within our companies and makes us less efficient. This just doesn't raise the cost and impose the union scale on the taxpayers, but it erodes the efficiency that you can provide in a private sector approach. And so after all of these years, I am pledged to see the day when this is finally repealed.

I urge the adoption of this amendment which strikes the use of Davis-Bacon enforcement in the underlying appropriations, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chair, I rise in opposition to this amendment. Davis-Bacon is a pretty simple concept, and a fair one. It requires that workers on a federally funded construction project be paid no less than prevailing wages, the wages paid in the community for similar work.

The Davis-Bacon Act ensures workers are paid decent wages, while preventing unscrupulous contractors from undercutting competitors. In doing this, Davis-Bacon helps protect workers and the Federal Government.

Mr. Chairman, the House has taken numerous votes on this issue, and on every vote, this body has maintained Davis-Bacon requirements.

Last year, we avoided including divisive language like this, and it is my hope that we will stop attacking working people and their organizations and defeat the amendment before us.

Mr. Chair, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Iowa has 2½ minutes remaining.

□ 2115

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to point out that I hear the script read every year that I bring the effort to repeal or undo Davis-Bacon, but I don't really hear a lot of response to the fact that Davis-Bacon is a Jim Crow law designed to keep minorities, particularly African Americans, out of the construction trades, particularly in the unions. The assertion that it is a prevailing wage doesn't hold up when you live in this universe where I have for 42-plus years—and that is just as an owner, and working out, I saw that also for other companies.

So when I see these rates and I talk to a contractor that is building bridges in rural Missouri down there in the whoops and hollers, as we say, and they are paying for an unskilled laborer who, for a number of those hours, does lean on the shovel while he waits for other things to get done, \$23 an hour for wages, \$22 an hour for fringe benefits, \$45 an hour out of pocket for the contractor really just transferred to the taxpayer. That is an example.

There is much of it that is here that goes in 46, 57, here is \$51.60 an hour, Mr. Chairman. So, no, this is not prevailing wage.

There is no study that I have found in all the time I have dealt with this that would demonstrate that prevailing wage is a merit shop earned wage. Instead, it is set, as I said, by a bunch of guys sitting around a table. It reflects almost always union scale.

Many of the merit shop contractors will not report their Davis-Bacon prevailing wages because they know that just brings union organization up against them. They want to avoid that, so they are not reporting what they are actually paying in wages.

In many of the States that have adopted a mini Davis-Bacon for their State or the States that are highly

unionized, they press this thing to the point where the difference between the merit shop wages and union scale is very close together.

We have also double-breasted operations where you might have a company that is Company A and Company B wrapped up, and one-half of the company is union and the other half of the company isn't. That is to comply with Federal regulations.

There is a gentleman who used to serve this Congress in Massachusetts, who was famous for saying that the Federal Government has no business intervening in between a relationship between two or more consenting adults. I agree with that. An employee and an employer should be able to decide what they want to make as their business agreement. If I decide I want to pay someone \$100 an hour or \$1,000 or \$1 an hour, that should be up to me.

Mr. Chairman, I urge adoption of this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Chairman, I rise in strong opposition to this amendment that would eliminate the Davis-Bacon prevailing wage.

Is it that time of year?

It must be. Come back here to Congress and say: I want to lower the wages and working conditions for those men and women in my district. That is exactly what we are hearing.

When you can't win it on the votes, you make revisionist history, you play the race card, you throw whatever you can.

Over 100 years ago, Republican Congressmen Jim Davis and Robert Bacon realized there was a problem with Federal contracts. These contracts were unfair to local economies. They were not taking into account what had been going on historically in those areas. This, very simply, ensures that construction workers are paid the same as workers in that local community.

But what I am hearing tonight is I want to go back to the district, to people who elected me, and say: I want to lower your wages. I want to lower them to the point I will make anything up.

Because that is exactly what we are hearing. This has been around, and it continues to be evolved and made to work because it works for those local communities. It is about ensuring those local communities are not going to be run over by big Federal contractors coming in, they are going to be paid exactly what the people in that community are being paid.

It continues today because it works. It works in New York, it works in New Jersey, it works in Florida, and it works in Oklahoma. It is about fairness. It is about leveling the playing field—something that apparently many people in this Chamber forgot.

We are here to help raise the standards of men and women we represent, not lower them. So I encourage that we defeat this amendment to keep doing what we are supposed to do: represent the people who elected us and to make their lives just a little bit better, not what we are hearing: I will play the race card and try to lower the wages.

My God, where are we going? We are fighting to lower wages?

It is about raising people up, letting them be what they should be, the greatest thing they can be in the greatest country.

Mr. PRICE of North Carolina. Mr. Chairman, I urge defeat of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 52 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 52 printed in part B of House Report 115-295.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 5309 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I am reading a headline that says that experts say it could take Houston years to fully recover from Hurricane Harvey.

This is not because my local leaders, mayors, county judges, and Governors are not working as hard as they can, but it is the most significant, singular, and devastating costly flood in the continental United States history.

Certainly, we are praying that Hurricane Irma detours away from those places that it has not yet hit. We certainly pray for Puerto Rico, the U.S. Virgin Islands, the other Caribbean islands, and certainly our friends in Florida and up the East Coast. But right now we have that unlikely and unappreciated position of having the most devastating flood.

So my amendment has to do with State and local funds being part of designing their own reconstruction, their own projects, their own capital projects. Specifically, my amendment says that none of the funds made available by this act under the heading Federal Transit Administration—Transit Formula Grants may be used in contravention of section 5309 of title 49, United States Code.

The identical amendment was offered in the Jackson Lee amendment to H.R. 2577 and received a positive voice vote.

In particular, this amendment affirms the importance to the Nation of projects that create economic development, particularly in the transportation area.

Pursuant to section 5309 of title 49, the Secretary of Transportation may make grants under this section to State and local governments.

Mr. DIAZ-BALART. Will the gentlewoman yield?

Ms. JACKSON LEE. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. Mr. Chairman, I am prepared to accept this amendment. If the gentlewoman is willing to yield back the balance of her time, I am more than willing to accept her amendment. I want to thank the gentlewoman for bringing it up.

Ms. JACKSON LEE. The chairman is very kind. Let me thank the chairman and the ranking member of the subcommittee. If I might just take one moment and I will conclude taking your gracious offer.

First, I would like to acknowledge that this amendment is supported by the trade unions, the TTD. I thank them very much for their support.

Mr. Chairman, I include in the RECORD the article about our rebuilding.

[From the Washington Post, Aug. 28, 2017]

NATION'S FOURTH-LARGEST CITY STRUGGLES TO GET MOVING AGAIN AFTER HARVEY

(By Ashley Halsey III, Michael Laris, Martine Powers and Luz Lazo)

Cleanup and flooding in Texas continue in wake of Hurricane Harvey.

Under the threat of more rain and flooding this week, the regional hub that is Houston faced the daunting prospect of clearing mud-swept roadways, opening two of the nation's busiest airports and resuming operations at the country's second-busiest port.

Many streets remained impassable, with water more than waist-high. Those highways not flooded too often led to others that were. And officials said it was too soon to say when the transit system would resume operations.

Houston is a city that for the past eight years led the nation in growth, and although transit was considered to have its place, the city's backbone is the oil industry, which relies heavily on new highways to get around town. When the city spread out into Harris County—which has 6.5 million people to the city's 2 million—the connections were roadways. The state maintains more than 1,200 miles of them, including four interstates, three of which crisscross the downtown area.

Even though the worst of the storm appeared to be over, transportation officials continued to urge people to stay off the roads. "We're expecting more rain," Houston Fire Chief Samuel Peña said.

"The roads are dangerous. Stay off the roads."

Once the water clears, it may take weeks or months before roads are fully ready for travel, said Dave Newcomb, a senior research engineer at the Texas A&M Transportation Institute. He said the primary concern will be local streets and roadways, not the freeway system.

"The freeways are probably going to be okay," Newcomb said. "They're built with lots of support underneath them. They're built for heavy loads and adverse conditions."

But local roads built on rain-saturated soil may be left in a weakened state, he said, taking a month or two before they stabilize. Bridges that had swift-moving floodwaters around them must be checked for scouring around their supports, he said.

The sheer scale of the immediate recovery is daunting.

"It is really difficult because we're so spread out and highway-dependent," said Kyle Shelton, director of strategic partnerships at the Kinder Institute, an urban-research think tank at Houston's Rice University. "We just have so many streets and so many roads and so much other infrastructure to make sure is okay and bring back online. That's going to take weeks and months."

Houston's two big airports—George Bush Intercontinental Airport and the William P. Hobby Airport—will begin to see traffic on their runways even as the rest of the region struggles to find its footing. Officials said Hobby will remain closed until Wednesday; Bush until Thursday.

The magnitude of the backup to the national aviation system caused when Houston shuts down was evident Monday: 772 flights had been set to depart from the two airports, carrying close to 94,000 passengers. The two airports had a record 1.9 million passengers pass through security last month.

"You may not even be heading to Houston and still run into this," said Anne McDermott of Farecompare.com. She said that late Sunday a flight to Dallas landed in Memphis because so many—Houston-bound flights had been diverted to Dallas. "It's going to continue to be a fluid situation."

The Houston Metro's bus system, three light-rail lines and paratransit services were shut down Monday, with no word on when they would resume service. In a statement, Metro officials said they will monitor the situation to determine when it would be safe to resume service.

If history is precedent, it may be a while before those buses are back on the road. After Hurricane Katrina in 2005, it took weeks to restore bus service in New Orleans—partly because of the condition of flooded roadways, but also because hundreds of buses were underwater after the storm. With the city's bus fleet unusable, the Federal Emergency Management Agency had to scramble to bring in more than a thousand private coaches to help with evacuation efforts.

The Houston Metro tried to prevent a similar outcome for this storm, parking more than 100 buses in the HOV lane on an elevated section of Interstate 59.

"This is a city that was built, in large part, in defiance of nature," said Christof Spieler, an urban planner who is on the board of Metro.

"Basically, developers just treated this as a big empty canvas and just spread out across it. We tend to sort of ignore the natural underpinnings of the city. When this amount of rain falls, suddenly that natural geography reasserts itself."

And in the long run, Houston—like the rest of the country—has to wrestle with how to become more resilient in an era when weather hazards are increasing. Over the past three years, there have been three floods that have "all been labeled unprecedented," Shelton said. While freeways and many local streets have major sections that are underwater, many other areas are not submerged, depending on their elevation and how much rain there was in that particular place.

"Houston is used to flooding. We're not used to anything on the scale of what just happened," Spieler said.

Rapid development over the past two decades—and the sprawling networks of accompanying roadways, subdivisions and parking lots have left Houston especially susceptible to major flooding, said Samuel Brody, a Texas A&M University urban planning professor who leads the Center for Texas Beaches and Shores.

Such surfaces leave little return path for floodwaters to go into the ground or drainage channels.

"You've got a smearing of pavement all over a flood-prone region," he said. "You're putting more impervious surfaces over a large area that is dominated by flood-prone, low-lying landscapes, so when it rains, there's all this impervious surface. It increases the volume and velocity of water going into the bayous which Houston uses as their primary drain system."

Between 1996 and 2011, as development boomed, the percentage of impervious surfaces in Houston grew by 25 percent, Brody said, citing a report he led that examined the effect of development on flood damage in the Gulf of Mexico region. And although the extreme rainfall totals from Harvey probably would have caused flooding no matter what, Brody said the presence of pavement increases the amount of damage on the ground.

The 25-mile-long complex of docks and warehouses that make up the Port of Houston planned to remain closed Tuesday.

Kurt Nagle, chief executive of the American Association of Port Authorities, said that early indications show there is "light to moderate" infrastructure damage along the Houston Ship Channel 150 business facilities that generate \$617 billion in economic activity per year. At least three vessels originally headed for Houston have been diverted to New Orleans, and more may be detoured in coming days from Houston and other affected ports in Galveston, Victoria, Beaumont, Port Lavaca and others.

The continuing severe weather may have further effects on the ports in the region, Nagle said. But even once things clear up, significant work will need to be done before shipping channels in the area can reopen. The Coast Guard will need to perform surveys of the area to determine whether buoys and navigation aids have been moved or lost, and the Army Corps of Engineers will need to perform a channel assessment to ensure that no debris is blocking the shipping channels under the surface.

Benny Rousselle witnessed the ravages of water during Katrina from his perch as president of Plaquemines Parish, south of New Orleans. The priorities for leaders in Houston are clear, for now: help those who are stranded.

"The pressure is on the local elected officials to get this community up and running

as quick as possible, so they can come home and help with the recovery," said Rousselle, who is now on the parish council. "But you cannot do that until you have enough utilities and roadways cleared so they can come in," Rousselle said.

Ms. JACKSON LEE. Mr. Chairman, I just want to conclude by making this point to Mr. DIAZ-BALART, and it is that local entities should have the right to direct funds where they believe they are most important, particularly for transportation projects.

As they do so with Federal dollars, let me also add my support for Davis-Bacon. It is, in essence, completely opposite with what was represented. It is a civil rights bill for all people.

I ask my colleagues to join me in making sure the State and local governments get Federal funds. And as we move forward to restore Houston and Harris County and all of the Gulf region, this will be a very important amendment to make sure that we can direct our own destiny with Federal funds. The Secretary of Transportation has that authority to give to us to be able to do so.

Mr. Chairman, I ask for support of the Jackson Lee amendment.

Mr. Chair, let me thank Subcommittee Chairman DIAZ-BALART and Ranking Member PRICE for their leadership on this important legislation and for the opportunity to explain my amendment.

The Jackson Lee Amendment adds at the end of the bill the following new section providing that:

SEC. _____. None of the funds made available by this Act under the heading "Federal Transit Administration—Transit Formula Grants" may be used in contravention of section 5309 of title 49, United States Code.

This amendment is identical to the Jackson Lee Amendment to H.R. 2577, the Transportation, Housing and Urban Development Appropriations Act for FY2016 adopted by the House on June 8, 2016 by voice vote.

In particular, the Jackson Lee affirms the importance to the nation of projects that create economic development, particularly in the transportation area.

Pursuant to section 5309 of title 49, the Secretary of Transportation may make grants under this section to State and local government the authority to assist in financing capital projects, small startup projects, including the acquisition of real property.

This section further supports capacity improvements, including double tracking, and it specifically relates to work that deals with projects on approved transportation plans.

That is key; section 5309 of title 49 grants to State and local governments the authority to undertake capital projects, which means that when local governments propose their projects, the Secretary has the authority to go forward on them.

It is instructive to consider what some of the nation's leading transportation and economic development organization have to say about the importance and economic impact of investments in local light rail capital projects.

It is well documented that nothing enhances the competitiveness of a nation in this increas-

ingly globalized economy, that investments in transportation infrastructure capital projects.

Whether it is the seaways, dams, highways, or tollways, and whether it involves other modes of transportation, transportation projects are major engines driving the economy.

And it is important for the local community to be the drivers of that.

Metropolitan regions will not be able to maintain its economic vitality without the ability to create and preserve infrastructure that supports the movement of people and goods throughout our country.

The Jackson Lee Amendment clearly speaks to the global aspect of the Secretary of Transportation having the ability to work with our local and State governments.

Houston is the fourth most populous city in the country; but unlike other large cities, we have struggled to have an effective mass transit system.

Over many decades Houston's mass transit policy was to build more highways with more lanes to carry more drivers to and from work.

The city of Houston has changed course and is now pursuing Mass transit options that include light rail.

This decision to invest in light rail was and is strongly supported by Houstonians by their votes in a 2003 referendum and by their increased usage of light rail service made possible in part by transportation appropriations bills.

Specifically, Harris County voters passed a massive referendum proposal that was to set the stage for transit for the next 20 years.

It included a first stage of four light rail lines, to be complete by 2012, and a master plan for a 65-mile system, to be complete by 2025.

An April 2014 report by the Houston METRO on weekly ridership states that 44,267 used Houston's light rail service, which represented a 6,096 or 16% increase in ridership from April of the previous year.

This increase in light rail usage outpaced ridership of other forms of mass transit in the city of Houston: metro bus had a 2.3% increase over April 2013; metro bus-local had a 1.3% increase over April 2013; and Metro bus-Park and ride had a 8.0% increase over April 2013.

In a story published February 5, 2013, the Houston Chronicle reported on the congestion Houston drivers face under daily commute to and from work.

According to the Chronicle article, in 2011 Houston commuters continue to enjoy some of the worst traffic delays in the country, and Houston area drivers wasted more than two days a year, on average, in traffic congestion, costing them each \$1,090 in lost time and fuel.

Today, those figures have increased to 3.5 days a year wasted in traffic congestion, costing them each \$1,850 in lost time and fuel.

To put it in simpler and starker terms: A driver in Houston could see 154 movies this year or purchase 21 tickets to a home Texans game with the money wasted because of poorly maintained or traffic-clogged roads.

Expanded light rail is critical to Houston's plan to meet its transportation and environmental challenges, ease its traffic congestion, and improve its air quality.

Places most likely to see immediate benefit from light rail in Houston are the 50,000 students that attend the University of Houston and Texas Southern University.

Funds made available under this deal should be available to support local government decisions of the Houston Metropolitan transit Authority and the city of Houston to expand rail service.

When we put our minds to it, we can get things done.

In Houston, we built a port 50 miles from the ocean, created the world's greatest medical center in the middle of open prairie, and convinced the federal government to base its astronauts in a hurricane zone 870 miles from the launch pad.

Each of those achievements shares a common element: elected officials have advocated, built public support, and brought the agencies together.

Members of Congress should respect the decisions of state and local governments when it comes to deciding how they will spend funding made available for public transportation under this appropriations bill.

I ask my colleagues to again support the Jackson Lee Amendment and affirm the authority of the Secretary of Transportation to work with local governments to develop local transit projects that will relieve traffic congestion, efficiently move people and goods, create jobs and maintain America's status as the leading economy in the world.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 53 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in part B of House Report 115-295.

Ms. HERRERA BEUTLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to enter into an agreement for the establishment or collection of tolls on Interstate Route 5 or Interstate Route 205 in the State of Oregon or Washington.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, recently, the State of Oregon passed a transportation package that included a provision to establish tolls on the State line between Washington and Oregon. Since that time, there has been a lot of concern in my district that tolls could be established on the

bridges on the Washington border, I-205 and I-5 on the Washington side.

So far, that is not an unreasonable idea if those tolls are going to be used on that stretch of roadway. But here is the kicker, Mr. Chairman: my constituents do use those bridges overwhelmingly. Upwards of 50,000 people a day commute into Portland to work. The problem is that the proposal, this scheme, would be used to pay for projects well south of Portland and a structure of roadways my constituents don't overwhelmingly use. So they would be paying a toll, and that money would be used elsewhere in the State for improvements. That is fundamentally unjust, Mr. Chairman.

I am not opposing the concept of tolls, but that creates a real problem in terms of how the money is used and I think would break faith with really the American people. So I am opposing that. That is what my amendment would do, is stop this practice in this area.

It is not that I oppose the concepts of a fee paid by the users of a resource. Let me be clear about that. The issue is that that fee then needs to be allocated towards the construction or the maintenance or upkeep of that resource. There needs to be that nexus there.

Honestly, we have issues on those two bridges that need to be addressed, and if those tolls were then diverted for use elsewhere, then we are going to have some major problems.

So I am opposing this. My amendment would oppose this.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. I understand the concern that has led to it about the practice of tolling or the possibility of tolling on two adjacent highways in two States.

But the same kind of reasoning that applied, I think, to Mr. THOMPSON's amendment earlier would apply to this. This is not a decision for us to make on the floor of the House tonight. This is clearly a local matter. We don't have any business micromanaging it. The States involved can have their own decisionmaking processes. They have their own ways of consulting with one another for that matter.

Federal law has been pretty flexible on this for good reason. It has been flexible about tolling, about the treatment of existing toll-free roads for good reason. We have pressing infrastructure needs in this country. We have great need for flexibility in the way we fund infrastructure improvements.

I relayed earlier the kind of decision we made in North Carolina. It was not

particularly our first choice to have a toll road, but the alternative was waiting 20 years, so we have a toll road. Others will make other decisions. But it is not our place to preempt those decisions, let alone in an appropriations bill.

Mr. Chairman, I do oppose this amendment, and I reserve the balance of my time.

Ms. HERRERA BEUTLER. Mr. Chairman, to the speaker's point, I do understand, but Interstate 5 and Interstate 205 are highways with significant Federal interests. They are Federal highways. These are not backwoods roads. These are not even State routes. These are Federal highways. The I-5 corridor is over 13,050 miles with an average daily traffic of 71,000 and a maximum of 300,000 vehicles. So it is a pretty major Federal investment.

Here is the thing: levying tolls is one thing. That is something this body does. I think user fees are fundamentally a fair concept, but we need to apply them fairly. Any attempt to levy tolls on I-205 or I-5 at the Washington State line, the lion's share would be paid by Washington commuters to pay for infrastructure improvements that these commuters then wouldn't benefit from. This is where I feel like this is unfair in the extreme.

Mr. Chairman, I reserve the balance of my time.

□ 2130

Mr. PRICE of North Carolina. Mr. Chairman, I yield 3½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, this is an interesting question about an opportunity for people in a region to try and craft a solution.

I have been working with people in Clark County for 40 years, because this has been a serious problem between Portland and Vancouver, Oregon and Washington.

The gentlewoman may have noticed that this is a serious problem for her constituents. In fact, they pay more of the burden in terms of congestion and lost opportunity for economic development. I hear about it all the time from businesses in our communities.

There is no solution to this congestion problem without either investing money or sending some pricing signals to try and change some behaviors. Not everybody has to cross the I-205 and I-5 freeway at 8:30 in the morning and 5:30 in the evening.

What has been proposed in Oregon is to look at alternatives. I am not going to prejudge what it is, but I would notice that there is a yearlong process that is underway, including people on the other side of the river, because we have always worked with Clark County and previously with the legislators in the State of Washington and people in Congress to try and figure out how we

work together. We are one region. There are 60,000 people who work in Oregon every day who have to negotiate a really troublesome area.

The Federal Government is still trying to pay for 2017 infrastructure with 1993 dollars. We haven't raised the gas tax since 1993, when States around the country have been stepping up, including in Washington and Puget Sound. Voters are expressing their own frustration and taxing themselves to solve these problems.

The Federal Government has been missing in action. In fact, many of my friends on the Republican side of the aisle are looking at creative programs for public-private partnerships. There were 26 Senators who talked about devolving the interstate freeway system and the Federal transportation partnership to the States.

For us to swoop in when the Federal Government has been missing in action and try to help the gentlewoman's constituents and mine and to try and pull the rug out from underneath, an approach that may have some potential and would in fact require voter support, I think, is an egregious overreach.

I may have missed it, but I haven't heard the gentlewoman's proposals to pay for solutions for her constituents. I have offered some. We are working on the Oregon side. Occasionally, we have had some partnerships with the State of Washington, who collapsed the proposal for a Columbia crossing because they weren't willing to put any money on the table. For the Federal Government to intervene and take away this option I think is outrageous and it is wrong.

Ms. HERRERA BEUTLER. Mr. Chairman, I would like to inquire as to the time remaining.

The Acting CHAIR. The gentlewoman from Washington has 2 minutes remaining.

Ms. HERRERA BEUTLER. Mr. Chair, I will make this brief.

I think a lot of the points the gentleman from Oregon made are valid, and I don't reject them at all. I think we need to come up with solutions to pay for these things. We need to fix the congestion issue. We are one region, and we need to work together.

I completely agree with all of that, which is why the scheme that was put together to tax one portion, essentially charge a toll on Washington commuters who are paying into the Portland and Oregon economy through their income taxes already and using that money collected from those tolls not on the bridge, not on the Columbia River crossing, the area where we all agree we need to find a solution, but using it elsewhere in the State is fundamentally unfair. He made my point. That is the problem.

It is not that I oppose the idea of tolls. We are going to have to bring

something to the table. I am not afraid to advocate for that. That is not the issue here. Even within this commission, they are going to be looking at other ways to fund their projects throughout the State. That is great.

It is fundamentally unfair to pick the pocket of working people who don't even have a right to redress Oregon's government. They don't get to vote. So to take their money because you can smacks of really being a bully. That is what I am against; that is what is unfair; that is what I won't stand for; and that is why I am offering this amendment.

Mr. Chairman, I urge its adoption, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

AMENDMENT NO. 54 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 54 printed in part B of House Report 115-295.

Mr. GROTHMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. ____ . Each amount made available by this Act for title II of division H (other than an amount required to be made available by a provision of law) is hereby reduced by 2 percent.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chairman, I would like to thank the chairman and ranking member for their collaborative effort to bring this bill forward.

As we all know, we are heading towards \$20 trillion in debt. One of the agencies that I think has been criticized for a long period of time, to a certain extent for incompetence and to a certain extent wondering whether a lot of their functions are even things appropriate for the Federal Government, is the Department of Housing and Urban Development.

President Trump, who got elected to look out for our children and our grandchildren, proposed cutting this budget overall by 18 percent. I commend President Trump for trying to look out for our children and grandchildren.

The Appropriations Committee has shaved that reduction to 1 percent. The purpose of my amendment is to in-

crease it to approximately a 3 percent reduction, only about one-sixth of the reduction that President Trump wanted.

Since we last met in July, we have gone through two hurricanes. We already voted on an \$8 billion appropriation. We know that is just a small downpayment on the new obligations that we are going to have.

I would ask this House to increase that 1 percent reduction to a 3 percent reduction, which is what we have here. I think that is very modest. It is not at all what the President wanted. It is just one-sixth of what the President wanted.

Mr. Chairman, I encourage my colleagues to support this amendment, and I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, we have taken a responsible and thorough approach to HUD's funding. We have actually reduced HUD's budget by \$487 million below last year. We have done so while keeping as a priority, for example, housing assistance to the most needy among us: the elderly, the disabled, our veterans. This amendment would potentially hurt some of these vulnerable citizens.

Again, the across-the-board approach goes against, frankly, what I think we have to be doing in government, which is do the tough work and go line by line and identify lower priority or functioning programs for reductions so that we can then target resources to where they are actually most needed.

Let me just give you a few examples, Mr. Chairman, of where we have targeted resources: CDBG, veterans' voucher renewals, vouchers for the disabled. I cannot agree to an amendment that would, again, cut those programs across the board.

Also, another issue, which I know is not the Honorable Member's intent, but I understand CBO has scored this amendment at zero savings. If we had a lot of time, we could talk about why. So, again, it is actually not even achieving what the gentleman is trying to achieve.

I do thank him for his passion in looking out for the taxpayers. I think that is a very needed thing here in Congress. But I respectfully urge a "no" vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GROTHMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 55 OFFERED BY MR. BARR

The Acting CHAIR. It is now in order to consider amendment No. 55 printed in part B of House Report 115-295.

Mr. BARR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce—

(1) the final rule entitled “On-Site Completion of Construction of Manufactured Homes”, published by the Department of Housing and Urban Development in the Federal Register on September 8, 2015 (80 Fed. Reg. 53712 et seq.);

(2) the “Interpretative Bulletin for Model Manufactured Home Installation Standards Foundation requirements in Freezing Temperature Areas Under CFR 3285.312(b)”, published for comment in the Federal Register on June 21, 2017 (82 Fed. Reg. 28279 et seq.); and

(3) the memorandum titled “Construction of On-Site Installation of Add-Ons, such as an Attached Garage” published by the Department of Housing and Urban Development on June 12, 2014.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Kentucky (Mr. BARR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. BARR. Mr. Chairman, as many of you know, manufactured homes are the only form of nonsubsidized housing that is directly regulated by HUD. Statute dictates that HUD is required to facilitate the availability of affordable manufactured homes to increase homeownership for all Americans.

Recently, the Department has imposed excessive and contradictory regulations on manufactured housing. HUD is impeding on some State functions, reinterpreting regulations to the detriment of longstanding and accepted building practices, and implementing rules that unnecessarily limit consumer choice and increase costs.

As the primary regulator of manufactured housing, HUD should work with the industry, not against it, to ensure regulations are streamlined, cost-effective, and applied fairly and transparently, while also working to keep manufactured housing as an affordable housing alternative for all American families.

In central and eastern Kentucky and many other parts of rural America, manufactured housing offers a very affordable option and a good option for housing for many folks. For the life of me, I do not understand why the Fed-

eral agency charged with the responsibility of providing affordable housing would be limiting choices and access to this very affordable and very good option for housing for many rural Americans.

My limitation amendment would fix three problems where HUD’s regulation of manufactured housing exceeds and, at times, even contradicts statutes. These three problems are intrusive installation programs, burdensome and unnecessary onsite completion of construction rules, and shifting guidelines on alternative construction.

Mr. Chairman, what I am offering here tonight is an important limitation amendment. Addressing these issues will help mitigate the ongoing negative impact that these regulations are having on access to affordable housing across America.

I urge my colleagues to support this important work where Congress can work together to eliminate impediments to the manufactured housing market so that all Americans can have access to affordable housing.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. Our colleague does make solid points about the importance of manufactured housing, about the serviceability of it, about the access of it, about the affordability. There are many, many aspects about manufactured housing that lend themselves to our constituents at various income levels.

He asks why we would possibly want any kind of consumer protections enacted at the Federal level in this business, though. I think the answer to that is pretty obvious: It is about safety and security. It is about protecting consumers who put good money down for these houses.

That is not to say every rule, every protection is well-conceived. Possibly some need to be scrutinized and some need to be revised. But are we going to do it tonight on the floor of the House in an appropriations bill? I would hope not. That is not a good way to proceed.

We, for one thing, have colleagues on the authorizing committee who have not had hearings, as far as I know, on these issues. We have not had people who live with these regulations in to talk about them or groups that look out for the consumers come in.

We have very limited debate here tonight, with 5 minutes on each side. On that basis, we are going to wipe away carefully conceived consumer protections in the area of manufactured housing?

□ 2145

Mr. Chairman, I urge my colleagues not to go down this path. That is not to say we shouldn’t consider these things.

Congress, including the authorizing committees, and HUD should fully examine the impact of these individual regulations before we jump the gun and make sweeping changes to existing policy. I urge defeat of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BARR. Mr. Chairman, I appreciate the gentleman’s arguments in opposition. However, I would argue that the best consumer protection is competition and choice, and what these misguided regulations do is take away access, take away competition, take away choices for consumers. That is not consumer protection. It is certainly not consumer protection to say to rural Americans looking for access to affordable housing: You can’t have access to a manufactured home.

That is not consumer protection. That is hurting consumers.

And what I would say also is that this is a bipartisan amendment. There are Members of the party on the other side of the aisle who recognize that in rural America and other places, we need a bipartisan fix to bureaucratic overreach, and these are new requirements that are not thoughtfully conceived, as the gentleman would argue.

In fact, these are new requirements imposed without warning, without any evidence of consumer harm, without any thoughtful process at the agency.

So, again, I would urge my colleagues to join us in a bipartisan amendment to fix a bureaucratic overreach, which denies low-income Americans with access to affordable housing.

Why in the world would we tolerate the agency that is supposed to be the advocates of poor and low-income Americans denying them access to affordable housing?

Support this bipartisan amendment, support low-income Americans, support rural Americans, and support manufactured housing.

Mr. Chairman, I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, it is news to most of us, I expect, that consumer protections is incompatible with consumer choice. We offer protections of all sorts. In the case of housing, it is against predatory practices. As the houses are sold, it is against shoddy construction, it is against a race to the bottom in terms of quality that individual buyers may not be able to perceive.

That compatibility of basic consumer protections and consumer choice is presented every day in our marketplace, and I certainly don’t see why it should be absent here, although, as I said earlier, some of these rules may be up for scrutiny. It is just not that we are prepared to do it here tonight.

I would also point out that the only type of housing that moves across State lines is manufactured housing, so that probably provides an additional argument as to why we should be particularly diligent in dismantling Federal protections. I urge rejection of the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. BARR).

The amendment was agreed to.

AMENDMENT NO. 56 OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 56 printed in part B of House Report 115-295.

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Missouri (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, this amendment is very straightforward. It just requires that funds in Transportation, Housing and Urban Development, and Related Agencies only go to cities and States that uphold Federal law.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, immigration enforcement is a Federal responsibility. Local law enforcement is not and should not be the long arm of ICE. And if it is perceived to be the long arm of ICE, it is going to be very difficult to work with the community to do what needs to be done for local law enforcement and community protection.

The end result would tear entire communities apart, would greatly hinder the ability of local law enforcement to effectively do their job.

Furthermore, this amendment has no place in the T-HUD appropriations bill. The employees of the Department of Transportation, Housing and Urban Development are not law enforcement. They do not routinely need to interact with Immigration and Customs Enforcement. This amendment would in-

sert unnecessary controversy into the bill. It does nothing to improve transportation. It does nothing to provide housing for vulnerable Americans. It doesn't change existing law, nor does it change the way HUD and DOT programs are administered.

The underlying bill has enough challenges as written without adding something of this moment and this divisiveness. So I urge defeat of this needless and partisan distraction.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Chairman, the gentleman across the aisle is correct when he says that this does not change current law and it is just enforcing current Federal law. I would just urge the body to support this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. SMITH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

AMENDMENT NO. 57 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in part B of House Report 115-295.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to finalize the notice of proposed rulemaking entitled "Federal Motor Vehicle Safety Standards; Federal Motor Carrier Safety Regulations; Parts and Accessories Necessary for Safe Operation; Speed Limiting Devices" published by the National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration on September 7, 2016 (81 Fed. Reg. 61941).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I yield myself such time as I may consume.

This amendment would prohibit the use of funds for FMCSA and NHTSA—two agencies—to finalize their joint notice of proposed rulemaking mandating the use of speed limiting devices on heavy-duty trucks and buses.

To support their proposal, FMCSA and the National Highway Traffic Safe-

ty Administration focused on the potential decrease in the severity of accidents. However, the severity of accidents is already trending downward, Mr. Chairman.

As a matter of fact, the large truck-involved fatal crash rate per 100 million miles has dropped 74 percent since 1980. Bus-involved fatal crash rate per 100 million miles has dropped 71 percent since 1980 without the Federal Government's involvement in speed limiting device. It is not clear that the mandate would further reduce these crashes.

According to the FMCSA reports, 74.1 percent of truck-involved fatal crashes occur on noninterstates with speed limits lower than the proposed levels. So they are going to put the speed limiter on, but it is not even going to apply where the accidents happen.

These are significant concerns that this mandate may actually increase the number of accidents. Studies have consistently shown that a higher variance of vehicle speed increases accident risk. It is not good to have some vehicles going slow and some going really fast in the same place.

Speed limiters create speed differentials among vehicles. As interaction among these vehicles increases, so does the likelihood of more accidents.

Speed limiters will result in lost productivity, necessitating more heavy-duty vehicles on the road to support current demand because they won't be able to get the product where they want to get it to because they are all going to be going slower, mandated by the Federal Government. Thank goodness the Good Idea Fairy from the Federal Government showed up where nobody asked them to.

Finally, this proposal disregards the authority of States to determine speed limits within their borders.

Again, thank goodness the Federal Government is here to tell all 50 States how to run their railroads and run their highways and their speed limits.

If speed limiters led to fuel savings and increased safety, the market will incentivize the use of these devices. The market does this and does it well and does it best. However, it is not their role. This is not the role of the Federal Government to mandate their use.

Mr. Chairman, I am not asking for less money or more money. I am asking you to save money and save freedom for the American people, make sure their products get to their homes on time, and to get the Federal Government out of the way of one truck trying to pass another one, one doing 54 and another one doing 54.1 miles an hour for 20 miles up the highway.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, the facts are pretty clear about this matter. A thousand people die on our highways each year because of speeding trucks. The technology that limits speeding by large trucks is already installed and successfully deployed by many trucking companies across this country.

We know that high speeds in large trucks are a deadly combination. A 2012 study by the Federal Motor Carrier Safety Administration found that trucks without a speed limiting device had twice as many speed-related crashes as those who had a speed limiter installed. Those are the facts. Pretty incontrovertible, I believe.

So on the basis of this, quite rightly, the National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration have a rulemaking under way, a careful rulemaking looking at all the evidence, and the proposal is here tonight that we upend that, that we on the floor of this House, with 5 minutes of consideration on each side, that we abrogate unto ourselves the decision to upend this safety rule.

This is technology that saves lives. The evidence is very clear. What that exact rule should look like in the end, we don't know, but we do know that to completely set aside the rulemaking process in such a vital area is reckless and irresponsible. This amendment should be rejected.

Mr. Chairman, I reserve the balance of my time.

Mr. PERRY. Mr. Chairman, the facts are clear that, as I stated, large truck-involved fatal crashes per 100 million miles has dropped 74 percent since 1980, before speed limiters were even available. Bus-involved fatal crashes per 100 million miles has dropped 71 percent since 1980, before all this happened.

Somehow the private sector doesn't want to crash their trucks, and if the private sector and certain companies want to install the speed limiters, they do that because they don't want to crash their trucks. Guess what, folks. Most people don't want to crash their trucks.

Another thing. You know, we love these agencies to do the things that we don't want to do, apparently, and then we create them, and then they do things that we don't want them to do, and we say: Well, we abrogate to ourselves.

Yeah, we were duly elected by the citizens of this country to run the country. They didn't elect any of these people to come up with these rules. They don't want them. So I am here to defend the people that want freedom and don't want nameless, faceless, account-less bureaucrats running our lives. And this is one instance where they are doing it.

Mr. Chairman, I ask for positive consideration of this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

□ 2200

AMENDMENT NO. 58 OFFERED BY MR. BABIN

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in part B of House Report 115-295.

Mr. BABIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available to the Department of Transportation by this Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132 of such title.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, my amendment would delay the implementation and enforcement of the electronic logging device mandate, currently set to go into effect this December 18, until the end of the next fiscal year, September 30, 2018.

But while this amendment is certainly about trucking, truckers, and the businesses and jobs that depend on them, I think it speaks to something more, something that all of us, who have the privilege of serving here in the people's House, are absolutely here to do.

Reducing the regulatory burdens put in motion by previous administrations is one of our most important jobs here in Congress: to encourage entrepreneurship and create jobs in America.

This ELD mandate is one such regulation.

I am honored to stand with the independent truckers, our Nation's agriculture producers, and countless small businesses to offer this bipartisan amendment and fight on their behalf. More than 30 associations have endorsed this.

Let's make something clear: my amendment will not ban ELDs, and it will not repeal the mandate from going into effect at a future date.

All my amendment does is delay the mandatory requirement that almost

every interstate hauling truck will have to pay for and install one of these devices by the end of this year.

For those who have already installed an ELD and are satisfied with it, my message is simple: if you like your ELD, you can keep your ELD.

While it is too late to use the Congressional Review Act on this regulation, it is not too late to act.

Passage of this amendment and the underlying bill will set us on the course to protect small businesses and prevent a major disruption to the freight and shipping network just 1 week before this Christmas.

To all of my colleagues on the Appropriations Committee, I say thank you for section 132 of this bill, which already provides relief from the ELD mandate for livestock haulers. Please join me now to give relief to all American truckers.

And to all of my colleagues on both sides of the aisle, I say another year will give the President time to nominate and confirm a full-time Director of the Federal Motor Carrier Safety Administration, allow for waivers and exemptions to be examined and adjudicated, and alleviate the sticker shock for installation and compliance facing small trucking companies this December 18.

We may disagree on many sorts of issues, but we will all go home on the weekend to districts where small businesses are the very backbone of our local communities and our economy. Let's give them a hand. Let's take another year and get this thing right.

Mr. Chairman, I urge support for my amendment and the underlying bill, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Truck crash deaths in this country have increased significantly in recent years. That should be the backdrop of this discussion. 4,067 people were killed in crashes involving large trucks in 2015 alone. That is a 20 percent increase since 2009. And studies show that driver fatigue—that is what this amendment is all about, driver fatigue—is an important part of the problem.

The Federal Motor Carrier Safety Administration and the National Transportation Safety Board repeatedly have recommended that all trucks and buses be equipped with ELDs.

In 2012, Congress decided to take strong action to address this problem and passed a requirement for the use of ELDs with bipartisan support as a part of the MAP-21 legislation.

Supporters of this amendment say that the enforcement community is not ready to begin enforcement by December 18. That is really not the case.

And it is also true that inspectors aren't going to pull truckers out of service for noncompliance until April 1 of next year. That is a considerable grace period. It will give the trucking and the enforcement community ample time to adjust to the mandate.

The Department of Transportation has estimated that the benefits adopting ELDs to be over \$1 billion. So implementing the mandate makes financial sense, and it certainly makes sense in terms of the safety of our people, the safety on our roads.

Mr. Chairman, I urge opposition of this amendment, and I reserve the balance of my time.

Mr. BABIN. Mr. Chairman, I would answer that some of the companies with the worst safety records have had a full slate of ELDs in their fleet for many years. There is evidence absolutely to the contrary of what the gentleman just said.

Also, the Obama administration, who signed this bill into law during a time when the House was Republican and the Senate was Democrat—the Department of Transportation estimates that the cost of compliance for this mandate is over \$2 billion. That comes from the previous administration itself.

So I would urge my colleagues to support this amendment and to give relief to the small businesses. Three out of four truckers are in favor of delaying the implementation of this mandate.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to Mr. BABIN's amendment, which delays FMCSA's electronic logging device rulemaking. While well intentioned, this delay will endanger public safety by giving commercial vehicle operators the ability to exceed the Federal hours of service limits.

In 2012, Congress passed the Moving Ahead for Progress in the 21st Century Act, or MAP-21, which instructed the FMCSA to issue a rulemaking requiring the use of ELDs in commercial vehicles. Congress again reaffirmed the ELD requirement in the FAST Act and fiscal year 2016 appropriations. The American Trucking Association was in lockstep with Congress at each instance, and thousands of fleet owners across the country have taken steps to adopt this technology and train their drivers as Congress intended.

After 5 years, FMCSA has completed this rulemaking, and has done so in the proper way: by conferring with industry and Congress and holding public meetings in advance of implementation.

I can appreciate that my friends in agriculture industry—some of my closest friends—I serve on the Agriculture

Committee, as well as the Transportation and Infrastructure Committee—would like to see a delay of the ELD rule. Instead of this amendment being a catch-all delay, perhaps my friend could have structured a more precise exemption for those in niche segments of transportation, like agriculture. That is a policy many would have considered supporting, including myself.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PRICE of North Carolina. I yield an additional 30 seconds to the gentleman.

Mr. CRAWFORD. In closing, Mr. Chairman, I ask my colleagues on both sides of the aisle to oppose this well-intentioned amendment—a policy that secured nearly unanimous support in our conference when it was enacted—and work with an administration that understands smart, consumer safety-minded regulations like this.

We can work with the President, Secretary Chao, and others at FMCSA to address some of the concerns my friend from Texas has without undoing the progress that has been made to ensure our highways are safer with ELDs.

Mr. BABIN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield the remainder of my time to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Chairman, I rise in opposition to this amendment.

I have great respect for my colleague, Mr. BABIN, who introduced this amendment, and I understand his intentions. I just believe that it is too late in the game to be changing this rule. There are many companies who have invested in this technology.

We seem to have a problem in Congress where we can't give clear direction to businesses, and, therefore, it creates a lot of uncertainty. They sometimes make investments and the rules change. This will be a time when the rules would change before this investment would even be made.

There have been specific issues, like livestock, that have been addressed already in committee.

Mr. Chairman, again, I urge a "no" vote on this amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. BABIN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. BABIN. Mr. Chairman, in answer to my colleagues from Arkansas, I appreciate what they are saying. However, the truth is that there is a lot of confusion.

This is a mandate. Many of us came to Congress to roll back these types of mandates and this type of regulatory bureaucracy, which stifles entrepreneurship and the creation of jobs.

We are not trying to do away with this mandate. What we are trying to do is delay it so that we can adjudicate, study, and let people find out exactly how much it will cost because there are some disputes there.

If you like your ELD, you can keep your ELD.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BABIN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BABIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 59 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 59 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division H (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for a new hire who has not been verified through the E-Verify program.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this is an E-Verify amendment. It was offered in the previous segment of this appropriation bill as well.

What it does, it just simply reinstates and clarifies Federal law, the requirement to use E-Verify in the forms of all Federal contracting. Under this T-HUD bill, that is what would apply.

We have run into cases where there has been, let's say, concerns that the Federal agencies are not uniformly and consistently abiding by Federal law. This says that the funds will not be used for new hires, unless they are verified through the E-Verify program.

The E-Verify program—we worked this now for quite a few years, brought to us by KEN CALVERT of California—even though in its early days it hit a couple of bumps in the road, it has gotten better and better. We use it, I have used it, it is efficient, and it is not time-consuming at all.

This reiterates Federal law. In fact, the Federal Acquisition Regulation Act of 2009 reinforces and requires that compliance be there for new hires, and

to use E-Verify on all new hires affected by this appropriations bill.

Mr. Chairman, I urge this adoption, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this needless, divisive, and, indeed, provocative amendment.

President Bush, long ago, ordered Federal agencies to comply with E-Verify. That was in 2007. I have seen no indication that the Trump administration intends to rescind this order.

This amendment, if it only applies to hiring at Federal agencies, would do nothing, absolutely nothing. So why is it before us? What is the purpose here tonight? Is it possibly a political purpose?

What the amendment does do, in fact, is to insert unnecessary controversy into this bill. It does nothing to improve transportation, and it does nothing to provide housing for vulnerable Americans.

The underlying bill, one would think, has enough challenges, as written, without this gratuitous amendment.

Mr. Chairman, I urge defeat of this distraction, and I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, in response to the gentleman's comments, I am not at all convinced that it is needless. The reports that I am getting are that E-Verify has not been adequately enforced, especially at the contractor and subcontractor level.

This is Congress reminding those who consume Federal dollars and Federal contracting under this T-HUD appropriations bill that they shall comply with the law that was referenced by the gentleman. I don't know why it would be divisive, if it is Federal law, and needless, supposedly.

Let's go ahead and pass this and remind those that follow Federal law and this debate won't happen next year.

Mr. Chairman, I urge adoption of this amendment, the E-Verify amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-295 on which further proceedings were postponed, in the following order:

Amendment No. 15 by Mr. KING of Iowa.

Amendment No. 17 by Mr. CARTER of Georgia.

Amendment No. 25 by Mr. MCCLINTOCK of California.

Amendment No. 32 by Mr. BUDD of North Carolina.

Amendment No. 33 by Mr. BROOKS of Alabama.

Amendment No. 38 by Ms. ROSEN of Nevada.

Amendment No. 39 by Mr. GROTHMAN of Wisconsin.

Amendment No. 46 by Mr. GROTHMAN of Wisconsin.

Amendment No. 51 by Mr. KING of Iowa.

Amendment No. 54 by Mr. GROTHMAN of Wisconsin.

Amendment No. 56 by Mr. SMITH of Missouri.

Amendment No. 58 by Mr. BABIN of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

□ 2215

AMENDMENT NO. 15 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 241, not voting 16, as follows:

[Roll No. 445]

AYES—176

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Brooks (AL)
Buchanan
Buck
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer

Comstock
Conaway
Cramer
Crawford
Culberson
Davidson
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Dunn
Estes (KS)
Farenthold
Ferguson
Fleischmann
Flores
Fortenberry
Foss
Frelinghuysen
Gaetz
Gallagher
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler

Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Knight
Kustoff (TN)
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marshall
Massie
McCarthy
McCaul
McClintock
McHenry

McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Rice (SC)

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker

Stewart
Thompson (PA)
Thornberry
Tipton
Trott
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)

NOES—241

Adams
Aguilar
Barletta
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bucshon
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Ellison
Emmer
Engel
Eshoo
Españillat
Esty (CT)

Evans
Faso
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gianforte
Gomez
Gonzalez (TX)
Gottheimer
Graves (MO)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Hultgren
Hunter
Jackson Lee
Jayapal
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch

MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marino
Mast
Matsui
McCollum
McEachin
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rosen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter

Smith (NJ) Thompson (MS) Velázquez
 Smith (WA) Tiberi Visclosky
 Soto Titus Walden
 Speier Tonko Walz
 Stefanik Torres Waters, Maxine
 Stivers Tsongas Watson Coleman
 Suozzi Turner Welch
 Swalwell (CA) Upton Wilson (FL)
 Takano Valadao Yarmuth
 Taylor Vargas Young (AK)
 Tenney Veasey Zeldin
 Thompson (CA) Vela

NOT VOTING—16

Bridenstine Franks (AZ) Ross
 Brooks (IN) Garrett Rush
 Costa Huffman Scalise
 Cummings Lieu, Ted Wasserman
 Curbelo (FL) Pittenger Schultz
 DeGette Ros-Lehtinen

□ 2239

Mr. COSTELLO of Pennsylvania, Ms. FRANKEL of Florida, Messrs. LAWSON of Florida, KELLY of Pennsylvania, MURPHY of Pennsylvania, DAVID SCOTT of Georgia, and DUFFY changed their vote from “aye” to “no.”

Messrs. FLORES, ROGERS of Kentucky, and DAVIDSON changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PITTENGER. Mr. Chair, had I been present, I would have voted “yea” on rollcall No. 445.

Mr. TAYLOR. Mr. Chair, on rollcall vote No. 445, I incorrectly voted “no.” I would like to reflect that I intended to vote “yes.”

MOMENT OF SILENCE IN MEMORY OF VICTIMS OF HURRICANE HARVEY

The Acting CHAIR (Mr. RYAN of Wisconsin). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the body now observe a moment of silence in memory of the victims of Hurricane Harvey.

AMENDMENT NO. 17 OFFERED BY MR. CARTER OF GEORGIA

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. CARTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 141, noes 279, not voting 13, as follows

[Roll No. 446]

AYES—141

Gohmert Norman
 Goodlatte Olson
 Gosar Palazzo
 Gowdy Palmer
 Granger Pearce
 Graves (GA) Perry
 Graves (LA) Pittenger
 Griffith Pocan
 Grothman Poe (TX)
 Handel Poliquin
 Hensarling Polis
 Herrera Beutler Posey
 Hice, Jody B. Ratcliffe
 Higgins (LA) Reed
 Hill Renacci
 Hollingsworth Roby
 Hudson Roe (TN)
 Hultgren Rogers (AL)
 Hunter Rogers (KY)
 Issa Rohrabacher
 Jenkins (WV) Rokita
 Johnson (LA) Rooney, Francis
 Johnson, Sam Rooney, Thomas
 Jones J.
 Jordan Ruppertsberger
 Kelly (MS) Russell
 King (IA) Rutherford
 Labrador Sanford
 LaHood Schweikert
 LaMalfa Scott, Austin
 Lewis (MN) Sensenbrenner
 LoBiondo Sessions
 Loudermilk Smith (TX)
 Love Stewart
 Marchant Taylor
 Marino Thompson (PA)
 Marshall Thornberry
 Massie
 Mast
 McCaul
 McClintock
 McHenry
 McMorris
 McMorris
 Rodgers
 McSally
 Meadows
 Mooney (WV)
 Noem

NOES—279

Adams Fortenberry
 Aguilar Foster
 Bacon Frankel (FL)
 Barr Connolly
 Barragán Fudge
 Bass Gabbard
 Beatty Gaetz
 Bera Gallego
 Bergman Garamendi
 Beyer Gibbs
 Bilirakis Gomez
 Bishop (MI) Gonzalez (TX)
 Blumenauer Crist
 Blunt Rochester Gottheimer
 Bonamici Graves (MO)
 Bost Green, Al
 Boyle, Brendan Green, Gene
 F. Grijalva
 Brady (PA) Guthrie
 Brooks (IN) Gutiérrez
 Brown (MD) Hanabusa
 Brownley (CA) Harper
 Buchanan Harris
 Buck Dent
 Bucshon DeSaulnier
 Budd Deutch
 Bustos Diaz-Balart
 Butterfield Dingell
 Capuano Doggett
 Carbajal Donovan
 Cárdenas Doyle, Michael
 Carson (IN) F.
 Cartwright Duffy
 Castor (FL) Ellison
 Castro (TX) Emmer
 Chu, Judy Engel
 Cicilline Eshoo
 Clark (MA) Espallat
 Clarke (NY) Esty (CT)
 Clay Evans
 Cleaver Faso
 Clyburn Fitzpatrick
 Flores Fleischmann
 Kelly (IL)

Kelly (PA) Moore
 Kennedy Moulton
 Khanna Mullin
 Kihuen Murphy (FL)
 Kildee Murphy (PA)
 Kilmer Nadler
 Kind Napolitano
 King (NY) Neal
 Kinzinger Newhouse
 Knight Nolan
 Krishnamoorthi Norcross
 Kuster (NH) Nunes
 Kustoff (TN) O'Halleran
 Lamborn O'Rourke
 Lance Pallone
 Langevin Panetta
 Larsen (WA) Pascarell
 Larson (CT) Paulsen
 Latta Payne
 Lawrence Pelosi
 Lawson (FL) Perlmutter
 Lee Peters
 Levin Peterson
 Lewis (GA) Pingree
 Lipinski Price (NC)
 Loeb sack Quigley
 Lofgren Raskin
 Long Reichert
 Lowenthal Rice (NY)
 Lowey Rice (SC)
 Lucas Richmond
 Luetkemeyer Rosen
 Lujan Grisham, Roskam
 M. Rothfus
 Lujan, Ben Ray Rouzer
 Lynch Roybal-Allard
 MacArthur Royce (CA)
 Maloney Ruiz
 Carolyn B. Rush
 Maloney, Sean Ryan (OH)
 Matsui Sánchez
 McCarthy Sarbanes
 McCollum Schakowsky
 McEachin Schiff
 McGovern Schneider
 McKinley Schrader
 McNeerney Scott (VA)
 Meehan Scott, David
 Meeks Serrano
 Meng Sewell (AL)
 Messer Shea-Porter
 Mitchell Sherman
 Moolenaar Shimkus

NOT VOTING—13

Bridenstine Franks (AZ) Ross
 Costa Garrett Scalise
 Cummings Huffman Wasserman
 Curbelo (FL) Lieu, Ted Schultz
 DeGette Ros-Lehtinen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. COLLINS of Georgia) (during the vote). There is 1 minute remaining.

□ 2245

Messrs. PITTENGER, POLIS, and ROHRABACHER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 140, noes 280, not voting 13, as follows:

[Roll No. 447]

AYES—140

Allen	Gowdy	Pittenger
Amash	Granger	Poe (TX)
Arrington	Graves (GA)	Polis
Babin	Graves (LA)	Posey
Banks (IN)	Griffith	Ratcliffe
Barton	Grothman	Reed
Biggs	Handel	Renacci
Bilirakis	Harris	Rice (SC)
Bishop (MI)	Hensarling	Roby
Black	Herrera Beutler	Roe (TN)
Blackburn	Hice, Jody B.	Rogers (AL)
Brady (TX)	Higgins (LA)	Rohrabacher
Brat	Himes	Rokita
Brooks (AL)	Holding	Rooney, Francis
Brooks (IN)	Hollingsworth	Rooney, Thomas J.
Buchanan	Hudson	Roskam
Buck	Huizenga	Rouzer
Budd	Hultgren	Royce (CA)
Burgess	Hunter	Russell
Byrne	Issa	Sanford
Calvert	Johnson (LA)	Schweikert
Carter (GA)	Johnson, Sam	Scott, Austin
Carter (TX)	Jones	Sensenbrenner
Castor (FL)	Jordan	Sessions
Chabot	Labrador	Smith (TX)
Coffman	Lamborn	Stewart
Collins (GA)	Lance	Thornberry
Collins (NY)	Latta	Tiberi
Conaway	Lewis (MN)	Trott
Cooper	Loudermilk	Wagner
Costello (PA)	Love	Walberg
Culberson	Marchant	Walker
Davidson	Massie	Walorski
Denham	McCaul	Walters, Mimi
DeSantis	McClintock	Weber (TX)
DesJarlais	McHenry	Webster (FL)
Duncan (SC)	McMorris	Wenstrup
Duncan (TN)	Rodgers	Williams
Dunn	McSally	Wilson (SC)
Emmer	Meadows	Wittman
Farenthold	Messer	Woodall
Ferguson	Newhouse	Yoder
Flores	Norman	Yoho
Foxx	Nunes	Young (IA)
Gaetz	Olson	Zeldin
Gallagher	Palmer	
Gohmert	Paulsen	
Goodlatte	Perry	

NOES—280

Abraham	Castro (TX)	Diaz-Balart
Adams	Cheney	Dingell
Aderholt	Chu, Judy	Doggett
Aguilar	Cicilline	Donovan
Amodei	Clark (MA)	Doyle, Michael F.
Bacon	Clarke (NY)	Duffy
Barletta	Clay	Ellison
Barr	Cleaver	Engel
Barragán	Clyburn	Eshoo
Bass	Cohen	Españat
Beatty	Cole	Estes (KS)
Bera	Comer	Esty (CT)
Bergman	Comstock	Evans
Beyer	Connolly	Faso
Bishop (GA)	Conyers	Fitzpatrick
Bishop (UT)	Cook	Fleischmann
Blum	Correa	Fortenberry
Blumenauer	Courtney	Foster
Blunt Rochester	Cramer	Frankel (FL)
Bonamici	Crawford	Frelinghuysen
Bost	Crist	Fudge
Boyle, Brendan F.	Crowley	Gabbard
Brady (PA)	Cuellar	Gallo
Brown (MD)	Davis (CA)	Garamendi
Brownley (CA)	Davis, Danny	Gianforte
Bucshon	Davis, Rodney	Gibbs
Bustos	DeFazio	Gomez
Butterfield	Delaney	Gonzalez (TX)
Capuano	DeLauro	Gosar
Carbajal	DelBene	Gottheimer
Cárdenas	Demings	Graves (MO)
Carson (IN)	Dent	Green, Al
Cartwright	DeSaulnier	Green, Gene

Grijalva	Luján, Ben Ray	Rutherford
Guthrie	Lynch	Ryan (OH)
Gutiérrez	MacArthur	Sánchez
Hanabusa	Maloney,	Sarbanes
Harper	Carolyn B.	Schakowsky
Hartzler	Maloney, Sean	Schiff
Hastings	Marino	Schneider
Heck	Marshall	Schrader
Higgins (NY)	Mast	Scott (VA)
Hill	Matsui	Scott, David
Hoyer	McCarthy	Serrano
Hurd	McCollum	Sewell (AL)
Jackson Lee	McEachin	Shea-Porter
Jayapal	McGovern	Sherman
Jeffries	McKinley	Shimkus
Jenkins (KS)	McNerney	Shuster
Jenkins (WV)	Meehan	Simpson
Johnson (GA)	Meeks	Sinema
Johnson (OH)	Meng	Sires
Johnson, E. B.	Mitchell	Slaughter
Joyce (OH)	Mooleenaar	Smith (MO)
Kaptur	Mooney (WV)	Smith (NE)
Katko	Moore	Smith (NJ)
Keating	Moulton	Smith (WA)
Kelly (IL)	Mullin	Smucker
Kelly (MS)	Murphy (FL)	Soto
Kelly (PA)	Murphy (PA)	Speier
Kennedy	Nadler	Stefanik
Khanna	Napolitano	Stivers
Kihuen	Neal	Suozzi
Kildee	Noem	Swalwell (CA)
Kilmer	Nolan	Takano
Kind	Norcross	Taylor
King (IA)	O'Halleran	Tenney
King (NY)	O'Rourke	Thompson (CA)
Kinzinger	Palazzo	Thompson (MS)
Knight	Pallone	Thompson (PA)
Krishnamoorthi	Panetta	Tipton
Kuster (NH)	Pascarell	Titus
Kustoff (TN)	Payne	Tonko
LaHood	Pearce	Torres
LaMalfa	Pelosi	Tsongas
Langevin	Perlmutter	Turner
Larsen (WA)	Peters	Upton
Larson (CT)	Peterson	Valadao
Lawrence	Pingree	Vargas
Lawson (FL)	Pocan	Veasey
Lee	Poliquin	Vela
Levin	Price (NC)	Velázquez
Lewis (GA)	Quigley	Visclosky
Lipinski	Raskin	Walden
LoBiondo	Reichert	Walz
Loeb sack	Rice (NY)	Waters, Maxine
Lofgren	Richmond	Watson Coleman
Long	Rogers (KY)	Welch
Lowenthal	Rosen	Westerman
Lowey	Rothfus	Wilson (FL)
Lucas	Roybal-Allard	Womack
Luetkemeyer	Ruiz	Yarmuth
Lujan Grisham,	Ruppersberger	Young (AK)
M.	Rush	

NOT VOTING—13

Bridenstine	Franks (AZ)	Ross
Costa	Garrett	Scalise
Cummings	Huffman	Wasserman
Curbelo (FL)	Lieu, Ted	Schultz
DeGette	Ros-Lehtinen	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2249

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 32 OFFERED BY MR. BUDD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. BUDD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 159, noes 260, not voting 14, as follows:

[Roll No. 448]

AYES—159

Abraham	Griffith	O'Halleran
Allen	Grothman	Olson
Amash	Guthrie	Palmer
Arrington	Handel	Paulsen
Babin	Harper	Pearce
Bacon	Harris	Perry
Banks (IN)	Hartzler	Pittenger
Barr	Hensarling	Poe (TX)
Barton	Hice, Jody B.	Poliquin
Bergman	Higgins (LA)	Posey
Biggs	Hill	Ratcliffe
Bilirakis	Hollingsworth	Renacci
Bishop (MI)	Hudson	Rice (SC)
Black	Huizenga	Roby
Blackburn	Hultgren	Roe (TN)
Blum	Hunter	Rohrabacher
Brat	Issa	Rokita
Brooks (AL)	Jenkins (KS)	Rooney, Thomas J.
Brooks (IN)	Jenkins (WV)	Roskam
Buck	Johnson (LA)	Rothfus
Budd	Johnson, Sam	Rouzer
Byrne	Jones	Royce (CA)
Carter (GA)	Jordan	Russell
Chabot	Kelly (MS)	Sanford
Cheney	Kelly (PA)	Schweikert
Coffman	King (IA)	Scott, Austin
Collins (GA)	Kustoff (TN)	Sensenbrenner
Comer	Labrador	Sessions
Conaway	LaHood	Sinema
Crawford	LaMalfa	Smith (MO)
Davidson	Lamborn	Smith (NE)
DeSantis	Latta	Smith (TX)
DesJarlais	Lewis (MN)	Smith (WA)
Duffy	Long	Taylor
Duncan (SC)	Loudermilk	Thornberry
Duncan (TN)	Love	Tipton
Dunn	Luetkemeyer	Marchant
Emmer	Marchant	Marshall
Farenthold	Estes (KS)	Walberg
Ferguson	Farenthold	Walker
Flores	Mast	Walorski
Foxx	McCaul	Walters, Mimi
Gaetz	McClintock	Weber (TX)
Gallagher	McKinley	Webster (FL)
Gallo	McMorris	Wenstrup
Gibbs	Rodgers	Westerman
Gohmert	McSally	Williams
Goodlatte	Meadows	Wilson (SC)
Gosar	Messer	Wittman
Gowdy	Mitchell	Womack
Graves (GA)	Mooney (WV)	Woodall
Graves (LA)	Mullin	Yoder
Graves (MO)	Noem	Yoho
	Norman	

NOES—260

Adams	Butterfield	Correa
Aderholt	Calvert	Costello (PA)
Aguilar	Capuano	Courtney
Amodei	Carbajal	Cramer
Barletta	Cárdenas	Crist
Barragán	Carson (IN)	Crowley
Bass	Carter (TX)	Cuellar
Beatty	Cartwright	Culberson
Bera	Castor (FL)	Davis (CA)
Beyer	Castro (TX)	Davis, Danny
Bishop (GA)	Chu, Judy	Davis, Rodney
Bishop (UT)	Cicilline	DeFazio
Blumenauer	Clark (MA)	Delaney
Blunt Rochester	Clarke (NY)	DeLauro
Bonamici	Clay	DelBene
Bost	Cleaver	Demings
Boyle, Brendan F.	Clyburn	Denham
Brady (PA)	Cohen	Dent
Brown (MD)	Cole	DeSaulnier
Brownley (CA)	Collins (NY)	Deutch
Buchanan	Comstock	Diaz-Balart
Bucshon	Connolly	Dingell
Burgess	Conyers	Doggett
Bustos	Cook	Donovan
	Cooper	

Doyle, Michael F.
 Ellison
 Engel
 Eshoo
 Espaillat
 Esty (CT)
 Evans
 Faso
 Fitzpatrick
 Fleischmann
 Fortenberry
 Foster
 Frankel (FL)
 Frelinghuysen
 Fudge
 Gabbard
 Garamendi
 Gianforte
 Gomez
 Gonzalez (TX)
 Gottheimer
 Granger
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hanabusa
 Hastings
 Heck
 Herrera Beutler
 Higgins (NY)
 Himes
 Holding
 Hoyer
 Hurd
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson (OH)
 Johnson, E. B.
 Joyce (OH)
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 King (NY)
 Kinzinger
 Knight
 Krishnamoorthi
 Kuster (NH)
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)

Lee
 Levin
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren
 Lowenthal
 Lowey
 Lucas
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 MacArthur
 Maloney,
 Carolyn B.
 Maloney, Sean
 Marino
 Matsui
 McCarthy
 McCollum
 McEachin
 McGovern
 McHenry
 McNerney
 Meehan
 Meeks
 Meng
 Moolenaar
 Moore
 Moulton
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Newhouse
 Nolan
 Norcross
 Nunes
 O'Rourke
 Palazzo
 Pallone
 Panetta
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Reed
 Reichert
 Rice (NY)
 Richmond
 Rogers (AL)
 Rogers (KY)
 Rooney, Francis

Rosen
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Rutherford
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NJ)
 Smucker
 Soto
 Speier
 Stefanik
 Stewart
 Stivers
 Suozzi
 Swalwell (CA)
 Takano
 Tenney
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Tiberi
 Titus
 Tonko
 Torres
 Trotter
 Tsongas
 Turner
 Upton
 Valadao
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walden
 Walz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth
 Young (AK)
 Young (IA)
 Zeldin

NOT VOTING—14

Brady (TX)
 Bridenstine
 Costa
 Cummings
 Curbelo (FL)

DeGette
 Franks (AZ)
 Garrett
 Huffman
 Lieu, Ted

Ros-Lehtinen
 Ross
 Scalise
 Wasserman
 Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 2253

Mr. PALAZZO and Ms. HERRERA BEUTLER changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FRANKS of Arizona. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 445, “yea” on rollcall No. 446, “yea” on rollcall No. 447, and “yea” on rollcall No. 448.

AMENDMENT NO. 33 OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BROOKS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 128, noes 293, not voting 12, as follows:

[Roll No. 449]

AYES—128

Aderholt
 Allen
 Amash
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barr
 Barton
 Bergman
 Biggs
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Blum
 Brat
 Brooks (AL)
 Buck
 Budd
 Burgess
 Byrne
 Carter (GA)
 Carter (TX)
 Chabot
 Cheney
 Coffman
 Collins (GA)
 Comer
 Conaway
 Crawford
 Culberson
 Davidson
 DeSantis
 DesJarlais
 Duffy
 Duncan (SC)
 Emmer
 Farenthold
 Ferguson
 Flores
 Foxx
 Franks (AZ)

Gaetz
 Gallagher
 Gibbs
 Gosar
 Gowdy
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Grothman
 Guthrie
 Harris
 Hartzler
 Hensarling
 Hice, Jody B.
 Higgins (LA)
 Holding
 Hollingsworth
 Hudson
 Huizenga
 Hunter
 Issa
 Johnson (LA)
 Johnson, Sam
 Jordan
 Kelly (MS)
 King (IA)
 Labrador
 Lamborn
 Latta
 Loudermilk
 Luetkemeyer
 Marchant
 Marshall
 Massie
 Mast
 McClintock
 McHenry
 McSally
 Meadows
 Messer
 Mooney (WV)
 Mullin
 Noem

Norman
 Olson
 Palmer
 Pearce
 Perry
 Pittenger
 Poe (TX)
 Posey
 Ratcliffe
 Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rohrabacher
 Rokita
 Rooney, Francis
 Rouzer
 Royce (CA)
 Russell
 Sanford
 Schweikert
 Sensenbrenner
 Sessions
 Smith (MO)
 Smith (NE)
 Smith (TX)
 Stewart
 Taylor
 Trott
 Wagner
 Walorski
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman
 Woodall
 Yoder
 Yoho
 Young (IA)

NOES—293

Abraham
 Adams
 Aguilar
 Amodei
 Barletta
 Barragán
 Bass
 Beatty
 Bera
 Beyer
 Bishop (GA)
 Bishop (MI)
 Blumenauer
 Blunt Rochester
 Bonamici
 Bost
 Boyle, Brendan
 F.
 Brady (PA)

Brady (TX)
 Brooks (IN)
 Brown (MD)
 Brownley (CA)
 Buchanan
 Bucshon
 Bustos
 Butterfield
 Calvert
 Capuano
 Carbajal
 Cardenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)

Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Cole
 Collins (NY)
 Comstock
 Connolly
 Conyers
 Cook
 Cooper
 Correa
 Costello (PA)
 Courtney
 Cramer
 Crist
 Crowley
 Cuellar

Davis (CA)
 Davis, Danny
 Davis, Rodney
 DeFazio
 Delaney
 DeLauro
 DelBene
 Demings
 Denham
 Dent
 DeSaulnier
 Deutch
 Diaz-Balart
 Dingell
 Doggett
 Donovan
 Doyle, Michael
 F.
 Duncan (TN)
 Dunn
 Ellison
 Engel
 Eshoo
 Espaillat
 Estes (KS)
 Esty (CT)
 Evans
 Faso
 Fitzpatrick
 Fleischmann
 Fortenberry
 Foster
 Frankel (FL)
 Frelinghuysen
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gianforte
 Gohmert
 Gomez
 Gonzalez (TX)
 Goodlatte
 Gottheimer
 Granger
 Green, Al
 Green, Gene
 Griffith
 Grijalva
 Gutierrez
 Hanabusa
 Handel
 Harper
 Hastings
 Heck
 Herrera Beutler
 Higgins (NY)
 Hill
 Himes
 Hoyer
 Hultgren
 Hurd
 Jackson Lee
 Jayapal
 Jeffries
 Jenkins (KS)
 Jenkins (WV)
 Johnson (GA)
 Johnson (OH)
 Johnson, E. B.
 Jones
 Joyce (OH)
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kelly (PA)
 Kennedy
 Khanna
 Kihuen
 Kildee

Kilmer
 Kind
 King (NY)
 Kinzinger
 Knight
 Krishnamoorthi
 Kuster (NH)
 Kustoff (TN)
 LaHood
 LaMalfa
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lewis (MN)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren
 Long
 Love
 Lowenthal
 Lowey
 Lucas
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 MacArthur
 Maloney,
 Carolyn B.
 Maloney, Sean
 Marino
 Matsui
 McCarthy
 McCaul
 McCollum
 McEachin
 McGovern
 McKinley
 McMorris
 Rodgers
 McNerney
 Meehan
 Meeks
 Meng
 Mitchell
 Moolenaar
 Moore
 Moulton
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Newhouse
 Nolan
 Norcross
 Nunes
 O'Halleran
 O'Rourke
 Palazzo
 Pallone
 Panetta
 Pascrell
 Paulsen
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Poliquin
 Polis
 Price (NC)

Quigley
 Raskin
 Reed
 Reichert
 Renacci
 Rice (NY)
 Richmond
 Rogers (KY)
 Rooney, Thomas
 J.
 Rosen
 Roskam
 Rothfus
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Rutherford
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, Austin
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (NJ)
 Smith (WA)
 Smucker
 Soto
 Speier
 Stefanik
 Stivers
 Suozzi
 Swalwell (CA)
 Takano
 Tenney
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Titus
 Tonko
 Torres
 Tsongas
 Turner
 Upton
 Valadao
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walberg
 Walden
 Walker
 Walters, Mimi
 Walz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Womack
 Yarmuth
 Young (AK)
 Zeldin

NOT VOTING—12

Bridenstine
 Costa
 Cummings
 Curbelo (FL)
 DeGette

Garrett
 Huffman
 Lieu, Ted
 Ros-Lehtinen
 Ross

Scalise
 Wasserman
 Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 2257

Mr. GROTHMAN changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MS. ROSEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Nevada (Ms. ROSEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 220, not voting 13, as follows:

[Roll No. 450]

AYES—200

Adams	Eshoo	Lynch
Aguiar	Españat	Maloney,
Amash	Esty (CT)	Carolyn B.
Barragán	Fortenberry	Maloney, Sean
Bass	Foster	Marshall
Beatty	Frankel (FL)	Matsui
Bera	Fudge	McCollum
Bishop (GA)	Gabbard	McEachin
Blumenauer	Gallego	McGovern
Blunt Rochester	Garamendi	McKinley
Bonamici	Gomez	McNerney
Boyle, Brendan	Gonzalez (TX)	Meehan
F.	Gottheimer	Meeks
Brady (PA)	Green, Al	Meng
Brady (TX)	Green, Gene	Mooney (WV)
Brown (MD)	Grijalva	Moore
Brownley (CA)	Gutiérrez	Moulton
Bustos	Hanabusa	Murphy (FL)
Butterfield	Hastings	Murphy (PA)
Capuano	Heck	Nadler
Carbajal	Higgins (NY)	Napolitano
Cárdenas	Himes	Neal
Carson (IN)	Hoyer	Nolan
Cartwright	Jackson Lee	Norcross
Castor (FL)	Jayapal	O'Halleran
Castro (TX)	Jeffries	O'Rourke
Chu, Judy	Jenkins (WV)	Pallone
Ciçilline	Johnson (GA)	Panetta
Clark (MA)	Johnson, E. B.	Pascarell
Clarke (NY)	Kaptur	Payne
Clay	Keating	Pelosi
Cleaver	Kelly (IL)	Perlmutter
Clyburn	Kennedy	Peters
Cohen	Khanna	Peterson
Conyers	Kihuen	Pingree
Cooper	Kildee	Pocan
Correa	Kilmer	Polis
Costello (PA)	Kind	Price (NC)
Courtney	Krishnamoorthi	Quigley
Crist	Kuster (NH)	Raskin
Crowley	Langevin	Reed
Cuellar	Larsen (WA)	Rice (NY)
Davis (CA)	Larson (CT)	Richmond
Davis, Danny	Lawrence	Rosen
DeFazio	Lawson (FL)	Roybal-Allard
Delaney	Lee	Ruiz
DeLauro	Levin	Ruppersberger
DelBene	Lewis (GA)	Rush
Demings	Lipinski	Ryan (OH)
Dent	LoBiondo	Sánchez
DeSaulnier	Loeback	Sarbanes
Deutch	Lofgren	Schakowsky
Dingell	Lowenthal	Schiff
Doggett	Lowey	Schneider
Doyle, Michael	Lujan Grisham,	Schrader
F.	M.	Scott (VA)
Ellison	Luján, Ben Ray	Scott, David

Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Beyer
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mullin
Newhouse
Noem

Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey

NOES—220

Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mullin
Newhouse
Noem

NOT VOTING—13

Garrett
Gohmert
Huffman
Lieu, Ted
Ros-Lehtinen

Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Yarmuth
Zeldin

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2300

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FITZPATRICK. Mr. Chair, on rollcall No. 450, I mistakenly voted “nay,” where I meant to vote “yea.”

AMENDMENT NO. 39 OFFERED BY MR. GROTHMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 295, not voting 14, as follows:

[Roll No. 451]

AYES—124

Abraham	Goodlatte	Meadows
Allen	Gosar	Meehan
Amash	Gowdy	Messer
Arrington	Graves (GA)	Mooney (WV)
Babin	Graves (LA)	Norman
Banks (IN)	Graves (MO)	Olson
Barr	Griffith	Palmer
Biggs	Grothman	Perry
Bilirakis	Guthrie	Pittenger
Bishop (MI)	Harper	Posey
Blackburn	Harris	Ratcliffe
Blum	Hartzler	Renacci
Brady (TX)	Hensarling	Rice (SC)
Brat	Hice, Jody B.	Rohrabacher
Brooks (AL)	Higgins (LA)	Rokita
Buck	Hill	Rooney, Francis
Budd	Holding	Rouzer
Burgess	Hollingsworth	Royce (CA)
Byrne	Hudson	Russell
Chabot	Huizenga	Sanford
Cheney	Hunter	Scott, Austin
Coffman	Johnson (LA)	Sensenbrenner
Comer	Johnson, Sam	Smith (MO)
Conaway	Jordan	Smith (NE)
Crawford	King (IA)	Smith (TX)
Culberson	Kustoff (TN)	Wagner
Davidson	Labrador	Walker
DeSantis	LaHood	Walters, Mimi
DesJarlais	LaMalfa	Weber (TX)
Duncan (SC)	Lamborn	Webster (FL)
Duncan (TN)	Latta	Wenstrup
Dunn	Lewis (MN)	Westerman
Emmer	Loudermilk	Williams
Estes (KS)	Love	Wilson (SC)
Farenthold	Luetkemeyer	Wittman
Ferguson	Marchant	Womack
Flores	Marshall	Woodall
Foxx	Massie	Yoder
Franks (AZ)	McClintock	Yoho
Gaetz	McHenry	Young (IA)
Gibbs	McMorris	Zeldin
Gohmert	Rodgers	

NOES—295

Adams	Barletta	Bera
Aderholt	Barragán	Bergman
Aguiar	Barton	Beyer
Amodei	Bass	Bishop (GA)
Bacon	Beatty	Bishop (UT)

Black
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Cramer
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Ellison
Engel
Eshoo
Españlat
Esty (CT)
Evans
Faso
Fitzpatrick
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Gianforte
Gomez
Gonzalez (TX)
Gottheimer
Granger
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa

Handel
Hastings
Heck
Herrera Beutler
Higgins (NY)
Himes
Hoyer
Hultgren
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marino
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McKinley
McNerney
McSally
Meeks
Meng
Mitchell
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Palazzo
Pallone
Panetta

Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney, Thomas J.
Rosen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Schweikert
Scott (VA)
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—14
Bridenstine
Costa
Cummings
Curbelo (FL)
DeGette
Garrett
Huffman
Lieu, Ted
Ros-Lehtinen
Ross
Scalise
Scott, David
Shuster
Wasserman
Schultz
ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2303
So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 46 OFFERED BY MR. GROTHMAN
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Wisconsin (Mr.
GROTHMAN) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.
The Clerk redesignated the amend-
ment.

RECORDED VOTE
The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 139, noes 282,
not voting 12, as follows:

[Roll No. 452]
AYES—139
Abraham
Allen
Amash
Arrington
Babin
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Brooks (AL)
Buck
Budd
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Comer
Conaway
Crawford
Culberson
Davidson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Dunn
Estes (KS)
Farenthold
Ferguson
Flores
Fomx
Franks (AZ)
Gaetz
Gallagher
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Jenkins (KS)
Johnson (LA)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Latta
Lewis (MN)
Loudermilk
Marchant
Marshall
Massie
McCarthy
McClintock
McHenry
Meadows
Messer
Mooney (WV)
Mullin
Norman
Olson
Palmer
Perry
Pittenger
Posey
Ratcliffe
Renacci
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Rooney, Francis
Rouzer
Royce (CA)
Russell
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Taylor
Tipton
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Zeldin

NOES—282
Adams
Aderholt
Aguilar
Amodei
Bacon
Barletta
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Cramer
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Ellison
Emmer
Engel
Eshoo
Españlat
Esty (CT)
Evans
Faso
Fitzpatrick
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gianforte
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Palazzo
Pallone
Panetta
Gianforte
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Palazzo
Pallone
Panetta
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney, Thomas J.
Rosen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Schweikert
Scott (VA)
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stivers
Suozi
Swalwell (CA)
Takano
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

Watson Coleman Wilson (FL) Young (AK)
Welch Yarmuth Young (IA)

NOT VOTING—12

Bridenstine Garrett Scalise
Costa Huffman Wasserman
Cummings Lieu, Ted Schultz
Curbelo (FL) Ros-Lehtinen
DeGette Ross

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2306

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 51 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Iowa (Mr. KING) on
which further proceedings were post-
poned and on which the noes prevailed
by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 180, noes 241,
not voting 12, as follows

[Roll No. 453]

AYES—180

Abraham	Dent	Johnson (LA)
Aderholt	DeSantis	Johnson, Sam
Allen	DesJarlais	Jones
Amash	Duncan (SC)	Jordan
Amodei	Duncan (TN)	Kelly (MS)
Arrington	Dunn	King (IA)
Babin	Estes (KS)	Knight
Bacon	Farenthold	Kustoff (TN)
Banks (IN)	Ferguson	Labrador
Barr	Fleischmann	LaMalfa
Barton	Flores	Lamborn
Bergman	Fortenberry	Latta
Biggs	Fox	Long
Bilirakis	Franks (AZ)	Loudermilk
Bishop (MI)	Frelinghuysen	Love
Bishop (UT)	Gaetz	Lucas
Black	Gallagher	Luetkemeyer
Blackburn	Gibbs	Marchant
Blum	Gohmert	Marino
Brady (TX)	Goodlatte	Marshall
Brat	Gosar	Massie
Brooks (AL)	Gowdy	McCarthy
Brooks (IN)	Granger	McCaul
Buchanan	Graves (GA)	McClintock
Buck	Graves (LA)	McHenry
Budd	Griffith	McMorris
Burgess	Grothman	Rodgers
Byrne	Guthrie	McSally
Calvert	Handel	Meadows
Carter (GA)	Harper	Messer
Carter (TX)	Harris	Mitchell
Chabot	Hartzler	Moolenaar
Cheney	Hensarling	Mooney (WV)
Coffman	Herrera Beutler	Mullin
Cole	Hice, Jody B.	Noem
Collins (GA)	Higgins (LA)	Norman
Collins (NY)	Hill	Nunes
Comer	Holding	Olson
Constock	Hollingsworth	Palazzo
Conaway	Hudson	Palmer
Cramer	Huizenga	Paulsen
Crawford	Hurd	Pearce
Culberson	Issa	Perry
Davidson	Jenkins (KS)	Pittenger

Poe (TX)
Poliquin
Posey
Ratcliffe
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Rothfus
Rouzer
Royce (CA)

Adams
Aguilar
Barletta
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Buchson
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Deutsch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Ellison
Emmer
Engel
Eshoo
Españal
Esty (CT)
Evans
Faso
Fitzpatrick
Foster
Frankel (FL)
Fudge

NOES—241

Gabbard
Gallego
Garamendi
Gianforte
Gomez
Gonzalez (TX)
Gottheimer
Graves (MO)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Hultgren
Hunter
Jackson Lee
Jayapal
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Loebach
Loftgren
Lowenthal
Lowe
Lujan Grisham, M.
Lujan, Ben Ray
Lynch
MacArthur
Maloney
Maloney, Sean
Mast
Matsui
McCollum
McEachin
McGovern
McKinley
McNerney
Meehan

Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)

Turner
Upton
Valadao
Vargas
Veasey
Vela

NOT VOTING—12

Bridenstine Garrett Scalise
Costa Huffman Wasserman
Cummings Lieu, Ted Schultz
Curbelo (FL) Ros-Lehtinen
DeGette Ross

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2309

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 54 OFFERED BY MR. GROTHMAN

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Wisconsin (Mr.
GROTHMAN) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 140, noes 280,
not voting 13, as follows:

[Roll No. 454]

AYES—140

Abraham	Flores	Lewis (MN)
Allen	Fox	Long
Amash	Franks (AZ)	Loudermilk
Arrington	Gaetz	Love
Babin	Gallagher	Marchant
Bacon	Gohmert	Marshall
Banks (IN)	Goodlatte	Massie
Barr	Gosar	Mast
Barton	Gowdy	McCarthy
Bergman	Granger	McClintock
Biggs	Graves (GA)	McHenry
Bishop (MI)	Graves (LA)	Meadows
Bishop (UT)	Graves (MO)	Messer
Black	Griffith	Mooney (WV)
Blackburn	Grothman	Mullin
Blum	Guthrie	Norman
Brady (TX)	Handel	Olson
Brat	Harper	Palmer
Brooks (AL)	Harris	Paulsen
Buck	Hensarling	Perry
Budd	Hice, Jody B.	Pittenger
Byrne	Higgins (LA)	Poe (TX)
Calvert	Hill	Posey
Carter (GA)	Holding	Ratcliffe
Carter (TX)	Hudson	Rice (SC)
Chabot	Huizenga	Rohrabacher
Cheney	Hultgren	Rokita
Collins (GA)	Hunter	Rooney, Francis
Comer	Jenkins (KS)	Rouzer
Conaway	Johnson (LA)	Royce (CA)
Crawford	Johnson, Sam	Russell
Culberson	Jones	Sanford
Davidson	Jordan	Schweikert
DeSantis	Kelly (MS)	Scott, Austin
DesJarlais	King (IA)	Sensenbrenner
Duncan (SC)	Kustoff (TN)	Sessions
Duncan (TN)	Labrador	Smith (MO)
Dunn	LaHood	Smith (NE)
Emmer	LaMalfa	Smith (TX)
Estes (KS)	Lamborn	Stewart
Farenthold	Latta	Taylor

Upton Weber (TX)
Wagner Webster (FL)
Walberg Westerman
Walker Wilson (SC)
Walorski Wittman
Walters, Mimi Womack

NOES—280

Adams Frankel (FL)
Aderholt Frelinghuysen
Aguilar Fudge
Amodei Gabbard
Barletta Gallego
Barragán Garamendi
Bass Gianforte
Beatty Gibbs
Bera Gomez
Beyer Gonzalez (TX)
Bishop (GA) Gottheimer
Blumenauer Green, Al
Blunt Rochester Green, Gene
Bonamici Grijalva
Bost Gutierrez
Boyle, Brendan Hanabusa
F. Hartzler
Brady (PA) Hastings
Brooks (IN) Heck
Brown (MD) Herrera Beutler
Brownley (CA) Higgins (NY)
Buchanan Himes
Bucshon Hollingsworth
Burgess Hoyer
Bustos Hurd
Butterfield Issa
Capuano Jackson Lee
Carbajal Jayapal
Cárdenas Jeffries
Carson (IN) Jenkins (WV)
Cartwright Johnson (GA)
Castor (FL) Johnson (OH)
Castro (TX) Johnson, E. B.
Chu, Judy Joyce (OH)
Cicilline Kaptur
Clark (MA) Katko
Clarke (NY) Keating
Clay Kelly (IL)
Cleaver Kelly (PA)
Clyburn Kennedy
Coffman Khanna
Cohen Kihuen
Cole Kildee
Collins (NY) Kilmer
Comstock Kind
Connolly King (NY)
Conyers Kinzinger
Cook Knight
Cooper Krishnamoorthi
Correa Kuster (NH)
Costello (PA) Lance
Courtney Langevin
Cramer Larsen (WA)
Crist Larson (CT)
Crowley Lawrence
Cuellar Lawson (FL)
Davis (CA) Lee
Davis, Danny Levin
Davis, Rodney Lewis (GA)
DeFazio Lipinski
Delaney LoBiondo
DeLauro Loeback
DelBene Lofgren
Demings Lowenthal
Denham Lowey
Dent Lucas
DeSaulnier Luetkemeyer
Deutch Lujan Grisham,
Diaz-Balart M.
Dingell Luján, Ben Ray
Doggett Lynch
Donovan MacArthur
Doyle, Michael Maloney,
F. Carolyn B.
Duffy Maloney, Sean
Ellison Marino
Engel Matsui
Eshoo McCaul
Españillat McCollum
Esty (CT) McEachin
Evans McGovern
Faso McKinley
Ferguson McMorris
Fitzpatrick Rodgers
Fleischmann McNeerney
Fortenberry McSally
Foster Meehan

Woodall
Yoder
Yoho
Young (IA)
Zeldin

Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner

Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Waters, Maxine

Watson Coleman
Welch
Wenstrup
Williams
Wilson (FL)
Yarmuth
Young (AK)

Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar

Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratchliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—13

Bilirakis DeGette
Bridenstine Garrett
Costa Huffman
Cummings Lieu, Ted
Curbelo (FL) Ros-Lehtinen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2312

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 56 OFFERED BY MR. SMITH OF
MISSOURI

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Missouri (Mr. SMITH)
on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 225, noes 195,
not voting 13, as follows:

[Roll No. 455]

AYES—225

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman

Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher

Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Donovan
Doyle, Michael
F.

NOES—195

Ellison
Engel
Eshoo
Españillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (NY)
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeback
Lofgren

Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNeerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reichert
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider

Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier

NOT VOTING—13

Bridenstine
Costa
Cummings
Curbelo (FL)
DeGette

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2315

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 58 OFFERED BY MR. BABIN

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Texas (Mr. BABIN) on
which further proceedings were post-
poned and on which the noes prevailed
by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 173, noes 246,
not voting 14, as follows:

[Roll No. 456]

AYES—173

Abraham
Allen
Amash
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Buck
Budd
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Cheney
Coffman
Collins (GA)
Comer
Comstock
Conaway
Cook
Costello (PA)

Cramer
Culberson
Davidson
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Estes (KS)
Farenthold
Faso
Ferguson
Flores
Foxy
Franks (AZ)
Gaetz
Garamendi
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel

Seasey
Vela
Velázquez
Visclosky
Walden
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Tsongas
Valadao
Vargas

Ross
Scalise
Wasserman
Schultz

Marino
Marshall
Massie
McCaul
McClintock
McKinley
McMorris
Rodgers
Meehan
Moolenaar
Mooney (WV)
Murphy (PA)
Newhouse
Noem
Nolan
Norman
Nunes
Olson
Palmer
Pearce
Perry
Peterson
Pittenger
Poliquin
Polis

Adams
Aderholt
Aguilar
Amodei
Barletta
Barragán
Bass
Beatty
Bera
Beyer
Biggs
Bishop (GA)
Blackburn
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cooper
Correa
Courtney
Crawford
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
LaHood
LaMalfa
Lamborn
Lewis (MN)
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant

NOES—246

Doyle, Michael
F.
Ellison
Emmer
Engel
Eshoo
Españal
Esty (CT)
Evans
Fitzpatrick
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Harper
Hastings
Heck
Hice, Jody B.
Higgins (NY)
Hill
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo

Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Valadao
Vela
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Williams
Wilson (SC)
Wittman
Yoder
Yoho
Young (IA)
Zeldin

Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)

Bridenstine
Costa
Cummings
Curbelo (FL)
DeGette

NOT VOTING—14

Demings
Garrett
Huffman
Lieu, Ted
Mullin

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2320

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Mr. CARTER of Texas. Mr. Chair-
man, I move that the Committee do
now rise.

The motion was agreed to.

Accordingly, the Committee rose;
and the Speaker pro tempore (Mr. COL-
LINS of Georgia) having assumed the
chair, Mr. MARSHALL, Acting Chair of
the Committee of the Whole House on
the state of the Union, reported that
that Committee, having had under con-
sideration the bill (H.R. 3354) making
appropriations for the Department of
the Interior, environment, and related
agencies for the fiscal year ending Sep-
tember 30, 2018, and for other purposes,
had come to no resolution thereon.

REPORT ON RESOLUTION PRO-
VIDING FOR FURTHER CONSID-
ERATION OF H.R. 3354, DEPART-
MENT OF THE INTERIOR, ENVI-
RONMENT, AND RELATED AGEN-
CIES APPROPRIATIONS ACT, 2018

Mr. WOODALL, from the Committee
on Rules, submitted a privileged report
(Rept. No. 115-297) on the resolution (H.
Res. 504) providing for further consid-
eration of the bill (H.R. 3354) making ap-
propriations for the Department of the
Interior, environment, and related
agencies for the fiscal year ending Sep-
tember 30, 2018, and for other purposes,
which was referred to the House Cal-
endar and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
ENVIRONMENT, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2018

The SPEAKER pro tempore. Pursuant
to House Resolution 500 and rule
XVIII, the Chair declares the House in
the Committee of the Whole House on
the state of the Union for the further
consideration of the bill, H.R. 3354.

Will the gentleman from Kansas (Mr. MARSHALL) kindly resume the chair.

□ 2323

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. MARSHALL (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 58 printed in part B of House Report 115-295 by the gentleman from Texas (Mr. BABIN) had been disposed of.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. CARTER OF TEXAS

Mr. CARTER of Texas. Mr. Chairman, pursuant to section 3 of House Resolution 500, as the designee of Chairman FRELINGHUYSEN, I rise to offer en bloc No. 3 as part of the consideration of Division E of H.R. 3354. A list of amendments included in the en bloc is at the desk and has been agreed to by both sides.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 61, 62, 64, 65, 67, 68, 69, 72, 73, 79, 82, 86, and 89, printed in part B of House Report Number 115-295, offered by Mr. CARTER of Texas:

AMENDMENT NO. 61 OFFERED BY MR. KEATING OF MASSACHUSETTS

Page 635, line 9, after the first dollar amount, insert "(reduced by \$7,000,000)".

Page 659, line 7, after the dollar amount, insert "(increased by \$7,000,000)".

Page 661, line 3, after the dollar amount, insert "(increased by \$7,000,000)".

AMENDMENT NO. 62 OFFERED BY MR. SWALWELL OF CALIFORNIA

Page 635, line 9, after the first dollar amount, insert "(reduced by \$10,000,000)".

Page 645, line 11, after the dollar amount, insert "(increased by \$10,000,000)".

AMENDMENT NO. 64 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

Page 635, line 9, after the first dollar amount insert the following: "(reduced by \$5,000,000)".

Page 659, line 7, after the dollar amount insert the following: "(increased by \$5,000,000)".

Page 659, line 19, after the dollar amount insert the following: "(increased by \$5,000,000)".

AMENDMENT NO. 65 OFFERED BY MR. HIGGINS OF NEW YORK

Page 635, line 9, after the first dollar amount insert the following: "(reduced by \$1,000,000)".

Page 669, line 10, after the dollar amount insert the following: "(increased by \$1,000,000)".

AMENDMENT NO. 67 OFFERED BY MR. DELANEY OF MARYLAND

Page 635, line 14, after the dollar amount, insert "(reduced by \$76,400,000)".

Page 668, line 6, after the first dollar amount, insert "(increased by \$42,300,000)".

Page 668, line 13, after the dollar amount, insert "(increased by \$34,100,000)".

AMENDMENT NO. 68 OFFERED BY MR. BILIRAKIS OF FLORIDA

Page 635, line 14, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 643, line 11, after the first dollar amount, insert "(increased by \$5,000,000)".

AMENDMENT NO. 69 OFFERED BY MR. PASCRELL OF NEW JERSEY

Page 635, line 14, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 659, line 7, after the dollar amount, insert "(increased by \$1,000,000)".

Page 661, line 23, after the dollar amount, insert "(increased by \$1,000,000)".

AMENDMENT NO. 72 OFFERED BY MR. KILDEE OF MICHIGAN

Page 640, line 24, after the dollar amount, insert "(reduced by \$20,000,000)".

Page 659, line 7, after the dollar amount, insert "(increased by \$20,000,000)".

Page 660, line 12, after the dollar amount, insert "(increased by \$20,000,000)".

Page 660, line 15, after the dollar amount, insert "(increased by \$20,000,000)".

AMENDMENT NO. 73 OFFERED BY MR. CORREA OF CALIFORNIA

Page 640, line 24, after the dollar amount, insert "(increased by \$10,000,000)".

Page 643, line 11, after the first dollar amount, insert "(reduced by \$10,000,000)".

AMENDMENT NO. 79 OFFERED BY MR. LATTI OF OHIO

Page 657, line 15, after the dollar amount insert the following: "(increased by \$1) (reduced by \$1)".

AMENDMENT NO. 82 OFFERED BY MRS. TORRES OF CALIFORNIA

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 235B of the Immigration and Nationality Act.

AMENDMENT NO. 86 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

At the end of division E (before the short title) insert the following:

SEC. _____. None of the funds made available in this Act may be used to establish an anchorage on the Hudson River between Yonkers, New York and Kingston, New York.

AMENDMENT NO. 89 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of division E (before the spending reduction account), insert the following:

SEC. _____. None of the funds made available in this Act may be used in contravention of section 44917 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Texas (Mr. CARTER) and the gentlewoman from California (Ms. ROYBAL-ALLARD) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER of Texas. Mr. Chairman, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Mr. Chairman, I thank the gentlewoman from California, and I also want to thank my

colleagues on the other side of the aisle for their support of an amendment that really is relevant right now. In Barnstable County, Massachusetts, a single coordinator for the FEMA community rating system program is helping 11 of the 15 towns invest in a regional level mitigation to bring down flood insurance premiums for the people of Cape Cod.

That coordinator is working to include all 15 towns in the program and help residents achieve flood insurance discounts of up to 15 percent in year 1 alone.

My amendment in this package would fund grants to help towns in other parts of the country partner together and hire their own regional CRS coordinators. More local governments would be able to mitigate flood risk and lower the cost of premiums for residents in their areas.

Nobody loses under this scenario. We make flood insurance more affordable, we encourage investment in flood mitigation, and because of the cost-saving use of Federal dollars, the CBO reports this amendment will reduce the deficit by \$5 million in 2018. It is such a really important time in our country when we face challenges of major storms and floods.

Mr. Chairman, I am pleased the amendment was included in the en bloc, and I urge my colleagues to support this package.

Mr. CARTER of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), who is my good friend.

Mr. BILIRAKIS. Mr. Chairman, I rise today in support of my amendment to add \$5 million to expand the Visa Security Program which will fund two more high-risk visa security posts in the most volatile parts of the world.

The global threat of radical Islamic extremism is very real and requires a robust vetting system to ensure those seeking to do us harm do not enter our borders.

Despite success in our efforts to destroy ISIS, we know hot spots around the world serve as a breeding ground for radical ideology. That is why expanding our visa security program is paramount.

In 2010, I questioned then-Homeland Security Secretary Napolitano about why the Visa Security Program hadn't been accelerated and emphasized the need to take prompt action to bolster screening capabilities overseas.

It remains a priority today. The Visa Security Program is a vital part of our antiterrorism efforts, and its success is essential because if we are not safe, nothing else matters.

Mr. Chairman, I urge my colleagues to support this en bloc amendment and the underlying bill.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CORREA).

Mr. CORREA. Mr. Chairman, I rise in support of my amendment No. 73 which is included in this en bloc package. My amendment would seek to allocate \$10 million for additional K-9 teams for Customs and Border Protection.

□ 2330

Many legal drugs that come into our country enter through our Nation's port of entries. Last year, CBP seized 3.3 million pounds of narcotics. Trained canine teams were keys to these successes. Yet when it comes to canine teams, U.S. border authorities are severely understaffed.

I thank my colleagues for including my amendment in this package.

Mr. CARTER of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Chairman, I thank the gentleman for yielding.

The amendment I am offering today highlights a critical security concern that must be addressed in order to keep the American people safe. Over the past several years, terrorists in Europe and around the world have added vehicular attacks to their deadly arsenal. From Paris to Barcelona and Jerusalem to London, terrorists have rented trucks and vans to commit horrible attacks, leaving hundreds dead and countless seriously injured.

While the United States has yet to experience an attack on the scale of those that have occurred in Europe, we must do everything in our power to make sure that the individuals who do us harm do not eventually slip through the cracks.

I believe the U.S. Department of Homeland Security should have the discretion to use its funds to explore partnerships with van and truck rental companies so that background checks may be conducted for individuals attempting to procure these vehicles. This amendment is a first step towards recognizing and addressing the potential vulnerability of American citizens to these terrible attacks.

It is my hope that I continue to work with the chairman as well as the Committee on Homeland Security to pursue legislative measures that will address the vehicular attacks and actions so that we can guard against them.

I thank the chairman, the ranking member, and my colleagues for their support.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to support my amendment, which is included in this en bloc amendment, that would add \$20 million for the Staffing for Adequate Fire and Emergency Response grants, also better known as SAFER grants. These are critical grants that basically help keep communities safe.

Right now, in my hometown of Flint and in Saginaw, just up the road, we have 48 additional firefighters solely because of these grants. During the recess, I was able to go to these fire stations, sit down especially with the new firefighters that have been hired, and talk to them about what it means for them to serve our community and to see some of the new equipment that they are able to have. This makes our communities safer.

It is particularly special to me because my grandfather was a fire chief. He was actually the first fire chief of Flint Township. I learned about service to community by seeing what he did to protect the community that we grew up in.

This program supports safety in those communities. Without it, our citizens are less safe. I am pleased that this amendment was included in the en bloc amendment, and I urge my colleagues to support it.

Mr. CARTER of Texas. Mr. Chairman, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman from California, and I thank the manager of this bill, Judge CARTER from Texas, for including my amendment in the en bloc amendment. Let me explain it very simply.

My amendment would help facilitate the Secretary of Homeland Security from being limited in their discretion for the utilization and enhancement of the use of Federal air marshals on inbound international flights considered to be high risk by the Department of Homeland Security.

My amendment ensures that the Federal Air Marshal Service effectively uses its funds to deploy personnel on inbound flights that are considered high risk by the Department of Homeland Security and that there is no limit on that ability.

I believe that Federal air marshals are the last line of defense in some instances in defending the cockpit and aircraft cabin against terrorist attacks. We know that airlines, airplanes, aviation still remains a very attractive target, as evidenced over the years, by terrorists.

As the former chairwoman of the Transportation Security Committee, I have worked over the years and sponsored legislation to ensure we had enough air marshals who receive all the requisite training to effectively secure aircraft.

Let me say that all of our individuals are important to the Department of Homeland Security. I ask my colleagues to support this amendment. I thank my colleagues for putting it in the en bloc, and I ask for its support.

Mr. Chair, let me thank Subcommittee Chairman CARTER and Ranking Member ROY-

BAL-ALLARD for their leadership on this important legislation and for the opportunity to explain my amendment.

Thank you for this opportunity to explain my amendment, which simply prohibits any funds in the Homeland Appropriations Act from being used to limit the discretion of the Secretary of Homeland Security to enhance the use of Federal air marshals on inbound international flights considered to be high risk by the Department of Homeland Security.

My amendment ensures that the Federal Air Marshal Service effectively uses its funds to deploy personnel on inbound flights that are considered high risk by the Department of Homeland Security and that there is no limitation on that ability.

I believe that Federal Air Marshals are the last line of defense in defending the cockpit and aircraft cabin against terrorist attack.

As the former Chair and a current member of Homeland Security Transportation Security Subcommittee, I have worked over the years and sponsored legislation to ensure that we have enough air marshals and that they receive all the requisite training to effectively secure aircraft.

To best protect our Nation from terroristic threat it is of extreme importance that we use the necessary funds to support the use of Federal Air Marshals on inbound international flights.

Make no mistake—the threat to our aviation system from aircraft inbound to the United States from foreign airports is serious and dangerous.

Following the capture and killing of Osama Bin Laden, intelligence was gathered that suggests that Al Qaeda still has an interest in attacking the U.S., likely through transportation modes.

This fact, coupled with the numerous suspicious activities even on domestic aircraft where passengers were attempting to open cabin doors in flight or otherwise disrupt flights, is of concern.

While my amendment deals with the threat on inbound aircraft to the U.S., its ultimate impact will be to ensure that air marshals are assigned to the highest-risk flights.

It simply prohibits funds from being used to limit the discretion Secretary of Homeland Security to enhance air marshal coverage on inbound high-risk flights in accordance with the Department's risk model.

The terroristic threats are ever changing and we must allow the Secretary of Homeland Security to make the necessary adjustments to protect the American people.

This is not a funding issue or people issue, rather a security issue and this amendment is budget neutral.

Let me thank those who at the Department of Homeland Security and its component agencies for their service, including my friends at the Transportation Security Administration.

Let me thank all Federal Air Marshals for their service to our nation.

I ask my colleagues to support Jackson Lee Amendment No. 89.

Mr. CARTER of Texas. Mr. Chairman, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 1 minute to the gentleman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Chairman, I rise to offer my amendment to this appropriations bill.

Section 235(b) of the INA requires that any individual who arrives at a U.S. port of entry and asks to apply for asylum must be granted an interview with an asylum officer. That is the law. It does not say our borders are open, but it does say that we do not turn away asylum seekers at our borders.

However, in recent months, NGOs have documented many cases where Customs and Border Protection officials have turned away asylum seekers at ports of entry. These actions are clearly prohibited by section 235(b).

My amendment would simply prevent any use of funds to violate section 235(b). Our taxpayer dollars should not be used to break the law.

Mr. CARTER of Texas. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Chairman, I rise in support of the Delaney-Donovan amendment to restore funding for three vital laboratories operated by the Department of Homeland Security's Science and Technology Directorate: the National Biodefense Analysis and Countermeasures Center, the Chemical Security Analysis Center, and the National Urban Security Technology Laboratory. These laboratories work to counter biological and chemical threats and support our Nation's first responders.

I have had the opportunity, Mr. Chairman, to visit NUSTL, located in New York City, which, since 2009, has been serving as the testing and evaluation laboratory for the first responder community. Additionally, NUSTL acts as a technical adviser and performs research and development. I have seen the remarkable resources NUSTL provides to our first responders and how closing it would greatly impact first responders' capabilities.

Given the current threat environment, now is not the time to be cutting Federal resources to counter chemical and biological threats and support of our first responders.

I appreciate the very difficult job Chairman CARTER and members of the Appropriations Committee had in crafting the Department of Homeland Security Appropriations bill. I appreciate their working with me and Mr. DELANEY to ensure these vital labs receive funding.

As the chairman of the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Response, and Communications, which has oversight of the Science and Technology Directorate, I urge all Members to support this amendment.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. CARTER).

The en bloc amendments were agreed to.

AMENDMENT NO. 63 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 63 printed in part B of House Report 115-295.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 635, line 9, after the first dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, my amendment prioritizes funding to study the treatment of detainees and the conditions of private immigration detention centers.

ICE is increasing apprehensions and putting immigrant communities at higher risk of apprehension, detention, and deportation. At the same time, the Trump administration has lowered detention standards when signing contracts with private facilities. This has led to the highest number of deaths in ICE custody since 2011.

We have seen a complete disregard for civil and constitutional rights of detainees, many of whom are torn from their families without basic due process protections. These facilities are not holding prisoners. They are holding asylum seekers who risked everything to start a better life. They are holding hardworking community members. They are holding family members: mothers, fathers, and children.

Information regarding detention facilities is already inconsistent, outdated, and, frankly, overall lacking in transparency. Medical neglect, poor treatment by guards, sexual abuse, and even in-custody deaths plague numerous facilities across the country. Even worse, repeat offending private prison companies continue to receive lucrative contracts for additional facilities.

We have to have an objective and transparent review of these private immigration detention centers. I urge my colleagues to join me in voting “yes” for my amendment to ensure that detainees are treated humanely and provided basic due process protections.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

AMENDMENT NO. 66 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 66 printed in part B of House Report 115-295.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 635, line 9, after the first dollar amount insert “(increased by \$10,000,000)”.

Page 636, line 17, after the dollar amount insert “(increased by \$30,000,000)”.

Page 643, line 11, after the first dollar amount insert “(reduced by \$535,184,000)”.

Page 643, line 15, after the dollar amount insert “(reduced by \$535,184,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chairman, my amendment will eliminate \$535 million in new funding for ICE officers and provide \$30 million to the DHS Office of Inspector General and \$10 million to the Office for Civil Rights and Civil Liberties. Simply put, my amendment makes it clear that we must increase oversight and accountability over the Department of Homeland Security.

Reports of unlawful turnbacks of asylum seekers have only increased. The May 2017 Human Rights First report, “Crossing the Line,” flagged 125 incidents where asylum seekers were denied full access to the process. Just last month, the American Immigration Council and others filed a class action lawsuit challenging CBP's continued practice of turning back asylum seekers requesting protection at ports of entry.

The Trump administration's anti-immigrant rhetoric and policy appear to have emboldened the CBP practice. CBP personnel also reportedly stated: “Donald Trump just signed new laws saying there is no asylum for anyone . . .”

We have also heard reports of CBP turning away asylum seekers through threats, coercion, and intimidation. CBP reportedly threatened to take away asylum seekers' children unless they left the port of entry and let loose dogs unless they exited the port of entry.

We have also heard CBP turning away asylum seekers through verbal and physical abuse. CBP reportedly threw an asylum seeker's 6-year-old daughter to the ground and knocked a transgender asylum seeker to the floor and then stepped on her neck.

These are not only unconscionable, Mr. Chairman, they may violate U.S. and international law. They violate the Immigration and Nationality Act, which guarantees the right of an individual present within the United

States or arriving at a U.S. port of entry to apply for asylum.

Also, they may violate the principle of non-refoulement, articulated in the 1951 Refugee Convention and enshrined in U.S. law in the 1967 Protocol Relating to the Status of Refugees. This prohibits the return of asylum seekers to a country where their lives or freedom would be threatened on account of protected ground.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. ROYBAL-ALLARD), ranking member of the Homeland Security Appropriations Subcommittee.

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Ms. ROYBAL-ALLARD. Mr. Chairman, I want to express my strong support for the gentlewoman's amendment. As I said during general debate, the increases of the bill for ICE's enforcement, detention, and removal operations are excessive. They support an overly aggressive immigration enforcement approach that is tearing apart families and communities, and it is unnecessary for national security or public safety.

The cut to ICE operations in support by this amendment would leave sufficient funding for ICE to carry out its responsibilities humanely and fairly, and the increases the amendment proposes for the Office of Civil Rights and Civil Liberties and the Office of the Inspector General are clearly needed to ensure appropriate oversight of the Department's activities. I urge my colleagues to support the Jayapal amendment.

Ms. JAYAPAL. Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chairman, the proposal to cut ICE funding for enforcement of immigration laws and removal of those here illegally will endanger the safety of the American people and convey to bad actors that the rule of law no longer exists in the United States, leading to increased border crossings and even more illegal aliens in the United States.

Cutting funding for beds will lead to the release of criminal and other removable aliens into communities across the country and weaken the United States border security. I ask you to join me in opposing this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Chairman, I would like to just remind my colleagues again that ICE has plenty of money to carry out their activities. What we are asking for through this amendment is to have some oversight and accountability to make sure that

we are not seeing the kind of abuse and turn backs that we have been seeing.

Let me just remind my colleagues of the grave and critical need on one level to address sexual assault and abuse in detention.

Between May 2014 and July 2016, the Office of the Inspector General received, at minimum, 1,016 reports of sexual abuse and detention. In other words, they received more than one complaint of sexual abuse each day over the course of 26 months. According to CIVIC, a detention watchdog, only 2.4 percent of those complaints were investigated.

So I could go on, Mr. Chairman, but I think what this amendment is trying to say is we desperately need to ensure that we use the funds that we are appropriating here, the funds that we are taking away, in order to make sure that we have accountability for the Department of Homeland Security, and to make sure, for example, that when we have Prison Rape Elimination Act regulations to prevent sexual assault in immigration detention, that we have adequate funding to the Department of Homeland Security's Civil Rights and Civil Liberties department so that they can carry out the audits to ensure that immigration detention facilities are in compliance with those regulations.

Mr. Chairman, I hope that my colleagues will accept that we still are going to have plenty of money for ICE to do its job, but we want to make sure we have accountability.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I rise in support of Amendment No. 66, offered by Representative JAYAPAL, to strike the \$535 million increase for ICE enforcement and instead add \$30 million to ICE's Office of the Inspector General and \$10 million to DHS's Office of Civil Rights and Civil Liberties. This additional oversight funding would support investigations of sexual assault in immigration detention as mandated by the Prison Rape Elimination Act.

The Prison Rape Elimination Act (PREA) was passed in 2003 as a result of a remarkable bipartisan effort led by Congressman Frank Wolf and myself in the House and Senators Jeff Sessions and Ted Kennedy in the Senate.

Ten years after passage of PREA, in 2014, DHS finalized regulations to comply with PREA. This year, 2017, is the first in which DHS is instituting those regulations by auditing its facilities for compliance.

We must aid DHS in its efforts to investigate and prevent sexual abuse. According to the Office of Inspector General (OIG) at DHS, during the two-year period from May 2014 to July 2016, it received over 1,000 complaints from detainees reporting sexual abuse or assault. The Office of Inspector General investigated only 24 of those complaints—that is 2.4 percent of the total complaints that were made by detained immigrants.

Immigrant detainees also face barriers to reaching the Inspector General's telephone hotline for reporting abuse, because, according to a 2013 report from the Government Accountability Office (GAO), approximately 14 percent of calls placed to that hotline did not go through because, for example, the call was not answered.

This Amendment is an essential step to giving DHS resources to comply with PREA and protect immigrants from sexual abuse and assault in detention facilities.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The amendment was rejected.

AMENDMENT NO. 70 OFFERED BY

MR. FITZPATRICK

The Acting CHAIR. It is now in order to consider amendment No. 70 printed in part B of House Report 115-295.

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 636, line 17, after the dollar amount insert the following: “(increased by \$25,600,000)”.

Page 681, line 7, after the dollar amount insert the following: “(reduced by \$33,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Pennsylvania (Mr. FITZPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, my amendment restores critical funding to the Department of Homeland Security's Office of Inspector General to ensure the efficiency and effectiveness of DHS operations. Without this amendment, the OIG will have to reduce its workforce, significantly impairing its ability to complete its mission that everyone on this floor can agree is vital to our national security.

Mr. Chairman, these women and men work tirelessly to conduct audits, inspections, and investigations that combat fraud, waste, and abuse in one of our Nation's most critical agencies. With over 147 reports, 370 actions recommended, and 836 investigations, DHS OIG has proven to be not only worthy of every penny, but also a place where dollars spent turn into dollars saved.

I am proud to be surrounded by colleagues on the House Homeland Security Committee who join me in supporting the mission of the OIG, and I urge all of my colleagues to vote for this amendment, which is crucial to our national security.

Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of Representative FITZPATRICK's amendment,

which would restore necessary funds to the Department of Homeland Security's Office of Inspector General, to ensure that DHS is being run in the most accountable and cost-efficient way possible.

I am in full support of the increases we have made to both Defense and Homeland Security spending. However, it is imperative that the programs administered by these agencies be operated in a transparent manner that ensures the responsible expenditure of the people's treasure.

In its most recent semiannual report, OIG reported that it recovered \$77.8 million from its audits and investigations and identified \$32 million in questionable cost. OIG investigations during this time also resulted in 86 arrests, 128 indictments, 55 convictions, and 19 personnel actions. This is a needed amendment, and I encourage my colleagues to support it and vote "yes."

Mr. FITZPATRICK. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Chairman, first, I would like to thank Subcommittee Chairman CARTER and Ranking Member ROYBAL-ALLARD, along with the House Homeland Security Committee and all their staff for the hard work on this amendment.

Mr. Chairman, I am proud to rise in support of the amendment offered by my colleague and friend, Mr. FITZPATRICK. The amendment restores critical funding to the DHS Office of Inspector General so it could meet its statutory mission.

As a subcommittee chairman who oversees components of DHS, my duty is to first get the Department the resources it needs, and secondly, ensure these resources are used honestly and efficiently. DHS Office of Inspection General helps protect our resources by rooting out fraud, waste, and abuse by investigating and prosecuting misfeasance and by exposing process inefficiencies. I respectfully request that my colleagues support Mr. FITZPATRICK's good government amendment.

Mr. FITZPATRICK. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Chairman, I rise today in support of Representative FITZPATRICK's amendment. My career in the private sector required skills in identifying deficiencies in systems and processes.

When I look at the program, or lack thereof, with the financial systems modernization effort, beset by poor management and lack of transparency, my last course of action would be to throw more money at it.

Good systems require a good plan. Currently there is no plan, no path forward, and no guarantee to the taxpayers that this money is well spent. This effort has already cost \$133 mil-

lion, 50 percent more than originally expected, and it has failed to accomplish the designated task.

When I go back to Kansas, I am accountable to every taxpaying constituent for every dollar spent in Washington. Therefore, I support this amendment to shift those tax dollars from this inefficient program to the Department of Homeland Security's Office of Inspector General, which protects those very same tax dollars.

This money will provide operating funds to continue funding efficiencies and savings until a good plan is developed for the Financial Services Modernization effort.

Mr. Chairman, I urge my colleagues to support this amendment and fiscal accountability to the American taxpayer.

Mr. FITZPATRICK. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The amendment was agreed to.

AMENDMENT NO. 71 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 71 printed in part B of House Report 115-295.

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 640, line 24, insert after the dollar amount the following: "(increased by \$5,000,000) (reduced by \$5,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the underlying bill provides \$5 million for the CBP Camera Technology Initiative. My amendment would simply double the funding for this initiative by providing an additional \$5 million for a total of \$10 million.

In 2015, CBP released the findings of a yearlong body-worn camera feasibility study, concluding that body-worn cameras would have "positive benefits."

The study found numerous benefits, including enhanced training capabilities through the utilization of footage as a learning tool; strengthened officer and agent performance and accountability; reduced hostilities between officers/agents and citizens; a reduction in the number of allegations and complaints; and increased officer and agent safety by influencing public behavior.

Law enforcement agencies across the country are quickly adopting body-

worn camera technology because they see similar benefits. However, body-worn cameras are expensive, so it is necessary to provide additional resources for CBP to deploy the technology more effectively and in greater numbers.

We need to ensure that we outfit as many Border Patrol agents with body cameras as we can for the current 19,000 agents, as well as the additional 5,000 Border Patrol agents this bill would provide for.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chairman, my good friend from Texas, I know his heart is in the right place, but I have real concerns about the cost and the utilization of body cameras.

We know that you have to preserve evidence. And once you have opened this door that there are expected to be body cameras on officers, then not only do you have to preserve every piece of film or production that comes out of that camera as a potential piece of evidence, and if you take that and multiply it times the number of incidents that are going to occur as we go through a year, and then multiply that times however many years this agency lasts, you are talking about storing millions of gigs or whatever they are that have to be preserved to preserve potential evidence that could be used both by the defense and the prosecution.

And then in a case where there isn't a body camera, it is going to be a jury argument that can be very effectively made by the defense about why isn't there a body camera where there is a policy of having body cameras?

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But the real issue that I have with this is the cost of preserving the record continuously by law enforcement. I think people haven't thought this out to what kind of additional cost this is going to be as you spread this out over the lifetime of an agency and all the agents that work for that agency.

I know the reasons why people think body cameras are a good idea, and they fit that. But does it justify the storage cost that is going to be required to preserve the evidence that is manufactured by the body camera?

That is the question I think we ought to consider, and that is the reason I oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, earlier this year, DHS Secretary John Kelly told the Congressional Hispanic Caucus that he did not oppose requiring agents to wear body cameras, as

long as Congress provides the necessary funding. My amendment would do just that.

There are tremendous safety and accountability benefits to having video records of law enforcement interactions with the public, both for law enforcement officers and for the public.

I would note that a few years ago, when we debated body cameras for law enforcement, at that time, the majority accepted my amendment to increase body camera funding for law enforcement officers by \$10 million. In fact, my hometown of San Antonio, I believe, now every patrol officer is outfitted with a body camera.

I respect the chairman's concerns about the cost of storage, but I would ask the chairman and my colleagues to consider the fact that the cost of storage, this \$10 million, is a small cost when we are talking about people's lives. That could be the lives of the agents themselves or the lives of people that they interact with in the public.

Law enforcement, by and large—putting aside CBP agents for now, police departments across the country have accepted this technology as not only the thing of the future, but the thing of the present, what they are using now.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I understand what my colleague wants: the 45,000 agents that could potentially be acquiring these cameras. Because the first thing you are going to have the first time you go before a judge and you use one of these body cameras in one case, the defense is going to be wanting to know why you are not using them in every case. They are going to be setting up a defense of the fact that the officers failed to meet their duty to preserve the record.

So you take just 45,000 and 1 year of contacts. Granted, his \$10 million isn't going to get all of those guys cameras, but you started down the road to putting a camera on 45,000 agents. And then you have to store everything they produce of any contact that they have for the potential use in evidence by one or the other side in a legal proceeding. That is what concerns me.

Joe Kelly is a good marine and a good Secretary, and I am sorry he is not with us anymore. But the reality is, if you sat in the courtroom and watched the preservation of evidence, you know this has the potential, both for law enforcement and for us, to be a mushroom that explodes in nuclear proportions. That is the only reason I raise this issue.

I know the issues that they are trying to address, and they need to be addressed. I am concerned about the fact that once you start down that road, you are constitutionally required to preserve evidence, and that will be costly. I will leave that up to our colleagues as to how they feel about that.

Mr. Chairman, I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas (Mr. CASTRO) has 2 minutes remaining.

Mr. CASTRO of Texas. Mr. Chairman, again, I understand those concerns. But just as we have cameras here, so that the public can listen to every word that is being said in this Chamber, it is important that when law enforcement officers, including CBP officers, are interacting with the public—and that includes many U.S. citizens, not just immigrants who are coming across the border or folks who are coming across checkpoints, but United States citizens and legal residents. And for the sake of the agents, who may also have false accusations made against them, that is why this is important. Because there are sometimes accusations that are made that can be rebutted by this evidence.

The American people, just as they want this process to be transparent, they want that process to also be transparent with as much accountability as possible. And for the United States Congress not to move forward with that and commit what is really a poultry sum of \$10 million and show a willingness to do that, I think is ignoring what most of the American people want.

As I mentioned before, I worked with the San Antonio Police Department. They came to me and said: Will you help us get these body cameras?

We put in a request for a grant. We got \$1 million to cover the officers who were on patrol. I have not heard in San Antonio a complaint from those officers about body cameras. And studies have shown that, as I mentioned, it has reduced the tension between law enforcement officers and the public.

I respect the gentleman, and I understand the arguments, but I think that, on a whole, this is a matter of transparency, accountability, and people's lives, and we ought to do this.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I only want to lay out that there is a potential very large cost once this door is opened. That is my opposition to this.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CASTRO of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 74 OFFERED BY MS. ROYBAL-ALLARD

The Acting CHAIR. It is now in order to consider amendment No. 74 printed in part B of House Report 115-295.

Ms. ROYBAL-ALLARD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 643, line 11, after the first dollar amount, insert “(reduced by \$849,500,000)”.

Page 643, line 15, after the dollar amount, insert “(reduced by \$849,500,000)”.

Page 647, line 2, after the first dollar amount, insert “(increased by \$849,500,000)”.

Page 647, line 6, after the dollar amount, insert “(increased by \$849,500,000)”.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from California (Ms. ROYBAL-ALLARD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ROYBAL-ALLARD. Mr. Chairman, my amendment would increase funding for the Coast Guard's polar icebreaker program by \$850 million. The amendment is offset by a reduction to the funding for ICE's interior immigration enforcement.

The increases for ICE hiring and detention beds are not well justified and do not have a security focus. In contrast, the need for heavy icebreakers is very well documented.

A recent report from the National Academy of Sciences warned that “the United States has insufficient assets to protect its interests, implement U.S. policy, execute its laws, and meet its obligations in the Arctic and Antarctica because it lacks adequate icebreaking capability.”

Mr. Chairman, this vulnerability exists because, currently, the Coast Guard has only one functioning heavy icebreaker, the Polar Star. Built in 1976, it is well past its 30-year expected operational life. It no longer has the reliability we need, and the cost to maintain it will continue to rise.

Currently, its primary mission is to clear a path through the ice to our research facilities in Antarctica. This means the only icebreaking asset we have in the Arctic is the Coast Guard's only medium class icebreaker, the Healy.

The Polar Star is expected to continue functioning for just 3 to 7 years. This will leave the United States with no heavy icebreaking capability.

We are dangerously falling behind. Russia has 41 icebreakers focused on the Arctic that are active or under construction, four of which are heavy icebreakers. This puts the United States at a tremendous disadvantage, since we are unable to operate in parts of the Arctic Ocean for months at a time.

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The National Academy of Sciences report goes on to recommend that:

"The United States Congress should fund the construction of four polar icebreakers of common design that would be owned and operated by the United States Coast Guard."

Mr. Chair, the fiscal year 2017 defense funding bill included \$150 million for a Coast Guard heavy icebreaker as a downpayment on what is expected to be a nearly \$1 billion price tag for the first ship. However, the National Defense Authorization Act the House passed earlier this year includes a provision prohibiting the Pentagon from using any fiscal year 2018 funds to acquire an icebreaker for the Coast Guard. An amendment to strike that provision failed on a recorded vote. The solution is to fund the next installment of funds directly through the Coast Guard.

While the Coast Guard plans to sign an icebreaker acquisition contract in fiscal year 2019, it will release a request for proposal in mid-fiscal year 2018.

By providing \$850 billion in this bill, enough to cover the cost of one icebreaker, we could help the Coast Guard get the shipbuilding started. Just think what we could accomplish here today. With this one amendment, we can put the United States on a path to securing our sovereign interests in the Arctic region.

We cannot afford to delay any further. I urge my colleagues to vote for this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to the amendment offered by Ms. ROYBAL-ALLARD.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, the proposal to cut ICE funding for enforcement of immigration laws and removal of those here illegally will not only endanger the safety of the American people, it will also convey to bad actors that the rule of law no longer exists in the United States, leading to increased border crossings and a growing overall illegal alien population.

Cutting funding for beds will lead to the release of criminal and other removable aliens into communities across the country and weaken the United States border security.

The hiring of additional ICE agents is needed to protect our communities by preventing terrorism and reducing crime through the vigorous enforcement of immigration and custom laws. Restricting this hiring compromises ICE's law enforcement mission, jeopardizing homeland security and public safety.

Interior immigration enforcement is indispensable to national security and public safety. It cannot be separated from border security. A successful border control and immigration system must be supported by the enforcement of all pertinent laws.

Adding funds to procure another polar icebreaker, while a noble idea, is simply not practical at this time. The Coast Guard is still in the early stages of design and will not be ready to procure the first icebreaker until late fiscal year 2019 at the earliest. The funds will be unexecutable and, therefore, a waste of limited resources that we have.

In addition, if you discuss with the border patrol about the biggest deterrent we have, it is the threat of detention.

Mr. Chair, I ask that my colleagues join me in opposing this amendment.

Mr. Chair, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I just want to emphasize the fact that my amendment still leaves ICE with enough money for 30,000 detention beds. They still have the capability to address the needs in their duties.

I also want to emphasize the fact that although the money is not going to go out in fiscal year 2019, the request for proposal will be in mid-fiscal year 2018; therefore, it is critical that those who will be bidding on these contracts know that, in fact, there is money available.

Finally, I just need to emphasize one more time the fact that we are extremely vulnerable in the Arctic at this time. There are times, as I said, where we have absolutely no presence whatsoever, while at the same time, Russia has a continuous presence in that area.

Mr. Chair, it is critical that we support this amendment and get the Coast Guard the icebreaker that they need.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CARTER of Texas. Mr. Chairman, I, too, agree with Ms. ROYBAL-ALLARD for the need for an icebreaker, that is not in dispute here, but to cut the beds to the proposed 30,000 that she said, in 2017, our number was 39,000 and change, and we have been over that this year, so we still have a real need for these beds, and that need, as I have stated before, is why I oppose this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Ms. ROYBAL-ALLARD).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. ROYBAL-ALLARD. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 75 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 75 printed in part B of House Report 115-295.

Mr. CASTRO of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 643, line 11, insert after the first dollar amount the following: "(increased by \$10,000,000) (reduced by (\$10,000,000))".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, in its report accompanying this bill, the Appropriations Committee states that: "ICE is currently evaluating the use of body-worn cameras for potential use in its field enforcement activities, and notes that such cameras can be important tools for both holding law enforcement personnel accountable and for exonerating officers accused of wrongdoing."

My amendment would support ICE's use of body-worn cameras by providing \$10 million exclusively for ICE to deploy this technology.

The citizens of this country have come to expect law enforcement officers to wear body cameras even when enforcing immigration laws, and law enforcement agencies throughout the country are quickly adopting this technology.

Body-worn cameras are widely supported, because they are important tools that improve officer interactions with the public, deescalate conflicts, and improve public trust in law enforcement, but this tool is expensive, so we need to provide the resources ICE needs to get its program up and running.

The \$10 million in this amendment mirrors the amount of money I am requesting for border patrol agent cameras.

Mr. Chair, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chair, I rise in opposition to the amendment offered by Mr. CASTRO.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, I made the statement previously when we discussed this that this could quickly escalate. We are escalating again by 19,000 more people who would ultimately be required to have cameras.

Once again, without getting into what I just talked about, this is going to be a very costly item. We have something called chain of custody on evidence. ICE agents deal with some very serious issues, felony issues under Federal law. They have got a wide jurisdiction, one of the widest jurisdictions of any agency, even wider than some like the FBI.

So, once again, now that chain of custody on that camera, where that camera information passes from hand to hand, has to be kept in addition to the evidence so that if you are going to present it in court, you can prove the chain of custody. You just enhanced and expanded the amount of costs that it is going to take for an agent to go to trial.

I know this is a very popular idea all over the country, because it has been very much supported by the media, but I really, in good faith, believe that people have not considered the evidentiary problems they are going to create for themselves by the presence of these cameras.

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We will find out fairly quickly as these cameras proliferate what the cost is going to be and what the information required is going to be by the courts. And maybe I am overanticipating, but just now, we have gone from \$44,000; we have added another \$19,000, just in our agency. Now, multiply that times every law enforcement entity in the United States and it becomes an astronomical expense and something we need to think about, and think about hard.

So, for those reasons, not because I don't think it is a good idea to have congeniality between arresting officer and defendant or being able to prove where there is abuse. I agree with all those things.

But I think you are creating a monster evidentiarywise as you go forward with body cameras. We tried them back in the seventies, and they very quickly found that they were not a good idea, but I guess we will try them again.

Anyway, for those reasons, I oppose the gentleman's amendment, and I reserve the balance of my time.

Mr. CASTRO of Texas. Again, Mr. Chairman, this is an issue, fundamentally, of transparency and accountability; and the argument that I hear coming from the other side is that this is an evidentiary issue and that it is going to be too much of a hassle, so we don't want to hear or see what is in these cameras or on this video. That cannot be a responsible approach to law enforcement or to our judicial system.

I am asking in this amendment for \$10 million. We spend more in furniture in this Chamber, in this House of Representatives, than the amount of money that I am requesting in this amendment. We spend more on Member travel every year than the amount of money that I am requesting in this amendment to make sure that both agents and the public are safer.

Let me give you an example, one example of what body cameras recently found in Baltimore, Maryland.

An officer was seen on camera, a body camera recorded an officer plant-

ing drugs that he then pretended to find on a suspect. A week later, another officer was also found to be planting evidence. Are we saying tonight that the American people and our judicial system don't want to see that evidence because of some storage problem?

And, by the way, technology and the cloud have made storage a lot cheaper, so I think that information is outdated. The argument on that side is outdated.

To vote "no," to recommend against this amendment, is to say that we are going to see no evil, hear no evil, and we are, instead, going to let both agents who may face false accusations, as they did, I'm sure, in the 1960s and 1970s and 1980s and 1990s, and others who were victims of the use of force in the 1970s, we are just going to turn a blind eye and continue that practice.

That cannot be the policy of this Congress. That is not the future of the American judicial system and our policing system.

I reserve the balance of my time.

Mr. CARTER of Texas. Well, I certainly understand the example that the gentleman gave about officers planting dope, and it certainly did work.

I can tell you, in my 20 years on the bench, we have had cameras on the dashboard of DPS troopers' cars for 10 years, 20 years maybe, I don't know, maybe the whole time I was there. But I have seen at least 15 of those prove the guilt of the defendant by his actions in front of those cameras. So it is not just to catch dirty cops; it also catches people in criminal action.

By the way, the action of that officer was a criminal action so, therefore, you have to preserve the evidence. My point is made by your very argument. You have to preserve the evidence. If you lose the evidence, you are going to lose the prosecution, and so you are going to have to keep it secure. If it passes from one hand to the other hand, it has to be tracked in a chain of custody.

If it is secure on the—there is going to have to be some evidence of the security of whatever web or whatever it is that it is on, or the cloud, that that is a secure cloud so that someone can't have messed with the evidence while it is on the cloud. All of that is potential argument against conviction in a criminal case, and those ICE agents deal with serious criminal cases.

I don't think people have thought it out. If they have, then that is fine. Let's spend that money. But it is going to be astronomical if we do it for every law enforcement agent in the country.

I continue my opposition, and I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. CASTRO of Texas. People's lives are at stake. When we talk about polic-

ing practices and transparency, accountability, the use of body cameras, these things have made people safer in their communities. They have made law enforcement safer.

The concern about what could happen or what might happen, this technology is already being widely used among police officers and police departments across the country. The chairman gave the example of the Department of Public Safety using dash cams.

Dash cams have been used on law enforcement vehicles for a long time, and that did not break the bank of the State of Texas. The State of Texas has a \$10 billion rainy day fund right now, a surplus.

\$10 million, which is what this amendment requests, is a small amount of money compared to the amount of money that we spend on furniture in this place. Are we saying that we don't want to discover whether somebody is planting evidence or whether somebody is making a false accusation against an ICE agent who is just trying to do his or her job, that, instead, we are going to turn a blind eye to that because we would rather spend it on leather seats or Member travel or something else?

This is the future. These cameras are going to be used at some point by Border Patrol, by ICE, by law enforcement. As I said, law enforcement stepped forward and requested my assistance in getting money for body cameras in San Antonio, and so I hope that my colleagues will find it in themselves to support this amendment.

I yield back the balance of my time.

Mr. CARTER of Texas. I continue to oppose, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CASTRO of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 76 OFFERED BY MR. CORREA

The Acting CHAIR. It is now in order to consider amendment No. 76 printed in part B of House Report 115-295.

Mr. CORREA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 643, line 11, after the first dollar amount, insert "(reduced by \$100,000,000)".

Page 646, line 3, after the first dollar amount, insert "(increased by \$100,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman

from California (Mr. CORREA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CORREA. Mr. Chairman, I rise in support of this amendment, which seeks to allocate \$100 million to procure additional ships for our Coast Guard to interdict drugs headed to the United States by sea.

Last year was a record-breaking year for the U.S. Coast Guard in its fight against drug trafficking. It seized 416,000 pounds of cocaine worth almost \$6 billion. This was the result of more than 250 individual interdictions in the Caribbean, Gulf of Mexico, and eastern Pacific Ocean.

Even with this record-breaking year, however, all of the cocaine that was seized represents less than 10 percent of all attempted shipments; and, of course, cocaine interdictions, cocaine shipments, are on the rise.

I do commend the men and women of the U.S. Coast Guard for the great work they do to stop drug trafficking to our country, yet the Coast Guard lacks the resources to stop the known drug shipments into our mainland.

□ 0030

During a Homeland Security hearing this year, the U.S. Coast Guard commandant admiral, and I paraphrase him, said: Last year there were almost 600 events that we just did not have enough ships or enough planes to track or stop them in the seas. The admiral said: There were almost 600 shipments in the high seas. They knew these ships were carrying drugs, yet we did not have the ships or the assets to stop them.

Vice Admiral Charles Ray went further to say: We need more cutters on the water to help us do our job.

The Coast Guard, like many other government agencies, has endured tough budget situations over the years, and they need to replace and add new ships to fulfill their drug interdiction mission. This \$100 million would allow the Coast Guard to procure two additional fast-response cutters.

Mr. Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, once again, as I said before of the gentlewoman's amendment cutting beds, that that will weaken the United States' border security, and the hiring of additional ICE agents is needed to protect our communities, prevent terrorism, reduce crime through vigorous enforcement of immigration and customs laws.

Successful border control and immigration systems must be supported by

enforcement of pertinent laws. This bill recommends \$240 million for four fast-response cutters, the same as the amount requested. The program is on schedule and on budget, and there is no need to accelerate the procurement of additional ships. We have been building those on time without flaws now for 4 years at that same rate. We are building a lot of fast-response cutters very quickly.

We have, now, a new program for the offshore patrol cutter, which the first of the contracts have been let, and that is in the process of being built, and we have a projection for multiple of those cutters.

Taking away from our ability to detain people who have broken the law is not a good resource for growing a program that is already very robust and very effective and has put online multiple fast-response cutters.

Mr. Chair, for those reasons, I oppose this amendment, and I reserve the balance of my time.

Mr. CORREA. Mr. Chairman, I would say that, on the contrary, this money, this allocation of \$100 million, represents additional support for our border security, our high seas.

Back in my district, like across the country, we have a major spike, an increase, in drug overdoses, deaths as a result of drug overdoses. Our children are being harmed by these drugs that are coming into our country. Our Coast Guard, our admirals of the Coast Guard, are saying this is where the chinks in the armor are in terms of our national defense of our country, of our borders, the high seas. This is not speculation; these are facts.

Ships are coming into our high seas loaded with drugs. We do not have the assets to stop them. Nothing could be further from the truth. On the contrary, this \$100 million, an additional two ships for the Coast Guard, represents tons and tons of drugs to be intercepted in the years to come, billions and billions of dollars stopped before they reach our land.

Mr. Chair, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chair, even if this money should be moved and the gentleman's amendment be approved, it wouldn't mean that any more fast-response cutters would be built in this calendar year.

I am fairly certain that the commandant of the Coast Guard would say that we have been very robust and very effective at producing fast-response cutters, and I believe that the detention beds is a deterrent for those coming across the border and for those violating the law as an important part of the defense of the borders and the people of the United States.

Therefore, I continue to oppose the amendment, and I yield back the balance of my time.

Mr. CORREA. Mr. Chairman, again I would say that those folks that are pi-

loting those ships full of drugs coming into our country do not deserve the opportunity to reach our shores. We have to stop them in the high seas.

Just a few months ago, the Coast Guard was proposed for budget cuts. Now they are barely—barely—keeping balance, meaning no budget cuts. All I want to do with this amendment is give them additional resources to stop drug shipments, known drug shipments, on the high seas before they reach our shores.

Mr. Chair, I don't want to go back to California and say that I am not doing everything we can do to stop those drugs from reaching our children.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CORREA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CORREA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 77 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 77 printed in part B of House Report 115-295.

Mr. HUNTER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 646, line 3, after the first dollar amount insert "(reduced by \$5,000,000)".

Page 647, line 12, after the dollar amount insert "(increased by \$5,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, my amendment transfers \$5 million from the Coast Guard's Operating Expenses account to its Research, Development, Test, and Evaluation account. The intent is to support sea trials for a Jones Act compliant icebreaker so the Coast Guard can determine whether a leased vessel can meet its immediate needs in fulfilling its 11 statutory missions around the globe.

I am going to stop my diatribe here. STEVE SCALISE has a statement. He is in his rehabilitation center, but he actually cared enough to write this. I am going to speak here, and these are his words, not mine:

"I support this amendment that will improve America's strategic, economic, and national security interests in the Arctic. As other countries are advancing their interests in the Arctic,

the U.S. continues to lag behind. This amendment makes clear that Congress supports moving forward in identifying options for icebreaking capabilities in the Arctic.

"The Coast Guard has repeatedly stated we need a fleet of icebreakers to maintain the presence necessary in the Arctic and Antarctic to meet and protect U.S. sovereign interests and protect life and property at sea. Currently, the U.S. has two icebreakers—one of which is our Nation's only heavy icebreaker and is over 40 years old. Russia has more than 40 icebreakers, with more under construction.

"As the Arctic becomes increasingly accessible to maritime traffic, tourism, and energy exploration, we cannot continue to defer this much-needed capability—especially at a time when China and Russia are increasing their presence in the Arctic, expanding their icebreaker fleets, and encroaching over the extended U.S. continental shelf.

"I urge support for this amendment that will address this immediate and necessary investment and protect U.S. national security interests."

That is from STEVE SCALISE. Now back to my words.

To help narrow this capability gap between America and our peer competitors, the Coast Guard should examine the lease of icebreakers that could be deployed in the near term.

My subcommittee has held countless hearings on this issue, and I am convinced that a short-term lease of an existing icebreaker is one of the best chances to ensure the Coast Guard can meet its near-term and urgent mission objectives in the Arctic.

Mr. Chair, I urge all Members to support my amendment, and I reserve the balance of my time.

□ 0040

Ms. ROYBAL-ALLARD. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Chair, I oppose this amendment and so does the Coast Guard. This is not a new issue. It has to do with a particular, underutilized commercial anchor handling tug supply vessel, the Aiviq, which is owned by Edison Chouest Offshore, based in Louisiana.

Over the last few years, the Coast Guard has been repeatedly pushed to lease this vessel. The Coast Guard has repeatedly made it clear that this vessel does not have the capability to adequately fulfill its multimission needs in the Arctic.

The question before us is whether leasing this particular vessel for icebreaking would be a wise use of taxpayers' dollars, and whether it would benefit the Coast Guard more than investments in other priorities.

The Coast Guard needs a heavy icebreaker as soon as possible, but this is not a heavy icebreaker, or even a medium icebreaker. According to the Coast Guard, the Aiviq is underpowered for icebreaking, making it unsuitable for ice rescue operations.

It has an inadequate fuel storage capacity and transit speed, vastly limiting its deployment time. The Aiviq has no helicopter hangar, making it unsuitable for patrol activities, search and rescue operations, and self-rescue. It also has a propulsion system that lacks redundancy and reliability, and it does not have thrusters rated for ice operations.

Beyond the inadequacy of the vessel's base icebreaking capabilities, the current configuration of the vessel is not suited to Coast Guard missions. It would need to be significantly reconfigured at significant costs. The fact that it is a commercial vessel also limits its ability to perform all 11 Coast Guard statutory missions.

For instance, it could not conduct right-of-visit boardings, or engage in freedom of navigation exercises that are critical to protecting U.S. sovereignty. And it would be vulnerable to right-of-visit boarding by foreign warships under international law.

The owner of the Aiviq has proposed a 7-year lease of the vessel, costing \$35 million to \$40 million per year. The cost, however, would be much higher considering the cost of reconfiguration.

While this amendment would not force the Coast Guard to sign a lease for the Aiviq, it seems intended to push the Coast Guard down that path. Taking \$5 million from the operating expenses account for sea trials would detract from the Coast Guard's operational needs.

If the owner of the Aiviq or any other private interests want the Coast Guard to seriously consider the use of their vessels for icebreaking, they should be the ones paying for any ice trials. We should not be making the Coast Guard pay for it, and we should not be pushing the Coast Guard to enter into a lease arrangement that it does not want and that is not a good investment in helping the Coast Guard carry out its critical missions.

Mr. Chair, I yield back the balance of my time.

Mr. HUNTER. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from California has 3 minutes remaining.

Mr. HUNTER. Mr. Chair, I yield such time as he may consume to the gentleman from Texas (Mr. CARTER), the chairman.

Mr. CARTER of Texas. Mr. Chairman, I have some concerns regarding this amendment. However, I agree there is a gap in our Nation's icebreaking capability, and I strongly support the Coast Guard's icebreaking

program. For that reason, I will not oppose this amendment.

Mr. HUNTER. Mr. Chair, I thank the gentleman from Texas. The gentlewoman brought up some points about a ship, which I didn't name.

The Coast Guard hasn't built an icebreaker in almost 50 years. We only have one. There is only one Jones Act ship in the entire country. It is the Aiviq, but there is only one. All we say here is that it has to go to be an American-made ship. That is what the Jones Act is.

If we are going to build an icebreaker with U.S. taxpayer dollars, we are going to use an American-made, and American-crewed, and American-steel ship.

Mr. GARAMENDI, the ranking member on my subcommittee, has voted for amendments like this in the past, and he supports amendments like this going forward. Anything that puts Americans to work, that gives us more than the one icebreaker that works for 6 months out of the year, this is a step in that direction.

This is simply for sea trials. This is so that the Coast Guard, because they haven't made an icebreaker in 50 years, they can take one out besides the Healy, which is a medium icebreaker that they operate and ask: Hey, what do we need here? Do we need to expand the bow, expand the stern? How could we make this what we want?

That is all we are doing here, and it is \$5 million.

This is a step in the right direction. Otherwise, we are never going to have an icebreaker. We are not going to be able to compete in the Arctic. It will be energy exploration for Russia and China, and not us because we are not going to be there unless we start right now in this appropriations bill.

Mr. Chair, I urge my colleagues to support my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. ROYBAL-ALLARD. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 78 OFFERED BY MRS. TORRES

The Acting CHAIR. It is now in order to consider amendment No. 78 printed in part B of House Report 115-295.

Mrs. TORRES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 653, strike line 14 and all that follows through line 19.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. TORRES. Mr. Chairman, I rise to offer my amendment to Division E of the Make America Secure and Prosperous Appropriations Act.

Immigrant families in my district and across this country are terrified. They are afraid because of the things that President Trump has said and because of the policies that he has proposed.

President Trump has been clear about who he thinks immigrants are. He thinks immigrants are lazy. He thinks immigrants are unskilled. He thinks immigrants are dangerous criminals.

Just yesterday, he ended the DACA program, crushing the dreams of 800,000 talented and courageous young Americans.

He has promised to triple the number of ICE agents to build a deportation force to go into immigrant communities. Under President Obama, ICE was told to focus on detaining and deporting dangerous criminals. But President Trump has told ICE they should go after whomever they can find.

Now, every immigrant without papers is a target, young and old. This is why immigrants are so afraid. Democrats in Congress have been united in standing up against President Trump in his war on American immigrants. We have blocked money for the wall and for his deportation force. But we also need to put some healthy constraints on President Trump's Department of Homeland Security.

My amendment will strike section 209 of Division E, which grants the Secretary of Homeland Security authority to reprogram or transfer funds for the purpose of detaining immigrants prioritized for removal.

President Trump has made his intentions very clear. He wants to deport every one of the 11 million undocumented immigrants in this country no matter what those consequences may be.

With this bill as it is currently written, there is almost no limit how far he can go. Congress must stand up and make clear where we stand.

Mr. Chair, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chair, I rise in opposition to the amendment offered by Mrs. TORRES.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, estimating the required number of operations and detention beds is not exact science. This reprogramming a party is essential to be able to deal with emer-

gent and critical operation needs, like surges we have seen in 2014 and 2016.

Without sufficient funding for beds, ICE will be forced to release criminal and other illegal aliens into communities across the country and weaken the security of the United States. The proposal to restrict ICE's ability to reprogram funding for detention beds would not only endanger the safety of the American people, but it will also convey to bad actors that the United States will not detain illegal aliens, leading to increased border crossings and growing overall illegal alien operations in the United States.

Therefore, I oppose this amendment and ask my colleagues to do the same.

Mr. Chairman, I reserve the balance of my time.

Mrs. TORRES. Mr. Chairman, I appreciate the gentleman's concern for public safety. The reality is that this administration has kept Congress in the dark about immigration policy.

□ 0050

Members have found out about ICE immigration actions in their districts after the fact. The least we can do as Members of Congress is to provide oversight and keep track of how much DHS is spending. There is no question dangerous criminals should be detained and should be deported. ICE will still be able to do that. But if they need more money, they should come to this Congress and tell us why they need this money.

Mr. Chairman, I urge my colleagues to vote "yes," and I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. TORRES).

The amendment was rejected.

MODIFICATION TO AMENDMENT NO. 79 OFFERED
BY MR. CARTER OF TEXAS

Mr. CARTER of Texas. Mr. Chairman, I ask unanimous consent that amendment No. 79 printed in part B of House Report 115-295, which was adopted as part of the amendments en bloc, be modified by the modification placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 79 offered by Mr. LATTA of Ohio:
Before "dollar amount" insert "first".

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is modified.

AMENDMENT NO. 80 OFFERED BY MR. KING OF
IOWA

The Acting CHAIR. It is now in order to consider amendment No. 80 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

MODIFICATION TO AMENDMENT NO. 80 OFFERED
BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment with the modification at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

After the words "this Act" insert "or Divisions A, C, D, F, or G"

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this eliminates the funding that would go to Davis-Bacon and enforcing Davis-Bacon, the Federal wage scale that advertises prevailing wage but turns out to be union scale.

We debated this twice earlier this evening. The modification for the edification of the people who might not have picked up on that rolls this Davis-Bacon amendment together with the appropriations component that we will debate tomorrow so there is clarification here on the floor.

I have long been for the repeal of Davis-Bacon. I have made a statement that the Federal Government doesn't have any business dictating to an employer and an employee what they should be able to agree to on wages.

We have been in the construction business for 42 years. We started on our 43rd year this week. We have paid Davis-Bacon wages in most of those years, if not all of those years, and it upsets the efficiency of being able to manage the job, and it interferes with that relationship.

If it is going to be prevailing wages, then let the market decide that. But the studies that we have out there, there is no study that I know of that would show where there is an imposed Davis-Bacon wage scale that it costs less money. It always costs the taxpayers more money to do a particular project.

Our records of these years run between an 8 percent greater than it would be if we had merit shop or as high as 35 percent greater than the cost of the projects. We average it out to 20 percent. There are studies out there that say a 22 percent increase.

So I describe it this way: if the Federal Government is going to mandate union scale on construction projects, whether it be for building a wall on the southern border or an interstate or a bridge, a highway, a building, whatever it might be, you can decide whether you want to borrow money from China to build 4 miles of road or 5, if you want to build four bridges or five, or if you want to build four buildings or five. That is what it comes down to in the end. We can build five of everything instead of four if we just repeal Davis-Bacon.

So this scores well for us. The fiscally responsible people will come down on the side of eliminating Davis-Bacon. This country would not adopt such a policy if it happened today.

By the way, this is the last remaining Jim Crow law that I can find in America. As so many things are being taken down left over from that era, it is time we took down Davis-Bacon, too. So I would urge adoption of my amendment, and I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Earlier this evening, the same amendment was soundly defeated twice on this floor, so I am not sure why there is a need to go over the same worn ground again.

The Davis-Bacon Act is a long-standing law that ensures workers on federally funded construction projects are reasonably paid, no less than the wages paid for similar work in the local community. It is simply a matter of fairness that we ensure that the Federal Government pays fair wages for an honest day's work.

Mr. Chairman, I have heard the gentleman from Iowa suggest that Davis-Bacon's history is linked to discrimination. But I believe he may be misinformed in thinking that it was the cause and not the solution.

In 1927, a contractor who was employing African-American workers was building a Veterans Bureau hospital. Congressman BACON found that there were very serious issues related to the pay of low wages and the discrimination against the wages of migrant workers. He introduced Davis-Bacon initially to help make sure that these construction workers would be paid the prevailing wages in their community. As I said, these workers happened to be African American.

I urge all of my Members to, once again, vote "no" on this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Chairman, I thank my colleague for yielding. I also rise to oppose this amendment because I support quality jobs for folks and the laws that protect them.

When I go around my district, I hear from folks who are still feeling squeezed that are ready to seize opportunities that they might not have right now. Since 1931, the Davis-Bacon Act has been there to help working men and working women earn a decent wage.

I would respond to the good gentleman's statement that Davis-Bacon is about embracing the premise that when we use taxpayer dollars to build a project, it is not just about building that project. It is about building the middle class.

I oppose this amendment because it seeks to undo three generations worth of protections that have helped our country create the strongest middle class in the world. I don't support nickeling and diming workers.

We have a responsibility to make sure the future is better for the generations to come, and if those who follow us earn less or get injured more and can't take care of their health, that is a step backward and not forward.

So I urge my colleagues, once again, to defeat this amendment.

Ms. ROYBAL-ALLARD. Mr. Chair, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Chairman, I rise in support of the gentleman's amendment, and I adopt all of his arguments that he has made.

Mr. KING of Iowa. Mr. Chairman, in response, I have heard a piece of history revisionism. Now is the first time I recall, in all these debates that we have had, that the purpose of Davis-Bacon, which does produce a result of union scales imposed by, as I said earlier this evening—it is not prevailing wage.

□ 0100

Employers that are nonunion don't report wages to the Federal Government because the union comes to organize their employees. So the thing that is called prevailing wage is a distortion of the reality. We know this.

I have been in this business 42 years. I talked to a contractor just a week ago who was a bridge contractor. He has been operating in rural Missouri. In just this past year's numbers, unskilled laborers cost him \$45 an hour. There is no way that you go down to Missouri and hire somebody that is unskilled and you have to pay them \$45 an hour. For somebody that is going to look through the chart, I should tell

you it is about \$23 an hour for labor and \$22 for fringe benefits. The fringe benefits are to pay for your health insurance and your retirement program. But some of these employees are on our ObamaCare, with their premiums paid by other money that we borrow from China.

It is foolish for a fiscally responsible nation, trying to get to balance, to have a David-Bacon law in place. And I will pound on this drum until we come to our senses on this.

Mr. Chairman, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, the House has already voted twice against this amendment today, and I hope it will do so again.

Mr. Chairman, I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. KING of Iowa. Mr. Chairman, I would just conclude that this is the first time I have heard that Davis-Bacon was formed to protect minority migrant workers that came out of Alabama to work in New York. That seems to me to be Members of Congress representing the folks that are not their constituents. That would be one of the rare times also.

So that is history revisionism. This is a Jim Crow law. It needs to go. It needs to be ripped out of the code at every opportunity.

Mr. Chairman, I would urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. ROYBAL-ALLARD. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment, as modified, offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 81 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 81 printed in part B of House Report 115-295.

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to enter into contracts in fiscal year 2018 with privatized immigration detention facilities.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman

from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment would prohibit the Department of Homeland Security from entering into contracts with privatized immigration detention facilities for fiscal year 2018.

A study done by the Homeland Security Advisory Council's Subcommittee on Privatized Immigration Detention Facilities found that privatized detention facilities experienced a multitude of issues, including deficiencies in staffing, subpar medical care, inefficient abuse reporting systems, and a lack of transparency.

Further, an in-depth report on two of the country's private detention facilities show further injustices, such as inadequate access to legal information and services.

It is best that DHS is prohibited from doing business with these facilities until these issues are resolved and it is shown that these facilities meet ICE's Performance-Based National Detention Standards.

This amendment is necessary, as the government's reliance on privatized facilities will continue to grow, based on trends in detention. In fact, only 9.2 percent of detained individuals are in ICE-owned facilities. We must ensure that detained individuals are treated humanely and that they have access to due process.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, over half of the ICE detention population is housed in privately owned and operated detention facilities. Neither ICE nor State and local detention facilities can provide the number of beds required to house the detained population that we have today. Without the capacity provided by contracts with private detention facilities, ICE will be forced to dramatically scale back interior enforcement and, more seriously, release thousands of dangerous criminal aliens from custody.

Eliminating private facilities will require a significant expansion to ICE's capacity that, according to estimates, will exceed \$1.3 billion and could be as much as \$5 billion to \$6 billion.

I also note that my colleague in the minority considers detention standards to be of vital importance, yet the majority of the facilities that meet the highest and most stringent detention standards are the very same contract facilities this language would eliminate.

For these reasons, I oppose this amendment and ask for a "no" vote.

Mr. Chairman, I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, studies have shown repeatedly that these private detention centers are of a lower quality than publicly owned facilities.

There is something very perverse about an industry in the private detention and private prison industry that basically profits off of mass incarceration and that has an economic incentive to get more people into detention, into jail, into prison, and, at the same time, tries to do everything that it can to cut costs and cut corners. In doing so, it fails not only its public charge and its duty, but also terribly fails the people entrusted to it.

The fact is that these private prisons, the detention centers, the companies that own them, hired lobbyists in California, for example, within the last few years. They had 70 lobbyists. One of the companies had 70 lobbyists on staff. They lobby for harsher criminal penalties. Why? Because the more people that have to be detained, the more money they make.

That simply is not how the criminal justice system should work and that is not how we should do detention within the immigration realm.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, once again, I oppose the gentleman's amendment, and I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, this is about treating people as humanely as possible. When profit is the main thing that drives the decisions on detention, incarceration, the conditions in which people are detained, then we are doing a severe injustice to those folks. Because of that, I ask my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CASTRO of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 83 printed in part B of House Report 115-295.

AMENDMENT NO. 84 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 84 printed in part B of House Report 115-295.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the construction or expansion of detention facilities.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

□ 0110

Ms. JAYAPAL. Mr. Chairman, the United States already operates the largest immigration detention system in the world at a cost of \$2 billion annually. In fiscal year 2017, ICE had the capacity to detain an unprecedented 39,324 men, women, and children. Although a large amount of funding is dedicated to detain these people, the system is plagued with inhumane conditions and inadequate oversight. Mr. Chairman, my amendment imposes a moratorium on the construction and expansion of immigration detention facilities.

This year, we are seeing the highest number of deaths in ICE custody since 2011. Private, for-profit detention facilities in particular have not abided by basic standards necessary to protect civil and constitutional rights, and all of this is occurring at the same time that the administration is increasing enforcement, including expedited removals with inadequate due process, elimination of the longstanding division between local police and Federal immigration enforcement, and this is all tearing families apart.

The overreach of these detention facilities combined with an overreach on enforcement in general, instead of focussing on more practical, humane, and, frankly, economically viable options of alternatives to detention, are issues that Congress must address.

We should not be funding these dangerous overreaches by expanding immigration detention with no accountability. This amendment ensures that we focus on fixing this broken system as opposed to funding an increased detention expansion, and this is deadly. It is a deadly powder keg, and I don't use the term "deadly" lightly.

I would like to take a moment to talk about Jacinta Morales, a woman from Oregon detained at the Northwest Detention Center in Tacoma, Washington. Jacinta found out she was pregnant while she was in detention. She said: I was thrilled to be pregnant and thrilled at the prospect of being a mother again.

When she found out she would be deported, torn from her 11-year-old U.S.

citizen son as well as her long-time partner, Jacinta was devastated. She experienced pain and nausea, and not long after, she woke up bleeding. After an hour, she went to the doctor, where she waited another hour. One of the people who was seen before her had a toothache.

When the doctor finally saw her, they requested an ambulance to take her to the hospital, but the ambulance didn't come for a long time, and so they took her in the back of a patrol car where she was forced to sit up, making the bleeding worse. When Jacinta finally arrived at the hospital, she learned she had a miscarriage.

Jacinta is one of 292 pregnant women ICE detained between January and April of 2017, alone, and part of the 60 percent of detained women. Formerly detained women and their attorneys and advocates have reported that pregnant women only receive the bare minimum of services and accommodations and are routinely denied extra blankets, additional food, and adequate prenatal care.

When pregnant women are referred to outside obstetricians, ICE policy does not prohibit the shackling of pregnant women during transport. Moreover, the stress of detention and fear of miscarriage may lead detained women to abandon their asylum claims.

One of these women, I am going to call her Ana, accepted deportation back into the hands of her abuser because she was so afraid that being detained would harm her unborn child.

ICE's own detention standards and directive on the detention of pregnant women acknowledges the complexity and risks of detaining pregnant women, but implementation and oversight are not enough to protect these women.

It is irresponsible to expand detention while the agency struggles to conduct even basic oversight and hold facilities accountable for inhumane conditions. I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chairman, it seems that the minority has a very good tag team match going here. The previous amendment would eliminate, if it passes, all of the privately owned facilities, leaving us with, by the gentlewoman's own statement, 3,500 beds for detainees; whereas, our total population today ranges from 35,000 to 40,000 people that are detained, which would mean all those people would have to be released or placed in some kind of alternative of which the no-show for that alternative is horrendous.

This kind of restriction makes no sense. Even though there is nobody

planning to build ICE facilities right now, to restrict the government from a possible need, should that need arise—I remind you that in 2014, in the month of August, 78,000 children came across the border, and an equal number or more of a child with a parent came across the border in the Laredo sector alone.

So we have real needs that need to be met, and quite honestly, this amendment ties the hands and everybody gets turned loose. I very much oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentlewoman from Washington has 45 seconds remaining.

Ms. JAYAPAL. Mr. Chairman, I will just say that we currently have almost 40,000 people in detention. We are not proposing eliminating all detention centers. We are saying we are putting a moratorium on expansion of detention centers. Those people would still be able to stay there. We could detain up to that many people.

I don't think that is the right policy for the United States of America, but I am not saying that we are going to eliminate all of that detention space. What I am saying is that we need accountability around the detention system, and as long as we don't have that accountability and we have pregnant women who are losing children in the ICE detention facilities, I believe that we should ensure that we have accountability.

I will tell you that we are continuing to detain and not hold these detention centers accountable for any of the things that happen within the detention centers, so, again, I hope that my colleagues will support this amendment and allow us to bring some accountability back to our detention system.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. JAYAPAL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 85 OFFERED BY MR. ZELDIN

The Acting CHAIR. It is now in order to consider amendment No. 85 printed in part B of House Report 115-295.

Mr. ZELDIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title) insert the following:

SEC. ____ None of the funds made available by this Act may be used by the Coast Guard to enforce Executive Order 13449 or section 697.7(b) of title 50, Code of Federal Regulations, in the Block Island Transit Zone (as that term is defined in section 697.7(b)(3) of such title).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from New York (Mr. ZELDIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ZELDIN. Mr. Chairman, my amendment to H.R. 3354 will provide needed regulatory relief to fishermen from the East End of Long Island and the entire region who are struggling under confusing and arbitrary Federal restrictions on striped bass fishing in Block Island Sound.

The unique maritime geography of our region means that making the 15-mile journey by boat from Montauk Point, New York, to Block Island, Rhode Island, requires passing through a segment of waters considered to be part of the EEZ known as the Block Island Transit Zone.

For recreational anglers, charter boat captains, and commercial fishermen, this shift in jurisdiction can mean the difference between a nice day on the water and committing a Federal offense.

My amendment would bar the U.S. Coast Guard from enforcing this ban on striped bass fishing in these waters so that Coast Guard resources can be focused on their important national security and safety mission.

No other species of fish besides striped bass are subject to this confusing ban which was meant to impact the high seas of the EEZ, not a small segment of local waters situated between two State boundaries.

Fishermen should be able to legally fish for striped bass in this limited area just as they currently can in adjacent State waters. A recreational angler or boat captain on the water off of Montauk Point, New York, can easily go from fishing legally and responsibly in State waters to violating Federal law once they pass over the 3-mile limit where New York State waters end and the Transit Zone begins.

Many of these individuals lack the expensive GPS technology to know if and when they have crossed the boundary, and there are no buoys to warn them. These are responsible men and women who have the greatest vested interest in preserving the striped bass fishery, but they also desperately need relief from confusing government regulations that are hurting their livelihoods and access to local fisheries.

□ 0120

Last Congress, my stand-alone bill to address this issue, H.R. 3070, the EEZ Clarification Act, passed the House with a unanimous voice vote.

This amendment is supported by the Recreational Fishing Alliance, the Long Island Commercial Fishing Association, and the Montauk Boatman & Captains Association.

On behalf of the hardworking men and women of Long Island who rely on fishing as a way of life, I ask for your support on this commonsense amendment.

Mr. Chair, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. This is not an appropriate amendment for inclusion in an annual spending bill. The Coast Guard opposes the amendment because their mission to protect natural resources is not specific to individual regulations. Enforcement limitations on specific regulations would place a significant burden on the Coast Guard.

In addition, Congress should not be in the business of micromanaging fish conservation. The Atlantic States Marine Fisheries Commission is an interstate commission which allows Atlantic Coast States to collectively manage the conservation of their shared coastal fishery resources. We should allow the Commission to do its job in managing fish stocks.

Congress shouldn't second-guess them and micromanage fish regulations in particular locations. There is a process in place for addressing these issues at the regional level, and we should allow that process to work.

Currently, the consensus position of the Commission is that the fishing restrictions should remain in place and the stock assessment for striped bass is planned for next year. This ban was put in place after going through the Federal rulemaking process. If a change is needed, it should follow the same process.

I believe this amendment places an undue burden on the Coast Guard, and it is bad precedent for Congress to interfere with a State-driven process. For these reasons, I oppose the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. ZELDIN. Mr. Chairman, this bill removes a burden from the Coast Guard. It doesn't micromanage any local council. It actually empowers the local council. It doesn't make any changes to stock assessments. You still are subject to the management of the local fisheries. You cannot fish for any more fish than you were previously. So

actually, all the logic that was used by my colleague, you could actually very much more easily argue the opposite side.

It should be further noted that my colleague from California, as she speaks about what is the right policy here on the east end of Long Island for our hardworking fishermen, voted in favor of H.R. 3070, which was unanimously passed by the last Congress.

So it wouldn't make any sense to be arguing that this bill places a burden on the Coast Guard when it is lifting it, or that it is micromanaging a local council when it empowers it to control the fishery.

Mr. Chair, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, we should allow the Atlantic States Marine Fisheries Commission to do its job, and I continue to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. ZELDIN. Mr. Chairman, I think it is a great idea to empower the Atlantic Fishery Council by passing this amendment because if we don't pass this amendment, if we don't change the Federal law, they are not empowered. Federal law says you can't fish in the EEZ between Montauk Point and Block Island, Rhode Island. So if we do not pass this legislation, if H.R. 3070 became law in the last Congress, we wouldn't be here right now and the Council would be managing the local fishery. But Federal law prevents the regional management of the fishery. It actually just says, outright, you can't fish for striped bass at all.

So all the arguments that are now being used for the first time against this particular argument, a proposal that was passed unanimously last Congress, which is now being opposed by a colleague from California, to be telling us what the right policy is on the east end of Long Island, saying that we should be managing this fishery is an argument I absolutely agree with, and that is exactly why it is so important to pass this legislation.

My colleague, in opposing this proposal, is actually making the argument of exactly why it needs to pass. I encourage all of my colleagues to vote for it.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ZELDIN).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 87 printed in part B of House Report 115-295.

AMENDMENT NO. 88 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 88 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for a new hire who has not been verified through the E-Verify program.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

MODIFICATION TO AMENDMENT NO. 88 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment by the modification at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 88 offered by Mr. KING of Iowa:

After the words "this Act" insert "or Divisions A, C, D, or F"

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

Mr. KING of Iowa. Mr. Chairman, I thank the gentlewoman for her consent to this unanimous consent request which will help expedite our debate here on this long appropriations discussion that we are having.

This is the amendment that requires that E-Verify be used in all new hires that are funded under this appropriation. And it is a well established debate, I think, not only throughout the years of E-Verify, but also throughout this evening.

It is all new hires, in conjunction with an offer of employment, simply run their data through E-Verify. If it comes back from E-Verify verifying that that information that is provided by the applicant identifies an individual who can work legally in the United States, that is the verification that the efficiency has gone way up into the upper 90, 99 point something percentile.

Mr. Chair, I urge the adoption of this amendment, and I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Chairman, under the OMB directive from 2007, all Federal agencies are already required to use the E-Verify system to confirm the employment eligibility of new hires. Beyond Federal employees, a 2008 executive order and a Federal acquisition regulation already require

that employees of Federal contractors also be verified as eligible to work through E-Verify, so my opposition to this amendment is primarily on the basis that it is unnecessary.

Given that the current administration has proposed making the use of E-Verify mandatory for private sector hiring, it just doesn't seem likely that it would somehow weaken the current requirement for the Federal Government to use the system. This funding limitation simply is not needed.

Mr. Chair, I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Chairman, what Ms. ROYBAL-ALLARD just stated was true, but I rise in support of this gentleman's amendment because it is time the agencies and departments fully comply, and this amendment attempts to achieve that effort. Therefore, I support the gentleman's amendment.

Mr. KING of Iowa. Mr. Chairman, I would just reiterate that we are getting reports that there are gaps in this enforcement and, spending my life in a contracting business, I would remind the Members that we have general contractors, we have first tier contractors, we have second tier subcontractors, even third tier subcontractors, and so we want to ensure that the enforcement is there of E-Verify. And I want to thank everyone for their cooperation, and I urge the adoption of my amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING).

The amendment, as modified, was agreed to.

□ 0130

Mr. CARTER of Texas. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KING of Iowa) having assumed the chair, Mr. MARSHALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARRETT (at the request of Mr. MCCARTHY) for today on account of the expected birth of his child.

Mr. CURBELO of Florida (at the request of Mr. MCCARTHY) for today after 5 p.m. and for the balance of the week on account of assisting his family and constituents in preparation efforts for Hurricane Irma.

ADJOURNMENT

Mr. MARSHALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes a.m.), under its previous order, the House adjourned until today, Thursday, September 7, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2368. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Medical Device Classification Procedures; Change of Address; Technical Amendment [Docket No.: FDA-2013-N-1529] received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2369. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, New Smyrna Beach, FL [Docket No.: USCG-2016-0205] (RIN: 1625-AA09) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2370. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Stampede TLP, Green Canyon 468, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2017-0110] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2371. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cleveland Metroparks 100 Year Anniversary Fireworks Display; Lake Erie, Cleveland, OH [Docket No.: USCG-2017-0481] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2372. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Tchefuncte River, Madisonville, LA [Docket No.: USCG-2017-0578] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2373. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Safety Zones; Safety Zones within the Captain of the Port New Orleans Zone, New Orleans to Baton Rouge, LA [Docket No.: USCG-2017-0388] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2374. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; South Branch of the Chicago River, Chicago, IL [Docket No.: USCG-2017-0702] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2375. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Great Lakes — Regulated Navigation Areas and Safety Zones [Docket No.: USCG-2015-0084] (RIN: 1625-AA00, AA11) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2376. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Demolition of SC-41 Bridge, Wando River, Charleston, SC [Docket No.: USCG-2017-0348] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2377. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; St. Marys River, Sault Ste. Marie, MI [Docket No.: USCG-2017-0789] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2378. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Willamette River, Lake Oswego, OR [Docket No.: USCG-2017-0772] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2379. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation, Islamorada Grand Prix of the Seas, Islamorada, FL [Docket No.: USCG-2017-0556] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2380. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Choptank River, Cambridge, MD [Docket No.: USCG-2017-0571] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2381. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Special Local Regulation; Mobile River, Mobile, AL [Docket No.: USCG-2017-0710] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2382. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Potomac River, National Harbor, MD [Docket No.: USCG-2017-0654] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2383. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Port Huron Float-Down, St. Clair River, Port Huron, MI [Docket No.: USCG-2017-0764] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2384. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Motor City Mile; Detroit River; Detroit, MI [Docket No.: USCG-2017-0372] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2385. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Dunkirk Lakeshore Air Show; Lake Erie, Dunkirk, NY [Docket No.: USCG-2017-0277] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2386. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Sector Upper Mississippi River Annual and Recurring Safety Zones Update [Docket No.: USCG-2017-0272] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2387. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Red Bull Flugtag, Allegheny River, Pittsburgh, PA [Docket No.: USCG-2017-0505] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2388. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; East River and Buttermilk Channel, Brooklyn, NY [Docket No.: USCG-2017-0401] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2389. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Safety Zone; Chicago River, Chicago, IL [Docket No.: USCG-2017-0347] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2390. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Delaware River, Philadelphia, PA [Docket No.: USCG-2017-0399] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2391. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Hope Chest Buffalo Niagara Dragon Boat Festival, Buffalo River, Buffalo, NY [Docket No.: USCG-2017-0275] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2392. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Navy Underwater Detonation (UNDET) Exercise, Apra Outer Harbor, GU [Docket No.: USCG-2017-0412] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2393. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Columbia River, Goble, OR [Docket No.: USCG-2017-0488] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2394. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; PG&E Evolution, King Salmon, CA [Docket No.: USCG-2017-0699] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2395. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Ice covered waterways in the Fifth Coast Guard District [Docket No.: USCG-2015-0051] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2396. A letter from the Acting Chairman, Surface Transportation Board, transmitting the Board's final rule — Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services — 2017 Update [Docket No.: EP 542 (Sub-No.: 25)] received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2997. A bill to transfer operation of air traffic services currently provided by the Federal Aviation Administration to a separate not-for-profit corporate entity, to reauthorize programs of the Federal Aviation Administration, and for other purposes; with an amendment (Rept. 115-296). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 504. Resolution providing for further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-297). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. COSTELLO of Pennsylvania, Ms. KAPTUR, and Mrs. LOVE):

H.R. 3681. A bill to amend the America COMPETES Act to reauthorize the Advanced Research Projects Agency-Energy (ARPA-E), and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. LOWENTHAL (for himself, Ms. BROWNLEY of California, Mr. CARBAJAL, and Mr. KHANNA):

H.R. 3682. A bill to direct the Director of the Office of National Marine Sanctuaries of the National Oceanic and Atmospheric Administration to create a Blue Whales and Blue Skies Program to reduce air pollution and harmful underwater acoustic impacts and the risk of fatal vessel whale strikes by recognizing voluntary reductions in the speed of vessels transiting the Greater Santa Barbara Channel Region, California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SHEA-PORTER (for herself, Mr. O'HALLERAN, Mr. RASKIN, Mr. GONZALEZ of Texas, Mr. VARGAS, and Mr. CARSON of Indiana):

H.R. 3683. A bill to amend the Internal Revenue Code of 1986 to permanently extend the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mr. BEYER (for himself, Mr. ELLISON, Mr. COHEN, Mr. CUMMINGS, Ms. NORTON, Mr. HIGGINS of New York, Ms. CLARK of Massachusetts, Mr. SERRANO, Mr. PALLONE, Mr. JOHNSON of Georgia, Mr. BLUMENAUER, Mr. GARAMENDI, Ms. LEE, Ms. SCHAKOWSKY, Ms. JACKSON LEE, Mr. CARSON of Indiana, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. TAKANO, Ms. CLARKE of New York, Mr. MCGOVERN, Ms. HANABUSA, Mr. RASKIN, Mr. HASTINGS, Mr. CARBAJAL, Mr. PAYNE, and Mr. TED LIEU of California):

H.R. 3684. A bill to amend the National Voter Registration Act of 1993 to require each State to implement a process under which individuals who are 16 years of age may apply to register to vote in elections for Federal office in the State, to direct the Election Assistance Commission to make grants to States to increase the involvement of minors in public election activities, and

for other purposes; to the Committee on House Administration.

By Mr. FLORES (for himself and Mr. GENE GREEN of Texas):

H.R. 3685. A bill to establish an additional fund in the Treasury to reimburse costs incurred by terrestrial radio stations as a result of the reorganization of broadcast television spectrum, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, Mr. DOGGETT, Mr. CUELLAR, Mr. RASKIN, Mr. KILDEE, Mr. BUTTERFIELD, Mr. CLAY, Mr. CLEAVER, Mr. HASTINGS, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, Mr. LEWIS of Georgia, Mr. CONYERS, Ms. LEE, Ms. KELLY of Illinois, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. VARGAS, Mr. CASTRO of Texas, Mr. O'ROURKE, Mr. GONZALEZ of Texas, Mr. VELA, Mr. VEASEY, Mr. RICHMOND, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LANGEVIN, Mr. BROWN of Maryland, Mr. ENGEL, Mr. NADLER, Ms. MOORE, Mrs. DEMINGS, Ms. CLARKE of New York, Mr. CICILLINE, Mr. CROWLEY, Mr. LAWSON of Florida, Mrs. LAWRENCE, Ms. KAPTUR, Mrs. CAROLYN B. MALONEY of New York, Ms. SCHAKOWSKY, and Ms. BLUNT ROCHESTER):

H.R. 3686. A bill making supplemental appropriations for the fiscal year ending September 30, 2017, to improve and streamline disaster assistance for Hurricane Harvey, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY (for himself and Ms. FUDGE):

H.R. 3687. A bill to reauthorize the farm to school program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KING of Iowa (for himself and Mr. FORTENBERRY):

H.R. 3688. A bill to transfer administrative jurisdiction of certain Federal lands from the United States Army Corps of Engineers to the United States Bureau of Indian Affairs, to take such lands into trust for the Winnebago Tribe of Nebraska; to the Committee on Natural Resources.

By Mr. MACARTHUR:

H.R. 3689. A bill to amend the Immigration and Nationality Act to eliminate the 1-year limitation on the period of time an alien may be accorded nonimmigrant status to study at a public secondary school, and for other purposes; to the Committee on the Judiciary.

By Mr. MCKINLEY (for himself and Mr. TONKO):

H.R. 3690. A bill to amend the Internal Revenue Code of 1986 to increase the rehabilitation credit for commercial buildings and to provide a rehabilitation credit for principal residences; to the Committee on Ways and Means.

By Ms. MENG:

H.R. 3691. A bill to limit the number of hours that children may be employed as actors, performers, and models, to require blocked trust accounts for the financial protection of such children, to clarify the liability of employers, contractors, and other indi-

viduals for sexual harassment of such child performers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FRELINGHUYSEN:

H. Res. 502. A resolution providing for the concurrence by the House in the Senate amendments to H.R. 601, with an amendment; considered and agreed to.

By Ms. JENKINS of Kansas (for herself and Mr. THOMPSON of California):

H. Res. 503. A resolution recognizing the importance of cancer program accreditation in ensuring comprehensive, high-quality, patient-centered cancer care; to the Committee on Energy and Commerce.

By Ms. BORDALLO (for herself, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Mr. EVANS, Mr. GALLEGOS, Ms. GABBARD, Ms. HANABUSA, Mr. MCGOVERN, Mrs. MURPHY of Florida, Mr. NORCROSS, Mr. O'HALLERAN, Mrs. RADEWAGEN, Mr. SABLON, Mr. AUSTIN SCOTT of Georgia, Mr. SUOZZI, Mr. VARGAS, Mr. WITTMAN, Ms. SHEA-PORTER, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. VEASEY, Mr. THOMPSON of California, and Mr. HARTZLER):

H. Res. 505. A resolution condemning North Korea's threats against our citizens on Guam, reaffirming our unshakable commitment to the security of Guam, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Ms. ESHOO):

H. Res. 506. A resolution expressing support for designation of the month of September as "Rheumatic Disease Awareness Month", in recognition of the costs imposed by rheumatic diseases, the need for increased medical research, and the quality care provided by trained rheumatologists; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Ms. MOORE, Ms. CLARKE of New York, and Ms. ROSEN):

H. Res. 507. A resolution expressing support for the designation of September 2017 as "National Campus Sexual Assault Awareness Month"; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3681.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. LOWENTHAL:

H.R. 3682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. SHEA-PORTER:

H.R. 3683.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, which provides Congress with the power to "lay and collect Taxes, Duties, Imposts, and excises." Sixteenth Amendment, which provides Congress the power to "lay and collect taxes on incomes."

By Mr. BEYER:

H.R. 3684.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. FLORES:

H.R. 3685.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 3686.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. FORTENBERRY:

H.R. 3687.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 3688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution provides Congress with the authority to regulate commerce with the Indian Tribes in the United States.

By Mr. MACARTHUR:

H.R. 3689.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. MCKINLEY:

H.R. 3690.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, clause 1 of the U.S. Constitution.

By Ms. MENG:

H.R. 3691.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. LAWSON of Florida.

H.R. 36: Mr. LONG, Mr. WOODALL, Ms. HERERA BEUTLER, and Mr. LAHOOD.

H.R. 44: Mr. MOULTON.

H.R. 168: Ms. SEWELL of Alabama.

H.R. 173: Mr. HILL, Mr. GRAVES of Missouri, Ms. VELÁZQUEZ, Mr. BYRNE, Mr. DONOVAN, Mr. WENSTRUP, Mr. CARTER of Georgia, Mr. DUNCAN of South Carolina, Mr. MESSER, Mr. GARRETT, Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. MEEKS, Mr. LAWSON of Florida, Mr. EVANS, Ms. JAYAPAL, Mr. CRIST, and Mr. KELLY of Mississippi.

- H.R. 246: Mr. LUCAS and Mr. GALLAGHER.
H.R. 367: Mrs. COMSTOCK.
H.R. 442: Mr. ELLISON.
H.R. 449: Mr. KRISHNAMOORTHY.
H.R. 459: Mr. ZELDIN.
H.R. 480: Mr. DUNCAN of Tennessee.
H.R. 490: Mr. COLLINS of New York.
H.R. 535: Mr. CONYERS.
H.R. 632: Mr. POCAN and Mr. COSTELLO of Pennsylvania.
H.R. 644: Mr. BERGMAN.
H.R. 664: Mr. PETERS, Mr. EMMER, and Mr. KRISHNAMOORTHY.
H.R. 669: Ms. CLARK of Massachusetts.
H.R. 681: Mr. KELLY of Pennsylvania, Mr. ROUZER, and Mrs. ROBY.
H.R. 719: Mr. HARRIS, Mr. OLSON, Mr. GRAVES of Georgia, and Mr. KELLY of Mississippi.
H.R. 747: Ms. GRANGER and Ms. MAXINE WATERS of California.
H.R. 750: Mr. LEWIS of Georgia, Mr. CARTWRIGHT, Ms. NORTON, Mr. LOEBSACK, Mr. ENGEL, Ms. SHEA-PORTER, Mr. KILDEE, and Ms. DEGETTE.
H.R. 754: Ms. MATSUI, Ms. KAPTUR, Ms. JAYAPAL, Mr. CICILLINE, Mr. MOULTON, and Mr. KENNEDY.
H.R. 770: Mr. GROTHMAN.
H.R. 785: Mr. COLE, Mr. WESTERMAN, Mr. FERGUSON, and Mr. FRANCIS ROONEY of Florida.
H.R. 801: Mr. COLE.
H.R. 807: Mr. VALADAO and Mr. EVANS.
H.R. 812: Mr. KRISHNAMOORTHY and Mr. LAWSON of Florida.
H.R. 850: Mr. LONG.
H.R. 852: Mr. CAPUANO.
H.R. 860: Mr. GONZALEZ of Texas.
H.R. 916: Mr. FITZPATRICK.
H.R. 918: Mr. MOULTON.
H.R. 936: Mr. RUPPERSBERGER, Mr. REICHERT, Mr. JONES, Mr. MCGOVERN, Mr. BEN RAY LUJÁN of New Mexico, Mr. GALLEGO, Ms. BROWNLEY of California, Mr. KILDEE, Mr. DEFAZIO, and Mr. PEARCE.
H.R. 1017: Mr. SIMPSON.
H.R. 1120: Ms. SLAUGHTER.
H.R. 1145: Mr. LOWENTHAL.
H.R. 1267: Mr. SHUSTER and Mr. VALADAO.
H.R. 1270: Ms. DEGETTE and Mr. MARINO.
H.R. 1322: Ms. MAXINE WATERS of California.
H.R. 1377: Ms. HANABUSA and Ms. SLAUGHTER.
H.R. 1421: Mr. HIGGINS of New York and Mr. PRICE of North Carolina.
H.R. 1436: Mr. LABRADOR.
H.R. 1447: Mr. DONOVAN, Mr. FITZPATRICK, and Ms. SLAUGHTER.
H.R. 1459: Mr. STIVERS, Mr. TIPTON, Mr. LOUDERMILK, and Mr. LUCAS.
H.R. 1468: Mr. SMITH of New Jersey, Mr. DENT, Mr. KATKO, Mr. STIVERS, Mr. KING of New York, Mr. TIBERI, and Mrs. LOVE.
H.R. 1483: Mr. GIANFORTE.
H.R. 1494: Mr. MITCHELL and Mr. MAST.
H.R. 1552: Mr. AMASH.
H.R. 1565: Mr. COFFMAN.
H.R. 1566: Mr. MOULTON.
H.R. 1580: Mr. MOOLENAAR.
H.R. 1618: Mr. JONES.
H.R. 1624: Mr. FITZPATRICK.
H.R. 1676: Mr. RODNEY DAVIS of Illinois, Mr. RASKIN, Mr. KENNEDY, Mr. SIMPSON, and Ms. MENG.
H.R. 1724: Mr. JOHNSON of Georgia.
H.R. 1731: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1776: Ms. JAYAPAL.
H.R. 1810: Mr. COSTELLO of Pennsylvania.
H.R. 1844: Mr. JONES.
H.R. 1847: Mr. COLE and Mr. LARSON of Connecticut.
H.R. 1865: Mr. JOHNSON of Louisiana, Mr. POSEY, Mr. JENKINS of West Virginia, Mr. GONZALEZ of Texas, and Mr. DANNY K. DAVIS of Illinois.
H.R. 1880: Mr. SOTO.
H.R. 1911: Mr. BROWN of Maryland, Mr. HASTINGS, and Ms. ESHOO.
H.R. 1955: Mr. BOST.
H.R. 1960: Mr. NORCROSS.
H.R. 1987: Ms. SPEIER.
H.R. 2004: Mr. RENACCI.
H.R. 2023: Mr. BUDD.
H.R. 2044: Mr. TED LIEU of California.
H.R. 2077: Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. SEAN PATRICK MALONEY of New York, and Mr. VISCLOSKY.
H.R. 2121: Mr. ROYCE of California.
H.R. 2148: Mr. FITZPATRICK.
H.R. 2170: Mr. BOST.
H.R. 2201: Mr. STIVERS, Mr. MESSER, and Mr. TIPTON.
H.R. 2219: Mr. FITZPATRICK.
H.R. 2259: Mr. ROSKAM.
H.R. 2298: Mr. GAETZ.
H.R. 2310: Mrs. NOEM.
H.R. 2319: Mr. FITZPATRICK and Mr. RENACCI.
H.R. 2345: Mr. FITZPATRICK.
H.R. 2392: Mr. BLUMENAUER and Ms. JAYAPAL.
H.R. 2417: Mr. KENNEDY.
H.R. 2431: Mr. MEADOWS and Mr. DESJARLAIS.
H.R. 2435: Mr. SMITH of Washington.
H.R. 2439: Ms. CASTOR of Florida and Mr. COHEN.
H.R. 2461: Mr. BROOKS of Alabama.
H.R. 2482: Mr. RODNEY DAVIS of Illinois, Mr. FOSTER, Mr. O'HALLERAN, Mr. LARSON of Connecticut, Mr. DONOVAN, Mr. RYAN of Ohio, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. CLARKE of New York, Mr. COSTELLO of Pennsylvania, Mr. TAKANO, Mr. MEEKS, Mrs. LAWRENCE, Ms. SPEIER, Mr. BUTTERFIELD, Mr. COHEN, Mrs. DAVIS of California, Mr. SERRANO, Mr. CORREA, Mrs. NOEM, Ms. BROWNLEY of California, Mr. LANGEVIN, Mr. NORCROSS, Ms. BONAMICI, Mr. THOMPSON of California, Mr. WALZ, Mr. VARGAS, Mr. THOMPSON of Mississippi, Mr. TED LIEU of California, Ms. SHEA-PORTER, Mr. CAPUANO, and Ms. MENG.
H.R. 2519: Mr. LAHOOD, Mr. GRAVES of Louisiana, Mr. LUCAS, Mr. WALKER, Mr. GRAVES of Missouri, Mr. SEAN PATRICK MALONEY of New York, Mr. BUCK, and Mr. VALADAO.
H.R. 2545: Mr. KILMER.
H.R. 2589: Mr. LOEBSACK, Mr. CROWLEY, Mr. COOK, Mrs. DAVIS of California, and Mr. COLE.
H.R. 2603: Mr. ADERHOLT, Mr. FRANKS of Arizona, and Mr. HIGGINS of Louisiana.
H.R. 2644: Mrs. BEATTY, Mr. BISHOP of Georgia, and Mr. BARLETTA.
H.R. 2651: Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. COHEN, Mr. KRISHNAMOORTHY, Ms. WASSERMAN SCHULTZ, and Mr. YODER.
H.R. 2663: Mr. GRAVES of Missouri.
H.R. 2723: Mr. WILLIAMS, Mr. BARR, Mr. BRADY of Texas, Mr. KELLY of Mississippi, Mr. RICE of South Carolina, and Mr. GARRETT.
H.R. 2740: Mr. KING of New York.
H.R. 2748: Ms. WASSERMAN SCHULTZ, Mrs. BEATTY, Mr. DEFAZIO, and Mr. THOMPSON of California.
H.R. 2771: Mr. PETERSON.
H.R. 2801: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2832: Mr. LONG and Mr. PALMER.
H.R. 2852: Mr. CAPUANO.
H.R. 2862: Mr. BLUMENAUER.
H.R. 2901: Mr. VALADAO.
H.R. 2906: Mr. HIGGINS of New York, Ms. MATSUI, Ms. JUDY CHU of California, and Mr. CROWLEY.
H.R. 2923: Mr. DIAZ-BALART.
H.R. 2957: Ms. SEWELL of Alabama, Mr. THORNBERRY, and Mr. VALADAO.
H.R. 2976: Ms. ESHOO.
H.R. 2996: Mr. COFFMAN, Mr. LONG, and Mr. NEWHOUSE.
H.R. 3030: Mr. HASTINGS, Mr. DEFAZIO, Ms. MATSUI, Ms. CLARKE of New York, Mr. MAST, and Mr. KRISHNAMOORTHY.
H.R. 3053: Mr. MITCHELL, Mr. CARTER of Texas, Mr. DUFFY, Mr. WOMACK, Mr. GROTHMAN, Mr. HUNTER, Mr. BRAT, and Mr. THOMPSON of Mississippi.
H.R. 3076: Mr. BABIN, Mr. HUDSON, and Mr. LUETKEMEYER.
H.R. 3124: Mr. KIND.
H.R. 3133: Mr. LOUDERMILK.
H.R. 3139: Mr. LABRADOR.
H.R. 3186: Mr. TED LIEU of California.
H.R. 3223: Mr. ROKITA and Mr. DAVIDSON.
H.R. 3227: Mr. SMITH of Washington, Mr. GALLEGO, Ms. JAYAPAL, Mr. CAPUANO, and Mr. RASKIN.
H.R. 3236: Mr. LUETKEMEYER.
H.R. 3239: Mr. LANCE.
H.R. 3258: Mr. KILDEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MOORE, and Mr. CRIST.
H.R. 3269: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DESAULNIER, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 3273: Mr. RASKIN, Mr. NORCROSS, and Mr. PANETTA.
H.R. 3303: Ms. BROWNLEY of California.
H.R. 3304: Mr. LAWSON of Florida.
H.R. 3329: Mr. WALKER.
H.R. 3347: Mr. LOEBSACK.
H.R. 3350: Mr. GALLAGHER.
H.R. 3380: Ms. BONAMICI.
H.R. 3398: Ms. HANABUSA.
H.R. 3440: Mr. HOYER, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. LOWENTHAL, Mr. POCAN, Ms. ADAMS, Mrs. DINGELL, Miss RICE of New York, Mr. BROWN of Maryland, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. WATSON COLEMAN, Mr. O'ROURKE, Ms. VELÁZQUEZ, Mr. KIHUEN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SÁNCHEZ, Mr. SABLAN, Mr. CASTRO of Texas, Mr. GRIJALVA, Mr. SRES, Mrs. MURPHY of Florida, Mr. GOMEZ, Ms. DELAUBRO, Mr. YARMUTH, Mr. PERLMUTTER, Ms. MENG, Mr. PAYNE, Mr. LARSEN of Washington, Ms. BROWNLEY of California, Ms. DEGETTE, Mrs. NAPOLITANO, Mr. HECK, Mr. DESAULNIER, Mr. PALLONE, Mr. SHERMAN, Mr. RASKIN, Mrs. DAVIS of California, Mr. COSTA, Mr. KILDEE, Mr. TAKANO, Ms. KUSTER of New Hampshire, Mr. CARTWRIGHT, Mr. ELLISON, Mr. MCEACHIN, Mr. ESPAILLAT, Mr. CONYERS, Mr. GOTTHEIMER, Mr. TONKO, Ms. BONAMICI, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Mr. NEAL, Mr. SMITH of Washington, Ms. TITUS, Mr. POLIS, Mr. KHANNA, Mr. COHEN, Mr. CORREA, Ms. JUDY CHU of California, Mr. GUTIÉRREZ, Mr. GARAMENDI, Ms. MATSUI, Ms. TSONGAS, Ms. WILSON of Florida, Ms. HANABUSA, Ms. ESTY of Connecticut, Ms. ESHOO, Ms. MCCOLLUM, Mr. CARBAJAL, Mr. MCNERNEY, Mr. BLUMENAUER, Ms. BARRAGAN, Mr. WALZ, Mr. COURTNEY, Mr. DOGETT, Mr. NOLAN, Mr. EVANS, Mr. NORCROSS, Mr. VELA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SINEMA, Mr. JOHNSON of Georgia, Mr. CÁRDENAS, Ms. SEWELL of Alabama, Ms. SPEIER, Mr. PANETTA, Mr. AGUILAR, Mr. CICILLINE, Mr. KENNEDY, Mr. SOTO, Ms. FUDGE, Mrs. DEMINGS, Ms. ROSEN, Ms. JAYAPAL, Ms. BLUNT ROCHESTER, Mr. BERA, Mr. VARGAS, Mr. AL GREEN of Texas, Mr. DEUTCH, Mr. SCHIFF, Mr. GALLEGO, Mr. NADLER, Mr. TED LIEU of California, Ms. SCHAKOWSKY, Ms. KELLY of Illinois, Ms. CASTOR of

Florida, Ms. CLARK of Massachusetts, Ms. KAPTUR, Mr. CROWLEY, Mr. SCHRADER, Mr. SERRANO, Mrs. TORRES, Mr. RUIZ, Mr. THOMPSON of California, Mr. BEN RAY LUJÁN of New Mexico, Ms. LEE, and Mr. CONNOLLY.

H.R. 3441: Mr. HUDSON, Mr. RATCLIFFE, Mr. LUETKEMEYER, Mr. DUNN, Mr. VALADAO, Mr. UPTON, Mrs. ROBY and Mr. SENSENBRENNER.

H.R. 3591: Mrs. DAVIS of California, Mr. BERA, Mr. JEFFRIES, Mr. MOULTON, Ms. ADAMS, Mr. CLYBURN, Ms. KELLY of Illinois, Ms. KUSTER of New Hampshire, Ms. SEWELL of Alabama, Mr. WALZ, Mr. HECK, and Mr. RYAN of Ohio.

H.R. 3598: Mr. HUFFMAN.

H.R. 3635: Mr. CROWLEY.

H.R. 3641: Mr. HUNTER, Mr. LAWSON of Florida, Ms. DELBENE, Mr. BARR, Mr. PITTENGER, Mrs. McMORRIS RODGERS, Mr. COLE, and Mr. DIAZ-BALART.

H.R. 3643: Miss RICE of New York.

H.R. 3668: Mr. CARTER of Texas.

H.J. Res. 53: Mr. BEN RAY LUJÁN of New Mexico.

H. Con. Res. 77: Ms. CLARK of Massachusetts and Ms. BROWNLEY of California.

H. Res. 31: Mrs. LAWRENCE.

H. Res. 129: Mrs. McMORRIS RODGERS, Mr. DUNN, and Mrs. BLACKBURN.

H. Res. 188: Mr. KENNEDY.

H. Res. 195: Mr. SMITH of New Jersey.

H. Res. 220: Mr. COURTNEY and Mr. NADLER.

H. Res. 257: Mr. FITZPATRICK.

H. Res. 466: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. DESAULNIER.

H. Res. 486: Ms. JACKSON LEE and Mr. BRADY of Pennsylvania.

H. Res. 488: Mr. TED LIEU of California.

H. Res. 496: Mr. SOTO and Miss RICE of New York.

H. Res. 501: Mr. SEAN PATRICK MALONEY of New York, Mrs. WATSON COLEMAN, Mr. SMITH of Washington, Mr. CARSON of Indiana, and Mrs. BEATTY.

EXTENSIONS OF REMARKS

IN RECOGNITION OF BROCK
LIVELY

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. SCHWEIKERT. Mr. Speaker, I rise today to acknowledge Brock Lively who served as an intern in my office from May 16 to July 29, 2016. I recently learned of Brock's interest to explore military service after graduating from Loyola University in May 2018 with honors in history.

I speak to Brock's character with enthusiasm for his commitment to service. In addition to accomplishing the leadership of an Eagle Scout, Brock has given of himself on many faith-based and humanitarian missions around the globe. He carried my appreciation for the time he takes to give back to his community and country.

PERSONAL EXPLANATION

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. GONZALEZ of Texas. Mr. Speaker, I was unable to cast my vote for Roll Call votes 439 and 440 on September 5, 2017. Had I been present, my votes would have been the following: Aye on Roll Call votes 439 and 440.

MAY BRILL

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor United States Army and Coast Guard veteran, Mrs. May Brill of Camden in New Jersey's First Congressional District.

May Brill was born in Philadelphia, Pennsylvania in 1924. After her two brothers enlisted, wanting to show her patriotism Brill enlisted at the age of 20, she became a part of the supply core in a division of the U.S. Navy known as W.A.V.E.S. Women Accepted for Volunteer Emergency Service.

Sent to Hunter College in the Bronx, New York for basic training where women were trained with the same Advanced Individual Training as men, Mrs. Brill was selected to receive additional training at the U.S. Naval Training School in Georgia State College for Women located in Milledgeville, GA. It was here May learned the specialized skills for her military duties in the supply core.

Mrs. Brill ended up stationed in Oakland, California. She started off ranked as a Sea-

men Third Class, the lowest rank in the Navy, but worked her way up five ranks to become a Storekeeper Second Class.

Her duties were to procure equipment, tools, medical supplies, and consumable goods to ship off to supply the ships and bases in the Pacific.

Currently, Mrs. Brill is very active as an advocate for Veterans and women in the military, she currently serves as: Senior vice Commander of the Jewish War Veterans Post 126, New Jersey Chairperson of "Women in the Military" Chairperson for the New Jersey Veterans Memorial Home.

Additionally, she has four daughters, nine grandchildren, and one great-granddaughter. She wishes for less war and more peaceful times for the future.

Mrs. Brill is an honorable American, having served our great nation in a time of war, and merits our collective appreciation.

I ask you to join me in saluting and thanking May Brill for her service to our country and her ongoing commitment to our nation's veterans.

HONORING THE FAIRFIELD AMERICAN
BASEBALL TEAM'S
SUCCESSES AT THE 2017 LITTLE
LEAGUE WORLD SERIES

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. HIMES. Mr. Speaker, I rise today to honor the accomplishments of the Fairfield American Little League baseball team following its participation in the 2017 Little League World Series.

For years, Southwest Connecticut has produced outstanding baseball clubs, and 2017 was no exception. After an undefeated run in which they captured district, state and regional titles, Fairfield American went on to represent New England in the Little League World Series in Williamsport, PA. The team finished the season as the number three team in the country, defeating Washington and New Jersey twice before falling to eventual United States champion Texas. They were welcomed back to Connecticut with a grand celebration, receiving the key to the town of Fairfield from First Selectman Mike Tetreau.

Fairfield American exemplified a spirit of hard work and commitment indicative of the motto they wore on the back of their t-shirts: Never Give Up. This group of exceptional young men shined on Little League's biggest stage, finding unwavering strength in themselves and one another. They played every game until the final out and never quit, even when the odds were against them.

Mr. Speaker, I ask that you join me in recognizing everyone who made this season a reality; the coaches, Mike Randazzo, Jorge Ri-

vera and Wayne Righter, who have spent countless hours instilling the value of hard work and sportsmanship; the parents, whose sacrifice and engagement ensured their children had an unforgettable summer; and the players—Andrew Cutler, Anthony Falletta, Anthony Pollack, Christian Smith, Ethan Righter, Griffin Dodder, Aidan Rivera, Leo Randazzo, Michael Iannazzo, Matthew Vivona, Owen Kalagher, Sean O'Neil, Troy Ashkinos and Tyler Bauer, who represented Connecticut proudly.

PEER-REVIEWED GULF WAR ILL-
NESS RESEARCH IN THE DE-
PARTMENT OF DEFENSE APPRO-
PRIATIONS ACT, 2018

HON. DARREN SOTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. SOTO. Mr. Speaker, Soto amendment, Soto number 19 to Division A, the Department of Defense Appropriations Act, 2018, moved \$1 million from the Operation and Maintenance, Defense-Wide account to the Defense Health Program's Peer-Reviewed Gulf War Illness research program.

If we are going to spend money on medical research within the Department of Defense, the Department must adequately fund research on those diseases that originate in war and wholly affect our servicemen and women. Over a quarter of a million veterans display symptoms of this disease, and the time has come to find, and fund, a cure for it.

I support funding Gulf War Illness research and thank my colleagues for their support of my amendment.

HONORING DR. TERRY FENGER OF
MARSHALL UNIVERSITY

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the hard work of Dr. Terry Fenger of Marshall University in Huntington, West Virginia. Dr. Fenger has played a key role in developing the university's highly successful Forensic Science Center, which has repeatedly been named the nation's best forensic science program.

Dr. Fenger has served as the center's director since 1994, overseeing its Digital Forensics section, Forensics DNA Analysis laboratory, and FEPAC-accredited Forensic Science Graduate Program. His passion for teaching students how to succeed in the forensic science field and caring for his fellow West

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Virginians is on show for all to see. By over-seeing the program's role in West Virginia's sexual assault test kit initiative, Dr. Fenger has proactively taken a leadership role in helping get criminals off our streets. His expertise in his field has helped create a new generation of forensic experts to solve crimes and keep our communities safe, and I join his friends, family and colleagues in wishing him well during his hard-earned retirement. He will always be a part of the Marshall University family. I look forward to seeing the great things he achieves in the future.

IN RECOGNITION OF PATROLMAN
LINFORD RODWAY OF THE
BLAKELY POLICE DEPARTMENT

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Patrolman Linford Rodway of the Blakely Police Department who fell in the line of duty 50 years ago this year. Patrolman Rodway was an outstanding police officer, son, father, husband, and friend who paid the ultimate sacrifice for the residents of Blakely Borough.

On June 24, 1967, the residents of Blakely Borough were celebrating their centennial year with a festive parade. Patrolman Rodway was one of several officers who were assigned to conduct traffic control during the parade and protect those attending the celebration.

That evening, Patrolman Rodway responded to a disturbance along the parade route. Patrolman Rodway along with other officers were able to resolve the conflict and returned to headquarters shortly thereafter. Once Patrolman Rodway was inside the station, he suddenly felt ill. His other officers caught him before he collapsed and quickly called an ambulance. Patrolman Rodway was rushed to Mid-Valley Hospital. Medical staff did all they could, however the heart attack Patrolman Rodway suffered that day was fatal.

It is an honor to recognize Patrolman Linford Rodway's service to the community of Blakely Borough all those years ago. I am grateful to him for his sacrifice, and I thank all of the first responders who tried their best to save his life that night. May his memory serve as a reminder of duty and loyalty to all members of law enforcement who protect and serve our communities.

HONORING TIMOTHY BRADLEY, JR.
ON HIS RETIREMENT AS A
WORLD BOXING CHAMPION AND
HIS LEGACY IN THE COACHELLA
VALLEY

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. RUIZ. Mr. Speaker, I am honored to congratulate professional boxer Timothy Bradley, Jr., on his well-deserved retirement after

23 years and 37 fights in the boxing ring. His dedication, commitment, and passion for boxing are an inspiration. Timothy is a remarkable resident of Cathedral City, where he grew up and currently lives with his wife Monica and five children. As an incredible father, husband, and businessman, he is a role model for all the members of our community.

Timothy, who later earned the moniker "The Desert Storm," was born in Palm Springs and attended Cathedral City High School in my congressional district. His boxing career began when he became one of the favorite fighters on Showtime series "ShoBox." In 2004, he won his first professional bout.

As a stellar professional boxer, Timothy holds extraordinary wins against several of the world's best fighters. In 2005, he became a World Boxing Council Youth World Welterweight champion by defeating boxer Francisco Rincon. The following year, he beat Arturo Urena and became a World Boxing Council Youth World Light Welterweight champion. In 2008, he overcame boxer Junior Witter to win the World Boxing Council World Light Welterweight title. In 2009, Timothy defeated Kendall Holt to obtain the World Boxing Organization World Light Welterweight title and would proceed to successfully defend it against boxer Manny Pacquiao in 2012.

In every fight, Timothy brought agility and resilience of mind, body, and spirit to the ring. Most importantly, he remained true to himself and always kept his family, friends, and fans in his heart. He was not only an outstanding boxer, but also a humble man who gave back to his community.

In 2014, Timothy was awarded with the 377th Star on the Palm Springs Walk of Stars for his contributions to the Coachella Valley. He supports the desert's youth as an assistant coach for La Quinta High School varsity football team, assistant coach for All American Junior PeeWee Youth Football Association, and mentor for the Coachella Valley Boys & Girls Club.

In December 2016, Timothy and his wife Monica Bradley opened a Hawaiian-style restaurant located in Rancho Mirage. Additionally, the duo works with young boxers Edgar Martinez and Dominic Serna, providing them with mentorship and training. Said Bradley, "I hope to continue to allow boxing in my world through teaching, commenting and being a fan of a sport I love so dearly."

Mr. Speaker, I am proud to recognize and honor Timothy Bradley, Jr. On behalf of California's 36th Congressional District, it is with deepest respect that I commend him for a remarkable career dedicated to professional boxing and look forward to the significant contributions he will continue to make in service of others. I wish him, his wife Monica, and his children all my best in the years to come.

HONORING THE LIFE OF C.
ARTHUR SOUCY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of C. Arthur Soucy who died

on July 9, 2017. Born in Manchester, New Hampshire (NH) on September 24, 1935, he was the son of Adelard and Fabiola (LaSante) Soucy. He was educated in the local parochial school system and was a 1954 graduate of St. Marie High School. He served in the U.S. Army National Guard.

C. Arthur was a man who dedicated his life to making a difference in the lives of others; whether through elective office, his church, his businesses or through the many charitable organizations that he served on, C. Arthur lived to help others.

On April 16, 1966, C. Arthur married his most loyal supporter and the love of his life, Lillian (Provost) Soucy. C. Arthur and Lillian welcomed their daughter Donna the following year. C. Arthur and Lillian were especially proud that Donna would go on to follow in their footsteps serving as both an Alderman and State Representative. Donna currently serves in the NH State Senate. C. Arthur and Donna hold the distinction of being the only father and daughter to both serve as Aldermen for the City of Manchester.

C. Arthur owned and operated Youngsville Super Market in Manchester for nearly 20 years. C. Arthur was named NH Grocer of the Year in 1974. He proudly opened The Wine Cellar in 1975 having obtained the first license to sell wine in the State of NH in his grocery store. He had also worked for several years as a successful Realtor and most recently had been employed by Brook Hollow Sand & Gravel in Londonderry.

C. Arthur's involvement in politics began in the late 1950s when he volunteered and worked on various campaigns, most notably that of John F. Kennedy for President.

In 1961, C. Arthur was elected to his first term as Manchester's Ward 12 Alderman; at age 26 he was one of the youngest to ever serve. He was reelected to a second term as Alderman and also served a term as Hillsborough County Commissioner. He went on to serve a record-breaking fifty years of continuous service as a member of city boards and commissions. C. Arthur served twenty years as a Parks and Recreation Commissioner, sixteen as its chairman. He served on the Manchester Water Works Commission for twenty-five years, eventually serving as President. C. Arthur served two terms on the Manchester Elderly Services Commission where he was known for gathering the most sponsorships and raffle prizes of any member. He was also elected a delegate to the NH state constitutional conventions in 1964 and 1984. He was three times elected Manchester Ward 6 moderator and was honored to serve as one of New Hampshire's Presidential Electors in 2012 casting his ballot for the reelection of President Barack Obama. C. Arthur was presented a Key to the City of Manchester from six of Manchester's mayors for his contributions to the betterment of the City of Manchester.

In 1963, C. Arthur founded the NH Young Democrats and was elected the organization's first President. Today the NH Young Democrats honor him annually by presenting the C. Arthur Soucy Award. He served for many years as the chairman of the Manchester Democrats, which presents an annual C. Arthur and Lillian Soucy Award to honor their

legacy. C. Arthur served on the NH Democratic State Committee and its executive committee through the years. In 2009, Governor John Lynch presented him the prestigious NH Democratic Party Dunfey-Kanteres Award.

He was honored by the NH Home Builders Association in 2002 for his service, and by the New England Water Works Association in 2008. From 1992 to 1996, he served on the board of the New Horizons Manchester Soup Kitchen including serving for a time as its president. In March of 2015, C. Arthur was presented with a distinguished achievement award by the International Association of Firefighters for his work on behalf of Manchester's firefighters. C. Arthur was a member of the American Legion Henry J. Sweeney Post 2.

He was a longtime active communicant of St. Pius X Church, serving on the parish council and the St. Vincent de Paul Society. He had the distinction of being inducted to the Equestrian Order of the Holy Sepulchre of Jerusalem in 2005. He was also a longtime member of the Knights of Columbus.

Mr. Soucy was a legend in New Hampshire politics. Always working, always helping other, always in service. In short, New Hampshire is a much better place because of the life and career of Mr. Soucy. I extend my deepest condolences to his family and friends. He will be dearly missed.

INTRODUCTION OF THE ARPA-E REAUTHORIZATION ACT OF 2017

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I am very pleased to introduce the bipartisan ARPA-E Reauthorization Act of 2017.

Even though the agency is still relatively young, ARPA-E has already demonstrated incredible success in advancing high-risk, high-reward energy technology solutions that neither the public nor the private sector had been willing or able to support in the past. This was highlighted in a Congressionally mandated National Academies review of the agency released in June. Bipartisan industry leaders like Norm Augustine and Bill Gates have repeatedly called for tripling this agency's budget given the unique role that it is now playing in our energy innovation pipeline.

ARPA-E's impressive track record includes over \$1.8 billion in private sector follow-on funding for a group of 74 ARPA-E projects since the agency's founding in 2009. Equally notable, 56 projects have formed new companies and 68 projects have shown enough promise to result in partnerships with other government agencies for further development. And I'd be remiss if I didn't refer my colleagues to DOE Secretary Perry's March 8th tweet which states, and I quote, "Innovators like the ones supported by our ARPA-E program are key to advancing America's energy economy." I couldn't have said this better myself.

The ARPA-E Reauthorization Act of 2017 authorizes reasonable growth in funding for

ARPA-E through 2022. Increased funding for ARPA-E is consistent with the strong and sustained recommendations of many respected industrial and academic institutions and organizations in recent years. The bill also includes a provision which ensures that sensitive proprietary business information collected by ARPA-E remains protected, which will enable even greater private sector engagement in its programs.

I would like to thank my colleagues on both sides of the aisle, including Mr. COSTELLO, Ms. KAPTUR, and Mrs. LOVE, for joining me in introducing this bill, and I hope that all Members will consider supporting this critical investment in our nation's clean energy future.

SUPPORT FOR H. RES. 502

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. ISSA. Mr. Speaker, today, the House of Representatives rightfully took action to respond to the impact of Hurricane Harvey, by approving disaster relief through a supplemental appropriations resolution. Unfortunately, I was unable to be present during the earlier vote. Had I been present, I would have voted in favor of H. Res. 502. I am pleased to see the measure passed the House with overwhelming bipartisan support and look forward to the Senate taking similar action to bring much-needed aid to the victims that continue to face the devastating effects of this momentous storm.

RECOGNIZING BETHEL UNITED METHODIST 150TH ANNIVERSARY

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. RICE of South Carolina. Mr. Speaker, I rise today to recognize Bethel United Methodist Church in Marion, South Carolina, for 150 years of service and fellowship. As stated in the first verse of Psalm 133, "How good and pleasant it is when God's people live together in unity!"

Despite what may be heard in the media, faith and God are alive and well in our country. Evil tries to shatter our communities and sow seeds of despair, but to the Devil's dismay our faith in God is resilient.

Thank you for all you do to advance God's message in our community. Through fellowship, community programs, and outreach, Bethel United Methodist Church is doing God's work right here in Marion.

We, people of faith, must ensure that God's message of salvation is heard in every city, state, and country in the world. In faith, hope, and love, we cannot fail. May God continue to bless Bethel United Methodist Church and all those who worship there.

HONORING UNIVERSITY OF MINNESOTA LIBRARIES

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. ELLISON. Mr. Speaker, I rise today in honor of the University of Minnesota Libraries, which has been awarded the 2017 National Medal for Museum and Library Service. Their devotion to innovative and accessible library service has made them one of the nation's standout public research libraries.

Every year, the Institute of Museum and Library Services selects ten institutions that best represent the stewardship of public knowledge. Throughout its 23-year history, the IMLS has only selected three academic libraries for the recognition. This is a fitting recognition of the amount of community-driven work the UMN Libraries undertakes. As a public research library, their work expands far beyond the University walls to our state's 5.5 million residents and beyond.

As I wrote in my letter of nomination for the University of Minnesota Libraries: I have been moved by the deep commitment the Libraries have shown to our community. Its mission is realized every day through the dedication, creativity, and human kindness represented in the programs and services it provides. It is a shining example of how a public institution can make a great difference in the lives of people within its walls and beyond its borders. I am proud to be associated with the University Libraries and believe it to be an exemplary candidate for this honor.

I am thrilled to congratulate the UMN Libraries for receiving the U.S. government's top honor for library service to the community. I look forward to seeing the way they expand the pursuit of knowledge in coming decades.

IN RECOGNITION OF PETER SCARAFILE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. KEATING. Mr. Speaker, I rise today in sincere recognition of Peter Scarafile on the occasion of his retirement from Cape Cod Healthcare. Peter is retiring as the Director of Pharmacy after more than 44 years as an integral part of the Cape Cod Healthcare family.

Peter was born in Union City, New Jersey and raised in Newburgh, New York by his first-generation Italian American father, Danny, and his Italian mother, Maria. His parents met when his father was stationed as a military policeman in Italy right after World War II. Peter is one of three brothers and learned to speak Italian before he spoke English at home.

Peter's incredible work ethic began at a young age when stocked shelves at the dairy department of a local grocery store in high school. Though originally recruited by Brown University, he decided to attend Northeastern University's School of Pharmacy to participate in Northeastern University's renowned Co-Op

program. It was during his work at Karas Pharmacy during his Co-Op program in 1972 that Peter met the love of his life, Judy. They were married in 1974 at St. Mary's Episcopal Church in Barnstable, MA.

After graduating in 1974 with a Bachelor of Science degree in Pharmacy, Peter enrolled immediately to complete his Master's in Hospital Administration. Peter and Judy then moved to Cape Cod to begin their careers.

In 1975 Peter began his first job at a hospital when was hired as a Staff Pharmacist at Cape Cod Hospital. He quickly rose the ranks to become the Manager of Pharmacy Operations for the parent organization, Cape Cod Healthcare, before being appointed the Director of Pharmacy in 2009. In this role he oversaw eight pharmacies and 40 pharmacists who assist thousands of sick patients to get the attention and care they need.

They quickly became very involved in local organizations, including the Cape Cod Baseball League. As friends and family joke, when Peter married Judy, he also married the Cape Cod League. Peter joined the then-Hyannis Mets and became an active member in the baseball community. Additionally, he has served as President of the Big Brothers Big Sisters of Massachusetts Bay, President of the Greater Hyannis Chamber of Commerce, President of the John F. Kennedy Hyannis Museum Foundation, a board member of the Visiting Nurse Association of Cape Cod, a board member of the Baybridge Clubhouse, and a board member of St. Mary's Episcopal Church.

Even in his free time, Peter has devoted countless hours volunteering and helping those in need. He and Judy have deployed on several volunteer disaster assignments including to New Orleans after Hurricane Katrina, to Haiti after the earthquake, and New Jersey after Hurricane Sandy. Never one to rest, he is now training to become a Red Cross disaster volunteer as well. Further, Peter is the Warden of St. Mary's Episcopal Church and a Serving the Health Insurance Needs of Everyone (SHINE) Counselor, where he helps seniors navigate the complexities of Medicare and health insurance.

Mr. Speaker, I am proud to honor Peter Scarafie for his dedication to the healthcare industry and the wellbeing of so many residents of Cape Cod. I ask that my colleagues join me in thanking him for his work and wishing him all the best as he enjoys his deserved retirement.

DONALD C. SIEGEL

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor Donald C. Siegel, an influential labor advocate for fair and equal working privileges for the American worker. Mister Siegel served 46 years with the International Brotherhood of Electrical Workers (IBEW) and retired as Third District International Vice President for IBEW.

Brother Siegel is a native of West Reading, Pennsylvania across the Delaware River from

my Congressional District in Southern New Jersey.

In 1973, Brother Siegel was initiated into IBEW's Reading Local 743 and was ultimately elected to the executive board. Donald Siegel's service would take him to Salt Lake City, Utah and San Jose, California, before returning to his home state of Pennsylvania where he would work at the Limerick Generating Station.

In 1989 Donald Siegel would ascend to the helm of Local 743, overseeing the merger of another local union that dramatically increased the Local's membership. Siegel would eventually assume the role of IBEW international representative before becoming IBEW's Third District International Vice President.

Throughout his career, Brother Siegel has a reputation for tackling the most difficult tasks with the best interests of hardworking men and women at heart.

As he reflects on his storied career, Donald Siegel acknowledges his proudest achievement as building the best staff in any trade union.

Retirement will not interrupt Donald Siegel's ardent advocacy for hardworking men and women. Brother Siegel's work continues with the Team Pennsylvania Foundation and the Ben Franklin Technology Developmental Authority.

Mr. Speaker, I ask you to join me in celebrating Donald C. Siegel for his service and his devotion to the International Brotherhood of Electrical Workers.

HONORING HOLTEC

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. MACARTHUR. Mr. Speaker, I rise today to recognize an important South Jersey business. Holtec International creates and manufactures custom-engineered equipment for energy companies and nuclear reactors. Holtec has been based in South Jersey for over 30 years ago and has a world-class manufacturing facility on the banks of the Delaware River.

Recently, Holtec opened up a new facility in Camden, New Jersey pledging to hire hundreds of people from the surrounding community. Holtec has shown it is invested in the future of the South Jersey community and its people by working with Camden County College to train welders and grow a highly-skilled work force from the local area.

Holtec's investment in Camden brings hope to a struggling city. South Jersey is better off because of Holtec's pledge to the community. One local laborer even said he had been waiting his whole life for this.

I'd also like to recognize the leadership of Holtec's President and CEO Dr. Kris Singh. None of this would be possible without him. Dr. Singh has led this company from its inception and helped it grow into the powerhouse it is today. Because of him, many South Jersey residents will have the opportunity to better their lives.

Mr. Speaker, companies like Holtec that are dedicated to their community should be com-

mended. They help expand our economy, create jobs and improve the lives of so many Americans. I'm grateful for the impact Holtec is having on South Jersey. And I know many of my constituents feel the same way.

TRIBUTE TO PASTOR CLARENCE
SEXTON

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. DUNCAN of Tennessee. Mr. Speaker, one of my constituents, Pastor Clarence Sexton, has provided years of exceptional service through his devotion to helping others grow in faith.

I want to extend congratulations to Pastor Sexton for reaching the 50th anniversary of his Christian ministry.

Since 1967, he has served others through his work as a pastor with several churches in Tennessee and even one in New Jersey.

He and his wife Evelyn married the same year that he began preaching. They have two sons, Shannon and Matt, and six grandchildren.

Pastor Sexton and his family have devoted the last 25 years of their lives to service at Temple Baptist Church, in my district, in Powell, Tennessee.

When the Sextons arrived at Temple Baptist, the church was averaging fewer than 500 people in attendance. Now, thousands attend weekly.

Using the principles and teachings of the Bible, Pastor Sexton also leads as the President and founder of Crown College, across from Temple Baptist.

His sacrifice, leadership, and Godly ways have helped make our community, state, and Nation better places.

Mr. Speaker, I hope you and my colleagues will join me in recognizing this milestone of service and dedication Pastor Sexton has reached.

PROCLAMATION IN HONOR OF THE
100TH ANNIVERSARY OF THE
81ST REGIONAL SUPPORT COM-
MAND

HON. TREY GOWDY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. GOWDY. Mr. Speaker, I include in the RECORD the following Proclamation in honor of the 100th Anniversary of the 81st Regional Support Command located at Fort Jackson, South Carolina:

Whereas, the 81st Division, National Army, was organized at Camp Jackson, South Carolina on August 25, 1917, comprised principally of drafted men from Tennessee and the Carolinas; and

Whereas, the men of the 81st Division served with distinction in the Lorraine and Meuse-Argonne campaigns of World War, and demobilized in June 1919; and

Whereas, the 81st Infantry Division reactivated in 1942 at Camp Rucker, Alabama for World War II service, with drafted men from every state in the United States, serving with distinction in the Palau and Philippine campaigns before inactivation in 1946; and

Whereas, the 81st Infantry Division formed part of the Army Reserve from 1941 to 1965, part of the strategic reserve which deterred the aggression of the Soviet Union and Warsaw Pact; and

Whereas, from 1967 to 1995, the 81st Army Reserve Command (ARCOM) was command headquarters for 9,000 Army Reserve Soldiers in portions of six states, whose soldiers trained and served with merit in Vietnam, Desert Storm, Bosnia and Kosovo; and

Whereas, from 1995 to 2008, the 81st Regional Readiness Command and Support Command was command headquarters for all Army Reserve units in the southeastern United States, successfully mobilizing more than 28,000 Soldiers in the Global War on Terror; and

Whereas, in 2008 the 81st Regional Support Command returned to its birthplace of Fort Jackson, where it today provides facilities and services to Soldiers, Families and Civilians in the southeastern United States. Be it

Resolved, That we hereby recognize by this resolution the 100th Anniversary of the 81st Regional Support Command of the United States Army Reserve, and the selfless service and sacrifices made by the citizen-soldiers within its ranks in the defense of our nation and our cherished freedoms and liberties, and pay homage to those citizen-soldiers upon this memorable occasion. Be it further

Resolved that a copy of this resolution be forwarded to Major General Arlan M. DeBlieck, Commanding General of the 81st Regional Support Command, at Fort Jackson, South Carolina.

CONGRATULATING BOB
HENDERSON

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Bob Henderson on being elected Commander of the Illinois American Legion, the nation's largest wartime veteran's service organization.

Mr. Henderson grew up in Central Illinois and served in the United States Navy from 1961–1965. He has been a member of the American Legion since 1967. He became Post Commander in his hometown of Homer in 1977, and later Adjutant and Finance Officer in Urbana in 1998.

Having completed electrician training in the Navy, Mr. Henderson continued to work in the profession after his discharge until his retirement in 2005, when he became further involved in the American Legion. He served as Department Historian before being elected as District Commander in 2010 and was elected as Senior Vice Commander for the Illinois Department in 2016. Last year, he was elected to serve as the Commander for the Illinois Department for 2017–2018.

Mr. Henderson is a remarkable example of a dedicated public servant. I am proud of his accomplishments and thankful for his service to our country. It is an honor to represent him in the 13th District of Illinois.

Mr. Henderson will be a strong leader for the American Legion and I wish him the best in serving his fellow servicemembers.

CONGRATULATING THE ARBOR
CREEK MIDDLE SCHOOL BAND

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate the Arbor Creek Middle School Band of Lewisville Independent School District on being selected to perform in the 71st Annual Midwest Clinic International Band and Orchestra Conference in Chicago, Illinois.

The Arbor Creek Band, directed by Mr. Rylon Guidry, has been recognized as one of the premiere middle school band programs in the state of Texas. Among their numerous honors, Arbor Creek's band has won the Foundation for Music Education's Mark of Excellence: National Wind Band Honors Contest on three occasions, was first runner-up in the 2016–2017 Texas Music Educators Association's Honor Band State Contest, and receives the University Interscholastic League Sweepstakes Award on a yearly basis.

This December, the Arbor Creek Band will perform at the Midwest Clinic in Chicago as one of only four middle school bands across the world chosen as an official performance group. This incredible honor is a testament to the hard work and dedication of these students.

The following musicians will represent Arbor Creek Middle School this December at the 71st Annual Midwest Clinic: Bailey Arrington, Ana Jones, Veronica Juarez, Larissa Kim, Nandita Kumar, Nancy Liu, Kaitlin Lutz, Hannah Mathai, Suhani Rana, Phil Tran, D'Marco DeLeon, Lillian Mulupi, Makayla Newell, Reagan Reasonover, Skylar Bohlman, Caroline Burrow, Tatum Gray, Olivia McClenaghan, Tessa Boyce, George Cardozo.

Dana Gingrey, Sarah Hurtado, Caeli Hwang, Brianna Kirkman, Marissa Kouba, Michelle Lee, Justin Sifonte, Sean Simpson, Kamarion Hooks, Logan Stewart, Jaden Coleman, Spencer Griffin, Natalie Helmick, Aaron Martinez, Leia Phillips, Aditya Subramaniam, Gavin Dirks, Aden Robinson, Aidan Roark, Barrett Adams.

Richard Boudreau, Andrew Degan, Parker Guerry, Casey Ivanoff, Kaili Mancha, Joseph Miller, Lela Oliveira, Lily Rainey, Eloy Trevino, David Vazquez, Joel Weber, Ian Wright, Srushti S. Agashe, Weslyn Brown, Christopher Calltharp, Elayna Felder, Hudson Marr, Jamie Pina, Brendan Schmidt, Michelle Waida, Chance Akin, Ian Boggs.

Dylan Castillo, Malik Hamza, Aidan Lester, Jayden Mitchell, Matthew Mussell, Lance Wood, Garrett Baker, Trevor Hoffman, Grace McClenaghan, Adam Ronderos, Lucas Wittrup, Ryan Alonzo, Zachary Schroer, Neel Vavilapalli, Kyler Beck, Lauren Bond, Trace

Downey, Parker Freeburg, Nhat-Tam Nguyen, Colby Petty, Alexander Walters, Ethan Watson, and Esther Yoo.

Mr. Speaker, I am honored to recognize these outstanding young musicians and congratulate them on this monumental achievement. I ask all my distinguished colleagues to join me in congratulating the Arbor Creek Middle School Band on its selection to perform in the 71st Annual Midwest Clinic International Band and Orchestra Conference.

HONORING THE LIFE OF
BATTALION CHIEF GARY HELMING

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today to honor the life and service of Los Padres National Forest Santa Lucia Ranger District Battalion Chief Gary Helming. Chief Helming lost his life on August 31, 2017 while returning home from fighting a wildfire in the Sierra National Forest in Mariposa County.

I am deeply saddened to have learned of Chief Helming's death. After courageously serving as a firefighter for more than 20 years with the United States Forest Service, this is a heavy loss for our community and the many lives he touched.

His valiant work and leadership as an emergency first responder in Santa Barbara County is among the finest in the county and he was recognized as the Santa Maria Elks Lodge Firefighter of the Year.

Firefighters, like Gary Helming, are selfless heroes who put their lives on the front lines to protect our communities.

I had the honor of meeting Chief Helming this past July when he loaned me his boots and we toured the damage done by the Alamo and Whittier fires in the Central Coast. It was a true privilege to see firsthand Chief Helming's service and dedication to his community.

In addition to his service with the U.S. Forest Service, Gary Helming was a beloved father, husband and friend. At 47 years old, he is survived by his wife, Andrea, and their three children, Riley, Walker, and Nalani. His service and sacrifice to his community will not be forgotten.

ASSISTANT CHIEF TIMOTHY W.
TOMPKINS RETIRES FROM THE
CALIFORNIA HIGHWAY PATROL

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding law enforcement career of Timothy W. Tompkins, who will retire from his position as the Assistant Chief of Protective Services Division for the California Highway Patrol on September 30, 2017. Born and raised in Minnesota, Assistant Chief Tompkins graduated from the California Highway Patrol Academy in 1989.

Assistant Chief Tompkins served in a variety of capacities during his career, including Field Training Officer, Drug Recognition Expert, Special Response Team Commander, and member of the Governor's Protective Detail. Most notable for me was the time he spent as the Area Commander for the Morongo Basin, a region that I call home. Assistant Chief Tompkins was an integral part of our community and represented the highest values of the California Highway Patrol.

On behalf of the U.S. House of Representatives, I would like to thank Assistant Chief Tompkins for his 29 years of service to the citizens of California. His professionalism and dedication to the profession of law enforcement reflects great credit upon himself and the California Highway Patrol.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes Tuesday, September 5, 2017. Had I been present, I would have voted Yea on Roll Call votes 439 and 440.

HONORING JENNIFER LOUISE STENGER MARINACE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Jennifer Louise Stenger Marinace, upon the occasion of receiving her award of Napa County Teacher of the Year for 2018.

Ms. Marinace was born in Oakland, California and raised in Santa Rosa, California by her parents George and Patricia. She received her Bachelor of Arts degree in Liberal Studies with an emphasis in Teaching from Humboldt State University. She continued her education at Boston College, where she received her Masters of Arts degree in Curriculum, Instruction and Administration. Ms. Marinace lives in Santa Rosa with her husband, Bruce, and her children, Katherine and John.

Ms. Marinace began her teaching career in 2003 at Robert Louis Stevenson Middle School in St. Helena, California, where she continues to teach today. She has taught classes in English, Drama and Journalism. She also coordinates the Advanced Via Individual Determination (AVID) Program, which prepares first generation college applicants to transition into higher education. Ms. Marinace brings art and community service into her classroom with the ArtSpring program.

In addition to being an excellent teacher, Ms. Marinace is a dedicated leader and compassionate mentor. She is a member of the Napa County Reads Committee, the Superintendent's Cross-Cultural Committee, and the School Site Council. She is a founding advisor

for the Unity Club, which works toward a more accepting educational environment for all people. Ms. Marinace fundraises for and leads the school's annual Washington, D.C. trip for eighth graders. She was honored as the St. Helena Public Schools Foundation Teacher of the Year in 2006 and received the American Literacy Corporation's Outstanding Contributions to Literacy in 2008.

Mr. Speaker, Napa County Schools has awarded Jennifer Louise Stenger Marinace with the Napa County Teacher of the Year Award for 2018. She is Napa County's Nominee for California State Teacher of the Year. I am proud to have such an educator in our District. It is therefore fitting and proper that we honor her here today.

EARL WARDLOW

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor the life and legacy of the late Mr. Earl Wardlow of the Borough of Lawnside in New Jersey's First Congressional District—a U.S. military veteran, father and devoted community leader.

Earl Wardlow was born September 23, 1940 to the late Mrs. Horstein Wardlow and Otheel "Pip" Wardlow in Oakland, Kentucky. He was educated in the Bowling Green Public School System, graduated high school in 1958, and enlisted in United States Navy in 1960. He served our country with distinction for four years.

In 1965, Mr. Wardlow married Mary Ann Haskins in Boston, Massachusetts. The Wardlows would welcome two daughters into the world, and ultimately relocate to the historic Borough of Lawnside, New Jersey in 1971 where the Wardlows would establish themselves as a family committed to public service.

After attending Camden County College and the former Glassboro State College, Mr. Wardlow started a 30 year career commitment to Public Service Electric & Gas Company.

Mr. Wardlow would stay active in his retirement, driving local students to school for a transportation company.

Mr. Wardlow's many contributions to his beloved community of Lawnside include serving on the following: committee for the Borough's Fourth of July festivities, Zoning Board Officer, Lawnside Board of Adjustments, Board Member of Mt. Peace Cemetery, and Lawnside Town Watch.

Mr. Wardlow, affectionately known as "Pop Pop" to his relatives, leaves behind his beloved wife, the Honorable Mary Ann Wardlow, Mayor of Lawnside, as well as daughters, grandchildren extended family, and a grateful community.

I ask you to join me honoring the memory of Earl Wardlow for his service to our country and his remarkable commitment to the community of Lawnside, New Jersey.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted Yea on Roll Call No. 439, and Yea on Roll Call No. 440.

IN RECOGNITION OF SPECIALIST DALE KRIDLO

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the late Specialist Dale Kridlo, who gave his life in defense of his county in Afghanistan. On September 24, 2017, the Fort Jenkins Bridge in Pittston, Pennsylvania will be renamed in honor of Dale.

Dale was born on March 27, 1977 to Albert Kridlo and Michelle Shymanski Dale in Scranton, Pennsylvania. He was a graduate of Pittston Area High School and a former member of Holy Rosary Church in Duryea. Before enlisting in the Army, he worked as a local painting contractor. Specialist Kridlo was assigned to the 27th Engineer Battalion, 20th Engineer Brigade, 18th Airborne Corps in Fort Bragg, North Carolina.

On November 7, 2010, Specialist Kridlo died serving in support of Operation Enduring Freedom. Specialist Kridlo sustained wounds from small arms fire when his unit was attacked in Afghanistan's Kunar Province. For his military service, Specialist Kridlo was posthumously awarded the Bronze Star Medal and the Purple Heart. Today, he rests in Arlington National Cemetery in Virginia.

It is an honor to recognize Specialist Dale Kridlo. I am deeply grateful to him and all our brave men and women who have made the ultimate sacrifice for our country. May we never forget the cost Dale bore on our behalf.

HONORING DR. PAMELA STATON OF MARSHALL UNIVERSITY

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the hard work of Dr. Pamela Staton of Marshall University in Huntington, West Virginia. Dr. Staton has played a major role in the success of Marshall University's Forensic Science Center, which has repeatedly been named the nation's best Forensic Science Program.

Dr. Pamela Staton joined the Forensic Science Program in 2002, and leads the Bacterial Source Tracking Research Project at the Robert C. Byrd Biotechnology Center. Her invaluable experience as the Forensic Science Center's program administrator and chief academic advisor for its graduate students has

contributed greatly to the program's reputation and plays a central role in its success. Dr. Staton's contributions to the Huntington community and West Virginia are invaluable, and I wish her the best of luck on her retirement. I know she will always be a part of the Marshall University family and look forward to seeing all the great things she achieves in the future.

PEER-REVIEWED PROSTATE CANCER RESEARCH IN THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

HON. DARREN SOTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. SOTO. Mr. Speaker, Soto amendment, Soto number 20 to Division A, the Department of Defense Appropriations Act, 2018, moved \$10 million from the Operation and Maintenance, Defense-Wide account to the Defense Health Program's Peer-Reviewed Prostate Cancer Research Program.

Prostate cancer is the most commonly diagnosed cancer in men and is the second most common cause of male death. In 2017, approximately 161,360 men in the U.S. will be diagnosed with prostate cancer and an estimated 26,730 will die from it.

The Prostate Cancer Research Program is a unique research program in that it prioritizes research that will lead to the elimination of death from prostate cancer while enhancing the well-being of men experiencing the impact of the disease.

I support funding prostate cancer research and thank my colleagues for their support of my amendment.

HONORING DR. JAMES KRUDOP FOR HIS EXCEPTIONAL CONTRIBUTION TO EDUCATION IN THE STATE OF ALABAMA

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mrs. ROBY. Mr. Speaker, I rise today to honor Dr. James D. Krudop, an exceptional Alabamian who has made an enormous contribution to education in the State of Alabama. Dr. Krudop retired from Lurleen B. Wallace Community College in August, after serving there since 1978.

Born and raised in Andalusia, Alabama, Dr. Krudop graduated from Andalusia High School and went on to attain a Bachelor of Science Degree from Auburn University, and both a Master of Arts and Doctor of Philosophy Degree from The University of Alabama.

Dr. Krudop has dedicated his entire professional life to the public education system. Since starting at Lurleen B. Wallace Community College in 1978, Dr. Krudop has served as Dean of Student Affairs, Dean of Students/Administration, Dean of Student Development, Dean of the College, Dean of the College/Sec-

ond-in-Command, President, Vice President and Dean of Administrative and Instructional Services, Vice President and MacArthur Campus Director, Vice President of the Greenville Campus, and Vice President and Director of the Greenville Campus, Interim President.

Dr. Krudop is highly distinguished in his field, having received a number of honor recognitions including the Phi Theta Kappa International Michael Bennett Lifetime Achievement Award, and the Phi Theta Kappa Distinguished Administrator Award.

Dr. Krudop has also attained membership and held leadership positions in an array of professional organizations including the Alabama Community College Association, the Alabama College System Financial Management Association, the Alabama College System Deans of Students Affairs Association, the All Alabama Team Program Committee, and the Alabama College Personnel Association.

Not only has Dr. Krudop shown unwavering dedication to education, but he has faithfully served his community through public service in both the Andalusia and Greenville Area Chambers of Commerce, the L.V. Stabler Memorial Hospital Board of Trustees, the Rotary Clubs of Andalusia and Greenville, the Andalusia Health Services, Inc. Board of Directors, Andalusia First Baptist Church, and Andalusia City Council.

The Alabama Community College System Board of Trustees and the Chancellor of the Alabama Community College System have extended their appreciation to Dr. Krudop for his many years of service to public education by naming him Vice President Emeritus of Lurleen B. Wallace Community College.

Mr. Speaker, it is my privilege to acknowledge Dr. Krudop's impact on his community, the students of Alabama, and to honor him as a distinguished leader in his field.

CONGRATULATIONS TO BOB MCLIMANS OF WNDH ON HIS RETIREMENT

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. LATTA. Mr. Speaker, I rise today to recognize Bob McLimans, a staple of the radio airwaves in Northwest Ohio for more than four decades. Bob has spent 44 years on the air and will be retiring on September 8. In addition to his on-air role, Bob has also served as the General Manager of the Napoleon-Defiance area for iHeart Media for the past 17 years.

In addition to these two jobs, Bob has served as Chair of the Napoleon City Planning Commission for years and is active in his church.

Bob's discussions on-air serve his local community and help bring important information to listeners. In fact, he was selected to the Henry County Ag Hall of Fame for his commitment to agriculture on the radio. He also introduced President Reagan when he campaigned in Deshler during the 1980's.

Every weekday morning, from 5 a.m. to 9 a.m. on 103.1 in Napoleon, you could listen to

Bob discuss the local news, weather, sports, and more.

Mr. Speaker, Northwest Ohio has been fortunate to have someone like Bob McLimans on the airwaves and serving our local communities for the past 44 years. I'd like to congratulate Bob on his retirement and wish him all the best in the years to come.

IN HONOR OF THE 90TH BIRTHDAY OF NEIL KOON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the 90th birthday of Mr. Neil Koon.

Mr. Koon was born on August 08, 1927 in Salem, Alabama and has lived there his whole life. He graduated from Smith Station High School in 1944. He was raised on a dairy farm and continued in the dairy business until the 1950s. He later went in to the timber business and started the Phenix City Realty Business in 1962 and still works there today.

He married Grace 67 years ago and was blessed with three children. He and his wife have been members of the Concord Baptist Church in Salem for 57 years. He was ordained a deacon in 1962 and still serves in that role presently.

Mr. Koon is a charter member of the Smith Station Ruritan Community Organization and the Bleeker Ruritan Club when it was organized in 1982. He is a member emeritus of the State of Alabama Board of Realtors and Phenix City Board of Realtors.

Mr. Speaker, please join me in recognizing the 90th birthday of Mr. Neil Koon.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 7, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 12

9:30 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Eric M. Ueland, of Oregon, to be an Under Secretary (Management), John R. Bass, of New York, to be Ambassador to the Islamic Republic of Afghanistan, and Justin Hicks Siberell, of Maryland, to be Ambassador to the Kingdom of Bahrain, all of the Department of State, and J. Steven Dowd, of Florida, to be United States Director of the African Development Bank.

SD-419

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the Fintech landscape.

SD-538

Committee on Finance

To hold hearings to examine health care, focusing on issues impacting cost and coverage.

SD-215

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine stabilizing premiums and helping individuals in the individual insurance market for 2018, focusing on state flexibility.

SD-430

United States Senate Caucus on International Narcotics Control

To hold hearings to examine adapting United States counternarcotics efforts in Colombia.

SD-226

Joint Economic Committee

To hold hearings to examine the dynamic gains from free digital trade for the United States economy.

LHOB-1100

10:15 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Daniel J. Kaniewski, of Minnesota, to be Deputy Administrator for

National Preparedness, Federal Emergency Management Agency, Department of Homeland Security, and Jonathan H. Pittman, to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, focusing on oversight of fisheries management successes and challenges.

SR-253

Committee on Energy and Natural Resources

Subcommittee on Energy

To hold hearings to examine fostering innovation, focusing on contributions of the Department of Energy's national laboratories.

SD-366

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

SEPTEMBER 13

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine transportation innovation, focusing on automated trucks and our Nation's highways.

SR-253

Committee on Environment and Public Works

To hold hearings to examine expanding and accelerating the deployment and use of carbon capture, utilization, and sequestration.

SD-406

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine the Office of Management and Budget's memo-

randum on the Federal workforce, focusing on OMB's ongoing government-wide reorganization.

SD-342

Committee on the Judiciary

To hold hearings to examine the long-term impact of immigration, focusing on exploring potential reforms to our Nation's guest worker programs and Deferred Action for Childhood Arrivals, and their potential impact on the American economy and local communities.

SD-226

2:30 p.m.

Committee on Indian Affairs

To hold oversight hearings to examine high risk Indian programs, focusing on progress and efforts in addressing Government Accountability Office recommendations.

SD-628

SEPTEMBER 14

9:30 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine nutrition programs, focusing on perspectives for the 2018 Farm Bill.

SH-216

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine stabilizing premiums and helping individuals in the individual insurance market for 2018, focusing on health care stakeholders.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine Federal Communication Commission's Lifeline Program, focusing on a case study of government waste and mismanagement.

SD-342

SENATE—Thursday, September 7, 2017

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the Lord of the Harvest, we acknowledge that only by Your might can we live productive lives.

Inspire our lawmakers in their daily work to labor for Your glory. Give them the desire to please You even with their motives so that their thoughts, words, and deeds will honor You. Keep them from avoiding irksome and unpleasant issues, as they arrange their priorities to accomplish Your purposes.

Lord, guide them in the paths of justice and cooperation as understanding and forbearance prevail among them.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 7, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. STRANGE). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S.J. RES. 49

Mr. MCCONNELL. Mr. President, I understand there is a joint resolution

at the desk that is due a second reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the second time.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 49) condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017, in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

Mr. MCCONNELL. In order to place the joint resolution on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the joint resolution will be placed on the calendar.

HURRICANE HARVEY DISASTER RELIEF, FUNDING THE GOVERNMENT, AND PREVENTING A DEFAULT

Mr. MCCONNELL. Now, Mr. President, at the outset of the week, I outlined three issues we needed to address immediately: provide resources for Hurricane Harvey and Hurricane Irma preparedness, ensure that the government remains funded, and ensure that a default is prevented so the emergency resources I mentioned can actually get to Americans who need them.

That is what the legislation I filed cloture on yesterday achieves, and it achieves it all together in one package. It will provide certainty and stability for first responders, State officials, and the many others involved in preparing for and recovering from these storms with critically needed emergency resources that will not be interrupted by the prospect of a shutdown or default. The recovery effort for a record-setting storm like Harvey has strained resources to the limit already. The advance of another historic storm now makes the need for action even more urgent, so let's work together and act on this legislation very quickly.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, until 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to amend my previous consent request that it will be debate only, with Senators permitted to speak therein for up to 10 minutes each until 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now be in a period of morning business until 11 a.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each.

EXPRESSING THE SENSE OF THE SENATE THAT JOSEPH LEON GEORGE SHOULD BE HONORED FOR HEROISM AT PEARL HARBOR, HAWAII, ON DECEMBER 7, 1941

Mr. FLAKE. Mr. President, last month I spoke here about an amazing story I was told when I had the opportunity to host several veterans who survived the sinking of the USS *Arizona* during the attack on Pearl Harbor. They recalled to me the incredible story of a true American hero named Joe George, and I would like to briefly remind everyone of that story now.

On December 7, 1941, Joe was a 26-year-old boatswain's mate second class aboard the repair ship USS *Vestal* in Pearl Harbor, HI. That morning, the *Vestal* was moored alongside the USS *Arizona*.

At 7:48 a.m., many sailors, including Joe, had just finished their breakfast when the Imperial Japanese Navy Air Service attacked Pearl Harbor.

As we know, the *Arizona* suffered a direct hit by a Japanese bomb that detonated in the ship's powder magazine. The resulting explosion sank the ship and claimed the lives of 1,177 servicemen.

During this unimaginable chaos and carnage, Joe George displayed stunning composure and courage. Joe spotted six sailors trapped in the control tower of the sinking USS *Arizona*. These men were severely burned and were searching for a way to safety.

Those six wounded sailors were Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate Second Class Alvin Dwork, Seaman First Class Donald Stratton, and Fire Controlman Third Class Lauren Bruner.

Upon seeing these men, Joe threw a heaving line between the *Vestal* and the *Arizona* to rescue the wounded soldiers from the sinking ship. Suspended 40 feet in the air, the six sailors climbed 70 feet hand-over-hand across the rope to safety on board the *Vestal*. These sailors did all this while enduring injuries so severe that two would succumb to their wounds in the weeks following the attack. As they struggled across the heavy line, Joe George remained close by, all the while encouraging the men to push on.

The four soldiers who survived their injuries each returned to serve with honor during World War II, and then went on to live long lives. Joe George's legacy of heroism will remain alive forever in the children, grandchildren, and great-grandchildren of the four sailors who survived that infamous day thanks to Joe George's incredible bravery and service.

Joe George was never awarded a medal for his role in the rescue of these six sailors, although his commanding officer commended his courageous actions.

When I met one of the *Arizona* survivors who was rescued by Joe, he told me:

Joe George was never awarded anything for his bravery. He is no longer with us, but I believe in his memory he should be awarded the Navy Cross.

Lauren Bruner was another survivor Joe saved. He said to me:

The six of us would not have survived except for his courage, in spite of being at high risk himself. He fully deserves high commendations for his actions. I feel he should be recognized for this courage and presented the Navy Cross.

In his own words during an interview in 1978, Joe said:

I'll tell you, the only thing I could tell you about that day. . . . My conscience was my guide.

Well, his conscience was that of a hero. We need more people like Joe George in this world.

That is why today I am committed to honoring Joe and why I rise today with the honor and privilege to call for unanimous consent in the adoption of a resolution honoring Joseph Leon George.

Joe passed away in 1996, and it is long overdue that the Senate, the U.S. Navy, and a grateful nation honor the heroism of Boatswain's Mate Second Class Joseph Leon George.

God bless Joe George, whose immense courage and astounding composure serves as an example for the men and women in uniform who follow in his wake. Let us never forget their heroism and sacrifice.

I would like to thank my colleagues Senators GARDNER, LEE, COTTON, MCCASKILL, and BENNET for joining me in this resolution and for helping to ensure its adoption here today.

Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 243.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 243) expressing the sense of the Senate that Joseph Leon George should be honored for heroism at Pearl Harbor, Hawaii, on December 7, 1941.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FLAKE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 243) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 2, 2017, under "Submitted Resolutions.")

Mr. FLAKE. Thank you, Mr. President.

I yield back, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANE IRMA

Mr. NELSON. Mr. President, I am here to give a report on behalf of Flor-

ida to the Senate. Senator RUBIO and I were there all day yesterday in Miami and in other parts of South Florida, and we are preparing for what will be another Andrew.

Andrew was thought to be a category 4, but it actually was a category 5, with winds in excess of 155 miles per hour. Likewise, that is what we have now. I see the leader has come in. I will speak for just a few minutes, then, giving an update.

There are a number of things. I believe the Federal Government is prepared, unlike we were 25 years ago with Hurricane Andrew.

The Federal Government is certainly prepositioning supplies, but look at the situation with regard to FEMA. FEMA is stretched, and of all things, FEMA runs out of money unless we act by tomorrow.

Thus, I left Florida in the middle of the night to come back to make sure that it has my stamp of imprimatur on this legislation.

I am very glad that the majority leader has agreed to double the amount, basically \$7.5 billion for FEMA and another \$7.5 billion for CDBG's, or community development block grants, both of which would be for natural disasters. Because of that, it gives the flexibility to FEMA that some of the money will be used in case Irma hits Florida. But there is also the fact that Irma has already devastated our fellow U.S. citizens in the Virgin Islands, as well as Puerto Rico. So as to this package, it is essential that we pass this legislation and pass it quickly, and especially pass it before tomorrow.

There are some needs that need to be called to the attention of FEMA. I have emailed yesterday to the Administrator of FEMA Brock Long. People are trying to get out, but they are stuck on the roads, and now they are running out of gasoline.

Looking at the pictures on anything going north out of Florida, the roads are jammed. The interstates and the turnpike are jammed. The phenomenon that is occurring is that people need gasoline and they are running out on the road, which adds all the more to the chaos. They are going to the gasoline stations and the gas stations are running out of gasoline. So I made an urgent plea yesterday, and I would make that to FEMA again, that we get gasoline into the State of Florida and down into the peninsula, so as the evacuation orders come along the coast, as the hurricane gets closer and closer, people will be able to flee.

This is an unusual one. Usually, we will see the tracks from the National Hurricane Center move around. Basically, the track of what is expected from the National Hurricane Center has stayed fairly steady for last 36 hours.

We will get our next update at 11 this morning, but it will hit South Florida

somewhere in the Miami area, and it will go right up the coast. It will go on up the coast of Georgia, South Carolina, and into North Carolina. That is a massive population along the eastern seaboard of the United States.

Finally, I would state that, as we consider this package, which I think we will pass, I want the Senate to be forewarned that this \$15 billion package is only temporary. It will probably only take us through mid-October, at the most. With the massive number of requirements in Texas, and add to that at least that much, if not more, for the eastern seaboard, particularly with not only water damage but wind damage that is being done and the destruction of the residences and people being homeless, what we have seen in Texas, unfortunately, with the terrible things that have happened there, that could almost be so overwhelmed by what could happen in Florida.

I urge the Senate—I implore the Senate, and I beg the Senate—to pass this package while recognizing that there is going to have to be a lot more to come.

Finally, congratulations to the minority leader, the Democratic leader. I think of him as the majority leader. My congratulations to him. He is a consummate dealmaker, and I say that in the best sense of the word because, absolutely, that is what the American people want us to do. They want us to get together in a bipartisan way to get things done—to build bipartisan consensus to get results. Senator SCHUMER, the Democratic leader, has done that, and he has done it with flying colors.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THANKING THE SENATOR FROM FLORIDA

Mr. SCHUMER. Mr. President, first, let me thank my friend from Florida for his kind words.

During these troubled times in the State of Florida—and we hope and pray that Irma will not do too much damage, although signs point in the other direction—the people of Florida could not have a stronger, more effective, more compassionate advocate than the Senator from Florida, Mr. NELSON. He knows how to get things done, and he knows how to inform people about what is going on. He is able to reach across the aisle, in a bipartisan way, to help in all times but, particularly, in times of need.

The people of Florida are lucky to have him as their Senator, particularly at this moment, I would say to my dear friend BILL NELSON.

HURRICANE HARVEY DISASTER RELIEF, THE DEBT CEILING, AND FUNDING THE GOVERNMENT

Mr. SCHUMER. Mr. President, yesterday, the congressional leadership and the President reached a bipartisan deal on three crucial issues: short-term aid for the victims of Hurricane Harvey, the debt ceiling, and government funding.

Alongside the aid package for Texas and Louisiana, the Senate will take up and pass an extension of government funding and the debt ceiling, both to December 15, although that may be modified to December 8, as I understand it. We all agreed to work together to avoid a default in December as well.

This is a good agreement for the American people, and everyone should breathe a huge sigh of relief. This agreement takes the threat of a shutdown and default off the table this month and will help us quickly get resources to FEMA and other agencies that are helping with rescue and recovery in the wake of Harvey and that will, in all likelihood, be needed in the wake of Irma as well.

The Nation has been clamoring for bipartisanship—for the two parties to work together to do the country's business—rather than to engage in needless brinksmanship. Yesterday's agreement was a ray of hope for both parties coming together on the big issues. Also, let it be a ray of hope that both parties can come together to help the Dreamers.

We Democrats have said from the very beginning of this Congress that we are willing to work with our Republican colleagues and the President for the good of the country so long as we do not sacrifice our principles. We have never been for obstruction for obstruction's sake, and we will never be for that. This agreement is a reminder that we do not always have to wait until the eleventh hour—risking shutdown, risking default—in order to compromise and do the right thing. Importantly, this agreement gives Congress a way forward on what are some of the thorniest issues this month, allowing us to move to other vital work.

The 3-month agreement is a compromise. In the past, so many of our colleagues have said: "If the other party is President, we are not going to do anything to help." We did not want to say that. We did not want to say: "It is all on you." We wanted to compromise. A compromise is just that—not dictating what should happen but working together. I give the President credit for understanding that in the Oval Office when Leader PELOSI and I made the compromise suggestion. I thank him for it.

DREAM ACT AND OTHER WORK BEFORE THE SENATE

Mr. SCHUMER. Mr. President, since President Trump's decision to end DACA on Tuesday, it is absolutely necessary that Congress move forward to pass a clean Dream Act while 800,000 Dreamers anxiously await action by this Congress. There is no reason to wait. Let's put a clean Dream Act on the floor, which I believe would pass by a significant margin, and tell these hard-working Dreamers that they belong in this country, too—the country they want to be part of desperately. If the majority leader and Speaker do not offer a clean Dream Act, we Democrats will find other legislative vehicles to attach it to until it passes.

Let me say this. I spoke once again to the President this morning. He called and said that he wanted to help with the Dream Act. There are many ways to help, and here are two. One is to persuade other Republican Senators to cosponsor the bill that has been introduced by Senators DURBIN and GRAHAM. We now have four Republican cosponsors, and we need more. There are many in the Senate who seem to be sympathetic to the Dream Act. Maybe the President can help them get to cosponsor. The second is to urge my friend, the Republican leader from Kentucky, and the Speaker of the House, Mr. RYAN, to put the Dream Act on the floor ASAP. We can get this done and get it done quickly. We can end the anguish of so many Americans and make sure that our economy continues to move forward so that it is not needlessly ripped apart.

There is other work that we have to do in healthcare to shore up the marketplaces, particularly by guaranteeing the cost reduction programs. Discussions in the HELP Committee between my good friend, Chairman ALEXANDER, and our great ranking member, PATTY MURRAY, are proceeding in a bipartisan way in, perhaps, the new spirit of the moment—maybe longer than a moment, we hope and pray. I am hopeful that the full Senate, this month, will be able to take up and consider bipartisan legislation that emerges from the committee in order to stabilize and improve our healthcare system.

In a similar vein, we must consider a multiyear reauthorization of CHIP, the Children's Health Insurance Program. Chairman HATCH and Ranking Member WYDEN—again, in a bipartisan action—are having a hearing on CHIP today in the Finance Committee, and that should be another matter of immediate priority for this Senate.

Of course, as the people of Florida brace for Hurricane Irma, and the people of Puerto Rico and the U.S. Virgin Islands have gone through it now, the Senate must be prepared to quickly respond to that storm just as we are doing with Harvey. We also have to

take into account some of the other disasters that are occurring in States like Washington, Oregon, California, and Montana. Wildfires are raging out of control. They, too, will need disaster assistance. Because of the immediate and strong impact of Harvey and, it seems, Irma, we should not forget that our friends in the West will need disaster relief and will need it soon as well.

The deal we reached with Republican leaders and President Trump yesterday will allow Congress to work on all of these important items this month and in the following months without there being a looming specter of a shutdown or default on our debt. It should help to bring both sides together to, ultimately, get another deal on sequester relief, lower healthcare premiums, the Dreamers, and many other items in December. That is good for this Congress, and that is good for the American people—a ray of hope, as I said.

The majority leader has already filed cloture on this package. I hope that we can proceed quickly—hopefully, today—to ensure its passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

DACA

Mr. CARDIN. Mr. President, I take this time to share with my colleagues a meeting that I had last Thursday in Montgomery County, MD, with CASA de Maryland. We put together a roundtable discussion to talk about immigration and the need for immigration reform and the concerns we had about the current status of people who are concerned about what is happening with immigration enforcement. That was before the President had made his announcement on terminating the DACA Program, which is the program that provides relief for the Dreamers—those who have been in this country for a long period of time and know only America as their home.

I must tell you that, at that discussion I had last Thursday in Montgomery County, MD, the fear of uncertainty was clear to me. I talked to many families who were concerned about how the Trump administration was enforcing our current laws, what would be the resolution of the temporary protective status, TPS, under which people are here legally, and I had a chance to see firsthand some of the Dreamers who are here under the protection of the DACA Program.

It was very clear to me that what the people in that meeting were looking for was leadership in Washington that recognized that it is in our national interest for us to provide the type of legal protection to these individuals who have made America their home—who took the risk to come here for a better life for their families.

These individuals came to this country—the Dreamers, who are the children, particularly—when they came with their parents. It was the parents' decision to try to find a better life for their children. They know only America as their country. They do not know the countries from which they have come. America is their own home. They have helped to build this great Nation. They have attended our schools. They have joined our military. They have joined our workforce. They are, truly, the future of America.

The DACA Program, which recently celebrated its fifth anniversary, provided protection for these Dreamers against their arbitrary removal. It applied only to those who had come to this country when they were younger than 16 years of age. They had to have been here before January 2007. They had to have gone through a background check to make sure that they had not violated any of our criminal statutes, and they had to have been enrolled in schools or our military. It was really dealing with young people who were innocent with regard to any of the violations of our immigration laws. It really dealt with individuals who had come to this country and had been part of America.

The DACA Program provided not only protection against their removal but gave them protection in the workforce. They were given documentation so that they could legally work here in the United States and get the protection of our labor laws and not be subjected to an underground economy or the abuses in the workforce that we sometimes see among immigrant families. So 800,000 children have taken advantage of the DACA Program. In my State of Maryland, 10,000 are registered under the DACA Program.

Then came President Trump's decision this past week to terminate the program in 6 months—terminate it now, as far as new DACA registrations—but to terminate this program. That immediately created uncertainty and fear for 800,000 individuals in this country and their families.

President Trump's decision is tragic in three ways. First, it has the potential of ripping families apart—800,000 people here in the United States. It creates uncertainty for those who are currently in the DACA Program. It creates fear as to what tomorrow will bring, and it will drive many of these individuals into the shadows, into the underground, into protecting themselves against the enforcement of removal.

This decision by President Trump is tragic for a second reason. It will hurt our economy. The numbers in Maryland I think are somewhere around one-half of \$1 billion to our State GDP from the Dreamers alone.

The Dreamers are part of our economy. They are adding to our economy.

I got a phone call from one of our major employers in Maryland expressing grave concern about President Trump's decision and the impact it will have on that company and on our economy. These are individuals who have been trained in our schools, who have gone to our colleges, who have served in our military, and who are now adding to the economic strength of America through their employment and their innovation. It makes no sense from the point of view of our economy.

The third reason the President's decision is tragic is one that speaks to the strength of America—what makes America the great Nation it is. Yes, we are proud of those who serve in our military. We know that we have the strongest military in the world, and we are very proud of the way our military protects this country and provides global leadership. Yes, we are very proud of our economy and what it produces and the economic growth it provides for the people in this country and its engagement in the global economy. But what really makes America the unique, strong Nation that it is are our values, including what we stand for, our democratic institutions, the fact that we are the beacon of hope for people all over the world for providing opportunity. People can come to this country with dreams, and those dreams can become reality. That is what America's values are about.

President Trump's decision to end the DACA Program runs afoul of the principles that have made America the great Nation it is—a safe haven for those who are seeking refuge from persecution, a nation that embraces diversity and recognizes diversity as our strength. President Trump's decision to end the DACA Program runs afoul of America's core values. It weakens us as a nation and certainly weakens our ability to lead globally with our values as we present them to the global community.

So, as a result of that decision, what do we need to do? Each one of us needs to stand up and be counted, to speak out about America and what makes this Nation the great Nation it is. Then, collectively, we need to take action to show the American people that we will stand up not just for the Dreamers—and we need to stand up for the Dreamers—but we will also stand up for the values that have made America the great Nation it is.

I support S. 1615, a bipartisan bill that has been introduced by Senator DURBIN and Senator GRAHAM. I thank both of our colleagues for their leadership in bringing that bill forward. That bill will provide protection for the Dreamers and for the DACA Program so that Congress can say: No, Mr. President, we do not want to terminate this program. This program is in our national security interests. This program is why America is the strong Nation that it is. It is not only right for

800,000 people; it is right for all people in this country.

This body showed great leadership a few years ago when we passed comprehensive immigration reform. I am for passing comprehensive immigration reform. Let's take care of and protect the Dreamers, and then let's work together to pass comprehensive immigration reform that we did just a few years ago that was never taken up in the House of Representatives.

Let me close by telling a few stories about Dreamers in Maryland. One story appeared in the Baltimore Sun. It begins:

Jesus Perez doesn't remember much about his journey to the United States two decades ago, beyond his parents using a simple phrase that would change the course of his life: "We're leaving."

Perez was 5 when he left Mexico. He's never been back.

Perez [is] now a 25-year-old research assistant at the Johns Hopkins University in Baltimore.

For Perez, the DACA program was a "relief" that allowed him to come out of the shadows. It also allowed him to take the job at Hopkins, and to get a standard driver's license.

"To now have it in limbo means that you either lose it all, and restart all over again—" Perez said, trailing off. "I'm not going to let that happen. We will win in the end."

I want Mr. Perez to know that we are going to fight here in the U.S. Senate, not just for his ability to remain here in the United States but for what that means for the strength of our country.

Our university community in Maryland has strongly supported the DACA Program. Dr. Loh, president of the University of Maryland, College Park, called the decision "antithetical to the core values" of higher education. He vowed in a letter to students and staff to "continue to identify all avenues available for offering support."

Johns Hopkins University President Ron Daniels and Provost Sunil Kumar reaffirmed the university's support for DACA, saying that Johns Hopkins University students directly impacted by the decision will be given the aid they need to complete their degrees. President Daniels and Provost Kumar said: "The decision on DACA will not deter us from working to ensure that all members of our community can participate fully in our mission—the pursuit of excellence in education, discovery and service to the world."

As President Loh and President Daniels fight on behalf of the DACA children, we need to also let the American people know that we are going to fight for what makes this Nation the great Nation that it is.

The Baltimore Sun also told the story of Monica Perez, who is one of dozens of Dreamers from Maryland who rallied near the White House on Tuesday to protest the decision. The 23-year-old Baltimore woman came to the United States from Mexico when she was 7 years old.

Ms. Perez said DACA "gave us the opportunity to feel safe. We've already been in the shadows for so long." Ms. Perez works for CASA de Maryland. "I'm just scared for my parents, for myself, and for my whole community."

Mr. President, let us do the right thing and immediately extend the DACA Program. These are not 800,000 faceless individuals. I urge all of my colleagues to get to know the Dreamers and to understand their life story. It is heart-wrenching—the courage that they have shown, the obstacles they have overcome. Let's not put obstacles in their way. Let's allow their dreams to be able to come true. Let's stand up and be counted and fight for the Dreamers. Let's work together to protect their status, and then let's work together to fix our broken immigration system. That is our responsibility. This is our opportunity. Let's work together to get this done.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. PETERS. Mr. President, I ask unanimous consent that morning business, for debate only, be extended until 11:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

DACA

Mr. PETERS. Mr. President, I rise today as a proud Michigander, American, and the son of an immigrant. My mother Madeleine grew up in France and met my father Herb when he was serving overseas during World War II. They fell in love, were married, and she had the opportunity to immigrate to the United States where she started a new life with my dad and was proud to become a new citizen of the United States of America.

She worked hard as a nurse's aide and a union steward, and she provided inspiration and opportunity for me and my sisters. And, because the Detroit Tigers don't have a game on TV at this moment, I hope that she is home in Rochester watching me speak right now.

My mother's American experience informs my views on the nearly 7,000 Michiganders who have benefited from the protection of the Deferred Action for Childhood Arrivals Program, known as DACA.

Let's look at the facts. The young men and women known as Dreamers

and who are helped by DACA are students, serve in the military, launch new businesses, create jobs, and boost economic growth. These Dreamers did not choose to come to this country; they were brought here by their parents. They have no meaningful connections to the foreign countries they left as children and often don't even speak the language. They know no home other than the United States of America, and they were raised as Americans.

They have passed extensive background checks, paid fines, and continue to pay taxes, which reduces our budget deficit. They pay into Social Security, which increases its solvency for all Americans.

According to the CATO Institute, deporting the more than 700,000 DACA participants would cost—yes, cost—the Federal Government over \$60 billion and reduce economic growth in this country by \$280 billion over the next decade.

Rescinding DACA is not just cruel and unfair, it is a terrible economic policy and a bad deal for the American taxpayer.

Numbers can only say so much, so I often tell the story of a fellow Michigander, Ola Kaso. Ola is pictured right here. Ola's family came to the United States legally but unsuccessfully seeking asylum in 1998. Ola was only 5 years old when she came to America. After 13 years in the country—13 years—the government attempted to deport her and her mother back to Albania, just weeks before she was set to graduate from high school. Backed by the support of fellow Michiganders, Ola's family was granted a stay of the deportation.

I am proud to report that Ola ultimately graduated as the valedictorian of her high school class. She recently graduated from the University of Michigan and plans to attend medical school. She is a beneficiary of the DACA Program.

Our Nation is facing a doctor shortage—especially in rural areas—and this young woman wants to dedicate her life to caring for others. Deporting Ola makes absolutely no sense whatsoever. As a country that seeks the best and brightest, we should not spend taxpayer dollars to deport contributing members of our society, especially when they were brought here through no fault of their own and when they voluntarily came out of the shadows through DACA.

Let me be clear. I strongly disagree with President Trump's decision to rescind the DACA Program. Congress must provide leadership and help these young people who are giving back to our country. We must provide them with the certainty they deserve and take a positive step forward toward reforming our broken immigration system. We must move beyond the politics of scarcity and division.

The Dreamers are not taking away limited American jobs; they are creating new jobs and growing our economy. They are creating jobs with their own small businesses, helping American entrepreneurs grow their companies as they expand in their communities, and fighting to keep us safe as members of the U.S. Armed Forces. Our Nation needs more innovators, doers, and dreamers, not fewer.

I will fight for Ola and all of the Dreamers who make this country better, stronger, and more prosperous for all Americans—not just because it is good for our bottom line but because it is simply the right thing to do.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANES HARVEY AND IRMA

Mr. CORNYN. Madam President, for better or worse, history repeats itself—sometimes much sooner than we would like. We now know that Florida officials, as well as those up the east coast of the United States, have begun ordering evacuations as Hurricane Irma has intensified into a category 5 storm which could make landfall this weekend.

It is my sincere hope that all residents of Florida will be safe, as well as those in other States affected by Irma, and that they take proper precautions. If there is one thing we learned from Hurricane Harvey, it is the importance of listening to local officials and leaders when it comes to evacuations and precautionary measures. But whatever happens, we are going to stand by the people of Florida and the Carolinas and others affected, just as they have stood by us in Texas and Louisiana as a result of Hurricane Harvey. In the meantime, we pray that Irma's trajectory changes.

Down in Texas, of course, we are still thinking about another hurricane, and that is, of course, Hurricane Harvey. It is hard to believe, but not even 2 weeks have passed since the storm first tore through our towns, great and small. Of course, communities are still reeling from the devastation.

One I visited earlier this week is the Meyerland neighborhood in Houston. It has been flooded three times in 3 years. On Monday, I visited the home of a single mom who survived several recent storms unscathed, but this time, Harvey found her home and destroyed it. There is a pile of debris on her front lawn, ready to be picked up by dump trucks. As a matter of fact, as you drive down the street, house after

house after house, there are piles of furniture, clothing, drywall, and other debris that has been pulled up and discarded and is ready to be picked up by the dump trucks. Throughout the region, there are piles like that stacked up in Rockport, Aransas Pass, Lake Jackson, and West Columbia. As recently as this week, let's remember, some of these places were still under mandatory evacuation orders as the rivers crested and higher waters moved downstream.

But here is my main point: As the rubble piles up and up and up, it is sometimes hard to see past the wreckage of the past weeks. Sometimes it is hard to see beyond what is right in front of you. That is why some simple words by historian David McCullough are good to keep in mind at times like this, as we continue to deal with Harvey's aftermath and worry what might follow with Irma.

McCullough said:

We think we live in difficult, uncertain times. We think we have worries. We think our leaders face difficult decisions. But so it has nearly always been.

He is right. We have been through tough times before. We certainly have been through tough times in storms like Harvey in Texas before. As a matter of fact, back almost a little over a century ago, on September 8, 1900, a hurricane like Harvey—a category 4 hurricane—slammed into the city of Galveston, with winds surpassing 135 miles per hour. Two-thirds of the city was destroyed, and approximately 10,000 people lost their lives—10,000 people. By comparison, so far the death toll of Harvey is 70. So we can be grateful the death toll that was experienced in Galveston was not repeated. Like Galveston, the city of Houston and the surrounding area will recover.

Of course, back in 1900, it took a couple of days for the world to find out what had happened because communication was not what it is now, but when word finally spread, America noticed. One little girl in Chicago sent 10 cents to help because that was all she had—10 cents. Well, that was probably worth a lot more back then than it is now, but it certainly is a lot for a little child. Her story reminds me of a 5-year-old boy in Philadelphia I heard about last week who set up a lemonade stand. Wearing a "Houston Texans" hat, he raised more than \$400 for victims of Hurricane Harvey. How remarkable.

What has changed since Galveston? Quite a bit. One crucial difference is that we have gotten a lot better at disaster prediction and response. As a matter of fact, my State—from the Governor on down to our local officials—plans for disasters like these and anticipates them, and it is that planning which has reduced the loss of life and gotten people out of harm's way.

Houston's \$503 billion economy will hopefully bounce back quickly, and

with our help, it should. The fourth largest city in the country is known for energy, and that is what we here in Washington must devote to ensuring that aid relief is expedited. Supplemental funding to aid the Harvey recovery needs to be voted on promptly. Our friends in the House did it yesterday, and now it will be our turn this afternoon.

The Senate will soon consider legislation that will keep the government's lights on until December 8 and increase the Nation's borrowing capacity. This is important because without lifting the debt limit, we couldn't vote for and send aid to the victims of Harvey because we would be bumping up against the debt ceiling.

More importantly, this afternoon we will consider \$15 billion in new emergency funds. These will be available to Texas families who, like the woman I met in Meyerland, are removing their rugs and furniture and rebuilding the very walls of their homes. These funds include \$7.4 billion to FEMA's Disaster Relief Fund, as well as \$7.4 billion to HUD's Community Development Block Grant Program and \$450 million for the Small Business Administration Disaster Loan Program.

As large as these numbers are, with more than 100,000 people who have actually lost their homes, this is a downpayment, unfortunately, on what will be additional costs that Congress will have to vote on. As a matter of fact, after Hurricane Katrina, Congress voted on seven separate supplemental appropriations before the job was done. As I said, these are large numbers but not in the context of this unprecedented hurricane which dropped 50 inches of rain in 5 days on the city of Houston and the surrounding area. I hope my colleagues will keep in mind the scope of this catastrophe and deliver this funding to those whom Harvey has cost much more than just dollars.

Getting back to the Texas economy, which I mentioned just a second ago, I want to talk about how important it is to get my State back up and running, because it is so important to the U.S. economy.

As columnist Brett Stephens wrote last week, "Economic growth isn't just a matter of parking lots paving over paradise." Companies oftentimes do real, tangible good. What matters for us today is that they underwrite safety standards and fund scientific research, and they develop new technologies to warn us of impending storms and engineer new materials that make buildings more secure. That is probably one of the biggest reasons why the damage from Hurricane Harvey didn't compare to the damage from the Galveston hurricane of 1900—because of building standards, building codes, and new materials that have been devised to help make buildings more secure. That is

why Harvey wasn't like Galveston in 1900, and in the days and weeks ahead, we need to remember how far we have come. That is not to say we still don't have a long way to go.

While the strong Texas economy is crucial to recovery efforts, education will be too. Thousands of Texas schoolchildren have been displaced by Hurricane Harvey, and many public school children are still wondering when their classrooms will be opened, if at all, or whether they will simply be transferred to other schools because their schools literally do not exist anymore.

Yesterday, I spoke with Mike Morath, commissioner of Texas public education, who told me about the many challenges schools in Texas are now facing. For example, an entire school district in Rockport, TX, is closed indefinitely, leaving more than 3,000 students without friends and teachers to go to school with. In the Houston Independent School District, more than 200 schools were affected by the flooding, with at least 50 suffering extensive damage.

Our healthcare facilities are also dealing with other concerns. Bill McKeon, president of the Texas Medical Center—one of the largest medical centers in the world—told us that his employees had problems getting to work due to road closures, debris, and families without homes and vehicles. When your office is in the world's biggest medical complex and employs more than 100,000 people, that is a big problem. It is a big problem, but we are going to deal with it.

Like Galveston in 1900, like New Orleans after Katrina, these storms humble us but provide us the way to show the human spirit and ingenuity that so routinely follows as we rebuild and recover.

Once again, David McCullough's words are useful. He said: "A sense of history is an antidote to self-pity and self-importance."

Colleagues, let's keep in mind those wise words of David McCullough as we weather this storm and brace ourselves for the next.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DONNELLY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREA

Mr. DONNELLY. Madam President, I am here today to urge the White House and the National Security Council to develop and deliver to Congress a clear, comprehensive U.S. strategy to address the urgent threat posed by North Korea's nuclear missile program.

I have submitted an amendment to the National Defense Authorization Act—the annual national defense bill that we will consider soon—requiring that strategy within 90 days, and I hope all of my colleagues will support it when the time comes.

I am honored to colead two Senate panels that have been focused on this threat for years: the Armed Services Subcommittee on Strategic Forces—where I work with my colleague Senator FISCHER to oversee our Nation's nuclear arsenal, missile defense systems, and nuclear nonproliferation programs—and the Banking Subcommittee on National Security and International Trade and Finance, where I work with Senator BEN SASSE to oversee the development and enforcement of U.S. sanctions laws.

In my role on these two panels, I have traveled to South Korea, the DMZ, and China. I have met with U.S. forces and foreign leaders to discuss our challenges and our options for overcoming them. I have worked with colleagues—both Republican and Democratic—to shape legislation to improve our homeland defenses, strengthen our military, and expand our sanctions in response to Kim Jong Un's dangerous behavior. I have sat in dozens of meetings, hearings, and classified briefings on the subject of North Korea's nuclear program and what we can do about it.

Just yesterday, every Member of the Senate had the opportunity to attend one of these briefings and hear from the leaders of the Pentagon, the State Department, and the Intelligence Community about our various efforts against Kim Jong Un. I am sorry to say I walked away from yesterday's briefing with the same concern I had after every briefing on this subject in the past 8 months. We have operational plans for our military and scattered talks among our diplomats, but we need a substantive strategy.

With each passing week—at times, with each passing day—North Korea is making its intentions clear and its progress toward a nuclear-capable ICBM known to the entire world. We see missile tests with growing ranges, warhead tests with growing yields, test shots that fly over the territory of our allies, and threats that target U.S. territories. Kim Jong Un says he wants to shoot a nuclear-armed missile into the U.S. mainland. I take him at his word, as we all should.

In times like this, it is critical every move we make be a deliberate one that moves the ball forward toward the outcome we want, the outcome we need to achieve. We should be doing everything in our power to do that in a way that will not put America's sons and daughters, moms and dads, brothers and sisters who make up our Nation's military in harm's way unnecessarily.

There are more than 20,000 U.S. servicemembers in South Korea. At last

count, more than 300 of them were from my home State of Indiana. Another 40,000 U.S. troops are in Japan and nearly 4,000 on Guam, not to mention the thousands of sailors and marines aboard our vessels at sea in the region.

I have every confidence in the ability of these men and women to defend our Nation, but we owe it to them to make every appropriate effort to end this conflict in a way that doesn't unnecessarily put their lives at risk.

We talk a lot about a whole-of-government effort. That is not what we are seeing right now when it comes to our response to North Korea. I see a Treasury Department that needs to dramatically step up its sanctions enforcement to not just induce pain but to cripple North Korea's ability to progress further on its nuclear program.

I see a diplomatic corps grappling with the top national security priority in the Pacific—bar none—lacking the resources, the guidance, and the backing from Washington to do their jobs. I see a U.S. Embassy in Seoul with no Ambassador. I see a State Department without key positions filled in various areas, including arms control, nonproliferation, and Asian affairs. I see a Defense Department without an Assistant Secretary for Strategy, Plans, and Capabilities—or, for that matter, an Assistant Secretary for Asian and Pacific Security Affairs.

We can do better, and we must do better. This is not a partisan critique. It is not fearmongering. It is not a call to arms. This is my effort to speak on this floor, before my colleagues and the country—a request we have all made to the White House many times. Give us a strategy on North Korea and let our country unite behind it.

The country is looking for leadership on this. The world is looking for leadership. Let's define our objectives based on the best interest and safety of our country and our allies and develop our strategy to achieve it. Let us work together across departments and agencies, across branches of government, and across party lines to get there.

This is way too important to not do that. No more mixed messages. No more bluster. We have to act. We can't afford to waste our efforts in chaos and disarray. We have to continue improving our missile defenses and be prepared to use them to protect our territory, the territory of our allies, and all of our people.

We have to sanction Chinese banks that do business with North Korea. We have to cut off the lifelines of the Kim regime, including oil supplies and foreign currency—not to topple the government but to eliminate their ability to continue down this murderous path.

We have to be doing far more to get our partners in the region to do more— allies and competitors alike—in service

of a goal we all share. There is ample support for all of these efforts in Congress.

Senator FISCHER and I worked together to provide even more funding for missile defense than the President requested because it is so important. Senator SASSE and I have worked together to gather options from some of the Nation's best and brightest minds on how to shape sanctions that could actually impact North Korea's ability to continue their nuclear program, whether Kim Jong Un agrees to it or not.

I believe there will be ample support among our allies—and even our adversaries—around the world if we provide the kind of clear, forceful, and effective leadership America has always been known for in the past.

There is not a nation on Earth that is safer with the existence of North Korea's nuclear weapons program, and that includes North Korea itself. However hard the path forward may be, we can all agree that the status quo is not enough. It is not even close and will not continue to work.

We cannot fix that without a strategy. I am here today asking the administration—once again, reaching out our hand to them—to take that first essential step forward and asking my colleagues to support my amendment to the national defense bill to require the administration to submit a North Korea strategy to Congress within 90 days. We can do this together.

I yield back.

EXTENSION OF MORNING BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that morning business, for debate only, be extended until 12 noon.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. DONNELLY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINDING COMMON GROUND

Mr. HATCH. Mr. President, before we adjourned for the recess, I came to this lectern to issue a call for comity, cooperation, and compromise. My message that day was simple: If we are serious about legislating—if we are truly committed to doing the work the American people sent us here to do—then we must look beyond the horizon of our differences and find common ground.

Since January, this Congress has been its own worst enemy. It has been mired in the muck of its own making, bogged down by partisan squabbles and gripped by gridlock—the likes of which I have never seen in all my years of public service. I wish I could say the situation across the country is better, but sadly it isn't. The polarization we see in the Senate is only indicative of the division we see all around the Nation. The events of August threw that division into sharp relief, but it also showed us our ability to heal—our remarkable capacity to lay aside superficial differences in moments of crisis to come together as one.

In Charlottesville and Houston, August brought us a tale of two cities—one that showed us at once both the weaknesses and strengths of our great country.

In Charlottesville, we saw the worst of America on full display. In the violence, vitriol, and vulgar racism of Nazi demonstrators, we stared evil in the face, and in the terrorist attack that ensued, we saw the ideology of hatred brought to its logical endpoint. None of us will soon forget this attack on innocent civilians. I am sure, in the stagnant human air of that hot summer's day, we caught a glimpse of the darkness buried deep in the soul of America.

Charlottesville was more than a tragic event. It was a gut-check moment for all Americans. It was a national low point that demanded all of us to take stock of where we are as a society and where our rhetoric is taking us.

The men who perpetrated this horrific act of violence—whether by their words or by their actions—represent the dregs of a dying culture, but if the violence in Charlottesville showed America at its worst, then the rescue and recovery efforts in hurricane-ravaged Houston showed our country at its best.

Just 2 weeks after the brutality in Charlottesville, our Nation again watched in horror as Hurricane Harvey made landfall in Texas, unleashing a flood of biblical proportions. Relentless rainfall battered the coast for days, leaving in its wake a trail of destruction and shattered life.

Harvey left behind unprecedented devastation, but it also gave us countless stories of hope and heroism. On national TV, we saw a weatherman rushing to the aid of a stranded driver, pulling the man to safety before the current could take him away. We saw everyday Texans wade in the neck-deep waters to form a human chain, saving the life of a stranger trapped in his car. We watched as three teenage boys navigated the streets of Houston in a fishing boat, driving from house to house to rescue their neighbors as the floodwaters poured in.

These are just a few stories among thousands more. These stories remind

us of the hope and humanity borne of tragedy. They bear testament to the innate goodness of the American people, and they show us that, in moments of crisis, our capacity to come together for the good of our communities is really unparalleled.

Tragedies like those in Houston strip us of all that is superfluous, leaving behind only our common humanity. In the moments of peril that moved tens of thousands of Texans to band together to save their city, considerations of race, religion, class, or creed fell into complete irrelevance. The first responders, volunteers, and Good Samaritans who put their own lives at risk to rescue others served indiscriminately. They took no thought for whom they were helping—what their background or beliefs were. Houston's heroes saw only lives that needed saving, and they went to work.

If there is any good that comes of tragedy, it is that for a brief but beautiful moment, we are able to see each other as we truly are—not as Republicans or Democrats, rich or poor, Black or White, but as members of the same community, partakers of the same human condition and children of the same God. For a brief moment, we are able to see each other as Americans.

I pray that the hope of Houston may inspire all of us here in the Senate. I pray that we may look to the city's example in the work we have before us, setting aside our petty partisan differences to come together for the good of the Nation. I pray that, as Senators, we might see each other as friends and equals, partners and patriots, anxiously engaged in the important work of legislating. I pray that we can esteem each other by our mutual love for this great country, not by the R or D that follows our names.

Now, more than ever, we need strength and unity here in the Senate. The challenges we have before us are enormous. In the next few weeks alone, we need to secure emergency relief funding for the victims of Hurricane Harvey, raise the debt ceiling, fix our broken Tax Code, and find a way forward on immigration reform. Our to-do list just keeps growing.

Each of these items taken on its own is challenging, but taken as a whole, our agenda is daunting. But I truly believe we are up to the task. I truly believe we can step up to the plate, just as the people of Texas did, to tackle the challenges before us.

As I said before we broke for recess, the Senate is capable of so much more. I know because I have seen the Senate at its best. I have seen the Senate when it truly lived up to its reputation as the world's greatest deliberative body. I believe we can again see this body at its best.

My central message today is simple. We can do hard things. I know because

we have done them before. So let's make laws, not excuses. Let's move forward on an agenda that puts the needs of America's families front and center.

This is an important pivotal time in our Nation's history. It is up to us to make that pivotal time an important time, a successful time, and one where we are brought together to work as colleagues, rather than as opponents, which it has been far too much, as far as I am concerned, over the last number of years.

I hope that we can all get together and do a better job for America.

I yield the floor

The PRESIDING OFFICER. The Senator from Pennsylvania.

DACA

Mr. CASEY. Mr. President, I rise today to speak for just a few minutes about the Dreamers in our country, the young people about whom we have had a debate recently and will continue to debate about with regard to the so-called Deferred Action for Childhood Arrivals Program, known by the acronym DACA.

The United States is a proud nation of immigrants, and ending this program does not make sense either morally or in terms of our economy. Rescinding the program will cost the United States jobs. It will hurt our national security, and it is a total betrayal of the trust of the Federal Government.

Dreamers are young people who have lived in our country for a long time, since they were children. They have been law-abiding residents, they have learned English, and they pay taxes. They have secured jobs that support themselves and their families.

Our Government promised them that they would be protected if they came forward, and now the administration is breaking that promise. President Trump's actions with regard to DACA are an insult to America and are an insult to American values. This action is unjust, it is immoral, and it is without regard for basic fairness. Tearing apart the lives of these young people will make our Nation less safe and will harm our economy.

Ending DACA also does not make sense financially. In Pennsylvania alone, estimates are that ending DACA would cost Pennsylvania \$357 million per year in GDP losses. Nationwide, the number is \$460 billion from the GDP over the next decade. Ending DACA would remove approximately 685,000 workers from the U.S. economy. According to the Cato Institute, deporting DACA residents would cost more than \$60 billion. Finally, the Institute on Taxation and Economic Policy estimates that 1.3 million young people enrolled in or eligible for DACA pay some \$2 billion each year in State and local taxes.

Let me just share one story of many about a Dreamer that I met. In this case, it was back in April of this year. I was proud to meet with this individual from Lancaster. Her name is Audrey Lopez. Audrey is one of those Dreamers. She came to the United States as a child with her parents, who were seeking a better life for her and for her family. She grew up in Pennsylvania and graduated from college. The United States is the only home she knows.

When I met Audrey, she was worried about the debate about immigration and immigration policy. The debate that we have been having in Washington mostly since January of this year was causing great fear and uncertainty in her community. Audrey is obviously concerned about the immigration debate and, in particular, what happens with DACA.

She has worked with Church World Services, an organization that helps resettle hundreds of refugees each year in Pennsylvania. They provide services to help new arrivals adjust to their new home and become successful members of their local neighborhoods.

Audrey is now a student at American University, pursuing her master's degree in international development—of course, after getting a college education as well.

This is America. This is who we are as a nation, where young people like Audrey have a chance to work hard and to succeed, to get an education and to contribute to the American economy and to the fabric of our society. We are a country in which hard-working young people who are working to better themselves and their community are given a chance to do so, in a sense, fulfilling or living that dream.

This program, DACA, has allowed almost 800,000 young people whose stories are very similar to Audrey's to grow up and thrive in America. It makes no sense to heartlessly remove Dreamers from a country they call home.

In response to President Trump's decision to end DACA, Congress should move immediately to pass a bipartisan Dream Act. This bill will allow Dreamers to become permanent residents if they meet the very stringent qualifications outlined in the bill. In Pennsylvania alone, 5,900 people have been granted DACA status. Passing the Dream Act will give these people the security they need and a future they can count on. We should be focused on humane and commonsense solutions that keep our Nation safe and allow it to thrive. I was proud to vote for the DREAM Act in 2007 and 2010. I hope we will have a clean vote on the Dream Act very soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 601, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 601, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

Pending:

McConnell motion to concur in the House amendment to the Senate amendment (No. 6) to the bill with McConnell amendment No. 808 (to the House amendment to the Senate amendment (No. 6) to the bill), in the nature of a substitute.

McConnell amendment No. 809 (to amendment No. 808), to change the enactment date.

MOTION TO REFER WITH AMENDMENT NO. 816

Mr. McCONNELL. Madam President, I move to refer the House message on H.R. 601 to the Committee on Appropriations with instructions to report back forthwith with the Paul amendment No. 816.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to refer the House message to accompany H.R. 601 to the Committee on Appropriations with instructions to report the same back forthwith to the Senate with an amendment numbered 816.

The amendment is as follows:

At the end add the following:

Notwithstanding any other provision in this Act:

(1) no supplemental appropriation shall be made to the "Community Development Fund";

(2) the "Disaster Relief Fund" shall be increased by \$7,400,000,000,

(3) \$15,250,000,000 of unobligated funds previously made available to the United States Agency for International Development shall be rescinded; and

(4) The emergency designations in Division B in this Act shall have no force or effect.

Mr. McCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 817

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 817 to the instructions of the motion to refer.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end add the following.

“This Act shall take effect 2 days after the date of enactment.”

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 818 TO AMENDMENT NO. 817

Mr. MCCONNELL. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 818 to amendment No. 817.

The amendment is as follows:

Strike “2” and insert “3”

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, like all of us, I would like to join with our fellow citizens and colleagues in expressing our deep condolences to the victims of Hurricane Harvey. All Americans stand with the people of Texas who have been devastated by this terrible storm as they work to recover and rebuild their communities.

My thoughts and prayers are also with the people of Florida as they prepare for Hurricane Irma. I urge everyone in the path of this horrible storm to pay attention to instructions from local officials to stay safe.

In the aftermath of Hurricane Harvey, I am pleased that the legislation before us includes \$15 billion in emergency funding to help the people of Texas put their lives back together. Congress should and must provide this needed relief.

In due time, if the devastation of Irma is anywhere near as bad as pre-

dicted, obviously I and others will support sending Federal funding to assist the people of Florida with recovery. That is clearly a requirement and function of government.

Madam President, I also support increasing the debt ceiling as a necessary way to prevent default on our government debt. However, I cannot in good conscience support those very important pieces of this legislation if it also means supporting a continuing resolution.

I have come to this floor many times to talk about the harmful effects of continuing resolutions on our military. Year after year, we have lurched from one short-term fix to another without doing the hard work of governing and budgeting. And year after year, I have reminded my colleagues that continuing resolutions are not only no way to fund the government, they inflict great harm upon those Americans we are constitutionally obliged to provide for, and that is our men and women in uniform.

Our defense leaders have also sounded the alarm. For the last several years, our senior military and civilian leaders have come to the Senate Armed Services Committee and asked for the same thing: that Congress provide stable, predictable funding and that we provide it on time. Is that a lot to ask, stable and predictable funding, and providing it on time?

In testimony before the Senate Armed Services Committee this year, Secretary Mattis pointed out that “during nine of the past ten years, Congress has enacted 30 separate Continuing Resolutions to fund the Department of Defense, thus inhibiting our readiness and adaptation to new challenges.” He asked Congress to “pass a FY 2018 budget in a timely manner to avoid yet another harmful Continuing Resolution.”

Let me explain. A continuing resolution just continues and continues at previous years’ levels. I will talk about some of the impacts continuing resolutions have had.

The Chairman of our Joint Chiefs of Staff, General Dunford, also stated that “without sustained, sufficient, and predictable funding, I assess that within 5 years we will lose our ability to project power; the basis of how we defend the homeland, advance U.S. interests, and meet our alliance commitments.”

My friends and colleagues, that doesn’t come from Senator JOHN MCCAIN, it comes from the Chairman of the Joint Chiefs of Staff that without predictable funding, within 5 years, we will lose our ability to project power, the basis of how we defend the homeland, et cetera.

I shouldn’t have to remind everyone that threats are on the rise around the world. Global terrorist networks, increasing great power competition with

Russia and China, malign Iranian influence spreading across the Middle East, a North Korean dictator racing to acquire missiles that can hit the United States with nuclear weapons—the threats to our national security have not been more complex or daunting than at any time in the past seven decades.

Let us not forget that we are a nation at war. There are brave young men and women serving in Afghanistan, Iraq, and other places. We must always ask ourselves, are we really doing all we can to support them?

There is no point to discussing our strategy for Afghanistan or North Korea or ISIS or any of the other myriad of threats we are currently facing if we are simply going to fund the military through a continuing resolution.

My friends, the state of our military is dire. The overwhelming majority of our forces are not fit for combat in the near term. Three out of our fifty-nine Army brigades are combat-ready. Four of sixty-four Air Force squadrons are ready to “fight tonight”—that means fully combat ready. Fewer than half of the Marine and Navy planes are ready for combat. The Air Force has a pilot shortfall of 1,500, 1,000 of whom are fighter pilots. The Navy has a maintenance backlog of 5.4 million man-days scheduled for 2017.

The hard truth is, our military is declining. The President of the United States campaigned with a full commitment of rebuilding our military. If we do a continuing resolution, we are not only not rebuilding our military, we are harming our military.

The hard truth is, the military is declining. For evidence of this, we need look no further than all the headlines about ship collisions and aviation accidents during peacetime training operations—incidents that have tragically taken the lives of dozens of our brave men and women in uniform. The incident involving USS *McCain*, which killed 10 young sailors, is only the latest example.

So how did we get here? How did we get into this position? Uncertain budgets that are consistently late. Continuing to increase the operational tempo for our military despite not having sufficient money to pay for it. Making cuts elsewhere to stay afloat, like training and maintenance. And we are about to do the same thing. Apparently, watching as young men and women die for entirely avoidable reasons seems not to be enough for us to change.

To be sure, while the budget alone will not fix all of the underlying causes of the recent incidents, the military cannot improve without timely and growing budgets. Yet that is exactly what a CR—a continuing resolution—will not provide. A continuing resolution will lock the Department of Defense into last year’s funding levels, it

will prevent them from reprogramming funding to meet emerging needs, and it will prohibit the start of new programs to modernize for future threats. Perhaps worst of all, a continuing resolution will mandate a level of spending \$52 billion less than the President's budget request.

The military cannot fix its readiness problems without more funding. The military cannot grow its forces to meet the expanding requirements of a global threat environment under a continuing resolution. A continuing resolution will not allow our military to modernize its forces to ensure we maintain our strategic advantage over our competitors.

While the President and this Congress understand that the military does have a need for additional funding to rebuild the military, we are asking them to keep treading water for 3 months for no reason whatsoever. A continuing resolution is a crutch we rely on when we cannot pass actual appropriations bills. It is a temporary solution to avoid the worst possible outcome—a Federal shutdown—and to allow us more time to reach a solution for funding the government.

The majority of us can agree that passing continuing resolutions is not the proper way of funding government. Congress cannot perform oversight by passing continuing resolutions. The Federal Government cannot execute effectively or efficiently when locked into last year's funding bills. Having to pass a continuing resolution, by all accounts, is a failure by the Congress of the United States to fund the Federal Government.

I understand the need to use these from time to time as bipartisan spending agreements are not always easy to come by. What I do not understand is why we are voting on a continuing resolution 3 weeks before the actual start of the next year without having spent any time in the Senate on actually trying to pass an appropriations bill or negotiating a bipartisan budget agreement. How is it that we are voting on a continuing resolution—a mechanism of last resort—before we have even made a single attempt at funding the government?

There has been no discussion of a bipartisan budget deal. There has not even been a fiscal year 2018 budget resolution. We have not called up a single 2018 appropriations bill—not a single one for 2018. Quite simply, we have not been doing our jobs. If we are going to call ourselves the world's greatest deliberative body, we have to do one heck of a lot better. We have 3 weeks before we need to pass fiscal year 2018 funding. Why have we given up before having even tried? We could be spending this month debating a bipartisan budget deal we all know we will now need to pass in December.

Attaching emergency funding for hurricane relief to a must-pass con-

tinuing resolution and debt limit increase is irresponsible and a dereliction of our most routine duties. It is the result of yet another self-inflicted—I repeat, self-inflicted—crisis. Instead of returning to the regular order by moving individual spending bills to fund our government and our national security priorities, with ample time for debate and amendments, we are shirking our responsibilities and kicking the can down the road. All of us are responsible for the detriment to the men and women serving in our military during a time of incredible global uncertainty.

I would like to vote to provide assistance to the people of Texas. I cannot vote for another continuing resolution that will harm our men and women in uniform. Quite often, I go to where we have conflicts—Iraq, Afghanistan, Pakistan, and other countries in the region. I can tell you that these young men and women who are serving in uniform, under difficult and challenging circumstances, are not being provided with the support, the weapons, the strategy, or, most of all, the funding that is necessary.

Yes, we have been in this conflict for many years. The main reason the conflict is not over is, we never had a strategy by which to win. Now we have a national security team that has a strategy to win, but they cannot do it without the tools they need to win but also do their best to protect the lives of these young men and women who are literally placing their lives on the line.

Meanwhile, what do we do? We decide that by December 15, maybe we will take up a continuing resolution. We may take certain action. Meanwhile, we are not providing the men and women in the military with what they need not only to win but to do everything we can to ensure that we have provided them with every possible means of protecting their own health and welfare.

I say to my colleagues, we have seen this movie before. We are lurching down the road to December 15—December 8, I think it has been changed to now—when everybody will be eager to get out of town and go home for one's undeserved Christmas holiday break. The point is, today we should be taking up the budget, taking up our appropriations bills, and moving forward. If people want to block it, fine. Then let's stay in tonight. Let's stay in on Friday and Saturday and Sunday. Let's do something really unusual. The men and women who are serving over there, whom we are supposed to be taking care of, do not leave on Thursday afternoon and go back on Monday. They are out there, putting themselves on the line for us every single hour of every single day, and they deserve a lot better than what they are getting from this administration and this Congress, where the Republican Party has the majority.

I urge my colleagues again, Why don't we sit down? Why don't we move forward with these appropriations bills? Why don't we take care of the men and women who are serving? There are so many things we can do for them and for the country that we are not doing today. I urge my colleagues to sit down together, and let's move forward because the American people deserve it, and our oath of office makes it incumbent on us to practice it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

MOTION TO REFER WITH AMENDMENT NO. 816

Mr. PAUL. Madam President, in Washington, we have a disease—or a syndrome rather. I call it the dinosaur syndrome: big hearts, small brains. Unfortunately, it is a recurring problem year after year, bill after bill, day after day.

In Washington, it is argued that you are more compassionate if you give away more of someone else's money. I would argue that true compassion is in giving your own money away. I would argue that truly rational policy is giving away money that you have. It is one thing to give away other people's money. It is another thing to give away money you do not even possess. As a country, we have a \$20 trillion debt. We borrow \$1 million every minute. Yet we are putting forward a bill to allocate \$15 billion to those who are suffering from Harvey without paying for it and without finding the money from anywhere. We are simply adding it to our tab—adding it to our \$20 trillion bill.

How did we get to \$20 trillion in debt? Big hearts, small brains. Nobody has the courage to ask: Why don't we pay for it? Why don't we be legislators and stand up like men and women and say: Let's set priorities.

If it is a priority to help those in Texas—and I have great sympathy for those in Texas. My family is there. I have family members with 2 feet of water in their house so I have great sympathy for those who are in need, but there is no reason to be foolish. We shouldn't just borrow the money. Why don't we take the money from something less important?

My amendment, the America first amendment, would take the money from money we are going to send to foreign countries. We send billions and billions of dollars to countries that hate us. We send billions and billions of dollars to countries that burn our flag. I think it is a very simple choice, when we are looking at helping those in need in our country, that we quit sending money to other countries.

What my amendment would do would be to pay for the \$15 billion in aid by taking it out of the foreign aid account. Who gets the money in the foreign aid account? What is it spent on? I will give you a couple of examples of what we spend our foreign aid on.

We spent billions of dollars—I think it is over \$100 billion—on building roads in Afghanistan, blowing up roads in Afghanistan, building schools, blowing up schools, and then rebuilding all of them. Sometimes we blow them up, and sometimes someone else blows them up, but then we always go back and rebuild them. What about rebuilding our country? Why don't we look at our country and rebuild our infrastructure and rebuild our roads? For those who are flooded in Texas, let's help them, but let's help them by not sending the money to Pakistan and to other countries that do not even like us.

In the foreign aid account, we spent \$273 million last year teaching people how to apply for more of our money. So it is not bad enough that they take your money and send it to foreign countries that do not even like us, but we teach these people how to apply for more of our money.

We had a televised cricket league that we spent \$1 million on in Afghanistan—a televised cricket league. The only problem is, they don't really have any televisions. Why it is our obligation? Why is the U.S. taxpayer asked to pay for a cricket league in Afghanistan?

We spent \$45 million on a natural gas, gas station in Afghanistan—\$45 million. It was estimated to cost a half a million dollars—86 times cost overruns. What does it serve up? Gasoline. Natural gas. Who has a car that runs on natural gas in Afghanistan? Nobody. So we bought them cars. We bought them cars that run on natural gas. Then they had no money with which to buy the natural gas so we gave them credit cards to buy the natural gas. That is where your money is going. If you want to help the people in Texas or those people who may be hurt in Florida, why don't we quit sending the money overseas? These are the people who chant "Death to America," and we send more money to them.

We spent money on home mortgages in Nigeria. We are spending money on home mortgages in Nigeria? We spent money on tourism in Albania. This is one of my favorites: We spent money teaching people in Kenya how to use Facebook.

All I am asking is, Why don't we stand up like men and women, like real legislators? If we are going to have compassion for those in Texas, why don't we have the good wisdom not to just simply add it to our debt? In hysteria—everyone is hysterical—we must give, give, give someone else's money but not only that. We must give, give, give money we do not have. We are going to destroy our country. There have been people who have argued that our \$20 trillion debt is the No. 1 threat to our national security.

So what I am asking is, Why don't we pay for this? Why don't we simply take

some money that we were going to spend somewhere else, for something not as valuable in another country, and spend it here? You realize what is going to happen. I will proffer this amendment, and in all likelihood, the swamp—the establishment—will vote this down because they never want to cut a dime of spending. They are always compassionate. They have big hearts. They are willing to give away everybody else's money, but they are never ever willing to pay for it. This is both parties—both the Republican Party and the Democrat Party. Watch the vote and see who is a conservative and who says we should pay for the aid for Harvey and who says, oh, no, that we should add it to the tab.

Where is the \$15 billion going to come from? This year, we are going to run a \$500 billion debt. There is no money. They are giving away your grandchildren's money to help people. People will say that is compassion, that we are going to help people now. Yet we are stealing it from our kids' futures, and we are stealing it from the future and the soundness of our country, and we are threatening the very security of our country with this enormous and elaborate debt.

Simply pay for it. Simply say: Do you know what? This year, we cannot be so compassionate to people who are wanting to get healthcare in Cambodia. We have USAID money going to Cambodia to help them get cost-effective or lower cost insurance. We could not even do anything with the healthcare in our country. We failed to act on it, but we are sending money to Cambodia to help them with their healthcare. Why don't we act here at home? Why don't we take care of our own problems before we think we can take care of everybody else's problems everywhere around the world?

So we will get a chance to vote today. My amendment will come up shortly, and it will simply say, yes, we are a big, rich country. We can help those in Texas, but we will pay for it by taking the money away from somewhere else in the budget that is less of a priority. We give hundreds of millions—really billions—of dollars to Pakistan. How much do they like us? Sometimes they help us, but sometimes they harbor the enemy. Sometimes they harbor whole networks of people who are plotting to kill us.

What do they think of Christianity in Pakistan? Asia Bibi is a Christian. She has been in jail for 5 years—on death row—for being a Christian. What do they think of helping us with bin Laden? They did not raise a finger to help us with bin Laden. Bin Laden lived among them for years and years and years, and when we finally got bin Laden, we got bin Laden with information from a doctor named Shakil Afridi. What did Pakistan do to reward the doctor who helped us get bin

Laden? Pakistan has him locked up for life in prison.

Really, we need to requestion whether this aid works at all to foreign countries, whether it is counterproductive, and whether we have it in the first place, but we should also ask an important question: Maybe that aid ought to be better spent at home. Maybe we ought to start rebuilding our country instead of always thinking we have to rebuild everybody else's country.

I think this amendment is so easy to decide, and I think the American people are behind me on this amendment. If we were to take this to a huge vote of the entire American public, I think 75 to 80 percent of the American public would say: Do you know what? Let's take care of our problems at home; let's don't send our money abroad. And I think we would win this battle.

Watch this vote because in Washington you will see the opposite. You will see three-fourths of this body or more say: Oh, no, we are not going to cut any spending to anyone. We could never cut foreign aid or welfare for foreign countries. We are just going to add it on to the tab. I, for one, want to be a loud voice to say that it is risking our country's future. It is risking the security of the United States to keep adding to a \$20 trillion debt, no matter how good the cause is.

Remember, the next time a politician tells you that they are so compassionate because they want to give away more of someone else's money, ask them how much they gave of their own money if you want to judge their true compassion.

Thank you.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Madam President, Hurricane Harvey is a horrible tragedy. It has ruthlessly taken lives. It has taken diplomas and baby albums. It has taken homes and gardens and playgrounds. It has also given us many new pictures of volunteerism, heroism, and neighborliness, and God bless those many helping hands. It has also revealed the willingness, the advanced planning, and the hard work of many government employees in the State and local governments, in the National Guard, in FEMA, and beyond.

So what are we doing here today in this body? And what should we be doing? What is the specific duty of the U.S. Congress at this moment? We should provide emergency funding relief. We should provide emergency funding for FEMA and for related agencies. They are doing important work, and they need it.

The amount agreed upon by the administration and the House of Representatives on Tuesday—just 48 hours ago—was \$7.8 billion. It passed noncontroversially. The vote was 419 to 3. They did the right thing. So let's approve it. Let's do the exact same thing.

Let's let FEMA spend that \$7 billion. It is important money. There is a genuine emergency. There is real need. I am a small government guy, but there is a clear and urgent governmental role in this moment, so we should do it.

But what we should not do are unrelated things that we will pretend are hurricane relief. We should not fool ourselves into pretending that the legislation on the floor today is actually doing what it says it does just because it has a certain name on the top of the legislation. What we are actually considering doing today in this body is much, much larger, much clunkier, and much less explicable or defensible to your and my constituents.

Do your constituents know, for example, that far less than half of all of the spending in this bill before us today is in any way related to emergency relief for Hurricane Harvey? Think about that. Do your constituents know that far less than half of the spending is actually related to hurricanes? Shouldn't they know that? Shouldn't they know that the vast majority of the money this body is going to spend today, under the pretend guise of an emergency in the Schumer-Pelosi-Trump bill, is not actually emergency spending at all?

Do your constituents know that we are using the hurricane as an excuse to extend the debt ceiling? Translated, that means we can't pay our credit card bill, so we are just going to take over the credit card company and change our credit limit without any discussion. We are not going to have any conversation about the fact that we constantly spend more money than we have, and we have to borrow to do it.

There is a mechanism by which, when we hit up against our debt limit, we are supposed to pause and have a conversation, but we are not going to do that today. We are going to use the hurricane as an excuse to hide from that truth.

What we are really doing right now is borrowing from our kids. There is no other explanation for what we are doing. What we are doing is we are intergenerationally stealing. We are passing on debt to the next generation for current spending. We are not funding infrastructure here. We are not funding roads and bridges and IT systems and weapons systems. These are not things that could be called investments in the future.

Again, I am not talking about the hurricane spending. We should do all of the hurricane spending. But mostly what this bill is going to do is spend current priorities—current-year money—month over month, as we always do, but we are going to pass the price tag and the debt on to our kids, and we are going to hide from our constituents what we are actually doing. We are not going to admit it. We are

not going to have a conversation about it. We are not going to have an honest accounting about how much money we are going to spend. What we are going to do is increase the odds that we will have a debt crisis soon. At the moment that comes, we will have another emergency that we will be able to use as an excuse to do things that we then also will not want accountability for.

We should separate these two things. We should do all of the hurricane spending. We should not do things that are not hurricane spending but, rather, are excuses to kick the can down the road on the nature of the obligations we are constantly incurring beyond our ability to pay.

What we are not doing in this body today is draining the swamp. What we are doing is running a whole bunch of hoses to the edge of the swamp, turning them on to the highest possible volume flow, and then turning our backs on the swamp and shouting that there is nothing to see here. That is what we are doing. We are doing the opposite of draining the swamp today.

Finally, do your constituents know that what we are doing today actually increases the likelihood of both a government shutdown and a government default in December? The odds of a government shutdown are up and the odds of a government default are up in December.

Do your constituents know that CHUCK SCHUMER—whose title is minority leader, not majority leader—just made himself the most powerful man in America for the month of December? CHUCK SCHUMER has made himself the key man in all negotiations in December because of the legislation we are going to pass today.

Do your voters know that real and fundamental tax reform is going to get less likely because of today?

What is going to happen today is that the calendar for the next 90 days will be laser-beam focused on that December shutdown and showdown, and CHUCK SCHUMER and NANCY PELOSI now hold most of the cards for when we get to December. This is an embarrassing moment for a Republican-controlled Congress and a Republican administration.

Here is the good news. We still have an off-ramp before us. We can do better, and we have a legislative pathway to do better.

I have a motion at the table that is simple. It funds all of the emergency relief that the administration has requested for Hurricane Harvey. Hear that clearly. What the House did yesterday morning that they negotiated Tuesday night funds all \$7.8 billion for hurricane relief. It passed 419 to 3. We can still pass that same legislation. That is it. That is what my legislation does. It doesn't do anything that is not hurricane relief and pretend it is hurri-

cane relief; it just goes back to the bill that funds all of the hurricane relief that the administration says they need.

I am not offering lots of other stuff. I am not kicking the can down the road on the conversation that we should have tonight and tomorrow and Saturday and Sunday about the debt crisis we face. All I am trying to do is make a bill that says it is about hurricane relief, actually be about hurricane relief instead of a majority of other stuff masquerading as hurricane relief.

In short, if you want hurricane relief, this amendment is your vehicle to get to hurricane relief, not other pretend stuff calling itself hurricane relief. Just as the House did earlier this week in a 419-to-3 vote, we can do hurricane relief clear, plain, and simple, and we don't have to hide a whole bunch of other stuff in it.

Thank you, Madam President. I thank this body for its consideration.

The PRESIDING OFFICER. The majority leader.

MOTION TO REFER WITH AMENDMENT NO. 816

Mr. MCCONNELL. Madam President, I move to table the motion to refer, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Alaska (Mr. SULLIVAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 10, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—87

Alexander	Donnelly	Leahy
Baldwin	Duckworth	Manchin
Barrasso	Durbin	Markey
Bennet	Enzi	McCain
Blumenthal	Ernst	McCaskill
Blunt	Feinstein	McConnell
Booker	Fischer	Merkley
Boozman	Franken	Moran
Brown	Gardner	Murkowski
Burr	Gillibrand	Murphy
Cantwell	Graham	Murray
Capito	Grassley	Nelson
Cardin	Harris	Perdue
Carper	Hassan	Peters
Casey	Hatch	Portman
Cassidy	Heinrich	Reed
Cochran	Heitkamp	Roberts
Collins	Hirono	Rounds
Coons	Hoeben	Sanders
Corker	Isakson	Sasse
Cornyn	Johnson	Schatz
Cortez Masto	Kaine	Schumer
Cotton	Kennedy	Shaheen
Crapo	King	Shelby
Daines	Klobuchar	Stabenow

Strange	Udall	Whitehouse
Tester	Van Hollen	Wicker
Thune	Warner	Wyden
Tillis	Warren	Young

NAYS—10

Cruz	Lankford	Scott
Flake	Lee	Toomey
Heller	Paul	
Inhofe	Risch	

NOT VOTING—3

Menendez	Rubio	Sullivan

The motion was agreed to.

The PRESIDING OFFICER (Mr. ROUNDS). The majority leader.

Mr. MCCONNELL. For the information of all of our colleagues, the next vote will be on the motion to table the Sasse motion on disaster funding. With a little bit of cooperation, we will then set two votes after lunch to get to passage of the bill this afternoon so it can be sent over to the House today. Senators should expect additional votes right after lunch.

MOTION TO REFER

Mr. President, on behalf of Senator SASSE, I move to refer the House message on H.R. 601 to the Committee on Appropriations with instructions to report back.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message to accompany H.R. 601 to the Committee on Appropriations with instructions to report the same back to the Senate with changes that (1) are in the jurisdiction of such committee; and, (2) do not include any provision that was not contained in the House message accompanying the bill H.R. 601.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I move to table the motion to refer and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Alaska (Mr. SULLIVAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 25, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—72

Alexander	Boozman	Carper
Baldwin	Brown	Casey
Bennet	Burr	Cassidy
Blumenthal	Cantwell	Cochran
Blunt	Capito	Collins
Booker	Cardin	Coons

Cornyn	Isakson	Sanders
Cortez Masto	Kaine	Schatz
Cotton	King	Schumer
Crapo	Klobuchar	Scott
Cruz	Leahy	Shaheen
Donnelly	Manchin	Shelby
Duckworth	Markley	Stabenow
Durbin	McCaskill	Tester
Feinstein	McConnell	Thune
Franken	Merkley	Tillis
Gillibrand	Murkowski	Udall
Graham	Murphy	Van Hollen
Harris	Murray	Warner
Hassan	Nelson	Warren
Heinrich	Peters	Whitehouse
Heitkamp	Reed	Wicker
Hirono	Roberts	Wyden
Hoehn	Rounds	Young

NAYS—25

Barrasso	Hatch	Paul
Corker	Heller	Perdue
Daines	Inhofe	Portman
Enzi	Johnson	Risch
Ernst	Kennedy	Sasse
Fischer	Lankford	Strange
Flake	Lee	Toomey
Gardner	McCain	
Grassley	Moran	

NOT VOTING—3

Menendez	Rubio	Sullivan

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the vote on the motion to invoke cloture occur at 1:45 p.m.; further, that the time until 1:45 p.m. be for debate only; finally, that if cloture is invoked, the McConnell amendment No. 809 be withdrawn and all postcloture time be expired and the Senate vote on the motion to concur in the House amendment with further amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, I encourage folks to take a close look at this picture of a forest ablaze in Oregon. Right now, there are innumerable fires burning across our State. Some of them are called complexes—a fire complex. Maybe it is referred to as a single fire complex, but that means there may be 10 or 20 different fires within that area.

What we are seeing more and more with the changing climate, with climate disruption, is that we have lightning storms that sweep over our forests, will light up and create multiple fires at one time, and then, because the forest is so much drier, they burn fiercely.

Just last week, Mary and I were hoping to spend a couple days out on the Pacific Crest Trail. This is the trail that runs from Mexico to Canada, and we were planning to go down to the Cascade-Siskiyou National Monument and experience some of that, but we couldn't because of the intense smoke from fires burning.

Fires in the middle of the State had shut down some of the Pacific Crest Trail near Jefferson, so we decided to go up to the northern end of the trail,

the trail that plunges into the Columbia River at a place called Bridge of the Gods, Cascade Locks, and walk south. The plan was to go about 18 miles or so and then pick up the Eagle Creek Trail and come right back through to where we had started. But posted at the start of the Pacific Crest Trail was that the Eagle Creek Trail had been closed and that the loop was shut down due to the Indian Springs fire.

Well, we decided, OK, we can still at least do the first half and maybe continue walking on through to Lolo Pass on Mount Hood and then get a ride and come back around to where we were. The point is that all across Oregon, there were either blazes or smoke from blazes.

Oregon State is a plain, and it is not the only State. California, Washington, Montana, and parts of Idaho are burning up, and it is getting worse each year.

As we were considering how we were going to progress, we had to bypass a campground at Wahtum Lake because it was shut down. We had to camp on the side of a ridge that was just on the edge of the fire containment area. So we pitched our tent on a steep slope that had a little rock outcropping and a little bit of flat ground, basically about 3 feet by 6 feet. We settled down after a long day of hiking. We were absolutely exhausted.

About 1 in the morning, I woke up and I got a strong whiff of smoke. So I leapt out of the tent, and down below us on the slope last week was this glow. Immediately I was concerned that fire had leapt into the valley below us, and you do not want to be on a steep slope upstream from a fire, especially when that is the direction the wind is blowing—as it was.

I said to Mary: Wake up. Get out of the tent. We may have to make a run for it. And she jumped up.

The glow just stayed the same, and it turned out it wasn't a fire. It turned out that it was a landslide, and the Moon was illuminating that landslide and creating that glow on the slope below us. But we were terrified. You can imagine, if you are hiking through Oregon and suddenly there is a forest fire on the slope below you, you are going to run like crazy.

Well, there were a bunch of folks who were on that Eagle Creek Trail that I referred to, and they were on a section very near the Columbia gorge—that section that hadn't been shut down. They were walking south, but they couldn't go on through the Tunnel Falls area. They could go only a few miles in. But a couple of teenagers went up that trail and started throwing firecrackers, fireworks off the edge of a cliff, and it set the gorge on fire on that Eagle Creek Trail.

You can see how the Cascade Mountains plunge down to the Columbia

River, and you can see here how that Eagle Creek Trail was lit up. There were 140 hikers trapped by this fire and the fire that Mary and I were dodging—the Indian Springs fire—and they had to retreat to the section of trail that actually goes through a tunnel that is drilled through the basalt. It has a waterfall next to it, and they were dropped supplies overnight before they could be brought out and escape this fire. This fire was raging so much, it had leapt the river—the Columbia River, the largest river by river flow volume in the United States of America. It had leapt this river to the State of Washington. These are just two of the fires of the many that are burning across the State of Oregon.

There is also the Chetco Bar fire, which is even larger than the Eagle Creek fire. The Chetco Bar fire has continued and now has burned 176,000 acres of Douglas fir and oak and manzanita brush fields. There are 1,700 people working to contain this fire right now and, as of yesterday, it was just 5 percent contained. And, as of yesterday, the Eagle Creek Trail was just 5 percent contained.

Fires are a big problem that is just getting bigger. There are 65 large fires burning across the United States; 19 of those are in Oregon. You can see how they are spaced out here. Both the Indian Springs fire and the Eagle Creek fire that I referred to are here, and you can see its position and how it leapt across the Columbia River into Washington State.

There are more in Washington State and more in California and Idaho and Montana going this way. Nineteen of those 65 big fires are represented right here. Another 23 are in nearby Montana.

Over the last decade, we have seen an average of about 50,000 forest fires in America each year, with an average of about 5½ million acres being burned. This year, we are already over 8 million acres, with a lot more acreage that will be burned in the weeks ahead. In Oregon, we have seen an average of about 493,000 acres a year burn. We are over 550,000 acres now—and counting.

So what happens during these intense fire years? What happens is we run out of money to fight these fires, and then we engage something called fire borrowing. There is no FEMA for fires—no Federal Emergency Management Agency for fires. So the Forest Service says: Well, we must fight these fires. I can tell you that a tremendous number of helicopters and planes and ground crews are involved in this effort. It is very expensive to fight them.

We run out of money, and the Forest Service has to borrow from other accounts—from the hazardous fuels fund, which tries to reduce the amount of fuels that will create fires on the front end, so we decrease our effort on the front end in order to fight the fires on the back end.

Forest management funds, forest restoration funds, forest conservation funds, road maintenance funds, and funds that are designed to prepare for future timber sales—all of those are borrowed from. So I have been pushing. I have been fighting for us to get the funds now, right now, to make sure we don't engage in fire borrowing to have to address this challenge, and we have a compromise that has been worked out that is going to help. In the continuing resolution, the funds are based not on the amount the administration wanted but on the fiscal year 2017 level that included \$400 million of buffer funds. One-quarter of what was authorized in fiscal year 2017 is now going to be available—and available retroactively—so that it can be used and spent in September, which is still in fiscal year 2017, so in immediate moments we will not have to engage in fire borrowing. That is a victory.

I thank the cochairs of the Appropriations Committee for working so hard to help us get this provision that will stop the fire borrowing problem in the short term. But in the near future, after we are into fiscal year 2018—into October—we will be short funds that were spent for fiscal year 2017, so that will be a challenge we will have to continue to address in the year to come.

We are all thinking a lot about Harvey and its impact on Houston and Texas, and we are all worried about Irma and the fact that it is hitting Puerto Rico, and it is aimed for Florida. But let's not forget the fires burning all over the United States at an unprecedented rate, which we need to make sure we address as well.

Under this provision I just mentioned—this compromise that will be helpful in the short term—the Office of Management and Budget has control, and we need to make sure they actually exercise that control and release those funds, so we will have to keep pushing.

I see my colleague is here. I do want to talk a little bit about fisheries, but I will defer to him if my colleague from Vermont would like to speak.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to continue for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I strongly support the disaster relief package that is before us today. It is going to provide much needed assistance to the thousands of families and communities who were devastated by Hurricane Harvey. As vice chairman of the Appropriations Committee, I looked at it very carefully, and I know it provides a short-term increase to the debt limit to ensure the U.S. Government has access to the resources it needs. It funds

the government with a continuing resolution through December 8, enabling Congress to work to complete the fiscal year 2018 appropriations bills. It is a responsible approach to addressing the needs of our Nation.

As a Vermonter, as a human being, it was heart-wrenching to watch the devastation march through Texas as Hurricane Harvey made landfall, only to see it turn toward Louisiana. Now, Hurricane Irma has struck Puerto Rico and continues on its path toward Florida and the east coast. Hurricanes Jose and Katia are swirling in the Atlantic. They are threatening our coast. This is a horrific time.

My fellow Vermonters and I are all too familiar with these images. It was only 6 years ago that Tropical Storm Irene tore through our small, special Green Mountain State and left a wound we are still trying to heal today.

A disaster of this magnitude demands the full support of the U.S. Government, and that includes all of us here. I am glad this disaster relief package is before us today. My Appropriations Committee staff has worked so hard on it. If we don't act and act fast, FEMA exhausts its funds by the end of this week.

Republicans and Democrats in the Senate stood by my side in 2011 and in the following years to help Vermont rebuild after Irene, and I will stand in support of Texans and Louisianans now. And I will stand in support of Floridians, if and when they need it. This is only a fraction of what we will need to help recover and rebuild after these storms. It is going to require years of Federal support, and we cannot let our commitment fade.

We live in a world where 100-year storms seem to occur every year, so we have to invest in technology, conservation, and infrastructure that will mitigate further damage and make our communities more resilient in these crises.

Our ability to respond doesn't just depend on emergency assistance. Each year, in the annual appropriations bills, we fund programs that help us prevent and respond to severe weather events and invest in the necessary infrastructure. The National Weather Service, the Army Corps of Engineers, the Sea Grant program, the Flood Map Modernization Program, Watershed Flood Prevention Operations, Regional Coastal Resilience Grants, Community Development Block Grants, and State and Local First Responder Grants—just to name a few—are all critical to these efforts. We cannot and should not accept the deep cuts that have been proposed by President Trump to these critical investment programs.

Now, I thank Chairman COCHRAN for his leadership and cooperation to advance these bills. It is through these bills we can fund important priorities. I have been asking since March to

begin bipartisan budget negotiations to establish responsible topline funding levels for both defense and non-defense programs based on parity. The current budget caps do not allow us to produce 12 responsible bills. Absent a budget deal, deep cuts are mandated for both defense and non-defense programs. We have to move forward with urgency.

So my heart goes out to all of those affected by Hurricane Harvey and Hurricane Irma. My vote goes out to help them, and I will continue to fight for them.

This Senate amendment is really the first step and I support it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, may I have 2 minutes to conclude my statement?

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, so far this year, the Secretary of Commerce has declared nine disasters for fisheries, and another disaster assistance request is pending in Southern Oregon and in Northern California.

When these fisheries close, our fishermen and their families are in deep trouble. Their expenses don't disappear—the mortgages on their vessels, their mooring fees, their maintenance. Of course, they have to continue to be able to pay their basic living expenses. So when they are told they have to stay in port because a fishery is closed because of a fishing disaster, then, it is an enormous challenge to which we need to help to respond. It is not just for the fishermen themselves, but for the entire community—the recreational anglers, as well as the commercial fishermen, the processors, the gear stores, the boat repair facilities, and the tourism. All of it is impacted.

So let us not forget that we have nine declared disasters for fisheries, and we should make sure we respond and assist these communities.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

CLOTURE MOTION

Mr. LEAHY. Mr. President, I ask unanimous consent to waive the mandatory quorum call.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The quorum call is waived.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 601, with a further amendment numbered 808.

Lamar Alexander, John Boozman, Roy Blunt, Thom Tillis, Mike Crapo, John Cornyn, Shelley Moore Capito, Steve Daines, Cory Gardner, Richard Burr, Orrin G. Hatch, Roger F. Wicker, David Perdue, Dan Sullivan, John Barrasso, John Thune.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 601, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes, with a further amendment, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Alaska (Mr. SULLIVAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—79

Alexander	Feinstein	Nelson
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Graham	Reed
Blunt	Grassley	Roberts
Booker	Harris	Rounds
Boozman	Hassan	Sanders
Brown	Hatch	Schatz
Burr	Heinrich	Schumer
Cantwell	Heitkamp	Scott
Capito	Heller	Shaheen
Cardin	Hirono	Shelby
Carper	Hoeven	Stabenow
Casey	Isakson	Tester
Cassidy	Kaine	Thune
Cochran	King	Tillis
Collins	Klobuchar	Udall
Coons	Leahy	Van Hollen
Cornyn	Manchin	Warner
Cortez Masto	Markey	Warren
Cotton	McCaskey	Whitehouse
Crapo	McConnell	Wicker
Cruz	Merkley	Wyden
Donnelly	Murkowski	Young
Duckworth	Murphy	
Durbin	Murray	

NAYS—18

Corker	Inhofe	Moran
Daines	Johnson	Paul
Enzi	Kennedy	Risch
Ernst	Lankford	Sasse
Fischer	Lee	Strange
Flake	McCain	Toomey

NOT VOTING—3

Menendez	Rubio	Sullivan

The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 18.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

AMENDMENT NO. 809 WITHDRAWN

Cloture having been invoked, under the previous order, amendment No. 809 is withdrawn.

VOTE ON MOTION TO CONCUR WITH AMENDMENT NO. 808

Under the previous order, the question occurs on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 601, with a further amendment.

Mr. SCOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 17, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—80

Alexander	Feinstein	Nelson
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Harris	Reed
Blunt	Hassan	Roberts
Booker	Hatch	Rounds
Boozman	Heinrich	Sanders
Brown	Heitkamp	Schatz
Burr	Heller	Schumer
Cantwell	Hirono	Scott
Capito	Hoeven	Shaheen
Cardin	Inhofe	Shelby
Carper	Isakson	Stabenow
Casey	Kaine	Strange
Cassidy	Kennedy	Tester
Cochran	King	Thune
Collins	Klobuchar	Tillis
Coons	Leahy	Udall
Cornyn	Manchin	Van Hollen
Cortez Masto	Markey	Warner
Cotton	McCaskey	Warren
Crapo	McConnell	Whitehouse
Cruz	Merkley	Wicker
Donnelly	Murkowski	Wyden
Duckworth	Murphy	Young
Durbin	Murray	

NAYS—17

Corker	Graham	Moran
Daines	Grassley	Paul
Enzi	Johnson	Risch
Ernst	Lankford	Sasse
Fischer	Lee	Toomey
Flake	McCain	

NOT VOTING—3

Menendez	Rubio	Sullivan

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to Calendar No. 175, H.R. 2810.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 175, H.R. 2810, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 175, H.R. 2810, an act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, David Perdue, Thom Tillis, Deb Fischer, Roy Blunt, Mike Rounds, Pat Roberts, John Boozman, Tom Cotton, Ben Sasse, Mike Crapo, Lindsey Graham, John Thune, John Cornyn, Roger F. Wicker, Richard Burr, Mitch McConnell.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

WILDFIRES IN WESTERN STATES

Mr. WYDEN. Mr. President, in a few minutes, I am going to start sprinting

to the airport to get home to listen to Oregonians who have been clobbered by several megafires unlike anything we have seen in my home State of Oregon. On top of that, in addition to the megafires, there are numerous other fires.

Just up the road from my hometown of Portland, the Eagle Creek fire has merged with the Indian Creek fire and spread over an area of more than 31,000 acres. What we have seen—again, just staggering in its implications—the fire jumped the Columbia River into Washington State. It is ravaging our iconic Columbia River Gorge. This is a treasure beloved by the millions of people who visit every year and the people of my home State.

Next to me is a shot of the fire which has been burning in the Columbia River Gorge now for days. Although it appears the first sparks of the Eagle Creek fire were ignited by a young man, it is clear the inferno was accelerated by the unusual heat in early September. Now the lives and the homes of Gorge residents are under threat, and a world-renowned treasure in my home State has been devastated.

Sadly, this wildfire devastation this month has rippled across Oregon. The Chetco Bar fire in Southwestern Oregon has consumed more than 167,000 acres—an area bigger than all of Portland. The Umpqua North fire east of Roseburg and the Milli fire in Central Oregon have torn through tens of thousands of acres each.

I could go on. The point is, my home State is getting pounded by these fires, and the West is getting pounded by these fires. The skies glow orange at night as the flames burn on. Families wake up to ash on their windshields. Schools are closed, and people have been warned to stay indoors because it is not safe to breathe the hazardous air.

On the Air Quality Index map from the Environmental Protection Agency—which I have here—you can see the effects of the nightmare which has settled in over most of Oregon, Idaho, Washington, and large parts of Montana. As I speak, there are a million and a half acres ablaze across Oregon, Washington, California, Idaho, Montana, Colorado, Wyoming, Nevada, and Utah. One-third of these burning acres are in my home State alone. This year is virtually guaranteed to be the worst fire season in history in terms of the total area burnt.

I served as chairman of the Energy and Natural Resources Committee for a time, chaired the Forestry Subcommittee. I have sat in so many committee hearings and heard again and again about the dangers these fires pose to our States. The fact is, the fires are getting hotter, they have gotten bigger, they have gotten tougher to fight, and this is a years-long pattern in the West. It gets hot. It gets dry.

There have been inadequate efforts to go in there and thin out the dead and dying material. Then we have a lightning strike in our part of the world, and then all of a sudden, we have an inferno on our hands.

This time, as I indicated, it seems as if some of the problem was due to that set of firecrackers, but this is a years-long pattern in the West. Frankly, the same warming trends that have worsened the fires seem to have added fuel to storms that developed in the Gulf of Mexico and over the Atlantic.

My seatmate, Senator NELSON, has been telling us about what his region is faced with. The victims of all these disasters and the communities that will continue to face these growing threats need the government to come up with smarter policies to try to prevent as much of this as possible. That is why I wanted to wrap up my remarks by way of talking about the bizarre way the Federal Government budgets for fighting fire.

In the Energy and Natural Resources Committee, I have led a bipartisan effort for years now. Senator MIKE CRAPO, the senior Senator from Idaho, and I had 260 groups—forestry groups, scientists, environmentalists—join us in the effort. What has happened over the years is the Federal Government has shorted prevention, and then, because of the conditions being hot and dry and lightning strikes or what have you, we have a big fire, and then the Federal Government, to put the fire out, borrows from the prevention fund, and the problem gets worse. That is what we call fire-borrowing. The reason I call it bizarre is that the idea of ripping off prevention, which we need most, defies common sense.

We have a dangerous, worsening cycle known as fire-borrowing. Shoddy budgeting today leads to bigger fires tomorrow, and it needs to stop.

I remember not long ago—because this does so much damage to natural resources policy—the distinguished minority leader of the Senate, Senator SCHUMER, signed on to our bill. We all wondered, well, what is the situation in New York? It turned out they had a problem with a bug and a baseball bat, and the natural resource agencies had trouble dealing with that challenge because so much of the funds had been frittered away with this broken system of fighting fire.

That is why I have now called on the President to include a funding fix in any request for an upcoming disaster aid package. Several of my western colleagues and I—Senators from both sides of the aisle—are calling on Leaders McCONNELL and SCHUMER today to include a fix in any disaster aid package that comes before this body.

As I said, this battle has gone on for years. I think I mentioned to my friend from New Mexico that this issue with respect to fire-borrowing has been the

longest running battle since the Trojan War. It has gone on and on and each year wastes more and more money on a broken system of funding the fight against wildfires.

Senator CRAPO has been an instrumental partner in this effort. He also has a proposal that in effect builds on what we have been working on for years in the Banking Committee. I support that proposal as well.

I want it understood that there is a lot that has to be dealt with here in the Senate. There have been some horrible disasters—Houston and now the South, with what Senator NELSON is going to wrestle with this weekend. We have a lot to do. But when we are talking about western communities getting hit by a wrecking ball, which is exactly what these mega-fires do, I want it understood that we western Senators, Democrats and Republicans, are going to be teaming up to make sure, as we said in our letter today to Leaders MCCONNELL and SCHUMER, that a fire fix that is based on common sense, sensible practices to try to prevent fires to the greatest extent possible, has to be a focus of priority business in the Senate. Too many western communities—the kind I am going to see this weekend—are faced with destroyed homes, businesses, lost recreation dollars, lost timber revenue, cleanup costs, and forest and range land restoration efforts.

The West cannot wait any longer for Congress to break this dangerous cycle that defies common sense, short-changes wildfire prevention, and does it year after year. What western Senators are going to do is work together in a bipartisan way, which is what you have to do when your constituents are faced with these kinds of problems. I can tell you, in Oregon or Montana or Idaho, when you have one of these mega-fires, nobody is sitting around waiting to hear about just the Democratic approach or the Republican approach; they want to know what the Federal Government is going to do to help these hard-hit western communities.

It is absolutely essential that the Senate act soon. I have urged the President of the United States, who campaigned as a champion for these communities and the workers who live in them—I have said: Mr. President, do not ignore the West.

Democratic and Republican Senators, given all the promises that have been made over the years, are going to insist that with fires of this magnitude—we have seen plenty of fires in the past, but we haven't seen the kind of thing I have just described that isn't very far from my hometown and across the State—given the urgency of the situation, western Senators of both political parties are making it clear to Leaders MCCONNELL and SCHUMER and the President of the United States that we need the Federal Government to act, and we need it to act now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

DACA

Mr. LEAHY. Mr. President, we had promises from the White House that the President would treat DACA recipients with great heart. I don't believe it is great heart when he abandons protections for our Nation's Dreamers. It is an unfortunate pattern, and I hope it changes, facing historic low approval ratings, the President desperately rallies his dwindling supporters by exploiting fear and resentment. Such conduct is shameful and unbecoming of the presidency, an office intended to represent our proudest ideals—not play to basest instincts. I have been here with every President since President Ford, both Republicans and Democrats. We agreed on some things and disagreed on some things, but the Presidents have always seemed to want to present and represent America's proudest ideals.

We live in an unprecedented time when our President prefers to divide us, rather than unite us. Instead of honoring the sacrifice made by transgender individuals serving in our Armed Forces, President Trump decided to ban them from serving at all. When white supremacists violently rallied around hate in Charlottesville, resulting in the murder of Heather Heyer, the President equated those who promote bigotry with those who oppose it. There is no equation. The bigotry shown there and the hate shown there is wrong.

This week the President targets another vulnerable population—Dreamers. Dreamers are American by almost any definition. They came to the United States as children through no fault—and by no choice—of their own. Those of us who have had children or grandchildren know they don't make those kinds of choices. They play by our country's rules. They grow up. They have no criminal records, and seek only the chance to contribute to their communities and make them better. America is their home. Often, it is the only country they have ever known, just as my maternal grandparents came from Italy and found a home in Vermont or my great grandparents—paternal grandparents came from Ireland and found a home in Vermont. They wanted that to be their home. That was the American dream. When you threaten the Dreamers, you threaten the American dream itself.

The President's attempt to justify this decision as deference to Congress or respect for our courts is disingenuous, at best. It strains reason that a President who signed 90 Executive actions in his first 100 days suddenly cares about deference to the Legislative Branch. It borders on laughable

that a President who doggedly defends a Muslim ban found likely to be unconstitutional by multiple courts, is now cautious about the litigation risk of defending DACA in court.

Dreamers are our friends and neighbors. They are students in our schools and universities in all our States. They serve our country in the military. They are among the first responders who come to save your life when there is a fire. Consider, for example, Jesus Contreras, a Dreamer and a paramedic, who saved American lives during Hurricane Harvey. If we had thrown him out, he wouldn't have been there saving those lives. The President's decision to end DACA is nothing but a cynical ploy to rally the anti-immigrant voices within his base while attempting to escape responsibility for deporting some of the most inspiring Americans in our country.

On Tuesday, I received a letter from Dr. Juan Conde, a DACA recipient and resident of Vermont. Dr. Conde was brought to the United States by his mother as a child. In 2007, his mother lost her life battling cancer. This tragedy inspired him to find a way to help cancer patients like her. Unable to pursue his dream of being an oncologist due to his immigration status, he initially decided to pursue a Ph.D. in cancer research. But Dr. Conde wanted to treat cancer patients, not just study the disease. After receiving DACA status, he was able to pursue his dream of directly helping patients, applying to and being accepted into the University of Vermont's Larner College of Medicine, where he is currently pursuing his medical degree. He hopes to spend his career here in the United States treating cancer patients and researching the disease that has taken the lives of millions of Americans, including members of my own family.

Dr. Conde is the face of DACA. Dreamers have enormous potential and determination to contribute to the only country they have known since childhood. To deny them these opportunities because they were brought here as children by their parents would be cruel and inhumane, motivated more by the toxic xenophobia of this administration than by any coherent policy goals. Stories like Dr. Conde's reveal why President Trump's decision to rescind DACA is as senseless as it is callous.

Now the fate of DACA is in the hands of Congress. We can bring up a vote on this if the Republican leadership will allow that in the House and the Senate. Some Republicans have spoken out against the President's decision. It is easy to speak out. Act on it. Vote on it. We Democrats stand ready to protect our Nation of Dreamers. We stand ready to defend the American dream. I hope we are not standing alone. I would invite our Republican friends—stand up with us. Stand up with those Dreamers.

I guarantee you, you have some living in your State. I guarantee you, just as my grandparents and my great-grandparents did, they can make America a better country.

Mr. President, I see other Senators on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise to speak briefly about the news this week that the President is terminating the Executive action protecting DACA recipients—Dreamers as we know them—but also putting the burden on the shoulders of this body, the article I branch, to find an appropriate solution.

The President often said as a candidate—and even in his early days as President—that he understood some things about these youngsters. He called them incredible kids, and he also said they would be fine. He did not use that language often in talking about immigrants so those were positive phrases that led many to hope he would continue the DACA Program. Many in his administration wanted him to. Others in this body—this speaker wanted him to continue the program, but he announced he was terminating it in 6 months and asked Congress to step up.

I wanted to just tell you about a couple of youngsters I was with last week. I had a roundtable on DACA at Northern Virginia Community College, which is one of the largest and most diverse community colleges in the United States. I held that this last week. I had eight students. They were a fascinating mixture of young men and women. I just wanted to come and share some things about their stories because it demonstrates how these young people, these Dreamers, are a source of strength for our country and that we need to accommodate them.

Renata was one of my youngsters. She came to Virginia when she was 3 years old with her parents, her older brother, and sister. She graduated high school with an advanced diploma. Some of us know the International Baccalaureate diploma, which is rigorous. Now, with DACA, she is studying at George Mason, getting a degree in clinical psychology. She does brain injury research. She wants to do that research to hopefully help people like returning veterans who suffer from brain injuries.

Giancarla is a DACA recipient from Virginia. She came here a decade ago to be reunited with her parents. She hadn't seen her parents in 7 years. She received DACA in 2012. She went to Radford University and graduated with a bachelor's degree in international economics. Giancarla described how she is so appreciative of where DACA has gotten her in life, but she told me the night before we met, she had a conversation with her sister. Her sister

was in high school and calling her big sister to describe how scared she was about what would happen if DACA was taken away. She talked about her little sister as a hard-working and studious kid, and she is worried she will not be able to go to college anymore and may be separated from family.

Min is a young man who is a Korean-American born in Korea and a DACA recipient who is at George Mason studying cyber. He talked about his desire to serve the United States and help us with cyber expertise but how the removal of DACA could hurt his studies and could hurt his ability to get security clearances to be able to offer his talents to the country.

Gloria, the fifth of these examples—there were eight students there—is an interesting young lady from Nigeria. She was born in England to Nigerian parents and brought here as a youngster. She will be the first DACA recipient in Virginia to graduate from law school, William and Mary Law School. She wants to graduate in December and help new Americans with immigration issues.

We talked about all kinds of concerns they have: deportation of themselves or family members, ability to get a driver's license, the ability to lawfully work and pay taxes—and all of these young people work and pay taxes right now—the ability to get instate tuition, which for many is the difference to being able to get a higher education. We talked about all of it, but we also talked about their love for this country, and the fact that for these young students, this country is all they know. Deportation back to a place they don't know is not really an option.

I was also happy to have at this roundtable—because we talked about there is no such thing as a DACA recipient without a DACA ally—parents, teachers, family members, attorneys. They have a support group, and it is really important to acknowledge them too. We had officials from George Mason University, a public, comprehensive university in Virginia; Northern Virginia Community College, one of our community colleges; Marymount College; Catholic University in Northern Virginia—all of these allies, as well as representatives from other groups.

The former publisher of the Washington Post, Don Graham, came. He is funding, with others, a scholarship program to help Dreamers cover cost gaps if they have to pay out-of-State tuition, and this is working to help hundreds of Dreamers across the country. We talked to them and expressed our thanks to them for what they are doing.

I also read stories this week—and I will say this and conclude—about other students. Juan is a 2017 graduate of Virginia Tech and now makes Blacksburg his home. He came to Virginia at age 5 and he said this:

It's really hard for me to think of myself as anything but a Virginian and an American. It's really hard to have that part of my identity detached from me.

That is how he views the reversal on DACA.

Guadelupe from the Shenandoah Valley—one of Virginia's very rural areas but has a significant number of DACA recipients. She started her freshman year at Bridgewater College, a small private college in the Valley. She says:

This is the only country I've ever known . . . I've pledged my allegiance to the stars and stripes every day.

This is the country to which these young people pledge their allegiance, owe their allegiance, want to express and act to demonstrate their allegiance. They are doing it already. They are making us proud. We need to step up. It was my great pleasure in June 2013 to join with the Senators from New Mexico, from Vermont, and nearly 70 others on the floor to do a comprehensive immigration reform that included many things but included a protection for these Dreamers. It was part of the education of a naive, young Senator who was in my first year to think: Great, we did something in the Senate. I am sure the House will do something, but 4 years later, not only did they not ever take up our bill even in committee, they didn't even pass anything by way of comprehensive immigration reform that we could put in a conference together.

Now the weight of this is on our shoulders with 6 months. Talented students like these 800,000 nationwide, between 12,000 and 13,000 in Virginia, have that fear, that anxiety: Are we going to be forced back into the shadows or, worse, are we or our family members possibly going to be deported?

I will close and say these youngsters again pledge their allegiance to the United States, and they are demonstrating every day that we are richer as a nation because of them. Why would we not want to have these talented young people pledge allegiance to us rather than elsewhere? America has always succeeded because we have been a great magnet for talent—growing our own talent and celebrating it but willing to attract talent from around the world. The society that attracts talent in the 21st century is going to be the society that succeeds. The most precious resource in life right now is not oil. It is not water. It is talent. These Dreamers have it, and we should want it. I hope my colleagues will work together in a bipartisan way, both Houses, to provide a protection.

With that, I yield the floor and notice other colleagues here waiting to speak on the same topic.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you for your recognition. I am honored to come here today and follow Senator

LEAHY and Senator KAINE and their speeches on DACA. I have also watched over the last couple of days, and I think almost every Democratic Senator has been down to the floor to speak with passion about this issue. I am just so proud of our caucus and our Members who have stood up and called the President on this issue.

Today, I stand with millions of Americans protesting the President's heartless decision to end the Deferred Action for Childhood Arrivals Program known as DACA. This inhumane and cruel decision threatens the hopes and aspirations of our country's young Dreamers, and there is no doubt it will harm the economy. I call on all Members of Congress—especially the Republican leadership—to act now and to act swiftly to keep families together and allow these kids to realize their huge potential by making DACA the law of the land. That is what we need to do, make DACA the law of the land. If the President will not do the right thing, then Congress must take action and Congress must do this.

Democrats, Republicans, and Independents across New Mexico and throughout our country agree that Dreamers deserve to live and work in the United States. According to a Morning Consult-Politico poll released this week, 76 percent support allowing them to stay—76 percent Democrats, Republicans, Independents. What a big number.

Most Americans agree that our Nation benefits from the contribution immigrants make in our communities and our economy. They believe our government should honor its promise to Dreamers. Many of these young people came here as small children and have not known any other country.

Take Roxana. Roxana came to Santa Fe, NM, when she was 1 year old. She is now 22. She registered with DACA as soon as she could. She completed the paperwork, paid the fee, and she has complied with all of the requirements. She now works as a medical assistant with La Familia Medical Center in Santa Fe. La Familia is a great healthcare clinic. It provides excellent medical care to everyone in Santa Fe, including many immigrants and low-income patients.

Roxana loves her work at La Familia, and she loves being able to help her fellow immigrants. Roxana had plans to go to nursing school, but the President's action to end DACA jeopardizes those plans and puts them on hold. In Roxana's words, "Santa Fe, NM, is my home. It's where I know people. It's where I've lived. It's where I've gone to school. It's where I've grown up. It's my life. It's something that is mine but doesn't truly belong to me."

Those are her words. We must give Roxana and the hundreds of thousands of Dreamers what should truly belong to them.

Dreamers more than pull their economic weight in our country; 97 percent are employed or are in school or do both. They work in Fortune 500 companies and public schools. They labor on farms and dairies. They create businesses, volunteer in our communities, pay taxes, and pay into Social Security and Medicare. Why would we choose to kick some of our most talented and most productive workers out of the country? Why kick some of our best and brightest young people out of this country?

Ending DACA would cause chaos for employers. Forcing these motivated young people out of work could cost us 700,000 jobs—as many as 30,000 a month. That adds up to \$460.3 billion in economic output over the next 10 years. Medicare and Social Security contributions could drop by \$24.6 billion over the same period of time.

One of those young people who contributes in New Mexico is Brandon. Brandon came with his mother from Mexico to the United States when he was 2 years old. Brandon goes to college and studies every day to be an architect, and he makes straight A's. He holds down a job to help support his family with medical bills and volunteers in his community. Brandon is grateful for the DACA Program that has given him the opportunity to work and pay taxes. Yes, he is grateful to pay taxes.

This President continues to divide our country like no other President we have known. Every day it is clear that his values are not in line with ours. I increasingly believe he is not fit to lead this great Nation.

His campaign began with anti-immigrant and racist rhetoric. He accused Mexican immigrants of being rapists and criminals, and his bigoted words have never stopped. He called for a wall along the entire border with Mexico—a wall that would cost billions of tax dollars and which border communities don't want. He called for a ban on Muslim refugees—turning our backs on people who are fighting terrorism and who value the freedoms that we have here in the United States. He tacitly accepted the support of the Ku Klux Klan, neo-Nazis, and bigots in Charlottesville. He pardoned a law enforcement officer who terrorized the Latino community in Maricopa County, AZ, with unconstitutional raids and who forced detainees into inhumane living situations. Joe Arpaio is not a "good guy" as President Trump called him. Joe Arpaio is the criminal.

This President doesn't seem to value—let alone embody—the principles that America stands for, and now he wants to kick out of the country young people who do value this country—like Carlos.

Carlos was brought to New Mexico from Mexico when he was less than 1 year old. New Mexico is the only home

he has known. Because of Carlos's immigration status, his opportunities were limited. He couldn't play sports in school, couldn't go on field trips, even though he pledged allegiance to the United States with his classmates.

Carlos registered with DACA 2 years ago and, in his words, he was given wings. He is a full-time student at New Mexico State University, studying to be a mechanical engineer. He volunteers as a firefighter. He works as a server at a local restaurant. He began a drive to help Hurricane Harvey victims. Carlos says:

We as DREAMers have proven ourselves to be worthy of being here in the United States.

There are 800,000 young people like Roxana, Brandon, and Carlos hoping to do their part to make our country strong. By any measure, DACA has been a huge success. We already have the outlines of a program that works for America. We in Congress must roll up our sleeves and make this program the law of the land, and we must make sure that America truly does belong to Roxana and all of our Dreamers.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS TESTS

Mr. LEE. Mr. President, I have been doing a lot of thinking lately about the fascinating men and women of America's founding generation. I want to share with you one of their stories.

Jonas Phillips was a penniless Jewish immigrant to America. He was an indentured servant, a hard-working businessman, and an American patriot who served in the Philadelphia militia during the Revolutionary War. During the British occupation of New York City, he sneaked messages past the censors by writing notes in Yiddish, understanding that his adversaries wouldn't be able to understand or decipher it easily.

Years later, Phillips addressed a letter to George Washington and to other delegates at the Constitutional Convention assembled in Philadelphia. He urged the delegates not to include a religious test in the Constitution as any kind of requirement for service for the Federal Government because no man, he wrote, should be "deprived or abridged of any civil right, as a citizen, on account of his religious sentiments."

Jonas Phillips wrote this letter for a reason. He wrote this because Pennsylvania, the State where he lived, required officials to swear that the New Testament was inspired by God. As a

faithful Jewish person, Jonas Phillips could not do that.

"By the above law," he wrote, "a Jew is deprived of holding any public office or place of government."

Thankfully, Jonas Phillips' letter—Jonas Phillips' prayer—ultimately would be answered. The Convention had voted unanimously to ban religious tests for Federal office. The language the Framers inserted into the Constitution was unequivocal upon this point. It said that "no religious test shall ever be required as a qualification to any office or public trust under the United States."

When the Founding Fathers wrote the word "ever," they meant it. That word means something in the Constitution, and we need to protect it.

I feel the need to stress this point because of the conduct of some of my colleagues. Yesterday a Notre Dame law professor, Amy Coney Barrett, came before the Senate Judiciary Committee on which I serve. She had been nominated as a prominent legal scholar and lawyer in this country to be nominated as a circuit judge. That is why she was before our committee.

Her nomination has been endorsed by prominent legal scholars from across the political spectrum and across the country, including Neal Katyal, President Obama's Acting Solicitor General in the previous administration. Nevertheless, at Ms. Barrett's confirmation hearing, a number of my colleagues insinuated that her Catholic faith would somehow prevent her from applying the law freely and fairly.

Here is an actual quote from that hearing: "Dogma and law are two different things," remarked one of my colleagues. "When you read your speeches, the conclusion one draws is that the dogma lives loudly within you, and that is a concern."

Another one of my colleagues even went so far as to ask Professor Barrett to confess her faith under oath in the committee. "What is an orthodox Catholic?" this committee member asked. "Do you consider yourself an orthodox Catholic?"

If these remarks had been some sort of bizarre, one-time aberration, I probably would have passed them over in silence. But I feel compelled to speak out because I wondered whether a pattern might be emerging—a pattern of hostility toward people of faith who come before this body.

Just a few months ago, another eminently qualified nominee, Russell Vought, appeared before the Budget Committee to be considered for a post in the Office of Management and Budget. One of my Senate colleagues used his time to question this nominee, not about management or about budgets but about the nominee's evangelical Christian beliefs.

"In your judgment," asked this Senator, "do you think that people who

are not Christians are going to be condemned?" Mr. Vought explained to the committee that he is an evangelical Christian and that he adheres to the beliefs espoused by evangelical Christians. That apparently wasn't good enough for the questioner, who later stated that he would vote against Mr. Vought's nomination because he was not "what this country is supposed to be about."

This is disturbing. This is not what the country is supposed to be about—some sort of inquiry into one's religious beliefs as a condition precedent for holding public office in the U.S. Government. These strange questions have nothing to do with the nominee's competence, patriotism, or ability to serve among and for Americans of different faiths equally. In fact, they have little to do with this life at all. Instead, they have to do with the afterlife—what comes after we die in this life. To my knowledge, the OMB and the Seventh Circuit have no jurisdiction over that.

This country is divided enough. Millions of Americans feel that Washington, DC, and the dominant culture despises them, and how can they not when they see their leaders sitting here grilling patriotic citizens about their faith like inquisitors. How can they not feel that their values are not welcome in this Chamber within this government?

Religious freedom is of deep concern to me as a Mormon. Members of the Church of Jesus Christ of Latter-day Saints have weathered extraordinary religious persecution. Much of it, especially initially, was sponsored by government actors.

The first Latter-day Saints were exiled from home to home. In 1838, the Governor of Missouri ordered that Mormons be driven from the land or "exterminated." And yes, that is an actual quote.

Our first leader, Joseph Smith, once said: "The civil magistrate should punish guilt but never suppress the freedom of souls."

That, of course, was before he was martyred by a bigoted, angry mob.

Our country's ban on religious tests is a strong bulwark for religious freedom. As an original provision of the Constitution, this ban against religious tests predates even the Bill of Rights, and it applies not to just some religious adherents but to all of them equally.

The religious tests raised against Mr. Vought and Professor Barrett do not favor one sect of Christianity over another as was sadly common for much of our Nation's history. Rather, these particular inquiries tend to favor the secular, progressive creed clung to so confidently by many of our Nation's ruling elites. This creed has its own clerics, its own dogmas, its own orthodoxy, and as these nominees have discovered, it has its own heresies as well.

More and more, the adherents of this creed seek to use the power of government to steamroll favored groups, especially dissenters, from their own personal political dogmas. So they force evangelical caterers to bake cakes celebrating same-sex marriages, as is the case that is now before the Supreme Court of the United States, and they force nuns to purchase contraceptive coverage—nuns. They sue religious hospitals that will not perform abortions or sex reassignment surgeries for religious reasons. Yes, the secular progressive creed has proved that it is capable of triumphalism and intolerance, just as the creeds that have gone before it, not because its own adherents are uniquely wicked—to the contrary, because they are human.

There is a way out of this vicious cycle of religious intolerance, and it is a way that we have to find. That is for all of us to treat one another with civility and respect while jealously defending the rights of conscience for ourselves, our neighbors, and all of our fellow citizens—for Christians, Jews, Muslims, atheists, agnostics, and everyone else.

This body can do its part by supporting legislation like the First Amendment Defense Act and the Marriage and Religious Freedom Act, which would protect the people who have conscious objections to recent cultural changes and make sure they are protected against one of the most brutal forms of discrimination that can be brought to bear; that is, the type of discrimination brought about by governments against individuals.

At a minimum, this body can do its part by respecting the constitutional rights of citizens who come before it. Lest we forget, we work for them, not the other way around. I trust my colleagues—Republicans, Democrats, and Independents—will take this to heart because religious freedom puts all Americans on the same footing. It helps men and women stand upright, honest before the law and before God.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DACA

Ms. KLOBUCHAR. Mr. President, I am here today to talk about the DACA Program, the Deferred Action for Childhood Arrivals Program, which is very important in my State. We actually have 6,000 kids who have gone through that program.

As we all know, 800,000 young people who have lived in the United States

since childhood are included and affected by this recent action by the administration, which I strongly oppose. These Dreamers were brought to the United States as children through no fault of their own and are working hard to educate themselves and contribute to our Nation. In fact, more than 97 percent of DACA recipients are now in school or in the workforce, and all DACA recipients are required to meet the program's education requirements. One recent study found that 72 percent of all DACA recipients who are currently in school are pursuing a bachelor's degree or higher. According to the American Association of Medical Colleges, more than 100 students with DACA status applied to medical school last year.

The young people who have benefited from DACA have often been in our country almost their entire lives after having been brought here as children. They are valuable members of our community, and they have contributed to our economy and to the fabric of our society. In fact, one recent study estimated that ending this policy would cost the country over \$400 billion over the next 10 years.

Ending DACA, which has been in place since 2012, would create tremendous uncertainty and risk deportation for nearly 800,000 Dreamers who are studying and working across our Nation.

When I think of the Dreamers, I think of, first of all, the night that the Judiciary Committee, on a bipartisan basis, passed comprehensive immigration reform. There were Dreamers there. They were there late at night and had tears streaming down their faces. Then I think about the time that President Obama put DACA into place and made it so that they could come forward, sign up, and legally work. Now we are going to turn our backs on those same people, those people who were brought here through no fault of their own. Whether or not the current administration disagrees with the past administration, our country made a commitment to them that they could sign up for this program. Back when we passed comprehensive immigration reform, I felt that our committee—the Senators who voted for that bill, both Democrats and Republicans—made a commitment to them that day that we were going to work on their behalf. That is why this is so wrong.

I do appreciate that this morning the President said that he wants to work to pass this bill and that he said the DACA young people do not have to worry over the next 6 months about any actions taken against them. Those are, of course, good things. I just wish this had not happened in this way, but it did.

I am also not surprised that so many people have stood up in support of Senator DURBIN and Senator GRAHAM's

bill, that so many Republicans, Democrats, leaders in business, leaders in labor, and religious leaders have stood up.

As we discuss the fate of these young people under DACA, I am reminded of someone who is not young—Joseph Medina, who is a decorated Army veteran and an immigrant who just celebrated his 103rd birthday this July. He is 103 years old. When I found him, he was a young 99 years old. The reason I found him was that we were talking about this very issue—about DACA and about kids, actually, today who want to serve in the military. As we know, through various ways, some of the DACA kids are courageously serving in our military right now. Of course, they will not be able to if they are deported, but just think that we are actually considering deporting people who are currently serving in our military.

In any case, let's go back 103 years ago or so—actually, maybe a little before that. Joseph Medina came to the United States from Mexico when he was only 5 years old. He did not actually know he was born outside of our country. He had been brought across the border as an orphan by his aunt and his stepfather, and he did not know that he had been born outside of the United States. He had lived his whole life in Sleepy Eye, MN, until he was in an Army boot camp in 1944. At that time, Joseph Medina wanted to serve our country, but he found out that he actually was undocumented.

In his own words to me, he said: Well, back then, the Army really wanted us. The Air Force wanted us. The Navy wanted us. Everyone wanted us.

So what did they do back then?

He said: We would go over to Canada under, actually, the guidance of our military for 1 night.

He said he got to stay in a nice hotel. Then he came back, and he was a legal citizen. I have not looked into how they did this, but that is how they did it. That was, simply, back then.

Then what did Joseph Medina do? He went and served our country. He served under General MacArthur in the Pacific. That is what he did. When he came back after bravely serving our country, he got married, and he had a boy. I met that guy. That guy served in the Vietnam war.

So we have a dad who served our country in World War II, and we have a son who served our country in Vietnam, all because at that time there were people who said: Do you know what? You were not brought over with any knowledge that you were even being brought over. You were only 5 years old.

They did not deport him when he wanted to serve in our military; they made him a citizen.

Joseph Medina came out here to Washington, DC, at the age of 99 to see the World War II Memorial for the first

time. I stood there with him as he looked proudly at that memorial, along with two Dreamers, who were high school students, who actually wanted to sign up and serve in the Air Force, but they were barred from doing that under the way our laws worked at the time.

I am proud of Joe's service, but I even want more. Joe's spirit and his devotion to our country can continue on and be passed on to other generations. That is what this Dream Act is really all about. It is about other kids who were brought into this country without their knowledge and without their even understanding what was happening and allowing them to be part of that American dream.

America is a country created by immigrants. Immigrants have been part of our Nation's greatest achievements. We need to fix our broken immigration system. Of course we do. That is why I supported comprehensive reform so that we would have had money for order at the border, which would have created a very, very long glidepath to citizenship, but there also was a moral compass to that bill. It has been 4 years since we passed that bill, and as we all know, despite the bipartisan support in the Senate, the House failed to act.

By the way, despite reform being good for our economy, I always like to point out to people that of the Fortune 500 companies, 70 of them in America are headed up by immigrants. Of our U.S. Nobel laureates, 25 percent of them were born in other countries. We literally cut off talent when we cut off immigration.

In my own case, my great-grandparents on my dad's side came over from Slovenia to work in the iron ore mines. When he was in about the sixth grade, my grandpa had to quit school to go work to help raise his eight or nine brothers and sisters, but he always had this immigrant spirit. He never even graduated from high school, but he saved money in a coffee can so he could send my dad to college.

On my other side, my mother's parents—my grandparents—came over from Switzerland. My grandma came over when she was very young—I think at 3 years old. My grandpa came over when he was about 18. He was detained at Ellis Island because they had reached their quota of Swiss immigrants, so he put on his form that he was going to Canada. He did go to Canada, but he did not stay in Canada. He somehow got through to Wisconsin and was there as an undocumented alien, and he lived that way for 20 years. He married my grandma, had my mom and her brother.

When World War II came along, they required those aliens to register, so he had to register. That is when they found out how he had come in, and they still said that it was OK, that he

could register. Then he was kind of emboldened, so he decided to sign up for citizenship. That was when they really looked into it, so he had to have a hearing. He made his case that he had lived here forever and had been there, had had two kids, worked his entire time at a pie shop, and they gave him citizenship. I still have that picture of his shining face with that bow tie. I wonder what would happen to him today if he were to come forward. I am not sure he would be made a citizen despite the long time he had spent in our country.

Now it has happened on both sides of my immigrant family.

My dad ended up being a newspaperman and got to interview everyone from Ginger Rogers, to Ronald Reagan, to Mike Ditka. My mom became a teacher and taught second grade until she was 70 years old. And I stand before you as the first woman elected to the U.S. Senate from the State of Minnesota.

That is the immigrant story. That is a story of a family who came in, not in an easy way, with my grandpa in an uncertain status, clearly, when he came into the United States. So you ask me why I support these Dreamers? Because I had Dreamers in my own family.

I am pleased that so many of my colleagues on both sides of the aisle have spoken out in support of DACA, and it is essential that we now pass this legislation to protect these Dreamers. I stand ready to work with my Republican colleagues. I thank Senator DURBIN and Senator GRAHAM for their leadership. Let's get this done.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

THE NATIONAL DEBT

Mr. PERDUE. Mr. President, we have had a lot of action today in the Senate, which is unusual here, and I wish to address it.

I would like to address this to the people in Texas, Louisiana, and to all of those who just experienced the devastating results and the impact of Hurricane Harvey. Obviously, our hearts go out to those people, and, of course, we are going to do the right thing and help the people of Texas, which is just what we voted on today. But there is a bigger issue I want to speak to today. I relate to this personally because, just last year—almost exactly to the day—

our family was evacuated from our home in South Georgia. As I speak today, we were just notified today that my wife and mother-in-law, who are there today, will be evacuating this weekend from the south coast of Georgia, trying to get out of the way of the next hurricane—Hurricane Irma—which looks to be a very dangerous storm as well, coming into Florida over the next day or so.

But this crisis that we just saw in Texas and that we might see in Florida, Georgia, South Carolina, and North Carolina with the next hurricane—Hurricane Irma—reminds us of a bigger issue. It reminds us that because of our inability to get our financial house in order and as a result of the debt crisis we have today, we are losing the right to do the right thing. Whether it is medical research, whether it is infrastructure, or whether it is education, whether it is funding our military, which we will deal with next week, we are losing the right to do the right thing. By that I mean our own financial intransigence over the last 16 years, primarily, but, I would say, ever since 1965, when we had the Great Society and the great War on Poverty, which has failed miserably. That was another great, sweeping, progressive, liberal program that failed to make any dent in our poverty rate in the United States. The poverty rate today is fundamentally the same as it was in the days when that bill was signed into law.

Because of our intransigence, our ability to appropriate money to deal with disasters like Hurricane Harvey and potentially Hurricane Irma and others is in danger. Moving forward, we just simply will not be able to continue to deal with these emergencies and crises if we don't have a functioning Federal Government that actually pays its bills and has its financial house in order.

The national debt is actually what pulled me into the political process. It is the reason I am in the Senate today. The people of Georgia understand that this is an underlying crisis that we have been digging here for the last two decades and it simply has to be dealt with.

Today we have \$20 trillion in debt. I call that a crisis because we do not have a plan to reduce that back to some reasonable percentage of our GDP. This is greater in size than the size of our entire economy. What is worse than that and what is more concerning is that over the next 30 years, we have over \$130 trillion, by most estimates, of future unfunded liabilities coming at us like a freight train. That is Social Security, Medicare, pension benefits for Federal employees, and the interest on the debt, primarily.

Here we are dealing with this debt ceiling just today, and I would argue that the debt ceiling has been the most

ineffective thing that I have seen in the Senate. Over 100 times it has been extended or increased, and it has not slowed down deficit spending in the Congress. It has not kept us from having a \$20 trillion debt today.

Washington knew this was coming, by the way. We have raised or suspended this debt over 100 times to no avail. It hasn't slowed down the debt spending that we have been doing, particularly over the last two decades.

Two months ago in June, a group of Senators and I listed the debt ceiling as one of the key reasons why we thought we ought to stay here during the month of August, instead of going home and having our work period there, because we felt that this needed to be debated and that we needed to get to a long-term solution.

Exactly 3 months ago today, I stood right here in the Senate and laid out what I thought the real consequences of the debt would be. At that time I said:

Congress is the only enterprise I can find anywhere in the world that funds its operations the way we fund this government. The problem is we have a system that is absolutely, totally broken. It is a fraud that is being perpetrated on the American people.

I stand by that today. The American people know that this is a fraud perpetrated on them, and that is why I think we have seen change in leadership in the White House. Just three months later, we see our debt limit today being dealt with in a way that puts in jeopardy our ability to deal with these national disasters, such as hurricanes and fires. We heard just a few minutes ago about the devastating fires in the Northwest.

Let's be clear. The United States cannot and will not default on our debts. It will not default on our obligations, but this debt ceiling issue should have already been resolved months before now. We actually hit this debt ceiling—just so everybody remembers—in March of this year. The Secretary of the Treasury has been using unusual measures—extraordinary measures, they call them—to keep the government funded during this period of uncertainty. In fact, we hit this debt ceiling at a time when we should have been dealing with the budget. But still today—as I stand here today—we do not have a budget for fiscal year 2018, and we have 15 days until the end of this fiscal year, or the end of September of this year—September 30.

Raising the debt ceiling now just until December 15 isn't what puts our country at risk. The debt ceiling is not the issue here. It is not the problem. It is the unbridled spending that both parties have succumbed to over the last two decades under two Presidents—one Republican and one Democrat. Our government has grown from \$2.4 trillion to \$3.9 trillion. That is constant dollars. Neither party can point

fingers at the other in terms of the explosion and the size of the Federal Government.

What is worse, as I just said, is that over the next 30 years, our mandatory expenses—it is not our discretionary spending. Discretionary spending in the last 9 years has come down, largely because of the Budget Control Act and because of sequestration. Our discretionary spending has come down from about \$1.5 trillion to just over \$1 trillion last year. That \$400 billion reduction, though, came on the back, primarily and largely, of our military.

The debt ceiling has to be dealt with, but it is not the driver of our problems. The budget process is the underlying release valve that causes this problem, and it allows both parties, particularly in the last 20 years, to spend money we don't have.

The budget process, as I have said before on this floor, has only worked four times in 43 years. We have to appropriate 12 bills a year to fund the Federal Government. The average over that 43-year period is only 2½. That is the fraud that is being perpetrated on the American people. No other body—no other entity that I can find anywhere in the world—can get away with that. Yet here we are, kicking the can down the road again for another 3 months.

Fixing the budget process alone will not solve the debt crisis, but we will not solve the debt crisis unless and until we fix this broken budget process. We cannot ignore this any longer. We must stop piling up this debt on the backs of our kids and our grandkids.

The fix is readily available. This debt crisis is not something we can't solve. People say: Well, you can't touch Social Security and you can't touch Medicare. Wait a minute. If we don't touch them, they are going to be broke in 14 short years. In 14 years, the trust funds of both Social Security and Medicare go to zero—zero. People will not be up here changing Members of this body at the rate they are now. It will be much accelerated.

The fix can be done. There are five areas that need attention, and any of these areas can have bipartisan solutions. I will not go into detail today. I will just highlight the five areas, but we have to deal with each one of these on their own merits. The budget process is broken and can be fixed. I believe we have right now, behind the scenes, Democrats and Republicans working together to find a bipartisan, politically neutral platform to present our arguments on both sides of the budget process and to create a budget that actually funds the Federal Government appropriately, without all of this drama and without a release valve of extra spending.

The second thing is redundant spending. We know that the GAO, or the General Accountability Office, and the

Congressional Budget Office both agree that we have several hundred billion dollars in redundant agencies and redundant programs.

The third is to grow the economy. This is job one by this President. This President has said that job one of this administration this year is to do the things necessary with the regulatory environment and the tax environment to grow the economy.

The fourth area is to save Social Security—not to cut it but to save Social Security and save Medicare. That can be done, and I believe there are bipartisan alternatives that we should be debating right now. In 2½ years, that has not come before this body, and I don't see it happening in the balance of this year.

The fifth area is that, while we debated healthcare most of this year, we debated the insurance side of healthcare for the individual market and Medicaid but what we never talked about—and we haven't under President Obama, President Bush, and, now, even under President Trump—in this Congress is that we have not dealt with the spiraling drivers of healthcare costs themselves—healthcare delivery, pharmaceuticals, and the fact that the neediest among us are getting the most expensive care in emergency rooms today unnecessarily.

Don't be misled. We are well into this debt crisis. This is not something that can be solved with a 10-year planning horizon. This is a situation where we need to tell the bond market and the world that we are committed to a 20-year or 30-year period in order to fix this debt crisis.

Ideas are coming from both sides of the aisle. One idea comes from the Democratic side that says: Let's pick a time in the future, put a stake in the ground about what target percentage of GDP our debt should be, and then develop a roadmap between today and that point in time in the future to commit ourselves to get there. I applaud that idea. I think that is a genuinely brilliant idea. It is something that other countries have done before and it is something that works.

I hope my colleagues will please remember that, today, every dollar we spend in our country's defense, which is about \$600 billion directionally correct in our military and between \$150 billion and \$200 billion for our veterans, and all domestic discretionary spending, or about \$1.1 trillion—every dime of that—is borrowed money. Let me say that again. Every dollar we are spending on our defense, every dollar we spend on our veterans, and every dollar we spend on our discretionary domestic programs, like what we are doing here today, is borrowed money.

This simply cannot continue. I can't think of any taller order. Between now and the end of the year, as we debate the tax changes that we want to make

to our Tax Code so that we can become competitive with the rest of the world, let's remember why we are debating that tax issue.

We are debating the tax issue to become competitive with the rest of the world, to grow the economy. That is one of five areas which need to be dealt with. Our regulatory work is the other area in that attempt to grow the economy. But we will not dig out of this debt crisis unless and until we fix our budget process, stop this redundant spending, save Social Security and Medicare, and fix the spiraling nature of our healthcare costs.

I can think of nothing—nothing—in our future the rest of this year that is more important than addressing this budget process as we look at tax and dealing with this long-term debt crisis that we have.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STOP ENABLING SEX TRAFFICKERS ACT

Mr. PORTMAN. Mr. President, it is a tragedy that in the Presiding Officer's home State of Louisiana, in my State of Ohio, and around this country, girls and women, children and adults, are being trafficked online. Sex trafficking is really a stain on our country.

We have taken some actions in the U.S. Senate to deal with this. We passed four or five bills to increase prosecution of those who engage in this, to ensure that women who are victims are treated as such and not as criminals. We have talked about how to help find missing children. I have been involved in those efforts. We have a caucus here on trafficking which has gotten involved in these issues.

Here is the reality, as I see it. Unbelievably, in the 21st century, this practice of selling people is increasing, and it is increasing primarily because it has moved online, where it is, tragically, efficient.

We have learned, through an extensive investigation over the last couple of years, that there is one website online which handles most of the commercial sex business and most of the trafficking, and that is a website called backpage.com.

What we have done in the U.S. Senate by focusing on this issue is we tried to determine how do you turn the tide, begin to get to the point where, instead of hearing more and more stories about women and girls and sometimes boys being trafficked online, in fact, we are

beginning to get to a situation where we can find ways to get those people into treatment and recovery, deal with their trauma, and begin to stop this horrendous practice. It is really taking away the God-given potential of those engaged in it. There is nothing more horrible than meeting a young girl who has been trafficked and hearing the horrendous stories.

I was recently back in Ohio and had the opportunity to visit with some victims. I remember one young woman in particular told me she was trafficked at age 9—starting at age 9—by her father. He would take her to Super Bowls out of town, and he would traffic her online in their hometown. Imagine the trauma and the heartbreak.

Typically, now it is connected also with heroin or fentanyl or prescription drugs or other opioids. In other words, these girls or women are often made dependent, in part, from their addiction, and the traffickers cruelly use that addiction to force them to do things they would never otherwise envision.

So we know that. We know this is happening. We know it is increasing. We know it is online. What do we do about it?

Unfortunately, as we have learned in our investigation, these websites online that engage in this are largely protected. They are immune from prosecution. They are immune from victims being able to get justice. They are denied justice because of a Federal law which protects these evil people who knowingly are engaged directly in sex trafficking. That is pretty amazing; isn't it? But that is what is happening.

Victims were denied justice just 2 weeks ago, when a judge in Sacramento, CA, dismissed pending charges against backpage.com—this group I talked about—because of what they cited, which is a broad immunity granted by a 1996 law called the Communications Decency Act.

As the court saw it—and other courts have seen it—this law gives third-party website providers or publishers immunity from these kinds of heinous crimes, even if the website is participating in sex trafficking.

The court opinion made it clear, it is up to Congress to remedy this injustice, suggesting: "If and until Congress sees fit to amend the immunity law, the broad reach of section 230 of the Communications Decency Act even applies to those alleged to support the exploitation of others by human trafficking."

In other words, what the courts have said is, Congress, this is up to you. You passed legislation—I believe inadvertently—inadvertently—which provides this immunity and protection for these people who continue to engage and participate in—knowingly participate in trafficking, including of underaged girls.

This is just the most recent ruling in a string of judicial decisions that have defended backpage and the other sites from legal challenges, despite their clear involvement in this criminal activity.

In 2016, last year, the First Circuit Court of Appeals ruled in favor of backpage in a case brought by three girls who were sold for sex on the site, but the court opinion noted that in order to fix the problem, "the remedy is through legislation, not litigation." They called the practice what it is, immoral, but then they said the solution is not more litigation, it is legislation; in other words, Congress, get your act together—get your act together.

These court rulings underscore the need for us to get our act together and to do so with urgency because every day that goes by, more girls, more women are trafficked online, and this must stop.

Having met with dozens of sex trafficking victims, I asked them the question, of course: How did it get to this point? Were you trafficked by someone? How did you find yourself here?

Most of these victims—most of these victims—tell me the same story, which is backpage.com. Their trafficker has them, as they say, off the street corner onto the smart phone—and, again, tragically efficient, in the sense that they may be sold 10, 15, in one case, 20 times during a single evening. They deserve to know we will not passively let this injustice continue. They deserve to know Congress will step up and correct this Federal legislation which we passed in Congress 20-some years ago to deal with this issue.

In August, I visited the Oasis House in Dayton, OH. Oasis is a wonderful place. They welcome up to 11 women at a time to live in a faith-based community which provides them incredible support. It helps deal with the trauma we talked about earlier, helps them to be moving from that trauma to independence. They are getting recovery and support there. So many of these women have had a transformation, and it is wonderful to see them back with their families or back at work.

Speaking with these victims, [backpage](http://backpage.com) came up—as it often does. It is just heartbreaking to hear what they had to say—but mostly they can't get justice; that the website that facilitated these crimes against them is off limits.

That is why, in July, after an 18-month investigation into online trafficking, I introduced—along with a number of my colleagues—legislation called Stop Enabling Sex Traffickers Act. Currently, we have 27 cosponsors in the Senate. We have only had this introduced while we have been in session for 2 weeks because we introduced it just before the August recess, but Senator RICHARD BLUMENTHAL, Senator JOHN MCCAIN, Senator CLAIRE MCCAS-

KILL, Senator JOHN CORNYN, Senator HEIDI HEITKAMP, and more than 20 other Senators have joined in this effort to deal with the real problem, which is the growth of trafficking due to the online presence and specifically some of these websites like [backpage](http://backpage.com).

The bill would make three narrowly crafted changes to what is called the Communications Decency Act to allow [backpage](http://backpage.com) and other websites that knowingly facilitate sex trafficking to be brought to justice.

First, it allows victims of sex trafficking to seek justice against websites. It does so by removing the law's unintended protection we talked about for online sex traffickers. Second, it helps law enforcement by allowing the prosecution of websites, again, that knowingly assist, support, or facilitate a violation of already existing Federal sex trafficking laws. There is already a law in place that makes it illegal to engage in sex trafficking. The exception is, again, these websites online that are protected by the Communications Decency Act. So it basically says that you will be treated like others if you engage in, facilitate, and support it.

Finally, it lets State law enforcement—not just the Department of Justice—take legal action against these websites that violate Federal sex trafficking laws.

The Communications Decency Act, again, was enacted by Congress a couple decades ago—21 years ago—and now it needs to be brought into the 21st century. Again, it is an important piece of legislation, broadly speaking, but on this particular issue—inadvertently, I believe—it has allowed this incredible injustice to continue.

In my view, victims shouldn't have to wait one more day to get the justice they deserve. State and local prosecutors, those on the frontlines, should be able to prosecute [backpage](http://backpage.com) and others for their roles in these crimes.

The leading website for online sex trafficking has and will continue to escape legal justice for its active role in trafficking unless Congress acts. The solution is right in front of us. This bipartisan legislation will make the changes necessary. By the way, these are changes that a number of groups on the outside have called for and have strongly supported.

On August 15, I was proud to announce the support of 16 new Ohio organizations and officials who endorsed the Stop Enabling Sex Traffickers Act. The list includes anti-human trafficking advocates, human rights groups, State officials, and Ohio sex trafficking victims, among others. This is in addition to the list of dozens of national anti-human trafficking and law enforcement groups who have come out publicly in support of this bill. I appreciate them. I appreciate what the human trafficking advocacy groups do

every day, trying to help these victims. I really appreciate our law enforcement officials, and the fact that organizations like the Fraternal Order of Police step forward to support this legislation is very important.

On August 16, the day after we had this endorsement from all these groups from Ohio, 50 attorneys general from across the United States—50, including Ohio's Mike DeWine—sent a letter to Congress asking for the Communications Decency Act to be changed to allow State and local authorities to hold backpage and other websites that knowingly facilitate sex trafficking accountable.

The letter stated, in part: "It is both ironic and tragic that the CDA, which was intended to protect children from indecent material on the internet, is now used as a shield by those who profit from prostitution and crimes against children."

They are right. Initially the Communications Decency Act was put in place to try to shield young people from pornography.

What these attorneys general are calling for and what this Stop Enabling Sex Traffickers Act will do is allow us to go after these websites. This bill will allow victims to get justice, as I said, and will do so in a way that protects internet companies that are doing the right thing. Notably, we preserve the Communications Decency Act's Good Samaritan provision, which protects those good actors who proactively block and screen for offensive material, shielding them from any possibility of frivolous lawsuits. That is important.

The good actors out there—and the vast majority of websites are good actors—have nothing to do with sex trafficking. In fact, many of them police their site for it. The Facebooks of the world and the Googles of the world are not the bad actors.

We are gaining momentum within the tech community, some of whom have concerns about changing the Communications Decency Act. Just this week, we got a letter from Oracle, strongly supporting the Stop Enabling Sex Traffickers Act. They agreed that this narrowly crafted bill will hold the bad actors accountable while protecting well-intentioned websites.

Oracle's letter says, in part:

Your legislation does not, as suggested by the bill's opponents, usher the end of the Internet. If enacted, it will establish some measure of accountability for those that cynically sell advertising but are unprepared to help curtail sex trafficking.

Other tech companies have also joined in the fight to ensure that we can stop sex trafficking. I know they are going to follow Oracle's lead in publicly supporting this legislation.

Courts across the country, again, have made it clear that their hands are tied. Their hands are tied in bringing backpage and other websites to justice.

It is our responsibility right here in the U.S. Senate and the U.S. Congress to change this law. Women and children have had their most basic rights stripped from them and have been let down by our judicial system and, frankly, up to now, by Congress in their search for justice.

With these latest calls to action from judicial rulings and this recent letter from 50 attorneys general, any future injustice in the legal system because of the Communications Decency Act falls on Congress. It falls on the shoulders of those in the U.S. Senate and the House.

It is not just the attorneys general around the country who have supported this; the district attorneys have sent a letter this week supporting it—again, other law enforcement across the board.

Through this legislation, we have the opportunity to right this wrong, to make a real difference in the lives of vulnerable women and children who have been victims of trafficking.

Justice cannot be seen, but its absence can be felt. Those who have been trafficked by backpage, only to see the company prosper and escape legal consequences, have experienced unimaginable injustice. They feel it.

The path to action is clear. Victims need this legislation that the courts, attorneys general, district attorneys, victims, and others have been calling for. Congress must pass the Stop Enabling Sex Traffickers Act in order to correct this injustice.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 250; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

IN THE ARMY

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. John K. Muller

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 188 on the nomination of Timothy Kelly, of the District of Columbia, to be United States District Judge for the District of Columbia. Had I been present, I would have voted yea.

Mr. President, I was unavoidably absent for rollcall vote No. 189, the motion to table Paul motion to refer H.R. 601, the Emergency Supplemental Continuing Resolution and Debt Limit Act, with instructions. Had I been present, I would have voted yea.

Mr. President, I was unavoidably absent for rollcall vote No. 190, the motion to table the motion to refer H.R. 601 to committee with instructions to report back without any provision that was not contained in the House message accompanying the bill H.R. 601. Had I been present, I would have voted yea.

Mr. President, I was unavoidably absent for rollcall vote No. 191, the motion to invoke cloture on the House message to accompany H.R. 601, with further amendment—emergency aid, debt limit, CR. Had I been present, I would have voted yea.

Mr. President, I was unavoidably absent for rollcall vote No. 192, the motion to concur in the House amendment to H.R. 601 with further amendment. Had I been present, I would have voted yea. •

(At the request of Mr. NELSON, the following statement was ordered to be printed in the RECORD.)

DIASTER RELIEF FUNDING BILL

• Mr. RUBIO. Mr. President, today I am home in West Miami, FL, which is now under a Hurricane Watch for Hurricane Irma and currently projected to

take a direct hit from a category 5 storm. Tropical storm conditions are expected in south Florida less than 48 hours after the time of this vote. Had I remained in Washington, DC, the earliest possible return to south Florida would have given me less than 12 hours to safely secure my home and my mother's home and otherwise prepare my family to face the brunt and the aftermath of a potentially catastrophic storm. Therefore, given these circumstances and the fact that my vote would not have been determinative of the outcome of the measures before the Senate, I felt the prudent course of action was to remain in south Florida, take appropriate actions to protect my family and helping to coordinate efforts between Federal, State, and local officials.

If I had been able to participate in today's Senate vote in Washington, I would have voted to approve the supplemental package before the Senate, but my vote would come despite significant reservations about some of the other items attached to this legislation.

As I have always done in the past, I support providing additional emergency resources for disaster aid and recovery. Disaster relief is an appropriate function of the Federal Government. Unlike some previous disaster relief legislation, these funds are to be spent immediately, and are properly targeted to assist the areas impacted by Hurricane Harvey and potentially Hurricane Irma.

The rest of this spending package, however, contains items that, under normal circumstances and offered separately, I have opposed.

I strongly disagree with the decision made by the administration to agree to pair funding for FEMA and emergency disaster relief to short-term extensions to the continuing resolution, the debt ceiling and the National Flood Insurance Program unaccompanied by significant reforms.

During my service in the Senate, my support for increasing the debt limit has consistently in the past and will again in the future be conditioned on meaningful spending reforms that address our long-term debt.

Absent extenuating circumstances such as the outbreak of the Zika virus last year, I have consistently opposed passage of short-term continuing resolutions because it is an incredibly inefficient way of spending taxpayer dollars and fails to provide the certainty required for effective planning.

I am frustrated that Congress has once again temporarily reauthorized the outdated National Flood Insurance Program without enacting a long-term solution that makes much-needed improvements for the people of Florida and places this vital program on a sustainable path.

It is shameful these necessary and important measures are not being con-

sidered separately. Linking them to funds needed to assist our fellow Americans recovering from a devastating natural disaster is a cynical effort to avoid subjecting these measures to the scrutiny and debate they merit.

Today I was informed by its director that FEMA has less than 2 days of emergency funds remaining. Given that Texas continues to recover from the catastrophic effects of Hurricane Harvey and that the State of Florida is facing the most powerful Atlantic storm ever recorded, I have no choice but to support this measure, but I consider the manner in which this measure was structured, linking emergency disaster relief for victims which requires immediate action with other controversial measures we still have time to debate through the regular order, to be among the most politically cynical efforts I have ever witnessed.●

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for September 2017. The report compares current-law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for fiscal year 2017, S. Con. Res. 3. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. The Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act, CBA.

My last filing can be found in the RECORD on July 12, 2017. The information contained in this report captures legislative activity since that filing through September 5, 2017.

Republican Budget Committee staff prepared tables 1-3 of this report.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the most recently adopted budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. For this reporting period, 11 of the 16 authorizing committees are in compliance with their allocations, two fewer than my last report. Legislative activity during this reporting period brought both the Committee on the Judiciary, for a State compact relating to the Washington Metrorail Safety Commission, P.L. 115-54, and the Committee on Foreign Relations, for the Countering America's Adversaries through Sanctions Act, P.L. 115-44, out of compliance.

In total, authorizing committees are estimated to increase outlays by nearly \$2 billion more than they were allocated over the fiscal year 2017-2026 pe-

riod. The largest spending violation since the passage of the current budget resolution occurred during this reporting period. The VA Choice and Quality Employment Act of 2017, P.L. 115-46, increased budget authority by \$2 billion and outlays by \$1.9 billion over the fiscal year 2017-2026 window.

Tables 2-3 of this report, related to activities of the Senate Committee on Appropriations, remain unchanged from my previous report.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by the Congress.

CBO provided a spending and revenue report for fiscal year 2017, which helps enforce aggregate spending levels in budget resolutions under CBA section 311. CBO's estimates show that current law levels of spending for fiscal year 2017 exceed the amounts assumed in the budget resolution for budget authority by \$1.8 billion. However, levels for outlays remain nearly \$6.4 billion below assumed levels. CBO also estimates that revenues are \$1 million above assumed levels for fiscal year 2017 and \$8 million above assumed levels over the fiscal year 2017-2026 period. Two pieces of legislation, the FDA Reauthorization Act of 2017, P.L. 115-52, and the Countering America's Adversaries through Sanctions Act, increased revenues this reporting period. The former increased revenues by \$7 million over 10 years and the latter by \$22 million over the same period.

Social Security levels are consistent with the budget resolution's fiscal year 2017 figures.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. The Senate's PAYGO scorecard currently shows increased deficits of \$2.5 billion over the fiscal year 2016-2021 and \$1.9 billion over fiscal year 2016-2026 periods. Over the fiscal year 2016-2021 period, legislation has been enacted that CBO estimates will increase outlays by \$2.5 billion and reduce revenues by \$20 million. Over the fiscal year 2016-2026 period, legislation has been enacted that CBO estimates will increase outlays by \$1.9 billion and increase revenues by \$3 million. The Senate's PAYGO rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

Finally, included in this submission is a table tracking the Senate's budget enforcement activity on the floor. Three budget points of order have been raised since my last filing, and each was successful. All of these points of order occurred during the Senate's consideration of H.R. 1628, the American Health Care Act of 2017.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES: ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

[In millions of dollars]

	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry			
Budget Authority	0	0	0
Outlays	0	0	0
Armed Services			
Budget Authority	0	0	0
Outlays	0	0	0
Banking, Housing, and Urban Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Commerce, Science, and Transportation			
Budget Authority	1	1	1
Outlays	1	1	1
Energy and Natural Resources			
Budget Authority	0	0	0
Outlays	0	0	0
Environment and Public Works			
Budget Authority	0	0	0
Outlays	0	0	0
Finance			
Budget Authority	–239	468	–204
Outlays	38	763	91
Foreign Relations			
Budget Authority	0	2	10
Outlays	0	2	10
Homeland Security and Governmental Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Judiciary			
Budget Authority	0	0	0
Outlays	0	12	15
Health, Education, Labor, and Pensions			
Budget Authority	0	–5	–44
Outlays	0	–5	–44
Rules and Administration			
Budget Authority	0	0	0
Outlays	0	0	0
Intelligence			
Budget Authority	0	0	0
Outlays	0	0	0
Veterans' Affairs			
Budget Authority	2,100	3,351	1,949
Outlays	0	2,496	1,916
Indian Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Small Business			
Budget Authority	0	0	0
Outlays	0	0	0
Total			
Budget Authority	1,862	3,817	1,712
Outlays	39	3,269	1,989

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE: ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹

[Budget authority, in millions of dollars]

	2017	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	20,877
Commerce, Justice, Science, and Related Agencies	5,200	51,355
Defense	515,977	138
Energy and Water Development	19,956	17,815
Financial Services and General Government	33	21,482
Homeland Security	1,876	40,532
Interior, Environment, and Related Agencies	0	32,280
Labor, Health and Human Services, Education and Related Agencies	0	161,025
Legislative Branch	0	4,440
Military Construction and Veterans Affairs, and Related Agencies	7,726	74,650
State Foreign Operations, and Related Programs	0	36,586
Transportation and Housing and Urban Development, and Related Agencies	300	57,351
Current Level Total	551,068	518,531
Total Enacted Above (+) or Below (–) Statutory Limits	0	0

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE: ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

[Budget authority, millions of dollars]

	2017
CHIMPS Limit for Fiscal Year 2017	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	741
Commerce, Justice, Science, and Related Agencies	8,452
Defense	0
Energy and Water Development	0
Financial Services and General Government	826
Homeland Security	187
Interior, Environment, and Related Agencies	28

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE: ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

(Budget authority, millions of dollars)

	2017
Labor, Health and Human Services, Education and Related Agencies	8,009
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	857
Current Level Total	19,100
Total CHIMPS Above (+) or Below (–) Budget Resolution	0

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 7, 2017.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current

through September 5, 2017. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

Since our last letter dated July 12, 2017, the Congress has cleared and the President has signed the VA Choice and Quality Employment Act (Public Law 115–46). That act has significant effects on budget authority in fiscal year 2017.

Sincerely,

KEITH HALL, *Director*.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 5, 2017

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,329.3	3,331.1	1.8
Outlays	3,268.2	3,261.8	– 6.4
Revenues	2,682.1	2,682.1	0.0
Off-Budget			
Social Security Outlays ^a	805.4	805.4	0.0
Social Security Revenues	826.0	826.0	0.0

Source: Congressional Budget Office.

^a Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 5, 2017

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted ^{a b}			
Revenues	n.a.	n.a.	2,682,088
Permanents and other spending legislation	2,059,997	1,965,841	n.a.
Appropriation legislation	132,558	614,596	n.a.
Offsetting receipts	– 834,250	– 834,301	n.a.
Total, Previously Enacted	1,358,305	1,746,136	2,682,088
Enacted Legislation ^b			
National Aeronautics and Space Administration Authorization Act of 2017 (P.L. 115–10)	1	1	0
A joint resolution making further continuing appropriations for fiscal year 2017, and for other purposes (P.L. 115–30)	2	2	0
Consolidated Appropriations Act, 2017 (P.L. 115–31) ^b	1,961,750	1,513,846	1
VA Choice and Quality Employment Act of 2017 (P.L. 115–46)	2,100	0	0
Total, Enacted Legislation	1,963,853	1,513,849	1
Entitlements and Mandatories			
Budget resolution estimates of appropriated entitlements and other mandatory programs	8,928	1,795	0
Total Current Level ^c	3,331,086	3,261,780	2,682,089
Total Senate Resolution ^d	3,329,289	3,268,171	2,682,088
Current Level Over Senate Resolution	1,797	n.a.	1
Current Level Under Senate Resolution	n.a.	6,391	n.a.
Memorandum			
Revenues, 2017–2026			
Senate Current Level	n.a.	n.a.	32,351,668
Senate Resolution	n.a.	n.a.	32,351,660
Current Level Over Senate Resolution	n.a.	n.a.	8
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the budgetary effects of enacted legislation cleared by the Congress during the 114th session, prior to the adoption of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

^b Sections 193–195 of P.L. 114–223 (as amended by Division A of P.L. 114–254), provided funding for innovation projects and state responses to opioid abuse. CBO estimated that for fiscal year 2017, these sections provided a combined \$872 million in budget authority, which would result in \$256 million in outlays. However, consistent with sections 1001–1004 of P.L. 114–255, for the purposes of estimating the budgetary effects of those provisions under the Congressional Budget and Impoundment Control Act of 1974 (Budget Control Act) and the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act), those amounts are estimated to provide no budget authority or outlays.

^c For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^d Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 3, pursuant to various provisions of the resolution. The total for the Initial Senate Resolution shown below excludes \$81,872 million in budget authority and \$40,032 million in outlays assumed in S. Con. Res. 3 for non regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Deficit Control Act. The total for the Revised Senate Resolution shown below includes amounts for non regular discretionary spending.

	Budget Authority	Outlays	Revenues
Initial Senate Resolution	3,226,128	3,224,630	2,682,088
Revisions:			
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974	103,161	43,541	0
Revised Senate Resolution	3,329,289	3,268,171	2,682,088

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF SEPTEMBER 5, 2017

(In millions of dollars)

	2016–2021	2016–2026
Beginning Balance ^a	0	0
Enacted Legislation ^{b,c,d}		
Tested Ability to Leverage Exceptional National Talent Act of 2017 (P.L. 115–1)	*	*
Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule (P.L. 115–5)	*	*
National Aeronautics and Space Administration Transition Authorization Act of 2017 (P.L. 115–10)	1	1
Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues (P.L. 115–14)	*	*
Disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (P.L. 115–21)	1	1
Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees (P.L. 115–24)	*	*
An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes (P.L. 115–26)	200	200
Making further continuing appropriations for fiscal year 2017, and for other purposes (P.L. 115–30) ^e	24	25
Consolidated Appropriations Act, 2017 (P.L. 115–31) ^f	*	*
U.S. Wants to Compete for a World Expo Act (P.L. 115–32)	*	*
Modernizing Government Travel Act (P.L. 115–34)	*	*
Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for nongovernmental employees (P.L. 115–35)	*	*
Public Safety Officers' Benefits Improvement Act of 2017 (P.L. 115–36)	*	*
Follow the Rules Act (P.L. 115–40)	*	*
Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 (P.L. 115–41)	*	*
A bill to amend section 1214 of title 5, United States Code, to provide for stays during a period that the Merit Systems Protection Board lacks a quorum (P.L. 115–42)	–2	–12
Countering America's Adversaries Through Sanctions Act (P.L. 115–44)		
Wounded Officers Recovery Act of 2017 (P.L. 115–45)	2,271	1,891
VA Choice and Quality Employment Act of 2017 (P.L. 115–46)	25	–175
Harry W. Colmery Veterans Educational Assistance Act of 2017 (P.L. 115–48)	*	*
Global War on Terrorism War Memorial Act (P.L. 115–51)	–6	–51
FDA Reauthorization Act of 2017 (P.L. 115–52)	*	*
Northern Mariana Islands Economic Expansion Act (P.L. 115–53)		
Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission (P.L. 115–54)	12	15
Department of State Authorities Act, Fiscal Year 2017, Improvements Act (S. 371)	*	*
Bob Dole Congressional Gold Medal Act (S. 1616)	*	*
Current Balance	2,526	1,895
	2016–2021	2016–2026
Changes to Revenues	–20	3
Changes to Outlays	2,506	1,898

Source: Congressional Budget Office.

Notes: P.L. = Public Law; * = between –\$500,000 and \$500,000.

^a Pursuant to the statement printed in the Congressional Record on January 17, 2017, the Senate Pay-As-You-Go Scorecard was reset to zero.^b The amounts shown represent the estimated effect of the public laws on the deficit.^c Excludes off-budget amounts.^d Excludes amounts designated as emergency requirements.^e The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard pursuant to section 202(c) of P.L. 115–30.^f Division M of P.L. 115–31 contains the Health Benefits for Miners Act of 2017 and the Puerto Rico Section 1108(g) Amendment of 2017. Division N contains the HIRE Vets Act. Pursuant to section 301(b) of Division M, the budgetary effects of Division M and succeeding divisions are excluded from the Senate's PAYGO scorecard.

ENFORCEMENT REPORT OF LEGISLATION POST-S. CON. RES. 3, FY 2017 CONGRESSIONAL BUDGET RESOLUTION

Vote	Date	Measure	Violation	Motion to Waive ^d	Result
168	July 25, 2017	S. Amdt. 270—perfecting amendment to the American Health Care Act of 2017.	311(a)(2)(B)—Revenues reduced below levels assumed in the budget resolution ^a .	Sen. Cruz (R–TX)	43–57, Not Waived
172	July 26, 2017	S. Amdt. 288—sense of the Senate amendment regarding Medicaid expansion is a priority and that Obamacare must be improved.	313(b)(1)—Byrd rule violation, no specification on which provision of the Byrd rule ^b .	Sen. Heller (R–TX)	10–90, Not Waived
174	July 27, 2017	S. Amdt. 389—provided premium assistance for low-income individuals.	302(f)—Exceeds a committee's 302(a) allocation ^c	Sen. Strange (R–TX)	50–50, Not Waived

^a At the time of consideration, an estimate was unavailable for the McConnell amendment.^b Senator Sanders raised a point of order against this Sense of the Senate amendment as a violation of the Byrd Rule.^c At the time of consideration, an estimate was unavailable for the Strange amendment. Senator Schatz raised this point of order as violating the Finance Committee's 302(a) allocation.^d All motions to waive were offered pursuant to section 904 of the Congressional Budget Act of 1974.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. The Senate is

considering S. Amdt. 808, which provides emergency funding for disaster relief.

This legislation includes language that increases nonsecurity discretionary budget authority by \$15,250 million this year and designates it as emergency funding pursuant to section 251(b)(2)(A)(i) of BBEDCA. CBO estimates that this budget authority will not outlay in 2017.

As a result of the aforementioned designations, I am revising the alloca-

tion to the Committee on Appropriations by increasing the revised nonsecurity budget authority by \$15,250 million. Further, I am increasing the budgetary aggregate for fiscal year 2017 by \$15,250 million in budget authority.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)

	\$ Millions	2017
Current Spending Aggregates:		
Budget Authority		3,325,189
Outlays		3,263,671
Adjustments:		
Budget Authority		15,250
Outlays		0

REVISION TO BUDGETARY AGGREGATES—Continued
(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)

\$ Millions		2017
Revised Spending Aggregates:		
Budget Authority		3,340,439
Outlays		3,263,671

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2017
(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

\$ Millions					2017		
Current Allocation:							
Revised Security Discretionary Budget Authority					634,000		
Revised Nonsecurity Category Discretionary Budget Authority					553,553		
General Purpose Outlays					1,230,926		
Adjustments:							
Revised Security Discretionary Budget Authority					0		
Revised Nonsecurity Category Discretionary Budget Authority					15,250		
General Purpose Outlays					0		
Revised Allocation:							
Revised Security Discretionary Budget Authority					634,000		
Revised Nonsecurity Category Discretionary Budget Authority					568,803		
General Purpose Outlays					1,230,926		
Memorandum: Detail of Adjustments Made Above			OCO	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority			0	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority			0	0	0	15,250	15,250
General Purpose Outlays			0	0	0	0	0

NATIONAL EARTHQUAKE HAZARDS
REDUCTION PROGRAM REAU-
THORIZATION ACT OF 2017

Mrs. FEINSTEIN. Mr. President, yesterday, along with several of my colleagues, I introduced the National Earthquake Hazards Reduction Act of 2017. This bill would reauthorize a national program to improve the Nation's earthquake preparedness. Senators MURKOWSKI, GARDNER, MURRAY, WYDEN, HARRIS, MERKLEY, and CANTWELL are original cosponsors of this bill, and I thank them for their support.

I firmly believe that, when it comes to a catastrophic earthquake, it is not a matter of if it will occur, it is a matter of when. It is important that we recognize the threats posed by earthquakes and do all we can to plan for the worst. By reauthorizing the National Earthquake Hazards Reduction Program, we will ensure that vital research, assistance to States, and development of early-warning systems continue.

Earthquakes threaten many areas in the United States—some densely populated, some not. The National Earthquake Hazards Reduction Program helps four Federal agencies—the National Institute of Standards and Technology, the Federal Emergency Management Agency, the U.S. Geological Survey, and the National Science Foundation—coordinate earthquake research and education activities, as well as develop and disseminate information and best practices in order to protect public safety. The most recent reauthorization expired in 2009.

While there is still much that we do not know about earthquakes, we do know that there are many actions that we can take to reduce earthquake risk. We can map active fault lines and utilize geological knowledge to inform where we build. Research can help architects to design buildings that are more earthquake-resistant, as well as ensure that critical infrastructure such as hospitals and powerplants are able

to function after an earthquake strikes. Outreach and better coordination can help prepare response efforts, and developing an early-warning system is a critical tool to guard against severe loss of life.

The National Earthquake Hazards Reduction Program Reauthorization Act would enable earthquake-prone communities to better prepare and protect themselves by minimizing losses through infrastructure improvements and hazard and risk assessments.

The key provisions of the bill would permanently reauthorize the National Earthquake Hazards Reduction Program, NEHRP; remove outdated language related to earthquake prediction and instead emphasizes the continued development of earthquake early-warning systems through the Advanced National Seismic System; require the production of a set of maps showing active faults and folds, liquefaction susceptibility, and other hazards that can be induced by an earthquake, such as landslides; reduce various administrative burdens for Federal agencies that are disruptive to the essential mission of the program and improves data sharing between agencies; enhance coordination among Federal agencies and with State agencies; provide clear direction to the four Federal agencies charged with overseeing NEHRP—the National Institute of Standards and Technology, the Federal Emergency Management Agency, the U.S. Geological Survey, and the National Science Foundation—to continue working with States and private sector experts on performance-based design features; direct the Federal Emergency Management Agency to implement a grant program to assist States with incorporating earthquakes in their hazard reduction portfolios; and direct the completion of a comprehensive assessment of the Nation's earthquake risk reduction progress, as well as remaining areas that require more funding.

The bill has the support of a wide array of groups, including the Amer-

ican Institute of Architects, the American Society of Civil Engineers, the Association of American State Geologists, the Earthquake Engineering Research Institute, the Geological Society of America, the National Council of Structural Engineers Association, the National Emergency Management Association, the Seismological Society of America, and the Structural Engineers Association of California. I thank those groups for supporting this bill.

We have made much progress to create a more earthquake-resilient nation, but we can do more. This bill provides a positive step forward to ensure that we build on the work that has already been done and continue investing in policies that reduce the risk to life, property, and livelihoods as a result of an earthquake.

I thank the Senators who have joined me in cosponsoring this bill, and I urge the full Senate to promptly take up this bill and pass it as soon as possible.

ADDITIONAL STATEMENTS

RECOGNIZING THE CARTER
COUNTY MUSEUM

● Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing the Carter County Museum in Ekalaka, MT. The Carter County Museum is a treasure to our State and well worth the time to stop in and visit if you are traveling through eastern Montana.

The Carter County Museum has helped preserve the history of eastern Montana for over 80 years and was the first county museum in the State. This region of our State is known for plentiful dinosaur discoveries, and one of the exhibits at the Carter County Museum includes a complete skull of a Triceratops. Recent regional history is

also on display at the museum. Artifacts from American Indian Tribes and late 19th century homesteaders help visitors gain a deeper appreciation for the history of the 41st State to join the Union.

Over the past two summers, members of the museum's staff have used their expertise to help recover the remains of a Columbian mammoth along the Powder River. Just last month, the staff unearthed a mostly intact skull, including both tusks. It is uncommon to find a museum that offers such a unique collection of rare exhibits outside of a major population center, but that is precisely what you will find at the Carter County Museum.

Eastern Montana, widely recognized for its contributions to our Nation in the areas of agriculture and energy, is also home to many items of cultural significance. Local gems like the Carter County Museum and all of the folks that make its day-to-day operations possible help make Montana an exceptional place.●

30TH ANNIVERSARY OF THE DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC IN CARIBOU, MAINE

● Mr. KING. Mr. President, today I wish to recognize and honor the 30th anniversary of the Department of Veterans Affairs Community Based Outpatient Clinic, CBOC, in Caribou, ME.

Aroostook County in northern Maine is known as the Crown of Maine. It is not just a delineation of the geography of Maine, but a designation of leadership. That leadership is nowhere more apparent than in the story of the Caribou CBOC and the veterans who fought for years to bring it into existence. Meo Bosse, John Rowe, Raphael "Ray" Guerrette, Percy Thibeault, Wesley Adams, Walter Corey, and Leonard Woods, Sr., did not necessarily imagine that their vision would grow from a first in the Nation clinic to a network of nearly a thousand CBOCs assisting millions of rural veterans; they just saw a need that they could help fill.

Since 1987, the Caribou CBOC has been providing veterans with physical, mental health, and administrative services. When it was established, it was the first of Togus's community based outpatient clinics and the first rural VA clinic in our Nation.

It is the commitment of individuals like these veterans in rural Maine and countless others that have carried the standard alongside and after that has helped the VA extend its reach and care to rural veterans across the country.

CBOCs and changing models of care for veterans have become vital in how the VA more seamlessly delivers care to those that have answered the call of

duty. The partnerships with rural hospitals like CARY Medical Center have enabled more responsive care to our Nation's veterans and deepened ties within these communities. It gives me great pleasure that the Crown of Maine showed the way for hundreds of other sites around the country and that CARY and the veterans of northern Maine continue to support new opportunities to strengthen the networks of care for our veterans.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:30 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3388. An act to amend title 49, United States Code, regarding the authority of the National Highway Traffic Safety Administration over highly automated vehicles, to provide safety measures for such vehicles, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3388. An act to amend title 49, United States Code, regarding the authority of the National Highway Traffic Safety Administration over highly automated vehicles, to provide safety measures for such vehicles, and for other purposes to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

S.J. Res. 49. Joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017 in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured

by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2714. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Helicopters" ((RIN2120-AA64) (Docket No. FAA-2017-0142)) received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2715. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9055)) received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2716. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Regional Aircraft Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0395)) received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2717. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0331)) received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2718. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. (Type Certificate Previously Held by Canadair Limited) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0333)) received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2719. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9307)) received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2763. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airspace Designations; Incorporation by Reference" ((RIN2120-AA66) (Docket No. FAA-2017-0798)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2764. A communication from the Federal and Regulatory Liaison Officer, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Federal Civil Penalties Inflation Adjustment Act" (RIN2700-AE30) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2765. A communication from the Attorney-Advisor, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of General Counsel, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2766. A communication from the Federal and Regulatory Liaison Officer, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "National Space Grant College and Fellowship Program" (RIN2700-AE00) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2767. A communication from the Federal and Regulatory Liaison Officer, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Processing of Monetary Claims" (RIN2700-AD83) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2768. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Incorporation by Reference of ICAO Annex 2; Removal of Outdated North Atlantic Minimum Navigation Performance Specifications" ((RIN2120-AK88) (Docket No. FAA-2016-9154)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2769. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-7 and V-67; TN" ((RIN2120-AA66) (Docket No. FAA-2017-0109)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2770. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Award Term" (RIN2700-AE32) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2771. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting,

pursuant to law, a report relative to a vacancy for the position of Maritime Administrator, received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2772. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 822. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes (Rept. No. 115-148).

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. 1395. A bill to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in Delaware (Rept. No. 115-149).

By Mr. BLUNT, from the Committee on Appropriations, without amendment:

S. 1771. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-150).

By Mr. BURR, from the Select Committee on Intelligence:

Report to accompany S. 1761, An original bill to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 115-151).

By Mr. GRAHAM, from the Committee on Appropriations, without amendment:

S. 1780. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-152).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CRAPO from the Committee on Banking, Housing, and Urban Affairs.

*Joseph Otting, of Nevada, to be Comptroller of the Currency for a term of five years.

*Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

*Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for the term of fourteen years from February 1, 2018.

*Randal Quarles, of Colorado, to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four years.

By Mr. HATCH for the Committee on Finance.

*Matthew Bassett, of Tennessee, to be an Assistant Secretary of Health and Human Services.

*Gilbert B. Kaplan, of the District of Columbia, to be Under Secretary of Commerce for International Trade.

*Robert Charrow, of Maryland, to be General Counsel of the Department of Health and Human Services.

By Mr. GRASSLEY for the Committee on the Judiciary.

Bart M. Davis, of Idaho, to be United States Attorney for the District of Idaho for the term of four years.

Kurt G. Alme, of Montana, to be United States Attorney for the District of Montana for the term of four years.

Donald Q. Cochran, Jr., of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years.

Russell M. Coleman, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Brian J. Kuester, of Oklahoma, to be United States Attorney for the Eastern District of Oklahoma for the term of four years.

R. Trent Shores, of Oklahoma, to be United States Attorney for the Northern District of Oklahoma for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. HASSAN (for herself and Mr. GARDNER):

S. 1769. A bill to require a new or updated Federal website that is intended for use by the public to be mobile friendly, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 1770. A bill to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. BLUNT:

S. 1771. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. BOOKER (for himself, Mr. MARKEY, Mr. WYDEN, Ms. HARRIS, and Ms. WARREN):

S. 1772. A bill to remove all statues of individuals who voluntarily served the Confederate States of America from display in the

Capitol of the United States; to the Committee on Rules and Administration.

By Mr. FLAKE (for himself and Mrs. SHAHEEN):

S. 1773. A bill to amend the Federal Crop Insurance Act to limit the overall rate of return for crop insurance providers and remove the requirement of budget neutrality in the Standard Reinsurance Agreement; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HATCH (for himself, Mr. ALEXANDER, Mr. CORNYN, Mr. CRUZ, Mr. ROBERTS, Mr. YOUNG, Mr. LANKFORD, Mr. SCOTT, Mr. HELLER, Mr. RUBIO, Mr. SHELBY, Mr. PERDUE, Mr. SASSE, Mr. ISAKSON, and Mr. RISCH):

S. 1774. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mrs. MURRAY):

S. 1775. A bill to amend title 38, United States Code, to make permanent the authority of the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRANKEN (for himself, Mr. DURBIN, and Ms. BALDWIN):

S. 1776. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize energy programs through fiscal year 2023, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROWN (for himself and Mr. DURBIN):

S. 1777. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on employers with low-wage employees; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. DURBIN):

S. 1778. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

By Mr. CRAPO:

S. 1779. A bill to repeal certain provisions of the Federal Switchblade Act to allow domestic manufacturers to ship and sell their products to buyers located in other States and to permit the importation of certain knife parts; to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM:

S. 1780. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. CORNYN (for himself, Mr. COONS, Mr. HATCH, Ms. KLOBUCHAR, Mr. TILLIS, Mr. MANCHIN, Mr. KENNEDY, Mr. WARNER, and Mr. GRASSLEY):

S. 1781. A bill to reauthorize grant programs to improve the prevention, investigation, and prosecution of economic, high technology, Internet, and other white collar crimes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself and Mr. DONNELLY):

S. 1782. A bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection

and Affordable Care Act; to the Committee on Finance.

By Ms. DUCKWORTH (for herself and Mr. VAN HOLLEN):

S. 1783. A bill to amend the National Voter Registration Act of 1993 to require each State to implement a process under which individuals who are 16 years of age may apply to register to vote in elections for Federal office in the State, to direct the Election Assistance Commission to make grants to States to increase the involvement of minors in public election activities, and for other purposes; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. MCCAIN, Mrs. FEINSTEIN, Mr. BOOKER, Mr. MENENDEZ, and Mr. LEAHY):

S. Res. 250. A resolution condemning horrific acts of violence against Burma's Rohingya population and calling on Aung San Suu Kyi to play an active role in ending this humanitarian tragedy; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Con. Res. 24. A concurrent resolution providing for a correction in the enrollment of H.R. 601; considered and agreed to.

ADDITIONAL COSPONSORS

S. 82

At the request of Mr. REED, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 82, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 120

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 120, a bill to provide for the creation of the Missing Armed Forces Personnel Records Collection at the National Archives, to require the expeditious public transmission to the Archivist and public disclosure of Missing Armed Forces Personnel records, and for other purposes.

S. 322

At the request of Mr. PETERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 335

At the request of Mr. INHOFE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 335, a bill to achieve domestic energy independence by empowering States to control the development and production of all forms of energy on all available Federal land.

S. 364

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 364, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 397

At the request of Mr. ISAKSON, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of S. 397, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 431

At the request of Mr. THUNE, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 602

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 602, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 681

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from North Dakota (Ms. HEITKAMP), the Senator from Oklahoma (Mr. INHOFE), the Senator from South Dakota (Mr. ROUNDS) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and

osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 705

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 705, a bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

S. 951

At the request of Mr. PORTMAN, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 951, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1124

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1124, a bill to grant the Director of the United States Marshals Service authority to appoint criminal investigators in the excepted service.

S. 1343

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1343, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. BURR) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1409

At the request of Mr. HELLER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1409, a bill to amend the Internal Revenue Code of 1986 to extend the credit for residential energy efficient property, and for other purposes.

At the request of Mr. CARPER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1409, *supra*.

S. 1498

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1498, a bill to establish in the Smithsonian Institution a comprehensive American women's history museum, and for other purposes.

S. 1633

At the request of Mr. WYDEN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1633, a bill to promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes.

S. 1697

At the request of Mr. GRAHAM, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1697, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

S. 1718

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S.J. RES. 49

At the request of Mr. WARNER, the names of the Senator from Kentucky (Mr. McCONNELL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Colorado (Mr. BENNETT), the Senator from New Jersey (Mr. BOOKER), the Senator from Maryland (Mr. CARDIN), the Senator from Maine (Ms. COLLINS), the Senator from Delaware (Mr. COONS), the Senator from Indiana (Mr. DONNELLY), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Hampshire (Ms. HASSAN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Massachusetts (Mr. MARKEY), the Senator from Arizona (Mr. MCCAIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Mexico (Mr. UDALL), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Oregon (Mr. WYDEN), the Senator from South Dakota (Mr. ROUNDS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Ohio (Mr. BROWN), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Pennsylvania (Mr.

CASEY), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Hawaii (Ms. HIRONO), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. MANCHIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Michigan (Mr. PETERS), the Senator from Rhode Island (Mr. REED), the Senator from Hawaii (Mr. SCHATZ), the Senator from New York (Mr. SCHUMER), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. TESTER), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Maine (Mr. KING) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S.J. Res. 49, a joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017 in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured by the violence, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups.

AMENDMENT NO. 328

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 328 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 329

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 329 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 479

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 479 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 533

At the request of Mrs. CAPITO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 533 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 559

At the request of Mr. GARDNER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 559 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 593

At the request of Ms. DUCKWORTH, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 593 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 622

At the request of Mr. WARNER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 622 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 623

At the request of Mr. WARNER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 623 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 663

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 663 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 671

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 671 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 763

At the request of Mr. ROUNDS, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 763 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 799

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 799 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 806

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 806 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOKER (for himself, Mr. MARKEY, Mr. WYDEN, Ms. HARRIS, and Ms. WARREN):

S. 1772. A bill to remove all statues of individuals who voluntarily served the

Confederate States of America from display in the Capitol of the United States; to the Committee on Rules and Administration.

Mr. BOOKER. Mr. President, today I rise to speak about the introduction of the Confederate Monument Removal Act. This legislation would properly remove certain statues on display in the Capitol as part of the National Statuary Hall Collection so they can be exhibited elsewhere in the proper historical context. I am proud to introduce this legislation today and I want to thank Representative BARBARA LEE for her leadership in the House on this bill.

On July 2, 1864, a law was enacted that created the National Statuary Hall Collection, which allows states to select two statues of deceased individuals to be displayed in the Capitol. States are supposed to choose people “who have been citizens thereof, and illustrious for their historic renown or for distinguished civil or military services.” Figures like George Washington, Samuel Adams, and Dwight D. Eisenhower grace the collection and are prominently on display in the Capitol. The collection is meant to honor patriots who served, sacrificed, or made tremendous contributions to our Nation.

People who served the Confederate States of America do not deserve that honor. These are individuals who took up arms against the Union and inflicted catastrophic death and suffering among United States citizens. Simply put, they fall well short of that high bar.

Moreover, the presence of these statues in the National Statuary Hall Collection ignores the context in which these monuments were first erected. Statues of Robert E. Lee and Jefferson Davis were erected across the United States in the post-Reconstruction era and during the civil rights movement as symbols of white suppression and defiance of Federal authority. They do not represent Southern heritage and those who advocate thus are engaging in revisionist history and are whitewashing our past.

That is why I am introducing the Confederate Monument Removal Act, a bill that would mandate the removal of all eleven statues of people who voluntarily served the Confederate States of America from the National Statuary Hall Collection in the Capitol within 120 days. The list of statues that would be removed includes Joseph Wheeler of Alabama, Uriah Milton Rose of Arkansas, Edmund Kirby Smith of Florida, Zebulon Vance of North Carolina, Alexander Hamilton Stephens of Georgia, Edward Douglas White of Louisiana, Jefferson Davis of Mississippi, James Zachariah George of Mississippi, Wade Hampton of South Carolina, Robert E. Lee of Virginia, and John Kenna of West Virginia.

The legislation would allow a State who selected the statue to be displayed

in the collection to reclaim the statue if they pay for its transportation back to the State. If a State declines to reclaim it back, it would turn possession of the statue over to the Smithsonian, an institution that is more than capable of displaying the statues in the proper historical context and where a constructive dialogue can take place about our Nation's history.

I am grateful that this legislation is endorsed by organizations such as the Leadership Conference on Civil and Human Rights, the National Association for the Advancement of Colored People, and the NAACP Legal Defense Fund.

Some have argued that this will lead to the removal of other statues and monuments of prominent figures who played an important role in our Nation's history. That is plainly false. This bill only touches on those who were traitors against their Country and whose statues were erected as a symbol of white supremacy.

It is true that the Confederate Monument Removal Act does not remove certain statues in the Capitol that some people find offensive and who arguably should not be honored in such a way. For instance, the bill would not remove the statue of John C. Calhoun, a white supremacist and a vigorous defender of slavery. This is a conversation we as a Nation must have regarding how to best tell the truth of our past.

But surely we can all agree that people who took up arms against their Country should not be venerated in the Capitol, a place all Americans should feel welcomed, encouraged, and inspired. These statues must be moved not just because of who they were in the past, but because of who we are now as a Nation and who we must be to ensure an even better and brighter future for generations to come.

I am proud to introduce the Confederate Monument Removal Act and I urge its speedy passage.

By Mr. CORNYN (for himself, Mr. COONS, Mr. HATCH, Ms. KLOBUCHAR, Mr. TILLIS, Mr. MANCHIN, Mr. KENNEDY, Mr. WARNER, and Mr. GRASSLEY):

S. 1781. A bill to reauthorize grant programs to improve the prevention, investigation, and prosecution of economic, high technology, Internet, and other white collar crimes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National White Collar Crime Control Act of 2017"

SEC. 2. PREVENTION, INVESTIGATION, AND PROSECUTION OF ECONOMIC, HIGH TECHNOLOGY, INTERNET, AND OTHER WHITE COLLAR CRIME.

Section 401 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (42 U.S.C. 3713a) is amended by striking subsection (b) and inserting the following:

"(b) GRANTS.—

"(1) AUTHORIZATION.—The Director of the Bureau of Justice Assistance is authorized to enter into a cooperative agreement with or make a grant to an eligible entity for the purpose of improving the identification, investigation, and prosecution of white collar crime (including each category of such crimes set forth in subparagraphs (A) through (C) of paragraph (2)) by providing comprehensive, direct, and practical training and technical assistance to law enforcement officers, investigators, auditors and prosecutors in States and units of local government.

"(2) WHITE COLLAR CRIME DEFINED.—For purposes of this subsection, the term 'white collar crime' includes—

"(A) high-tech crime, including cyber and electronic crime and related threats;

"(B) economic crime, including financial fraud and mortgage fraud; and

"(C) Internet-based crime against children and child pornography.

"(3) PURPOSES.—The purposes of this subsection include the following:

"(A) To ensure that training is available for State, local, tribal and territorial law enforcement agencies and officers nationwide to support local efforts to identify, prevent, investigate, and prosecute cyber and financial crimes, including those crimes facilitated via computer networks and other electronic means, and crimes involving financial and economic impacts such as intellectual property crimes.

"(B) To deliver training to State, local, tribal, and territorial law enforcement officers, and other criminal justice professionals concerning the use of proven methodologies to—

"(i) prevent, detect, and respond to white collar crimes;

"(ii) recognize emerging issues;

"(iii) manage electronic and financial crime evidence; and

"(iv) improve local criminal justice agency responses to such threats.

"(C) To provide operational and technical assistance and training concerning tools, products, resources, guidelines, and procedures to—

"(i) aid and enhance criminal intelligence analysis; and

"(ii) conduct white collar crime investigations and related justice information sharing at the local and State levels.

"(D) To provide appropriate training on protections for privacy, civil rights, and civil liberties in the conduct of criminal intelligence analysis and cyber and electronic crime and financial crime investigations, including in the development of policies, guidelines, and procedures by State, local, tribal, and territorial law enforcement agencies to protect and enhance privacy, civil rights, and civil liberties protections and identify weaknesses and gaps in the protection of privacy, civil rights, and civil liberties.

"(4) AUTHORIZED PROGRAMS.—A grant or cooperative agreement awarded under this subsection may be made only for the following programs, with respect to the prevention, investigation, and prosecution of certain criminal activities:

"(A) Programs to provide a nationwide support system for State and local criminal justice agencies.

"(B) Programs to assist State and local criminal justice agencies to develop, establish, and maintain intelligence-focused policing strategies and related information sharing.

"(C) Programs to provide training and investigative support services to State and local criminal justice agencies to provide such agencies with skills and resources needed to investigate and prosecute white collar criminal activities and related criminal activities.

"(D) Programs to provide research support, to establish partnerships, and to provide other resources to aid State and local criminal justice agencies to prevent, investigate, and prosecute white collar criminal activities and related problems.

"(E) Programs to provide information and research to the general public to facilitate the prevention of white collar criminal activities.

"(F) Programs to establish or support national training and research centers regionally to provide training and research services for State and local criminal justice agencies.

"(G) Programs to provide training and oversight to State and local criminal justice agencies to develop and comply with applicable privacy, civil rights, and civil liberties related policies, procedures, rules, laws, and guidelines.

"(H) Any other programs specified by the Attorney General as furthering the purposes of this subsection.

"(5) APPLICATION.—To be eligible for an award of a grant or cooperative agreement under this subsection, an entity shall submit to the Director of the Bureau of Justice Assistance an application in such form and manner, and containing such information, as required by the Director of the Bureau of Justice Assistance.

"(6) ELIGIBILITY.—States, units of local government, not-for-profit entities, and institutions of higher-education with demonstrated capacity and experience in delivering training, technical assistance and other resources including direct, practical laboratory training to law enforcement officers, investigators, auditors and prosecutors in States and units of local government and over the Internet shall be eligible to receive an award under this subsection.

"(7) RULES AND REGULATIONS.—The Director of the Bureau of Justice Assistance shall promulgate such rules and regulations as are necessary to carry out this subsection, including rules and regulations for submitting and reviewing applications under paragraph (5).

"(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$13,000,000 for each of fiscal years 2018 through 2022 to carry out this subsection.

"(c) ACCOUNTABILITY.—All grants awarded by the Director of the Bureau of Justice Assistance under this section shall be subject to the following accountability provisions:

"(1) AUDIT REQUIREMENT.—

"(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

"(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment

of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

“(D) PRIORITY.—In awarding grants under this section, the Director of the Bureau of Justice Assistance shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

“(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Director of the Bureau of Justice Assistance shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Director of the Bureau of Justice Assistance may not award a grant under this section to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Director of the Bureau of Justice Assistance, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Director of the Bureau of Justice Assistance shall make the information disclosed under this subparagraph available for public inspection.

“(3) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts made available to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Justice, unless the head of the relevant agency or department provides prior written authorization that the funds may be expended to host the conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include

a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

“(iii) all reimbursements required under paragraph (1)(E) have been made; and

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

“(d) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Director of the Bureau of Justice Assistance awards a grant to an applicant under this section, the Director of the Bureau of Justice Assistance shall compare potential grant awards with other grants awarded under this section to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Director of the Bureau of Justice Assistance awards duplicate grants to the same applicant for the same purpose the Director of the Bureau of Justice Assistance shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

“(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Director of the Bureau of Justice Assistance awarded the duplicate grants.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 250—CONDEMNING HORRIFIC ACTS OF VIOLENCE AGAINST BURMA'S ROHINGYA POPULATION AND CALLING ON AUNG SAN SUU KYI TO PLAY AN ACTIVE ROLE IN ENDING THIS HUMANITARIAN TRAGEDY

Mr. DURBIN (for himself, Mr. MCCAIN, Mrs. FEINSTEIN, Mr. BOOKER, Mr. MENENDEZ, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 250

Whereas the Rohingya are one of Burma's many ethnic minorities that have lived under military dictatorship for most of the last few decades;

Whereas approximately 1,000,000 Rohingya live predominantly in Burma's Rakhine

State, where they have faced ongoing repression under the Burmese military, including the revocation of their citizenship, killings, and mass rape;

Whereas there is historical animosity between the majority Buddhist population and the minority Rohingya, with many in the Buddhist majority seeing the Rohingya as illegal immigrants from across the border in Bangladesh despite generational roots;

Whereas since 1999, the Department of State has regularly expressed concern over legal, economic, and social discrimination against Burma's Rohingya population;

Whereas an outbreak of communal violence in the Rakhine State in 2012 saw more than 100,000 displaced, and tens of thousands of Rohingya forced into squalid camps where travel was, and continues to be, restricted;

Whereas the United Nations Special Rapporteur for Human Rights in Burma reported “a long history of discrimination and persecution against the Rohingya”;

Whereas Aung San Suu Kyi spent 15 years under house arrest for her peaceful advocacy of democracy in Burma, and during those years she was awarded the Sakharov human rights prize from the European Parliament, the Nobel Peace Prize, the United States Presidential Medal of Freedom, and the Congressional Gold Medal for her tireless struggle for democracy and human rights;

Whereas in her 2012 Nobel lecture Aung San Suu Kyi made an impassioned appeal to the world—

(1) not to forget those who are suffering “hunger, disease, displacement, joblessness, poverty, injustice, discrimination, prejudice, bigotry” and war; and

(2) that “wherever suffering is ignored, there will be the seeds of conflict, for suffering degrades and embitters and enrages”;

Whereas in a landmark election held in November 2015, Aung San Suu Kyi's National League for Democracy won a landslide victory in the first national vote since Burma's nominal transition to civilian authority, after which Aung San Suu Kyi was named State Counsellor, a role created for her that made her the country's de facto leader;

Whereas in August 2016, Aung San Suu Kyi helped to establish the high-level Advisory Commission on Rakhine State, which is headed by former United Nations Secretary-General Kofi Annan, in order to address the mistreatment of the Rohingya;

Whereas in October 2016, attacks on border police outposts led to reports of horrific human rights abuses against the Rohingya in a brutal military crackdown;

Whereas in December 2016, a letter to the United Nations Security Council, which was signed by 23 international activists, including more than a dozen fellow Nobel laureates, called out Aung San Suu Kyi for her silence on the treatment of the Rohingya;

Whereas in February 2017, the United Nations Office of the High Commissioner for Human Rights issued a report, finding that crimes against the Rohingya “seems to have been widespread as well as systematic, indicating the very likely commission of crimes against humanity”;

Whereas in March 2017, the United Nations Human Rights Council adopted a resolution creating a Fact-Finding Mission to Myanmar to investigate allegations of human rights abuses against the Rohingya and issue a report by the following year;

Whereas in April 2017, Aung San Suu Kyi denied that ethnic cleansing had taken place against her country's Rohingya minority despite widespread and reputable reporting of human rights abuses in Rakhine State;

Whereas on August 25, 2017, fighters from the small militant group the Arakan Rohingya Salvation Army conducted surprise raids on 30 police stations and an army base in Rakhine State, in which more than 100 people died, including at least 10 policemen and many militants;

Whereas the attack resulted in a brutal and methodical reprisal by the Burmese military on villages, with helicopters firing on civilians, the razing of villages with petrol bombs, and front line troops cutting off families' escape routes;

Whereas the assault caused more than 140,000 Rohingya to flee for Bangladesh and more than 30,000 Rohingya are estimated to be trapped in conflict zones in western Burma;

Whereas United Nations field work and the delivery of vital supplies of food, water, and medicine were suspended by the Government of Burma due to security concerns, leaving thousands of Rohingya vulnerable amid the deadly outbreak of violence; and

Whereas on August 31, 2017, the United Nations Security Council met to discuss the violence against the Rohingya in Rakhine State:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns the violence and displacement inflicted on Burma's Rohingya civilians;

(2) calls for an immediate halt to all hostilities by Burmese authorities;

(3) condemns the attacks by the Arakan Rohingya Salvation Army militant group;

(4) urges the Government of Burma to allow—

(A) unrestricted access to the United Nations Fact-Finding Mission on Myanmar; and

(B) the resumption of the delivery of field work and aid from critical humanitarian organizations to help those displaced and injured and to monitor events in Rakhine State;

(5) calls on the Government of Burma to implement the August 2017 recommendations of its Advisory Commission on Rakhine State, including—

(A) to end restrictions on the movement of the Rohingya; and

(B) to provide the Rohingya with citizenship; and

(6) encourages Aung San Suu Kyi to live up to her inspiring words upon receiving the 2012 Nobel Peace Prize with respect to ethnic reconciliation in Burma and to address the historic and brutal repression of the Rohingya in Rakhine State.

SENATE CONCURRENT RESOLUTION 24—PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 601

Mr. McCONNELL submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 24

Resolved by the Senate (the House of Representatives concurring),

That in the enrollment of the bill H.R. 601, the Clerk of the House of Representatives shall make the following corrections:

(1) *Amend the long title so as to read:* “Making continuing appropriations for the fiscal year ending September 30, 2018, and for other purposes”.

(2) *Insert before the first section 1 immediately following the enacting clause the following:*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

DIVISION A—REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

DIVISION B—SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS ACT, 2017

DIVISION C—TEMPORARY EXTENSION OF PUBLIC DEBT RELIEF

DIVISION D—CONTINUING APPROPRIATIONS ACT, 2018

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

(3) *In section 3, strike subparagraph (B) of section 105(c)(4) of the Foreign Assistance Act of 1961, as added by such section 3, and all that follows through the end of such section 3, and insert the following:*

“(B) such assistance can produce a substantial, measurable impact on children and educational systems; and

“(C) there is the greatest opportunity to reduce childhood and adolescence exposure to or engagement in violent extremism or extremist ideologies.”.

(4) *Insert after section 3 the following:*

SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES STRATEGY TO PROMOTE BASIC EDUCATION.

(a) STRATEGY REQUIRED.—Not later than one year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a comprehensive United States strategy to be carried out during the following five fiscal years to promote quality basic education in partner countries by—

(1) seeking to equitably expand access to basic education for all children, particularly marginalized children and vulnerable groups; and

(2) measurably improving the quality of basic education and learning outcomes.

(b) REQUIREMENT TO CONSULT.—In developing the strategy required under subsection (a), the President shall consult with—

(1) the appropriate congressional committees;

(2) relevant Executive branch agencies and officials;

(3) partner country governments; and

(4) local and international nongovernmental organizations, including faith-based organizations and organizations representing students, teachers, and parents, and other development partners engaged in basic education assistance programs in developing countries.

(c) PUBLIC COMMENT.—The President shall provide an opportunity for public comment on the strategy required under subsection (a).

(d) ELEMENTS.—The strategy required under subsection (a)—

(1) shall be developed and implemented consistent with the principles set forth in

section 105(c) of the Foreign Assistance Act of 1961, as added by section 3; and

(2) shall seek—

(A) to prioritize assistance provided under this subsection to countries that are partners of the United States and whose populations are most in need of improved basic education, as determined by indicators such as literacy and numeracy rates;

(B) to build the capacity of relevant actors in partner countries, including in government and in civil society, to develop and implement national education plans that measurably improve basic education;

(C) to identify and replicate successful interventions that improve access to and quality of basic education in conflict settings and in partner countries;

(D) to project general levels of resources needed to achieve stated program objectives;

(E) to develop means to track implementation in partner countries and ensure that such countries are expending appropriate domestic resources and instituting any relevant legal, regulatory, or institutional reforms needed to achieve stated program objectives;

(F) to leverage United States capabilities, including through technical assistance, training, and research; and

(G) to improve coordination and reduce duplication among relevant Executive branch agencies and officials, other donors, multilateral institutions, nongovernmental organizations, and governments in partner countries.

SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.

(a) SENIOR COORDINATOR OF UNITED STATES INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There is established within the United States Agency for International Development a Senior Coordinator of United States International Basic Education Assistance (referred to in this section as the “Senior Coordinator”). The Senior Coordinator shall be appointed by the President, shall be a current USAID employee serving in a career or noncareer position in the Senior Executive Service or at the level of a Deputy Assistant Administrator or higher, and shall serve concurrently as the Senior Coordinator.

(b) DUTIES.—

(1) IN GENERAL.—The Senior Coordinator shall have primary responsibility for the oversight and coordination of all resources and activities of the United States Government relating to the promotion of international basic education programs and activities.

(2) SPECIFIC DUTIES.—The Senior Coordinator shall—

(A) facilitate program and policy coordination of international basic education programs and activities among relevant Executive branch agencies and officials, partner governments, multilateral institutions, the private sector, and nongovernmental and civil society organizations;

(B) develop and revise the strategy required under section 4;

(C) monitor, evaluate, and report on activities undertaken pursuant to the strategy required under section 4; and

(D) establish due diligence criteria for all recipients of funds provided by the United States to carry out activities under this Act and the amendments made by this Act.

(c) OFFSET.—In order to eliminate duplication of effort and activities and to offset any costs incurred by the United States Agency for International Development in appointing the Senior Coordinator under subsection (a),

the President shall, after consulting with appropriate congressional committees, eliminate a position within the United States Agency for International Development (unless otherwise authorized or required by law) that the President determines to be necessary to fully offset such costs and eliminate duplication.

SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.

The President shall seek to ensure that programs carried out under the strategy required under section 4 shall—

(1) apply rigorous monitoring and evaluation methodologies to determine if programs and activities provided under this subsection accomplish measurable improvements in literacy, numeracy, or other basic skills development that prepare an individual to be an active, productive member of society and the workforce;

(2) include methodological guidance in the implementation plan and support systemic data collection using internationally comparable indicators, norms, and methodologies, to the extent practicable and appropriate;

(3) disaggregate all data collected and reported by age, gender, marital status, disability, and location, to the extent practicable and appropriate;

(4) include funding for both short- and long-term monitoring and evaluation to enable assessment of the sustainability and scalability of assistance programs; and

(5) support the increased use and public availability of education data for improved decision making, program effectiveness, and monitoring of global progress.

SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.

(a) ANNUAL REPORT ON THE IMPLEMENTATION OF STRATEGY.—Not later than 180 days after the end of each fiscal year during which the strategy developed pursuant to section 4(a) is carried out, the President shall—

(1) submit a report to the appropriate congressional committees that describes the implementation of such strategy; and

(2) make the report described in paragraph (1) available to the public.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include—

(1) a description of the efforts made by relevant Executive branch agencies and officials to implement the strategy developed pursuant to section 4, with a particular focus on the activities carried out under the strategy;

(2) a description of the extent to which each partner country selected to receive assistance for basic education meets the priority criteria specified in section 105(c) of the Foreign Assistance Act, as added by section 3; and

(3) a description of the progress achieved over the reporting period toward meeting the goals, objectives, benchmarks, and timeframes specified in the strategy developed pursuant to section 4 at the program level, as developed pursuant to monitoring and evaluation specified in section 6, with particular emphasis on whether there are demonstrable student improvements in literacy, numeracy, or other basic skills development that prepare an individual to be an active, productive member of society and the workforce.

(5) *In division B, under the heading “DISASTER RELIEF FUND”, strike the first “Provided further” and insert “Provided”.*

(6) *In section 101(c)(1) of division C, strike “under section 101(a)” and insert “under section 101(b)(1)”.*

(7) Strike the final section 4 and all that follows through the end.

AMENDMENTS SUBMITTED AND PROPOSED

SA 810. Mr. CARDIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 811. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 812. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 813. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 814. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 815. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 816. Mr. MCCONNELL (for Mr. PAUL) proposed an amendment to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

SA 817. Mr. MCCONNELL proposed an amendment to amendment SA 816 proposed by Mr. MCCONNELL (for Mr. PAUL) to the bill H.R. 601, supra.

SA 818. Mr. MCCONNELL proposed an amendment to amendment SA 817 proposed by Mr. MCCONNELL to the amendment SA 816 proposed by Mr. MCCONNELL (for Mr. PAUL) to the bill H.R. 601, supra.

SA 819. Mr. PORTMAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 820. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 821. Mr. YOUNG (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 822. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 823. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 824. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 825. Mr. BOOZMAN (for himself, Mr. BROWN, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 826. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 827. Ms. STABENOW (for herself and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 828. Ms. STABENOW (for herself and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 829. Ms. STABENOW (for herself and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 830. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 831. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 832. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 833. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 834. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 835. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 836. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 837. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 838. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 839. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 840. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 841. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 842. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 843. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 844. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 845. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 846. Mr. UDALL (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 847. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 848. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 849. Mr. Kaine (for himself, Mr. WICKER, Mr. THUNE, Mr. NELSON, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 850. Mr. FRANKEN (for himself, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. HOEVEN, Ms. HEITKAMP, Ms. WARREN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 851. Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. DURBIN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 852. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 853. Mr. CARDIN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 854. Mr. CORNYN (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 810. Mr. CARDIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. ____. CONGRESSIONAL REVIEW AND CONTINUED APPLICABILITY OF SANCTIONS UNDER THE SERGEI MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT OF 2012.

Section 216(a)(2)(B)(i) of the Russia Sanctions Review Act of 2017 (part 1 of subtitle A of title II of Public Law 115-44) is amended—

(1) in subclause (III), by striking “; and” and inserting a semicolon; and

(2) by adding at the end the following new subclause:

“(IV) the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112-208; 22 U.S.C. 5811 note); and”.

SA 811. Mr. CARDIN submitted an amendment intended to be proposed by

him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1273. REPORT ON EFFECTS ON DIPLOMATIC, ECONOMIC, AND NATIONAL SECURITY INTERESTS OF THE UNITED STATES OF WITHDRAWAL FROM THE PARIS ACCORDS.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of State shall, in coordination with the Secretary of Defense, submit to the appropriate committees of Congress a report on the effects on United States diplomatic, economic, and national security interests if the United States withdraws from the Paris Accords.

(b) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 812. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812.

SA 813. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. OFF-SHORE PROCUREMENT RATE FOR FOREIGN MILITARY FINANCING PROVIDED TO ISRAEL.

Notwithstanding any other provision of law, regulation, or memorandum of understanding, with respect to military assistance provided to Israel pursuant to section 23 of the Arms Export Control Act (22 U.S.C. 2763, relating to Foreign Military Financing Program), the off-shore procurement rate shall be not less than 26.3 percent from fiscal years 2019 through 2028.

SA 814. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize

appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 817.

SA 815. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PERMITTING MACHINE ROOM-LESS ELEVATORS IN DEPARTMENT OF DEFENSE FACILITIES.

(a) **IN GENERAL.**—The Secretary of Defense shall issue modifications to all relevant construction and facilities specifications to ensure that machine room-less elevators (MRLs) are not prohibited in buildings and facilities throughout the Department of Defense, including modifications to the Unified Facilities Guide Specifications (UFGS), the Naval Facilities Engineering Command Interim Technical Guidance, and the Army Corps of Engineers Engineering and Construction Bulletin.

(b) **CONFORMING TO BEST PRACTICES.**—In addition to the modifications required under subsection (a), the Secretary may issue further modifications to conform generally with commercial best practices as reflected in the safety code for elevators and escalators as issued by the American Society of Mechanical Engineers.

(c) **DEADLINES.**—The Secretary shall promulgate interim MRL standards not later than 180 days after the date of the enactment of this Act, and shall issue final and formal MRL specifications not later than 1 year after the date of the enactment of this Act.

(d) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall issue a report to the congressional defense committees on the integration and utilization of MRLs, including information on quantity, location, problems, and successes.

SA 816. Mr. PAUL (for Mr. McCONNELL) proposed an amendment to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; as follows:

At the end add the following:

Notwithstanding any other provision in this Act:

(1) no supplemental appropriation shall be made to the “Community Development Fund”;

(2) the “Disaster Relief Fund” shall be increased by \$7,400,000,000,

(3) \$15,250,000,000 of unobligated funds previously made available to the United States Agency for International Development shall be rescinded; and

(4) The emergency designations in Division B in this Act shall have no force or effect.

SA 817. Mr. McCONNELL proposed an amendment to amendment SA 816 proposed by Mr. PAUL (for Mr. McCONNELL) to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; as follows:

At the end add the following.

“This Act shall take effect 2 days after the date of enactment.”

SA 818. Mr. McCONNELL proposed an amendment to amendment SA 817 proposed by Mr. McCONNELL to the amendment SA 816 proposed by Mr. PAUL (for Mr. McCONNELL) to the bill H.R. 601, to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; as follows:

Strike “2” and insert “3”

SA 819. Mr. PORTMAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1243 through 1250 and insert the following:

SEC. 1243. EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) **EXTENSION.**—Subsection (h) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1068), as amended by section 1237 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2494), is further amended by striking “December 31, 2018” and inserting “December 31, 2020”.

(b) **FUNDING FOR FISCAL YEAR 2018.**—Subsection (f) of such section 1250, as added by subsection (a) of such section 1237, is further amended by adding at the end the following new paragraph:

“(3) For fiscal year 2018, \$500,000,000.”

(c) **AVAILABILITY OF FUNDS.**—Subsection (c) of such section 1250, as amended by subsection (c) of such section 1237, is further amended—

(1) in paragraph (1), by inserting after “pursuant to subsection (f)(2)” the following:

“, or more than \$250,000,000 of the funds available for fiscal year 2018 pursuant to subsection (f)(3),”; and

(2) in paragraph (2)—

(A) in the first sentence—

(i) by inserting “with respect to the fiscal year concerned” after “is a certification”; and

(ii) by striking “and improvement in transparency, accountability, and potential opportunities for privatization in the defense industrial sector” and inserting “sustainment, inventory management practices, progress in improving the security of proprietary or sensitive foreign defense technology”; and

(B) in the second sentence, by inserting after “additional action is needed” the following: “and a description of the methodology used to evaluate whether Ukraine has made progress in defense institutional reforms relative to previously established goals and objectives”; and

(3) in paragraph (3)—

(A) by inserting “or 2018” after “in fiscal year 2017”; and

(B) by striking “in paragraph (2), such funds may be used in that fiscal year” and inserting “in paragraph (2) with respect to such fiscal year, such funds may be used in such fiscal year”.

SEC. 1244. EXTENSION OF AUTHORITY ON TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

(a) **EXTENSION.**—Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2282 note) is amended—

(1) by striking “September 30, 2018” and inserting “December 31, 2020”; and

(2) by striking “fiscal years 2016 through 2018” and inserting “fiscal year 2016 through calendar year 2020”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Such section is further amended—

(1) by striking “military” each place it appears and inserting “security”; and

(2) in subsection (e), by striking “that” and inserting “than”; and

(3) in subsection (f), by striking “section 2282” and inserting “chapter 16”.

SEC. 1245. SECURITY ASSISTANCE FOR BALTIC NATIONS FOR JOINT PROGRAM FOR RESILIENCY AND DETERRENCE AGAINST AGGRESSION.

(a) **IN GENERAL.**—The Secretary of Defense may, with the concurrence of the Secretary of State, conduct or support a joint program of the Baltic nations to improve their resilience against and build their capacity to deter aggression by the Russian Federation.

(b) **JOINT PROGRAM.**—For purposes of subsection (a), a joint program of the Baltic nations may be either of the following:

(1) A program jointly agreed by the Baltic nations that builds interoperability among those countries.

(2) An agreement for the joint procurement by the Baltic nations of defense articles or services using assistance provided pursuant to subsection (a).

(c) **PARTICIPATION OF OTHER COUNTRIES.**—Any country other than a Baltic nation may participate in the joint program described in subsection (a), but only using funds of such country.

(d) **LIMITATION ON AMOUNT.**—The total amount of assistance provided pursuant to subsection (a) in fiscal year 2018 may not exceed \$100,000,000.

(e) **FUNDING.**—Amounts for assistance provided pursuant to subsection (a) shall be derived from amounts authorized to be appro-

priated by this Act and available for the European Deterrence Initiative (EDI).

(f) **BALTIC NATIONS DEFINED.**—In this section, the term “Baltic nations” means the following:

(1) Estonia.

(2) Latvia.

(3) Lithuania.

SEC. 1246. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

Section 1245(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3566), as most recently amended by section 1235(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2490), is further amended—

(1) by redesignating paragraphs (14) through (20) as paragraphs (15) through (21), respectively; and

(2) by inserting after paragraph (13) the following new paragraph (14):

“(14) An assessment of Russia’s hybrid warfare strategy and capabilities, including—

“(A) Russia’s information warfare strategy and capabilities, including the use of misinformation, disinformation, and propaganda in social and traditional media;

“(B) Russia’s financing of political parties, think tanks, media organizations, and academic institutions;

“(C) Russia’s malicious cyber activities;

“(D) Russia’s use of coercive economic tools, including sanctions, market access, and differential pricing, especially in energy exports; and

“(E) Russia’s use of criminal networks and corruption to achieve political objectives.”.

SEC. 1247. ANNUAL REPORT ON ATTEMPTS OF THE RUSSIAN FEDERATION TO PROVIDE DISINFORMATION AND PROPAGANDA TO MEMBERS OF THE ARMED FORCES BY SOCIAL MEDIA.

(a) **ANNUAL REPORT REQUIRED.**—Not later than March 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on attempts by the Russian Federation, or any foreign person acting as an agent of or on behalf of the Russian Federation, during the preceding year to knowingly disseminate Russian Federation-supported disinformation or propaganda, through social media applications or related Internet-based means, to members of the Armed Forces with probable intent to cause injury to the United States or advantage the Government of the Russian Federation.

(b) **FORM.**—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 1248. SUPPORT OF EUROPEAN DETERRENCE INITIATIVE TO DETER RUSSIAN AGGRESSION.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Military exercises, such as Exercise Nifty Nugget and Exercise Reforger during the Cold War, have historically made important contributions to testing operational concepts, technologies, and leadership approaches; identifying limiting factors in the execution of operational plans and appropriate corrective action; and bolstering deterrence against adversaries by demonstrating United States military capabilities.

(2) Military exercises with North Atlantic Treaty Organization (NATO) allies enhance the interoperability and strategic credibility of the alliance.

(3) The increase in conventional, nuclear, and hybrid threats by the Russian Federation against the security interests of the

United States and allies in Europe requires substantial and sustained investment to improve United States combat capability in Europe.

(4) The decline of a permanent United States military presence in Europe in recent years increases the likelihood the United States will rely on being able to flow forces from the continental United States to the European theater in the event of a major contingency.

(5) Senior military leaders, including the Commander of United States Transportation Command, have warned that a variety of increasingly advanced capabilities, especially the proliferation of anti-access, area denial (A2/AD) capabilities, have given adversaries of the United States the ability to challenge the freedom of movement of the United States military in all domains from force deployment to employment to disrupt, delay, or deny operations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to enhance the European Deterrence Initiative and bolster deterrence against Russian aggression, the United States, together with North Atlantic Treaty Organization allies and other European partners, should demonstrate its resolve and ability to meet its commitments under Article V of the North Atlantic Treaty through appropriate military exercises with an emphasis on participation of United States forces based in the continental United States and testing strategic and operational logistics and transportation capabilities.

(c) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(A) An analysis of the challenges to the ability of the United States to flow significant forces from the continental United States to the European theater in the event of a major contingency.

(B) The plans of the Department of Defense, including the conduct of military exercises, to address such challenges.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1249. SENSE OF CONGRESS ON THE EUROPEAN DETERRENCE INITIATIVE.

It is the sense of Congress that—

(1) the European Deterrence Initiative will bolster efforts to deter further Russian aggression by providing resources to—

(A) train and equip the military forces of North Atlantic Treaty Organization (NATO) and non-North Atlantic Treaty Organization partners in order to improve responsiveness, expand expeditionary capability, and strengthen combat effectiveness across the spectrum of security environments;

(B) enhance the indications and warning, interoperability, and logistics capabilities of Allied and partner military forces to increase their ability to respond to external aggression, defend sovereignty and territorial integrity, and preserve regional stability;

(C) improve the agility and flexibility of military forces required to address threats across the full spectrum of domains and effectively operate in a wide array of coalition operations across diverse global environments from North Africa and the Middle East to Eastern Europe and the Arctic; and

(D) mitigate potential gaps forming in the areas of information warfare, Anti-Access Area Denial, and force projection;

(2) investments that support the security and stability of Europe, and that assist Euro-

pean nations in further developing their security capabilities, are in the long-term vital national security interests of the United States; and

(3) funds for such efforts should be authorized and appropriated in the base budget of the Department of Defense in order to ensure continued and planned funding to address long-term stability in Europe, reassure the European allies and partners of the United States, and deter further Russian aggression.

SEC. 1250. ENHANCEMENT OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250(b) of National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 126 Stat. 1068), as amended by section 1237(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2495), is further amended by adding at the end the following new paragraphs:

“(12) Treatment of wounded Ukrainian soldiers in the United States in medical treatment facilities through the Secretarial Designee Program, including transportation, lodging, meals, and other appropriate non-medical support in connection with such treatment, and education and training for Ukrainian healthcare specialists such that they can provide continuing care and rehabilitation services for wounded Ukrainian soldiers.

“(13) Air defense and coastal defense radars.

“(14) Naval mine and counter-mine capabilities.

“(15) Littoral-zone and coastal defense vessels.”.

SA 820. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title V, add the following:

SEC. ____ . MODIFICATION OF DEADLINE FOR SUBMITTAL BY OFFICERS OF WRITTEN COMMUNICATIONS TO PROMOTION SELECTION BOARDS ON MATTERS OF IMPORTANCE TO THEIR SELECTION.

(a) OFFICERS ON ACTIVE-DUTY LIST.—Section 614(b) of title 10, United States Code, is amended by striking “the day” and inserting “10 calendar days”.

(b) OFFICERS IN RESERVE ACTIVE-STATUS.—Section 14106 of such title is amended in the second sentence by striking “the day” and inserting “10 calendar days”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to promotion selection boards convened on or after that date.

SA 821. Mr. YOUNG (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1641. REPORT ON INTEGRATION OF MODERNIZATION AND SUSTAINMENT OF NUCLEAR TRIAD.

(a) FINDINGS.—Congress makes the following findings:

(1) On January 27, 2017, President Donald Trump issued a Presidential Memorandum on Rebuilding the United States Armed Forces, which emphasized the need for a “modern, robust, flexible, resilient, ready, and appropriately tailored” nuclear deterrent.

(2) On January 31, 2017, Secretary of Defense James Mattis issued a memorandum entitled “Implementation Guidance for Budget Directives in the National Security Presidential Memorandum on Rebuilding the U.S. Armed Forces”, which called for “an ambitious reform agenda, which will include horizontal integration across DoD components to improve efficiency and take advantage of economies of scale”.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics (or a successor in the Office of the Secretary of Defense with responsibility for acquisition programs), in coordination with the Secretary of the Navy and the Secretary of the Air Force, shall submit to the congressional defense committees a report on the potential to achieve greater efficiency by integrating elements of acquisition programs related to the modernization and sustainment of the nuclear triad.

(2) ELEMENTS.—The report required by paragraph (1) shall, at a minimum—

(A) identify any opportunities for improved efficiency in program management, cost, and schedule to be created by increasing integration, co-location, and commonality between the strategic deterrent programs and their systems, subsystems, technologies, and engineering processes; and

(B) identify any risks to program management, cost, and schedule, as well as mission and capability, created by the opportunities identified under subparagraph (A).

(3) FORM.—The report required by paragraph (1) shall be submitted in classified form, but with an unclassified summary.

SA 822. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. ____ . STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support improvements in defense institutions and security sector forces in Nigeria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) An assessment of efforts by the Government of Nigeria to improve civilian protection, accountability for human rights violations, and transparency in the defense institutions and security sector forces.

(3) A plan for the United States Government to work with the Nigerian defense institutions and security sector forces to improve professionalism, civilian protection, detainee conditions, and transparency.

(4) A description of the key international and United States security and economic resources available to improve Nigerian defense institutions and security forces to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources.

(5) An assessment of efforts undertaken by the security forces of the Government of Nigeria to improve the protection of civilians in the context of—

(A) ongoing military operations against Boko Haram in the northeast region;

(B) addressing farmer-herder land disputes in the Middle Belt;

(C) renewed militant attacks on oil and gas infrastructure in the Delta; and

(D) addressing pro-Biafra protests in the southeast region.

(6) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in order to ensure that underage youth are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Accountability Act of 2008 (Public Law 110-340).

(7) An assessment of the Government of Nigeria's plan to eventually incorporate the Civilian Joint Task Force into Nigeria's military or law enforcement agencies or re-integrate its members into civilian life.

(8) A plan for the United States Government to improve the capacity of the Nigerian military and judiciary to transparently investigate human rights violations committed by the security forces of the Government of Nigeria and other security forces operating in Nigeria that have involved civilian casualties, and to undertake tangible measures of accountability following such investigations in order to break the cycle of conflict.

(9) A plan for the United States Government to work with the Nigerian military, international organizations, and nongovernmental organizations to transition the humanitarian response to the food insecurity and population displacement in northeastern Nigeria from a military led effort to civilian organizations.

(10) Any other matters the President considers appropriate.

(c) **UPDATES.**—Not later than 1 year after the date on which the report required under subsection (a) is submitted to the appropriate congressional committees, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees an update of the report containing updated assessments and evaluations on progress made on the plans described in the report, including—

(1) updated assessments on the information described in paragraphs (2), (4), and (6) of subsection (a); and

(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), (9), and (10) of subsection (a), as well as assessments of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

(d) **FORM.**—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 823. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title V, add the following:

SEC. ____. **STANDARDIZATION OF AUTHORITIES IN CONNECTION WITH REPEAL OF STATUTORY SPECIFICATION OF GENERAL OFFICER GRADE FOR THE DEAN OF THE ACADEMIC BOARD OF THE UNITED STATES MILITARY ACADEMY AND THE DEAN OF THE FACULTY OF THE UNITED STATES AIR FORCE ACADEMY.**

(a) **DEAN OF ACADEMIC BOARD OF USMA.**—Section 4335(c) of title 10, United States Code, is amended—

(1) by striking the first and third sentences; and

(2) in the remaining sentence, by striking “so appointed” and inserting “appointed as Dean of the Academic Board”.

(b) **DEAN OF FACULTY OF USAFA.**—Section 9335(b) of such title is amended by striking “so appointed” and inserting “appointed as Dean of the Faculty”.

SA 824. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. ____. **CYBERSECURITY TRAINING PROGRAM IN THE ARMY SENIOR RESERVE OFFICERS' TRAINING CORPS.**

(a) **TRAINING PROGRAM REQUIRED.**—The Secretary of the Army shall, in consultation with the Commander of the United States Cyber Command and the Superintendent of the United States Military Academy, establish within the Army Senior Reserve Officers' Training Corps (SROTC) program a training program on cybersecurity. The

training program shall be known as “Army Cyber R.O.T.C.”.

(b) **ELEMENTS.**—

(1) **IN GENERAL.**—The training program required by subsection (a) shall include the following:

(A) Expansion of Military Science instruction provided to Army Senior Reserve Officers' Training Corps to include coursework and summer training opportunities for students on cybersecurity.

(B) Modification of the Cadet Talent Management system of the Army Senior Reserve Officers' Training Corps to incorporate cybersecurity potential.

(C) Establishment of criteria for the selection of Cyber Operations Officers among Army Senior Reserve Officers' Training Corps students.

(2) **PRESERVATION OF ACADEMIC AND OTHER REQUIREMENTS.**—Nothing in the training program shall be construed to relieve a student participating in the training program of the obligation to meet academic and other requirements otherwise generally applicable to students participating in the Army Senior Reserve Officers' Training Corps program.

(c) **SCOPE OF PROGRAM.**—The training program required by subsection (a) shall be designed to promote partnerships between units participating in the training program and the Centers of Academic Excellence of the National Security Agency and the Department of Homeland Security.

(d) **INITIAL IMPLEMENTATION.**—The Secretary shall implement the training program required by subsection (a) during the 2018–2019 academic year by carrying out the training program in that academic year at not fewer than five civilian educational institutions participating in the Army Senior Reserve Officers' Training Corps program that are selected by the Secretary for purposes of the implementation of the training program.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the training program required by subsection (a).

(2) **ELEMENTS.**—The report shall set forth the following:

(A) A description of the training program, including the elements of the training program pursuant to subsection (b) and the manner in which the training program will be implemented pursuant to subsection (d).

(B) An assessment of the current need of the Army for Reserve officers with cybersecurity expertise, and of the challenges faced by the Army in developing Reserve officers with such expertise.

(C) Any other matters with respect to the training by or for the Army of Reserve officers in cybersecurity matters that the Secretary considers appropriate.

SA 825. Mr. BOOZMAN (for himself, Mr. BROWN, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. _____. COMMEMORATION OF THE 70TH ANNIVERSARY OF THE AIR FORCE.

(a) FINDINGS.—Congress finds that—

(1) on August 1, 1907, the Aeronautical Division of the Army Signal Corps, consisting of 1 officer and 2 enlisted men, began operation under the command of Captain Charles DeForest Chandler with the responsibility for “all matters pertaining to military ballooning, air machines, and all kindred subjects”;

(2) in 1908, the Department of War contracted with the Wright brothers to build 1 heavier-than-air flying machine for the Army and, in 1909, the Department accepted the Wright Military Flyer, the first military airplane;

(3) pilots of the United States, flying with both Allied air forces and with the Army Air Service, performed admirably during the course of World War I, the first air war in history, by participating in pursuit, observation, and day and night bombing missions;

(4) pioneering aviators of the United States, including Mason M. Patrick, William “Billy” Mitchell, Benjamin D. Foulois, Frank M. Andrews, Henry H. “Hap” Arnold, James H. “Jimmy” Doolittle, and Edward “Eddie” Rickenbacker—

(A) were among the first individuals to recognize the military potential of airpower; and

(B) in the decades following World War I, courageously laid the foundation for the creation of an independent arm for the air forces of the United States;

(5) on June 20, 1941, the Department of War created the Army Air Forces as the aviation element of that Department and, shortly thereafter, the Department made the Army Air Forces co-equal to the Army Ground Forces;

(6) General Henry H. “Hap” Arnold drew upon the industrial prowess and human resources of the United States to transform the Army Air Corps from a force of 22,400 men and 2,402 aircraft in 1939 into an entity with a peak wartime strength of 2,400,000 personnel and 79,908 aircraft;

(7) the standard for courage, flexibility, and intrepidity in combat was established for all Airmen during the first aerial raid in the Pacific Theater on April 18, 1942, when Lieutenant Colonel James “Jimmy” H. Doolittle led 16 North American B-25 Mitchell bombers in a joint operation from the deck of the USS Hornet to strike the Japanese mainland in response to the Japanese attack on Pearl Harbor;

(8) the National Security Act of 1947 (50 U.S.C. 3001 et seq.), signed into law by President Harry S. Truman, realigned and reorganized the Armed Forces to establish the Department of the Air Force (referred to in this section as the “USAF”) as separate from other military services;

(9) on September 18, 1947, W. Stuart Symington became the first Secretary of the newly formed and independent USAF, marking the date on which the USAF was established;

(10) on September 26, 1947, General Carl A. Spaatz, a pioneering aviator and former Commanding General of the Army Air Forces, became the first Chief of Staff of the USAF;

(11) the Air National Guard was also created by the National Security Act of 1947 and has played a vital role in guarding the United States and defending freedom in nearly every major conflict and contingency since its creation;

(12) on October 14, 1947, the USAF demonstrated the historic and ongoing commitment of the USAF to technological innova-

tion when Captain Charles “Chuck” Yeager piloted the X-1 developmental rocket plane to a speed of Mach 1.07, becoming the first flyer to break the sound barrier in a powered aircraft in level flight;

(13) the Air Force Reserve, created on April 14, 1948, is comprised of citizen airmen who serve as unrivaled wingmen of the active duty USAF during every deployment and on every mission and battlefield around the world in which the USAF is engaged;

(14) the USAF carried out the Berlin Airlift in 1948 and 1949 to provide humanitarian relief to post-war Germany and has established a tradition of offering humanitarian assistance when responding to natural disasters and needs across the world;

(15) the Tuskegee Airmen served the United States with tremendous dignity and honor, overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II, and helped to establish a policy of racial integration within the ranks of the USAF, as, on April 26, 1948, the USAF became the first military branch to integrate, a full 3 months before an Executive order integrated all military services;

(16) the arsenal of bombers of the USAF, such as the long-range Convair B-58 Hustler and B-36 Peacemaker, and the Boeing B-47 Stratojet and B-52 Stratofortress, under the command of General Curtis LeMay—

(A) served as the preeminent deterrent of the United States against the forces of the Soviet Union during the early years of the Cold War; and

(B) were later augmented by the development and deployment of medium range and intercontinental ballistic missiles, such as the Titan and Minuteman, developed by General Bernard A. Schriever;

(17) on April 1, 1954, President Dwight D. Eisenhower signed legislation establishing the United States Air Force Academy, the mission of which is to educate, develop, and inspire men and women to become aerospace officers and leaders of impeccable character and knowledge, and that, as of 2017, has graduated 59 classes and 49,700 cadets;

(18) during the Korean War, the USAF—

(A) employed the first large-scale combat use of jet aircraft;

(B) helped to establish air superiority over the Korean Peninsula;

(C) protected ground forces of the United Nations with close air support; and

(D) interdicted enemy reinforcements and supplies;

(19) after the development of launch vehicles and orbital satellites, the mission of the USAF expanded into space and, as of 2017, provides exceptional support with respect to real-time global communications, environmental monitoring, navigation, precision timing, missile warning, nuclear deterrence, and space surveillance;

(20) during the Vietnam War, the USAF—

(A) engaged in a limited campaign of airpower to assist the South Vietnamese government in countering the communist Viet Cong guerrillas; and

(B) fought to disrupt supply lines, halt enemy ground offensives, and protect United States and Allied forces;

(21) on April 3, 1967, former prisoner of war Paul W. Airey, a career radio operator, aerial gunner, and First Sergeant, became the first Chief Master Sergeant of the USAF;

(22) in recent decades, the USAF and coalition partners of the United States have supported successful actions in Grenada, Panama, Iraq, Kuwait, Somalia, Bosnia-Herzegovina, Haiti, Kosovo, Afghanistan,

Libya, Syria, and many other locations around the world;

(23) USAF Special Operations Forces have served with honor and distinction around the world since their activation in 1990, providing the United States with specialized airpower across the broad spectrum of conflict in any place and at any time;

(24) for 27 consecutive years beginning in 1990, Airmen have—

(A) been engaged in continuous combat operations ranging from Operation Desert Shield to the Global War on Terrorism to Operation Inherent Resolve; and

(B) shown that the Airmen—

(i) constitute an air and space expeditionary force of outstanding capability; and

(ii) are ready to fight and win wars for the United States when and where they are called upon;

(25) when terrorists attacked the United States on September 11, 2001, fighter and air refueling aircraft of the USAF—

(A) took to the skies to fly combat air patrols over major cities of the United States; and

(B) protected the families, friends, and neighbors of the people of the United States from further attack;

(26) on December 7, 2005, the USAF modified its mission statement to include flying and fighting in air, space, and cyberspace and prioritized the innovation, operationalization, and sustainment of warfighting capabilities to deliver unrestricted access to cyberspace to defend the United States and its worldwide interests;

(27) women have played a prominent role in the evolution of the USAF, courageously fighting alongside their male counterparts and dedicating their lives to protecting peace, liberty, and freedom around the world as they provide “ready to fight tonight” airpower whenever and wherever needed;

(28) as of 2017, the USAF has made tremendous strides in the global warfighting domain of cyberspace by revolutionizing offensive and defensive capabilities and effects with speed, agility, and surgical precision, thereby ensuring the continuous command, control, and execution of joint and service operations in contested, degraded, and limited environments;

(29) the untapped potential of enlisted aviators is recognized by the USAF as these highly trained, intelligent, and professional Airmen fly remotely piloted aircraft to distant skies in support of combatant commanders and meet the insatiable demand for persistent intelligence, surveillance, and reconnaissance capabilities;

(30) the Civil Air Patrol, as a total force partner and auxiliary of the USAF, has maintained a steadfast commitment to the United States and the communities of the United States through a proud legacy of service, from the earliest days of World War II, when the Civil Air Patrol protected the shorelines of the United States, through 2017, as the Civil Air Patrol executes emergency service missions;

(31) the USAF is steadfast in the commitment to fielding a world-class air expeditionary force by recruiting, training, and educating its officer, enlisted, and civilian corps comprising the active duty, Air National Guard, and Air Force Reserve components of the USAF;

(32) more than 100,000 Airmen stand watch around the world at 175 global locations, committed to winning the constant fight against violent extremist organizations by expending more than 56,000 munitions and striking more than 32,000 enemy targets over the course of 18,200 airstrikes;

(33) Airmen were imprisoned and tortured during several major conflicts, including World War I, World War II, the Vietnam War, the Korean War, and the Persian Gulf War, and, in the valiant tradition of Airmen held captive, continued serving the United States with honor and dignity under the most inhumane circumstances;

(34) Airmen have earned the Medal of Honor 18 times, the Air Force Cross 183 times, the Distinguished Service Cross 42 times, and the Silver Star 74 times;

(35) the USAF—

(A) is a tremendous steward of resources;

(B) develops and applies groundbreaking technology;

(C) manages complex acquisition programs; and

(D) maintains test, evaluation, and sustainment criteria for all USAF weapon systems throughout the life cycles of those weapon systems;

(36) talented and dedicated Airmen will continue to meet the future challenges of an ever-changing world with limitless strength, resolve, and patriotism;

(37) on every continent around the world, the USAF has bravely fought for freedom, liberty, and peace, preserved democracy, and protected the people and interests of the United States;

(38) Airmen of the USAF, together with their joint force partners, will continue to be a tremendous resource for the United States in fights across every domain and at every location, delivering continuous air and space superiority, intelligence, surveillance, and reconnaissance, rapid global mobility, global strike, and command and control capabilities, thereby ensuring the safety and security of the United States; and

(39) for 70 years, the USAF and the Airmen of the USAF, through their exemplary service and sacrifice, have repeatedly proven their value to the United States, the people of the United States, the allies of the United States, and all free people of the world.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the 70th anniversary of the establishment of the Air Force as an independent military service should be commemorated; and

(2) the achievements of the Air Force in serving and defending the United States through global vigilance, global reach, and global power should be remembered, honored, and commended.

SA 826. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ELIMINATION OF SEQUESTRATION.

The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 251(a) (2 U.S.C. 901(a))—

(A) in paragraph (1), by striking “Within” and inserting “For each fiscal year beginning before October 1, 2017, within”;

(B) in paragraph (4), in the matter preceding subparagraph (A), by inserting “be-

ginning before October 1, 2017” after “fiscal year”;

(C) in paragraph (6), by striking “If” and inserting “For each fiscal year beginning before October 1, 2017, if”; and

(D) in paragraph (7)—

(i) in subparagraph (A), by inserting “for a fiscal year beginning before October 1, 2017” after “any discretionary appropriation”; and

(ii) in subparagraph (B), in the first sentence, by inserting “for a fiscal year beginning before October 1, 2017” after “any discretionary appropriation”; and

(2) in section 254 (2 U.S.C. 904)—

(A) in subsection (a), in the matter preceding the table, by inserting “beginning before October 1, 2017” after “any budget year”;

(B) in subsection (c)(2), by striking “2021” and inserting “2017”;

(C) in subsection (f)(2)(A), by striking “2021” and inserting “2017”; and

(D) in subsection (g), by striking “If” and inserting “For each fiscal year beginning before October 1, 2017, if”.

SA 827. Ms. STABENOW (for herself and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . BUY AMERICAN REQUIREMENTS FOR ITEMS USED OUTSIDE THE UNITED STATES.

For any item (excluding petroleum) to be used outside the United States that is not to be used on an urgent basis and is not subject to the requirements under chapter 83 of title 41, United States Code (commonly referred to as the “Buy American Act”), the Secretary of Defense shall direct contracting personnel to identify and give consideration to domestically sourced and Buy American compliant items before soliciting offers for items that are not compliant with the Buy American Act.

SA 828. Ms. STABENOW (for herself and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . BUY AMERICAN ACT TRAINING FOR DEFENSE ACQUISITION WORKFORCE.

(a) FINDING.—Congress finds that the Inspector General of the Department of Defense has issued a series of reports finding deficiencies in the adherence to the provisions of the Buy American Act and recommending improvements in training for the Defense acquisition workforce.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act,

the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating Buy American training policies for the Defense acquisition workforce.

(2) ELEMENTS.—The report shall include the following elements:

(A) A summary and assessment of mandated training courses for Department of Defense acquisition personnel responsible for procuring items that are subject to the Berry Amendment and Buy American Act.

(B) An assessment of Department of Defense efforts to reinforce training related to Berry Amendment and Buy American requirements.

(C) Options for alternative training models for contracting personnel on Buy American and Berry Amendment requirements.

SA 829. Ms. STABENOW (for herself and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle J of title VIII, add the following:

SEC. ____ . MEMORANDUM OF UNDERSTANDING PROVIDING FOR DEPARTMENT OF DEFENSE CONTRACTING PERSONNEL CONSULTATION WITH MANUFACTURING EXTENSION PARTNERSHIP WHEN CONDUCTING MARKET RESEARCH ON PROCUREMENTS.

The Secretary of Defense and the Secretary of Commerce shall develop a memorandum of understanding allowing Department of Defense contracting personnel to consult with the Manufacturing Extension Partnership when conducting market research on procurements that are subject to requirements under chapter 83 of title 41, United States Code (commonly referred to as the “Buy American Act”).

SA 830. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 210, to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1656. MINIMUM REQUIREMENTS FOR TESTING OF GROUND-BASED MIDCOURSE DEFENSE ELEMENT OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) IN GENERAL.—The Director of the Missile Defense Agency shall flight test the ground-based midcourse defense element of the ballistic missile defense system at least twice each fiscal year.

(b) DERIVATION OF FUNDING.—Amounts required to carry out this section in fiscal year 2018 shall be derived from amounts appropriated pursuant to section 201 and available for research, development, test, and evaluation.

SA 831. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize

appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title VI, add the following:

SEC. _____. GARNISHMENT TO SATISFY JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.

(a) **GARNISHMENT AUTHORITY.**—Section 1408 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(1) **GARNISHMENT TO SATISFY A JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.**—(1) Subject to paragraph (2), any payment of retired pay that would otherwise be made to a member shall be paid (in whole or in part) by the Secretary concerned to another person if and to the extent expressly provided for in the terms of a child abuse garnishment order.

“(2) A court order providing for the payment of child support or alimony or, with respect to a division of property, specifically providing for the payment of an amount of the disposable retired pay from a member to the spouse or a former spouse of the member, shall be given priority over a child abuse garnishment order. However, the limitations on the amount of disposable retired pay available for payments set forth in paragraphs (1) and (4)(B) of subsection (e) do not apply to a child abuse garnishment order.

“(3) In this subsection, the term ‘court order’ includes a child abuse garnishment order.

“(4) In this subsection, the term ‘child abuse garnishment order’ means a final decree issued by a court that—

“(A) is issued in accordance with the laws of the jurisdiction of that court; and

“(B) provides in the nature of garnishment for the enforcement of a judgment rendered against the member for physically, sexually, or emotionally abusing a child.

“(5) For purposes of this subsection, a judgment rendered for physically, sexually, or emotionally abusing a child is any legal claim perfected through a final enforceable judgment, which claim is based in whole or in part upon the physical, sexual, or emotional abuse of an individual under 18 years of age, whether or not that abuse is accompanied by other actionable wrongdoing, such as sexual exploitation or gross negligence.

“(6) If the Secretary concerned is served with more than one court order with respect to the retired pay of a member, the disposable retired pay of the member shall be available to satisfy such court orders on a first-come, first-served basis, with any such process being satisfied out of such monies as remain after the satisfaction of all such processes which have been previously served.

“(7) The Secretary concerned shall not be required to vary normal pay and disbursement cycles for retired pay in order to comply with a child abuse garnishment order.”.

(b) **APPLICATION OF AMENDMENT.**—Subsection (1) of section 1408 of title 10, United States Code, as added by subsection (a), shall apply with respect to a court order received by the Secretary concerned on or after the date of the enactment of this Act, regardless of the date of the court order.

SA 832. Mrs. MURRAY submitted an amendment intended to be proposed by

her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURES RELATED TO TRADE DEALS AND ARMS SALES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, no covered agreement may enter into force, and the United States may not incur any related obligation, until the Office of Government Ethics certifies that no covered individual will personally financially benefit from the covered agreement.

(b) **DEFINITIONS.**—In this section:

(1) **COVERED AGREEMENT.**—The term “covered agreement” means—

(A) any agreement that covers sales pursuant to section 36 of the Arms Export Control Act (22 U.S.C. 2776); and

(B) any agreement with a foreign government under the customs and trade laws of the United States (as defined in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4301)).

(2) **COVERED INDIVIDUAL.**—The term “covered individual” means—

(A) the President;

(B) the Vice President;

(C) a relative of the President or Vice President as that term is defined in section 109(16) of title 5, United States Code; and

(D) any civilian employee employed in the Executive Office of the President who holds a commission of appointment from the President.

SA 833. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title VI, add the following:

SEC. _____. PROMOTION OF FINANCIAL LITERACY CONCERNING RETIREMENT AMONG MEMBERS OF THE ARMED FORCES.

(a) **PROGRAMS FOR PROMOTION REQUIRED.**—The Secretary of Defense shall develop programs of financial literacy for members of the Armed Forces to assist members in better understanding retirement options and planning for retirement.

(b) **INFORMATION ON COMPARATIVE VALUE OF LUMP SUM AND MONTHLY PAYMENTS OF RETIRED PAY WITH CONVENTIONAL RETIRED PAY.**—The Secretary of Defense shall develop information to be provided to members of the Armed Forces who are eligible to make the election provided for in subsection (b)(1) of section 1415 of title 10, United States Code, to assist such members in making an informed comparison for purposes of the election between the following:

(1) The value of the lump sum payment of retired pay and monthly payments provided for in such subsection (b)(1) by reason of the election, including the manner in which the

lump sum and such monthly payments are determined for any particular member.

(2) The value of retired pay payable under subsection (d) of such section in the absence of the election, including the manner in which such retired pay is determined for any particular member.

SA 834. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON CONTRACTING WITH DISCRIMINATORY CONTRACTORS.

(a) **IN GENERAL.**—The Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Secretary of Labor determines to have engaged, during the 3-year period preceding the request for proposals for the contract, in serious, repeated, willful, or pervasive discrimination on the basis of sex in the payment of wages in violation of section 6(d) of the Fair Labor Standards Act of 1938 (commonly known as the “Equal Pay Act of 1963”) (29 U.S.C. 206(d)) or of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(b) **APPLICABLE CONTRACT.**—A contract described in this subsection is any procurement contract for goods or services, including construction, in which the estimated value of the supplies acquired and services required exceeds \$500,000.

SA 835. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS ON DEVELOPMENT OF VEHICLES FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

It is the sense of Congress that the Secretary of the Air Force should end the reliance of the evolved expendable launch vehicle program on rocket engines made in the Russian Federation by continuing to invest in new launch vehicles capable of supporting national security requirements.

SA 836. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON CONTRACTING WITH EMPLOYERS THAT ENGAGE IN WAGE THEFT BY STEALING EMPLOYEES' WAGES.

(a) **IN GENERAL.**—The Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Secretary of Labor determines to have owed, during the 3-year period preceding the request for proposals for the contract, employees, or individuals who are former employees, a cumulative amount of more than \$100,000 in unpaid wages and associated damages resulting from violations of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) as determined by the Secretary of Labor or a court of competent jurisdiction.

(b) **APPLICABLE CONTRACT.**—A contract described in this subsection is any procurement contract for goods or services, including construction, in which the estimated value of the supplies acquired and services required exceeds \$500,000.

SA 837. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II subtitle C of title VI, add the following:

SEC. ____ . RESTORATION OF STATES RIGHTS OVER THE DIVISION OF MILITARY PENSIONS BY COURT ORDER.

(a) **IN GENERAL.**—Section 1408(a)(4) of title 10, United States Code, is amended—

- (1) by striking subparagraph (B); and
- (2) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(b) **APPLICATION.**—The amendments made by subsection (a) shall apply with respect to any division of property as part of a final decree of divorce, dissolution, annulment, or legal separation involving a member of the Armed Forces to which section 1408 of title 10, United States Code, applies that becomes final after the date of the enactment of this Act.

SA 838. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT FOR REIMBURSEMENT BY DEPARTMENT OF DEFENSE TO ENTITIES CARRYING OUT STATE VACCINATION PROGRAMS FOR COSTS OF VACCINES PROVIDED TO COVERED BENEFICIARIES.

Section 719(a)(1) of public law 114-328 is amended by striking “may” and inserting “shall”.

SA 839. Mrs. MURRAY submitted an amendment intended to be proposed by

her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ____ . BASIC ALLOWANCE FOR HOUSING AND CERTAIN FEDERAL BENEFITS.

(a) **Exclusion.**—Section 403(k) of title 37, United States Code, is amended by adding at the end the following:

“(4) In determining eligibility to participate in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and the Family Subsistence Supplemental Allowance program, the value of a housing allowance under this section shall be excluded from any calculation of income, assets, or resources.”

(b) **Conforming Amendment.**—Section 5(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(d)) is amended—

- (1) in paragraph (18), by striking “; and” and inserting a semicolon;
- (2) in paragraph (19)(B), by striking the period at the end and inserting “; and”; and
- (3) by adding at the end the following:

“(20) any allowance described in section 403(k)(4) of title 37, United States Code.”

SA 840. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 726. REQUIREMENT FOR POSSESSION OF SEXUAL ASSAULT NURSE EXAMINER-ADULT/ADOLESCENT CERTIFICATION BY CERTAIN REGISTERED NURSES.

(a) **REQUIREMENT.**—In accordance with the deadlines specified in subsection (b), the registered nurses operating in facilities specified in subsection (c) shall possess a Sexual Assault Nurse Examiner-Adult/Adolescent (SANE-A) certification or equivalent certification.

(b) **DEADLINES.**—The deadlines specified in this subsection are as follows:

- (1) By not later than January 1, 2019, 50 per cent of the aggregate number of registered nurses operating in facilities specified in subsection (c) shall possess a certification as described in subsection (a).
- (2) By not later than January 1, 2021, all registered nurses operating in such facilities shall possess such a certification.

(c) **FACILITIES.**—The facilities specified in this subsection are the following:

- (1) The emergency rooms and trauma centers within the military healthcare system.
- (2) The medical facility of each naval vessel that possesses a medical facility.
- (3) Each facility that provides Role 3 or Role 4 care, as described in the Roles of Medical Care.

(d) **EQUIVALENT CERTIFICATION.**—

- (1) **IN GENERAL.**—Any equivalent certification requirement established for purposes

of subsection (a) shall be established by the Secretary of Defense and shall apply uniformly across the Armed Forces.

(2) **ELEMENTS.**—The equivalent certification requirement shall—

- (A) require a minimum of 40 hours of appropriate training for certification;

(B) require appropriate continuing education for retaining certification;

(C) comply with applicable standards of the International Association of Forensic Nurses; and

(D) meet the standards of Department of Defense Instruction 6495.02, and any update or successor to such instruction.

(e) **COST OF TRAINING.**—The cost of any training required for an individual to obtain a certification described in subsection (a) for purposes of compliance with the requirement in that subsection shall be borne by the Department of Defense.

(f) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the plan of the Secretary to implement the requirements of this section.

SA 841. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. ____ . ASSESSMENT OF THE EXPANDING GLOBAL INFLUENCE OF CHINA AND ITS IMPACT ON THE NATIONAL SECURITY INTERESTS OF THE UNITED STATES.

(a) **ASSESSMENT.**—The Secretary of Defense shall enter into a contract or other agreement with an appropriate entity independent of the Department of Defense to conduct an assessment of the foreign military and non-military influence of the People's Republic of China which could affect the regional and global national security and defense interests of the United States.

(b) **ELEMENTS.**—The assessment required by subsection (a) shall include an evaluation of the following:

- (1) The expansion by China of military and non-military means of influence in the Indo-Pacific region and globally, including, infrastructure investments, influence campaigns, loans, access to military equipment, military training, tourism, media, and access to foreign ports and military bases, and whether such means of influence could affect United States national security or defense interests, including operational access.
- (2) The implications, if any, of such means of influence for the military force posture, access, training, and logistics of the United States and China.

(3) The United States policy and strategy for mitigating any harmful effects resulting from such means of influence.

(4) The resources required to implement the policy and strategy, and the plan to address and mitigate any gaps in capabilities or resources necessary for the implementation of the policy and strategy.

(5) Measures to bolster the roles of allies, partners, and other countries to implement the policy and strategy.

(6) Any other matters the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessment required pursuant to subsection (a).

(2) FORM.—The report required shall be submitted unclassified form, but may contain a classified annex.

SA 842. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . BRIEFING ON NEED FOR CAPABILITY OF F-35 JOINT STRIKE FIGHTER TO EMPLOY A STEALTHY, INTERNALLY CARRIED, STANDOFF AIR-TO-GROUND OR SURFACE MISSILE.

Not later than 180 days after the date of the enactment of this Act, the Commander of the Air Combat Command (ACC) of the Air Force and the Director of Air Warfare (N98) of the Navy shall provide the congressional defense committees a briefing on the need of the Armed Forces for the F-35 joint strike fighter to employ a stealthy, internally carried, standoff air-to-ground or surface missile and the best ways in which such need can be met.

SA 843. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 313. SENSE ON CONGRESS ON THE SMALL TURBINE ENGINE INDUSTRIAL BASE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States small turbine engine industry has been innovating, developing, producing, and sustaining small gas turbine engines in a competitive market for more than 75 years.

(2) The United States small turbine engine industrial base has made the United States the knowledge leader in low cost, no maintenance engine designs with unmatched field reliability.

(3) The United States small turbine engine industrial base is at a critical juncture, as military requirements have tapered and missile programs, in misguided attempts to save money, are narrowing production contracts to a single vendor causing two of the three existing small turbine engine manufacturers to go out of business.

(4) The departure of these companies from the United States small turbine engine industry will leave only one viable, proven source for small turbine engines for the Department of Defense.

(5) In 2016, a number of engine failures were encountered that severely diminished the throughput of the F107-WR-101 engine maintenance process for the AGM-86 Air Launched Cruise Missile (ALCM), thereby putting the weapon system at major readiness risk.

(6) The narrowing of the United States small turbine engine industrial base would leave the Department with a sole source United States supplier resulting in a loss of manufacturing and testing capability that would be extremely detrimental to both the United States industrial base and national security by creating a single point of failure, increasing engine procurement and testing prices by eliminating competition, raising new engine development and air vehicle program risk, and eliminating capabilities and expertise that would require decades and millions of dollars to reconstitute.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Department of Defense should—

(1) allocate sufficient funding to properly sustain the F107 turbine engine in order to ensure this vital weapon is viable until a replacement is fielded; and

(2) contract with multiple, capable engine manufacturers to stabilize and revitalize the United States small turbine engine industrial base.

SA 844. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 234, strike subsection (b).

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, Army”, in the item relating to Army Integrated Air and Missile Defense (AIAMD), in the Senate authorized column, strike “136,420” and insert “336,420”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, Army”, in the item relating to Army Integrated Air and Missile Defense (AIAMD), in the Senate authorized column, strike “[–200,000]”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, Army”, in the item relating to Subtotal System Development & Demonstration, in the Senate authorized column, strike “3,130,618,” and insert “3,330,618”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, Army”, in the item relating to Total Research, Development, Test & Eval, Army, in the Senate authorized column, strike “9,906,352” and insert “10,106,352”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, AF”, in the item relating to Tech Transition Program, in the Senate authorized column, strike “935,650” and insert “785,650”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, AF”, in the item relating to Subtotal Advanced Component Development & Prototypes, in the Senate authorized column, strike “5,110,763” and insert “4,960,763”.

In the funding table in section 4201, under the heading “Research, Development, Test &

Eval, AF”, in the item relating to Combat Training Ranges, in the Senate authorized column, strike “87,350” and insert “37,350”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, AF”, in the item relating to Subtotal System Development & Demonstration, in the Senate authorized column, strike “4,620,662” and insert “4,570,662”.

In the funding table in section 4201, under the heading “Research, Development, Test & Eval, AF”, in the item relating to Total Research, Development, Test & Eval, AF, in the Senate authorized column, strike “36,138,677” and insert “35,938,677”.

SA 845. Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF CONGRESS ON FIRE PROTECTION IN DEPARTMENT OF DEFENSE FACILITIES.

(a) FINDINGS.—Congress makes the following findings:

(1) A 2009 Consumer Product Safety Commission study found a full 370,000 residential fires are suppressed by portable fire extinguishers annually.

(2) Throughout the United States, of the 48,460 fires in buildings equipped with sprinklers from 2007 to 2011, 40,440, or 83 percent, never grew large enough to activate sprinklers, indicating many fires are successfully suppressed by portable fire extinguishers.

(3) Section 9-17.1 of the Unified Facilities Criteria 3-600-01 changes the Department of Defense building code by stating, “General purpose portable fire extinguishers are not required when the Facility is provided with complete automatic sprinkler protection and a fire alarm system in accordance with this UFC.”

(4) This new language is a departure from national model fire codes, and is also a significant change from the last Unified Criteria governing portable extinguishers.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) portable fire extinguishers are essential to the safety of members of the Armed Forces and their families;

(2) the current Unified Facilities Criteria provides members of the Armed Forces, their families, and other Department of Defense personnel with less fire protection than that of civilian counterparts by deviating from fire safety codes used across the country and not requiring portable extinguishers on military installations;

(3) United Facilities Criteria 3-600-01, Section 4-9, dated September 26, 2006, clearly keeps Department of Defense Facilities in line with the national and international standards for fire safety; and

(4) the Secretary of Defense should amend current United Facilities Criteria Section 9-17.1 to reflect the standards established by United Facilities Criteria 3-600-01, Section 4-9, dated September 26, 2006.

SA 846. Mr. UDALL (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the

bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, insert the following:

SEC. ____ SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR WEAPONS TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear weapons testing carried out during the Cold War.

SA 847. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3201, add the following:

(b) **CERTIFICATION OF SUFFICIENCY OF BUDGET REQUESTS.**—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the Defense Nuclear Facilities Safety Board shall submit to the congressional defense committees a letter—

(1) certifying that the requested budget is sufficient for the conduct of the safety reviews that the Board intends to conduct in that fiscal year; or

(2) if the Board is unable to make the certification described in paragraph (1), including a list of such reviews and the estimated level of additional funding required to conduct such reviews.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Defense Nuclear Facilities Safety Board was chartered by Congress with an important mission to provide independent recommendations and advice to the President and the Secretary of Energy to protect public health and employee safety at defense nuclear facilities of the Department of Energy;

(2) the role of the Board has necessarily evolved as the mission of the Department has changed over time, but the Board will continue to be vitally important as the Department continues major efforts to modernize the nuclear weapons stockpile and update its infrastructure in the 21st century; and

(3) any significant change to the Board and its mission can only be considered by the Board as a whole with oversight by Congress and requires legislative changes approved by Congress.

SA 848. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ ESTABLISHMENT AND USE OF NATURALIZATION OFFICES AT INITIAL MILITARY TRAINING SITES.

(a) **SHORT TITLE.**—This section may be cited as the “Naturalization At Training Sites Act of 2017” or the “NATS Act”.

(b) **DEFINITIONS.**—In this section, the term “Secretary concerned” has the meaning given that term in section 101(a) of title 10, United States Code.

(c) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall establish a naturalization office at each initial military training site of the Armed Forces under the jurisdiction of the respective Secretary.

(d) **OUTREACH.**—In coordination with the Under Secretary of Defense for Personnel and Readiness and the Director of U.S. Citizenship and Immigration Services, each Secretary concerned shall, to the maximum extent practicable—

(1) identify each member of the Armed Forces overseen by such Secretary who is not a citizen of the United States; and

(2) inform each noncitizen member of the Armed Forces overseen by such Secretary about—

(A) the existence of a naturalization office at each initial military training site;

(B) the continuous availability of each naturalization office throughout the career of a member of the Armed Forces to—

(i) evaluate the extent to which a noncitizen member of the Armed Forces is eligible to become a naturalized citizen; and

(ii) assess the suitability for citizenship of a noncitizen member of the Armed Forces;

(C) each potential pathway to citizenship;

(D) each service a naturalization office provides;

(E) the required length of service to obtain citizenship during—

(i) peacetime; and

(ii) a period of hostility; and

(F) the application process for citizenship, including—

(i) details of the application process;

(ii) required application materials;

(iii) requirements for a naturalization interview; and

(iv) any other information required to become a citizen under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(e) **TIMING.**—Each Secretary concerned shall complete the notifications required under subsection (d)—

(1) during every stage of basic training;

(2) during training for any military occupational specialty;

(3) at each school of professional military education;

(4) upon each transfer of a duty station; and

(5) at any other time determined appropriate by the Secretary concerned.

(f) **TRAINED PERSONNEL.**—

(1) **AVAILABILITY.**—Each Secretary concerned shall retain trained personnel at a naturalization office at every initial military training site to provide appropriate services to every member of the Armed Forces who is not a citizen of the United States.

(2) **TRAINING.**—All personnel retained under paragraph (1) shall be familiar with—

(A) the special provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) authorizing the expedited application and naturalization process for current members of the Armed Forces and veterans;

(B) the application process for naturalization and associated application materials; and

(C) the naturalization process administered by U.S. Citizenship and Immigration Services.

(g) **ASSIGNMENT PREFERENCE.**—The Secretary concerned, to the extent practicable, shall assign each new member of the Armed Forces who is not a citizen of the United States to an initial military training site that has a naturalization office.

(h) **REPORTING REQUIREMENT.**—The Director of U.S. Citizenship and Immigration Services shall annually publish, on a publicly accessible website—

(1) the number of members of the Armed Forces who became naturalized United States citizens during the most recent year for which data is available, categorized by country in which the naturalization ceremony took place;

(2) the number of Armed Forces member's children who became naturalized United States citizens during the most recent year for which data is available, categorized by country in which the naturalization ceremony took place; and

(3) the number of Armed Forces member's spouses who became naturalized United States citizens during the most recent year for which data is available, categorized by country in which the naturalization ceremony took place.

(i) **RULEMAKING.**—Each Secretary concerned shall prescribe, by regulation, a definition of the term “initial military training site” for purposes of this section.

SA 849. Mr. KAINE (for himself, Mr. WICKER, Mr. THUNE, Mr. NELSON, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVI, add the following:

Subtitle F—Cyber Scholarship Opportunities

SEC. 1661. SHORT TITLE.

This subtitle may be cited as the “Cyber Scholarship Opportunities Act of 2017”.

SEC. 1662. FINDINGS.

Congress finds the following:

(1) A well-trained workforce is essential to meeting the Nation's cybersecurity needs.

(2) An October 2015 report by the National Academy of Public Administration entitled “Increasing the Effectiveness of the Federal Role in Cybersecurity Education” noted that the United States faces a severe shortage of properly trained and equipped cybersecurity professionals in both the government and private sector workforce.

(3) The 2015 (ISC)² Global Information Security Workshop Study stated that “the information security workforce shortfall is widening.”

(4) The National Science Foundation's Federal Cyber Scholarship-for-Service program

is a successful effort to support capacity building in institutions of higher education and scholarships for students to pursue cybersecurity careers.

SEC. 1663. COMMUNITY COLLEGE CYBER PILOT PROGRAM AND ASSESSMENT.

(a) **PILOT PROGRAM.**—Not later than 1 year after the date of enactment of this subtitle, as part of the Federal Cyber Scholarship-for-Service program established under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442), the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall develop and implement a pilot program at not more than 10, but at least 5, community colleges to provide scholarships to eligible students who—

(1) are pursuing associate degrees or specialized program certifications in the field of cybersecurity; and

(2)(A) have bachelor's degrees; or

(B) are veterans of the armed forces.

(b) **ASSESSMENT.**—Not later than 1 year after the date of enactment of this subtitle, as part of the Federal Cyber Scholarship-for-Service program established under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442), the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall assess the potential benefits and feasibility of providing scholarships through community colleges to eligible students who are pursuing associate degrees, but do not have bachelor's degrees.

SEC. 1664. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM UPDATES.

(a) **IN GENERAL.**—Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) by striking subsection (b)(3) and inserting the following:

“(3) prioritize the employment placement of at least 80 percent of scholarship recipients in an executive agency (as defined in section 105 of title 5, United States Code); and

“(4) provide awards to improve cybersecurity education at the kindergarten through grade 12 level—

“(A) to increase interest in cybersecurity careers;

“(B) to help students practice correct and safe online behavior and understand the foundational principles of cybersecurity;

“(C) to improve teaching methods for delivering cybersecurity content for kindergarten through grade 12 computer science curricula; and

“(D) to promote teacher recruitment in the field of cybersecurity.”;

(2) by amending subsection (d) to read as follows:

“(d) **POST-AWARD EMPLOYMENT OBLIGATIONS.**—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree, in the cybersecurity mission of—

“(1) an executive agency (as defined in section 105 of title 5, United States Code);

“(2) Congress, including any agency, entity, office, or commission established in the legislative branch;

“(3) an interstate agency;

“(4) a State, local, or tribal government; or

“(5) a State, local, or tribal government-affiliated non-profit that is considered to be critical infrastructure (as defined in section 1016(e) of the USA Patriot Act (42 U.S.C. 5195c(e)).”;

(3) in subsection (f)—

(A) by amending paragraph (3) to read as follows:

“(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 401;”;

(B) by amending paragraph (4) to read as follows:

“(4) be a full-time student in an eligible degree program at a qualified institution of higher education, as determined by the Director of the National Science Foundation, except that in the case of a student who is enrolled in a community college, be a student pursuing a degree on a less than full-time basis, but not less than half-time basis; and”;

(4) by amending subsection (m) to read as follows:

“(m) **PUBLIC INFORMATION.**—

“(1) **EVALUATION.**—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector cyber workforce, including on—

“(A) placement rates;

“(B) where students are placed, including job titles and descriptions;

“(C) student salary ranges for students not released from obligations under this section;

“(D) how long after graduation they are placed;

“(E) how long they stay in the positions they enter upon graduation;

“(F) how many students are released from obligations; and

“(G) what, if any, remedial training is required.

“(2) **REPORTS.**—The Director of the National Science Foundation, in coordination with the Office of Personnel Management, shall submit, at least once every 3 years, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report, including the results of the evaluation under paragraph (1) and any recent statistics regarding the size, composition, and educational requirements of the Federal cyber workforce.

“(3) **RESOURCES.**—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

“(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities related to the field of cybersecurity; and

“(B) a modernized description of cybersecurity careers.”.

(b) **SAVINGS PROVISION.**—Nothing in this section, or an amendment made by this section, shall affect any agreement, scholarship, loan, or repayment, under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442), in effect on the day before the date of enactment of this subtitle.

SEC. 1665. CYBERSECURITY TEACHING.

Section 10(i) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1(i)) is amended—

(1) by amending paragraph (5) to read as follows:

“(5) the term ‘mathematics and science teacher’ means a science, technology, engineering, mathematics, or computer science, including cybersecurity, teacher at the elementary school or secondary school level;”;

(2) by amending paragraph (7) to read as follows:

“(7) the term ‘science, technology, engineering, or mathematics professional’ means an individual who holds a baccalaureate, master's, or doctoral degree in science, technology, engineering, mathematics, or computer science, including cybersecurity, and is working in or had a career in such field or a related area; and”.

SA 850. Mr. FRANKEN (for himself, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. HOEVEN, Ms. HEITKAMP, Ms. WARREN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

PART II—RESERVE COMPONENT BENEFITS PARITY

SEC. ____ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR PRE-MOBILIZATION HEALTH CARE.

Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

SEC. ____ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR TRANSITIONAL HEALTH CARE.

Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

SEC. ____ . CONSIDERATION OF SERVICE ON ACTIVE DUTY TO REDUCE AGE FOR ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.

Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(B) or under section 12301(d)” and inserting “under section 12301(d) or 12304b of this title or a provision of law referred to in section 101(a)(13)(B)”.

SEC. ____ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR HIGH-DEPLOYMENT ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS AND FREQUENT MOBILIZATIONS.

Section 436(a)(2)(C)(ii) of title 37, United States Code, is amended by inserting after “under” the first place it appears the following: “section 12304b of title 10 or”.

SEC. ____ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR NONREDUCTION IN PAY WHILE SERVING IN THE UNIFORMED SERVICES OR NATIONAL GUARD.

Section 5538(a) of title 5, United States Code, is amended in the matter preceding paragraph (1) by inserting after “under” the following: “section 12304b of title 10 or”.

SEC. _____. EFFECT OF ORDER TO SERVE ON ACTIVE DUTY ON ELIGIBILITY FOR OR USE OF CERTAIN MILITARY BENEFITS.

Section 1175a(j)(2) of title 10, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

SEC. _____. RETROACTIVE APPLICABILITY OF AMENDMENTS.

The amendments made by this part shall apply with respect to any order for a member of a reserve component to serve on active duty under section 12304a or 12304b of title 10, United States Code, issued on or after January 1, 2012.

SA 851. Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. DURBIN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. _____. GUIDANCE REGARDING USE OF ORGANIC INDUSTRIAL BASE.

The Secretary of the Army shall maintain the arsenals with sufficient workloads to ensure affordability and technical competence in all critical capability areas by establishing, not later than 90 days after the enactment of this Act, clear, step-by-step, prescriptive guidance on the process for conducting make-or-buy analyses, including the use of the organic industrial base.

SA 852. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. _____. TECHNICAL CORRECTION TO AUTHORITY FOR RETURN OF CERTAIN LANDS AT FORT WINGATE, NEW MEXICO, TO ORIGINAL INHABITANTS.

Section 2829F(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2734) is amended by striking “titled ‘The Fort Wingate Depot Activity Negotiated Property Division April 2016’” and inserting “titled ‘Final Agreement Map Between Navajo Nation and Pueblo of Zuni’, dated March 2016,”.

SA 853. Mr. CARDIN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONGRESSIONAL NOTIFICATION OF PROPOSED EXPORTS OF DEFENSE ARTICLES FORMERLY INCLUDED ON UNITED STATES MUNITIONS LIST.

Any license to export a defense article on the Commerce Control List that was controlled for export on the United States Munitions List (USML) maintained pursuant to part 121 of title 22, Code of Federal Regulations as of January 1, 2017, shall be subject to the provisions of section 36 of the Arms Export Control Act (22 U.S.C. 2776) regarding notification and review by Congress (and including all current procedures for consultation) if the authorized value of such license would meet or exceed the value thresholds applicable under such section to defense articles listed on the USML.

SA 854. Mr. CORNYN (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end title XII of division A, add the following:

Subtitle H—Iraq and Syria Genocide Relief and Accountability

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017”.

SEC. 1292. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) On March 17, 2016, Secretary of State John Kerry stated, “in my judgment, Daesh is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims . . . the United States will strongly support efforts to collect, document, preserve, and analyze the evidence of atrocities, and we will do all we can to see that the perpetrators are held accountable”.

(2) Secretary of State Kerry stated in the “Atrocities Prevention Report”, transmitted to Congress on March 17, 2016, “The Department of State has a longstanding commitment to providing support for the urgent humanitarian needs of conflict-affected populations in Iraq, Syria, and across the world, including but not limited to members of ethnic and religious minorities.”.

(3) The Independent International Commission of Inquiry on the Syrian Arab Republic stated in its February 3, 2016, report, “The Government has committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforced disappearance and other inhuman acts. Based on the same conduct, war crimes have also been committed. Both Jabhat Al-Nusra and some anti-Government armed groups have committed the war crimes of murder, cruel treatment, and torture.”.

(4) The International Criminal Investigative Training Assistance Program and the

Office of Overseas Prosecutorial Development Assistance and Training of the Department of Justice have provided technical assistance to governmental judicial and law enforcement entities in Iraq, including with funding support from the Department of State.

(5) There were an estimated 800,000 to 1,400,000 Christians in Iraq in 2002, 500,000 in 2013, and less than 250,000 in 2015, according to the annual International Religious Freedom Reports of the Department of State.

(6) Although Christians were an estimated 8 to 10 percent of the 21,000,000 person population of Syria in 2010, “media and other reports of Christians fleeing the country as a result of the civil war suggest the Christian population is now considerably lower” as of 2015, according to the annual International Religious Freedom Reports of the Department of State.

(7) The Chaldean Catholic Archdiocese of Erbil (Iraq) is an example of an entity that has not received funding from any government and has been providing assistance to internally displaced families of Yezidis, Muslims, and Christians, including food, resettlement from tents to permanent housing, and rent for Yezidis, medical care and education for Yezidis and Muslims through clinics, schools, and a university that are open to all, and some form of these types of assistance to all of the estimated 10,500 internally displaced Christian families, more than 70,000 people, in the greater Erbil region.

(8) Through the United States Refugee Admissions Program, the United States Government—

(A) admitted 12,676 Iraqi refugees in fiscal year 2015, including at least 2,113 Christians and 213 Yezidis;

(B) admitted 9,880 Iraqi refugees in fiscal year 2016, including at least 1,524 Christians and 393 Yezidis;

(C) admitted 1,682 Syrian refugees in fiscal year 2015, including at least 30 Christians; and

(D) admitted 12,587 Syrian refugees in fiscal year 2016, including at least 64 Christians and 24 Yezidis.

(b) SENSE OF CONGRESS.—Congress—

(1) strongly condemns—

(A) the ongoing violence, use of chemical weapons, targeting of civilian populations with barrel, incendiary, and cluster bombs and SCUD missiles, and systematic gross human rights violations carried out by the Government of Syria and pro-government forces under the direction of President Bashar al-Assad; and

(B) all abuses committed by violent extremist groups and other combatants involved in the civil war in Syria;

(2) expresses its support for the people of Syria seeking democratic change;

(3) urges all parties to the conflict—

(A) to immediately halt indiscriminate attacks on civilians;

(B) to allow for the delivery of humanitarian and medical assistance; and

(C) to end sieges of civilian populations;

(4) calls on the President to support efforts in Syria, and on the part of the international community, to ensure accountability for war crimes, crimes against humanity, and genocide committed during the conflict; and

(5) supports the request in United Nations Security Council Resolutions 2139 (2014), 2165 (2014), and 2191 (2014) for the Secretary-General to regularly report to the Security Council on implementation on the resolutions, including of paragraph 2 of Resolution 2139, which “demands that all parties immediately put an end to all forms of violence

[and] cease and desist from all violations of international humanitarian law and violations and abuses of human rights”.

SEC. 1293. DEFINITIONS.

In this subtitle:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Armed Services of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) **CAPACITY-BUILDING.**—The term “capacity-building”, with respect to cases of genocide, crimes against humanity, war crimes, and terrorism in Iraq or Syria, means developing domestic skills to efficiently adjudicate such cases, consistent with due process and respect for the rule of law, through the use of experts in international criminal investigations and experts in international criminal law to partner with, mentor, provide technical advice for, formally train, and provide equipment and infrastructure where necessary and appropriate to, investigators and judicial personnel in Iraq, including the Kurdistan region of Iraq, and domestic investigators and lawyers in Syria.

(3) **FOREIGN TERRORIST ORGANIZATION.**—The term “foreign terrorist organization” means an organization designated by the Secretary of State as a foreign terrorist organization pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(4) **GENOCIDE.**—The term “genocide” means any offense described in section 1091(a) of title 18, United States Code.

(5) **HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.**—The term “humanitarian, stabilization, and recovery needs”, with respect to an individual, includes water, sanitation, hygiene, food security, nutrition, shelter, housing, medical, education, and psychosocial needs.

(6) **HYBRID TRIBUNAL.**—The term “hybrid tribunal” means a temporary criminal tribunal that involves a combination of domestic and international lawyers, judges, and other professionals to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide.

(7) **INTERNATIONALIZED DOMESTIC COURT.**—The term “internationalized domestic court” means a domestic court with the support of international advisers.

(8) **TRANSITIONAL JUSTICE.**—The term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

(A) to redress legacies of atrocities; and

(B) to promote long-term, sustainable peace.

(9) **WAR CRIME.**—The term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

SEC. 1294. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ FOR ACTS OF GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

(a) **ASSISTANCE TO SUPPORT CERTAIN ENTITIES.**—

(1) **IN GENERAL.**—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, and Labor, the

Assistant Secretary for International Narcotics and Law Enforcement Affairs, and Administrator of the United States Agency for International Development, shall provide assistance, including financial assistance, to support the efforts of entities, including non-governmental organizations with expertise in international criminal investigations and law, to undertake the activities described in paragraph (2) to address genocide, crimes against humanity, or war crimes in Iraq since January 2014.

(2) **ACTIVITIES DESCRIBED.**—The activities described in this paragraph are—

(A) conducting criminal investigations;

(B) developing indigenous investigative and judicial skills, including by partnering directly, mentoring, and providing equipment and infrastructure for effectively adjudicating cases consistent with the due process of law;

(C) collecting and preserving evidence;

(D) preserving the chain of evidence for prosecution in domestic courts, hybrid tribunals, and internationalized domestic courts; and

(E) capacity building.

(3) **AVAILABILITY OF AMOUNTS.**—Amounts authorized to be appropriated or otherwise made available for programs, projects, and activities carried out by the Assistant Secretary for Democracy, Human Rights, and Labor and the Assistant Secretary for International Narcotics and Law Enforcement Affairs are authorized to be made available to carry out this subsection.

(b) **ACTIONS BY FOREIGN GOVERNMENTS.**—The Secretary of State, in consultation with the Attorney General, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, shall encourage governments of foreign countries—

(1) to include information in appropriate security databases and security screening procedures of such countries to identify individuals who are suspected to have committed genocide, crimes against humanity, or war crimes in Iraq since January 2014 or in Syria since March 2011, including individuals who are suspected to be members of foreign terrorist organizations operating within Iraq or Syria; and

(2) to prosecute individuals described in paragraph (1) for genocide, crimes against humanity, or war crimes, as appropriate.

(c) **REVIEW OF CERTAIN CRIMINAL STATUTES.**—The Attorney General, in consultation with the Secretary of State, shall conduct a review of existing criminal statutes concerning genocide, crimes against humanity, and war crimes to determine—

(1) the extent to which United States courts are currently authorized by statute to exercise jurisdiction over such crimes where the direct perpetrators, accomplices, or victims are United States nationals, United States residents, or persons physically present in the territory of the United States either during the commission of the crime or subsequent to the commission of the crime;

(2) the statutes currently in effect that would apply to conduct constituting war crimes or crimes against humanity, including—

(A) whether such statutes provide for extraterritorial jurisdiction;

(B) the statute of limitations for offenses under such statutes;

(C) the applicable penalties under such statutes; and

(D) whether offenders would be subject to extradition or mutual legal assistance treaties;

(3) the extent to which the absence of criminal statutes defining the crimes, or

granting jurisdiction, would impede the prosecution of genocide, crimes against humanity, and war crimes in United States courts, including when United States military forces capture persons outside the United States who are known to have committed such crimes in a third country that is either unable or unwilling to prosecute the crimes; and

(4) whether additional statutory authorities are necessary to prosecute a United States person or a foreign person within the territory of the United States for genocide, crimes against humanity, or war crimes.

(d) **CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from, entities described in subsection (a)(1).

(e) **SENSE OF CONGRESS.**—It is the sense of Congress that an appropriate amount of the additional amount made available under the heading “Economic Support Fund” in title II of division B of the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114-254) should be made available to carry out subsection (a).

SEC. 1295. IDENTIFICATION OF, AND ASSISTANCE TO ADDRESS, HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS OF CERTAIN PERSONS IN IRAQ AND SYRIA.

(a) **IDENTIFICATION.**—The Secretary of State, in consultation with the Secretary of Defense, the Ambassador at Large for International Religious Freedom, the Special Advisor for Religious Minorities in the Near East and South/Central Asia, the Assistant Secretary for Population, Refugees, and Migration, the Administrator of the United States Agency for International Development, and the Director of National Intelligence, shall identify—

(1) the threats of persecution and other warning signs of genocide, crimes against humanity, and war crimes against individuals—

(A) who—

(i) are or were nationals and residents of Iraq or of Syria; and

(ii) are members of a religious, ethnic, or other minority group in Iraq or in Syria against which the Secretary of State has determined the Islamic State of Iraq and Syria (ISIS) has committed genocide, crimes against humanity, or war crimes in Iraq or in Syria since January 2014; or

(B) who are members of another religious, ethnic, or other minority group in Iraq or in Syria that has been identified by the Secretary of State (or the Secretary’s designee) as a persecuted group;

(2) the humanitarian, stabilization, and recovery needs of individuals described in paragraph (1);

(3) the religious, ethnic, and other minority groups in Iraq and in Syria—

(A) against which the Secretary of State has determined ISIS has committed genocide, crimes against humanity, or war crimes in Iraq or in Syria since January 2014; or

(B) that the Secretary of State (or the Secretary’s designee) has identified as a persecuted group at risk of forced migration, within or across the borders of Iraq, Syria, or a country of first asylum, and the primary reasons for such risk;

(4) the assistance provided by the United States to address humanitarian, stabilization, and recovery needs of individuals described in paragraph (1) and groups described in paragraph (3), including assistance to mitigate the risks of forced migration of such persons and groups from Iraq or from Syria;

(5) the mechanisms used by the United States Government to identify, assess, and respond to humanitarian, stabilization, and recovery needs, and risks of forced migration, of individuals described in paragraph (1) and groups described in paragraph (3);

(6) the assistance provided by or through the United Nations, including the Funding Facility for Immediate Stabilization and the Funding Facility for Expanded Stabilization, to address humanitarian, stabilization, and recovery needs of individuals described in paragraph (1) and groups described in paragraph (3), including assistance to mitigate the risks of forced migration of such individuals and groups within or across the borders of Iraq, Syria, or a country of first asylum from Iraq or from Syria;

(7) the entities, including faith-based entities, that are providing assistance to address humanitarian, stabilization, and recovery needs of individuals described in paragraph (1) and groups described in paragraph (3); and

(8) if the United States Government is funding entities described in paragraph (7) for purposes of providing assistance described in such paragraph, the sources of such funding; and

(9) if the United States Government is not funding entities described in paragraph (7) for purposes of providing assistance described in such paragraph, a justification for not funding such entities, including whether funding such entities is prohibited under United States law.

(b) **ADDITIONAL CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from, individuals described in subsection (a)(1) and entities described in subsection (a)(7).

(c) **ASSISTANCE.**—The Secretary of State and Administrator of the United States Agency for International Development shall provide assistance, including cash assistance, to support entities described in subsection (a)(7) that the Secretary and the Administrator determine are effectively providing assistance described in subsection (a)(7), including entities that received funding from the United States Government for such purposes before the date of the enactment of this Act.

(d) **SENSE OF CONGRESS.**—It is the sense of Congress that an appropriate amount of the additional amount made available under the heading “Economic Support Fund” in title II of division B of the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114-254) should be made available to carry out subsection (c).

SEC. 1296. REPORTS.

(a) **ASSISTANCE FOR PERSECUTED MINORITIES IN IRAQ OR IN SYRIA.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes a detailed description of—

(1) the efforts taken, and proposed to be taken, by the Secretary of State to implement section 1295; and

(2) the matters identified under section 1295(a).

(b) **SUPPORT FOR THE INVESTIGATION AND PROSECUTION OF WAR CRIMES.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of the efforts taken, and efforts proposed to be taken, by the Secretary of State to implement subsections (a) and (b) of section 1294; and

(2) an assessment of—

(A) the feasibility and advisability of prosecuting individuals who are suspected to have committed genocide, crimes against humanity, or war crimes in Iraq since January 2014, or in Syria since March 2011, in domestic courts in Iraq, hybrid tribunals, and internationalized domestic courts; and

(B) the capacity building, and other measures, needed to ensure effective criminal investigations of such individuals.

(c) **CRIMINAL STATUTE REVIEW.**—Not later than 120 days after the date of the enactment of this Act, the Attorney General shall submit a report to the appropriate congressional committees that includes—

(1) the results of the review conducted under section 1294(c); and

(2) such recommendations for legislative and administrative actions to implement the results of such review as the Attorney General determines appropriate.

(d) **REPORT ON ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN SYRIA.**—

(1) **IN GENERAL.**—The Secretary of State shall submit a report on war crimes, crimes against humanity, and genocide in Syria to the appropriate congressional committees not later than 90 days after the date of the enactment of this Act and another such report not later than 180 days after the Secretary of State determines that the violence in Syria has ceased.

(2) **ELEMENTS.**—The reports submitted under paragraph (1) shall include—

(A) a description of alleged war crimes, crimes against humanity, and genocide perpetrated during the civil war in Syria, including—

(i) incidents that may constitute war crimes, crimes against humanity, or genocide committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(ii) incidents that may constitute war crimes, crimes against humanity, or genocide committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(iii) any incidents that may violate the principle of medical neutrality and, if possible, the identification of the individual or individuals who engaged in or organized such incidents; and

(iv) if possible, a description of the conventional and unconventional weapons used for such crimes and the origins of such weapons; and

(B) a description and assessment by the Department of State Office of Global Criminal Justice, the United States Agency for International Development, the Department of Justice, and other appropriate agencies of programs that the United States Government has undertaken to ensure accountability for war crimes, crimes against humanity, and genocide perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including programs—

(i) to train investigators within and outside of Syria on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of war crimes, crimes against humanity, or genocide, including—

(I) the number of United States Government or contract personnel currently designated to work full-time on these issues; and

(II) the identification of the authorities and appropriations being used to support such training efforts;

(ii) to promote and prepare for a transitional justice process or processes for the perpetrators of war crimes, crimes against humanity, and genocide in Syria beginning in March 2011;

(iii) to document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Syria, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic; and

(iv) to assess the influence of accountability measures on efforts to reach a negotiated settlement to the Syrian conflict during the reporting period.

(3) **FORM.**—The reports required under paragraph (1) may be submitted in unclassified or classified form, but shall include a publicly available annex.

(e) **TRANSITIONAL JUSTICE STUDY.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice, the United States Agency for International Development, and other appropriate Federal agencies, shall—

(1) complete a study of the feasibility and desirability of potential transitional justice mechanisms for Syria, including a hybrid tribunal, to address war crimes, crimes against humanity, and genocide perpetrated in Syria beginning in March 2011; and

(2) submit a detailed report of the results of the study conducted under paragraph (1), including recommendations on which transitional justice mechanisms the United States Government should support, why such mechanisms should be supported, and what type of support should be offered, to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

(f) **FORM.**—

(1) **IN GENERAL.**—Except as provided in subsection (d)(3), each report required under this section shall be submitted in unclassified form, but may contain a classified annex, if necessary.

(2) **PROTECTION OF WITNESSES AND EVIDENCE.**—In carrying out this section, the Secretary of State shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict.

SEC. 1297. TECHNICAL ASSISTANCE AUTHORIZED.

(a) **IN GENERAL.**—The Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice and other appropriate Federal agencies, is authorized to provide appropriate assistance to support entities that, with respect to war crimes, crimes against humanity, and genocide perpetrated

by the regime of President Bashar al-Assad, all forces fighting on its behalf, and all non-state armed groups fighting in the country, including violent extremist groups in Syria beginning in March 2011—

(1) identify suspected perpetrators of war crimes, crimes against humanity, and genocide;

(2) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;

(3) conduct criminal investigations;

(4) build Syria's investigative and judicial capacities and support prosecutions in the domestic courts of Syria, provided that President Bashar al-Assad is no longer in power;

(5) support investigations by third-party states, as appropriate; or

(6) protect witnesses that may be helpful to prosecutions or other transitional justice mechanisms.

(b) **ADDITIONAL ASSISTANCE.**—The Secretary of State, after consultation with appropriate Federal agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 1296(e), is authorized to provide assistance to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Syria beginning in March 2011.

(c) **BRIEFING.**—The Secretary of State shall provide detailed, biannual briefings to the appropriate congressional committees describing the assistance provided to entities described in subsection (a).

SEC. 1298. STATE DEPARTMENT REWARDS FOR JUSTICE PROGRAM.

Section 36(b)(10) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)(10)) is amended by inserting “(including war crimes, crimes against humanity, or genocide committed in Syria beginning in March 2011)” after “genocide”.

SEC. 1299. INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC.

The Secretary of State, acting through the United States Permanent Representative to the United Nations, should use the voice, vote, and influence of the United States at the United Nations to advocate that the United Nations Human Rights Council, while the United States remains a member, annually extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic until the Commission has completed its investigation of all alleged violations of international human rights laws beginning in March 2011 in the Syrian Arab Republic.

AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to

meet during the session of the Senate on Thursday, September 7, 2017 at 9:30 a.m. to conduct an executive session to vote on the following nominations: Mr. Joseph Otting, of Nevada, to be Comptroller of the Currency; and the honorable Randal Quarles, of Colorado, to be a member of the board of Governors of the Federal Reserve System; reappointment as a supervision of the Board of Governors of the Federal Reserve System; and to vote on S. 1463. Following the executive session, the Committee will meet in open session for a hearing entitled, “Evaluating Sanctions Enforcement and Policy Option on North Korea.”

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Thursday, September 7, 2017, at 10:30 a.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, September 7, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “Health Care: Issues Impacting Cost and Coverage.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled “Stabilizing Premiums and Helping Individuals in the Individual Insurance Market for 2018: Governors” on Thursday, September 7, 2017, at 9 a.m., in room 216 of the Hart Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on September 7, 2017, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, September 7, 2017 from 2 p.m. in room SH-219 of the Senate Hart Office Building to hold a Closed Member Business Meeting followed by a Closed Briefing.

SUBCOMMITTEE ON INVESTIGATION

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, September 7, 2017, at 10 a.m. in order to conduct a hearing entitled, “Cutting Through the Red Tape: Oversight of Federal Infrastructure Permitting and the Federal Permitting Improvement Steering Council.”

Mr. MCCONNELL. Mr. President, I have 1 request for a committee to meeting during today's session of the Senate. It has the approval of the Majority and Minority Leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meeting during today's session of the Senate:

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meeting during the session of the Senate on Thursday, September 7, 2017, during the first scheduled vote on the Senate Floor, tentatively scheduled to occur at 12:30 p.m., in S-216, The President's Room, United States Capitol resume considering favorably reporting pending nominations.

PRIVILEGES OF THE FLOOR

Mr. DONNELLY. Mr. President, I ask unanimous consent that George Delong, a member of my staff, be granted floor privileges for the duration of today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, I ask unanimous consent to grant floor privileges to Blake Seitz, a member of my staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 601

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 24.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 24) providing for a correction in the enrollment of H.R. 601.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 24) was agreed to.

(The concurrent resolution is printed in today's RECORD under “Submitted Resolutions.”)

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.

Con. Res. 69, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 69) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 69) was agreed to.

CHILDREN OF FALLEN HEROES SCHOLARSHIP ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 597 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 597) to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 597) was passed, as follows:

S. 597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Children of Fallen Heroes Scholarship Act”.

SEC. 2. CALCULATION OF ELIGIBILITY.

Section 473(b) of the Higher Education Act of 1965 (20 U.S.C. 1087mm(b)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “(in the case of a student

who meets the requirement of subparagraph (B)(i)), or academic year 2017–2018 (in the case of a student who meets the requirement of subparagraph (B)(ii)),” after “academic year 2009–2010”; and

(B) by amending subparagraph (B) to read as follows:

“(B) whose parent or guardian was—

“(i) a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; or

“(ii) actively serving as a public safety officer and died in the line of duty while performing as a public safety officer; and”;

(2) in paragraph (3)—

(A) by striking “Notwithstanding” and inserting the following:

“(A) ARMED FORCES.—Notwithstanding”;

(B) by striking “paragraph (2)” and inserting “subparagraphs (A), (B)(i), and (C) of paragraph (2)”; and

(C) by adding at the end the following:

“(B) PUBLIC SAFETY OFFICERS.—Notwithstanding any other provision of law, unless the Secretary establishes an alternate method to adjust the expected family contribution, for each student who meets the requirements of subparagraphs (A), (B)(ii), and (C) of paragraph (2), a financial aid administrator shall—

“(i) verify with the student that the student is eligible for the adjustment;

“(ii) adjust the expected family contribution in accordance with this subsection; and

“(iii) notify the Secretary of the adjustment and the student’s eligibility for the adjustment.”; and

(3) by adding at the end the following:

“(4) TREATMENT OF PELL AMOUNT.—Notwithstanding section 1212 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796d–1), in the case of a student who receives an increased Federal Pell Grant amount under this section, the total amount of such Federal Pell Grant, including the increase under this subsection, shall not be considered in calculating that student’s educational assistance benefits under the Public Safety Officers’ Benefits program under subpart 2 of part L of title I of such Act.

“(5) DEFINITION OF PUBLIC SAFETY OFFICER.—For purposes of this subsection, the term ‘public safety officer’ means—

“(A) a public safety officer, as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b); or

“(B) a fire police officer, defined as an individual who—

“(i) is serving in accordance with State or local law as an officially recognized or designated member of a legally organized public safety agency;

“(ii) is not a law enforcement officer, a firefighter, a chaplain, or a member of a rescue squad or ambulance crew; and

“(iii) provides scene security or directs traffic—

“(I) in response to any fire drill, fire call, or other fire, rescue, or police emergency; or

“(II) at a planned special event.”.

SEC. 3. CALCULATION OF PELL GRANT AMOUNT.

(a) IN GENERAL.—Section 401(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(2)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking “The Amount” and inserting “Subject to subparagraph (C), the amount”; and

(2) by adding at the end the following new subparagraph:

“(C) In the case of a student who meets the requirements of subparagraphs (A), (B)(ii), and (C) of section 473(b)(2)—

“(i) clause (ii) of subparagraph (A) of this paragraph shall be applied by substituting ‘from the amounts appropriated in the last enacted appropriation Act applicable to that award year, an amount equal to the amount of the increase calculated under paragraph (7)(B) for that year’ for ‘the amount of the increase calculated under paragraph (7)(B) for that year’; and

“(ii) such student—

“(I) shall be provided an amount under clause (i) of this subparagraph only to the extent that funds are specifically provided in advance in an appropriation Act to such students for that award year; and

“(II) shall not be eligible for the amounts made available pursuant to clauses (i) through (iii) of paragraph (7)(B).”.

(b) RULE OF CONSTRUCTION.—A student who is eligible to receive a Federal Pell Grant for the academic year for which the determination is made, whose parent or guardian was actively serving as a public safety officer and died in the line of duty while performing as a public safety officer, and who, at the time of the parent or guardian’s death, was less than 24 years of age, or enrolled at an institution of higher education on a part-time or full-time basis shall receive a calculation of a Federal Pell Grant amount according to the amendment made by subsection (a) for the academic year only to the extent that funds are specifically provided in advance in an appropriation Act to such students for that award year.

SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 5. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on July 1, 2017.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

HERSHEL “WOODY” WILLIAMS VA MEDICAL CENTER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of S. 1165 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 1165) to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel “Woody” Williams VA Medical Center.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon

the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1165) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF HERSHEL "WOODY" WILLIAMS VA MEDICAL CENTER IN HUNTINGTON, WEST VIRGINIA.

(a) DESIGNATION.—The medical center of the Department of Veterans Affairs in Huntington, West Virginia, shall after the date of the enactment of this Act be known and designated as the "Hershel 'Woody' Williams VA Medical Center".

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Hershel "Woody" Williams VA Medical Center.

**ORDERS FOR MONDAY,
SEPTEMBER 11, 2017**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, September 11; further, that following the prayer and pledge, the Senate observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001; further, that following the moment of silence, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2810, with the time until 5:30 p.m. equally divided between the two leaders or their designees; finally, that notwithstanding the provisions of rule XXII, the cloture vote on the motion to proceed to H.R. 2810 occur at 5:30 p.m., Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BLUNT and Senator WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri.

**INVESTING IN HEALTHCARE
RESEARCH**

Mr. BLUNT. Mr. President, today I come to you after we have been able to pass out of the Appropriations Com-

mittee the bill to fund the Department of Labor, the Department of Health and Human Services, and the Department of Education. I want to talk particularly about what happened in that funding, which is now out of committee and ready for the full Senate to act on it and then the Congress to act on it, as it relates to healthcare research.

We were able in our committee to have a bipartisan bill. I had a chance to begin to chair that committee 3 years ago. Senator MURRAY from Washington State is the leading Democrat on that committee. For the previous 6 years—the previous 5 years plus that first budget for which I was the chair—we weren't able to have a bipartisan bill. But the last 2 years, we have decided that we could figure out how to come together with this committee that actually appropriates about 30 percent of all the appropriated dollars that the Congress deals with and find a way to move forward in a bipartisan way. Certainly, Senator MURRAY is an important part of that partnership, and we were able to take our bill to the committee today.

Maybe the thing that we did that will have the most long-term significance in that bill was that, for the third year in a row, we were able to increase healthcare research at the National Institutes of Health. Now, for the 12 years that ended 3 years ago, there had been zero increase in healthcare research in this country.

Research, whether it is ag research or health research or other research, is one of the things that the government has done for a long time and can really commit itself to in ways that the private sector cannot. So when you begin to hold back the healthcare research here, not only do people not have the same potential they have to have their health challenges met and their family health challenges met, but we also hold back our ability to move forward with lifesaving cures and lifesaving practices in an economy where that makes a difference and in a world where these things are changing quickly.

So just 3 years ago, the people who run the National Institutes of Health and researchers around the country said that, having had no increase in a dozen years, they were basically 22 percent behind where they had been 12 years earlier in just research buying power. Young researchers were leaving the field of research because they were really disadvantaged in a world where research dollars were effectively going down and people who had had successful research before had a much better chance to know how to get and then to be awarded a grant that young researchers weren't getting.

So 2 years ago, last year, and again today—2 years ago and last year, successfully—the Congress said: Now we are going to make a substantial increase to healthcare research. It was \$2

billion each of those 2 years, which was about a 6.6-percent increase in healthcare research. Today we proposed another \$2 billion, and just like the previous 2 years, we really had no new money. So we had to figure out how to prioritize, eliminating programs. I think over the 3 years we have now eliminated over 30 programs that just simply weren't performing well or performing well enough to be a priority.

As the Presiding Officer and I have talked about before, when everything is a priority, nothing is really a priority. So we decided this is one of our priorities, and probably, we can safely suggest, a top priority for this committee now over the last 3 years. So we have gone from a 22-percent decline to where we are almost caught up to where the country was 15 years ago, in terms of buying power, with about a 20-percent increase in this one account in three budgets.

Again, I think it is important for us and the taxpayers to understand we did that because other things were carefully looked at and either had their amounts reduced or had their programs eliminated so we could look at the health research. In that 12-year period of time, there had been such a decline in commitment to health research that often the health research projects that were funded weren't funded in a way that allowed them to have success. At some Institutes at NIH, the success ratio was as low as 9 percent, and even when you are looking at everything, 9 percent is, frankly, too low.

I hope we are going to see some real breakthroughs as a part of that research. One of the areas that has been a part of that research has been the investment in Alzheimer's research. Every 68 seconds, someone in America develops Alzheimer's, and this is a disease that not only impacts in a dramatic way the person who has it but arguably impacts, in at least as dramatic a way, the people who care about them and do all they can to care for them. It is the most expensive disease in America. As our population gets older, more and more people get into that age realm where if something doesn't change, they are going to have Alzheimer's too.

Right now we are spending right at 250 billion tax dollars every year on Alzheimer's-related care. That is about half the defense budget. The estimate for 2050 is that if something doesn't change, we will be spending \$1.1 trillion of today's dollars on Alzheimer's-related care.

We talk about big numbers here, and it is easy to get confused. That is a lot or that is half of that—what does that really mean? Well, \$1.1 trillion is twice the defense budget. If you can get in your mind all we spend all over the world to defend the country, if we don't do something to change what is happening with Alzheimer's, we are going

to be spending twice everything we spend to defend the country just on taxpayer-related Alzheimer's care.

The estimate on Alzheimer's, by the way, is that for every tax dollar spent on Alzheimer's, there are two private dollars spent and almost never covered by insurance. It has a dramatic impact on people, dramatic impact on their families, and a dramatic impact on taxpayers. We are spending about \$1 on Alzheimer's research right now for every \$125 we spend on Medicare and Medicaid. The biggest expenditure in those two funds of any disease is what we spend on Alzheimer's. Hopefully, we will see changes in that and begin to see things develop there.

Also, on the BRAIN Initiative, there has been nearly a 54-percent boost over last year's level in the BRAIN Initiative. The BRAIN Initiative, as part of the 21st Century Cures legislation we voted for, is really developing a more complete understanding of brain function. It has the possibility of helping millions of people who suffer from a wide variety of neurological challenges, psychiatric and behavioral disorders, diseases like Alzheimer's, Parkinson's, and traumatic brain injuries in addition to that. It is all part of what we can look at as part of the BRAIN Initiative for psychiatric disorders.

Remember, the estimate is that one out of every four adult Americans has a diagnosable and almost always treatable behavioral health issue. If you know that issue, if you know how the brain works in a better way, the treatment may be easier, better, more effective, and more long-term than it is now.

The National Cancer Institute is looking at the Precision Medicine Initiative. This is where we utilize all we know now about the human genome and about environmental and lifestyle data to see if we can come up with solutions. Genomically, we didn't know any of this a generation ago, but with the human genome, now that we know what we know, we can look at how we individually are different than everybody else. There is a great feeling that in many cancers, there is a unique cancer-fighting agent for that unique cancer in you, but what you need to do is amp up that cancer-fighting agent. The Federal Drug Administration just last week approved the first T cell-amping treatment that would do that.

Senator TOOMEY and I went 2 years ago to the University of Pennsylvania, Philadelphia, and saw the work that Dr. Carl June was doing, the groundbreaking work on leukemia. Again, he was amping up that fighting cell in patients whom everybody else had given up on and had great success and caused great optimism about what can happen there.

Dr. Tim Eberlein, director of the Siteman Cancer Center in St. Louis,

testified before our subcommittee on the critical role of Federal support for looking at these kinds of things and seeing what can happen to make a difference.

He shared a story of one of his colleagues, Dr. Lukas Wartman, an oncologist and leukemia survivor, who had a relapse while, fortunately for him, he was a fellow at Washington University. Research performed a detailed analysis of Dr. Wartman's cancer genome profile. They identified an existing drug typically used to treat a different kind of cancer, but it targeted the kinds of genetic structures that Dr. Wartman had, and he is in remission. It enabled him to undergo a stem cell transplant. He is now continuing his work on behalf of other cancer patients.

Whether it is immunology—again, amping up of what you have to fight that unique challenge that you have, whether it is looking at the BRAIN Initiative, these are things that make a difference to families, they make a difference to taxpayers, they make a difference to our economy, and certainly we hope seeing the committee move forward today on what would be the third groundbreaking commitment by the Congress in recent years to make a difference here is an important thing.

I hope we get a chance to bring this bill so all the Senators get a chance, as our Members did today, to debate it, to amend it, but no matter what happens on the floor of the Senate, we will have a chance to talk to our colleagues in the House and, hopefully, once again, in the final appropriations bill this year, do what makes a difference.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BLUNT). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here to deliver my "Time to Wake Up" speech, which I do every week that the Senate is in session. We have been out of session for a few weeks, so there is a fair amount to talk about that happened while we were gone.

One of the first things was a new study in my home State of Rhode Island. Rhode Island is a coastal State. We have considerable worries about sea level rise, and we have a State Coastal Resources Management Council that has done what is probably the best modeling anywhere in the country of the effects of sea level rise and the risk of ocean storms on our shores. In conjunction with them, there has been a

report from the Rhode Island Division of Planning—this is the State government—which has identified roads and bridges that are most likely to be underwater as the tides climb higher and as waves push farther inland.

The State's 10 roads most vulnerable to sea level rise are Hope Street in Bristol, which everybody knows—a beautiful, historical street; Memorial Boulevard in Newport; Wampanoag Trail in Barrington; Conanicus Avenue in Jamestown; North Road in Jamestown; County Road in Barrington; Beach Street in Narragansett, Main Street in Warren; and State Highway 24 South in Tiverton.

Throw in storm surge on top of sea level rise, and the 10 most vulnerable roads are County Road North in Barrington; Phillips Street in North Kingstown; America's Cup Avenue in Newport; Route 138 West onramp in Newport; Hope Street in Bristol; Highway 24 North in Portsmouth; Centerville Road in Warwick; Narragansett Avenue in Narragansett; Main Street in Warren; and Route 38 West in Jamestown.

The report goes on to identify the 10 bridges most vulnerable to sea level rise and the 10 bridges most vulnerable to a combination of sea level rise and storm surge.

Overall, Warwick, Narragansett, Newport, Barrington, and Providence are our top five municipalities most vulnerable to climate change-related road damage. So when I come to the floor to talk about this, this is not some hypothetical, liberal concern.

The Coastal Resources Management Council in my home State is predicting 9 vertical feet of sea level rise by the end of this century. As the Presiding Officer knows, Rhode Island is not a huge State. We don't have a lot to give back to the ocean. Nine feet of sea level rise is potentially catastrophic. And when my State Division of Planning is highlighting the roads and bridges that we are going to lose to sea level rise and to storm surge, don't expect me to sit idly by.

There is a larger context, of course, for all of this. I am pretty Rhode Island-centric, but, boy, are we seeing a lot going on.

Let's start off with what is going on out West. We have an extraordinary wildfire situation happening in the American West. I am reading a news story here:

Wildfires burned across hundreds of thousands of acres in the American and Canadian West this week, fueled by scorching temperatures that are breaking heat and fire records across the region.

In California, at least 15 cities have seen record-breaking heat. The State has experienced its hottest summer on record. San Francisco hit 106 degrees over the weekend, breaking its previous high ever by 3 full degrees.

By the end of the day Tuesday, there were at least 81 large fires blazing across 1.5 million acres of the U.S. West, from Colorado, to California, and north to Washington.

"These unprecedented extreme events are exactly the types of events that are more likely due to the global warming that has already occurred," say the scientists.

Studies find that a warmed global atmosphere with increasingly clear human fingerprints will continue driving a potent mix of heat and dryness that is projected to escalate in the West.

The climate scientist at UCLA says: "That's not a future projection, but an observational reality, and that is something that we expect to increase in the future. When we get these extremes, there is a human fingerprint."

"The increased occurrence of severe heat and the role of global warming on the occurrence of severe heat, that is already happening," said a Stanford scientific researcher.

This is not a fluke.

Nine of the 10 worst fire seasons in the past 50 years have all happened since 2000. And 2015 was the worst fire s in U.S. history, surpassing 10 million acres burned for the first time ever recorded. So far this year, wildfires in the U.S. are at 7.8 million acres, but the fire season is far from over.

Researchers have shown that human-induced climate change accounted for about half the observed increase in fuel aridity, or forest dryness, that has been setting off these fires in the Western United States since 1979 and that this had nearly doubled the area of the U.S. West affected by forest fires since 1984.

The conclusion:

We know that global warming has already increased the probability of unprecedented high temperatures in the western U.S., including in California. And we know—

"We know," the scientists say—

with high confidence that continued global warming will continue to intensify those increases.

Last week in Montana, a 20-square-mile blaze burned the historic Sperry Chalet, a hotel and dining room built in 1914 only reachable by trail.

It had been there for more than 100 years, but this is the fire that burned it down. This means a lot out at Glacier National Park.

"It's hard to think about the magnitude of what's happened," the National Park Conservancy Executive Director Doug Mitchell said.

One of the western fires even jumped the Columbia River to burn across into Washington—the Eagle Creek fire.

As the news said, in Oregon's Columbia River Gorge, a blaze known as the Eagle Creek Fire has jumped the Columbia River and is inching into the State of Washington, creating dramatic and dangerous scenes.

Another news report called this a devastating summer in which an area larger than a certain State has burned.

I would hate to have Rhode Island be used as the unit of measure, but that is what they said: An area larger than Rhode Island has burned this summer. And they are looking not just at the loss of the Sperry Chalet but poten-

tially losing Lake McDonald Lodge—"a loss that would," says a historian who has worked at the lodge for years, "be unimaginably devastating."

"These are some of the most remarkable buildings anywhere in the United States and they are an integral part of the Glacier experience and the Glacier tradition."

They are either burned or at risk of burning.

If you are in those Western States, it is not just in the high, dry forests; if you go down to the oceans, climate change is whacking away at them too.

The Oregon and Washington razor clam fisheries are currently closed due to high levels of domoic acid. Domoic acid is a toxin that is produced by algae—the algae *Pseudo-nitzschia*—and algae are associated with climate change. For instance, a record-breaking red tide in 2015 was likely linked to climate change, and we are going to see a lot more of that in the future.

Now, of course, the dry part of what is happening in our climate has really been drowned out by what we are seeing on the wet part.

The New York Times recently ran an article saying:

Climate change doesn't cause extreme events, it amplifies them. On the climate side of risk, we have unambiguous evidence that the hazards are changing. Our emissions of heat-trapping gases have already increased the likelihood and severity of heat waves, extreme rainfalls, and storm surges. Scientists can now even evaluate how much climate change has increased the odds of individual extreme events, including rainfall and flooding. We certainly understand the mechanisms. Put simply, a warmer atmosphere can hold more water, increasing the potential for heavy downpours.

Storm surge now occurs on top of sea level rise, increasing flooding risks.

We know by the law of thermal expansion why the seas rise when they warm, and we have measured that they are warming with a very complicated device called the thermometer.

Warmer oceans in turn produce more intense hurricanes.

We know that as well, as has occurred in the North Atlantic and the gulf.

The article continues that "unprecedented is increasingly the norm," and it notes that "up to 8 feet of sea level rise is possible in this century."

Rhode Island is in a unique place, so we are riding higher than average, and we are looking at potentially 9 feet of sea level rise.

Harvey has been an astonishing monster of a storm. It was described in one article as 9 trillion gallons of water, a hydraulic cube over downtown Houston 4 miles square and 2 miles high. And then the author said: "The cube doubled to become the most extreme rain event in American history."

Harvey, by the way, is the third 500-year flood in the Houston area in the past 3 years. It dumped enough water

in southeastern Texas to equal almost 20 times the daily discharge of the Mississippi River.

So while the wildfires are burning out West, this astonishing set of deluges is happening elsewhere.

Land temperatures, according to NOAA, were the hottest they have ever been in 1,651 months of recordkeeping. July also marked 384 months since the last colder-than-average month in NASA's database. So 384 months since we had a month that was colder than average, with July well warmer than average. The last 3 consecutive years—2014, 2015, and 2016—each set a new global record for warmth, according to NOAA.

Politico writes: "2016 confirmed as planet's hottest year," with the National Oceanic and Atmospheric Administration documenting record-breaking global warming trends of 2016. The observed outcomes of swiftly rising temperatures include the highest sea levels ever recorded, extremes in rain cycles, and declines in global ice and snow cover, with last year the third in a row breaking global temperature records. "Several markers such as land and ocean temperatures, sea level and greenhouse gas concentrations in the atmosphere broke records set just one year prior," the NOAA report said. "The long-term climate change is like riding up an escalator over time, and things like El Nino and La Nina are like jumping up and down on that escalator," one of the NOAA scientists said.

So that is what we are seeing—the underlying trend of climate change raising temperatures, with El Nino and La Nina creating a variation like jumping up and down on that escalator.

Greenhouse gas concentrations are now higher than ever recorded.

Global surface temperatures are the highest on record.

Sea levels are the highest they've ever been since record keeping began.

Precipitation cycles are becoming more extreme.

Arctic sea ice levels are lower than ever recorded.

Alpine glaciers have declined for 37 consecutive years.

There were more tropical cyclones. . . .

Something is going on, and that well-known far-left liberal outlet, USA Today, had its editorial board say the following:

Could proof grow any more powerful that humanity is responsible for a dangerously warming planet?

It referenced the quadrennial National Climate Assessment:

Scientists from 13 federal agencies found that a rapid rise in temperature since the 1980s in the United States represents the warmest period in 1,500 years.

It quotes the report:

Many lines of evidence demonstrate that human activities, especially emission of greenhouse gases, are primarily responsible. There are no alternative explanations.

Do you hear that? “There are no alternative explanations,” and it keeps coming down.

There was an article that came out while we were away on the great flood of 2016 in Louisiana: “The worst rainstorm in a rainy state’s history,” the article called it.

In some places, more than 2 feet of rain fell over three days. . . . Research has shown it was . . . clearly linked to climate change.

There were two separate teams of scientists that linked Louisiana’s great flood with climate change, and the State’s own meteorologist, a gentleman named Barry Keim, a professor at Louisiana State University, said that aspects of the August storm were consistent with climate change, and that both of the climate studies so far have shown it likely that climate change likely had its fingerprints on that Louisiana disaster.

Indeed, in Louisiana, the State is mounting a massive battle against rising seas as well as floods. Along the coast, “rising waters and escalating flood insurance rates,” the article says, “will drive thousands of families further inland, the state predicts, leaving behind homes”—these families are leaving behind homes—“they have known for generations,” leaving behind “places that have fundamentally shaped their identities.”

One of the Louisianans living in the area in question said: “This is the first time that I can remember that a group came in and said it’s not going to be all right.”

But over the next two generations [flooding in Louisiana along the marshes and coastal] will happen at an alarming scale, as the twin challenges of sinking land and rising seas overtake ancestral homes at breakneck speed. In 50 years, the state estimates Terrebonne parish, whose name means “good earth” in the French that some of its residents still speak, will lose 41 percent of its land mass.

Areas are obviously going to lose their tax bases, the report says, “as rising waters and increasing flood insurance rates drive most locals out.”

The Louisiana planners had a leg up, since the environmental changes here have been so swift that many residents have seen land lost in their own lifetimes.

When you are seeing it happen before your eyes, it is not so easy to deny it. Indeed, it is affecting local markets, and “new-gated communities advertise ‘higher elevations’ on bright [advertising] banners facing the highway.”

In Louisiana:

What had been the worst-case scenario for land loss when the legislature passed its 2012 version of the master plan became the best-case scenario in the latest version, approved by the legislature in June, thanks to updated sea-level rise estimates.

So we are in Louisiana. We are in a Republican-controlled legislature, and they pass a master plan to address flooding in 2012. That master plan is based on a worst-case scenario. Just in

the 5 years since then that worst-case scenario, the legislature has now updated that to become a best-case scenario, with the worst-case scenario far, far exceeding what they anticipated just as recently as 2012.

“Climate change and water management practices could significantly alter the magnitude and variability of extreme flooding events, causing flooding to become nonstationary,” said the article, “Deciphering Deluges.”

We have to come up with new ways on how to cope with sea level rise, offshore storms, major tropical storms, downpours, and riverine flooding.

Right now, our colleague BILL NELSON has left us this afternoon after the vote to go back down to Florida because Hurricane Irma is steaming toward his State. Hurricane Irma is the most powerful storm ever recorded in the Atlantic Ocean. Experts say Irma’s strength is the result of unusually warm water for that part of the Atlantic.

Guess what global warming does. It raises ocean temperatures. Do you know how much of the excess heat created has gone into the oceans? About 93 percent—virtually all of it. Thank goodness for the oceans. Without them, we would already be baking in climate change. So 93 percent went into the oceans, but, of course, that raises ocean temperatures, and on go the storms.

If Irma stays on the forecast track and reaches the Florida Straits, the water there is warm enough that the already intense storm could become much worse, with wind speeds potentially reaching 225 mph, warned Kerry Emanuel, an MIT meteorology professor.

“For the Florida Keys, if you were to create the worst case scenario, that is what we are looking at,” Monroe County Emergency Operations Center Director Martin Senterfitt told CBS Miami.

Even Tropical Storm Emily some time ago dumped enough rain on Miami Beach—7 inches of rainfall over several hours—that the pumps meant to drain the area went offline for nearly an hour because the power was interrupted. The mayor, Tomas Regalado, used the flooding to make a case for a proposed \$400 million bond initiative to help pump the water out. We have infrastructure demands that come from this disaster as well.

A pretty good summary came, again, from an article in the New York Times, an editorial piece.

What is going on?

First, hurricanes arise from warm waters, and the Gulf of Mexico has warmed by two to four degrees Fahrenheit over the long-term average. The result is more intense storms.

“There is a general consensus that the frequency of high-category (3, 4, and 5) hurricanes should increase as the climate warms,” Kerry Emmanuel, a hurricane expert at M.I.T., tells me.

Second, as the air warms, it holds more water vapor, so the storms dump more rain.

That’s why there’s been a big increase in heavy downpours. Nine of the top 10 years for heavy downpours in the U.S. have occurred since 1990.

“Climate change played a role in intensifying the winds and rainfall associated with Hurricane Harvey,” says Charles Greene, a climate scientist at Cornell.

Last year was the third in a row to set a record for highest global average surface temperature, according to NASA. The 10 years of greatest loss of sea ice are all in the last decade. Houston has suffered three “500-year floods” in the last 3 years.

So the author asks the question: Why can’t we all respect scientists’ predictions about our cooking of our only planet? How is it that we don’t listen to the scientists on this, particularly right here in this room, in this Chamber?

There are two very interesting articles that came out while we were away that addressed this. One is about a phony group called the Cooler Heads Coalition, whose job is to call climate science a hoax and denounce environmentalists as global warming alarmists. They write letters, blast out emails, pressure lawmakers, sponsor seminars, appear on television. They even made a documentary movie.

This article in the Washington Post told the story behind this coalition. Obviously, the coalition, this Cooler Heads crowd, is paid for. “The Cooler Heads have received more than \$11 million in donations over the years from coal and oil companies.” Who knew? “They’ve taken in tens of millions from nonprofit foundations, such as those controlled by the wealthy Koch brothers. . . .” Guess what. There is more fossil fuel money. The Koch brothers run a fossil fuel empire.

The Cooler Heads Coalition . . . are allied with industry trade groups, public relations companies and lobbyists, all of whom are working to influence public debate about global warming.

Climate scientists said there is no doubt about the reality of climate change and its consequences, including melting polar ice caps, rising sea levels, and the intensification of storms.

Benjamin Santer is a scientist at Lawrence Livermore National Laboratory. We are pretty proud of our National Laboratories, and we usually don’t think people who are there are idiots or are fooling us or are part of a hoax. Dr. Santer, by the way, also received a MacArthur Foundation Genius award. He told the Washington Post that this Cooler Heads outfit is “attempting to turn back the clock on knowledge and science.”

The history of this is rooted in a complex influence campaign that began in support of tobacco. The tobacco plan foreshadowed the tactics that Cooler Heads members would soon employ on climate change.

First, there were millions in contributions from affected industries,

often laundered through front groups and through foundations. "The same array of donors," the Washington Post reports, "would help finance charities behind" the fight against climate science.

They took the skills they learned, denying the health harms of tobacco, and moved that same technology of propaganda, influence, and politicking into climate change. The Competitive Enterprise Institute became the lead group in this Cooler Heads Coalition, taking over management of the coalition, joined by groups such as the Heartland Institute. The Heartland Institute is really a classy group. They are the ones that put up billboards comparing climate scientists to the Unabomber. That is the quality of debate we get out of the Heartland Institute.

Americans for Prosperity is another influential nonprofit organization, which is a front for—guess whom—the Koch brothers and Koch Industries; i.e., the fossil fuel industry. They got particularly cranked up by the Kyoto Protocol, and the story continues:

The energy industry went on a spending spree to thwart Kyoto, devoting at least \$13 million to public relations and information campaigns in 1997. . . . The Cooler Heads Coalition was in effect a loose confederation of groups with the declared mission of countering "the myths of global warming."

In early 1998, this Cooler Heads group met with energy industry executives and lobbyists in closed-door meetings at the American Petroleum Institute and began to soak up more money, and here is what the plan was. I am quoting from the story in the Post.

One former Cooler Heads member, who spoke on the condition of anonymity because of fear of a punitive backlash, said the coalition's mission . . . was to . . . simulate a "cacophony of voices" against climate-change science.

"There's a whole web," the former member said [out to do this].

The ExxonMobil Foundation, of course, had given millions to Cooler Heads members.

A 2009 IRS filing for the Competitive Enterprise Institute—the group that took over the coalition and managed it—inadvertently made public a filing that disclosed their funding from two coal mining companies, Ohio-based Murray Energy and Richmond-based Massey Energy.

"Contributions to CEI during the Obama administration rose to \$7.6 million in 2014." As the article continues, "CEI and the Cooler Heads were just the tip of the spear. . . . [B]etween 2003 and 2010, energy companies, corporations and conservative foundations contributed hundreds of millions to 91 nonprofit 'think tanks,' educational groups and associations involved in the fight against global-warming regulations."

To put it mildly, as the expert who chronicled this concluded, "This is a large-scale political effort."

We have one last report from inside that large-scale political effort. This is the firsthand voice of the individual. His name is Jerry Taylor. Here is what he says:

I used to be the number two person at the Cato Institute.

The Cato Institute is one of this constellation of rightwing groups that foment and support climate denial and receives money from fossil fuel interests.

He continues:

I was responsible for building our resistance to climate action. . . . I discovered that a lot of the scientific narratives I was offering were really dodgy. . . . [O]ne of the people that I trusted the most was in the business of consciously misrepresenting the debate. This really rattled me.

He goes on.

[O]nce I started looking closely at a lot of the convenient, plausible talking points I was offering they began to fall apart. [I then turned to look at] economic arguments.

He says:

This is pretty hard. It's a very difficult thing . . . to find that you cannot trust any of the scientists that are being offered to resist climate action.

This is the guy who used to lead the anti-climate action effort of the Cato Institute, saying it is a very difficult thing to find that you cannot trust any of the scientists who are being offered to resist climate action, and then the economists whom you have been relying on to put cautious remarks about cost-benefit are now all walking away from the game.

He goes on to say:

We got to the point . . . where you could not find an academic economist who studies climate change who argued against climate action—not one single one.

Here is his conclusion:

Believe it or not, libertarians and conservatives and Republicans were put on this earth with the perfect answer to climate change—harnessing markets and price signals via a carbon tax or a carbon tax-like mechanism to reduce greenhouse gas emission. We're perfectly placed to do that.

[What is it that] keeps Republicans from coming to the conclusion that climate change doesn't just threaten polar bears in the Arctic, it threatens the global economy, it threatens capital flows, it threatens capitalism. . . . It's not the Republican base, let me tell you.

There is poll after poll, survey after survey showing that most Republicans believe in doing something about climate.

He continues:

What prevents Republican politicians from acting is that there are significant members in the Republican Party Coalition who are denialist demanders.

They are not just climate deniers themselves, they are denialist demanders.

They have outsized influence in the party.

He says:

[T]he Koch-controlled Tea Party movement [has] held the GOP by the throat.

By the way, if you were somebody who was trying to find some comfort in the widely reported phenomenon that 97 percent of climate scientists conclude the global warming is real and problematic for the planet and has been exacerbated by human activity, if you are comforting yourself that maybe the 3 percent were right, that the really smart place to place your bet for the future of the planet and our economy and our standing in the world is on those 3 percent—not take the 97 percent bet; no, take the 3-percent bet—if that is the way you are thinking, you got bad news.

Researchers tried to replicate the results of those 3 percent of papers. Guess what. They found biased, faulty results.

Katharine Hayhoe is an atmospheric scientist at Texas Tech University. She said this:

Every single one of those analyses had an error—in their assumptions, methodology, or analysis—that, when corrected, brought their results into line with the scientific consensus.

If you are hoping that 3 percent was somehow going to bail you out from having to face this crisis, that just blew up. There is no 3 percent.

Broadly, there were three main errors in the papers denying climate change. Many had cherry-picked the results . . . some that applied inappropriate "curve-fitting" [to try to step] away from data until the points matched the curve of their choosing.

This is my favorite.

Sometimes the papers just ignored physics altogether.

It has been quite a month with the West ablaze, Houston underwater, the most powerful storm ever measured in the Atlantic is headed our way, heat and rain and other measures breaking records year after year, multiple departments of governments aligning to warn us, and how does the Trump Administration respond?

The Energy department asked scientists to remove the word "climate change" from a grant proposal.

I have been asked to contact you to update the wording in your proposal abstract to remove words such as "global warming" or "climate change."

Not just one fluke. In March, POLITICO reported as follows:

[T]hat staff at the Department of Energy . . . were told not to use the terms "climate change," "emissions reduction" or "Paris Agreement."

The Department put out a power grid study that has been long delayed, and in the power grid study, the words "climate change" never appeared. Whenever they were in earlier drafts, they got scrubbed. The only reference to climate is a reference to "rescinding energy and climate-related policies."

The EPA has been scrubbing the word "climate change" from its website. It removed its climate change page and then got hammered with a series of Freedom of Information Act requests as to what is going on with that

so they quickly scrambled and published an archived version but buried it back in the website.

The Department of Interior has also removed discussions of the effects of global warming from several of its pages. The Department of Agriculture has emails showing how staff in their Natural Resources Conservation Service was coached by managers to avoid the term “climate change” and instead use other language.

That is where we are—all of those facts, the motive behind it, the fingerprints of the fossil fuel industry, the confessions by participants in those schemes. Where are we? In this room, silence. Nobody will talk about it because the power of the fossil fuel industry is so strong, the threats are so bloodcurdling that nobody dares. We cannot have a grownup, factual discussion about climate change in this building either. Of course, over in the Trump administration, they have completely thrown in the towel to the fossil fuel industry, and now we are hoping to dodge the problem by forbidding people from using the words “climate change.” It is pathetic.

I yield the floor.

ADJOURNMENT UNTIL MONDAY,
SEPTEMBER 11, 2017, AT 3 P.M.

The PRESIDING OFFICER. The Senate stands adjourned until 3 p.m. on Monday, September 11.

Thereupon, the Senate, at 6:15 p.m., adjourned until Monday, September 11, 2017, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

R. STAN BAKER, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA, VICE WILLIAM T. MOORE, JR., RETIRED.

JEFFREY UHLMAN BEAVERSTOCK, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA, VICE CALLIE V. GRANADE, RETIRED.

RYAN WESLEY BOUNDS, OF OREGON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE DIARMUID F. O'SCANNLAIN, RETIRED.

JOHN W. BROOMES, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE JOHN THOMAS MARTEN, RETIRED.

REBECCA GRADY JENNINGS, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY, VICE JOHN G. HEYBURN II, RETIRED.

TERRY FITZGERALD MOORER, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA, VICE WILLIAM H. STEELE, RETIRED.

FERNANDO RODRIGUEZ, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE GREGG JEFFREY COSTA, ELEVATED.

KAREN GREN SCHOLER, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE JORGE A. SOLIS, RETIRED.

BRETT JOSEPH TALLEY, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA, VICE MARK E. FULLER, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

WILLIAM L. WEHRUM, OF DELAWARE, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE REGINA MCCARTHY, RESIGNED.

THE JUDICIARY

RAINEY R. BRANDT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JUDITH NAN MACALUSO, RETIRED.

DEBORAH J. ISRAEL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE MELVIN R. WRIGHT, RETIRED.

ELIZABETH L. BRANCH, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE FRANK M. HULL, RETIRED.

MATTHEW J. KACSMARYK, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE MARY LOU ROBINSON, RETIRED.

GREGORY G. KATSAS, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JANICE R. BROWN, RETIRED.

EMILY COODY MARKS, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA, VICE MYRON H. THOMPSON, RETIRED.

JEFFREY CARL MATEER, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE RICHARD A. SCHELL, RETIRED.

CONFIRMATION

Executive nomination confirmed by the Senate September 07, 2017:

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN K. MULLER

HOUSE OF REPRESENTATIVES—Thursday, September 7, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BARTON).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 7, 2017.

I hereby appoint the Honorable JOE BARTON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

HONORING ED GILROY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to recognize and say farewell to a member of the House Committee on Education and the Workforce staff who has dedicated more than 20 years of public service to the people's House.

Ed Gilroy began his congressional career on the staff of former Congressman Rod Chandler of Washington, but most of us know him for his nearly 16 years of service as the committee's Director of Workforce Policy.

Ed led our efforts to expand access to affordable healthcare for small-business employees, provide moms and dads more flexibility in the workplace, and protect the rights of workers and employers. When we think about the passage of the bipartisan Pension Protection Act in 2006 and the Multiemployer Pension Reform Act of 2014, we have to think of Ed.

Ed Gilroy has been a trusted adviser, dedicated public servant, distinguished colleague, and an invaluable member of

our committee family. We are deeply grateful for his many years of service to the American people and the U.S. House of Representatives, and we wish him all the best in the years ahead.

25TH ANNIVERSARY OF THE FIRST CHARTER SCHOOL

Ms. FOXX. Mr. Speaker, 25 years ago, something monumental occurred for students and families who were seeking a new way to pursue a high-quality education. Twenty-five years ago, our Nation's first charter school, the City Academy, opened its doors in St. Paul, Minnesota. City Academy began a new era for school choice and provided families with an alternative option to the traditional public school system. Today, over 3 million students are enrolled in charter schools, and more than 6,800 have opened in over 40 States.

Charter schools are not only growing as an option for students, but these schools are also getting results. Innovative charter schools are providing thousands of students and families with the hope and opportunity that they can receive a high-quality education and gain the skills they need to succeed for the future.

I congratulate City Academy for being a true pioneer in school choice 25 years ago and support the expansion of school choice for American students and families.

HONORING ALEXANDER FURNITURE ACADEMY

Mr. FOXX. Mr. Speaker, I rise today to honor the efforts of the CVCC Alexander Furniture Academy, located in Taylorsville, North Carolina. This fantastic facility hosts a program where students are taught the basic skill levels required to gain employment as a sewing operator or upholstery craftsman within the furniture trade.

Under the leadership of Center Director Eunice Mays and thanks to the generous scholarships awarded by many groups like Craftmaster Incorporated, AHFA, and others, nearly 50 students have graduated, and almost all are now employed.

I wholeheartedly commend Eunice and the Alexander Furniture Academy as well as all of its sponsors for putting together a program that doesn't just teach valuable skills to would-be job seekers, but a program that literally helps individuals build the skills they need to succeed from the bottom up.

In the last 6 months, students have crafted 90 sofas and chairs and 20 loveseats which have been sold. The profits from the students' creations are invested in scholarships and help to keep the academy open.

I commend the Catawba Valley Community College Alexander Furniture Academy teachers, staff, and students on this terrific program.

FUNDING FOR THE FAA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. BASS) for 5 minutes.

Ms. BASS. Mr. Speaker, I rise today to express my dissatisfaction at the majority's failure to allow consideration of amendments I proposed to the appropriations bill that include funding for the FAA. The Rules Committee did not forward those items so my colleagues could consider and vote on them.

My amendments represent beginning steps toward addressing what has become an intolerable level of noise from planes in my district. The amendments will not see debate in this body, however, despite the fact that noise affects the health, well-being, and economic livelihood of people in every part of the country, whether they are Republicans or Democrats.

When Congress directed the FAA to update how we control our airways, we were promised that, by reworking the Nation's airspace and using satellite technology instead of radars, our Nation's flight system would become not only more efficient, but cleaner and quieter.

Next Generation systems were supposed to allow virtually automated air traffic control, eliminate circling overhead waiting for a landing slot, and facilitate smooth gliding flight descents without noisy engine power. Plus, planes would be able to stay higher longer, and FAA's published flight procedures would specify minimum altitudes over heavily populated areas, meant to ensure that effects on the ground were minimized.

That is not what we got. Eight of the country's busiest and most complex metropolitan areas, called metroplexes, have seen NextGen implementation so far. Phoenix, North Carolina, and Washington, D.C., are just a few of the metroplex victims who have decided to take legal action against the FAA. The D.C. Circuit Court recently ruled in the Phoenix case, noting that the FAA had not paid enough attention to the effects of its actions.

In every case, noise that used to be spread out across a wide area became concentrated over narrowed corridors, visiting misery on those living below. The best analogy I can offer is this:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Imagine that all of the traffic using a 6-lane highway was narrowed to a single lane. The concentration of that much traffic would surely cause considerable problems.

Well, that is exactly what has happened in the southern California metroplex implementation. Areas that used to see planes flying overhead every 15 or 20 minutes now feel bombarded by flights as close together as every 3 minutes or less.

As you can imagine, sometimes those planes and narrowed highways might get too close together. Air traffic controllers have to keep minimum separation for the safety of all involved. But in order to adhere to that narrowed lane, controllers tell the pilots to deviate from the flight path by going downward. Sometimes they fly at half, or less, of what the minimum altitude is supposed to be. So planes that are supposed to fly at 6,000 feet may fly as low as 3,000 feet at a frequency of every 3 to 5 minutes. I hope that you can appreciate that that noise is intolerable.

Film production of all types, whether TV commercials, movies, or videos, is an economic driver in my district. The neighborhoods of the 37th Congressional District have been used to represent cities and towns across the continent.

Though you might not know it, I am sure you have seen both Culver City and the historic West Adams district, built over 100 years ago, in some of your favorite TV shows and movies. Unfortunately, the movie studios of Culver City and the homes of West Adams are directly under the new, narrowed flight path. Studios are complaining about having to move production from their back lots because of the noise.

I have elderly constituents who have lived in their neighborhoods for decades and who rely on income from location filming to help them remain in their homes. Film scouts have told them that the frequent loud plane traffic makes it impossible to film there anymore.

At this point, countless American and European health studies have demonstrated the harms that come from exposure to noise—and at much lower levels than that experienced by people on the ground. The arbitrary and outdated 65 decibel day/night level that the FAA uses to determine acceptable levels of exposure is calculated at an average of sound over a 24-hour period.

Parents with young children have told me that their kids' sleep patterns have been disrupted by unrelenting noise, enough to alter their academic performance.

A health clinic serving the affected areas has begun to investigate whether a spike in reported health problems, including poor control of chronic conditions like hypertension, can be related to the constant exposure to excessive noise.

The European Union standard for noise exposure at night is half of the U.S. level and is still cause for health concerns there.

In the absence of consideration of my amendments, I invite my colleagues to join me and nearly 40 other colleagues in the House Quiet Skies Caucus, which is working to make progress on this important issue.

My constituents and I know many of my colleagues' constituents are suffering under the burden of excessive airplane noise as a result of the implementation of the FAA's Next Generation project. We cannot and must not sacrifice the health of those on the ground in the name of airline efficiency.

CALLING ON THE SENATE TO MAKE CTE A PRIORITY THIS FALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, during the August in-district work period, I had the privilege of visiting CPI in Pleasant Gap, Pennsylvania. CPI is the Central Pennsylvania Institute of Science and Technology.

I was proud that my colleague, Congressman RAJA KRISHNAMOORTHY of Illinois, was able to join me in Pennsylvania's Fifth District at CPI on the first day of school.

CPI was founded in 1969 to meet the career and technical education needs of high school students in Centre County. By combining academies with technical training and industry-recognized certifications, CPI is uniquely poised to prepare students for rapid employment and long-term career success. CPI offers more than 18 secondary programs, over 60 in-house adult and continuing education programs, and more than 350 online courses.

In addition to exceptional classroom and hands-on instruction from a highly qualified, experienced faculty, CPI offers certification in a wide range of disciplines, a notable advantage to CPI graduates and their employers.

Congressman KRISHNAMOORTHY and I were at CPI to talk about our bill, the Strengthening Career and Technical Education for the 21st Century Act. This House unanimously approved the bill in June, and I call on the United States Senate to make it a priority for this fall.

Mr. Speaker, our bill is the first major overhaul to the Carl D. Perkins Career and Technical Education Act in more than 10 years. The bipartisan legislation strengthens and improves career and technical education and gives Americans the skills they need to compete for in-demand jobs.

This can be witnessed firsthand at CPI. This November, CPI will launch a new 2-year degree program: Natural

Gas Compression—CAT/Ariel Emphasis Associate of Specialized Technology. The program is in partnership with the Cleveland Brothers, a Pennsylvania-based Caterpillar dealer, and Ariel Corporation, the world's leading manufacturer of natural gas compressors. CPI is currently accepting students for a November 28, 2017, start date. It is only one of two programs of its kind nationwide.

Ariel Corporation compressors and CAT engines are located in oil and gas fields throughout the world. Graduates of CPI's natural gas compressor degree program will have an opportunity to work locally, nationally, and globally. Cleveland Brothers, Ariel, and gas industry partners will be interviewing the NGC students after the first term. If pre-hired by the program's industry partners, students will receive company-sponsored tuition reimbursement.

Mr. Speaker, this is exactly the type of career and technical education investments we should be making and encouraging. By educating Americans in high-demand fields, they can climb rungs on the ladder of opportunity and obtain family-sustaining jobs.

I will continue to advocate for these important reforms that will benefit Americans from all walks of life. I urge the Senate to take up our bill without delay. It is important to close the skills gap and give every American a chance at having a fulfilling career.

□ 1015

Now, I want to thank my colleague, Congressman KRISHNAMOORTHY, for traveling to Pennsylvania to see this program in action. I want to thank the staff of CPI for not only hosting us on the first day of school, but for working to educate students in their chosen fields.

Mr. Speaker, I urge the Senate to act on this bipartisan bill without delay because it is critically important to closing the skills gap in this country, and above all else, it is a win for the American worker and American families. Let's help all Americans learn to earn.

HONORING ARMY SPECIALIST MATTHEW TURCOTTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. CICILLINE) for 5 minutes.

Mr. CICILLINE. Mr. Speaker, 2 weeks ago, on August 23, Army Specialist Matthew Turcotte was killed during a live ammunition exercise at Fort Carson in Colorado.

Specialist Turcotte was a lifelong resident of North Smithfield, Rhode Island. He joined the Army 2 years ago and was assigned to the 4th Infantry Division.

He died a hero, having earned numerous medals for his service to our Nation, including the Army Achievement

Medal and the Global War on Terrorism Service Medal. Last Saturday, hundreds gathered in Providence to give Specialist Turcotte a hero's farewell at his funeral mass.

All of us know, who serve in this Chamber, that our country owes an enormous debt of gratitude to all who have served, and especially to those who have made the ultimate sacrifice on the altar of freedom.

My thoughts and prayers are with Specialist Turcotte's family today, especially his wife, Megan, and his parents, Raymond and Liza.

PRESIDENT TRUMP'S DECISION TO TERMINATE THE DEFERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM

Mr. CICILLINE. Mr. Speaker, I also want to spend a moment to speak about President Trump's decision to terminate the Deferred Action for Childhood Arrivals program. It is one of the cruelest in Presidential actions in recent memory. This was a shameful moment for our country. America has always stood as a beacon of freedom and opportunity, but not right now.

The DACA program has allowed nearly 800,000 DREAMers to work, study, and serve their communities and Nation. That includes nearly 1,300 DREAMers in my home State of Rhode Island.

The DREAMers are workers and taxpayers. They pay \$3 billion in taxes each year, including \$2.6 million in my home State. They contribute \$2 billion each year to Social Security and another \$470 million to Medicare.

They didn't choose to come here. They were brought here by their parents as very young children. They love this country. They share our values. They are contributing to their communities every single day.

They are young men and women like Lesdin Salazar, a 22-year-old Rhode Islander who came here from Guatemala with her parents when she was 7 years old. Lesdin was a high school junior when President Obama signed an executive order to establish DACA. She was later accepted to Rhode Island College, where she is paying out of pocket today to pursue a degree in teaching. Lesdin also works at Calcutt Middle School in Central Falls, Rhode Island, where she helps kids who need behavioral and emotional support, but she will have to give up this dream unless Congress acts.

The same is true of Ana Abigail Molina, a 27-year-old Rhode Islander who came to the United States when she was just 6 years old. Today Ana works at Thundermist Health Center and has dreams of going back to school to become a surgical technologist. And like so many DREAMers, Ana doesn't really remember much of the country where she was born. She considers herself an American.

Javier Juarez also considers himself an American, a young man who just

graduated from Rhode Island College and is planning to attend graduate school on an academic scholarship at Brown University starting this fall. His dream is to one day attend Harvard Law School.

Javier has been living in Rhode Island for 18 years. Before DACA, he couldn't drive, get a good job, or go to college, but now he is the first member of his family to graduate from a 4-year university. He, too, will have to give up his American Dream unless Congress acts.

And finally, Maribel Rivera Sosa, who came to Rhode Island from Mexico at the age of 9. When she graduated high school 5 years ago, Maribel didn't think she would be able to attend college, but just days later, when President Obama established DACA, Maribel's opportunities became limitless. She was able to attend the Community College of Rhode Island while working three separate jobs. After earning an associate's degree, Maribel enrolled at Johnson & Wales University, and her dream is to earn a master's degree in health administration.

Who among us thinks that someone who works three jobs shouldn't be able to follow their dreams?

This is just cruel. President Trump is ripping apart hundreds of thousands of families and injecting chaos and uncertainty into the lives of members of our community who know no other home than America. If Congress doesn't replace DACA with the Dream Act, it will result in \$460 billion in lost economic activity over the next decade, including \$61 million in Rhode Island.

Republicans in Congress need to bring the Dream Act to the floor right now. We need a permanent solution, and I am proud to be a cosponsor of the bipartisan Dream Act. We need to bring that bill to the floor. Every Republican who disagrees with President Trump's actions needs to tell Speaker RYAN to bring the Dream Act to the floor.

This Congress must act in a manner worthy of a country that has inspired these young DREAMers and pass the Dream Act without delay.

AFGHANISTAN: EMPIRE STOPPER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, on September 4, 4 days ago, The New York Times International Edition carried a story, entitled, "The Empire Stopper," which said foreign powers have tried to control Afghanistan since the 19th century. The story had a very interesting first paragraph:

"When the American author James A. Michener went to Afghanistan to research his work of historical fiction 'Caravans,' it was 1955 and there were barely any roads in the country. Yet

there were already Americans and Russians there jockeying for influence."

Continuing the Times' quote:

"Later, the book's Afghan protagonist would tell an American diplomat that one day both America and Russia would invade Afghanistan and that both would come to regret it."

Michener wrote that 62 years ago. Since then, Afghanistan has been described many times as the "Graveyard of Empires."

This 17-year war in Afghanistan has always been more about money than anything else, and it should have been ended long ago. Many people wonder why we keep sending so many soldiers and military contractors to Iraq and Afghanistan. Well, it has always been about money, increased appropriations for the Defense Department, and huge profits for the contractors who hire retired admirals and generals.

There have been so many examples of waste, fraud, and abuse in these Middle East wars that it is sickening. One recent example was reported this way by Newsweek:

"U.S.-based security firm Sallyport Global has been accused by two former internal investigators of smuggling alcohol, stealing, keeping two different account ledgers, and even human trafficking of prostitutes while executing an almost \$700 million contract to protect Balad Air Base in Iraq. The Associated Press reported Wednesday."

Military bases should be protected by military personnel, not highly paid contractors, but most Members of Congress are afraid to criticize anything the Defense Department does for fear of someone saying they are not "supporting the troops."

We now have over 11,000 troops in Afghanistan and probably that many or more contractors in addition to no telling how many Federal civilian employees. Then we are also paying more than 330,000 Afghan military and police personnel.

The international community is now providing 60 percent of the Afghan GDP, and almost all of these so-called peacekeeping—really, U.N. wars—the U.S. taxpayers are paying over 90 percent of the cost.

When the so-called coalition bombs go astray killing civilians and women and children, they are really seen by the locals as being U.S. bombs, creating even more hatred and resentment for our country.

We have now had almost 2,500 young American soldiers killed in Afghanistan and 20,000 wounded, many maimed for life. We have spent \$1 trillion directly on this war and even more indirectly.

Mr. Speaker, the American people don't want forever, permanent wars. This Afghanistan folly has lasted four times longer than World War II. We should have come home a long time ago.

PERSONAL STORIES OF DREAMERS IN PORTLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, yesterday I was standing next to JOHN LEWIS as we joined our Democratic colleagues from the House and the Senate who delivered a spirited message of resolve to fight Donald Trump's cruelty towards almost 800,000 young Americans and, of course, several million other members of their families, their friends, their employers, who all had their lives turned upside down by Trump's senseless, unnecessary decision.

Strange for somebody who professes to love the DREAMers, Trump is caught in his own trap. He clearly didn't know what he was doing, trying to figure out ways to pass responsibility for his decision on to others. But, of course, that is sort of what we have come to expect from someone who appears to care only for himself. He was afraid, even, to deliver the message himself. Typical of Donald Trump, he outsourced the decision to Jeff Sessions, who Trump spent most of the summer demeaning.

Now, I think there is a simple solution: take it back. Donald Trump is famous for mulligans on the golf course, do-overs. If he didn't like the shot, he would just do it again. Well, let's declare a DACA mulligan. Take it back. Yes, it might look foolish, but that really hasn't stopped him before.

In the meantime, the outrage builds: the community of faith, the business community, people across the country who are understanding the lunacy of this decision, its unfairness. But the most telling and powerful points are from the young DREAMers themselves.

My colleagues have delivered this message from people whom they have heard from in their districts. I have countless ones that have been shared with us.

Jamie, a 31-year-old father of two, a DACA recipient, was 12 when his family fled to the United States to escape poverty and corruption. For 9 years, he has dedicated his life to helping young people cope with these challenges. He is working with young people impacted by the issue, concerned about their mental health and their well-being.

Eddie arrived from Mexico as a 1-year-old baby. He really didn't understand the impact of being undocumented until he applied for college and was not eligible for Federal assistance, but eventually he attended and graduated from Portland State University; and he has become the first undocumented student admitted to Oregon Health & Science University School of Dentistry. Scheduled to graduate next year, he wants to be able to serve the community that raised him.

Karla, arrived as a 4-year-old, is currently a student, but whose concern is the message that is being sent to others whom she works with. DACA recipients are not all young professionals or valedictorians. Some work in fast-food restaurants and are struggling to get through community college.

She makes the point that some may call her a DREAMer, but she felt that the real DREAMers were her parents, who had the dream for her. They fought to come to this country to raise her and give her the opportunity to work, attend school, and live without fear of deportation.

These are compelling stories, Mr. Speaker, but the one that stands out in my mind most clearly was one of my first meetings after the election. I was meeting with a number of the young DREAMers, listening to their concerns, their apprehensions. The conversation stopped with one young man who just said, "What country should I go to?" He had choices to go to Canada or Europe. He was an accomplished student, ambitious.

"What country should I go to?" I must admit, at the time, I counseled him to not give up on the United States too quickly. I wonder what he thinks today.

HONORING CLIFF GLOVER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. FERGUSON) for 5 minutes.

Mr. FERGUSON. Mr. Speaker, I rise today in honor of one of the Third District's most upstanding citizens, Mr. Cliff Glover.

Mr. Glover passed away last month at the age of 104, but not before touching countless lives in our community. His community service began at a young age in the Boy Scouts, an organization that he would work with for the rest of his life, earning the rank of Life Scout and the Silver Antelope Award for his service to the organization.

Mr. Glover also served his Nation in the Civil Engineer Corps of the U.S. Naval Reserve during World War II, working on the U.S. Naval Air Station in Jacksonville, Florida, now known as Cape Canaveral.

□ 1030

In the private sector, Mr. Cliff successfully led the Batson-Cook Construction Company as it built many important buildings and developments throughout the southeast.

I consider myself blessed to have known Mr. Glover personally, and his commitment to serving others helped inspire my own public service.

I want to challenge all of my colleagues, friends, and neighbors to carry on his legacy of serving others.

A 21ST CENTURY AIR TRAFFIC CONTROL SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFazio) for 5 minutes.

Mr. DEFazio. Well, Mr. Speaker, I was just reading a message from Citizens for On Time Flights.

Now, I fly a lot and I would love to be on time more. They are talking about our aviation system here. Air traffic control is a World War II relic and saying that if we only would give it over to the private sector, i.e., the airlines, it would work better.

Well, let's see, a couple of things wrong with that statement. Number one, the greatest problem with air delays is weather. Now, actually, we are dealing with that technologically through a new system called Datacom, where, at our 55 busiest airports, the pilots and the air traffic controllers now can communicate by text and they don't have to repeat over and over on the radio the messages; many fewer misunderstandings, easier to reroute. This has been implemented by the FAA.

What is the number two cause?

Oh, it is airline operations and scheduling—the airlines themselves. They are the second greatest cause of delays, they, in themselves.

So it turns out that Citizens for On Time Flights is actually funded by a group of airlines.

Now, what is the bottom line here? Do we have a World War II relic, as Gary Cohn has said after he read some of this and heard this propaganda?

No, actually. We have the most advanced system in the world. We could fly planes today closer together using GPS technology called ADS-B and not use the older radar system, except—the system is up and running, except the airlines won't pay to put the equipment in their planes. They say it is too expensive.

So they are complaining about the FAA and saying they could do a better job, they could do it more efficiently, they could fly planes closer together, but they won't invest in the equipment.

Now, it is very expensive. For instance, American Airlines would have to spend 40 percent of last year's baggage fees to equip every one of their planes so they could use this modern system—40 percent of their baggage fees. Wow, what a hit they would take for that.

Now, what is the bottom line here?

The bottom line is we fund the current system—the largest, most complex, most advanced in the world—with a tax on the tickets. It is a progressive tax; the more you pay for your ticket, the more you pay for air traffic control, 7½ percent tax.

For years the airlines have said to me: That's our money.

I said: What do you mean it's your money? I pay the tax when I buy a ticket.

They said: No. That's our money. We should have it.

In fact, a few years ago, when the FAA bill expired for 2 weeks because of a chairman named John Mica, every airline in America, except for one—when the 7½ percent tax went away for 2 weeks, every airline in America, except Alaska Airlines, raised their ticket prices 7½ percent.

So what is the bottom line of this bill?

This bill—going to be pushed by the Republicans over here—would repeal the 7½ percent tax. That would be a \$10 billion windfall for the aviation industry.

And then what? How are we going to pay for it?

Well, the private corporation will decide. Congress will have nothing to say about how it is paid for, and it is going to be paid for with a head tax. So you get on the plane; they will say: Oh, it's 50 bucks to sit in that seat, to use the public airspace of the United States of America.

That's how the corporation is going to pay for it, with a head tax.

So we go from a progressive tax to a regressive tax. If you buy a \$50 ticket, you are going to pay 50 bucks to sit in the seat. So it is now \$100. Today you would have paid \$3.75.

So that is the real bottom line here. It is not about efficiency. It is not bringing the system up to date.

Now, they have done a great job with this propaganda, and the chairman of the committee has done a great job. They talk about those paper strips. They use paper strips in the traffic control towers.

Well, yeah, we do. It works real well. We replaced them in the en route centers, but we haven't replaced them yet in the towers. It is infallible. It has worked forever. It is efficient. But we are going to go to electronic flight strips, and we are going to do it in a way that actually is going to improve the efficiency of the system and dispatch planes better.

Now, they say: Well, Canada has electronic flight strips.

Yeah, they did it for billing purposes because they charge per flight. They don't, and are not going to, have the new system we are going to have, which is going to sort out all the planes by their future routes, everything as they depart from the airport, and it is going to be way more efficient.

So, actually, the FAA is doing an excellent job. And 7 to 10 years ago I never would have said that. But they have got it straightened out over the last 7 years. Randy Babbitt and Mr. Huerta have got it straightened out. It is working today.

There is a GAO report, which I am releasing today, which the Republicans tried to repress, which says, in fact, the system is on time, on budget, and,

in fact, privatization will delay the modernization of the system.

So the House is going to push and the Republicans are going to push for a bill that actually is going to set us back instead of moving us forward into the 21st century air traffic control system.

HOUSTON STRONG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, 2 weeks ago, a monster Category 4 hurricane named Harvey hit my home. It hit us very hard. And 2 days after the first blow, it hit us once again. It reversed course and hit us twice in the span of 2 days.

It took out our schools, our shops, our homes, our pets, and the lives of over 50 Texans. But there is one thing that Harvey can never take from us, and that is, we are "Houston Strong."

Houston Strong is the Smith family. Annie was going into labor as her apartment was being swallowed up by floodwaters. She and her husband, Greg, were doctors. They prepared to have a home delivery of their first child. Their phone calls for help were unanswered.

Annie called her church and, within an hour, a rescue truck drove up. That is her right there, being assisted on the rescue truck an hour after she made that call. Twelve hours later, their family grew by one. Their daughter, Adrielle, was born. The Smith family is Houston Strong.

Houston Strong is Buster Stoker and the Cajun Navy. Buster and his buddies from Louisiana brought 14 boats to rescue others in our disaster. Buster said: "There were a lot of submerged cars and street signs underneath us." It reminded Buster of cypress knees in the marshes at home. Buster rescued over 100 people, seven by seven. Buster and the Cajun Navy are Houston Strong.

Houston Strong are our first responders, our police officers, firemen, EMS drivers, our military, the entire Texas National Guard. And first responders include normal, everyday Texans like this man carrying a mother and her baby out of harm's way. Texans are Houston Strong.

Two days ago, I took a helicopter tour of the damage with Leader MCCARTHY. The crew on our Coast Guard helicopters rescued 2,000 people in harm's way. And I am sure this scene was played out over and over inside those helicopters—a neighbor, glad to be alive, her hand resting on a rescuer's shoulder. Our first responders are Houston Strong.

Houston Strong is the thousands of volunteers who have been in shelters and churches and schools all throughout southeast Texas. I went to this high school, Cinco Ranch, in the Katy Independent School District. This was

up and running within 24 hours of getting the go order. They had food, water, toiletries, clothes, and a smile.

I saw on those people who lost everything smile after smile after smile because of volunteers at shelters like Cinco Ranch High School. Shelters in Cinco Ranch are Houston Strong.

I have saved the best for last. This young boy's name is J.W. Claburn, IV. He lives in my district, Richmond, Texas. This young boy's photo is exactly what I have been trying to convey these last 5 minutes.

In closing, I will say that we—America is strong, Texas is strong, and Houston is stronger because of Hurricane Harvey.

CONDEMNING PRESIDENT TRUMP'S DECISION TO END DACA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise today to condemn in the strongest possible terms the President's decision to end the Deferred Action for Childhood Arrivals program, also known as DACA.

This issue should be very simple. These are children who were brought here by their parents, through no fault of their own. They grew up with our kids, attended the same schools, played on the same playgrounds, and learned to drive in our neighborhoods. These kids are Americans in their hearts and in their minds, just not on paper, yet.

Beyond that, my faith, my conscience, my understanding of basic economics prevents me from supporting this cruel and inhumane decision by President Trump.

If we are to love our neighbors as ourselves, we must remember that we, too, were once strangers in a strange land. Many of us have our own immigrant stories, stories of how we became Americans.

My family's story begins like many of yours. My great-grandfather, Metro, was born in Austria in 1881, and my great-grandmother, Margaret Skruttt, was born in Ukraine in 1882. They got married and knew that they could find a better life in America; so, in 1906, they took a chance and came to America, arriving on November 1, 1906.

They settled in Northumberland County, Pennsylvania, because other Ukrainians already lived there. They joined the community, worked hard, went to church, raised a family of Americans, including my grandmother, Anna Guryesh.

My great-grandparents' story is the story of America. It is the story of immigration and immigrant families dreaming of a better life and making America great.

It is the same story repeated 24 years later when Mary Anne McLeod boarded the Transylvania in Glasgow on May 2,

1930. Nine days later, she arrived in New York with \$50 in her pocket. Eighty-six years later, her son was elected President of the United States of America.

At the age of seven, a young woman left Cuba, fleeing communism. In 1989, she became the first Latina elected to Congress, and it is a privilege to serve with her.

Melania Knave was born in Slovenia. She first became a permanent resident, and then a citizen of the United States. This young lady, born in southeastern Slovenia, now lives in northwest D.C. as the First Lady of the United States of America.

Daniel, one of my constituents who I helped with his DACA status: He works hard, pays his taxes, loves this country, his country, as much as any other American.

So many great Americans are Americans by choice, not by birth. This has made America the greatest, strongest, wealthiest country in the world. We can attract the best, the brightest, the most driven and the most talented.

People like Dr. Elizabeth Stern was born in Kansas, but, in 1915, became an American. She drove forward our ability to detect and treat cancer.

□ 1045

Author Ayn Rand, a favorite of the Speaker, was born in 1905 in Russia, and came to the United States in 1926.

Actress Natalie Portman, born in 1981 in Jerusalem, came to the U.S. as a toddler.

Alonso Guillen was born in Mexico but died last week as an American hero working to save lives during Hurricane Harvey.

At the last Olympics, Americans born in places like Australia, Kenya, and Poland brought home nine medals, including two gold for the United States.

Their stories are all the same. They came to America seeking a better life and a better future. They contributed to our society and our culture. They made America great.

Margaret and Metro's story is America's story. America's story is Mary Anne's story and Daniel's story. This is the story of us, the story of America. It is a story that no President's pen can erase. America's story is Melania's, Ayn's, and the story of Albert. We are America, and we are here to stay. No matter where you were born, we are America, and we are here to stay. No matter what language you speak to your mom in, we are America, and we are here to stay. We are America, and we are here to stay because America's story is our story.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

HEROIN AND OPIOID USERS NEED "A WAY OUT" OF ADDICTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. HULTGREN) for 5 minutes.

Mr. HULTGREN. Mr. Speaker, I rise today full of sorrow and hope for those caught in the cycle of addiction to heroin and opioids.

This destructive plague is taking aim at Americans across the country— young and old, rich and poor, rural and urban.

Nowhere is this more true than in the Chicagoland area, a hub for drug trafficking spreading across northern Illinois, the Midwest, and the United States.

The collar counties of Chicago have felt it strongly. This year, in Will County alone, there have been 61 accidental overdose cases and 44 deaths from heroin and fentanyl overdoses. This is an extremely discouraging pace, surpassing previous years.

The numbers are similar across the seven counties that I represent in the 14th Congressional District. Stories have been long untold, and it continues to gain national attention. It still haunts our communities today.

I got involved in this issue more than 3 years ago when I met Ken Chiakas, who lost his 17-year-old daughter Stephanie to a heroin overdose. Together, we launched our community action plan on heroin, an analysis of our community leadership forum on the problem, an audit of existing and proposed community partnerships, and the next steps for our communities, our State, and our county.

In the years following this initiative, I have hosted meetings with law enforcement officers, treatment center workers, advocates for patients and lost loved ones, State and local government officials, emergency room physicians, pharmacists, and drug manufacturers.

Last month, my staff and I traveled throughout McHenry and Lake Counties to hear from local officials firsthand who are experiencing this plague every single day.

Law enforcement first responders are on the front lines fighting drug traffickers and dealers. They are also saving lives by reviving abusers in the midst of an overdose through the use of naloxone. It is now common practice in these police and sheriff's departments to have naloxone ready to be deployed in the hands of capable and trained officers. Many lives have now been spared through its use.

But even these encouraging numbers do not tell the whole story. Countless others live and struggle to fight heroin and opioid abuse every day in search of treatment and battling towards recovery. They know what it is like to face an overwhelming force controlling their lives. It affects their relationships, it affects their outlook on life, it

affects their ability to obtain and keep quality jobs.

Local officials expressed great concern at the loss of workforce, and the many months and years of career advancement and experience those caught in addiction have lost. Businesses are concerned by their search for qualified workers that doesn't yield enough or any applicants. Families are concerned that, without adequate outpatient treatment, their loved ones are far more likely to relapse, compounding these workforce and community problems.

That is why, among other programs, Lake County law enforcement has worked hard to implement the "A Way Out" program. Police officers and sheriffs' deputies come into regular contact with those caught in heroin and opioid abuse, sometimes seeing the same offenders in police stations and prisons several times a month.

Many of these men and women want to be free but don't know how, and a police officer is the last person they think to ask for help. A Way Out empowers police officers and opioid users to work together to end the destructive cycle of abuse, dependency, arrest, and relapse.

The program is simple. Those who seriously want help can ask for it from a police officer or at a police station and can receive help without fear of arrest or inability to pay for treatment. Officers who see the destruction of opioids every day want to help.

All that is required is for the person seeking treatment to choose the path of recovery. Individual motivation is essential to success. As of last summer, 15 people at 8 different police departments have taken advantage of this initiative.

Similarly, DuPage County launched Project Connect, a prearrest program through which individuals who have been administered Narcan are immediately offered treatment options and a case manager to see these men and women through to recovery.

I am so encouraged by and proud of the success stories I hear throughout the 14th Congressional District every day. Hope is near when those in recovery see a vision of what their life can be like after dependency—a life filled with healthy relationships, challenging and meaningful work, and a clear sense of individual purpose.

We must do all we can to offer this hope to those still suffering from heroin and opioid addiction. Connecting affected individuals with the people and organizations best equipped to help them is paramount to overcoming this devastating epidemic.

It remains my goal to make northern Illinois the hub of the best minds and the best practices in heroin and opioid abuse prevention, treatment, and recovery. I look forward to sharing these best practices and recommendations

across other congressional districts and the communities that we are here to serve, and ultimately to see lives saved.

KEEP THE DOOR OPEN FOR DREAMERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, we all suffer when this country breaks its promises. But for our children, that cost compounds. They pay the interest on our inaction and inadequacy. They pick up the pieces of the precious things that we broke, the sacred resources we took for granted, the battles that we were too afraid to fight.

Time and again, by choice and by chance, they have not disappointed. Their broad shoulders carry twice as much twice as far. Their spines prove twice as sturdy as the adults meant to protect them.

American history is littered with the names of young men and women, and even boys and girls, forced to be heroes before their time: the patriots of D-day, memorialized in a statue called the Spirit of Youth in Normandy; 14-year-old Emmett Till, lynched by a lie; Addie Mae Collins, Cynthia Wesley, Carole Robertson, all 14, and Carol Denise McNair, 11, four choir girls lost at the 16th Street Baptist Church bombing in Alabama.

The Children's Crusade. Little boys and girls, kids, who dared defy Bull Connor's firehoses and attack dogs to be arrested and rearrested again and again as a Nation recoiled in horror.

Nine African-American high school students from Little Rock marched into an all-White high school to prove that separate is not equal.

Four college students from Kent State who gave their lives to a war-weary nation's plea for peace.

Thirteen-year-old Ryan White from Indiana who showed our Nation that an HIV diagnosis does not claim your dignity.

The record number of men and women under the age of 21 who showed up at military recruiting stations in 2001, signing up to serve a nation reeling from terror on its soil.

Nineteen-year-old Zach Walls who told us that love is love as he bravely defended his two moms before the Iowa State Legislature.

Seventeen-year-old Lila Perry from Missouri who withstood the sting of stigma by being true to herself and her gender identity.

Thirty-one-year-old Alonso Guillen, a Texan who traveled 120 miles from safety into the heart of Hurricane Harvey's fury on a volunteer rescue mission, who gave his life so that others, strangers, might survive. His courage and sacrifice exemplify the best traits

of our Nation. They place him squarely on the long list of young American heroes who have carried us toward a more perfect union.

But this week, President Trump slammed the door on 800,000 people like Alonso. DREAMers. Children raised in our neighborhoods, who run on our playgrounds, who pitch in our Little Leagues, who proudly march in 4th of July parades, who make lemonade stands, build snowmen, go to prom, and get summer jobs, who hit the books, who earn a living, who raise families of their own, who serve in our military, who give to this country just as much, just as faithfully as you or I.

Now, our President told them that they are not wanted, that he would rather see them in handcuffs, their families ripped apart, their futures in limbo, sent to be strangers in a strange land.

Mr. Speaker, sometimes this body has to make hard choices. Sometimes our solutions are complex. This is not one of those times. This one is easy. Our work comes down to a very simple question: What are we willing to ask our children to bear?

We have the power in this body to say: Not this, not again, that we will not ask the youngest among us to force our country's conscience to awake because of the burden that we, the adults in the room, place on their shoulders. We can do better. We can be braver. We can change the course of that history. We will not stand here and leave it for future generations to wonder why we allowed such harm to pass.

KEEPING GUAM SAFE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Guam (Ms. BORDALLO) for 5 minutes.

Ms. BORDALLO. Mr. Speaker, yesterday I introduced a resolution with 21 of our colleagues from both sides of the aisle condemning the threats North Korea made against Guam last month—you can imagine the fear that we had during this period—but also reaffirming the United States' absolute and unshakeable commitment to Guam's security, as well as that of the Pacific States, the territories, and our Asia-Pacific allies.

Mr. Speaker, this threat against Guam and, indeed, our entire Nation, was inexcusable, and it demands firm condemnation from this House of Representatives.

My resolution sends a clear message that North Korea's continued willful disregard for U.N. resolutions, international agreements, sanctions, and arms controls in pursuit of its illicit nuclear weapons program will not go unanswered by our government.

I remain fully confident in the defensive capabilities on Guam and in our region, but it is vital that we do all that we can to prevent a military con-

flict with North Korea and ensure that its regime does not continue down this path of reckless and destabilizing nuclear militarization.

I want to thank my colleagues who have cosponsored this resolution with me, and I hope that the House leadership will quickly bring it to the floor for consideration, and I urge all the Members to support it.

CALLING FOR THE HOUSE TO TAKE UP THE DREAM ACT

Ms. BORDALLO. On a separate topic, Mr. Speaker, I also want to echo my Democratic colleagues in calling for the House to quickly take up a permanent legislation solution such as the Dream Act, H.R. 3440, and lift the veil of anxiety that has been placed on nearly 800,000 DREAMers who live in and contribute to our community.

□ 1100

I know one of those DREAMers on Guam. Her name is Christine. She is a registered nurse on our island and works every day to save lives in our community. And it is easy, Mr. Speaker, to hear the number 800,000 and forget that these DREAMers are real people.

They are individual children or young adults who study in our schools. They work. They pay taxes. So can you imagine how disruptive this must be in their homes? They are our neighbors, our coworkers, our children's classmates and friends.

They are first responders, service-members, reservists, National Guardsmen, active military who serve on the front lines in our military. They are nurses, and doctors, businessowners, and entrepreneurs, and all DREAMers contribute to the fabric of our great country of America.

So I hope that we will give these DREAMers the security of knowing that they will not be deported from the country that they love and have called home for most of their lives. They are Americans in all but paper, and we should treat them with the same compassion and love that they have for our great country.

CONGRATULATIONS TO COACH ROBERT HUGHES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. VEASEY) for 5 minutes.

Mr. VEASEY. Mr. Speaker, I was privileged to see something very special back in December of 1995 in Texas high school sports history.

Now, before you think this is a story of "Friday Night Lights," it is not. This happened on the hardwood court of the Wilkerson Greines Activity Center in southeast Fort Worth. Four coaching legends on the court, all with 1,000 wins each: Morgan Wooten of DeMatha Catholic High School; Ralph Tasker, Hobbs High in New Mexico;

Bill Kruger of Clear Lake High School just outside of Houston; and Coach Robert Hughes, Sr., of Dunbar High School located in Stop Six, Texas. They squared off in an extraordinary basketball game.

I would be remiss if I didn't mention that of these four coaching legends, Coach Hughes has the most wins with over 1,300 victories.

Mr. Speaker, tomorrow, Friday September 8, will mark another special moment in basketball history for Coach Hughes as he is inducted into the Basketball Hall of Fame in Springfield, Massachusetts.

Growing up in Fort Worth and having lived part of my childhood in Stop Six, I knew of Coach Hughes at a very young age. He was a legend before he retired. He is and was a master basketball strategist, coach, mentor to the boys he coached and the most prominent ambassador for high school sports in the State of Texas.

When you would go to a Dunbar basketball game and watch Coach Hughes work his craft, you ended up watching Coach Hughes as much as you watched the action on the floor. I saw this as a player that not only played against Coach Hughes, but also as a spectator and a fan for many, many years.

Hughes and his longtime trusted assistant, Leonadas Rambo, fielded some great teams to rack up over 1,300 victories. These wins were racked up at Dunbar High School and I.M. Terrell High School, which was shut down after desegregation.

Coach Hughes would pace the floor while his teams ran up and down the court at a swift pace. He usually gave them lots of latitude when they made mistakes that he felt could have been avoided by using better judgment. It didn't matter if you were the star point guard or the sixth man, he would stand up from the bench—and Coach Hughes always had his jacket unbuttoned—and with a look of disapproval on his face that was unmistakable, he would look down the bench—and I am going to say he would look down the bench with his signature look of tough love—and you knew that you were being pulled out of the game. There wasn't anything that your mom or dad could do for you.

That was the type of coach that Coach Hughes was. Coach Hughes earned the dedication of his players because of the excellence that he expected each and every day.

I will never forget in one Whataburger Basketball Tournament in Fort Worth when Dunbar was playing Oak Hill Academy from Mouth of Wilson, Virginia. Oak Hill had at least five or six guys that were all over 6 foot 8, three of whom went on to major Division I careers at the University of Virginia and Kansas.

Everybody at the gym that night, because Coach Hughes didn't have anybody over 6 foot 5, 6 foot 6, thought

that Coach Hughes was outmatched. But with superior rebounding, patience, and good shot selection, Dunbar won the game. I was there, and I vividly remember the audience being shocked, but inspired, by the victory. But no one should have been surprised.

Once a reporter asked Coach Hughes who his favorite NBA player was, and it surprised everybody when he said Larry Bird was his favorite player. The reason why: he liked Larry's legendary rebounding, fundamentals, blocking out, scoring, the type of things that may not have been fancy but led to victories.

But that is who Coach Hughes was. That was the kind of excellence Robert Hughes brought to coaching Fort Worth ISD and boys basketball in the State of Texas. And due to that fierce competitive streak in Coach Hughes' Dunbar teams, they always made the playoffs.

I will never forget one day Coach Hughes was quoted in the paper saying that the people who worked in the neighborhood, who worked at the various jobs around town, at General Motors, Miller Brewery, and Lockheed, they would always save up their vacation time so they can go to the quarterfinals and regional games in Midland, because everybody knew that Dunbar was at least going that far. And he could say that because it was true, and his teams could back it up.

I will never forget one year when Dunbar didn't make it that far and Coach Hughes shared his scouting report with another school. I believe it was Southwest High School. He shared his scouting report with the coach from Southwest of the team they were getting ready to take on in the playoffs because he felt that at least the other team in the Fort Worth Independent School District should have the chance to advance. That is the kind of class act he was on the court and he still is off the court today.

The men that he made, Mr. Speaker, his former players include current winning high school basketball coaches and one of the top all-time assist leaders in high school and college sports history, James Cash, an I.M. Terrell graduate who was the first Black player in the Southwest Conference who went on to become the chair of the Harvard MBA program.

In a State known for its Friday night lights, Mr. Speaker, there is not a single other person in high school sports who exemplifies this like Coach Hughes.

Mr. Speaker, I am humbled with the opportunity to recognize the next member of the Basketball Hall of Fame, Coach Robert Hughes. Congratulations, Coach Hughes.

Go Wildcats. Go I.M. Terrell.

REFORM CLOTURE RULE IN SENATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, 2 weeks after the 2016 election, I spoke on the House floor and warned that the greatest single obstacle to meeting the expectations of the American people was the cloture rule in the Senate. I said: "Voters elected Republican majorities in both Houses of Congress and they expect action. They'll get it from the President and from the House. But in order for the Senate to rise to this occasion, it must reform its cloture rule."

Well, it didn't.

Now, cloture is the Senate motion to conclude debate, and it is based on a sound parliamentary principle that as long as a significant minority—currently, 40 Members of the Senate—want to continue to debate, that debate should continue. This principle assumes it is an actual debate between real people regarding the merits of the subject directly at hand, but that is not what cloture has become.

Today, any Senator can block virtually any bill simply by filing a protest, and until 60 of the 100 Senators agree to take up the bill, it cannot be heard. Thus, a motion designed to protect debate has now degenerated into a motion that very effectively prevents debate. It also hands practical control of the Senate to the Democratic minority, which can effectively veto any proposal by the majority, essentially reversing the result of the last election.

This is not some act of God or constitutional constraint that has been forced upon the Senate. No, this is a deliberate choice by Senate Republicans not to reform their cloture rule. It has rendered the Senate dysfunctional and, with it, the Congress.

Earlier this year, the Senate briefly recognized this and chose to reform cloture for Supreme Court nominations, but not for the legislation absolutely vital to the interests of our country.

The news yesterday that the President has now had to capitulate to Democratic demands on the debt limit should come as no surprise. By failing to reform cloture, Senate Republicans have effectively given CHUCK SCHUMER operational control of the Senate.

That is how we got wrapped around the axle on repealing and replacing ObamaCare. The House could have passed a comprehensive bill that completely and cleanly abolished ObamaCare and fully replaced it with all of the market and tax reforms that Republicans agreed with and campaigned on, popular reforms that put consumers back in charge of their healthcare decisions and placed those decisions within their financial reach.

Instead, the House leadership chose to attempt this through a budget process called reconciliation, a process completely unsuited for complex policy reform. They did so for one reason: to bypass the Senate cloture rule. By adhering to the very limited and restricted requirements of budget reconciliation, the House produced a mangled, tangled mess that fell well short of the reforms we had promised and, ultimately, failed to receive even a simple majority of the Senate.

Those who supported this process argued that a clean, complete, comprehensive bill would have been dead on arrival in the Senate for lack of Democratic votes for cloture. Well, I doubt that. Quite the contrary. Had the House done its job through regular order rather than trying to cover for the Senate Republicans' bad choice, one of two things would have happened:

Senate Democrats would have been seen as the single obstacle to a popular, comprehensive reform while ObamaCare continued to implode and, quite possibly, eight of the most vulnerable Democrats would ultimately have crossed party lines and supported this rescue of our healthcare system; or, far more likely, Senate Republicans would have been forced to come to the same conclusion that they came to with respect to the Supreme Court nomination of Neil Gorsuch and reform this rule. Certainly, we couldn't have been any worse off than we are today.

I would ask that, henceforth, the House leadership stop covering for the Senate Republicans and move all of the legislation that we promised the American people to the Senate through regular order. It is time we left the management of the Senate to the Senate, stopped enabling their atrocious judgment on not reforming cloture, and made it very clear to the American public why the reforms they entrusted us to enact aren't being sent to the President.

Senator Dirksen once noted, when they feel the heat, they see the light. It is time the House and the American people adopted this maxim.

HONORING FALLEN KISSIMMEE POLICE OFFICER MATTHEW BAXTER AND SERGEANT RICHARD "SAM" HOWARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. SOTO) for 5 minutes.

Mr. SOTO. Mr. Speaker, it happened on a Friday night, August 18, that Sergeant Sam Howard and Police Officer Matthew Baxter responded to a report of three suspicious persons around Palmway Street and Cypress Street in Kissimmee. I remember hearing about it. It was unfortunate because a veteran, a marine who lived in our community, had a moment of post-traumatic stress disorder and ambushed

these two Kissimmee police officers, killing one nearly instantly and the other only a little over a day later.

Officer Matthew Baxter was 27 years old. He grew up in Baltimore and moved to central Florida after high school. He had been with the department for only 3 years. He met his wife, Sadia, a detective of the Kissimmee Police Department, on the job. He left behind his wife and four young children, the youngest under a year old.

He was courageous and passionate in his devotion to public service, and he was known as a sharp dresser and as someone with overwhelming confidence.

Sergeant Richard "Sam" Howard was 36 years old, born and raised in Kissimmee. He served in the Army and fought in Iraq. He was a 10-year veteran of the department and a member of our SWAT team. He left his wife, Billie Jo, and teenage daughter, Unique, behind.

My wife and I got to visit his wife's classroom and brought supplies to her students, knowing how difficult it was.

He was a family man, hardworking, very optimistic, and quite the fast talker, as we were reminded by everybody during his wake.

There are moments like these that test our will, our strength, our compassion. There are moments like these that test our community and even our faith. And more than we can ever imagine, there are moments like these that test the families of Sergeant Sam Howard and Officer Matthew Baxter.

We are here today and I am on the floor today to proclaim aloud what we already know in our hearts to be true. And make no mistake about it: these men were heroes, and we will never forget their sacrifices.

They are heroes because they got up every day and put on the Kissimmee Police uniform. They went out in our community every day to protect us. And, yes, they put themselves in harm's way every day to keep us safe.

These men are heroes because they were good family men. They were loving husbands, great fathers, and they were pillars of our community.

□ 1115

Yes, these men were heroes because when the moment came where they had to lay their lives on the line to protect our community, they did so without hesitation.

For those reasons, we will never forget Sergeant Sam Howard and Officer Matthew Baxter.

On August 21, 2017, an American flag was flown over our Capitol in honor of Sergeant Howard, and on that same day, an American flag was flown over our Capitol in honor of Officer Baxter.

These flags cannot take away the pain caused to their families. They cannot take away the pain caused to our community, to their fellow offi-

cers, and to the police department in general. But they were flown over our Nation's Capitol for a very good reason—to show that their lives matter, their sacrifices matter, and that their families matter.

For that, they remain in our hearts, they remain in our thoughts, and they will always be in our prayers.

God bless Sergeant Sam Howard, Officer Matthew Baxter, and their families.

God bless the city of Kissimmee, and God bless the United States of America.

DEFERRED ACTION FOR CHILDHOOD ARRIVALS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. VARGAS) for 5 minutes.

Mr. VARGAS. Mr. Speaker, I rise today to speak about the recent decision made by the Trump administration to end the Deferred Action for Childhood Arrivals, or DACA, program.

By ending the DACA program, this administration leaves 800,000 people, mostly young adults and children, without any legal protections.

DACA gives these individuals, most of whom were brought to the United States as very young children, the opportunity to work hard, study hard, sustain their families, and contribute to their communities. DACA recipients are taxpayers, they are students, they are soldiers, and they are our neighbors.

I would like to mention one DACA recipient that I know. Her name is Jacqueline. Jacqueline was brought to the United States when she was 2 years old. She excelled in school and was an Advancement Via Individual Determination—or what we call AVID—student in high school. She did very well. She was a strong candidate for admission to many of our top universities.

When DACA was announced in 2012, it helped Jacqueline come out of the shadows and pursue her educational dreams. She did exactly that, and now she is a double major. She is doing very well. DACA gave Jacqueline and her family hope for a better future. It gave her a chance at the American Dream.

By ending DACA, this administration is taking away the hopes of 800,000 DREAMers like Jacqueline and threatening their deportation to countries that are very unfamiliar to them, places they may have never known—except, of course, when they were 2—and they have no family there.

I would like to thank the religious leaders who have come forward and have urged us to do the right thing and to pass a law to allow these kids and these young adults to stay here and to participate in our community as they have been doing.

I would like to read a letter now that was written by the religious leaders here in Washington to the President.

As leaders of the three Abrahamic faiths, we look to our sacred texts and traditions in seeking to follow the way of peace.

Our respective teachings are clear, and we speak with one voice when we say:

Supporting the dreams of young immigrants in the United States is consistent with the foundational values of our Nation and with the moral imperative of extending hospitality to the stranger, of caring for immigrants and children, and of loving our neighbors as ourselves.

Nearly 1 million young immigrants have benefited from the DACA program since its inception in 2012. Among that number, many of the program recipients are members of our respective faith communities as well as the communities we mentor in and around the Nation's Capital.

We have witnessed firsthand the relief and pride in our young people's faces as they finally came to feel validated and safe by participating in a program that made them feel more at home—in the only country that they have ever really considered their home.

But now anxiety and fear for their future has returned.

We note that DACA has widespread support across the country and among politicians who agree on little else, for good reason. DACA has dramatically improved the lives of these young people and the communities in which they live:

Ninety-five percent of the DACA participants are working or attend high school;

Sixty-eight percent of those working have seen their pay increase and, thus, are paying higher taxes;

Fifty percent now have driver's licenses, which makes the roads safer for everyone;

Fifty-four percent have purchased their first car; and

Twelve percent have purchased their first home.

Rescinding DACA would have a widespread, devastating impact not only on a generation of industrious young people, but also on their families, communities, and our society as a whole.

Thus, we add our voices to those urging you, Mr. President, to keep this policy in place until Congress puts in place a permanent solution.

It is our collective prayer that in the coming months congressional leaders work together to pass sensible and comprehensive immigration reform that our country so desperately needs, including making the DACA program permanent.

But until that time comes, the least that our country can do is to continue supporting our DREAMers. Keep DACA in place, Mr. President.

Faithfully,

The Right Reverend Mariann Edgar Budde, Bishop of the Episcopal Diocese of Washington;

Rabbi Bruce Lustig, Senior Rabbi of Washington Hebrew Congregation;

Imam Talib M. Shareef, The Nation's Mosque;

His Eminence Donald Cardinal Wuerl, Archbishop of Washington.

Mr. Speaker, we can do the right thing. We can pass comprehensive immigration reform, and we should. But at least we can pass DACA.

I know, Mr. Speaker, that there is goodwill on both sides. Let's come together over this and do the right thing as our community leaders and as our religious leaders are asking us.

DEFERRED ACTION FOR CHILDHOOD ARRIVALS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. AGUILAR) for 5 minutes.

Mr. AGUILAR. Mr. Speaker, today is not a good day for our Nation. Today, 800,000 young people across this country are living in fear. They fear being ripped apart from the only home they have ever known. They fear being separated from their families, from their friends, and from the lives they have built here.

They fear deportation, Mr. Speaker, and they live with this fear because President Trump has decided that the Federal Government is going to break its promise and turn its back on DREAMers.

These are young men and women who did not break the law—they were brought to this country as children—who went to school here, who work here, and who pay taxes here.

The Deferred Action for Childhood Arrivals, or DACA, program brought these young people out of the shadows and offered them some relief. It gave kids who grew up here and who truly believe that America is their home a chance to lead normal lives and chase their dreams.

The fact of the matter is, though, Mr. Speaker, that DACA did not go quite far enough. DREAMers are American by every measure except for their paperwork, and it is time that we offer them a path to citizenship.

That is why I am here today to call upon my colleagues to bring the Dream Act back to the floor for a vote—no policy riders, no packages, just a straight up-or-down vote. Because if there are Members of this Chamber who still believe that DREAMers should remain in the shadows and that they should not have a chance to join our Nation as citizens, then they should stand up and be counted.

Many of my colleagues here come from all walks of life. They have charted their own path, however difficult it may be to join this House. DREAMers have earned that chance to carve their own path, too. They have earned the right to live without fear and in peace as Americans. Passing the Dream Act is the right thing to do, it is the moral thing to do, and, quite frankly, Mr. Speaker, it is the American thing to do.

HURRICANE HARVEY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MAXINE WATERS) for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Speaker, on August 26, Hurricane Harvey began a path of unprecedented destruction across southeast Texas. The historic levels of rainfall were so extraordinary that the National

Weather Service had to add new colors to its map graphics just to record it.

As of August 30, it was estimated that 24.5 trillion gallons of water had been dumped over Texas and Louisiana. Harvey is now being called the most extreme rain event in United States history.

Year after year, the natural disasters that hit the United States are becoming more frequent and more severe. Democrats understand the root cause: climate change. It is long overdue for President Trump and the congressional Republicans to admit the truth.

Quickly following the tragic news that Harvey was on a path to cause catastrophic flooding in Texas, President Trump pledged to help pass the necessary financial aid to begin the long recovery. But, of course, the President and Members of Congress all knew we had better not deny or delay funding for this very devastating natural disaster.

The American people expected their government to quickly respond to Harvey. However, we must understand that there are other laws and policies that must be protected, laws that determine what the Congress can do and must do to assist our country with mitigation, preparedness, mapping, and affordable national flood insurance. The NFIP must be dealt with and must be understood.

So Mr. Trump's previous record on the issue is appalling and is in direct contradiction to his latest pledge. Just days before Harvey made landfall, Trump repealed an Obama executive order that would have required the Federal Government to account for climate change so that infrastructure could be built to withstand catastrophic events. Trump also sent Congress a budget that cuts funding for programs that help us understand, prepare for, and recover from storms like Harvey.

His budget slashes operations and funding for the National Oceanic and Atmospheric Administration's climate research, cuts \$62 million from the National Weather Service, eliminates the Regional Coastal Resilience grants, guts Coastal Zone Management grants, and cuts \$190 million from the National Flood Insurance Program's flood mapping program.

Trump's budget would also cut \$114 million from the Department of Agriculture's disaster assistance that would help farmers recover livestock, crops, and equipment that would be felt in Texas where many farms are currently under several feet of water.

His budget also completely eliminates HUD's Community Development Block Grant and HOME programs, vital grant programs that serve as one of the first available sources of funding to help communities recover even before disaster relief funding can be appropriated from Congress. What is more,

Trump's budget would have cut \$876 million from the Federal Emergency Management Agency's Disaster Relief Fund, the very fund that he is now pledging billions of dollars of support for.

So we are pleased that he learned after the fact. All told, Trump would cut billions of dollars for disaster preparedness and disaster relief programs. Of course, he also appointed a known climate change denier to lead the Environmental Protection Agency. So I, for one, am not surprised that this is where his priorities lie.

The hypocrisy and shortsightedness do not end with Donald Trump. Let us remember that many House Republicans, including both Texas Senators, opposed disaster aid following Superstorm Sandy. Now that the shoe is on the other foot, they are asking for billions of dollars in taxpayer support for their constituents. Of course, we should pass a disaster aid package quickly and without hesitation because it is simply the right thing and the American people expect us to do it. But just as we are now witnessing the sudden change of heart for disaster relief in certain Members of Congress, I hope that we will see a similar change of heart in response to the push of certain Republicans to unwind the National Flood Insurance Program.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 29 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Louis M. Murphy, Sr., Mount Zion Progressive Missionary Baptist Church, St. Petersburg, Florida, offered the following prayer:

Heavenly Father, creator of the heavens, the Earth, and of all mankind, thank You for the privilege to come before Your glorious throne, to first give praises to Your holy and righteous name, and to offer our petitions.

We stand on the floor of the House of Representatives today asking for Your divine guidance and wisdom for the men and women who have been elected and sworn to represent the interests of

the people of these United States of America.

I pray that they would serve with humility, dignity, and honor, enacting laws that would be fair, just, and equitable.

You have blessed this Nation with great wealth and great resources. Thank You.

Help us to be mindful of the disenfranchised, despondent, dejected, and especially those who have been affected by Hurricane Harvey. We pray for Your protection for those in the path of Hurricane Irma.

Lord God, I humbly beseech You to hear my prayer. Enable this gathering to hear and believe in the power of prayer. In Your holy name, I pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. WALBERG led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND LOUIS M. MURPHY, SR.

The SPEAKER. Without objection, the gentleman from Florida (Mr. CRIST) is recognized for 1 minute.

There was no objection.

Mr. CRIST. Mr. Speaker, I rise today to honor our guest chaplain, Reverend Louis M. Murphy, Sr., of my hometown of St. Petersburg, Florida.

Reverend Murphy truly embodies what it means to love your neighbor as yourself. In his 18 years as senior pastor at the Mt. Zion Progressive Missionary Baptist Church, he has been a dedicated disciple of Christ, giving his time, energy, and compassion to lifting up his congregation and the larger St. Petersburg community.

In addition to his duties as pastor of one of the largest churches in Pinellas County, Reverend Murphy has been a leader in economic revitalization efforts in south St. Petersburg, and in supporting job training and outreach programs for at-risk youth.

A native of Florida, truly a man of God, and a man of the people. I personally thank Reverend Murphy for coming to the people's House and providing such a moving, thoughtful invocation. God bless you.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. ZELDIN) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 7, 2017, at 9:27 am.:

That the Senate agreed to S. Con. Res. 23.
That the Senate passed S. 652.
That the Senate passed S. 849.
That the Senate passed S. 920.
That the Senate passed without amendment H.R. 624.

That the Senate passed S. 1359.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

HONORING GREG BRUNT OF CATAWBA COUNTY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today in order to honor a Catawba County native.

Mr. Greg Brunt has won more than 100 medals in the Special Olympics and serves as an inspiration to the wider Catawba community and, in my opinion, the Nation.

Mr. Brunt's road cannot have been easy. He has overcome challenges that many Americans don't have to face. Instead of giving in, Mr. Brunt gives back. As a swimming instructor to younger students, Mr. Brunt teaches children the value of practice and perseverance.

Mr. Brunt has earned many Special Olympic medals, and has aspirations of being in the Catawba County Hall of Fame. Though I am not a voting member of the board, Mr. Brunt would have my vote.

Additionally, I was thrilled to learn that Mr. Brunt is a man of faith, who attends Corinth Reformed Church, and that his favorite song is "Amazing Grace."

When I think of the amazing accomplishments Mr. Brunt has achieved, I cannot help but think, how sweet the sound.

I wholeheartedly congratulate Mr. Brunt on all of his many wins, and wish him continued success.

WE MUST PASS THE DREAM ACT

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, America is founded on the promise that if you work hard and play by the rules, then we will have a place for you.

That is the American Dream. There is no reason it shouldn't extend to people who were brought here as young children and have been working since then to build a better life.

San Diego is home to 38,000 residents who could be eligible for DACA, the seventh most of any county in America.

DREAMers are our friends, our neighbors, and our coworkers, and our economy is more prosperous because of their contributions.

Like so many, I was saddened and angry at the decision by President Trump to end the DACA program. It was a cruel action, rooted in fear, that only makes us weaker.

Congress must act swiftly to correct this economic and moral catastrophe. We must pass the Dream Act to protect DREAMers, and give them and their employers the certainty that they deserve.

The time is right now for Congress to finally step up and do its job.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

RECOGNIZING LEACY BURKE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, it is with sincere gratitude and appreciation that I have the opportunity to recognize Leacy Burke, former communications director for South Carolina's Second Congressional District. I will always appreciate Leacy for her years of service on behalf of the people of South Carolina.

A native of South Carolina, Leacy is an esteemed alumna of the University of South Carolina, where she graduated with both a bachelor of arts degree in political science and criminal justice, as well as a master's degree in mass communications, integrated communications. Beginning as a deputy press secretary for the office in 2015, it has been an honor to work with such a dedicated public servant making meaningful provisions for our office.

It is with mixed feelings, but great happiness, that our office bids Leacy farewell. She is now doing amazing work in her new role as communications director for Senator JIM INHOFE, Republican, of Oklahoma. I know her parents, Greg and Denise Burke, and family members join me in recognizing her achievements.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Our prayers are for all persons threatened by Hurricane Irma, from the Caribbean Islands to South Carolina.

LET US VOTE TO RESTORE OUR VALUES AND GIVE DREAMERS OPPORTUNITIES THEY DESERVE

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, Ana was an intern in my office. She is also an undocumented immigrant. When DACA was announced, Ana was ecstatic. She told me that DACA meant she could qualify for financial aid or be an intern at the State Department. All she saw were opportunities to contribute to our country, and that is exactly what she has done.

Thanks to DACA, Ana earned her master's degree and got a job helping other immigrants to lay roots and contribute, like she did. She was able to get a driver's license to safely get to school and work. And today, she is attending law school.

Ana represents the promise that if you come here, work here, and contribute here, you will have a future here. But Donald Trump is breaking that promise by ending DACA.

And so it is up to us to fix it. The bipartisan Dream Act will protect these DREAMers who are American in every way but on paper.

Mr. Speaker, let us vote to restore our values and give these DREAMers the opportunities they deserve.

CONGRATULATING INDIANA STATE SENATOR LUKE KENLEY

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate Indiana's State Senator Luke Kenley on his retirement, and to thank him for the many years he dedicated to serving our fellow Hoosiers.

From balancing the budget to reforming State taxes, he has worked for 25 years to empower local communities and strengthen Indiana's economy. He led important efforts to enhance our schools, roads, businesses, local institutions, and more.

Senator Kenley's commitment to Hoosier common sense, and his tireless efforts to bring our State's economy into the 21st century, helped transform Indiana and improve Hoosiers' lives. I am grateful for Senator Kenley's leadership and his keen understanding of the Hoosier values that are so important to our way of life. I have no doubt his impact on our State will last far into the future.

Mr. Speaker, I ask my colleagues to join me in wishing Indiana State Senator Luke Kenley the absolute best as he embarks on this next chapter in life.

DACA AND PROTECTING DREAMERS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, when DACA was launched in 2012, it allowed nearly 800,000 young people to come out of the shadows and live without the constant fear of being deported. Some came here as infants in their parents' arms. Some know no other language but English, and they know no other country but America. And all of them simply seek a better future.

DACA helped breathe life into their American Dream. DREAMers are our neighbors, our friends, and our colleagues. They grew up here. They have done absolutely nothing wrong. They are in school, they are working, and they are contributing to the American economy.

And now, they must fear deportation once again. That is not the American Dream; that is not who we are.

I hope that all of my colleagues will take that to heart so that we can finally pass the Dream Act and keep these Americans out of the shadows, contributing to our economy, growing their lives, and helping live and be the American Dream.

RECOGNIZING PASTOR FRANK HAMPTON, JR.

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today to recognize Pastor Frank Hampton, Jr., as he celebrates 50 years of ministry at the Church of God in Jackson, Michigan.

Over the years, Pastor Hampton has been a steady example of what it means to be a father, a pastor, a mentor, and a community servant.

In addition to faithfully shepherding his congregation, Pastor Hampton has served as a volunteer chaplain for Allegiance Health, counseled disadvantaged youth, and helped build strong leaders in the community.

He has worked in conjunction with Jackson's judicial system, Jackson Public Schools, Jackson County Jail, and the Interfaith Shelter.

The longevity of his service to his congregation and to the community is a reflection of his mission to make a profound difference in the lives of everyone he meets.

Pastor Hampton is a remarkable man of integrity, perseverance, and servant leadership. His 50 years of ministry

have set the standard for our community. I congratulate him on his milestone and pray for God's many blessings in the years ahead.

LET'S FIX DACA

(Mr. CONNOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY. Mr. Speaker, President Trump shielded Sheriff Joe Arpaio from a prison sentence for criminal contempt, despite Sheriff Arpaio's record of illegal racial profiling and abuse directed at immigrant communities.

The President's latest salvo in his war on immigrants is his tragic decision to end the DACA program, which has given nearly 800,000 innocent DREAMers, who want to be Americans, the opportunity to work and attend school.

In my native State of Virginia, we have more than 12,000 DREAMers, who contribute more than \$711 million to our GDP every year—that is contribute.

These young, hardworking DREAMers, who see themselves as Americans, as do I, are contributing to our communities, creating jobs, serving in our military, teaching our children, and caring for our family members. President Trump would learn that if he ever sat down with them, as I have, and so many of my colleagues have, and broken bread with them, and listened to their fascinating, challenging, wonderful stories.

Ending DACA is self-defeating, hurts the American economy, and neglects all that makes America unique. Let's fix this.

□ 1215

COMMEMORATING FRANCIS BELLAMY

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Mr. Speaker, I rise today to commemorate Francis Bellamy, one of the most influential individuals from Mount Morris, New York. Francis Bellamy is the author of the Pledge of Allegiance.

Tomorrow marks the 125th anniversary of the Pledge of Allegiance, which was first published in a magazine called *The Youth's Companion* on September 8, 1892.

The pledge was initially written as part of a campaign to put American flags in every school in the country. In its original form, it read:

"I pledge allegiance to my flag and the Republic for which it stands, one nation, indivisible, with liberty and justice for all."

In 1923, the words, "the flag of the United States of America" were added.

In 1954, Congress added the words, "under God," creating the 31-word pledge we have today.

Bellamy's words are recited millions of times every day and are ingrained in our society as an expression of national pride and patriotism.

CONGRESS MUST PASS LEGISLATION TO PROTECT DREAMERS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, ending the Deferred Action for Childhood Arrivals program is inhumane and unAmerican. Whatever your politics on immigration, America's DREAMers did not choose their birthplace or their path early in life. They are innocents, and they have grown up as Americans. They have attended school here alongside our own children. They share our values and our principles. They believe in the American Dream.

Yes, deporting them hurts our economy, and yes, it damages our standing as a leading nation, but at its heart, this is a matter of conscience.

What kind of justice will we give to kids brought here when they were 6 years old, who grew up as Americans and who have no home beyond our shores?

To make them the targets of deportation is a violation of our national conscience.

Congress must act now to pass legislation to protect these DREAMers. A just nation must not take lightly the judgment of the innocent. Let us not discard our friends and our neighbors for the sake of political theater, not when we can instead draw strength of heart and mind and treasure from their experience, their differences, and the many values we share in common.

E pluribus unum. Out of many, we are indeed one.

BRINGING ATTENTION TO MONTANA'S WILDFIRES

(Mr. GIANFORTE asked and was given permission to address the House for 1 minute.)

Mr. GIANFORTE. Mr. Speaker, I rise today to bring attention to the wildfires devastating Montana. My heart goes out to those affected by Hurricane Harvey. The disaster has shown the very best of our country, neighbor helping neighbor.

That spirit is alive and well in Montana, too, as we face a massive disaster. Drought conditions are severe. Over 40 wildfires continue to rage, and more than 900,000 acres have burned so far.

As we speak, ash rains down on our homes and our schools, poor air quality threatens the health of Montanans, particularly our children and our elderly, and our livelihoods are at risk.

This photo was taken just a few weeks ago from the south summit of Mount Sentinel as fires raged towards the town of Lolo, Montana.

Sadly, this image is not unique. I met with leaders and firefighters at five wildfires this summer and witnessed the destruction firsthand.

Mr. Speaker, I hope this image and others from back home will make my colleagues more aware of the fires, the devastation they have caused, and the need for relief in the Treasure State.

CONGRESS SHOULD PASS THE DREAM ACT

(Mr. PANETTA asked and was given permission to address the House for 1 minute.)

Mr. PANETTA. Mr. Speaker, I rise today for the over 20,000 DREAMers in my district on the central coast of California.

Due to the administration's pledge to end DACA, those young men and women, who have done everything right after they got to America, are now being punished for a choice that they did not make before coming to America.

Their mothers and fathers came to the central coast to work hard and contribute to the economies and communities in the salad bowl of the world and the most scenic place in the world so that their children could have the opportunity to live the American Dream in the best country in the world.

Now, it is clear that DACA doesn't just give them that dream. All that DACA does is give those children the opportunity to come out of the shadows and fulfill that dream. That is why DREAMers work in our businesses, study in our schools, and serve in the military of the only country that they know.

This is why Congress should vote on and pass the Dream Act. If we do our job, we will allow DREAMers to not only do their jobs, we will give them the opportunity to give back to the communities and country that gave them and their parents so much.

As immigrants, they understand that obligation. Let's show them and let's show this country that Congress understands that obligation as well.

RECOGNIZING CLARION UNIVERSITY'S 150TH ANNIVERSARY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Clarion University of Pennsylvania as it celebrates 150 years.

In 1859, the people of Clarion County created a proposal for a higher education institution in Clarion. Shortly

after, the Civil War erupted and disrupted the Nation, but it did not stop the determination of the Clarion people.

On September 10, 1867, Clarion University was founded as the Carrier Seminary of western Pennsylvania. With no facilities to call home, Carrier Seminary operated as a co-educational program in the old academy building, with Reverend James G. Townsend as principal.

Carrier Seminary then became Clarion State Normal School in 1887. In 1915, the Commonwealth purchased the school, and it became a technical school of junior college rank in 1920.

It opened its doors as a college-level institution in 1929. Since then, Clarion's student body has grown to more than 5,000, its programs have received top level accreditation, and the institution has become a part of Pennsylvania State System of Higher Education.

Mr. Speaker, I congratulate Clarion University on reaching this milestone, and I join all in celebrating its rich history and contributions to our area.

AMERICA CAN BE A FAIR AND COMPASSIONATE NATION

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, last week I visited Norte Vista High School and stood before a room of DREAMers who were desperate to know if they have a future in America, the only country they have ever called home. I had to look each student in the eye and say: I can't make any promises.

The question is not whether we have enough votes in Congress to pass the Dream Act. We all know that we do. The question is not whether passing the Dream Act is the right thing to do. We all know that it is.

The question before this Congress is whether we have the political courage and the basic decency to reject our worst impulses, and protect the most vulnerable members of our society.

In a few months, I hope I can stand before that same room of DREAMers and tell them that the answer is, yes; yes, America can be a fair and a compassionate nation, and, yes, they are free to realize the promise of this great country.

TRIBUTE TO LIEUTENANT AARON ALLAN AND DEPUTY CHIEF JIM WATERS

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor our Nation's police officers, who sacrifice for their fellow citizens and selflessly put their

lives on the line to keep our communities safe.

Sadly, in late July, right before our August recess, our community of central Indiana suffered terrible losses.

While off duty, Indianapolis Metropolitan Police Deputy Chief Jim Waters was involved in an accident involving a semitrailer. He passed away a few days later on July 27.

Deputy Chief Waters held almost every title in law enforcement in his lifetime, but he was proudest of the titles of son, brother, father, and husband. No matter the job he took on, Deputy Chief Waters was known for working so hard, yet having fun while doing so.

Also in late July, a second Indiana police officer was killed. When responding to an overturned vehicle on Marion County's south side, Southport Police Department's Lieutenant Aaron Allan was fatally shot by the driver he was trying to assist in that overturned vehicle. He, too, passed away on July 27. He was the first Southport police officer to be killed in the line of duty.

As a child, Allan always knew what he wanted to be when he grew up: a police officer. He had a compassionate heart and consistently went out of his way to help those in need, even if his job didn't require it or he was off duty.

I offer my deepest condolences to their families, the Southport and Indianapolis Metropolitan Police Departments, and all who mourn their loss and cherish their memory.

HONORING DR. ROBERT "BOB" BILLINGSLEA

(Mrs. DEMINGS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DEMINGS. Mr. Speaker, I rise today to honor the life of Dr. Robert "Bob" Billingslea of Orlando, who passed away on Friday, September 1.

Dr. Billingslea was the founding executive of Walt Disney's Corporate Urban Affairs and Development department, and served as its vice president until his retirement in 2012. In this position, he led the company's minority outreach efforts, and was a firm believer that diversity drives growth, creativity, and innovation.

Bob's unwavering commitment was evident by his service. He served on numerous organizations and boards, including Historically Black Colleges and Universities, Boys and Girls Clubs, and founded the Orlando Urban League, to name a few.

When Bob walked into a room, people noticed; and when Bob spoke, people listened. Bob Billingslea was smart, impactful, and unforgettable. He made a difference.

Mr. Speaker, I thank you for allowing time for this tribute as we celebrate the life of Dr. Bob Billingslea.

HONORING MISSOURI TASK FORCE 1 FOR THEIR COURAGE AND SELFLESSNESS

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to honor the brave members of Missouri's Task Force 1, who have risked their lives to help others in the aftermath of Hurricane Harvey.

Missouri's Task Force 1 is one of 28 urban search and rescue teams in the country. Its 210 members are trained to provide emergency response and disaster relief services at a moment's notice.

Last week, as the rains came down and the waters came up in Houston, 47 members of the task force deployed to Texas with a mission: to turn potential stories of tragedy and despair into stories of salvation and hope, and they succeeded.

In just one day during Hurricane Harvey, the team made more than 300 water rescues and evacuations. Deployed to Houston for 14 days, these skilled crewmembers risked their lives to save the lives of others in Houston. Now they are monitoring a possible new deployment to assist after Hurricane Irma.

We should all keep in mind the contributions and rescue efforts of Task Force 1. Their courage and selflessness demonstrated the best of humanity in the worst of times.

I want to thank them for putting their lives on the line to help others in their time of need. You are all worthy of our respect, appreciation, and honor.

□ 1230

CONGRESS MUST FIX OUR BROKEN IMMIGRATION SYSTEM

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, Congress must act to fix our broken immigration system, including passing legislation to protect DREAMers.

Like many Members of this body, I was deeply disappointed with the President's decision regarding DACA, to take away the promise of possibility that DACA provided young people who were brought to this country as children—many of them just months old—by their parents and have grown up here. They work here. They go to school here. They contribute to the quality, to the greatness of this country.

The one thing I did believe is right that the President said was that Congress ought to act. I have sat here and watched us name post offices, bring back legislation that we have passed in previous Congresses on suspension and brought them to the floor and debated them for hours. We have time in this

House to stand up for 800,000 young people and give them hope that they deserve, to show that this country is as great as we say it is.

When the Speaker was elected, he said he would open up the process. Here is my challenge: Bring the Dream Act to the floor of the House of Representatives. If you believe these DREAMers should be deported, then vote “no,” but give them a vote on the floor of this House. That is the moral thing to do, and we should do it now.

KEEP OUR GOVERNMENT FUNCTIONING EFFICIENTLY AND EFFECTIVELY

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in support of the Make America Secure and Prosperous Appropriations Act that the House is considering. This bill is a package of legislation that the Appropriations Committee has diligently worked on over the last several months that will fund our domestic and national security priorities.

This is legislation that prioritizes conservative policies, invests in proven and effective programs, and reduces unnecessary and wasteful spending. It will fund the government in a fiscally responsible way, keeping a lid on spending as we have since taking the House majority in 2010.

It will continue our work of rolling back burdensome, job-killing policies to help our economy grow even faster than we have seen over the last 7 months when we have added more than 1 million jobs.

It includes many items that the House has already passed this summer, like the largest pay raise for our troops in 8 years and the most funding to care for our veterans in our Nation's history.

Mr. Speaker, I urge my colleagues to support this measure to keep our government functioning efficiently and effectively for the American people.

CULTURE OF CORRUPTION AT WELLS FARGO

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, Wells Fargo is the Nation's third largest bank, with nearly \$2 trillion in assets. In the past several months, Wells Fargo has engaged in blatant and systemic fraud perpetrated against millions of its own customers by opening fee-generating accounts without customer authorization, changing mortgage terms without customer knowledge, and forcing Wells Fargo auto loan customers into costly insurance products they did not need or want.

Mr. Speaker, Wells Fargo has demonstrated a blatant, egregious culture of corruption, costing their customers tens of millions of dollars in unauthorized fees and financial hardship.

Today I am calling on the Federal Housing Administration to ban, to immediately declare ineligible, Wells Fargo from participation in the Federal mortgage guarantee program. Wells Fargo has violated its public trust and that of millions of its own customers and clients.

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN VERN EHLERS

(Mr. AMASH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AMASH. Mr. Speaker, with great sadness, the people of west Michigan learned of the recent passing of former Congressman Vern Ehlers.

Vern was a humble man who served our community with honor. Early in his life, Vern moved to Grand Rapids to attend Calvin College. After earning his Ph.D. at Berkeley, he returned to help launch, and later chair, Calvin's Physics Department. His passion for science, technology, and the environment came to define his time at Calvin and tenure in Congress.

In 1993, Vern was elected to Congress and served until his retirement in 2010. Vern was the first research physicist in Congress, and his impressive background contributed to his many achievements.

Vern was a member of the Committees on Education and the Workforce; Science, Space, and Technology; and Transportation and Infrastructure. He served as chairman of the Committee on House Administration, and his portrait now hangs in the committee's main hearing room.

I have staff who worked for Vern, and they all admired his compassion, independent thinking, and nonpartisan record. Colleagues often referred to him as “the smartest man in Congress.”

Vern lived as commanded in Micah 6:8: “To act justly and to love mercy and to walk humbly with Your God.” He placed his hands on this verse each time he was sworn in.

Our community will endeavor always to honor his legacy.

My deepest condolences go out to Vern's wife, Johanna, his children and grandchildren, and to everyone whose lives he touched. May his memory be eternal.

SUPPORT THE DREAMERS

(Mrs. MURPHY of Florida asked and was given permission to address the House for 1 minute.)

Mrs. MURPHY of Florida. Mr. Speaker, today I rise in support of DREAMers.

When I was just a baby, my parents brought me to this country because they sought freedom, opportunity, and a better life for our family. As a parent now, I know how they must have felt because I, too, would do anything for my children, no matter the risk. That parental instinct to give our children better opportunities than we had is universal and powerful.

DREAMers were brought to this country as children by families who sought a better life. They were just kids and had no role in the decision to leave their native country, and they have done nothing wrong. They demonstrate one of our Nation's most basic promises: the American Dream is available to anyone who is willing to work for it.

The President's decision this week to end DACA will tear families apart. Worse yet, it punishes children who have done nothing to deserve punishment. It is immoral and wrong.

Mr. Speaker, I ask that you bring the Dream Act to the floor so we can enact an enduring solution for the 800,000 aspiring Americans who would be hurt by the President's decision.

AMERICAN FAMILIES DESERVE ATTENTION AND SUPPORT

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Speaker, we have heard a lot about DREAMers today, and we will continue to hear that.

Let us note that we are talking about inviting millions of people to send their children to the United States, millions from around this hemisphere who live in poverty and oppression, and we are saying: If you can get your kids to the United States, they are going to be taken care of.

We have limited resources here, limited in the Federal Government. Our people of every race and every religion and every ethnic group that make up the American family deserve to know that we are caring about them—I am sorry—rather than the children in other countries that come here illegally.

We can expect a flood of new young people if we legalize this, and they will be consuming the healthcare dollars. They will be consuming the education dollars that should go to American children.

This is not being selfish by saying take care of your family first. The American family deserves our attention and our support. We should not be extracting resources, bidding down their wages, extracting the resources of education and healthcare for people who have come here illegally and invite more people to flood into our country.

No, the DREAMers concept is a nightmare for American young people.

HONORING THE SERVICE OF JAMES ANDREWS

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, today I rise to honor James Andrews, president of the North Carolina AFL-CIO. After four decades of service, James will be retiring on September 15.

He has been a leader since a young age, and while serving our country in Vietnam, he earned a Purple Heart for his brave service.

Upon his return, James organized fellow workers at a plant in Henderson, North Carolina, before joining the AFL-CIO in 1974 as a director of Frontlash, an AFL-CIO youth group. Just a year later, the AFL-CIO recognized James' dedication to the fight for fair working conditions and promoted him to outreach director for the North Carolina federation, making him the first African American to hold a paid, full-time staff position with the State AFL-CIO federation.

After a brief stint working for his union in 1982, he began his position as the treasurer and secretary for North Carolina's AFL-CIO. A little over a decade later, James was elected as president and became the first African American to lead a State federation.

As his service draws to a close, we want to both congratulate and honor him for his unparalleled work on behalf of North Carolina's hardworking families.

James, congratulations, and thank you for your hard work.

COMMEMORATING THE LIFE OF KENDRA MURRAY ADAMS

(Ms. MOORE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOORE. Mr. Speaker, I rise to commemorate the life of Mrs. Kendra Murray Adams, a loving mother, a wife, daughter, sister, and friend to many, myself included.

I first got to know Kendra when she joined my office in 2005 as an executive assistant. She was a blonde bombshell who was quick-witted, strong-willed, but just as quick to laugh with you and at you, if needed.

Effortlessly funny and graciously caring, it was a joy to get to know her and to have a front row seat to see how this marvelous young lady lived life. Even now, I struggle to find the words to convey how much of a joy and honor it was to know Kendra and to be known by Kendra.

Whether you knew her for years, or just got to meet her, you got the best of her from minute one. Kendra may

have left my office, but she never left my heart.

Sadly, at the end of July, Kendra lost her battle with cancer at the tender age of 39. And although my heart is heavy, I am recalling the final words written by Kendra before her death, where she urged those who loved her to not mourn, but to "live life, to go to the beach, go rock climbing, skydiving, do what you want to do." This exemplifies her spirit, her courage, and her life which, unfortunately, ended too soon.

Kendra is survived by her beloved twins, her husband, her father, her sister, and my thoughts and prayers are with her and her family and friends. I loved her dearly, and I will miss her deeply and will always remember her.

PROTECTING DACA

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today in strong support of the 800,000 DREAMers in our Nation, 200,000 in my State of California.

Now, these DREAMers are students, entrepreneurs, volunteers, and neighbors. They go to school, they work, and they pay taxes. They are young men and women like my constituent, Kareem, a DREAMer who recently graduated from the University of California at Berkeley.

Kareem now works as a paralegal, helping people like herself navigate our complicated immigration system. Kareem came to America when she was only 3 years old.

In a message to my office, she wrote: "The United States is all I've ever known."

I have to tell you, she is as American as I am. Forcing Kareem or any hardworking DREAMer out of this country or back into the shadows is heartless and un-American. This is her home.

Deporting DREAMers from the only country they have ever known is an extreme betrayal of our values. We care about family values. Ending DACA breaks families up.

Let me be clear: Now President Trump has turned his back on these innocent young people. Now it is up to Congress to have the courage to do the right thing. I call on Speaker RYAN to bring up the bipartisan and bicameral Dream Act now.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3354, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 504 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 504

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and available pro forma amendments described in section 4 of House Resolution 500.

(b) Each further amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except amendments described in section 4 of House Resolution 500, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of further amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except amendments described in section 4 of House Resolution 500, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1245

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, it is going to be a good day. It is going to be a good day.

I don't know if you came down to Washington as a young man. I remember sitting right up there on the second row of the gallery, and I came into the Chamber and I was so excited. It was my first visit to see the people's House.

The Reading Clerk was standing there at that podium and read and read. I had absolutely no idea what was going on, and here nobody hands you a pamphlet or anything to tell you what is happening on the floor of the House. I thought the activity was going to happen down here, and it was all going on up there at the podium.

That has been 40 years ago now. I now see that however long that conversation happens, it lays the groundwork for what is going to be an even greater conversation here on the floor of the House.

Mr. Speaker, I am fond of saying that if you come to this institution on the right day, you are going to see a festival of democracy take place right here. Today is going to be one of those days.

If you were on the House floor yesterday, you saw us take up the first of these divisions in this appropriations bill. Today, because of the work that my friend from New York and I did with the rest of the members of the Rules Committee right up there last night, we are bringing to the floor the remaining four divisions of H.R. 3354; 224 additional amendments. Division A is the Interior section; division C is the Commerce, Justice, Science section; division D is the Financial Services section; division F is the Labor, HHS, and Education section.

When I was on the floor yesterday, Mr. Speaker, I talked about how proud I was of the work that we have all done here together. This annual appropriations process has been conducted in a more comprehensive fashion this year than in any other year in my memory.

When we get jammed, you end up with one of those long-term, yearlong continuing resolutions that shut out every Member's voice. In a good year, maybe, you end up with one of those giant leadership-negotiated White House and the leader of the House and the Senate omnibus appropriations bills that shut out all but two or three voices.

This year, the Appropriations Committee, beginning its work way back in April, has worked through every single appropriations bill one by one at the committee level, and we are seeing the

culmination of that effort here on the floor today.

Mr. Speaker, it has been since 2010 that the House has finished its work before the September 30 fiscal year deadline. It was the 2009 calendar year. They were doing the work for the 2010 fiscal year. It is hard to get this done, and it doesn't happen because Democrats are successful or Republicans are successful. It happens because the collaboration that we have together is successful, and we are seeing the result of that today.

If we pass the underlying rule, we will make in order those 224 amendments, we will begin that process of debating the last four divisions, and we will have the voices of this House heard.

We went until midnight last night, Mr. Speaker. We went until midnight the night before that. I suspect midnight is going to seem early to us where we are headed over the next couple of days. But at the end of that process, Republicans, Democrats, folks from all regions of the country, are going to be able to look each other in the eye and know that—in a way that makes folks back home proud—we worked through each and every appropriations bill and we got our work done on time.

That is why I ran for Congress, Mr. Speaker, to deliver results back home, and that is why I am proud to be standing with my friend from New York today delivering on those promises.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Georgia, my good friend, for yielding me the customary 30 minutes.

Mr. Speaker, what is happening with the appropriations bills is unprecedented. After passing four appropriations bills earlier this year, we are now considering the remaining eight appropriations bills this week in 2 days. That means that we are debating the funding for roughly two-thirds of discretionary Federal spending bills in just over 4 days.

Has any Member here really had the time to read all 1,035 pages of these eight bills? Better yet, has anyone had time to read nearly all the thousand amendments and determine what the impact of each one would be?

This is the appropriations process we are talking about; the process that used to take us days and weeks and was perfectly open so that all Members of the House were able to propose amendments on the floor. These are the bills that fund programs that impact the life of every American every single day.

But we are not giving them any serious consideration they deserve, and the minority has been virtually, literally, I would say, shut out of the process altogether.

When the majority took control of Congress and the White House, they promised regular order. They have not only broken that promise, they have shattered it and stomped on it. Speaker RYAN is the only speaker in the history of tracking statistics to never have had a truly open rule.

An open rule would allow any Member to offer an amendment that complies with the standing rules of the House and the Budget Act. Not a single one. A bad process, I believe, will lead to a bad product, and these bills are no exception. They are full of provisions that would do real harm to millions of Americans.

Inside these bills, the Dodd-Frank financial reform law, passed in the wake of the biggest recession since the Great Depression, would be tattered. The biggest banks still in control of the people who got us in trouble in the first place would be allowed to run roughshod over the economy again, paving the way for another Great Recession or worse.

Try as we could to find out what would be the substitute for Dodd-Frank to prevent them from doing that again, there is no answer they would be able to do it. Under Dodd-Frank, we have had a record-setting streak of more than 80 consecutive months of private sector job growth. Mr. Speaker, this growth didn't come despite this law; it came because of it.

There is also language here that would ramp up the majority's assault on women's health; provisions that would zero out funding for Title X, the Nation's only Federal program devoted to family planning. More than 4 million women depend on it for access to contraception.

The bills would also eliminate funding for Planned Parenthood, which serves 2.5 million women and men every year. It is relied on not just for contraception, but for services like breast cancer screenings, wellness visits, and STI testing.

The bills would be truly destructive if they ever became law. They don't appear to have the necessary votes to pass the Senate, since there are not 60 Senators willing to vote for this legislation, and that would make one wonder why are we even going through this charade, because we have only 9 legislative days left in the month of September. During those 9 days, we need to raise the debt ceiling to pay the bills we have already incurred, to fund the government for the following year, to reauthorize the Children's Health Insurance Program; the Perkins Loan Program, which many low-income students rely on for their college education; and, very importantly, the Federal Aviation Administration. All of those expire on September 30.

We also need to address the National Flood Insurance Program, which, on its current course, faces a shortfall of

more than \$25 billion. And that will expire at the end of this month. We all know the horror of going through Hurricane Harvey, and now Irma, and with two more, as I understand it, starting their aim at us in the Atlantic.

If we are going to do all of this, we have to get back to the orderly and thoughtful process. Congress can't wait for a disaster to always be at its doorstep before acting. We need to abandon legislation by chaos or emergency, which we often do for something that we could have done by scheduling.

Two-thirds of the discretionary spending bills considered in a single week is absurd and irresponsible, and I would doubt has ever taken place before in the House of Representatives. It is time we took control of the House and got back to regular order, which we talk about all the time, but hardly anybody remembers. We hope for a better day, and we hope for it soon.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

My friend is absolutely right, there is a lot of work to get done. That is why we both ran for Congress, to get that work done. I am incredibly optimistic that we will get that work done.

I wish from time to time we would celebrate our successes as fiercely as we observe our failures. My friend is absolutely right, there was a time in congressional history where appropriations bills came to the floor and any Member could offer any amendment they wanted at any time, and the process could go on for days or weeks or months.

To my friend's point, we can reminisce about those days and celebrate them, but we can't do it at the same time we observe the very limited deadlines that we have now trying to get work done.

It was back on August 24 that the Rules Committee created a deadline and said: We want to have every Member have their voice heard. We want to hear from every single Member on every single appropriations bill to understand what it is you would do differently to have the bills serve America better.

We created that deadline, Mr. Speaker, for exactly the reason my friend from New York suggested, and that is so folks would have the time to look at those amendments, to digest those amendments, to be thoughtful about those amendments.

Now, it turns out even in a body of 435 Members, you can have some repetitive ideas. It turns out a lot of us think a single amendment is a good idea. The Rules Committee looked at amendments and found multiple Members had exactly the same idea. In order to speed the process along, we let one of those Members offer the amendment; we asked the other Members not to.

That is not closing down the process. That is a good use of the American people's time, because we have so much that we must get done together.

Mr. Speaker, for folks who care about openness—and I am one of those Members—I just want to remind you that it is not just the 1,000-plus amendments we looked at in the Rules Committee. It is thousands upon thousands that were worked through the Appropriations Subcommittee process, and then the Appropriations full committee process.

□ 1300

The appropriations process is one of the best opportunities for any Member in this Chamber to make their priorities known, act on those priorities, change the law of the land for the men and women they serve back home. Every single Member of this Chamber knows of that process, avails themselves of that process, and if we pass this rule, we will make several hundred more amendments in order and complete this process for the first time since 2009.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Speaker, I am disgusted by House Republicans' continued efforts to end DACA and help this heartless administration tear families apart. Yesterday, House Republicans had a chance to rectify the Trump Administration's despicable decision to betray DREAMers in Nevada and across this country.

Instead, they chose to block the immediate consideration of the bipartisan Dream Act. And then last night, House Republicans in the Rules Committee doubled down on this President's cowardly assault on DREAMers by blocking an amendment that I helped file with my colleagues JULIA BROWNLEY and LUIS CORREA.

That would have prohibited funds from being used to deport DACA recipients. In Nevada, DACA has allowed more than 13,000 young people to come forward, pass background checks, and live and work legally. These young men and women who are brought here as children are patriotic and brave. They include college students, members of our military, and so many others who are contributing to our society.

They fear they will be taken from their homes and their families torn apart. President Trump's decision to end DACA is an affront to everything our Nation stands for and only cements his legacy of shortsighted cruelty.

House Republicans ought to be ashamed of themselves for helping this administration push DREAMers one step closer to deportation. I will continue to fight for our values, our prin-

ciples, because as Americans, we do not turn our backs on people who represent the best of our Nation.

We must take the Dream Act up without delay.

The SPEAKER pro tempore (Mr. PALMER). Members are reminded to refrain from engaging in personalities toward the President.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRBACHER), one of our leaders from the great State of California.

Mr. ROHRBACHER. Mr. Speaker, I thank you very much for providing me this time. I rise in opposition to this rule, which prohibits a vote of the House of Representatives on an amendment that would prevent the Department of Justice from using its power and resources to supersede all State laws that have legalized the medical use of cannabis.

For 3 years, States have been shielded from having the will of their voters and their people by a prohibition on the Department of Justice that would prevent the Department of Justice from thwarting the will of the people of the States by superceding those State laws when they have determined in the States that the medical use of marijuana should be permitted with their citizens.

The Rules Committee has, thus, been basically—it will be changing the law of the land for 3 years where the 50 States have been permitted, if they so chose, to have the medical use of marijuana.

After this vote, because of this rule, we have been prevented from again providing that prohibition that passed this House on a number of occasions that would prohibit the Department of Justice from superceding State law. In short, a vote for this rule is anti-States' rights. A vote for this rule is against permitting the people of your State to legalize the medical use of marijuana if the Federal Government, if the DOJ, decides.

A vote for this rule will, thus, prevent medical use of cannabis by our doctors in States that would like to permit their people to benefit from illegal use of medical marijuana. Instead, those doctors now will, as they have been, prescribing opiates. That is right, opiates. Our people have ended up being prescribed opiates because marijuana has not been an option.

It is a vote to cut off our veterans, and our seniors with arthritis, those people who have children who are plagued with seizures, all of these things now are permitted in the States where they have legalized the medical use of marijuana. These people are provided an avenue to at least try this as a method of dealing with these horrible maladies that they have to deal with in their lives, whether they are seizures, or whether they are people who have

arthritis, or whether they are our veterans who are coming back.

We need to make sure that the billions of dollars that right now are being invested in medical marijuana businesses and clinics throughout our country, those billions of dollars will go to the benefit of our people. Instead, this rule prevents us from standing in the way of the Justice Department from obliterating those rights in the States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I yield an additional 1 minute to the gentleman from California.

Mr. ROHRBACHER. Mr. Speaker, so a vote against this rule is a vote to permit those States to make that decision. The rule, as it is now, prevents us from getting in the way of the Justice Department's obliteration of these rights.

But one of the most important things, whether it is States' rights, or whether it is trying to listen to the seniors who are begging for us to give them some relief from some of their suffering and let them at least try this if the doctors so prescribe, but let us just remember this: that billions of dollars, \$3 billion or \$4 billion have been invested in this industry to provide honest businessmen and doctors the right to try medical marijuana on some of these maladies.

Those \$3 billion will immediately be transferred to the drug cartels in Mexico if this rule goes through. That is what it means. Now, I would suggest that whether it is opiates, or the drug lords down in Mexico, we need to side with the States' rights to make this determination and decide—and to make our determination to let the people decide in those States and let them have the choice there.

Mr. Speaker, I oppose this rule for those reasons.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 3440, the Dream Act, this bipartisan, bicameral legislation. We have thousands of young people who are Americans in every way except on paper.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. CARBAJAL) to discuss our proposal.

Mr. CARBAJAL. Mr. Speaker, in the past 5 years, the DACA program has given nearly 800,000 young men and women who came here as children, and

have only known the United States as their home, a shot at the American Dream. It rightfully allowed them to come forward to live, work, and learn in the United States legally, and without fear of deportation.

President Trump, this week, made his most heartless decision yesterday by cruelly rescinding DACA protection for these young DREAMers. These DREAMers now face the painful reality of a President betraying their trust, forcing them back into the shadows, and kicking them out of their homes.

These kids put their faith in our government to protect them. They underwent rigorous background checks and paid the required fees, all for an opportunity to better themselves and their communities. And we are failing them.

I share a similar story as many of these DREAMers. I emigrated to the United States with my parents as a 5-year-old boy from Mexico. This great country since has given me the opportunity to work hard, raise my two children, and serve my country in local government, the military, and here in Congress.

Terminating DACA and stripping DREAMers of that same hope and opportunity is unconscionable and incompatible with our American values. We are a nation of immigrants and are made stronger by their contributions. Following the President's shameful decision this week, Congress must take action and pass the bipartisan Dream Act which would provide a permanent legislative solution to allow DREAMers to remain in the United States and continue to contribute to our Nation's future.

They are our neighbors, our children's classmates, our coworkers. These are all hardworking and law-abiding individuals. We cannot afford to abandon DACA recipients who have lived in America all of their lives and contribute to this country in many ways.

Ending this program undermines our economic growth and competitiveness, costing our economy \$490 billion in lost GDP over the next decade, in addition to losing potential innovation and entrepreneurship.

This House has already passed the DREAM Act in 2010, and a majority of Senators also supported this legislation. However, it fell short with a filibuster from then-Senator Jeff Sessions, the same Attorney General who announced the termination of DACA this week.

This Congress must now ensure the well-being and future of these 800,000 youth living and working in the United States. I urge my colleagues to stand up for DREAMers by bringing H.R. 3440, the bipartisan Dream Act, immediately to the floor for a vote.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. WOODALL. Mr. Speaker, I appreciate that admonition. As my friends all know, the truth is, the vote in the Senate was a bipartisan vote against the consideration of that bill.

We are going to find a bipartisan solution to this difficult problem and continuing to characterize this as a partisan issue does nothing but harm to our shared cause.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Alabama (Mrs. ROBY), one of the great leaders of the big freshman class in 2010.

Mrs. ROBY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am proud to support the Make America Secure and Prosperous Appropriations Act, and I encourage my colleagues to support this rule.

As a pro-life conservative, I have long fought to make sure that taxpayers' dollars aren't being used to fund abortions or to fund abortion providers. Whether it is in the Appropriations Committee or here on the House floor, I have repeatedly made the cause for increasing protections for life under the law. Those fights haven't always been easy, and we haven't won every time. But Mr. Speaker, I am pleased that the appropriations bill before us does contain important pro-life provisions.

First, the bill states: "None of the funds made available by this act may be used to conduct or support research using human fetal tissue if such tissue is obtained pursuant to an induced abortion."

We all remember the 2015 scandal that revealed how Planned Parenthood officials were systematically altering abortion procedures in order to preserve the organs of babies to sell them to researchers. I said it at that time, and you don't have to be staunchly pro-life like me to be appalled by the thought of harvesting and trafficking aborted babies' body parts for profit.

Our bill will prevent these atrocities from removing any incentives abortion providers might have to harvest and sell babies' organs. Instead, the bill directs agencies to find research using modern, more efficient alternatives to human fetal tissue.

To be clear, I am a strong supporter of the National Institutes of Health. Their research is critical for development of lifesaving medical breakthroughs. However, I believe we must set a clear line of distinction between what is acceptable and what is not.

Second, the bill expressly prohibits the Department of Health and Human Services from steering Title X public health funding to abortion providers. Of course, the Hyde amendment has long made it against the law to actually pay for abortions with taxpayer dollars. But the Obama administration had a bad habit of pushing hundreds of millions of dollars to Planned Parenthood in forms of grants and reimbursements for other services. This amounts

to a pipeline of funding propping up the Nation's largest abortion provider. It is an abuse of taxpayer money, and I am pleased that this bill cuts it off.

Mr. Speaker, I appreciate my chairman, TOM COLE, for including these important pro-life provisions in our base bill for the first time.

□ 1315

It represents real progress for the pro-life movement, and I will continue to fight to see it through the process.

Mr. Speaker, I am unapologetically pro-life, and I believe that every human life is precious and our laws and policies should reflect that.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LEE), a distinguished member of the Appropriations Committee.

Ms. LEE. Mr. Speaker, first, let me thank our ranking member for yielding and, really, for her tireless advocacy on behalf of all Americans.

I rise in strong opposition to this rule and the underlying bill, the so-called Make America Secure and Prosperous Appropriations Act.

Mr. Speaker, let's make one thing clear: this bill breaks Republicans' promise to get back to regular order, while blocking the majority of amendments to be considered on the floor. Also, as an African-American woman, I can't help but see how these cuts impact communities of color.

It may be easy to think of budgets in terms of dollar signs and decimal points, but the disturbing truth is that the decisions we make here affect lives. If we are honest, many of these decisions in this bill disproportionately affect Black and Brown lives.

For instance, the bill eliminates the Teen Pregnancy Prevention Initiative, the Racial and Ethnic Approaches to Communities Health Program—just eliminates it—and Title X family planning, which many women of color and men rely on. It eliminates the Health and Career Opportunities Program, which provides training and grants for health careers for minority-serving institutions, and it eliminates the Minority AIDS Initiative, just to name a few. These are just under the Health and Human Services provision.

This bill cuts \$3 billion from the Pell Grant Surplus Program, \$190 million in 21st Century Community Schools, and eliminates the comprehensive literacy program. All of these are critical education programs that predominantly help people and students of color.

I am also disappointed that this bill divests in our workforce, especially for communities of color, by eliminating the proven apprenticeship programs and cutting millions of our Nation's job training programs, including reintegration of ex-offenders—again, majority African-American and Latino ex-offenders—reentering into society. This budget cuts millions from that.

It refuses to make in order Congressman BOBBY SCOTT's amendment to strike the prohibition against using Federal funds for transportation to desegregate public schools. We are talking, still, about desegregating public schools in 2017.

What is worse, I offered an amendment in Rules to combat these devastating cuts to communities of color, and Republicans refused to make them in order. I offered an amendment that would have prohibited funds from being used to implement the policy memo that Attorney General Sessions has presented that rolls back the failed War on Drugs and reinstates the harshest sentences for low-level drug offenses, the majority of whom—guess what—are African Americans.

I offered another amendment that would have expressed the sense of Congress that race-conscious admissions policies, which are designed to achieve a more diverse student body, which allows for the use of race as one factor, only one factor, in admissions—these policies, we have to remember, are beneficial to all students. So the Department of Justice should not take action to limit these benefits.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman from New York has 16 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield the gentlewoman from California an additional 1 minute.

Ms. LEE. Mr. Speaker, I thank the gentlewoman for yielding another minute.

Mr. Speaker, we should not be trying to limit students of color access to education, which the Justice Department is trying to do. Affirmative action is critical to mitigating discriminatory practices that prevent students of color from being admitted into the schools of their choice. Attorney General Sessions needs to back off of this. I tried to do this through an amendment to send that message. Of course, that amendment was not made in order.

Congress can help, though, renew their faith in minority communities, and the minority communities can renew their faith in Congress by not accepting this Trump agenda and support clear policies that demonstrate to people of color that our lives also matter in America. Unfortunately, this spending bill does just the opposite.

So I hope the Members will understand the message that we are sending to communities of color. I just mentioned a few of the cuts that have been put into this bill. I hope that we work to rectify the problems with it.

It is past time to get back to regular order. It is past time to move each bill individually, also. It is past time to

make strong investments in the American people, which include people of color. It is past time to help grow the economy and to create good-paying jobs for everyone.

So, Mr. Speaker, I urge my colleagues to vote “no” on the rule and “no” on the underlying bill. There is simply too much at stake.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to associate myself with the comments of my friend from California. She is absolutely right. When Republicans took control of this Chamber, they committed themselves to having a more open process. I was a part of that freshman class that came in to give Republicans a majority, and we have made good on that process. I want to talk about that just for a little bit.

My friend from California serves on the Appropriations Committee, and I thank her for her service, Mr. Speaker. When you want to talk about an open process, that Appropriations Committee went through every single bill one subcommittee at a time, hour after hour, day after day, week after week, indeed, month after month. I am grateful to her for that service. The bill would not be as good as it is but for the men and women who serve on the Appropriations Committee.

But I mentioned earlier, Mr. Speaker, that one of the reasons I was proud to be carrying the rule today is that we haven't gotten the appropriations process completed on time since Democratic leadership was able to achieve that back in 2009. They couldn't do it in their last year in power, 2010. In fact, they didn't do the appropriations bills at all. They punted it off to the next Republican Congress. But in 2009 they did.

When I talk about that commitment to openness, let's remember, last time we had this shared success together and my friends on the other side of the aisle were leading, they allowed 17 amendments to the Financial Services bill. We are allowing twice that many today.

When my friends were leading this institution the last time we completed this process, they allowed 13 amendments to the Interior bill. We are allowing six times that many.

When my friends on the other side of the aisle were leading this institution, the last time we successfully completed this process, they allowed five amendments to the Labor-HHS. We are allowing 10 times that many.

When my friends on the other side of the aisle were leading this institution, the last time we successfully completed this process on time, they allowed zero amendments to the Commerce-Justice-Science bill. We allow 49—infinity more.

My friends, can we always do better together? We can. I am grateful to my

friends for the hard work they put in showing up day after day to do that better. But this bill is better, and if we pass this rule, we will move to the debate on this bill, and we will complete this process on time in the most open fashion that any of my colleagues have seen in decades.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 2 minutes.

I am really very fond of my colleague over there, and I appreciate his wonderful sunshine attitude.

The fact is we have never seen anything like what we are going through now. Twice, in just the last few months, one amendment by Ms. LEE, to finally get an AUMF so that we could authorize the wars that seem to be going on forever in the name of the United States of America was voted on in committee, passed in committee, and should have been in the bill. Lo and behold, it disappeared. I don't think we ever did anything like that to my knowledge, and if we did, shame on us.

In this very bill today, there was, again, an amendment presented in committee for the DACA people to be able to get jobs while they are waiting with the Federal Government. I am paraphrasing that because I never saw it, but that is my understanding of what that did. Once again, it was presented at the committee, voted, passed, and should have been in this bill. But before it got to Rules, just like Ms. LEE's amendment, it just disappeared.

How can you run the Government of the United States by saying that the people do their will through us? We are not sitting here to represent ourselves and do what we want to do and take one from column A and one from column B. We follow rules. That is what we are supposed to do. We have to answer for that.

I want the people of the United States to know that what we are talking about here today is probably not going anywhere. As far as we know, it will not get past the Senate. Now, some miracle may happen. Who knows? Or maybe the whole thing will disappear—I don't know—with no explanation, by the way.

But we haven't really done anything here yet except what I would call a crazy amalgamation of what the rules of the House wouldn't even come close to allowing us to do. Any body, any Congress, any House of Representatives, any legislature anywhere can do what they have to do to get their budget ready if they throw it all in one mix and let one committee, the Appropriations Committee, do it. The other committees had no right to talk about it.

As I pointed out, again, the majority has really cut out the minority completely. Do you think we knew before it got to Rules that those two amend-

ments that I talked about that were terribly important had disappeared? We didn't know that until it was given to us.

Many times what we get at Rules are emergency meetings, which means one thing: no committee action. We have decided we would like to do this one this week, so let's call it an emergency.

Enough. Enough already. This is the premier legislative body in the world. The hopes, the dreams, and the aspirations of all Americans lie in this House. We do or we do not do what is in the best interests of the people who sent us here. I promise you it is not in the best interests to cut out all of the population of the United States—about half, almost half. In fact, I believe numerically we got more votes than the other side—just cut us out of the process.

I have already talked about no open rules. If you can't have an open rule whereby you can talk about amendments, there is nothing else for you to do. We are out of it because Democrats get very few amendments. I don't think the Rules Committee people get hardly any at all, and then we beg for some of the best ones we would like to be made into order—never happens.

We are pretty discouraged. As a matter of fact, we were talking about maybe we should stage a coup, but I know that is illegal and would not work in the United States of America. So it was kind of a fleeting thought brought about by pure frustration.

Mr. Speaker, Mr. SCOTT had a wonderful amendment. He is the ranking member on the Education and the Workforce Committee and is known throughout the United States for the work that he does, as is BARBARA LEE, who is probably more well known than almost any other Member of this House. To be treated that way, to have to go back to her district and say, "Well, we tried to do these amendments"—enough already.

We can do it the right way. We used to. When I got here, it was entirely different. The bipartisanship was strong. We all liked each other. It was a pretty wonderful thing.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), whose amendments should have been allowed.

Mr. SCOTT of Virginia. Mr. Speaker, I appreciate the gentlewoman for yielding.

Mr. Speaker, I appreciate the number of amendments that were made in order by the Rules Committee, but I am appalled that the majority chose not to include one of my amendments, No. 63, to division F of H.R. 3354, which would strike a prohibition against using Federal funds for the purpose of transportation needed to desegregate public schools. This language has found its way into every appropriations act since at least 1974.

The language in sections 301 and 302 of division F of the bill really represent a relic of an ugly history when States and school districts across the Nation resisted meaningful integration of public education for decades after the Supreme Court's ruling in *Brown v. Board of Education*. That resistance has worked.

According to the GAO last year, our schools are more segregated by race and class today than they were in 1968. The persistence of these riders, if unchallenged, is morally reprehensible and has no place in 2017. I stand with the Congressional Black Caucus in calling for a total removal of this offensive language in any fiscal 2018 appropriations act.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

We have a long and proud history in this House, but it is sometimes tough to remember exactly how that history goes, Mr. Speaker.

□ 1330

My friend from New York has her picture up on the wall in the Rules Committee room. If you haven't been up there, Mr. Speaker, you should go see it.

My friend from New York is the first woman to have ever led the United States House of Representatives Rules Committee. She led it ably and proudly for the 4 years that the Democrats were in the majority the last decade.

It is a hard job because, as the chairwoman of the Rules Committee or the chairwoman of the Rules Committee, you have to make decisions. When the bills come to you from the committees of jurisdiction—the authorizing committees—you often have to completely reorganize those bills. You have to meld those bills together. It is a powerful committee because it has a solemn responsibility.

Yes, in the area of Rules Committee jurisdiction and the melding of all of those pieces of legislation is what amendments get added and what amendments get taken away.

My friend from California (Ms. LEE), has an absolutely legitimate gripe, as does my friend from Virginia (Mr. SCOTT). Mr. Speaker, we all think our amendments are the greatest amendments to be known.

Mr. SCOTT led, to his credit, with saying: I am glad so many of my amendments were made in order, but I am appalled my one amendment was kept out.

We all want all of our amendments in. But to my friend from New York's comment that Democrats don't get a fair shake, I will remind you, Mr. Speaker, when my friend was leading the committee, the entire House of Representatives was offered 139 chances to change the appropriations bill in 2009, the last time we completed it.

With PAUL RYAN leading the institution, with my friend from Texas, Pete Sessions, leading the Rules Committee, we made 214 Democratic amendments in order. We have made more minority amendments in order in this process than my friends on the other side made in order for the entire House.

Mr. Speaker, we have nothing to fear from openness. We have nothing to fear from a robust debate. I am so glad that we have had a chance to do that. But history should be reported accurately. The accuracy is: we can always do better. But we are doing better today than we were just a few short years ago.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are really getting somewhere here. What my colleague failed to say is, as far as I know and I imagine as far as he knows, that no committee has ever sent a bill to the Rules Committee completely taking away amendments that had passed in that committee and were legitimately a part of that bill.

In just the last, let's say, 2 or 3 months, two amendments legitimately passed by Democratic members in the proper committee disappeared between that committee and the Rules Committee. If that is not a violation of rules, I don't know how in the world you would ever describe it.

Sure, we had a lot of open rules—I mentioned PAUL RYAN has never had one—which gave everybody an opportunity to do an amendment, all 435 us, if we chose to, but we don't. When you talk about something coming to us from a committee, large bills sometimes don't come to us from committees, but sometimes they are written somewhere—we are not sure where—but they come to us in an emergency procedure because they have to get to the floor that week.

I am not just talking about improving. I am talking about following the rules of procedure laid down by history, by circumstance, and by geniuses. I am talking about not appropriating those in ways that say: We just don't want that amendment on the list. Pretend it never happened. Throw it in the garbage and maybe nobody will remember it.

We remember. We think that some amendments are a few things that would really move the country forward, and we don't have a chance to get them put in place simply because we are the minority. That is absolutely wrong. It is undemocratic. It is hurtful to the institution and hurtful to America.

We can do better. You and I should pledge right now to work on that. I am game if you are.

Mr. WOODALL. Will the gentleman yield?

Ms. SLAUGHTER. I yield to the gentleman from Georgia.

Mr. WOODALL. I will say to my friend that I have no better days than the days that you and I are working together. I absolutely look forward to that.

Ms. SLAUGHTER. Reclaiming my time, I don't want to see that anymore. It is an embarrassment when I have to even get up to do my half of the rule and talk about what awful things have happened to us. There are more things that I need to talk about than that.

I think we should cut out the games and the cuteness and all the rest of it and do our job.

Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Mr. Speaker, I stand here today, as a Member of the United States House of Representatives, embarrassed. At the same time that I am embarrassed, I am also dumbfounded.

I know that there are people at home that are thinking: Why would a Member of Congress, the most prestigious body in the world, be embarrassed, dumbfounded?

Well, I was always taught that if you show me your budget or if you show me your legislation, then you are showing me your values.

Representative SCOTT, my good friend from Virginia, had an amendment that would strike the prohibition that Federal funds could be used to desegregate our public schools in this country.

If you look at the GAO study, there are more schools now that are desegregated than in 1968. We can talk eloquently about the history of the House and what the Democrats did when they were in control and how many amendments were made in order. I am not talking about how many amendments. I am talking about a specific amendment, a specific issue.

We are perpetuating segregation in the United States of America in our public schools. We are not allowing the States to use funds to promote integration and diversity among our schools.

My State—and I will own this—is still the only State under a Federal desegregation order, because we have not completely desegregated our schools. We still have that ugly history.

With everything going on in this country and school kids probably huddled around a TV right now watching this institution work and they are saying: These are our leaders? We elected them to run this country? Why wouldn't they want me to go to school with other kids of other races?

That is why I am embarrassed. It is wrong. I don't think we should just hide behind procedure, but address the issue and the moral failure and the message that we are sending to our children.

Mr. WOODALL. Mr. Speaker, I would say to my friend from New York that I

do not have other speakers remaining, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

These bills don't have the support they need to pass the Senate. It takes 60 votes to even bring them to the floor. That means that this entire exercise this week has been an exercise in futility. All the while, the clock is ticking and Congress has so much to do, as I have elaborated several times this afternoon, over the next 9 legislative days.

If this process has been good for anything, it is revealing just how broken the legislative process has become under the majority's rule.

Legislation regularly comes to the House floor without any committee consideration. It just goes to rules. The majority even rammed through a healthcare repeal bill not long ago—I am sure everybody remembers that—that would impact one-sixth of our entire economy without first—what we need to do again in regular order—getting a score from the nonpartisan Congressional Budget Office.

They are very important. They tell us what cost and what impact it would have on the budget and on the country. So that means we had no idea of the impact of that bill on our markets or what it would cost when voting for it.

The minority is routinely shut out of the process, often unable to get so much as a vote on an amendment on the House floor. When Speaker RYAN assumed the gavel, he promised to return to regular order and an open process. We have been waiting a mighty long time. Every time we offered an amendment to the bill before us in the Rules Committee, we asked that the rule be open; again, giving all Members a chance to affect that bill. Unanimously, we are voted against and we lose all those votes 9-4. That means that both sides will not be able to affect that bill and it means that regular order is as far away as it ever was.

Here we are, less than a month away from the end of the fiscal year, and we haven't passed a budget resolution through the House. We were supposed to have a budget through the House, the Senate, and the conference—the conference is necessary to reconcile the House and Senate bills—by April 15.

We blew through the debt limit in March and still have not dealt with that. We have yet to have a single open rule in the Rules Committee under the Speaker's leadership. Believe me, I am sure that an awful lot of Members of this House have something to say about what is going on.

It is no wonder that, according to the latest figures from Gallup, 79 percent of the public disapproves of how Congress is doing its job. No wonder.

CBS News highlighted that it costs the taxpayers an estimated \$24 million

a week to operate the House of Representatives. They know that they are not getting their money's worth.

They needed 60 votes to repeal and replace healthcare, when there was no replacement in sight. I am not sure how to describe that as a legislative proposal, but what it sounds like to me is a hoax. We are going to fool you that we have really got a replacement here.

Mr. Speaker, I urge a "no" vote on the previous question, the rule, and the bill. I hope that my good colleague, Mr. WOODALL, and I can help fix this place to do a little better.

Mr. Speaker, I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I don't dispute the polling numbers my friend from New York cites. In fact, I am as saddened by those numbers, as she is. But I also feel culpable; not culpable because of the work we are doing today—I think we should be proud—I feel culpable because we all find ourselves in conversations with one another where, instead of building the institution up, we run the institution down.

What my friend from New York said about Ms. LEE's amendment being changed in the Rules Committee, she is absolutely right, the amendment was changed. But, Mr. Speaker, let's be clear: it wasn't changed in some back-room deal with smoke-filled air where no one knows what is happening and can't read the bill. It was noticed. There was an entire paragraph dedicated to saying: Hey, this is unusual. This doesn't happen that often. We want all the cards on the table so everybody knows. Just understand we made this change this time around.

Mr. Speaker, getting the work done in this institution is hard. It leads to conflicting goals. You heard folks from the other side of the aisle say: We are not spending nearly enough time on this bill. We need to make even more amendments in order. And you heard folks on other side of the aisle say: This whole bill is an exercise in futility. I don't know why we are wasting even one moment on it.

It is tough to satisfy both of those concerns simultaneously.

We have got this rule book called the United State Constitution. It doesn't ask a whole lot of the United States Congress. It does ask us to appropriate the money. Under the leadership of both parties, Mr. Speaker, this House has failed to get that done on time year after year.

This year, the bipartisan Appropriations Committee in subcommittee, in full committee, worked tirelessly, as I said, not for days, not for weeks, but for months. One bill at a time. In fact, one line at a time.

That product was brought together by the Rules Committee last month, August 16, Mr. Speaker. That amal-

gamation of bills was posted on the internet for all the world to see and read. Every Member of this Congress had a chance to bring their ideas about how to make it better.

The Rules Committee got together, looked at those ideas, made more of those ideas in order for debate than we have seen in decades for bills that get completed on time.

Ms. SLAUGHTER. Will the gentleman yield?

Mr. WOODALL. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. The Rules Committee did not get together. The majority of the Rules Committee got together. We had no action in that game whatsoever.

□ 1345

Mr. WOODALL. Mr. Speaker, I am always compelled to yield to my friend from New York because I am so fond of her and because her leadership has meant so much to this institution.

My friend has served on the Rules Committee for even longer than I have, and so my friend understands how the Rules Committee works even better than I do.

I don't want to engage my friend in a colloquy, at least not in my closing statement. We should have this conversation on day 1. Please, my friend from New York, give us one more word.

Ms. SLAUGHTER. Mr. Speaker, just to speak on accuracy: don't say the Rules Committee got together and went over those. Say the Rules Committee majority got together and went over those. You know, that is all I ask.

Mr. WOODALL. Mr. Speaker, I welcome my friend's constructive counsel, but I know for a fact that her calendar looks just like mine does, and that means that we are going in the early afternoon and we are not getting out till late at night.

Why? Because you and I are sitting just three Members apart listening to Member after Member make their case, and in the spirit of accuracy, don't let it be said that our Members coming and testifying doesn't make a difference because it does. You and I both believe that. We know it to be true, and it is important that it be true.

Those Members come and they testify, they make their case, and then we vote up or down on those amendments.

Mr. Speaker, can we do better? We can. And I will work with absolutely any colleague of any political stripe of any region to do better at any time, but let's do recognize that we made a commitment to ourselves to get this job done for the first time in a decade.

By coming to the floor right now, Mr. Speaker, quarter of 2 on a Thursday afternoon passing this rule, we are going to get this job done together for the first time in a long time.

Will we wake up tomorrow and try to do better? You know that we will.

Should we take a moment to thank the folks who helped us get here? You know that we should.

Mr. Speaker, you are surrounded left and right by Members of the House team. The parliamentarians worked tirelessly to approve the amendments, to make sure they are all written and drafted properly. I want to thank the parliamentarian team for the work that they do.

Mr. Speaker, we kick CBO a lot in this place because we don't like their score one day, we like it the next. CBO has to go through these amendments, score these amendments. I am grateful to them for the work they did to make this possible.

Legislative counsel goes through, with each Member of Congress, making sure that every "i" is in the right place, every "t" is crossed. It is not a small task. It is a gargantuan task, and they do it on these big bills day in and day out. I am grateful for that.

You are starting to see some of the appropriators come down, Mr. Speaker. Long after my friend from New York and I have left this Chamber, the appropriations team is going to be here until the wee hours of the morning once again going through each and every line and each and every amendment.

I think about what my friend from Louisiana said about the school children who are turning on C-SPAN and watching this process. I don't know what they think goes into making this happen, but what I know goes into making this happen is a lot of hard work, staff work, Member work, a lot of big hearts, and a lot of big brains sitting down together hashing through these issues.

This rule is worth supporting. The underlying legislation is worth supporting, Mr. Speaker, and I ask all of my colleagues to do exactly that.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 504 OFFERED BY
MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for

amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is ENTITLED to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amend-

ment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5-minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 186, not voting 20, as follows:

[Roll No. 457]

YEAS—227

Abraham	Culberson	Holding
Aderholt	Davidson	Hollingsworth
Allen	Davis, Rodney	Hudson
Amash	Denham	Huizenga
Amodei	Dent	Hultgren
Arrington	DesJarlais	Hunter
Babin	Donovan	Hurd
Bacon	Duffy	Issa
Banks (IN)	Duncan (SC)	Jenkins (KS)
Barletta	Duncan (TN)	Jenkins (WV)
Barr	Dunn	Johnson (LA)
Barton	Emmer	Johnson (OH)
Bergman	Estes (KS)	Johnson, Sam
Biggs	Farenthold	Jones
Bilirakis	Faso	Jordan
Bishop (MI)	Ferguson	Joyce (OH)
Bishop (UT)	Fitzpatrick	Katko
Black	Fleischmann	Kelly (MS)
Blackburn	Flores	Kelly (PA)
Blum	Fortenberry	King (IA)
Bost	Fox	King (NY)
Brady (TX)	Franks (AZ)	Kinzinger
Brat	Frelinghuysen	Knight
Brooks (AL)	Gaetz	Kustoff (TN)
Brooks (IN)	Gallagher	Labrador
Buchanan	Gianforte	LaHood
Buck	Gibbs	Lamborn
Bucshon	Gohmert	Lance
Budd	Goodlatte	Latta
Burgess	Gosar	Lewis (MN)
Byrne	Gowdy	LoBiondo
Calvert	Granger	Long
Carter (GA)	Graves (GA)	Loudermilk
Carter (TX)	Graves (LA)	Love
Chabot	Graves (MO)	Lucas
Cheney	Griffith	Luetkemeyer
Coffman	Grothman	MacArthur
Cole	Guthrie	Marchant
Collins (GA)	Handel	Marino
Collins (NY)	Harper	Marshall
Comer	Harris	Massie
Comstock	Hartzler	Mast
Conaway	Hensarling	McCarthy
Cook	Herrera Beutler	McCaull
Costello (PA)	Hice, Jody B.	McClintock
Cramer	Higgins (LA)	McHenry
Crawford	Hill	McKinley

McMorris	Roe (TN)	Taylor
Rodgers	Rogers (AL)	Tenney
McSally	Rogers (KY)	Thompson (PA)
Meadows	Rohrabacher	Thornberry
Meehan	Rokita	Tiberi
Messer	Rooney, Francis	Tipton
Mitchell	Rooney, Thomas	Trott
Moolenaar	J.	Turner
Mooney (WV)	Roskam	Upton
Mullin	Rothfus	Valadao
Murphy (PA)	Rouzer	Walberg
Newhouse	Royce (CA)	Walden
Noem	Russell	Walker
Norman	Rutherford	Walorski
Nunes	Sanford	Walters, Mimi
Olson	Schweikert	Weber (TX)
Palazzo	Scott, Austin	Wenstrup
Palmer	Sensenbrenner	Westerman
Paulsen	Sessions	Williams
Pearce	Shimkus	Wilson (SC)
Perry	Shuster	Wittman
Pittenger	Simpson	Womack
Poe (TX)	Smith (MO)	Woodall
Poliquin	Smith (NE)	Yoder
Ratcliffe	Smith (NJ)	Yoho
Reed	Smith (TX)	Young (AK)
Reichert	Smucker	Young (IA)
Renacci	Stefanik	Zeldin
Rice (SC)	Stewart	
Roby	Stivers	

NAYS—186

Adams	Gallego	Nadler
Aguilar	Garamendi	Napolitano
Barragan	Gomez	Neal
Bass	Gonzalez (TX)	Nolan
Beatty	Gottheimer	Norcross
Bera	Green, Al	O'Halleran
Beyer	Green, Gene	O'Rourke
Bishop (GA)	Grijalva	Pallone
Blumenauer	Guierrez	Panetta
Blunt Rochester	Hanabusa	Pascarell
Bonamici	Hastings	Payne
Boyle, Brendan	Heck	Pelosi
F.	Higgins (NY)	Perlmutter
Brady (PA)	Himes	Peters
Brown (MD)	Hoyer	Peterson
Brownley (CA)	Huffman	Pingree
Bustos	Jackson Lee	Pocan
Butterfield	Jayapal	Polis
Capuano	Jeffries	Price (NC)
Carbajal	Johnson (GA)	Quigley
Cardenas	Johnson, E. B.	Raskin
Carson (IN)	Kaptur	Rice (NY)
Cartwright	Keating	Richmond
Castor (FL)	Kelly (IL)	Rosen
Castro (TX)	Kennedy	Roybal-Allard
Chu, Judy	Khanna	Ruiz
Ciulline	Kihuen	Ruppersberger
Clark (MA)	Kildee	Rush
Clarke (NY)	Kilmer	Ryan (OH)
Clay	Kind	Sánchez
Cleaver	Krishnamoorthi	Sarbanes
Clyburn	Kuster (NH)	Schakowsky
Cohen	Langevin	Schiff
Connolly	Larsen (WA)	Schneider
Conyers	Larson (CT)	Schrader
Cooper	Lawrence	Scott (VA)
Correa	Lawson (FL)	Scott, David
Courtney	Lee	Serrano
Crowley	Levin	Sewell (AL)
Cuellar	Lewis (GA)	Shea-Porter
Davis (CA)	Lieu, Ted	Sherman
Davis, Danny	Lipinski	Sinema
DeFazio	Loeb sack	Sires
Delaney	Lofgren	Slaughter
DeLauro	Lowey	Smith (WA)
DelBene	Lujan Grisham, M.	Soto
Demings	Lujan, Ben Ray	Speier
DeSaulnier	Lynch	Suozi
Dingell	Maloney,	Swalwell (CA)
Doggett	Carolyn B.	Takano
Doyle, Michael	Maloney, Sean	Thompson (CA)
F.	Matsui	Thompson (MS)
Ellison	McCollum	Titus
Engel	McEachin	Tonko
Eshoo	McGovern	Torres
Espallat	McNerney	Vargas
Esty (CT)	Meeks	Veasey
Evans	Meng	Vela
Foster	Moore	Velázquez
Frankel (FL)	Moulton	Visclosky
Fudge	Murphy (FL)	
Gabbard		

Walz
Waters, Maxine

Watson Coleman
Welch

Wilson (FL)
Yarmuth

NOT VOTING—20

Bridenstine
Costa
Crist
Cummings
Curbelo (FL)
DeGette
DeSantis

Deutch
Diaz-Balart
Garrett
LaMalfa
Lowenthal
Posey
Ros-Lehtinen

Ross
Scalise
Tsongas
Wagner
Wasserman
Schultz
Webster (FL)

□ 1412

Ms. PINGREE changed her vote from “yea” to “nay.”

Mr. ROKITA and Mrs. HARTZLER changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 190, not voting 21, as follows:

[Roll No. 458]

YEAS—222

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culbertson
Davidson
Davis, Rodney
Denham
Dent
DesJarlais

Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Fasolo
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxo
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)

Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer

Paulsen
Pearce
Perry
Pittenger
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Rothfus
Rouzer
Royce (CA)

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Española
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi

Bridenstine
Costa
Crist

Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi

NAYS—190

Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Loftgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney
Maloney, Sean
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal

NOT VOTING—21

Cummings
Curbelo (FL)
DeGette

Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zeldin

Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rohrabacher
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Kind
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

Garrett
LaMalfa
Meadows
Pelosi
Posey

Ros-Lehtinen
Ross
Scalise
Tsongas
Wagner

Wasserman
Schultz
Webster (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOLDING) (during the vote). There are 2 minutes remaining.

□ 1422

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 500 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3354.

Will the gentleman from Alabama (Mr. PALMER) kindly take the chair.

□ 1424

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. PALMER in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 88 printed in part B of House Report 115-295, as modified, offered by the gentleman from Iowa (Mr. KING) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-295 on which further proceedings were postponed, in the following order:

Amendment No. 71 by Mr. CASTRO of Texas.

Amendment No. 74 by Ms. ROYBAL-ALLARD of California.

Amendment No. 75 by Mr. CASTRO of Texas.

Amendment No. 76 by Mr. CORREA of California.

Amendment No. 77 by Mr. HUNTER of California.

Amendment No. 80, as modified, by Mr. KING of Iowa.

Amendment No. 81 by Mr. CASTRO of Texas.

Amendment No. 84 by Ms. JAYAPAL of Washington.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 71 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CASTRO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 207, not voting 21, as follows:

[Roll No. 459]

AYES—205

Adams	Farenthold	McCollum
Aguilar	Fitzpatrick	McEachin
Barragan	Foster	McGovern
Barton	Frankel (FL)	McNerney
Bass	Fudge	Meehan
Beatty	Gabbard	Meeks
Bera	Gallego	Meng
Beyer	Garamendi	Moore
Bishop (GA)	Gomez	Moulton
Blumenauer	Gonzalez (TX)	Murphy (FL)
Blunt Rochester	Gottheimer	Nadler
Bonamici	Green, Al	Napolitano
Boyle, Brendan	Green, Gene	Neal
F.	Grijalva	Nolan
Brady (PA)	Gutiérrez	Norcross
Brown (MD)	Hanabusa	O'Halleran
Brownley (CA)	Hastings	O'Rourke
Bucshon	Heck	Pallone
Burgess	Herrera Beutler	Panetta
Bustos	Higgins (NY)	Pascarell
Butterfield	Himes	Payne
Capuano	Hoyer	Perlmutter
Carbajal	Huffman	Peters
Cárdenas	Jackson Lee	Peterson
Carson (IN)	Jayapal	Pingree
Cartwright	Jeffries	Pocan
Castor (FL)	Johnson (GA)	Poe (TX)
Castro (TX)	Johnson, E. B.	Polis
Chu, Judy	Kaptur	Price (NC)
Cicilline	Katko	Quigley
Clark (MA)	Keating	Raskin
Clarke (NY)	Kelly (IL)	Reed
Clay	Kennedy	Rice (NY)
Cleaver	Khanna	Richmond
Clyburn	Kihuen	Rosen
Coffman	Kildee	Roybal-Allard
Cohen	Kilmer	Ruiz
Connolly	Kind	Ruppersberger
Conyers	Krishnamoorthi	Rush
Cooper	Kuster (NH)	Ryan (OH)
Correa	Lance	Sánchez
Costello (PA)	Langevin	Sarbanes
Courtney	Larsen (WA)	Schakowsky
Crowley	Larson (CT)	Schiff
Cuellar	Lawrence	Schneider
Davis (CA)	Lawson (FL)	Schrader
Davis, Danny	Lee	Scott (VA)
DeFazio	Levin	Scott, David
Delaney	Lewis (GA)	Serrano
DeLauro	Lewis (MN)	Sewell (AL)
DelBene	Lieu, Ted	Shea-Porter
Demings	Lipinski	Sherman
DeSaulnier	LoBiondo	Sinema
Dingell	Loeb	Sires
Doggett	Lofgren	Slaughter
Doyle, Michael	Lowenthal	Smith (NJ)
F.	Lowe	Smith (WA)
Dunn	Lujan Grisham,	Soto
Ellison	M.	Speier
Engel	Luján, Ben Ray	Suozi
Eshoo	Lynch	Swalwell (CA)
Espallat	MacArthur	Takano
Esty (CT)	Maloney, Sean	Thompson (CA)
Evans	Matsui	Thompson (MS)

Titus
Tonko
Torres
Upton
Vargas
Veasey

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer
Estes (KS)
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy

Bridenstine
Costa
Crist
Cummings
Curbelo (FL)
DeGette
DeSantis
Deutch

Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman

NOES—207

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
McMorris
McSally
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman

NOT VOTING—21

Diaz-Balart
Garrett
Maloney,
Carolyn B.
Meadows
Pelosi
Pence
Ros-Lehtinen

Welch
Wilson (FL)
Woodall
Yarmuth

Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Ratcliffe
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.

Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Zeldin

The result of the vote was announced as above recorded.

AMENDMENT NO. 74 OFFERED BY MS. ROYBAL-ALLARD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. ROYBAL-ALLARD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 241, not voting 22, as follows:

[Roll No. 460]

AYES—170

Adams	Gallego	Nadler
Aguilar	Garamendi	Napolitano
Barragan	Gomez	Neal
Bass	Gonzalez (TX)	Norcross
Beatty	Gottheimer	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Green, Gene	Panetta
Blumenauer	Grijalva	Pascarell
Blunt Rochester	Gutiérrez	Payne
Bonamici	Hanabusa	Perlmutter
Boyle, Brendan	Hastings	Pingree
F.	Heck	Pocan
Brady (PA)	Himes	Polis
Brown (MD)	Hoyer	Price (NC)
Brownley (CA)	Huffman	Quigley
Butterfield	Jackson Lee	Raskin
Capuano	Jayapal	Rice (NY)
Carbajal	Jeffries	Richmond
Cárdenas	Johnson (GA)	Rosen
Carson (IN)	Johnson, E. B.	Roybal-Allard
Cartwright	Kaptur	Ruppersberger
Castor (FL)	Keating	Ryan (OH)
Castro (TX)	Kelly (IL)	Sánchez
Chu, Judy	Kennedy	Sarbanes
Cicilline	Khanna	Schakowsky
Clark (MA)	Kihuen	Schiff
Clarke (NY)	Kildee	Schneider
Clay	Kilmer	Schrader
Cleaver	Kind	Scott (VA)
Clyburn	Krishnamoorthi	Scott, David
Coffman	Kuster (NH)	Serrano
Cohen	Conyers	Sewell (AL)
Connolly	Correa	Shea-Porter
Conyers	Courtney	Sherman
Cooper	Crowley	Sires
Correa	Cuellar	Slaughter
Costello (PA)	Davis (CA)	Smith (WA)
Courtney	Davis, Danny	Soto
Crowley	DeFazio	Speier
Cuellar	Delaney	Swalwell (CA)
Davis (CA)	DeLauro	Takano
Davis, Danny	DelBene	Thompson (CA)
DeFazio	Demings	Thompson (MS)
Delaney	DeSaulnier	Titus
DeLauro	Dingell	Tonko
DelBene	Doggett	Torres
Demings	Doyle, Michael	Vargas
DeSaulnier	F.	Veasey
Dingell	Ellison	Vela
Doggett	Engel	Velázquez
Doyle, Michael	Eshoo	Visclosky
F.	Espallat	Walz
Dunn	Esty (CT)	Waters, Maxine
Ellison	Evans	Watson Coleman
Engel	Foster	Welch
Eshoo	Frankel (FL)	Wilson (FL)
Espallat	Fudge	Yarmuth
Esty (CT)	Gabbard	Young (AK)
Evans		

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1429

So the amendment was rejected.

NOES—241

Abraham	Gowdy	Noem
Aderholt	Granger	Norman
Allen	Graves (GA)	Nunes
Amash	Graves (LA)	O'Halleran
Amodei	Graves (MO)	Olson
Arrington	Griffith	Palazzo
Babin	Grothman	Palmer
Bacon	Guthrie	Paulsen
Banks (IN)	Handel	Pearce
Barletta	Harper	Perry
Barr	Harris	Peters
Barton	Hartzler	Peterson
Bera	Hensarling	Pittenger
Bergman	Herrera Beutler	Poe (TX)
Biggs	Hice, Jody B.	Poliquin
Bilirakis	Higgins (LA)	Ratcliffe
Bishop (MI)	Higgins (NY)	Reed
Bishop (UT)	Hill	Reichert
Black	Holding	Renacci
Blackburn	Hollingsworth	Rice (SC)
Blum	Hudson	Roby
Bost	Huizenga	Roe (TN)
Brady (TX)	Hultgren	Rogers (AL)
Brat	Hunter	Rogers (KY)
Brooks (AL)	Hurd	Rohrabacher
Brooks (IN)	Issa	Rokita
Buchanan	Jenkins (KS)	Rooney, Francis
Buck	Jenkins (WV)	Rooney, Thomas J.
Bucshon	Johnson (LA)	Roskam
Budd	Johnson (OH)	Rothfus
Burgess	Johnson, Sam	Rouzer
Bustos	Jones	Royce (CA)
Byrne	Jordan	Ruiz
Calvert	Joyce (OH)	Russell
Carter (GA)	Katko	Rutherford
Carter (TX)	Kelly (MS)	Sanford
Castor (FL)	Kelly (PA)	Schweikert
Chabot	King (IA)	Scott, Austin
Cheney	King (NY)	Sensenbrenner
Coffman	Kinzinger	Sessions
Cole	Knight	Shimkus
Collins (GA)	Kustoff (TN)	Shuster
Collins (NY)	Labrador	Simpson
Comer	LaHood	Sinema
Comstock	LaMalfa	Smith (MO)
Conaway	Lamborn	Smith (NE)
Cook	Lance	Smith (NJ)
Cooper	Latta	Smith (TX)
Costello (PA)	Lewis (MN)	Smucker
Cramer	Lipinski	Stefanik
Crawford	LoBiondo	Stewart
Culberson	Loeb sack	Stivers
Davidson	Long	Suo zzi
Davis, Rodney	Loudermilk	Taylor
Denham	Love	Tenney
Dent	Lucas	Thompson (PA)
DesJarlais	Luetkemeyer	Thornberry
Donovan	Lynch	Tiberi
Duffy	MacArthur	Tipton
Duncan (SC)	Maloney, Sean	Trott
Duncan (TN)	Marchant	Turner
Dunn	Marino	Upton
Emmer	Marshall	Valadao
Estes (KS)	Massie	Walberg
Farenthold	Mast	Walden
Faso	McCarthy	Walker
Ferguson	McCaul	Walorski
Fitzpatrick	McClintock	Walters, Mimi
Fleischmann	McHenry	Weber (TX)
Flores	McKinley	Wenstrup
Fortenberry	McMorris	Westerman
Fox	Rodgers	Williams
Franks (AZ)	McSally	Wilson (SC)
Frelinghuysen	Meehan	Wittman
Gaetz	Messer	Womack
Gallagher	Mitchell	Yoder
Gianforte	Moolenaar	Yoho
Gibbs	Mooney (WV)	Young (IA)
Gohmert	Mullin	Zeldin
Goodlatte	Murphy (PA)	
Gosar	Newhouse	

NOT VOTING—22

Bridenstine	Diaz-Balart
Costa	Garrett
Crist	Meadows
Cummings	Nolan
Curbelo (FL)	Pelosi
DeGette	Posey
DeSantis	Ros-Lehtinen
Deutch	Ross

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1432

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 75 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CASTRO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 211, not voting 19, as follows:

[Roll No. 461]

AYES—203

Adams	Doyle, Michael	Lawson (FL)
Agullar	F.	Lee
Barragán	Ellison	Levin
Barton	Engel	Lewis (GA)
Bass	Eshoo	Lieu, Ted
Beatty	Español	Lipinski
Bera	Esty (CT)	LoBiondo
Beyer	Evans	Loeb sack
Bishop (GA)	Ferguson	Lofgren
Blumenauer	Fitzpatrick	Lowenthal
Blunt Rochester	Foster	Lowe y
Bonamici	Frankel (FL)	Lujan Grisham, M.
Boyle, Brendan F.	Fudge	Luján, Ben Ray
Brady (PA)	Gabbard	Lynch
Brown (MD)	Gallego	MacArthur
Brownley (CA)	Garamendi	Maloney,
Bustos	Gomez	Carolyn B.
Butterfield	Gonzalez (TX)	Maloney, Sean
Capuano	Gottheimer	Matsui
Carbajal	Green, Al	McCollum
Cárdenas	Green, Gene	McEachin
Carson (IN)	Grijalva	McGovern
Cartwright	Gutiérrez	McNerney
Castor (FL)	Hanabusa	Meehan
Castro (TX)	Hastings	Meeks
Chu, Judy	Heck	Meng
Cicilline	Herrera Beutler	Moore
Clark (MA)	Higgins (NY)	Moulton
Clarke (NY)	Himes	Murphy (FL)
Clay	Hoyer	Nadler
Cleaver	Huffman	Napolitano
Clyburn	Jackson Lee	Neal
Coffman	Jayapal	Nolan
Cohen	Jeffries	Norcross
Connolly	Johnson (GA)	Norman
Conyers	Johnson, E. B.	O'Halleran
Cooper	Kaptur	O'Rourke
Correa	Katko	Pallone
Costello (PA)	Keating	Panetta
Courtney	Kelly (IL)	Pascrell
Crowley	Kennedy	Payne
Cuellar	Khanna	Pelosi
Davis (CA)	Kihuen	Perlmutter
Davis, Danny	Kildee	Peters
DeFazio	Kilmer	Pingree
Delaney	Kind	Pocan
DeLauro	Krishnamoorthi	Poe (TX)
DelBene	Kuster (NH)	Polis
Demings	Lance	Price (NC)
DeSaulnier	Langevin	Quigley
Dingell	Larsen (WA)	Raskin
Doggett	Larson (CT)	Reed
	Lawrence	

Rice (NY)	Scott, David	Thompson (MS)
Richmond	Serrano	Titus
Rosen	Sewell (AL)	Tonko
Roybal-Allard	Shea-Porter	Torres
Ruiz	Sherman	Vargas
Ruppersberger	Sinema	Veasey
Rush	Sires	Vela
Ryan (OH)	Slaughter	Velázquez
Sánchez	Smith (NJ)	Visclosky
Sarbanes	Smith (WA)	Walz
Schakowsky	Soto	Waters, Maxine
Schiff	Speier	Watson Coleman
Schneider	Suo zzi	Welch
Schrader	Swalwell (CA)	Wilson (FL)
Schweikert	Takano	Woodall
Scott (VA)	Thompson (CA)	Yarmuth

NOES—211

Abraham	Gosar	Noem
Aderholt	Gowdy	Nunes
Allen	Granger	Olson
Amash	Graves (GA)	Palazzo
Amodei	Graves (LA)	Palmer
Arrington	Graves (MO)	Paulsen
Babin	Griffith	Pearce
Bacon	Grothman	Perry
Banks (IN)	Guthrie	Peterson
Barletta	Handel	Pittenger
Barr	Harper	Poliquin
Bergman	Harris	Ratcliffe
Biggs	Hartzler	Reichert
Bilirakis	Hensarling	Renacci
Bishop (MI)	Hice, Jody B.	Rice (SC)
Bishop (UT)	Higgins (LA)	Roby
Black	Hill	Roe (TN)
Blackburn	Holding	Rogers (AL)
Blum	Hollingsworth	Rogers (KY)
Bost	Hudson	Rohrabacher
Brady (TX)	Huizenga	Rokita
Brat	Hultgren	Rooney, Francis
Brooks (AL)	Hunter	Rooney, Thomas J.
Brooks (IN)	Hurd	Roskam
Buchanan	Issa	Rothfus
Buck	Jenkins (KS)	Rouzer
Bucshon	Jenkins (WV)	Royce (CA)
Budd	Johnson (LA)	Russell
Burgess	Johnson (OH)	Rutherford
Byrne	Johnson, Sam	Sanford
Calvert	Jones	Scott, Austin
Carter (GA)	Jordan	Sensenbrenner
Carter (TX)	Joyce (OH)	Sessions
Chabot	Kelly (MS)	Shimkus
Cheney	Kelly (PA)	Shuster
Cole	King (IA)	Simpson
Collins (GA)	King (NY)	Smith (MO)
Collins (NY)	Kinzinger	Smith (NE)
Comer	Knight	Smith (TX)
Comstock	Kustoff (TN)	Smucker
Conaway	Labrador	Stefanik
Cook	LaHood	Stewart
Cramer	LaMalfa	Stivers
Crawford	Lamborn	Taylor
Culberson	Latta	Tenney
Davidson	Lewis (MN)	Thompson (PA)
Davis, Rodney	Long	Thornberry
Denham	Loudermilk	Tiberi
Dent	Love	Tipton
DesJarlais	Lucas	Trott
Donovan	Luetkemeyer	Turner
Duffy	Marchant	Upton
Duncan (SC)	Marino	Valadao
Duncan (TN)	Marshall	Walberg
Dunn	Massie	Walden
Emmer	Mast	Walker
Estes (KS)	McCarthy	Walorski
Farenthold	McCaul	Walters, Mimi
Faso	McClintock	Weber (TX)
Ferguson	McHenry	Wenstrup
Fleischmann	McKinley	Westerman
Flores	McMorris	Williams
Fortenberry	Rodgers	Wilson (SC)
Fox	McSally	Wittman
Frelinghuysen	Messer	Womack
Gaetz	Mitchell	Yoder
Gallagher	Moolenaar	Yoho
Gianforte	Mooney (WV)	Young (AK)
Gibbs	Mullin	Young (IA)
Gohmert	Murphy (PA)	Zeldin
Goodlatte	Newhouse	

NOT VOTING—19

Bridenstine	Curbelo (FL)	Diaz-Balart
Costa	DeGette	Garrett
Crist	DeSantis	Meadows
Cummings	Deutch	Posey

Ros-Lehtinen Tsongas Wasserman
 Ross Wagner Schultz
 Scalise Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1437

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

PERSONAL EXPLANATION

Mr. WEBSTER of Florida. Mr. Chair, due to the impending landfall of Hurricane Irma in Florida, I departed Washington, D.C. to be in my district during this natural disaster.

Had I been present, I would have voted:

“Yea” on rollcall No. 457.

“Yea” on rollcall No. 458.

“Nay” on rollcall No. 459.

“Nay” on rollcall No. 460.

“Nay” on rollcall No. 461.

AMENDMENT NO. 76 OFFERED BY MR. CORREA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CORREA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 229, not voting 22, as follows:

[Roll No. 462]

AYES—182

Adams	Courtney	Himes
Aguilar	Crowley	Hoyer
Barragán	Davis (CA)	Huffman
Bass	Davis, Danny	Jackson Lee
Beatty	DeFazio	Jayapal
Bera	Delaney	Jeffries
Beyer	DeLauro	Johnson (GA)
Bishop (GA)	DelBene	Johnson, E. B.
Blumenauer	Demings	Kaptur
Blunt Rochester	DeSaulnier	Keating
Bonamici	Dingell	Kelly (IL)
Boyle, Brendan	Doggett	Kennedy
F.	Doyle, Michael	Khanna
Brady (PA)	F.	Kihuen
Brown (MD)	Ellison	Kildee
Brownley (CA)	Engel	Kilmer
Bustos	Eshoo	Kind
Butterfield	Españillat	Krishnamoorthi
Capuano	Esty (CT)	Kuster (NH)
Carbajal	Evans	Langevin
Cárdenas	Foster	Larsen (WA)
Carson (IN)	Frankel (FL)	Larson (CT)
Cartwright	Fudge	Lawrence
Castor (FL)	Gabbard	Lawson (FL)
Castro (TX)	Galleo	Lee
Chu, Judy	Garamendi	Levin
Cicilline	Gomez	Lewis (GA)
Clark (MA)	Gonzalez (TX)	Lieu, Ted
Clarke (NY)	Gottheimer	Lipinski
Clay	Green, Al	Loebsack
Cleaver	Green, Gene	Lofgren
Clyburn	Grijalva	Lowenthal
Cohen	Gutiérrez	Lowe
Connolly	Hanabusa	Lujan Grisham,
Conyers	Hastings	M.
Cooper	Heck	Luján, Ben Ray
Correa	Higgins (NY)	

Maloney,	Peterson	Sinema
Carolyn B.	Pingree	Sires
Maloney, Sean	Pocan	Slaughter
Matsui	Polis	Smith (WA)
McCollum	Price (NC)	Soto
McEachin	Quigley	Speier
McGovern	Raskin	Suozi
Meeks	Rice (NY)	Swalwell (CA)
Meng	Richmond	Takano
Moore	Rosen	Thompson (CA)
Moulton	Roybal-Allard	Thompson (MS)
Murphy (FL)	Ruiz	Titus
Nadler	Ruppersberger	Tonko
Napolitano	Rush	Torres
Neal	Ryan (OH)	Vargas
Nolan	Sánchez	Veasey
Norcross	Sarbanes	Velázquez
O'Halleran	Schakowsky	Visclosky
O'Rourke	Schiff	Walz
Pallone	Schneider	Waters, Maxine
Panetta	Schrader	Watson Coleman
Pascarell	Scott, David	Welch
Payne	Serrano	Wilson (FL)
Pelosi	Sewell (AL)	Yarmuth
Perlmutter	Shea-Porter	
Peters	Sherman	

NOES—229

Abraham	Fox	Marshall
Aderholt	Franks (AZ)	Massie
Allen	Frelinghuysen	Mast
Amash	Gaetz	McCarthy
Amodei	Gallagher	McCaul
Arrington	Gianforte	McClintock
Babin	Gibbs	McHenry
Bacon	Gohmert	McKinley
Banks (IN)	Goodlatte	McMorris
Barletta	Gosar	Rodgers
Barr	Gowdy	McNerney
Barton	Granger	McSally
Bergman	Graves (GA)	Meehan
Biggs	Graves (LA)	Messer
Bilirakis	Graves (MO)	Mitchell
Bishop (MI)	Griffith	Moolenaar
Bishop (UT)	Grothman	Mooney (WV)
Black	Guthrie	Mullin
Blackburn	Handel	Murphy (PA)
Blum	Harper	Newhouse
Bost	Harris	Noem
Brady (TX)	Hartzler	Norman
Brooks (AL)	Herrera Beutler	Nunes
Brooks (IN)	Hice, Jody B.	Olson
Buchanan	Higgins (LA)	Palazzo
Buck	Hill	Palmer
Bucshon	Holding	Paulsen
Budd	Hollingsworth	Pearce
Burgess	Hudson	Perry
Byrne	Huizenga	Pittenger
Calvert	Hultgren	Poe (TX)
Carter (GA)	Hunter	Poliquin
Carter (TX)	Hurd	Ratcliffe
Chabot	Issa	Reed
Cheney	Jenkins (KS)	Reichert
Coffman	Jenkins (WV)	Renacci
Cole	Johnson (LA)	Rice (SC)
Collins (GA)	Johnson (OH)	Roby
Collins (NY)	Johnson, Sam	Roe (TN)
Comer	Jones	Rogers (AL)
Comstock	Jordan	Rogers (KY)
Conaway	Joyce (OH)	Rohrabacher
Cook	Katko	Rokita
Costello (PA)	Kelly (MS)	Rooney, Francis
Cramer	Kelly (PA)	Rooney, Thomas
Crawford	King (IA)	J.
Cuellar	King (NY)	Roskam
Culberson	Kinzing	Rothfus
Davidson	Knight	Rouzer
Davis, Rodney	Kustoff (TN)	Royce (CA)
Denham	Labrador	Russell
Dent	LaHood	Rutherford
DesJarlais	LaMalfa	Sanford
Donovan	Lamborn	Schweikert
Duffy	Lance	Scott (VA)
Duncan (SC)	Latta	Scott, Austin
Duncan (TN)	Lewis (MN)	Sensenbrenner
Dunn	LoBiondo	Sessions
Emmer	Long	Shimkus
Estes (KS)	Loudermilk	Simpson
Farenthold	Love	Smith (MO)
Faso	Lucas	Smith (NE)
Ferguson	Luetkemeyer	Smith (NJ)
Fitzpatrick	Lynch	Smith (TX)
Fleischmann	MacArthur	Smucker
Flores	Marchant	Stefanik
Fortenberry	Marino	Stewart

Stivers	Valadao	Williams
Taylor	Vela	Wilson (SC)
Tenney	Walberg	Wittman
Thompson (PA)	Walden	Womack
Thornberry	Walker	Woodall
Tiberi	Walorski	Yoder
Tipton	Walters, Mimi	Yoho
Trott	Weber (TX)	Young (AK)
Turner	Wenstrup	Young (IA)
Upton	Westerman	Zeldin

NOT VOTING—22

Brat	Deutch	Scalise
Bridenstine	Diaz-Balart	Shuster
Costa	Garrett	Tsongas
Crist	Hensarling	Wagner
Cummings	Meadows	Wasserman
Curbelo (FL)	Posey	Schultz
DeGette	Ros-Lehtinen	Webster (FL)
DeSantis	Ross	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1441

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

AMENDMENT NO. 77 OFFERED BY MR. HUNTER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 168, not voting 20, as follows:

[Roll No. 463]

AYES—245

Abraham	Carter (TX)	Faso
Aderholt	Chabot	Ferguson
Aguilar	Cheney	Fitzpatrick
Allen	Clarke (NY)	Fleischmann
Amodei	Coffman	Flores
Arrington	Cohen	Fortenberry
Babin	Cole	Fox
Bacon	Collins (GA)	Franks (AZ)
Banks (IN)	Collins (NY)	Frelinghuysen
Barletta	Comer	Gabbard
Barr	Comstock	Gaetz
Barton	Conaway	Gallagher
Bera	Connolly	Gallego
Bergman	Cook	Gianforte
Beyer	Correa	Gibbs
Biggs	Costello (PA)	Gohmert
Bilirakis	Courtney	Gosar
Bishop (MI)	Cramer	Gottheimer
Bishop (UT)	Crawford	Gowdy
Black	Culberson	Granger
Blackburn	Davis, Rodney	Graves (GA)
Blum	DelBene	Graves (LA)
Bost	Denham	Graves (MO)
Brady (TX)	Dent	Griffith
Brat	DesJarlais	Grothman
Brooks (IN)	Donovan	Guthrie
Brownley (CA)	Duffy	Handel
Buchanan	Duncan (SC)	Harper
Buck	Duncan (TN)	Harris
Bucshon	Dunn	Hartzler
Burgess	Emmer	Hensarling
Byrne	Engel	Herrera Beutler
Calvert	Estes (KS)	Hice, Jody B.
Carter (GA)	Farenthold	Higgins (LA)

Hill
Holding
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McEachin
McHenry
McKinley

McMorris
Rodgers
McNerney
McSally
Meehan
Meeks
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters
Pittenger
Poe (TX)
Poliquin
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Schweikert

NOES—168

Adams
Amash
Barragán
Bass
Beatty
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brooks (AL)
Brown (MD)
Budd
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Conyers
Cooper
Crowley
Cuellar
Davidson
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
Demings
DeSaulnier
Dingell
Doggett

Doyle, Michael
F.
Ellison
Eshoo
Españat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Garamendi
Gomez
Gonzalez (TX)
Goodlatte
Lujan, Ben Ray
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hollingsworth
Hoyer
Huffman
Jackson Lee
Jayapal
Johnson (LA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Labrador
Langevin
Larsen (WA)
Larson (CT)

Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Stefanik
Stewart
Stivers
Suozi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McGovern
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rogers (AL)

Rooney, Francis
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader

Bridenstine
Costa
Crist
Cummings
Curbelo (FL)
DeGette
DeSantis

Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sires
Slaughter
Soto
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko

NOT VOTING—20

Deutch
Diaz-Balart
Garrett
Meadows
Pelosi
Posey
Ros-Lehtinen

Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Knight
Kustoff (TN)
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marshall
Massie
McCarthy
McCaul
McClintock

McHenry
McMorris
Rodgers
McSally
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Ratcliffe
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Rothfus
Rouzer

NOES—240

Adams
Aguilar
Amodei
Barletta
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bucshon
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Dingell
Doggett
Donovan

Doyle, Michael
F.
Duffy
Ellison
Emmer
Engel
Eshoo
Españat
Esty (CT)
Evans
Faso
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gianforte
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Grothman
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Hultgren
Hunter
Jackson Lee
Jayapal
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)

Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stewart
Taylor
Thompson (PA)
Thornberry
Tipton
Trott
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1446

Mr. LAWSON of Florida changed his vote from “aye” to “no.”

Mr. FLEISCHMANN changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 80, AS MODIFIED, OFFERED BY
MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 240, not voting 20, as follows:

[Roll No. 464]

AYES—173

Abraham
Aderholt
Allen
Amash
Arrington
Chabot
Bacon
Cheney
Coffman
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Budd

Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cramer
Crawford
Culberson
Davidson
Dent
DesJarlais
Duncan (SC)
Duncan (TN)
Dunn
Estes (KS)
Farenthold

Ferguson
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling

Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Dingell
Doggett
Donovan

McCollum
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis

Price (NC)	Scott, David	Tiberi	Foster	Lipinski	Roybal-Allard	Meehan	Rogers (KY)	Tenney
Quigley	Serrano	Titus	Frankel (FL)	Loeb	Ruiz	Messer	Rohrabacher	Thompson (PA)
Raskin	Sewell (AL)	Tonko	Fudge	Loftgren	Ruppersberger	Mitchell	Rokita	Thornberry
Reed	Shea-Porter	Torres	Gabbard	Lowenthal	Rush	Moolenaar	Rooney, Francis	Tiberi
Reichert	Sherman	Turner	Gallego	Lowey	Ryan (OH)	Mooney (WV)	Rooney, Thomas	Tipton
Renacci	Shimkus	Upton	Garamendi	Lujan Grisham,	Sánchez	Mullin	J.	Trott
Rice (NY)	Shuster	Valadao	Gomez	M.	Sarbanes	Murphy (PA)	Roskam	Turner
Richmond	Simpson	Vargas	Gonzalez (TX)	Luján, Ben Ray	Schakowsky	Newhouse	Rothfus	Upton
Rosen	Sinema	Veasey	Gottheimer	Lynch	Schiff	Noem	Rouzer	Valadao
Roskam	Sires	Vela	Green, Al	Maloney,	Schneider	Norman	Royce (CA)	Walberg
Roybal-Allard	Slaughter	Velázquez	Green, Gene	Carolyn B.	Schrader	Nunes	Russell	Walden
Ruiz	Smith (NJ)	Visclosky	Grijalva	Maloney, Sean	Scott (VA)	Olson	Rutherford	Walker
Ruppersberger	Smith (WA)	Walden	Gutiérrez	Matsui	Scott, David	Palazzo	Sanford	Walorski
Rush	Soto	Walz	Hanabusa	McCollum	Serrano	Palmer	Schweikert	Walters, Mimi
Ryan (OH)	Speler	Waters, Maxine	Hastings	McEachin	Sewell (AL)	Paulsen	Scott, Austin	Weber (TX)
Sánchez	Stefanik	Watson Coleman	Heck	McGovern	Shea-Porter	Pearce	Sensenbrenner	West
Sarbanes	Stivers	Welch	Higgins (NY)	McNerney	Sherman	Perry	Sessions	Westerman
Schakowsky	Suozzi	Wilson (FL)	Himes	Meeke	Sinema	Peterson	Shimkus	Williams
Schiff	Swalwell (CA)	Yarmuth	Hoyer	Meng	Sires	Pittenger	Shuster	Wilson (SC)
Schneider	Takano	Young (AK)	Huffman	Moore	Slaughter	Poe (TX)	Simpson	Wittman
Schrader	Tenney	Zeldin	Jackson Lee	Moulton	Smith (WA)	Poliquin	Smith (MO)	Wittman
Scott (VA)	Thompson (CA)		Jayapal	Murphy (FL)	Reed	Ratcliffe	Smith (NE)	Womack
Scott, Austin	Thompson (MS)		Jeffries	Nadler	Reich	Smith (NJ)	Smith (TX)	Woodall
			Johnson (GA)	Napolitano	Speier	Smith (TX)	Yoder	
			Johnson, E. B.	Neal	Suozzi	Renacci	Smucker	
			Kaptur	Nolan	Rice (SC)	Stefanik	Stewart	
			Keating	Norcoss	Roby	Stewar	Young (AK)	
			Kelly (IL)	O'Halloran	Roe (TN)	Stivers	Young (IA)	
			Kennedy	O'Rourke	Rogers (AL)	Taylor	Zeldin	
			Khanna	Pallone				
			Kihuen	Panetta				
			Kildee	Pascrell				
			Kilmer	Payne				
			Kind	Perlmutter				
			Krishnamoorthi	Peters				
			Kuster (NH)	Pingree				
			Langevin	Pocan				
			Larsen (WA)	Polis				
			Larson (CT)	Price (NC)				
			Lawrence	Quigley				
			Lee	Raskin				
			Levin	Rice (NY)				
			Lewis (GA)	Richmond				
			Lieu, Ted	Rosen				

NOT VOTING—20

Bridenstine	Deutch	Ross
Costa	Diaz-Balart	Scalise
Crist	Garrett	Tsongas
Cummings	Meadows	Wagner
Curbelo (FL)	Pelosi	Wasserman
DeGette	Posey	Schultz
DeSantis	Ros-Lehtinen	Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1450

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 81 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CASTRO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 230, not voting 20, as follows:

[Roll No. 465]

AYES—183

Adams	Carbajal	Crowley
Aguilar	Cárdenas	Davis (CA)
Barragán	Carson (IN)	Davis, Danny
Bass	Cartwright	DeFazio
Beatty	Castor (FL)	Delaney
Bera	Castro (TX)	DeLauro
Beyer	Chu, Judy	DelBene
Bishop (GA)	Cicilline	Demings
Blumenauer	Clark (MA)	DeSaulnier
Blunt Rochester	Clarke (NY)	Dingell
Bonamici	Clay	Doggett
Boyle, Brendan	Cleaver	Doyle, Michael
F.	Clyburn	F.
Brady (PA)	Cohen	Ellison
Brown (MD)	Connolly	Engel
Brownley (CA)	Conyers	Eshoo
Bustos	Cooper	Espallat
Butterfield	Correa	Esty (CT)
Capuano	Courtney	Evans

NOES—230

Abraham	Davidson	Huizenga
Aderholt	Davis, Rodney	Hultgren
Allen	Denham	Hunter
Amash	Dent	Hurd
Amodei	DesJarlais	Issa
Arrington	Donovan	Jenkins (KS)
Babin	Duffy	Jenkins (WV)
Bacon	Duncan (SC)	Johnson (LA)
Banks (IN)	Duncan (TN)	Johnson (OH)
Barletta	Dunn	Johnson, Sam
Barr	Emmer	Jones
Barton	Estes (KS)	Jordan
Bergman	Farenthold	Joyce (OH)
Biggs	Faso	Katko
Billirakis	Ferguson	Kelly (MS)
Bishop (MI)	Fitzpatrick	Kelly (PA)
Bishop (UT)	Fleischmann	King (IA)
Black	Flores	King (NY)
Blackburn	Fortenberry	Kinzing
Blum	Fox	Knight
Bost	Franks (AZ)	Kustoff (TN)
Brady (TX)	Frelinghuysen	Labrador
Brat	Gaetz	LaHood
Brooks (AL)	Gallagher	LaMalfa
Brooks (IN)	Gianforte	Lamborn
Buchanan	Gibbs	Lance
Buck	Gohmert	Latta
Bucshon	Goodlatte	Lawson (FL)
Budd	Gosar	Lewis (MN)
Burgess	Gowdy	LoBiondo
Byrne	Granger	Long
Calvert	Graves (GA)	Loudermilk
Carter (GA)	Graves (LA)	Love
Carter (TX)	Graves (MO)	Lucas
Chabot	Griffith	Luetkemeyer
Cheney	Grothman	MacArthur
Coffman	Guthrie	Marchant
Cole	Handel	Marino
Collins (GA)	Harper	Marshall
Collins (NY)	Harris	Massie
Comer	Hartzer	Mast
Comstock	Hensarling	McCarthy
Conaway	Herrera Beutler	McCaul
Cook	Hice, Jody B.	McClintock
Costello (PA)	Higgins (LA)	McHenry
Cramer	Hill	McKinley
Crawford	Holding	McMorris
Cuellar	Hollingsworth	Rodgers
Culberson	Hudson	McSally

NOT VOTING—20

Bridenstine	Deutch	Ross
Costa	Diaz-Balart	Scalise
Crist	Garrett	Tsongas
Cummings	Meadows	Wagner
Curbelo (FL)	Pelosi	Wasserman
DeGette	Posey	Schultz
DeSantis	Ros-Lehtinen	Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1454

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 84 OFFERED BY MS. JAYAPAL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 230, not voting 23, as follows:

[Roll No. 466]

AYES—180

Adams	Bustos	Connolly
Aguilar	Butterfield	Conyers
Barragán	Capuano	Cooper
Bass	Carbajal	Correa
Beatty	Cárdenas	Courtney
Bera	Carson (IN)	Crowley
Beyer	Cartwright	Davis (CA)
Bishop (GA)	Castro (TX)	Davis, Danny
Blumenauer	Chu, Judy	DeFazio
Blunt Rochester	Cicilline	Delaney
Bonamici	Clark (MA)	DeLauro
Boyle, Brendan	Clarke (NY)	DelBene
F.	Clay	Demings
Brady (PA)	Cleaver	DeSaulnier
Brown (MD)	Clyburn	Dingell
Brownley (CA)	Cohen	Doggett

Doyle, Michael F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty (CT)
 Evans
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gomez
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)
 Himes
 Hoyer
 Huffman
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 Krishnamoorthi
 Kuster (NH)
 Langevin
 Larsen (WA)

Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Loebsock
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham, M.
 Lujan, Ben Ray
 Lynch
 Maloney, Carolyn B.
 Maloney, Sean
 Matsui
 McCollum
 McEachin
 McGovern
 McNerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Halleran
 O'Rourke
 Pallone
 Panetta
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NOES—230

Abraham
 Aderholt
 Allen
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 Arrington
 Babin
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 Banks (IN)
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 Costello (PA)
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Culberson
 Davidson
 Davis, Rodney
 Denham
 Dent
 DesJarlais
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Estes (KS)
 Farenthold
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Gianforte
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
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 Griffith
 Grothman
 Guthrie
 Handel
 Harper
 Harris
 Hartzler
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding

Hollingsworth
 Hudson
 Huizenga
 Hultgren
 Hunter
 Hurd
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 Jenkins (KS)
 Jenkins (WV)
 Johnson (LA)
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 Johnson, Sam
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 Joyce (OH)
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 Kelly (MS)
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 King (IA)
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 Lewis (MN)
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 MacArthur
 Marchant
 Marino
 Marshall
 Massie
 Mast
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 McCaul
 McClintock
 McHenry

Rice (NY)
 Richmond
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 Ruiz
 Ruybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Stouffer
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)

McKinley
 McMorris
 Rodgers
 McSally
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 Mooney (WV)
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 Poe (TX)
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 Ratchcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)

Bridenstine
 Castor (FL)
 Cole
 Costa
 Crist
 Cummings
 Curbelo (FL)
 DeGette

DeSantis
 Deutch
 Diaz-Balart
 Emmer
 Garrett
 Meadows
 Pelosi
 Posey

Ros-Lehtinen
 Ross
 Scalise
 Tsongas
 Wagner
 Wasserman
 Schultz
 Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1511

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

PERSONAL EXPLANATION

Mr. WEBSTER of Florida. Mr. Chair, due to the impending landfall of Hurricane Irma in Florida, I departed Washington, D.C. to be in my district during this natural disaster.

Had I been present, I would have voted:
 “Nay” on rollcall No. 462.
 “Yea” on rollcall No. 463.
 “Yea” on rollcall No. 464.
 “Nay” on rollcall No. 465.
 “Nay” on rollcall No. 466.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Chairman, pursuant to House Resolution 500, as the designee of Mr. FRELINGHUYSEN, I offer amendments en bloc.

The Acting CHAIR (Mr. BOST). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 90, 93, 100, 102, 103, 104, 105, 108, 109, 111, and 117, printed in part B of House Report 115–295, offered by Mr. ROGERS of Kentucky:

AMENDMENT NO. 90 OFFERED BY MRS. LOWEY OF NEW YORK

Page 858, line 11, after the dollar amount insert the following: “(reduced by \$10,000,000) (increased by \$10,000,000)”.

AMENDMENT NO. 93 OFFERED BY MR. MITCHELL OF MICHIGAN

At the end of division G (before the short title), insert the following:

LIMITATION ON CONFERENCE ATTENDANCE

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to attend the Canadian Water Resources Association's National 2018 Conference, “Our Common Water Future: Building Resilience through Innovation”.

AMENDMENT NO. 100 OFFERED BY MR. VALADAO OF CALIFORNIA

Page 890, line 11, after the dollar amount, insert “(reduced by \$1,500,000) (increased by \$1,500,000)”.

AMENDMENT NO. 102 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 898, line 1, after the first dollar amount, insert “(increased by \$4,545,000)”.

Page 902, line 20, after the dollar amount, insert “(reduced by \$4,545,000)”.

AMENDMENT NO. 103 OFFERED BY MR. FOSTER OF ILLINOIS

Page 899, line 15, after the dollar amount, insert “(reduced by \$10,000,000) (increased by \$10,000,000)”.

AMENDMENT NO. 104 OFFERED BY MR. BUDD OF NORTH CAROLINA

Page 1001, beginning on line 1, after “individuals” insert “, including family members of Palestinians.”.

AMENDMENT NO. 105 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 1056, line 18, insert “except for funds made available for the International Commission against Impunity in Guatemala or the Mission to Support the Fight against Corruption and Impunity in Honduras,” after “and Honduras.”.

AMENDMENT NO. 108 OFFERED BY MR. TROTT OF MICHIGAN

At the end of division G (before the spending reduction account), insert the following:

SEC. _____. None of the funds made available by this division may be used by the Department of State to close or merge the Office of International Religious Freedom.

AMENDMENT NO. 109 OFFERED BY MR. SCHNEIDER OF ILLINOIS

At the end of division G (before the short title), insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to close the Office of the Special Envoy to Monitor and Combat Anti-Semitism of the Department of State or to merge such Office with any other office or entity in the Department of State.

AMENDMENT NO. 111 OFFERED BY MR. TED LIEU OF CALIFORNIA

At the end of division G (before the short title), insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to close the Office of Global Criminal Justice of the Department of State or to merge such Office with any other office or entity in the Department of State.

AMENDMENT NO. 117 OFFERED BY MR. MEEKS OF NEW YORK

At the end of division G (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to reduce the number of fellows in the Charles B. Rangel International Affairs Program, the Thomas R. Pickering Foreign Affairs Fellowship Program, or the Donald M. Payne International Development Fellowship Program below current levels.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman

from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 10 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Chairman, I rise in support of my amendment within the en bloc amendments as a step to protect the Great Lakes.

Ontario Power Generation, a Canadian energy company, has proposed to build an underground nuclear waste facility along the shores of Lake Huron, which borders my district.

Their plan is nothing short of irresponsible. Any failure at this site would have devastating impacts on Michigan and Canada, which rely on the Great Lakes for drinking water, tourism, and commerce.

Canada and OPG have displayed intransigence in the face of the near universal objection of my constituents, and many of the residents of the Great Lakes region. My amendment serves to further highlight to the Canadian Government the gravity of this issue.

□ 1515

The International Joint Commission was developed to resolve binational water disputes between the United States and Canada, yet they have not addressed this critical risk to the Great Lakes. My amendment would prohibit staff from attending or participating in an annual Canadian water resources conference, ironically, titled, "Our Common Water Future."

Prohibiting staff from attending this conference does not substantially relate to the IJC's core mission of protecting shared waters, but it sends an important message to our neighbors in Canada. It is time for the Canadian Government to take our concerns seriously regarding this potential threat to our precious Great Lakes.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. SCHNEIDER), who is a member of the Foreign Affairs Committee.

Mr. SCHNEIDER. Mr. Chairman, I rise in support of my amendment, which is included in this en bloc package.

My amendment would protect the Office of the Special Envoy to monitor and combat anti-Semitism and ensure its continued operation.

Anti-Semitism not only still exists today, but it is on the rise in many places around the world. Just last month, a motorist in France yelled, "Kill the Jew," as he advanced with a knife toward a Jewish male who was wearing a Star of David necklace.

Keeping this office intact, appointing a special envoy, and providing adequate staff is incredibly important as we continue to fight anti-Semitism around the world.

I would like to thank my colleagues for including my amendment in the en bloc package, and I ask them all to join me in voting for it.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Mr. Chairman, I rise today in support of my amendment, which ensures critical funding for ongoing demining projects in Nagorno-Karabakh.

As a result of land mines laid during the Nagorno-Karabakh war, the men, women, and children of the region have lived their lives under the constant threat of crippling injury or death from an exploding mine. Not only have many families in Nagorno-Karabakh lost loved ones as a result of land mine accidents, families have had their entire livelihoods destroyed from economic and societal consequences.

Since 2000, the HALO Trust, an organization dedicated to restoring communities threatened by various weapons of war, has cleared more than approximately 90 percent of the minefields scattered throughout Nagorno-Karabakh. According to the organization, \$8 million will be required to make the region mine-free by 2020. My amendment will help secure \$1.5 million to be used as an important downpayment for this effort.

Mr. Chairman, ensuring families in Nagorno-Karabakh can live without fear of land mine accidents is indisputable, and I urge my colleagues in the House of Representatives to support my amendment.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. TORRES), who is a member of the Foreign Affairs Committee.

Mrs. TORRES. Mr. Chairman, I rise to offer my amendment to this appropriations bill.

This amendment would strengthen the International Commission against Impunity in Guatemala, CICIG, and the Mission to Support the Fight against Corruption and Impunity in Honduras. Specifically, it would exempt both institutions from the conditions that Congress has placed on U.S. assistance to Central America.

I am strongly supportive of conditions on aid to Central America, but the conditions must not interfere with the work of CICIG and MACCIH, which have been valuable allies in the fight against corruption and have helped the people of Honduras and Guatemala work toward a more secure and prosperous future.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment. I do support the en bloc amendment, and I appreciate the chairman's inclusion of amendments from Democratic Members as well.

I am very pleased that the en bloc includes a procedural amendment to allow me to discuss the deportation status of Mr. Jakiw Palij, a former Nazi guard. I had filed an amendment that would have directly addressed the deportation status of Mr. Jakiw Palij, but it was ruled out of order by the Rules Committee.

The U.S. State Department must ensure that justice is served and that Mr. Palij is held accountable for his crimes. He served as a guard at the Nazi Trawniki camp. This camp was the site of untold atrocities, including the death of thousands of blameless victims at the hands of the Nazi regime. Mr. Palij's role at the Trawniki camp served the Nazi regime by trapping men, women, and children in inhumane conditions, where they waited for their untimely deaths.

After the Holocaust, Mr. Palij came to the United States, where he omitted his service at the Nazi camp, and eventually he became a U.S. citizen. When his crimes during the Holocaust came to light, the United States stripped him of his citizenship, but he continues to reside in New York, as Poland, Germany, and Ukraine have each declined to take him.

I believe that it is time for Mr. Palij to be held accountable for his crimes. So, again, I thank the chairman for including this in the en bloc amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Would the Chair advise whether or not amendment No. 103 is included in the en bloc?

The Acting CHAIR. Without objection, the Clerk will redesignate amendments en bloc No. 4.

There was no objection.

The Clerk redesignated amendments en bloc No. 4.

Mr. ROGERS of Kentucky. Mr. Chairman, I urge the adoption of amendments en bloc, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Kentucky (Mr. ROGERS).

The en bloc amendments were agreed to.

AMENDMENT NO. 91 OFFERED BY MR. ROTHFUS

The Acting CHAIR. It is now in order to consider amendment No. 91 printed in part B of House Report 115-295.

Mr. ROTHFUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 861, line 5, after the dollar amount, insert "(decreased by 30,000,000)".

Page 861, line 6, after the dollar amount, insert "(decreased by 30,000,000)".

Page 898, line 9, after the dollar amount, insert "(increased by 30,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman

from Pennsylvania (Mr. ROTHFUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Chairman, I yield myself such time as I may consume.

My submitted amendment, No. 91 to division G, the State and Foreign Ops Appropriations bill, transfers \$30 million to the International Narcotics Control and Law Enforcement account, or INCLE. The proposed \$30 million transfer would allow INCLE funding to remain consistent with 2017 levels.

One notable program that INCLE assists is the Merida Initiative. As we all here know, our Nation is reeling from an out-of-control opioid epidemic. My district in western Pennsylvania, like so many throughout the United States, has been particularly hard hit. According to the DEA, overdoses in Pennsylvania rose by 37 percent last year. Attorney General Sessions recently said that drug overdoses are the top lethal issue in the country today.

Across the border in Mexico, our neighbor is suffering from massive levels of violence and murder, mostly fueled by drug trafficking organizations, and the violence levels are increasing. Mexico's monthly murder rate has now reached a 20-year high.

Mr. Chairman, the Merida Initiative is a partnership between the United States and the Mexican Government that combats drug cartels and organized crime in Mexico. It also helps to strengthen the Mexican justice system by fostering the rule of law and respect for human rights.

Mr. Chairman, the majority of heroin and other narcotics, including fentanyl, smuggled into the U.S. come through Mexico or pass through it. Preventing drugs from ever crossing the border is a crucial step to healing our Nation.

In order to reduce the flow of narcotics coming over the border, we need to do everything we can to help our international law enforcement partners fight drug traffickers in their own country. The United States had previous successes with these types of drug interdiction programs, particularly in Colombia in the 1990s. We can replicate that success in Mexico if we invest in the INCLE and in our foreign law enforcement allies.

Mr. Chairman, I reserve the balance of my time.

Mr. SARBANES. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. SARBANES. Mr. Chairman, whatever priority or alternative use of these funds is being proposed, I can't imagine that it would compete with where this money is being taken away from. The \$30 million that has been

identified would be taken away from the Fulbright Program, which is one of the most effective programs of public diplomacy the United States has ever produced.

Authored by William Fulbright, it has established cultural exchange for decades between the United States and countries around the world and done so much good in terms of projecting American values abroad and inviting people from other countries to come here to the United States to learn about our Nation and what we stand for.

I admit that I am biased. I had the privilege and honor, back in 1984, to go to Greece on a Fulbright scholarship, and I saw firsthand the benefits of that program.

There are 37 current and former heads of state or government and 57 Nobel laureates who are alumni of the Fulbright Program. The various programs of international cultural exchange are a signature of international exchange that we have in this country. It is really the crown jewel of those programs, and to take any money away from the program, I think, is a very serious mistake.

I would also add that investment in the Fulbright Program leverages a tremendous amount of additional resources when you look at what other countries have put into the equation. The program now operates in 165 countries around the world, and 49 of those countries match or exceed the funding that the United States puts into the program.

So, in other words, we have invited countries around the world to step up and partner with us through the Fulbright Program on international exchange. They have taken that invitation seriously, and they have put significant resources behind it, which has kept the program strong even though funding, recently, here in this country has been flat.

If anything, we should be increasing our investment in a program like this at a time when public diplomacy and making sure that people around the world understand who we are and what we stand for should be a number one priority.

I urge my colleagues, Mr. Chairman, to reject this amendment. I think it is a mistake. There are 1,300 U.S. colleges and universities, half of which are public and more than 125 of which are minority serving, that now benefit from hosting Fulbright scholars here in the United States.

Mr. Chairman, I urge opposition to this amendment, and I reserve the balance of my time.

Mr. ROTHFUS. Mr. Chairman, this amendment should not be viewed as any criticism of the merits of the Fulbright Program. I don't have any. But we are talking about prioritization. The INCLE program has been cut by \$36 million.

□ 1530

We are in the throes of a catastrophic opioid epidemic in this country, and Mexico is suffering from untold violence. The headlines tell the story:

"Mexico's bloody drug war is killing more people than ever." *LA Times*, July 22, 2017.

"26 people killed in northern Mexico gunfight as drug cartel violence continues to rise." *LA Times*, July 5, 2017.

"Mexico City has mostly been spared from grisly drug violence. Now that may be changing." *The Washington Post*, July 26, 2017.

"U.S. warns of rise in drug cartel violence in Chihuahua." *El Paso Times*, July 7, 2017.

"Acapulco is now Mexico's Murder Capital." *The Washington Post*, August 24, 2017.

"The Deadliest Assignment: Reporting in Mexico." *CBS News*, August 21, 2017.

"Gunmen Kill Prominent Mexican Journalist Who Covered Drug Cartel." *The New York Times*, May 15, 2017.

"Another journalist has been gunned down in Mexico—the eighth killed this year." *LA Times*, July 31, 2017.

"A Mexican reporter was in a program to protect journalists. He was still killed." *LA Times*, August 23, 2017. He was the 10th journalist killed this year.

Then, there are the headlines in my district:

"Cambria County coroner again 'sounding the alarm' as OD deaths accelerate." *Johnstown Tribune Democrat*, February 14, 2017.

"A young couple died of overdose, police say. Their baby died of starvation days later." *The Washington Post*, December 25, 2016.

"Beaver County overdose deaths still on the rise in 2017." *Beaver County Times*, May 25, 2017.

"Allegheny County drug overdose deaths surge to 613 in 2016, breaking record." *Pittsburgh Post-Gazette*, April 6, 2017.

"Heroin overdose of 11-year-old Pittsburgh girl not a sign of childhood epidemic, experts says." *TribLive*, May 5, 2017.

"Mother grieves for son, asks God to 'damn heroin.'" *Johnstown Tribune Democrat*, March 5, 2016.

Mr. Chairman, we have budget constraints. We need to be putting the resources where the problem is. We have an opioid epidemic in this country. We have violence in Latin America. The funds that I seek to move into INCLE will help to stem these crises.

Mr. Chairman, I reserve the balance of my time.

Mr. SARBANES. Mr. Chairman, I certainly don't quarrel with the concerns and priorities that my colleague has set forth. Let's find resources to address those issues, but let's not take them from a proven valuable program like the Fulbright Program.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I appreciate my colleague's effort to boost funding for a successful assistance program such as the Merida Initiative. The flow of drugs into the United States is a serious concern and more emphasis should be put on both the demand and supply side of the issue. However, I cannot support an amendment to take from another very successful program such as the Fulbright Program.

The Fulbright Program is our flagship public diplomacy program. It has run for over 70 years and boasts more than 370,000 alumni that are now in leadership positions and have a positive connection with the United States. These alumni include 37 current or former heads of state, 57 Nobel Laureates, 82 Pulitzer Prize winners, 29 MacArthur Fellows Foundation, 16 Presidential Medal of Freedom recipients, and thousands of leaders across private, public, and non-private sectors.

There are 1,300 U.S. institutions that actively participate in the Fulbright Program, either receiving or sending students to become global citizens, a requirement in today's interconnected economy.

In our challenging times, Mr. Chairman, we cannot hinder such an effective diplomatic tool as the Fulbright Program.

Mr. SARBANES. Mr. Chairman, I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, again, this amendment is not meant to bring a detraction to the Fulbright Program. Even with the amendment, the Fulbright Program will be funded at more than \$200 million to support the initiatives that the opponents to the amendment would cite.

Again, I talk about priorities. I talk about the grips of the crisis that we are seeing in this country and our neighbor to the south, Mexico. We need to be working together to address this problem. Programs like the Merida Initiative are key to solving both the crisis in Mexico and the crisis here in the United States.

Mr. Chairman, I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 92 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 92 printed in part B of House Report 115-295.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 864, line 17, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 898, line 9, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Georgia (Mr. AUSTIN SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, this amendment would increase the appropriations for the Western Hemisphere regional security cooperation account by \$10 million and reduce the appropriation for contributions to the international organizations account by \$10 million.

These funds will be appropriated to the International Narcotics and Law Enforcement Affairs account and are available for 2 years. Thus, the State Department would have to obligate the funds within that timeframe.

Mr. Chairman, we lose between 4,000 and 5,000 of our fellow Americans to drug overdoses every month. This amendment reallocates \$10 million to the International Narcotics and Law Enforcement Affairs account at the State Department. This will provide additional resources to combat the dangerous and illegal actions of transnational criminal organizations by supporting the efforts of the Government of Colombia in enhancing regional security capabilities to provide training and technical assistance to partners in Central and South America.

Over the years, Colombia has made continuous progress in abating narcotics trafficking through various eradication operations and law enforcement efforts. Between 2009 and 2013, Colombia trained more than 22,000 military and law enforcement officers from Central America and the Caribbean countries in security operations and human and drug trafficking interdiction.

By increasing funding for training and assistance activities conducted by Colombian police and military forces, we enable Colombia to train even more regional police forces to function independently.

As it is here in the U.S., local law enforcement serves as the foundation for interdiction and counter-drug operations in Central American and Caribbean countries. Our strategic partner-

ship with Colombia is aimed at producing both short- and long-term results in regional security.

Over time, Colombian training and expertise provided to underdeveloped regional police forces will decrease reliance on U.S. funding. Part of this progress includes the development of Colombia's rural police force, where a vast majority of narcotics are grown, produced, and prepped for export to the United States.

Just a few months ago, I had the opportunity to visit the Joint Interagency Task Force South and SOUTHCOM's headquarters in Florida to hear and see firsthand the challenges that migrant and drug interdiction within the Caribbean region pose on homeland and national security.

I can tell you that it was an eye-opening experience, and I appreciate even more the work our Federal and local enforcement agencies are doing in interdiction and intervention.

When it comes to stemming the flow of narcotics to the United States, a big part of overcoming the challenges we face is ensuring that our strategic partners have the support they need to continue their efforts to tackle these threats head-on.

We must continue to support these efforts. They play a critical role in not only reducing the drug flow over our borders, but promoting stability and peace throughout Central and South America.

It is no secret that the United States faces a drug epidemic that touches all corners of our Nation. This amendment is just one more contribution to a multieffort, multinational approach to all law enforcement personnel involved in these efforts, as well as our allies in the region. I thank them for the important work they do in reducing the flow of drugs into the United States.

Mr. Chairman, I encourage adoption of the amendment, and I reserve the balance of my time.

Mr. ENGEL. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. Mr. Chairman, this amendment, unfortunately, would harm American leadership on the global stage, cutting our investment in the international organizations account by \$10 million.

Mr. Chairman, this bill already underfunds diplomacy and development when we should be investing more in these critical components of our national security. Cutting resources for our work in international organizations would take us further in the wrong direction.

Just so we are clear about which international organizations we are talking about, they are NATO, the World Health Organization, and the International Atomic Energy Agency.

Do we really want to damage the effectiveness of these organizations and our ability to lead from within them?

Congress just passed critical sanctions on Russia. NATO is the main organization defending Europe against Vladimir Putin's aggression. But instead of bolstering the NATO alliance, this amendment would only reinforce the reluctance to support the North Atlantic Alliance by some in the administration. This should worry lawmakers on both sides of the aisle as well as Americans at home following the debate.

How about the World Health Organization? The last time I looked, the World Health Organization was fighting the Zika and Ebola outbreaks. Do we now want to slash its funding and undermine its role of responding to the next major pandemic? I can assure you that the diseases we don't combat abroad today eventually will reach our shores.

North Korea is threatening the globe with nuclear weapons. Iran remains not far behind. So I cannot fathom why we would want to cut funding for the IAEA, given its crucial role in monitoring nuclear safety around the world.

Of course, this amendment would also reduce our support for the U.N. regular budget. Withholding this funding could cause the United States to fall behind at the U.N., further diminishing our standing in the world, calling into question our commitment as a global leader, and ceding ground to Vladimir Putin and others who are happy to expand their reach but who do not share our values.

In fact, even a senior administration official, our own Ambassador to the United Nations, Nikki Haley, has said on many occasions that while she supports efforts to reform the U.N., she does not support a "slash and burn" approach.

This amendment, unfortunately, is a "slash and burn" approach, Mr. Chairman, and I urge my colleagues to join me in opposing it.

Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), my esteemed colleague who is the ranking member of the Appropriations Committee and a fellow New Yorker.

Mrs. LOWEY. Mr. Chairman, I rise in strong opposition to this amendment.

I agree with the gentleman's sentiments to put greater emphasis and engagement with our Southern neighbors.

The United States can and should be very involved with the issues in our own backyard, especially those involving crime and drug smuggling. However, to fund this increased engagement, this amendment takes a further cut from the contributions to the international organizations account, which funds our assessed contributions to the U.N. and other international

bodies. This account is already \$188 million below our current enacted level and will put us in further arrears to our international partners.

I also think it is important to note that the offset proposed by the gentleman's amount would also come at the expense of our support to regional partners, such as the Organization of American States, the Pan American Health Organization, and the Inter-American Institute for Cooperation on Agriculture.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. ENGEL. Mr. Chairman, I think the gentleman is trying to put money in place for something with which I agree. It is not that I disagree with it, but I disagree with where he is taking the money from. I think that is the problem with it.

Hopefully, we can, when it comes time for a final budget, include both of these. But to borrow from Peter to pay Paul, I think is not a good idea.

Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would just reiterate that it removes less than 1 percent of the account. So 99 percent of the account remains in place.

It will help reduce the flow of drugs into the United States. We will lose between 4,000 and 5,000 Americans not next year, but next month.

Mr. Chairman, I yield the balance of my time to the gentleman from Kentucky (Mr. ROGERS).

□ 1545

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman has offered, I think, a reasonably good amendment, and we would like to see it adopted, so I urge an "aye" vote.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. LOWEY. Mr. Chair, there is bipartisan consensus that our foreign assistance should be as effective and efficient as possible. That is why I am deeply concerned that several amend-

ments offered by myself and my colleagues to address the destructive policies facing women's health were blocked from consideration on this bill.

We know the disastrous effects of the global gag rule, which force reproductive health providers to choose between receiving U.S. funds or providing comprehensive healthcare. But this bill would exponentially increase the damage of the global gag rule by expanding its application to all global health assistance.

It is unconscionable to insert abortion politics into lifesaving programs that prevent pandemics, lower rates of maternal and child deaths, and treat those suffering from malnutrition, HIV, AIDS, and malaria.

Since May, organizations have been trying to ensure compliance with unclear guidance. Most do not yet know the impact on their programs or whether they will be able to find new partners in hard-to-serve areas.

Expanding this policy without knowing the impact is senseless and will jeopardize lives. The bill also prohibits funding for UNFPA, a primary U.S. partner ensuring women fleeing violence have safe maternal care.

The United States neither can nor should conduct programs in every country. We currently conduct bilateral family planning programs in 34 countries. By contributing to UNFPA, we can help women in nearly 100 additional countries get access to needed services.

This bill ignores the fact that family planning is the most effective way to prevent abortion and unwanted pregnancies, and it decimates the effectiveness of our global programs for millions.

Mr. Chairman, I yield to the gentlewoman from California (Ms. LEE), my colleague on the State, Foreign Operations Subcommittee who has been an effective, aggressive advocate on a whole range of issues and an invaluable member of our committee.

Ms. LEE. Mr. Chairman, I want to thank our ranking member for yielding, but also I just want to thank her for her tireless leadership on our subcommittee and full committee. You truly are a champion for all Americans, especially women and girls not only in our own country but all around the world. So it is really too bad we have to stand here and even debate this again, but thank you again for your leadership.

I am proud to speak in support of our ranking member's amendment to strike two poison pill riders in this bill.

Now, my colleagues and I have offered amendments to strike these ideological—that is what they are—provisions both in the full Appropriations Committee and again during the Rules Committee. It is outrageous, quite frankly, that the majority refuse to allow these amendments to even come to the floor for a debate.

Now, I have fought long and hard against the global gag rule, which denies family planning funding to organizations who want to help women plan their families. We have been fighting this now for at least, myself, two decades.

This cruel policy is really a political football putting lives at risk just to score a few cheap political points. President Trump and this Republican majority have taken this extreme policy to the limits, expanded it to all global health funding.

Let me be clear. This policy will cost lives. This administration's actions have consequences, and, sadly, it is the most vulnerable women and girls who will pay the price. The expanded global gag rule also undermines our longstanding bipartisan foreign aid priorities like fighting gender-based violence and ending AIDS.

On top of that, this bill includes a prohibition of funding for UNFPA, again, based on pure ideology. UNFPA works in some of the most dangerous places, giving care to those who need it the most. They treat victims of sexual violence and provide menstrual hygiene services and maternity care in humanitarian crisis settings.

I visited many times UNFPA projects all around the world, and I have seen firsthand the tremendous impacts these programs have on the lives of those they serve. Defunding these programs truly will kill women.

I urge my colleagues to reject these harmful riders, reject this bill, and get back to regular order. It is time to stop trying to push through these really untenable bills that really are very dangerous to women and girls throughout the world and babies.

Mrs. LOWEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. LAMBORN) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate concur in the House amendment to the Senate amendment numbered 6 to the bill (H.R. 601) "An Act to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.", with an amendment.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The Committee resumed its sitting.

AMENDMENT NO. 94 OFFERED BY MR. BUCK

The Acting CHAIR (Mr. BOST). It is now in order to consider amendment No. 94 printed in part B of House Report 115-295.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 874, line 1, after the dollar amount, insert "(reduced by \$35,300,000)".

Page 1140, line 23, after the dollar amount, insert "(increased by \$35,300,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, I rise for the opportunity to speak about my amendment to the State and Foreign Operations division of H.R. 3354.

Mr. Chairman, we are facing some tough choices. Our Nation is nearly \$20 trillion in debt. We are going to debate lifting the debt ceiling in the coming days. Simply put, we cannot afford to continue recklessly spending on duplicative and wasteful programs.

The United States Institute of Peace is a perfect example of a duplicative program that must be reexamined. The Institute's charter states that the organization was established to promote international peace and the resolution of conflict among the nations and peoples of the world without recourse to violence.

These are laudable and worthy goals, but it sounds a lot like the mission statement of another taxpayer-backed diplomatic organization, the United States Department of State.

The State Department's operational mission is to create a more secure, democratic, and prosperous world for the benefit of the American people and the international community. Why is Congress funding an independent think tank that supports the same mission as another Federal Government agency?

The U.S. Institute of Peace is far from the only organization on the ground working to foster peace across the globe. Since its inception, the U.S. Institute of Peace has awarded thousands of grants to other peace organizations. There are also more than 150 colleges and universities offering peace studies programs across the United States.

Why are we earmarking an additional \$35.3 million in public funds to support a think tank that duplicates the State Department's mission, uses its public funds to support other peace-promoting

organizations, and can raise millions of dollars in private funds to promote its own work?

For this reason, Members on both sides of the aisle have supported ending this program. In fact, this same amendment was offered by a Democratic member from New York to an appropriations bill in 2011. The amendment passed with a strong bipartisan vote.

The White House recently proposed eliminating Federal funding to the Institute noting that it duplicates not only other Federal programs but also nonprofit and private sector organizations.

In addition to the duplicative nature of its work, the Institute's authorization has expired. The underlying funding contained in the bill is not even allowed under House rules.

The authorization process is vital to ensuring that the American taxpayer is protected from waste. At the very least, we should withhold funding until the Institute is reauthorized.

Our kids and grandkids are relying on us to find a solution to this problem rather than continuing to dig the hole deeper. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Chairman, each and every one of us has a moral obligation to challenge ourselves to make this little piece of real estate that we call Earth better for generations yet unborn.

USIP does good and great work by teaching people around the world to strive to create a society at peace with itself and its neighbors.

We spend millions and billions of dollars on guns, bombs, and missiles. Can we spend just a few pennies, a few dimes, a few dollars on peace?

This world, this planet is, not ours to hoard, waste, and destroy. Mr. Chairman, I ask you: What is wrong with supporting the way of peace, the way of love, the way of nonviolence? What is wrong with teaching communities to respect the dignity and the worth of every human being? What is wrong with preventing conflict and keeping our military personnel safe and out of harm's way?

Mr. Chairman, on the question of preventing war and on the challenge of keeping peace, there should be no price tag, but USIP does good and great work on a shoestring budget. It is a small agency which teaches the way of peace, the way of love. Their small staff help communities solve problems through dialogue rather than weapons.

Mr. Chairman, this is not the first time that we consider an amendment to abolish the U.S. Institute of Peace,

but I hope this will be the last. I urge each and every one of my colleagues to vote against this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BUCK. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Chairman, first I want to thank the gentleman from Colorado for the amendment and the committee for the opportunity. The U.S. Institute of Peace is intended to be a nonpartisan independent national institute funded by Congress, and I question both the nonpartisan nature of the Institute and the need, quite honestly, for the Federal Government to fund it now, at least \$1 billion over these many years at \$35 million a year, and, as the gentleman from Colorado said, in a duplicative effort.

Nobody is against peace and nobody is against love. The question is: Do we need a State Department doing it at the cost of billions of dollars and then this other organization doing the exact same work at a cost of another \$35 million annually when we are \$20 trillion in debt and more, maybe up to \$200 trillion in unfunded liabilities? And then to add insult to injury, regarding the nonpartisan independent nature that the taxpayers are forced to fund, on January 5th of 2016, on an episode of C-SPAN, Manal Omar, the acting vice president for the Middle East and Africa Center conducted a highly divisive, partisan attack on then-leading Republican primary candidate Donald Trump and the Republican party as a whole.

Some of her more egregious statements include: "What Trump is doing is inciting violence, make no mistake about it. He has blood on his hands." And "Trump and other Republican rhetoric have validated that type of violence against Muslims. It has given them an excuse to actually turn the negative rhetoric into violence."

□ 1600

Her comments followed the violent attacks in San Bernardino and Paris.

To my knowledge, no punitive action was taken against Ms. Omar, and she continues to serve as the associate vice president for the Middle East and Africa Center at USIP.

I wrote the Institute a letter in that regard inquiring as to her status, whether there would be punitive measures taken for this obvious partisan and vicious attack on the Republican Party and the candidate that was then leading, and, of course, I didn't hear back until, oh, I don't know, 2 days ago, when we saw that there was an amendment to defund the U.S. Institute of Peace.

Again, Mr. Chairman, to add insult to injury, this place spends \$35 million, including telling the American people what they should think about their

politicians. That is not their mission, that is not what we are paying for, and that is why we should stop paying for it.

The Acting CHAIR. The Chair would remind Members that remarks in debate may not engage in personalities toward the President, including by repeating remarks carried elsewhere that would be improper if spoken in the Member's own words.

Mr. LEWIS of Georgia. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Kentucky (Mr. ROGERS), the chairman of the State, Foreign Operations Subcommittee.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in respectful disagreement with my colleague who offered this amendment.

The United States Institute of Peace works to help prevent, reduce, and resolve violent conflicts abroad. The Institute works alongside our military, our diplomats, and development experts in some of the most conflict-affected and fragile environments, including Iraq, Afghanistan, Tunisia, South Sudan, and Ukraine. Eliminating the U.S. Institute of Peace would hamper our efforts to stabilize these areas and to prevent further outbreaks of conflict.

The Institute also works with local leaders and other partners to find solutions to religious freedom and to mitigate the rise of extremism and persecution.

Let me point out, too, that the staffer the gentleman just mentioned in his remarks is no longer with the Institute. She is gone.

Mr. Chairman, I urge a "no" vote on this amendment.

Mr. LEWIS of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Ms. GRANGER), a member of the Appropriations Committee.

Ms. GRANGER. Mr. Chairman, today I rise in strong opposition to this amendment.

As a former chairwoman of the State, Foreign Operations Subcommittee, I worked very closely with the U.S. Institute of Peace. From firsthand experience, I can tell you how important their mission is. They send staff to some of the most volatile areas of the world to promote peace.

For instance, in Afghanistan, the Institute facilitated peaceful elections in 2014, despite Taliban calls for violence.

Also, in 2015, the Institute facilitated a local Sunni and Shia agreement in Iraq that averted bloodshed and let 380,000 internationally displaced people return home.

Let's not forget that it was under President Ronald Reagan that the Institute of Peace was created.

Funding the Institute of Peace is an important investment. It is for these reasons that I strongly urge my colleagues to vote against this amendment.

Mr. LEWIS of Georgia. Mr. Chairman, how much time do I have remaining.

The Acting CHAIR (Mr. ROTHFUS). The gentleman has 1 minute remaining.

Mr. LEWIS of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), a member of the Foreign Affairs Committee.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, the U.S. Institute of Peace gives people in conflict abroad the skills and techniques to solve their conflicts without resorting to violence.

The Institute owes its creation to the many men and women who came before us and worked hard in its creation during the Reagan administration. One of the early founders and board members at the start was Father Ted Hesburgh, who many in this body knew as the president of the University of Notre Dame. Father Ted, as we all called him, sadly, passed away in 2015.

Back in 2011, when the Institute was similarly threatened, he wrote this: "... That Congress would seek to eliminate funding for the United States Institute of Peace is abhorrent and unthinkable."

"... As a man of faith and reason, I know that we need to balance our budget. But I also know that you cannot balance a budget on the backs of our men and women in uniform. Nor can we take the risk of making our country less safe. We need the tools of diplomacy and peacebuilding to stop international conflict before it starts and to manage its aftermath."

Mr. Chairman, I include in the RECORD an op-ed Father Hesburgh wrote, dated February 27, 2011.

[From the Washington Post, Feb. 27, 2011]

THE U.S. CAN'T TURN ITS BACK ON PEACE

(By Ted Hesburgh)

Some would say that by the time you have lived almost a century, you have seen it all. But what I saw the House of Representatives do with its continuing resolution is beyond the pale. That Congress would seek to eliminate funding for the United States Institute of Peace is abhorrent and unthinkable.

Congress should know better: The last century marked the most violent and destructive era in human history. Wars great and small cut short the lives of more than 100 million people. We learned a great deal from those wars and, fortunately, we now have a vibrant and active field of peacebuilding. As recent events have shown, there is hopeful progress for peaceful management of conflict but more violence is certain to come in a world where disputes are fueled by religious intolerance, ethnic divisions, failing states, terrorism, intractable territorial conflicts and the uncontrolled proliferation of highly destructive weaponry. The young field of international conflict management is just beginning to bear fruit.

Now is not the time, in the face of global adversity, to cut peace. The United States must be a leader in nonviolent international management. This conflict-ridden world needs an organization committed to peace-making: one that can deploy teams of specialists to conflict zones; create and implement methods of resolving disputes before

guns are drawn; and train leaders who can mediate conflicts and make civil societies work. That is why Congress created the U.S. Institute of Peace in 1984. President Ronald Reagan's wise investment continues to pay dividends in the training and education of peacemakers, facilitators, trainers and other experts.

As a man of faith and reason, I know that we need to balance our budget. But I also know that you cannot balance a budget on the backs of our men and women in uniform. Nor can we take the risk of making our nation less safe. We need the tools of diplomacy and peacebuilding to stop international conflict before it starts and to manage its aftermath. We have wonderful institutions in the State Department and the Pentagon but they alone cannot deal with every foreign affairs issue. There are times when you need nongovernmental organizations, legislative agencies and the help of those who have relationships on the ground in conflict zones to run interference or to pave the way for officials. We must never suffer from pride and hubris, thinking that only Washington has the answers.

All the global conflicts raging around us may have seemed of little consequence to earlier generations. In the new century, however, even small conflicts risk growing to a scale that can destroy lives and economies around the world. In the U.S. Institute of Peace we have an organization that understands the sources of violence as well as the tools to prevent international conflict.

If the United States is serious about peace-making, its citizens and national leaders must defend the institutions that are doing the hard work of transitioning societies from war to peace. The U.S. Institute for Peace should have a permanent home in the nation's capital from which to teach, inspire and prepare current and future generations of peacemakers—and to be a symbol of America's commitment to reducing violent international conflict in the 21st century.

We must, as a nation, show courage, steadiness of purpose and commitment to core principles. We cannot afford the alternatives.

Mr. LEWIS of Georgia. Mr. Chairman, I include in the RECORD a letter from many of our colleagues supporting the U.S. Institute of Peace.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 27, 2017.

Hon. HAL ROGERS,
Chair, Subcommittee on State, Foreign Operations and Related Programs, House Committee on Appropriations, Washington, DC.

Hon. NITA LOWEY,
Ranking Member, Subcommittee on State, Foreign Operations, and Related Programs, House Committee on Appropriations, Washington, DC.

DEAR CHAIRMAN ROGERS AND RANKING MEMBER LOWEY: We write in strong support of the valuable contribution made by United States Institute of Peace (USIP) to our country's strategic interests abroad and encourage you to support \$37,884,000 to USIP for fiscal year 2018. This is the same level requested by USIP in FY 2017.

Founded by Congress in 1984, USIP applies cost-effective, practical solutions in conflict zones around the world with the mission of preventing, mitigating and resolving violent conflict. USIP's work is grounded in its commitment to education and training while honing best practices in challenging environments.

For example, in Iraq USIP has brokered peace agreements in Tikrit and Kirkuk

among tribal leaders in areas liberated from ISIS. After ISIS' 2014 massacre of as many as 1,700 Shia military personnel at former Camp Speicher near the city of Tikrit, USIP and its grassroots Iraqi partners facilitated dialogues among local tribal and religious leaders resulting in an inter-tribal agreement that formed the critical basis for the return by mid-2016 of more than 360,000 displaced residents.

At a time when current estimates place the cost of violent conflict globally at more than \$13 trillion, USIP serves as an important element of the national security toolbox. The U.S. government must have a full range of options for preventing and resolving violent international conflicts. It is critically important that Congress continue to support USIP and its proven, successful record of reducing conflict while advancing U.S. interests.

We believe you share our understanding that USIP's work helps reduce the impact of violent conflict in places where American security interest are top priorities. As always, we appreciate your previous support for USIP, and we look forward to working with you during the FY 2018 appropriations process.

Sincerely,

John Lewis, Joseph Crowley, Eliot L. Engel, G.K. Butterfield, Alcee L. Hastings, Lucille Roybal-Allard, Joe Courtney, Janice D. Schakowsky, Albio Sires, Timothy J. Walz, Doris O. Matsui, Peter Welch, Sanford D. Bishop, Jr., Bobby L. Rush, Al Lawson, Jr., Seth Moulton, Keith Ellison.

James P. McGovern, Denny Heck, Joseph P. Kennedy III, Pramila Jayapal, Jamie Raskin, Elizabeth H. Esty, Alma S. Adams, Mark DeSaulnier, Donald M. Payne, Jr., Earl Blumenauer, Donald S. Beyer, Jr., Scott H. Peters, Brendan F. Boyle, Sander M. Levin, Michael E. Capuano, Bill Foster, Mark Pocan, Susan A. Davis.

Raúl M. Grijalva, Nanette Diaz Barragán, Tony Cardenas, Bradley Scott Schneider, Anthony G. Brown, Bonnie Watson Coleman, Juan Vargas, Norma J. Torres, Jared Polis, Stephanie N. Murphy, Sean Patrick Maloney, Julia Brownley, Jerrold Nadler, Diana DeGette, Eleanor Holmes Norton, Peter A. DeFazio, Elijah E. Cummings, Danny K. Davis, Henry C. "Hank" Johnson.

Gerald E. Conolly, Ben Ray Lujan, Barbara Lee, Gwen Moore, Adam Smith, Steve Cohen, Paul Tonko, Eddie Bernice Johnson, Judy Chu, John Conyers, Jr., John Garamendi, William R. Keating, Coleen Hanabusa, Adam B. Schiff.

Mr. LEWIS of Georgia. Mr. Chairman, I urge all Members in this body to vote for peace and to oppose this amendment, and I yield back the balance of my time.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. LOWEY. Mr. Chairman, the comments of a single individual should not be an excuse to eliminate funding for an entire institution. My understanding is that individual has already offered her resignation.

The United States Institute of Peace is one of the best tools the United

States has to bring people together—government officials, civil society practitioners, and defense experts—to creatively solve problems that are some of the world's thorniest issues. Congress created USIP for this purpose in 1983.

USIP applies practical solutions directly in conflict zones and provides analysis, education, and resources to those working for peace. USIP has specialized teams of mediators, trainers, and others in some of the world's most dangerous places, including Iraq and Afghanistan, equipping others with the skills necessary to prevent or resolve their own violent conflicts before they threaten the United States.

In 2015, USIP facilitated a local Sunni-Shia accord and decree that averted bloodshed and let 380,000 internally displaced persons return home.

In Burma, they trained civic leaders, government officials, and police to help achieve a peaceful 2015 election for a more democratic government during a delicate transition from autocratic rule to democracy.

USIP works on the ground with local partners on the root causes of conflict that all too frequently result in America's military gains of diplomatic and development investments going to peace.

Mr. Chairman, I am pleased to yield to the gentleman from New York (Mr. ENGEL), the ranking member of the Foreign Affairs Committee.

Mr. ENGEL. Mr. Chairman, I thank my friend for yielding to me.

Mr. Chairman, I rise in strong opposition to this amendment. To completely eliminate funding for the United States Institute of Peace would be a serious mistake.

Let me thank Mrs. LOWEY for the wonderful work she is doing here and JOHN LEWIS for his leadership. JOHN is an American hero. I think we should listen to what JOHN has to say.

For anyone who doesn't know what the USIP does, it saves lives, lives of U.S. servicemembers, military personnel, and civilians around the world.

The United States Institute of Peace stops conflicts before they start and works to defuse crises. The Institute provides conflict resolution teams and skills that are vital to our diplomats and our military forces serving in conflict zones abroad. They are often quiet successes, rarely grabbing headlines. After all, a war that doesn't happen won't draw near the attention of a raging conflict.

Military leaders agree. On September 1, a distinguished group of retired three- and four-star flag officers who have served our country valiantly during some of its most challenging conflicts wrote to Speaker RYAN and Leader PELOSI expressing deep concerns about efforts here in the House to eliminate funding for USIP.

Mr. Chairman, I include in the RECORD the letter.

SEPTEMBER 1, 2017.

Hon. PAUL RYAN,
Speaker of the House,
House of Representatives.
 Hon. NANCY PELOSI,
Minority Leader,
House of Representatives.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: As retired three and four star flag officers who have served our country during some of its most challenging conflicts, from Vietnam to Iraq and Afghanistan, we are writing to express our deep concern over proposed amendments to the current FY 2018 appropriations bill now before the House of Representatives that would eliminate funding for the U.S. Institute of Peace.

We serve on the Institute's Senior Military Advisory Group which, in addition to advising USIP's leadership on current and future conflicts, also guides Institute efforts to partner effectively with our military in conflict zones. USIP has a long and robust record of working closely with its federal partners—including the Department of Defense—to focus on national security priority areas where it brings distinctive capabilities to bear.

USIP works on the ground with local partners on the root causes of conflict that all too frequently result in America's military gains or diplomatic and development investments going to waste. For example, in Iraq, Afghanistan, Pakistan, Tunisia, Nigeria, and across the Sahel in Africa, USIP engages at a local level to thwart ISIS' ability to recruit and destabilize America's most important allies in the struggle against extremism. USIP's high impact approach gives people the tools to help solve their own problems so America is not drawn into these conflicts.

No other agency provides these services, and USIP's approach is highly cost effective. In Mahmoudiya, Iraq, for example—a region so violent it was known as the "Triangle of Death"—USIP partnered with the Army's 10th Mountain Division in 2007 to forge a tribal accord that halted attacks on U.S. and Iraqi forces and drastically reduced casualties. The Army was able to withdraw more than 2,800 troops—80 percent of its deployment in the region—thus saving more than \$150 million per month. That initiative cost USIP approximately \$1 million. A decade later, despite pressure from ISIS, Mahmoudiya remains relatively calm, largely on the basis of that peace accord.

As citizens and former soldiers, we believe deeply in the mission of the U.S. Institute of Peace as an essential element of our national security architecture. Please ensure that it remains fully funded and capable of continuing its critical work to further U.S. interests and save lives in the world's most challenging conflict zones.

Sincerely,

General GEORGE W. CASEY,
 Jr., USA (Ret.),
Chief of Staff of the
United States Army
 ('07-'11).

Ambassador KARL W.
 EIKENBERRY, LT General,
 USA (Ret.),
U.S. Ambassador to
Afghanistan ('09-'11), *Deputy Chair-*
man, NATO Military
Committee ('07-'09),
Commander, Com-
ined Forces Com-
mand-Afghanistan
 ('05-'07).

General CARTER HAM, USA

(Ret.),
Commander, U.S. Afri-
ca Command ('11-'13), *Commander,*
U.S. Army, Europe
 ('08-'11).

Ambassador DOUGLAS
 LUTE, LT General, USA
 (Ret.),
United States Perma-
nent Representative
to NATO ('13-'17),
National Security
Council, The White
House ('07-'10).

General GREGORY S.
 MARTIN, USAF (Ret.),
Commander, Air Mate-
rial Command ('03-'05), *Commander,*
U.S. Air Forces in
Europe ('00-'03).

General RAYMOND T.
 ODIERNO, USA (Ret.),
Chief of Staff of the
United States Army
 ('11-'15), *Com-*
mander, United
States Joint Forces
Command ('10-'11),
Commander, United
States Forces-Iraqi
Operation ('10).

General CHARLES F. WALD,
 USAF (RET.),
Deputy Commander,
U.S. European Com-
mand ('02-'06).

Mr. ENGEL. Mr. Chairman, USIP is neither a Republican nor a Democratic institution. The Institution was created in 1984 by bipartisan legislation signed into law by President Reagan. Since then, USIP has saved the United States billions of dollars by investing in peace. Let me share just one short example of the incredible work that USIP has done.

After 52 years of war and more than a quarter million lives lost, Colombia's armed conflict ended with the signing of a peace agreement last year in Cartagena. The peace agreement was reached, in no small part, thanks to the incredible work of the United States Institute of Peace and its chief of operations in Colombia, Ginny Bouvier. Under her leadership, USIP trained female mediators, religious organizations, Afro-Colombian leaders, and many others in methods to support peaceful resolution of conflict.

Ginny recently passed away, far too young, at the age of 58, but I would like to believe that her legacy of peacebuilding in Colombia can live on through continued congressional support for USIP.

Mr. Chairman, I urge my colleagues to join me in rejecting this harmful amendment.

Mrs. LOWEY. Mr. Chairman, I yield back the balance of my time.

Mr. BUCK. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was rejected.

AMENDMENT NO. 95 OFFERED BY MR. ENGEL

The Acting CHAIR. It is now in order to consider amendment No. 95 printed in part B of House Report 115-295.

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 880, line 16, after the dollar amount, insert "(increased by \$209,000,000)".

Page 898, line 9, after the dollar amount, insert "(reduced by \$209,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, let me start by thanking my colleagues and fellow co-chairs of the House Tuberculosis Elimination Caucus, Mr. YOUNG of Alaska and Mr. GENE GREEN of Texas. I am grateful for their support of this measure and for their work to combat tuberculosis around the world. This bipartisan amendment would help move that work forward.

Mr. Chairman, America's investments in global health are not hand-outs. Combating disease around the world isn't just some pet project to make us feel good about ourselves. When we invest in global health, we are investing in our own security and leadership on the global stage. After all, infectious diseases don't respect borders, and when we fail to fight a dangerous illness or respond to a pandemic overseas, we risk having to respond once it reaches our shores.

At the same time, healthier communities are more protective, more stable communities. Healthier countries are stronger partners on the world stage. And when the United States helps to advance those conditions, we are showing the world what kind of country we are, what American values demand of us.

The reality is we should be investing more in these efforts. One area where we need a lot more support is in the fight against tuberculosis.

TB kills more people worldwide than any other infectious disease. This is especially heartbreaking, Mr. Chairman, because we know how to prevent TB, and we know how to cure it. We know how to cure it, and people are still dying. That is just unfathomable.

Yet, in 2015, 1.8 million people died from this disease, 10.5 million more became infected. One in ten TB patients is also HIV positive, making tuberculosis the top killer of people living with HIV. Countries with a high prevalence of TB can see their GDP shrink by 4 to 7 percent.

The World Health Organization tells us we need an additional \$2 billion

every year to control tuberculosis. My amendment would help to make up part of that shortfall, ramping up USAID's global health programs by \$209 million. That would bring our investment in TB assistance to \$450 million.

□ 1615

These efforts have a proven track record, Mr. Chairman. In the countries where we are working on the problem, incidence of TB has dropped by nearly one-fifth since 2000, more than twice as fast as countries where we haven't been involved. That is tens of thousands of precious lives saved, and we played a major role in that.

My amendment won't wipe out this disease, Mr. Chairman, but it will save lives, it will build on past successes and move us in the direction of putting a stop to this killer once and for all.

I ask all Members to support this bipartisan amendment, and I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chair, this amendment would cut funding for the International Narcotics Control and Law Enforcement Affairs account by \$209 million. That is a 16 percent reduction in the fight against narcotics.

There is already money in the bill for TB, \$241 million, which is the same as current levels, and that exceeds the last Obama request and the first Trump request for TB. It also includes another \$1.35 billion for the Global Fund to fight a combination of HIV/AIDS, malaria, and TB, which includes additional funding for TB programs. So there is already money in the bill for TB.

This would cut the International Narcotics Control and Law Enforcement Affairs account by \$209 million, a 16 percent cut, when it is not really needed.

Funding for this account supports counterdrug and law enforcement activities, strengthens the rule of law, and increases border security.

Mr. Chairman, I just came back with my subcommittee from a trip to Ukraine and Georgia, and I understand by seeing it firsthand the importance of our assistance that helps governments combat corruption and improve the rule of law.

A portion of this funding also helps partners in our own hemisphere fight drug trafficking and violent crime before it reaches the border of the United States.

Undoubtedly, every agency can do more with more, but the allocation for this bill was cut by 17 percent from last year. And rather than cut every account by 17 percent, we deliberately and carefully considered each program,

and directed the funding recommendations to reflect our priorities. Among those priorities is funding for TB, which is held at last year's level. This means, of course, that other accounts and programs took a disproportionately higher cut to make that possible.

I know the gentleman wants more funds for TB, and I sympathize with him in that desire. I can assure him that preserving last year's level of funding puts TB in a very rarefied position in this bill, because it is treated well.

Mr. Chair, I urge a "no" vote on the gentleman's amendment, and I reserve the balance of my time.

Mr. ENGEL. Mr. Chair, let me just say that I hear what the chairman is saying. I certainly am a strong supporter of international narcotics funding, but the question is: Where do you put the money?

The International Narcotics funding account is well funded and even has money in the pipeline from previous years. Meanwhile, TB control is hugely underfunded and continues to kill more people worldwide than any other disease. That is why the funding is necessary. So by passing my amendment, we can save thousands of lives from this preventable, curable disease.

Mr. Chair, I yield the balance of my time to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in support of my colleague from New York's amendment. TB is the biggest killer of people worldwide, yet the current strategies for combating the disease are not keeping pace with the burden and complexity.

In an increasingly connected world, TB will increase its threat to U.S. citizens directly. Without investments in new technologies and building the systems to diagnose and treat active infections, we risk failing even further. Already, scientists estimate 2 million children have been infected with multidrug-resistant TB. We can and should be doing more to fight this known disease.

Mr. Chair, I urge my colleagues to support this amendment.

Mr. ENGEL. Mr. Chair, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, I rise today in support of this amendment to increase funding of bilateral tuberculosis (TB) assistance, and I want to thank Representatives ENGEL (D-NY) and GREEN (D-TX) for joining me. The three of us are Co-Chairs of the Tuberculosis Elimination Caucus and have long worked toward that goal. This includes domestically, such as in the State of Alaska, which suffers from high per-capita TB rates in the United States, but also internationally.

The U.S. Agency for International Development does a tremendous amount of work across the globe providing aid. One of its most

important battles is against TB, which kills more people worldwide than any other infectious disease. In 2015 this amounted to 1.8 million people dying, out of the 10.4 million affected. This is more than HIV and Malaria combined. To make things worse, TB is preventable and curable.

Imagine if the Centers for Disease Control came out and said next year there is going to be a new disease. That this disease is going to infect over 10 million people and kill almost 20 percent of them in just one year. I imagine we would take it very seriously.

This is not an old world disease. TB is real and it is deadly. Pandemics of infectious disease in recent years have shown us the need to combat them ahead of time, not wait until it arrives at our shores. We have come a long way in combating TB, but more work needs to be done.

This amendment makes that possible and I urge its adoption.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was rejected.

AMENDMENT NO. 96 OFFERED BY MS. FRANKEL OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 96 printed in part B of House Report 115-295.

Ms. FRANKEL of Florida. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 889, line 6, after the dollar amount, insert "(increased by \$8,500,000)".

Page 898, line 9, after the dollar amount, insert "(reduced by \$8,500,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Florida (Ms. FRANKEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. FRANKEL of Florida. Mr. Chair, this bill inexplicably defunds UN Women.

What is UN Women?

UN Women was created by the United Nations in 2010 to direct activities on gender equality issues. The organization helps meet the most urgent needs of women and girls by supporting women's full participation in their country's political, economic, and social life.

So as I said, this bill inexplicably takes away funding, \$8.5 million, that we are trying to get back from this very important program. I think this defunding of this is wrong, it is unwise, it is immoral.

Let me tell you what happens when we abandon the UN Women, because this is what we are walking away from: providing services for survivors of human trafficking. We are walking away from registering women to vote and participate in their political system, including women in the peace-making process. We are walking away

from combating child bride kidnapping and fighting child marriage. That is what we are walking away from today.

I know we have a lot of issues here in this country. We have been battling the hurricanes, and I know our hearts go out to all those impacted.

There is something else that has been going on in this world for years now, which is the greatest humanitarian crisis that we have seen since World War II, and that is what is happening in Syria. You have millions of people fleeing into neighboring countries, running away from rape, from murder, from chemical attacks.

What is the United States doing?

Oh, well. We are abandoning the Muslims, we are trying to build the walls, while we have great allies like Jordan, for example, who have now taken in over a million Syrian refugees, including this very young girl who was at a program that I had an opportunity to visit when I was in Jordan at a facility run by the UN Women where they are working with women to give them skills, to teach them.

This young girl fled her home in Syria under rocket fire, leaving her family, her brother killed, and fleeing to Jordan, where she is now learning to be a journalist. We are defunding programs like that in this bill.

So we are putting so many women's lives at risk, like Zaad, the girl I just talked about, leaving women and girls vulnerable to sex trafficking, poverty, homelessness, and hunger; and we say we want to try to bring stabilization to these regions across the world.

Let me tell you what research shows. Research shows that when women are empowered, economies grow and societies are more stable with less violence. And our own U.N. Ambassador, Nikki Haley, said:

We want to make sure that our governments support girls and support women, and we should encourage every country to support these basic rights.

So what are we doing today?

We are defunding UN Women. As I said, it is inexplicable and it is wrong. I think it is actually idiotic.

Mr. Chair, I yield to the gentleman from New York (Mrs. LOWEY), who I think can elucidate even more on this subject.

Mrs. LOWEY. Mr. Chair, I thank my good friend, who has certainly worked with many women, and women who focus on the needs of women around the world, and I thank her very much for this very important amendment, and that is why I am rising in support of my colleague's amendment.

One of the deficiencies of the fiscal year 2018 State and Foreign Operations bill we are considering is the treatment of international organizations that serve U.S. interests and help our own resources reach farther and deeper. My colleague raises the important contribution of UN Women and of U.S. support for its work.

UN Women ensures that the critical role of women is part of the international dialogue and that the effects of policies are considered on both women and men before they are implemented.

UN Women works in complex environments like Afghanistan with the treatment of women and their involvement in the economy and political systems.

There are these reasons and so much more as to why I urge my colleagues to support this amendment and UN Women. I really am urging my friends on the other side of the aisle, as this process continues, that we look to renew the funding.

Ms. FRANKEL of Florida. Mr. Chair, I yield back the balance of my time, and I respectfully withdraw this amendment.

The Acting CHAIR. The amendment is withdrawn.

Mr. ROGERS of Kentucky. Mr. Chairman, pursuant to section 4 of House Resolution 500, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chair, I yield to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Chair, I rise to engage the gentleman from Kentucky in a colloquy.

Mr. Chairman, Chicago Bridge & Iron Company, CB&I, is a major international engineering procurement and construction firm with headquarters in The Woodlands, Texas, where I live. Their headquarters is a mere mile from my home.

The company employs nearly 34,000 people across the United States, and more than 1,000 people in the Eighth Congressional District of Texas.

CB&I built a world class petrochemical refinery in the Republic of Colombia for Colombia's state-owned company, valued at nearly \$8 billion.

A commercial dispute has arisen as a result of construction of the refinery. And in an attempt to gain leverage, entirely unfounded and unprincipled criminal charges have been filed against current and former CB&I executives, both of whom are U.S. citizens.

Is it the intent of the committee, Mr. Chairman, that the Secretary of State should report to the Committee on Appropriations on any efforts by the Colombian Government to use its criminal process against any United States citizen to advance commercial or political objectives?

Is it further the intent of the committee that the Department of State should engage with Colombia to examine and report on allegations by United States citizens of procedural or substantive due process of law violations relative to commercial disputes?

Mr. ROGERS of Kentucky. I thank the gentleman from Texas for bringing this issue to our attention. The committee takes seriously reports of Americans abroad being treated unfairly, denied due process, or being used as political pawns.

□ 1630

Colombia is a friend and ally of the United States and an important trading partner. We expect the Government of Colombia to ensure our citizens are treated fairly in their courts. The committee will follow up on this matter with the Department of State to ensure our Embassy is engaged on this issue. And I thank the gentleman for bringing this matter to our attention.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT NO. 97 OFFERED BY MR. HASTINGS

The Acting CHAIR. It is now in order to consider amendment No. 97 printed in part B of House Report 115-295.

Mr. HASTINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 889, line 6, after the dollar amount, insert "(increased by \$12,000,000)".

Page 902, line 20, after the dollar amount, insert "(reduced by \$81,600,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Chairman, I thank the members of this committee for allowing the opportunity to present this amendment. The extraordinary work of Mrs. LOWEY and Mr. ROGERS, as well as Mr. FRELINGHUYSEN and other members of the Appropriations Committee, are deeply appreciated by all of us.

This amendment adds an additional \$12 million to the Economic Support Fund to increase assistance to the Ethiopian-Israeli community.

Through the Middle East Partnership Initiative, our Embassy in Tel Aviv is already engaged in a number of valuable partnerships with the Ethiopian community in Israel. These programs are commendable, and I hope that their funding remains robust.

My amendment would extend a modest amount of aid toward a different subset of the community, Ethiopian-Israeli youth.

Israel's Ministry of Education recently completed a long-term review to determine how to best meet the needs of the community. The plan that was presented and adopted included approximately \$20 million for programs to improve integration of the Ethiopian community into Israeli society, focusing principally on education and,

more specifically, language and math skills. Israeli organizations that have focused on this area for years have had great successes.

My first visit to Israel was, rather ironically because of today's events, with Mrs. LOWEY and other Members. During that period of time, we visited one of the areas where Ethiopian Jews were being absorbed. And since that time, I have followed actively Israel's continuing courageous concerns with reference to those from not only areas that are right there, but as far away as Ethiopia.

They work with American philanthropic organizations such as the Jewish Federations of North America, and private stakeholders, but, even with the new government funding, do not have sufficient resources to meet the needs of these communities.

Supporting this type of programming would be a logical and effective way to continue improving upon our country's bilateral relationship and would build upon programs that are already implemented on the ground.

I urge a "yes" vote on this matter, and I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. As I mentioned in my statement, Mr. Chairman, the bill before us today contains \$3.1 billion in a Foreign Military Financing program funded for Israel, which fully funds the last year of the current memorandum of understanding with Israel.

This amendment would reduce the Foreign Military Financing program account by more than \$80 million. In addition to Israel, this account provides funds for Egypt, Jordan, Tunisia, Colombia, and Ukraine. The President's budget request proposed deep cuts to this account, which we clearly rejected in the committee mark.

I should also note that the bill already provides over \$6 billion for humanitarian assistance. I do appreciate the gentleman's desire to help the Ethiopian-Israeli community, but I cannot support an \$80 million cut to security assistance. So I urge a "no" vote, and I reserve the balance of my time.

Mr. HASTINGS. Mr. Chairman, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. HASTINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 98 OFFERED BY MR. HASTINGS

The Acting CHAIR. It is now in order to consider amendment No. 98 printed in part B of House Report 115-295.

Mr. HASTINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 889, line 6, after the first dollar amount, insert "(increased by \$20,000,000)".

Page 902, line 20, after the dollar amount, insert "(reduced by \$72,600,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Chairman, my amendment adds \$20 million to the Economic Support Fund for the purpose of providing critically needed humanitarian aid to peoples persecuted by ISIS. These groups include Yazidi survivors of sexual slavery, as well as Christian, Shabak, and other religious and ethnic minorities.

Footnote right there, Mr. Chairman. I found it interesting in the past few weeks that the Rohingya in Myanmar, formerly Burma, are, literally, expelled from their country. While I, as well as others, am proud of Aung San Suu Kyi, and the extraordinary work that she did, and her Nobel Prize, I am puzzled by the continuing conduct which mimics genocide in that area, and this is not about that, but I would be remiss if I didn't mention it.

There are a lot of examples I could highlight to stress the importance of this amendment, but I want to focus briefly on the Yazidi. The crimes committed by the Islamic State against the Yazidi are amongst the most horrible we have heard of—mass executions, organized kidnapping, child soldiers, and sexual slavery. At the height of its power, the Islamic State sold girls and women in the open at slave markets.

In a recent article titled "Freed From ISIS, Yazidi Women Return in 'Severe Shock,'" The New York Times quotes Dr. Nagham Nawzat Hasan, a Yazidi gynecologist who has treated over 1,000 of the rape victims. He describes the victims as virtually "unconscious" and "in severe shock and psychological upset."

Thousands of women remain enslaved, and those who have escaped or been rescued, for them, the road to recovery is daunting.

As we debate how best to spend hundreds of millions of dollars in humanitarian aid, we must ensure this community is provided with support. Time is of the essence, Mr. Chairman.

Mr. Chair, I urge a "yes" vote, and I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chairman, I want to thank the gentleman from Florida for raising this important issue. The plight of religious and ethnic minorities persecuted by ISIS has been, and remains, a priority for this committee, including the need for psychosocial support services to those affected by the crisis. That is why ample funding has been provided to assist communities affected by ISIS, including persecuted religious and ethnic minorities.

The fiscal year 2017 Security Assistance Appropriations Act provided over \$1 billion for programs to counter ISIS and address the needs of those affected by ISIS. Funding was also provided in the fiscal year 2017 regular appropriations bill.

Finally, we included language on this very issue in the fiscal year 2018 bill, including designating \$10 million for programs to protect vulnerable and persecuted religious minorities. The amendment, however, would reduce the Foreign Military Financing account by more than \$70 million. This account funds our friends and allies like Israel, Egypt, Jordan, Tunisia, Colombia, Ukraine. The President's budget request proposed deep cuts to this account, which we clearly rejected in the committee mark.

In short, we have already addressed the gentleman's concerns, and I cannot support such a large cut to security assistance.

Mr. Chair, I urge a "no" vote, and I reserve the balance of my time.

Mr. HASTINGS. Mr. Chairman, I am very pleased to yield to the gentleman from New York (Mrs. LOWEY), the ranking member of this distinguished committee.

Mrs. LOWEY. Mr. Chairman, I want to express my appreciation to my colleague who is always there to speak out against injustice and to help respond to the tremendous challenges we have. I was as shocked as the gentleman had been, frankly, on the recent actions in Burma or Myanmar, and I look forward to addressing that with him as well.

The reports from the ISIS-controlled areas are truly horrific, especially for the women and children who have been most vulnerable to the horrors of ISIS control. In these cases, support for the emotional and mental recovery of victims is as important as the standard humanitarian assistance of food, shelter, and water.

I look forward to continuing to work with the gentleman to address these issues because we have to speak out and act and respond to these horrors.

Mr. Chair, I urge my colleagues to support this amendment.

Mr. HASTINGS. Mr. Chairman, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HASTINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 99 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 99 printed in part B of House Report 115-295.

Mr. GROTHMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 889, line 6, after the dollar amount, insert the following: "(reduced by \$12,000,000)".

Page 1140, line 23, after the dollar amount, insert the following: "(increased by \$12,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chair, yesterday, we voted \$8 billion for the tragedies in the Gulf Coast. I wake up this morning and I find out we are supposed to vote for another \$8 billion, which is fine. But I think, as a result, we should also look extra hard to find ways to see if, in the bill as it passed out of the Appropriations Committee, maybe we can spend a little less somewhere.

I have a very modest suggestion for cutting a little bit of spending here. I would like a 1 percent reduction in the Economic Support Fund. This was in the Trump budget, combined with another fund, and subject to a 40 percent cut, I think because President Trump wanted to make good on his promise to put America first.

I realize political reality is such that we will not get the 40 percent cut that President Trump wanted, but I ask for a small, approximately 1 percent, cut of \$12 million.

Part of the money of the Economic Support Fund goes for universities abroad. Sometimes these universities have, like our own universities, a little bit of an anti-American, perhaps anti-Israeli bent; and for that reason, I think there is no question but that we should eagerly look forward to the chance to cut the spending in the Economic Support Fund by 1 percent, par-

ticularly in light of the fact that we have now a \$20 trillion debt and, particularly, because later today, I bet, after spending \$8 billion yesterday, we are going to go for another \$8 billion today.

Mr. Chair, I would like to ask for support for this amendment, and I reserve the balance of my time.

□ 1645

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chairman, the overseas scholarship programs are popular among our Members because most of these programs support American educational institutions abroad.

Students that participate and receive an education based on American values help shape their societies. They are more likely to embrace democratic principles, counter extremism, and foster greater economic opportunity. These programs are an important part of the so-called soft power of America.

Mr. Chair, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. GROTHMAN. Mr. Chair, we love the chairman. We just feel that we are kind of broke here, and a 1 percent cut on something going for programs abroad would not be out of line.

Mr. Chair, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GROTHMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 101 OFFERED BY MR. PAULSEN

The Acting CHAIR. It is now in order to consider amendment No. 101 printed in part B of House Report 115-295.

Mr. PAULSEN. Mr. Chair, I have an amendment at the desk as the designee of the gentleman from New York (Mr. DONOVAN).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 896, line 17, after the dollar amount, insert "(increased by \$15,000,000)".

Page 907, line 1, after the dollar amount, insert "(reduced by \$15,000,000)".

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Minnesota (Mr. PAULSEN) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. Mr. Chairman, first I would just like to thank Subcommittee Chairman ROGERS and Ranking Member LOWEY, along with the full committee and Chairman FRELINGHUYSEN and their staff for their willingness to help with this amendment, as well as for all the hard work that they have done in putting together this important funding bill.

I also want to recognize Congressman DONOVAN, who is not able to be here today, but I offer this amendment along with him because it does seek to increase funding for the U.S. African Development Foundation by \$15 million, bringing it up to the \$30 million that it was awarded back in fiscal year '17.

The U.S. African Development Foundation is an independent U.S. government agency that excels at doing development differently. It uses small grants to focus on ventures in the fields of food security, healthcare, education, and technology. Our taxpayer money is maximized to its full potential, as host African governments invest a share of their own money in this grant program. These grant programs are leading to self-sufficiency and entrepreneurship in countries that are plagued by conflict across the world.

In fact, the Center for Global Development has ranked the USADF second only to the Millennium Challenge Corporation on the maximizing foreign efficiency scale.

Mr. Chairman, the U.S. African Development Foundation represents the very best of modernized foreign assistance because they are so innovative, and I am honored to support it. I hope the rest of my colleagues will join me in supporting this amendment as well.

Mr. Chairman, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chair, I really appreciate the gentleman's concern, but not enough to support his amendment. As he knows, the administration proposed to close the United States African Development Foundation.

Given the significant reduction in our subcommittee's allocation, it would be very easy to agree to the administration's request. The bill before us, however, does not close the foundation, but instead doubles the requested amount.

If our conference allocation is more generous, then perhaps we can be more generous with the foundation. Until then, however, the bill, as reported out of committee, strikes, I think, the appropriate balance of assistance and diplomacy.

Mr. Chair, I urge a rejection of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was rejected.

The Acting CHAIR. The Chair understands amendment No. 106 will not be offered.

The Chair understands that amendment No. 107 will not be offered.

AMENDMENT NO. 110 OFFERED BY MR. YOHO

The Acting CHAIR. It is now in order to consider amendment No. 110 printed in part B of House Report 115-295.

Mr. YOHO. Mr. Chairman, I rise as the designee of the gentlewoman from Florida (Ms. ROS-LEHTINEN), and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division G (before the short title), insert the following:

SEC. __. None of the funds appropriated by this Act may be made available in support of the United Nations Human Rights Council, the United Nations Office of the High Commissioner for Human Rights, or the United Nations Relief and Works Agency.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Florida (Mr. YOHO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chair, this is a simple, straightforward amendment that would limit the taxpayers' burden of hundreds of millions of dollars to the bodies at the United Nations that work against America's interests and the interests of our ally, Israel.

Since its reformation as the Human Rights Council about 10 years ago, this U.N. agency has operated with a singular focus to isolate and delegitimize one of America's closest friends and allies, Israel.

In fact, Israel stands alone as the only Nation to have an entire agenda, Item 7, devoted solely to it.

Israel is the only democracy in the Middle East, but one would never know that if you only saw what came out of the Human Rights Council. In fact, while Israel is targeted repeatedly for unwarranted criticism, some of the world's worst human rights abusers are ignored.

When the body that was created to promote and protect global human rights has its agenda driven by the very worst human rights abusers, you have to stop and ask: How does this make sense? And why should the United States continue to legitimize this agenda by remaining part of that body?

The same goes for the U.N.'s Office for High Commissioner for Human Rights, which serves as the secretariat for the Council.

There is an endemic and systemic anti-Israeli bias and agenda at the Council, and it is the High Commissioner's Office that serves and fuels this agenda. In fact, this is the office that is currently putting together the BDS blacklist for the Council, and the High Commissioner has signaled his intent to publish this list. This effectively puts the Human Rights Council and the High Commissioner at the forefront of the anti-Israeli boycott, divestment, and sanctions movement. There is simply no justification for the American taxpayers to fund this sort of activity aimed at isolating and delegitimizing our ally, Israel, and harming our national interests.

There is also no justification for the American taxpayers to support our participation at a body that enables human rights abusers. When Cuba, Venezuela, China, Saudi Arabia, Burundi, and others are allowed to sit on the Human Rights Council and dictate its direction, you know that the body has strayed far from its mandate.

In fact, these countries use the Council to actually shield themselves from criticism, turning the body meant to promote and protect human rights into a tool for the world's worst despots to hide the atrocities that are coming at home.

Mr. Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Florida has 2½ minutes remaining.

Mr. YOHO. Mr. Chair, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chair, I rise in support of Congresswoman ROS-LEHTINEN's amendment No. 110 to the State and Foreign Operations appropriations bill, and I appreciate the gentleman from Florida (Mr. YOHO) for taking leadership on this as well.

This amendment would prohibit funds from contributing to a number of United Nations agencies that endlessly single out our ally, the State of Israel, for poor treatment.

There are numerous issues with these agencies, but as for UNRWA, the very size of the agency is an underlying problem. UNRWA was created to address the short-term needs of refugees, but it has perpetuated the problem.

As of July 1, 2014, UNRWA had 30,252 employees for 5½ million registered persons in a number of Middle Eastern countries and territories, compared to the U.N. High Commission for Refugees staff of 7,700 in 2013, which provides support for 42.9 million refugees in more than 100 countries. The proportion is just way out of scale when you compare those kinds of agencies. UNRWA is out of control.

Additionally, UNRWA's grounds have been used to store rockets. Israel has been fired upon from UNRWA facilities, and UNRWA has employed indi-

viduals affiliated with Hamas, a designated terrorist organization. These are just a few examples of how U.N. agencies have mismanaged funds. It is unacceptable that American taxpayer dollars contribute to this problem.

I thank the Congressman and Congresswoman for offering this important amendment, and I hope that my colleagues support it so that the United Nations can get to helping individuals who need it the most.

Mr. YOHO. Mr. Chair, by passing this amendment, Congress will send a very clear message to these agencies and to the entire U.N. that the status quo is no longer, that we want to see the reforms that we want to address now before we return to full participation.

Mr. Chair, I urge my colleagues to join me in supporting this amendment in an effort to change the status quo at the U.N. by starting with the most egregious of the entities, and I yield back the balance of my time.

Mr. MEEKS. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. MEEKS. Mr. Chair, the agencies listed in this amendment are by no means perfect, and on multiple occasions I have condemned some of their actions, both publicly and behind closed doors. But I do believe we lose the ability to influence both agencies' agendas towards the United States' priorities if we cut off all U.S. funding.

Despite my past criticisms of their significant shortcomings, I continue to believe that each of these agencies plays a pivotal role in providing critical services for the Palestinian people. We should never lose focus on helping the people who need aid the most.

We should also think strategically about U.S. interests. The United Nations Relief and Works Agency is an effective alternative to Hamas. Each year, the agency provides health services to more than 3 million individuals, and education to half a million students in the West Bank and Gaza. Cutting off funding will simply strengthen Hamas by driving countless individuals into Hamas-controlled schools and services.

Additionally, the Human Rights Council and the High Commissioner for Human Rights highlight the voices of the oppressed and underserved globally and have elevated the rights of women and sexual assault victims.

□ 1700

As human rights are increasingly threatened around the globe, now is not the time to walk away from these agencies. I oppose the amendment because I strongly believe that here in Congress we must do all we can to preserve and advance U.S. interests and influence. This amendment would diminish U.S. influence at a time when

our Nation's global standing is already slipping.

Mr. Chair, how many minutes do I have remaining?

The Acting CHAIR. The gentleman has 3 minutes remaining.

Mr. MEEKS. Mr. Chair, I yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chair, I thank the gentleman for yielding.

I want to take this time briefly to address the concerns the gentleman from Florida has raised with regard to these organizations, many of which I share. That is why the base bill includes some pretty tough conditions on these organizations. In fact, these conditions have never been stronger with regard to the U.N. Human Rights Council.

No funds can be provided until the Secretary of State certifies to Congress that participation in the Council is, one, in the national security interest of the United States and, two, the Council is taking significant steps to remove Israel as a permanent agenda item and increase transparency in the election of its members to the Council.

We raised these issues, Mr. Chairman, with Ambassador Haley when she appeared before our committee. We all know she is actively engaging in these matters, and our conditions give her additional tools which she can use to get the Council to make some real reforms.

Next, the bill prohibits funds for the U.N. Relief and Works Agency until the Secretary can certify to the Congress that this organization is conducting regular inspections of its installations to ensure they are only used for humanitarian purposes and that the content of educational materials does not induce excitement. These conditions provide Secretary Tillerson with leverage to demand accountability and reform.

Also, we should be mindful that the President is reengaging with Israel and the Palestinians on a Middle East peace deal, which we all know is difficult and a very complicated task. Prohibiting funds to UNRWA at this time may have an adverse impact on those delicate processes the President and his team have before them.

This committee has and will continue to follow these issues very closely. It is a top priority, and the tough conditions in the bill reflect that.

I thank the gentleman for yielding time to me.

Mr. MEEKS. Mr. Chair, I yield 50 seconds to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, cutting off funds to UNRWA would force it to shut down. If UNRWA shuts down, they will not be able to operate, and all of the services that it provides will fall to the predominant power, which is Hamas. I don't think this is what the gentleman wants.

The fact of the matter is UNRWA, right now, provides education, food, shelter, and a whole host of services in very dire conditions. Over the last number of years, we have seen 90 percent of the tap waters not fit for human consumption, rolling blackouts 20 to 22 hours a day, and UNRWA, in this context, is making sure that necessities like education and economic opportunity exist.

It would be counterproductive to cut off UNRWA because somebody is going to have to help the refugees.

Mr. MEEKS. Mr. Chair, I yield myself such time as I may consume.

As stated, now is not the time to walk away from the U.N. Human Rights Council. This amendment would do nothing to change the agencies for the better. It would only weaken our ability to influence the advancements we want to see. We can't be leaders if we are not at the table.

Mr. Chair, I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. YOHO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The Chair understands that amendment No. 112 will not be offered.

AMENDMENT NO. 113 OFFERED BY MR. GAETZ

The Acting CHAIR. It is now in order to consider amendment No. 113 printed in part B of House Report 115-295.

Mr. GAETZ. Mr. Chairman, I wish to introduce amendment No. 113.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division G (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used to provide assistance to any of the following:

- (1) The Dalal Mughrabi High School for Girls-Gaza.
- (2) The Dalal Mughrabi High School for Girls-Hebron.
- (3) The Dalal Mughrabi Elementary School for Girls-Hebron.
- (4) The Shadia Abu Ghazaleh School for Girls-Gaza.
- (5) The Shadia Abu Ghazalah High School for Boys-Jabaliya.
- (6) The Khalil Al-Wazir (Abu Jihad) Elementary School for Girls-Hebron.
- (7) The Martyr Khalil Al-Wazir Elementary School for Boys-Hebron.
- (8) The Martyr Khalil Al-Wazir Elementary School for Boys-Jenin.
- (9) The Abu Jihad High School for Boys-Jenin.
- (10) The Abu Jihad High School for Boys-Hebron.

(11) The Salah Khalaf Elementary School for Girls-Gaza.

(12) The Salah Khalaf Junior High School-Gaza.

(13) The Martyr Abu Iyad School-Rafah.

(14) The Salah Khalaf School-Tulkarem.

(15) The Martyr Ahmed Yassin School for Boys-Jenin.

(16) The Martyr Abdullah Azzam Elementary School for Boys-Jenin.

(17) The Abu Ali Iyad High School for Girls-Qalqilya.

(18) The Martyr Nash'at Abu Jabara High School for Girls-Tulkarem.

(19) The Abu Ali Mustafa Elementary School for Boys-Jenin.

(20) The Abu Ali Mustafa Elementary School for Girls-Jenin.

(21) The Mustafa Hafez Elementary School for Boys-Khan Younis.

(22) The Mustafa Hafez School-Gaza.

(23) The Martyr Izzat Abu Al-Rubb High School-Jenin.

(24) The Martyr Izz Al-Din Al-Qassam High School for Boys-Yaa'bad.

(25) The Martyr Izz Al-Din (Al-Qassam) Elementary School-Jenin.

(26) The Martyr Osama Al-Najjar School-Khan Yunis.

(27) The Kamal Adwan High School for Boys-Rafah.

(28) The Martyr Saa'd Sayel Elementary School for Boys-Nablus.

(29) The Amin Al-Husseini Elementary School-El-Bireh.

(30) The Hassan Salameh Junior High School for Girls-Gaza.

(31) The Hassan Salameh Elementary School-Gaza.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Florida (Mr. GAETZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GAETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it does not advance the interests of the United States to fund schools that incite terror and hate throughout the world. Thirty-four of those such schools exist in Judea and Samaria, the area currently controlled by the Palestinian Authority, and this amendment would defund 34 schools that are named after terrorists, killers, and Nazi collaborators. I will provide a few examples.

Dalal Mughrabi led the coastal road massacre by hijacking a bus. She killed 37 people, including 12 children, and injured another 70. Three schools are named after her. Two students attending one of these schools were interviewed on March 27, 2014. They said: "Dalal Mughrabi is a great leader. She walks among us, and I'm personally proud to attend the Dalal Mughrabi School."

A second little girl who attended that school said: "My life's ambition is to reach the level of the martyr fighter Dalal Mughrabi."

Khalil al-Wazir headed the PLO terrorist organization's military wing. He planned attacks that killed over 125 Israelis. Five schools are named after him.

Salah Khalaf led the Black September terrorist organization. He planned the murder of 11 Israeli athletes at the Munich Olympics and the murder of two American diplomats in the Sudan. Four schools are named after him.

Abdullah Azzam was cofounder of al-Qaida, the mentor of Osama bin Laden, known as the "Father of Modern Jihad."

Abu Ali Iyad was the head of the Fatah military in the 1960s. A high school for girls carries his name.

Amin al-Husseini was a Nazi collaborator during World War II. He moved to Berlin where he served as a Hitler associate. In Yugoslavia, he was designated a war criminal. When the Nazi offered to free some Jewish children, Al-Husseini prohibited their release, resulting in 5,000 Jewish children being sent to the gas chambers. An elementary school is named after him.

Hassan Salameh was also a Nazi operative. He was sent by the Nazis during World War II to poison the water supply in British-controlled areas near Tel Aviv. Two schools are named after him.

Mr. Chairman, I care deeply for the education of our youth, but we have to demand that curriculums be reformed so that the schools that American taxpayers fund do not promote hate.

Mr. Chair, I yield such time as he may consume to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chairman, I also applaud the leadership of Representative GAETZ on this important amendment No. 113 to the State, Foreign Operations, and Related Programs Appropriations bill.

This commonsense amendment prohibits American taxpayer dollars from supporting Palestinian elementary schools that are named for Palestinian terrorists who have murdered innocent human beings. Many of these terrorists have murdered children who are no different than the very children in the schools named after them.

Dalal Mughrabi, as was mentioned earlier, a Palestinian terrorist, blew herself up on a bus in 1978, killing 37 Israelis, including 13 children. Her name is plastered on countless elementary schools, summer camps, and memorials around Palestinian Authority-controlled territories in Israel.

I applaud Denmark, Norway, and other countries that have frozen funds from U.N.-affiliated Palestinian organizations that name their buildings after terrorists like Dalal Mughrabi.

The United States Congress should have undivided moral clarity on this issue in this year's appropriations bill. We cannot use taxpayer dollars to fund Palestinian incitement to murder innocents, and that is why I introduced legislation to stop sending American aid to the Palestinian Authority until they end their practice of financially sup-

porting terrorists and the families of terrorists. We must end U.S. contributions to the PA's campaign of incitement wherever we find it.

I thank Mr. GAETZ for offering this important amendment, and I hope it passes with unanimous support, as it should.

Mr. GAETZ. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. JODY B. HICE of Georgia). The question is on the amendment offered by the gentleman from Florida (Mr. GAETZ).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 114 printed in part B of House Report 115-295.

It is now in order to consider amendment No. 115 printed in part B of House Report 115-295.

It is now in order to consider amendment No. 116 printed in part B of House Report 115-295.

It is now in order to consider amendment No. 118 printed in part B of House Report 115-295.

□ 1715

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMBORN) having assumed the chair, Mr. JODY B. HICE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 504 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3354.

Will the gentleman from Georgia (Mr. JODY B. HICE) kindly resume the chair.

□ 1719

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. JODY B. HICE of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today,

amendment No. 113 printed in House Report 115-295 offered by the gentleman from Florida (Mr. GAETZ) had been disposed of.

Pursuant to House Resolution 504, no further amendment to the bill, as amended, shall be in order except those printed in House Report 115-297, amendments en bloc described in section 3 of House Resolution 504, and available pro forma amendments described in section 4 of House Resolution 500.

Each further amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as described in section 4 of House Resolution 500, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment, except as described in section 4 of House Resolution 500, and shall not be subject to a demand for division of the question.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. CALVERT OF CALIFORNIA

Mr. CALVERT. Mr. Chairman, pursuant to section 3 of House Resolution 504 and as the designee of the gentleman from New Jersey (Mr. FRELINGHUYSEN), I offer amendments en bloc. A list of the included amendments included in the en bloc is at the desk and has been agreed to by both sides.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 3, 7, 9, 10, 11, 16, 17, 19, 20, 22, 23, 25, 26, 34, 35, 47, 48, 49, 58, and 79, printed in House Report No. 115-297, offered by Mr. CALVERT of California:

AMENDMENT NO. 3 OFFERED BY MR. SOTO OF FLORIDA

Page 8, line 16, after the dollar amount, insert "(reduced by \$500,000) (increased by \$500,000)".

AMENDMENT NO. 7 OFFERED BY MR. COURTNEY OF CONNECTICUT

Page 15, line 13, after the first dollar amount, insert "(reduced by \$300,000) (increased by \$300,000)".

AMENDMENT NO. 9 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 15, line 13, after the first dollar amount, insert "(increased by \$2,000,000)".

Page 39, line 1, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 10 OFFERED BY MR. CLYBURN
OF SOUTH CAROLINA

Page 16, line 4, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 16, line 24, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 39, line 1, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 11 OFFERED BY MR. HECK OF
WASHINGTON

Page 16, line 4, after the dollar amount, insert “(increased by \$5,500,000)”.

Page 39, line 1, after the dollar amount, insert “(reduced by \$5,500,000)”.

AMENDMENT NO. 16 OFFERED BY MR.
O’HALLERAN OF ARIZONA

Page 31, line 23, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 39, line 1, after the dollar amount, insert “(reduced by \$10,000,000)”.

AMENDMENT NO. 17 OFFERED BY MS. PLASKETT
OF VIRGIN ISLANDS

Page 39, line 1, after the dollar amount insert “(reduced by \$995,000)”.

Page 40, line 11, after the first dollar amount insert “(increased by \$995,000)”.

Page 40 line 11, after the second dollar amount insert “(increased by \$977,000)”.

Page 40, line 25, after the dollar amount insert “(increased by \$18,000)”.

AMENDMENT NO. 19 OFFERED BY MRS. CAROLYN
B. MALONEY OF NEW YORK

Page 39, line 1, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 109, line 5, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 20 OFFERED BY MR. BRENDAN F.
BOYLE OF PENNSYLVANIA

Page 43, line 15, after the dollar amount, insert “(reduced by \$1,911,000)”.

Page 104, line 20, after the dollar amount, insert “(increased by \$1,911,000)”.

AMENDMENT NO. 22 OFFERED BY MR. WELCH OF
VERMONT

Page 63, line 6, after the dollar amount, insert “(reduced by \$5,399,000)”.

Page 64, line 1, after the dollar amount, insert “(increased by \$4,399,000)”.

Page 64, line 12, after the dollar amount, insert “(increased by \$4,399,000)”.

AMENDMENT NO. 23 OFFERED BY MR. MAST OF
FLORIDA

Page 63, line 6, insert “(increased by \$1,086,000)” after the dollar amount.

Page 64, line 1, insert “(decreased by \$1,086,000)” after the dollar amount.

AMENDMENT NO. 25 OFFERED BY MR. SOTO OF
FLORIDA

Page 64, line 1, after the dollar amount, insert “(reduced by \$468,000) (increased by \$468,000)”.

AMENDMENT NO. 26 OFFERED BY MR. MAST OF
FLORIDA

Page 64, line 1, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 67, line 20, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 74, line 4, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 34 OFFERED BY MR. POLIS OF
COLORADO

Page 81, line 6, after the dollar amount, insert “(reduced by \$12,371,000)”.

Page 85, line 19, after the dollar amount, insert “(increased by \$12,371,000)”.

Page 86, line 11, after the dollar amount, insert “(increased by \$10,989,000)”.

Page 86, line 12, after the dollar amount, insert “(increased by \$1,382,000)”.

AMENDMENT NO. 35 OFFERED BY MR.
O’HALLERAN OF ARIZONA

Page 95, line 13, after the dollar amount, insert “(reduced by \$47,000,000) (increased by \$47,000,000)”.

AMENDMENT NO. 47 OFFERED BY MS. JACKSON
LEE OF TEXAS

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to limit outreach programs administered by the Smithsonian Institution.

AMENDMENT NO. 48 OFFERED BY MS. JACKSON
LEE OF TEXAS

At the end of division A, before the short title, add the following new section:

SEC. _____. None of the funds made available by this Act for the “DEPARTMENT OF INTERIOR—NATIONAL PARK SERVICE—NATIONAL RECREATION AND PRESERVATION” may be used in contravention of section 320101 of title 54, United States Code.

AMENDMENT NO. 49 OFFERED BY MS. JACKSON
LEE OF TEXAS

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used may be used to eliminate the Urban Wildlife Refuge Partnership.

AMENDMENT NO. 58 OFFERED BY MS. POLIQUIN
OF MAINE

At the end of division A (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to enforce the export permission requirements of section 9(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)(1)) for members of the phylum Echinodermata commonly known as sea urchins and sea cucumbers.

AMENDMENT NO. 79 OFFERED BY MS. SPEIER OF
CALIFORNIA

At the end of division A (before the short title) insert the following:

LIMITATION ON USE OF FUNDS

SEC. _____. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce the proposed rule entitled “Special Regulations, Areas of the National Park Service, Golden Gate National Recreation Area, Dog Management” published by the National Park Service in the Federal Register on February 24, 2016 (81 Fed. Reg. 9139 et seq.; Regulation Identifier No. 1024-AE16).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from California (Mr. CALVERT) and the gentlewoman from Minnesota (Ms. MCCOLLUM) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. CALVERT. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK. Mr. Chairman, this amendment helps our local communities preserve and restore important historic sites through a successful Federal-State partnership.

For more than 40 years, the Historic Preservation Fund has helped our

States and Native Tribes leverage funds to revitalize communities and create opportunities for economic growth.

In my district, for example, the Historic Preservation Fund was recently used to rehabilitate Olympia’s historic Stoker House, which is now home to a small clinic that provides much-needed mental health counseling services.

This year, funds were also used for Washington State’s Youth Heritage Project in Tacoma, which introduced high school students to the maritime heritage of the Puget Sound region.

This amendment would simply restore Historic Preservation funding to last year’s levels. It is a small but effective Federal program that deserves continued support.

This is a bipartisan amendment, and I am thankful to have the support of the co-chairs of the Historic Preservation Caucus, Congressmen TURNER and BLUMENAUER, along with Congressmen SMITH, COURTNEY, and KEATING.

Mr. Chairman, I urge adoption of the amendment.

Mr. CALVERT. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I have no opposition to this en bloc amendment moving forward, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in support of the en bloc, and I urge its adoption.

Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Chairman, I am thrilled to rise today to speak on behalf of my amendment which will remove unnecessary, redundant, and burdensome regulations from our sea urchins and sea cucumbers industry in the great State of Maine.

Now, we have some of the most hard-working people, Mr. Chair, in our State, and some of them—about 600 or so of them—along with the processing part brave the cold, dark waters of the great State of Maine and dive for sea urchins and cucumbers and harvest them on a regular basis year-round. It is a process that is dangerous, but these delicacies are sold all around the world, mostly in the Far East, and we need to make sure our government helps these individuals work this terrific fishery that has been doing so well in the past.

Now, I want to thank my colleague, CHELLIE PINGREE, who represents the First District. I represent the Second District of Maine. She has been very helpful. We have worked together for quite some time on this issue in a bipartisan way to make sure, Mr. Chairman, that we don’t have too many regulations that are unnecessary and expensive such that we can make sure this part of our fishery is healthy and goes forward.

So, again, I appreciate, Mr. Chairman, very much your giving me this

opportunity to speak on behalf of my amendment.

Ms. MCCOLLUM. Mr. Chairman, I have no other speakers. I rise in support of this time, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I have no other speakers. I rise in support of the amendments en bloc, and I urge its adoption.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, thank you for this opportunity to speak in support of my amendment to Division A of H.R. 3354, the "Interior and Environment Appropriations Act for Fiscal Year 2018."

Let me also thank Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill to the floor.

Among other agencies, this legislation funds the Smithsonian Institution, which operates our national museums, including the Air and Space Museum; the Museum of African Art; the Museum of the American Indian; and the National Portrait Gallery.

The Smithsonian also operates another national treasure: the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment simply provides that:

"Sec. _____. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution."

This amendment is identical to an amendment I offered to the Interior and Environment Appropriations Act for FY2008 (H.R. 2822) that was approved by voice vote on July 7, 2016.

Mr. Chair, the Smithsonian's outreach programs bring Smithsonian scholars in art, history and science out of "the nation's attic" and into their own backyard.

Each year, millions of Americans visit the Smithsonian in Washington, D.C.

But in order to fulfill the Smithsonian's mission, "the increase and diffusion of knowledge," the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian's outreach programs serve millions of Americans, thousands of communities, and hundreds of institutions in all 50 states, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites.

Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the nation.

The Smithsonian's outreach activities support community-based cultural and educational organizations around the country.

They ensure a vital, recurring, and high-impact Smithsonian presence in all 50 states through the provision of traveling exhibitions and a network of affiliations.

Smithsonian outreach programs increase connections between the Institution and tar-

geted audiences (African American, Asian American, Latino, Native American, and new American) and provide kindergarten through college-age museum education and outreach opportunities.

These outreach programs enhance K-12 science education programs, facilitate the Smithsonian's scholarly interactions with students and scholars at universities, museums, and other research institutions; and disseminate results related to the research and collections strengths of the Institution.

The programs that provide the critical mass of Smithsonian outreach activity are:

1. the Smithsonian Institution Traveling Exhibition Service (SITES);
2. the Smithsonian Affiliations, the Smithsonian Center for Education and Museum Studies (SCEMS);
3. National Science Resources Center (NSRC);
4. the Smithsonian Institution Press (SIP);
5. the Office of Fellowships (OF); and
6. the Smithsonian Associates (TSA), which receives no federal funding.

To achieve the goal of increasing public engagement, SITES directs some of its federal resources to develop Smithsonian Across America: A Celebration of National Pride.

This "mobile museum," which will feature Smithsonian artifacts from the most iconic (presidential portraits, historic American flags, Civil War records, astronaut uniforms, etc.) to the simplest items of everyday life (family quilts, prairie schoolhouse furnishings, historic lunch boxes, multilingual store front and street signs, etc.), has been a long-standing organizational priority of the Smithsonian.

SITES "mobile museum" is the only traveling exhibit format able to guarantee audience growth and expanded geographic distribution during sustained periods of economic retrenchment, but also because it is imperative for the many exhibitors nationwide who are struggling financially yet eager to participate in Smithsonian outreach.

For communities still struggling to fully recover from the economic downturn, the ability of museums to present temporary exhibitions, the "mobile museum" promises to answer an ever-growing demand for Smithsonian shows in the field.

A single, conventional SITES exhibit can reach a maximum of 12 locations over a two- to three-year period.

In contrast, a "mobile museum" exhibit can visit up to three venues per week in the course of only one year, at no cost to the host institution or community.

The net result is an increase by 150 in the number of outreach locations to which SITES shows can travel annually.

And in addition to its flexibility in making short-term stops in cities and towns from coast-to-coast, a "mobile museum" has the advantage of being able to frequent the very locations where people live, work, and take part in leisure time activities.

By establishing an exhibit presence in settings like these, SITES will not only increase its annual visitor participation by 1 million, but also advance a key Smithsonian performance objective: to develop exhibit approaches that address diverse audiences, including population groups not always affiliated with mainstream cultural institutions.

SITES also will be the public exhibitions' face of the Smithsonian's National Museum of African American History and Culture, as that new Museum comes online.

Providing national access to projects that will introduce the American public to the Museum's mission, SITES in FY 2008 will tour such stirring exhibitions as NASA ART: 50 Years of Exploration; 381 Days: The Montgomery Bus Boycott Story; Beyond: Visions of Planetary Landscapes; The Way We Worked: Photographs from the National Archives; and More Than Words: Illustrated Letters from the Smithsonian's Archives of American Art.

To meet the growing demand among smaller community and ethnic museums for an exhibition celebrating the Latino experience, SITES provided a scaled-down version of the National Museum of American History's 4,000-square-foot exhibition about legendary entertainer Celia Cruz.

Two 1,500-square-foot exhibitions, one about Crow Indian history and the other on basket traditions, will give Smithsonian visitors beyond Washington a taste of the Institution's critically acclaimed National Museum of the American Indian.

Two more exhibits, "In Plane View" and "Earth from Space," provided visitors an opportunity to experience the Smithsonian's recently opened, expansive National Air and Space Museum Udvar-Hazy Center.

For almost 30 years, The Smithsonian Associates—the highly regarded educational arm of the Smithsonian Institution—has arranged Scholars in the Schools programs.

Through this tremendously successful and well-received educational outreach program, the Smithsonian shares its staff—hundreds of experts in art, history and science—with the national community at a local level.

The mission of Smithsonian Affiliations is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country.

There are currently 138 affiliates located in the United States, Puerto Rico, and Panama.

By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The National Science Resources Center (NSRC) strives to increase the number of ethnically diverse students participating in effective science programs based on NSRC products and services.

The Center develops and implements a national outreach strategy that will increase the number of school districts (currently more than 800) that are implementing NSRC K-8 programs.

The NSRC is striving to further enhance its program activity with a newly developed scientific outreach program introducing communities and school districts to science through literacy initiatives.

In addition, through the building of the multi-cultural Alliance Initiative, the Smithsonian's outreach programs seek to develop new approaches to enable the public to gain access

to Smithsonian collections, research, education, and public programs that reflect the diversity of the American people, including underserved audiences of ethnic populations and persons with disabilities.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee Amendment and thank Chairman CALVERT and Ranking Member MCCOLLUM for their courtesies, consideration, and very fine work in putting together this excellent legislation.

Mr. Chair, I also want to thank you for this opportunity to speak in support of my amendments to Division A of H.R. 3354, the Interior and Environment Appropriations Act for Fiscal Year 2018 and to commend Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill through the legislative process.

Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution, which operates our national museums including the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment emphasizes the importance of Urban Wildlife Refuge Partnerships and urban forests, and preserves our ability to return urban areas to healthy and safe living environments for our children.

Similar amendments were offered and accepted in the Interior and Environment Appropriations Acts for Fiscal Year 2017 (H.R. 2822), Fiscal Year 2008 (H.R. 2643), and Fiscal Year 2007 (H.R. 5386), and were adopted by voice vote.

Mr. Chair, surveys indicate that some urban forests are in serious danger.

In the past 30 years alone, we have lost 30 percent of all our urban trees—a loss of over 600 million trees.

Eighty percent (80 percent) of the American population lives in the dense quarters of a city. Reforestation programs return a tool of nature to a concrete area that can help to remove air pollution, filter out chemicals and agricultural waste in water, and save communities millions of dollars in storm water management costs.

I have certainly seen neighborhoods in Houston benefit from urban reforestation.

In addition, havens of green in the middle of a city can have beneficial effects on a community's health, both physical and psychological, as well as increase property value of surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and deterioration.

Mr. Chair, a real commitment to enhancing our environment involves both the protection of existing natural resources and active support for restoration and improvement projects.

Several years ago, American Forests, a leading conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than \$1 billion in storm water control facilities to manage.

Trees breathe in carbon dioxide, and produce oxygen.

People breathe in oxygen and exhale carbon dioxide.

A typical person consumes about 38 lb of oxygen per year.

A healthy tree, say a 32 ft tall ash tree, can produce about 260 lb of oxygen annually—two trees supply the oxygen needs of a person for a year!

Trees help reduce pollution by capturing particulates like dust and pollen with their leaves.

A mature tree absorbs from 120 to 240 lbs of the small particles and gases of air pollution.

Trees help combat the effects of “greenhouse” gases, the increased carbon dioxide produced from burning fossil fuels that is causing our atmosphere to “heat up.”

Trees help cool down the overall city environment by shading asphalt, concrete and metal surfaces.

Buildings and paving in city centers create a heat-island effect.

A mature tree canopy reduces air temperatures by about 5–10 degrees Fahrenheit.

A 25 foot tree reduces annual heating and cooling costs of a typical residence by 8 to 12 percent, producing an average annual savings of \$120 per American household.

Proper tree plantings around buildings can slow winter winds, and reduce annual energy use for home heating by 4–22 percent.

Mr. Chair, trees play a vital role in making our cities more sustainable and more livable.

The Jackson Lee Amendment simply provides for continued support to programs like Urban Wildlife Refuge Partnerships that reforest our urban areas.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee Amendment and thank Chairman CALVERT and Ranking Member MCCOLLUM for their courtesies, consideration, and very fine work in putting together this legislation.

Mr. Chair, thank you for this opportunity to speak in support of the Jackson Lee Amendment and to commend Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill to the floor.

Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution.

Most Americans do not know that this bill also funds a very special program, the National Recreation and Preservation.

Mr. Chair, the Jackson Lee Amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment provides:

Sec. ____ None of the funds made available by this Act for the “DEPARTMENT OF INTERIOR—NATIONAL PARK SERVICE—NATIONAL RECREATION AND PRESERVATION” may be used in contravention of section 461 of title 16, United States Code.

And 16 U.S. Code §461 provides that:

It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

This is important, especially as it relates to National Heritage Areas (NHAs).

NHAs both preserve our national heritage and provide economic benefits to communities and regions through their commitment to heritage conservation and economic development.

Through public-private partnerships, NHA entities support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects.

Leveraging funds and long-term support for projects, NHA partnerships generate increased economic impact for regions in which they are located.

In 2012, a nationally respected consulting firm (Tripp Umbach) completed a comprehensive economic impact study of six NHA sites in the Northeast Region that also included an extrapolation of the economic benefit of all 49 NHA sites on the national economy.

The annual economic impact was estimated to be \$12.9 billion.

The economic activity supports approximately 148,000 jobs and generates \$1.2 billion annually in Federal revenues from sources such as employee compensation, proprietor income, indirect business tax, households, and corporations.

The study quantified the economic impacts of individual NHAs based upon a case study approach and found that the economic impact of the three National Historic Areas in Arizona, Massachusetts, and Pennsylvania showed:

1. Essex National Heritage Area (MA) generates \$153.8 million in economic impact, supports 1,832 jobs, and generates \$14.3 million in tax revenue.

2. Oil Region National Heritage Area (PA) generates \$21.2 million in economic impact, supports 314 jobs, and generates \$1.5 million in tax revenue; and

3. Yuma Crossing National Heritage Area (AZ) \$22.7 million in economic impact, supports 277 jobs, and generates \$1.3 million in tax revenue.

Mr. Chair, as I said there are 49 NHA across the nation but, surprisingly, none in my state of Texas.

We hope to rectify this in the not too distant future.

Texas is the largest and second most populous state in the nation and has a unique story in American history with its diverse geographic landscape, natural resources, and population.

From Galveston's port, East Texas' farms and forestry, and the Buffalo Soldiers, Texas has a rich multi-cultured heritage and history.

To honor Texas' heritage, I will be working with my colleagues to establish the “Emancipation Trail National Heritage Area Corridor” that stretches across historically significant and landmark sites from Galveston to Houston and East Texas into Central Texas.

The Emancipation Trail National Heritage Area will be a corridor focusing on and highlighting the area's rich history and culturally significant events, places, and natural sites, as well as roadways, businesses, residential and farm districts that unite Texas' heritage from the first settlers to modern times.

Mr. Chair, as we approach the 51st anniversary of the passage of the 1966 National Historic Preservation Act, we want to preserve and unite the legacy stories of some of our state's most revered sites.

Currently underway in Houston is the revitalization of the historic Emancipation Park, a pivotal site in the state's social and cultural development and African American legacy.

The future Emancipation Park, when brought to fruition and designated as a part of

the proposed Emancipation Trail National Heritage Corridor, represents a unique opportunity to tell a comprehensive story about the great State of Texas.

Of course, there is much work to do to bring this project to fruition, including necessary reclamation and restoration operations in areas adversely affected by Hurricane Harvey.

That is why H.R. 3686, the Hurricane Harvey Supplemental Appropriations Act for Fiscal Year 2017, which I introduced earlier this week allocates \$800 million to the National Park Service Historic Preservation Fund.

To conclude, National Heritage Areas (NHAs) are both a good investment and national treasure providing economic benefits to communities and regions through their commitment to heritage conservation and economic development.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee Amendment.

I thank Chairman CALVERT and Ranking Member MCCOLLUM for their work in putting together this legislation.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. CALVERT).

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I rise in support of my Amendment No. 19 to H.R. 3354, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018, included in Division A En Bloc 1. My amendment would increase the funding for the Smithsonian Institute Salaries and Expenses by \$2 million with the intended purpose of providing increased resources for the recently launched Smithsonian's American Women's History Initiative.

I strongly support the Initiative and its goal to more completely include the contributions of women throughout Smithsonian institutions by directing resources toward cataloging collections inventory, expanding exhibits, and developing educational programs on American women's history.

I strongly believe that ultimately we need a new Smithsonian museum dedicated to American women's history. Last year a bipartisan Congressional Commission made a strong, unanimous recommendation that our country needs such a museum and that it belongs in the Smithsonian system and should be prominently located on the National Mall. I have introduced legislation that incorporates those recommendations, and I'm grateful for the support of 247 bipartisan members of the House who have cosponsored my bill. I hope there will be broad support for this amendment as well. This Initiative represents the first important step toward establishing a physical Smithsonian Museum on American Women's History and aims to make important improvements in existing museum exhibitions to more accurately and completely tell the story of our nation's history.

I strongly urge the passage of this amendment and the en bloc.

The en bloc amendments were agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-297.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 25, after the dollar amount, insert "(reduced by \$12,000,000)".

Page 66, line 2, after the dollar amount, insert "(increased by \$12,000,000)".

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, my amendment will restore \$12 million in cuts to the already underfunded Superfund Enforcement program, with an equivalent cut to Bureau of Land Management's oil and gas leasing program.

Superfund Enforcement is the epitome of Federal fiscal responsibility. It ensures that polluters pay for the cleanup and the mess they have caused.

For over 35 years, EPA's Superfund Enforcement program has enabled thousands of site investigations at cleanups and has required viable responsible parties to either conduct the work or pay for the cleanups of these Superfund sites, in other words, hold parties accountable for the action and correction of their activities.

□ 1730

Any cuts to these funds clearly places corporate interests over that of the health and financial well-being of the American people.

According to the EPA, the Superfund Enforcement program's efforts to negotiate settlement agreements and issue order for cleanup work accounts for approximately 69 percent of all the cleanup work currently underway at Superfund sites around this country.

For every dollar the Superfund Enforcement program spends, private parties commit \$8 toward cleanup work. The enforcement funding is essential in saving taxpayer dollars and the scarce resources of the Superfund trust fund to address truly abandoned and orphaned sites.

As of August 1, 2017, there were 1,845 Superfund sites in the country. These sites include dangerous and toxic substances not just in my backyard but in everybody's backyard.

Perhaps not surprisingly, Superfund sites tend to be located near lower income communities and around communities of color. Approximately 53 million people live within 3 miles of a Superfund site in this country, and 46 percent of them live in poorer communities and communities of color. Fifteen percent of those residents live below the poverty level.

According to a National Association of Clean Air Agencies report: "Without EPA's enforcement, companies could

avoid reporting, or minimize the reported amount of toxic materials released to the environment."

Following one of the most catastrophic hurricanes to hit Texas, the EPA found that 13 Superfund sites have been flooded or could face damage as a result of Hurricane Harvey.

Administrator Pruitt has repeatedly tried to justify his cuts to the agency by claiming that he wants the agency to go "back to the basics." I can't think of anything more fundamental than cleaning up the most toxic sites in the Nation to protect the health of the people who live nearby in those communities.

Restoring the ability of the EPA to self-sustain its core mission should be a no-brainer for those on both sides of the aisle. In order to restore the funding, my amendment will make a modest cut to the BLM's oil and gas program. This program is a massive giveaway to the very polluters that have made the existence of the Superfund program a necessity.

Currently, 7,950 drilling permits are approved and not being used. There are 14.4 million acres of public land under lease and not producing. There is no justification to dole out more taxpayer money in order to expedite and speed up the permitting or leasing practices when we have that amount not being used and over close to 15 million acres under lease, as we speak.

A report by Oil Change International recently found that the U.S. Government provided about \$6 billion annually in financial support to the oil, gas, and coal industries between 2013 and 2015. Meanwhile, oil giant ExxonMobil's profits more than doubled in the first quarter of this year, which equaled \$4.1 billion in profits for just that one quarter. They certainly did not need more taxpayer money while communities across the United States continue to be exposed to toxic and hazardous pollution.

My amendment restores, in part, EPA's core mission to protect the public health of the American people and to hold all polluters responsible and liable for the environmental and health risks they cause.

Mr. Chairman, I urge a "yes" vote on the amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. MITCHELL). The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I certainly appreciate the gentleman's support for robust funding of the Superfund program, particularly the cleanup program.

There is a need for Congress to make progress to address the backlog of 1,300 sites on the national priority list. The bill proposes to do so with a \$47.6 million increase for cleanup work. However, the amendment proposes merely

to increase EPA's enforcement budget by \$12 million, with a stated objective of reducing BLM's oil and gas management program.

The committee wrote a balanced bill, and I support the wise use of Federal oil and gas resources. Therefore, I oppose the amendment and urge my colleagues to vote "no" on the gentleman's amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, this is a prudent, necessary protection of public health and the environment. I oppose a "yes" vote on this amendment, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I ask Members to vote "no" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-297.

AMENDMENT NO. 5 OFFERED BY MR. BACON

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-297.

Mr. BACON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 16, after the dollar amount, insert "(increased by \$1,974,000)".

Page 10, line 1, after the dollar amount, insert "(reduced by \$4,000,000)".

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Nebraska (Mr. BACON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. BACON. Mr. Chairman, I rise to offer amendment No. 5. I plan to ask unanimous consent to withdraw the amendment. However, before I do, I would ask to engage Chairman CALVERT in a brief colloquy.

Mr. Chair, I yield to the gentleman.

Mr. CALVERT. I would be happy to engage the gentleman from Colorado in a colloquy.

Mr. BACON. The Fish and Wildlife Service has a backlog of 49 species waiting to be down-listed or delisted. This issue is further compounded by the fact that an additional 839 species are overdue for their mandatory 5-year

status review to determine if ESA protections need to continue.

It is no wonder why States are frustrated that species are put on the list and rarely removed. To be more effective in species conservation, the Fish and Wildlife Service must address this backlog so States can better focus their recovery efforts.

I respect the committee's progress made on this front, but I hope we can make further efforts to ensure the Fish and Wildlife Service is an effective ally in species conservation under EPA.

Mr. Chair, I yield to the gentleman.

Mr. CALVERT. I thank the gentleman for his comments and for his amendment, and I fully agree with his concerns about the backlogs, but I have concerns with the proposed offset and appreciate the intention to withdraw it.

The committee has made a concerted effort in recent years to fix these problems and has increased the recovery account by almost \$4 million over the last 2 years.

Under House Republican pressure over the past 7 years, the Fish and Wildlife Service has delisted more species than all other previous years combined, but, clearly, we still have a long way to go.

The Service has been directed and funded to complete all 5-year reviews within the period required by law, and the committee will continue to press the Service to see that they eliminate these backlogs.

I thank the gentleman again for raising this issue, and I pledge to work with him on this.

Mr. BACON. I thank the gentleman for his feedback and efforts, and I yield back the balance of my time.

Mr. Chairman, I withdraw my amendment No. 5.

The Acting CHAIR. The amendment is withdrawn.

Ms. MCCOLLUM. Mr. Chairman, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I yield to the gentleman from Arizona (Mr. O'HALLERAN).

Mr. O'HALLERAN. Mr. Chairman, my amendments address critical health needs in Indian Country by providing the Bureau of Indian Affairs and the Indian Health Service additional funding to complete projects.

My first amendment ensures communities, including the Hopi Tribe in my district, have resources for funding to complete their arsenic medication project.

My second amendment fulfills part of our trust relationship with federally recognized Tribes by ensuring Indian Health Service clinics and hospitals opening this year receive staffing and operations funding.

In my district, the Gila River Health Care Red Tail Hawk Health Center is scheduled to be opened, but has not received staffing or operation funding. These healthcare facilities are badly needed to increase access to healthcare in the community.

Ms. MCCOLLUM. Mr. Chairman, I yield to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Chairman, I am asking that we include my provision for raising funds for the Department of the Interior's assistance to territories in this en bloc amendment.

This is a very modest uptick of the \$1 million in Federal support for the United States territories, namely the Virgin Islands, Guam, Northern Mariana Islands, and American Samoa. It is crucial that the Federal Government keep its commitment to address the pressing needs of Americans living in these territories as we face grave natural disaster and security threats.

Right now, thousands of people are feeling the effects of one of the most catastrophic hurricanes ever to strike the Caribbean region. Hurricane Irma has toppled buildings and leveled many homes. Making the Virgin Islands whole again will require massive and coordinated efforts spanning a long period of time.

Much of the Federal Government's support for Americans in U.S. territories comes out of this territorial assistance account, with funding channeled toward necessary community facilities like schools, hospitals, and critical infrastructure systems. This support is imperative.

After this hurricane, one of our hospitals is partially destroyed. The other faces egregious deferred maintenance issues due, in part, to an extremely high proportion of uncompensated care because the territories face inequitable treatment in Federal health programs like Medicaid and Medicare.

Construction or repair to schools and hospitals account for much of the capital improvement project expenditures that come directly out of this assistance to the territories' account.

We are asking that the territories receive the same funding that they have received previously, and please approve this amendment to reverse this cut as a simple matter of fairness to the territories.

Ms. MCCOLLUM. Mr. Chairman, I yield back the balance of my time.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. CALVERT OF CALIFORNIA

Mr. CALVERT. Mr. Chairman, pursuant to section 3 of House Resolution 504, as the designee of the gentleman from New Jersey (Mr. FRELINGHUYSEN), I rise to offer amendments en bloc No. 2. The list of the amendments included in the en bloc is at the desk and has been agreed to by both sides.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 1, 6, 24, 28, 33, 52, 54, and 70 printed in House Report 115-297, offered by Mr. CALVERT of California:

AMENDMENT NO. 1 OFFERED BY MS. MCSALLY OF ARIZONA

Page 2, line 25, after the dollar amount, insert "(increased by \$316,000)".

Page 64, line 1, after the dollar amount, insert "(reduced by \$364,700)".

AMENDMENT NO. 6 OFFERED BY MR. MAST OF FLORIDA

Page 8, line 16, after the dollar amount, insert "(reduced by \$1,200,000)".

Page 21, line 07, after the dollar amount, insert, "(increased by \$1,000,000)".

AMENDMENT NO. 24 OFFERED BY MR. MAST OF FLORIDA

Page 63, line 6, after the dollar amount, insert "(reduced by \$979,000)".

Page 104 line 10, after the dollar amount, insert, "(increased by \$979,000)".

AMENDMENT NO. 28 OFFERED BY MS. MCSALLY OF ARIZONA

Page 64, line 1, after the dollar amount, insert "(reduced by \$3,831,000)".

Page 81, line 6, after the dollar amount, insert "(increased by \$3,000,000)".

Page 81, line 10, after the first dollar amount, insert "(increased by \$3,000,000)".

AMENDMENT NO. 33 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

Page 80, line 21, after the dollar amount, insert "(reduced by \$9,500,000)".

Page 81, line 6, after the dollar amount, insert "(increased by \$5,000,000)".

Page 81, line 8, after the dollar amount, insert "(increased by \$5,000,000)".

AMENDMENT NO. 52 OFFERED BY MR. BYRNE OF ALABAMA

At the end of division A (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used to propose to repeal section 105(a)(2) or section 105(b) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

AMENDMENT NO. 54 OFFERED BY MR. BURGESS OF TEXAS

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

AMENDMENT NO. 70 OFFERED BY MR. EMMER OF MINNESOTA

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to withdraw National Forest System lands within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from California (Mr. CALVERT) and the gentlewoman from Minnesota (Ms. MCCOLLUM) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. CALVERT. Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER. I thank the chairman for yielding.

Mr. Chairman, I am pleased to support this en bloc amendment because it contains language I offered to support the hardworking people of Minnesota.

Our amendment halts a last-minute effort by the previous administration that would restrict all leasing, exploration, and potential development of approximately 234,000 acres of Federal land in northeast Minnesota.

If this ban were to take effect, it would have a devastating impact on the economy of my State, as well as our Nation as a whole.

Minnesota's Department of Natural Resources has estimated there are roughly \$500 billion worth of minerals in the area proposed for withdrawal, in addition to nearly \$3 billion in royalty revenues for Minnesota's Permanent School Trust Fund, which would support almost 900,000 K-12 students statewide.

Through this amendment, we have a real opportunity to get the Federal Government out of the way so this land can remain available for future development to bring much-needed jobs and revenue to the great State of Minnesota.

These efforts have garnered the support of more than 60 members of the Minnesota Legislature, from both parties I might add. We also have the backing of Chairman BISHOP of the House Natural Resources Committee, as well as the chairman of the Energy and Mineral Resources Subcommittee, Representative PAUL GOSAR.

□ 1745

The National Mining Association, Mining Minnesota, and the Congressional Western Caucus are in favor of the amendment, and it could not be more in line with the current administration's priorities to create jobs and reinvigorate the American economy.

Because we know that somehow, somewhere, someone will find a way to mine the precious metals in this area in a safe and environmentally responsible way—

The Acting CHAIR. The time of the gentleman has expired.

Mr. CALVERT. Mr. Chairman, I yield an additional 30 seconds to the gentleman from Minnesota.

Mr. EMMER. Mr. Chairman, when that happens, Minnesota deserves to have that opportunity and the jobs and economic prosperity that will ensue.

Again, I thank the chairman for the opportunity to speak in support of my amendment, and I encourage everyone to support the en bloc package.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this en bloc amendment.

I yield 2 minutes to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Chairman, I rise today in opposition to this block of amendments, and I do appreciate that this block seeks to increase funding to address the National Park Service's \$11.3 billion backlog of deferred maintenance.

I firmly believe that we need to increase annual appropriations for our parks, but funding shouldn't come at the expense of other critical agency accounts.

In my neck of the woods, the Olympic National Park, alone, has \$150 million in backlogged maintenance needs, so we are not going to accomplish this enormous goal a few million dollars at a time. The real solution is for Congress to provide a robust and dedicated funding source, and that is why I partnered with Representative HURD and my fellow Washingtonian, Representative REICHERT, to introduce the National Park Service Legacy Act, which will create a dedicated source of funding to address the National Park Service maintenance backlog. This bipartisan and bicameral bill is funded through unobligated mineral royalties and would generate up to \$500 million, annually, through 2047.

So, if we are serious about addressing the overwhelming maintenance backlog in our national parks, I urge my colleagues to oppose this amendment and join me in support of the National Park Service Legacy Act.

Ms. MCCOLLUM. Mr. Chairman, I am opposed to all these amendments included in the en bloc. Many of them use offsets from accounts in the Environmental Protection Agency of the Fish and Wildlife Service, and they are already severely underfunded.

I am particularly troubled by one amendment to this group that threatens our Nation's most visited wilderness area. Let me tell you why I oppose the Emmer amendment.

The Boundary Waters Canoe Area Wilderness, located in northern Minnesota, is one of the last truly wild places in America. These 1.1 million acres of unspoiled woodlands and more than 1,000 pristine lakes are beloved by adventurers, canoers, and sportsmen from all across our country. This national treasure lies in the vast Rainy River Watershed and flows north into Voyageurs National Park and onward towards Canada.

Recently, there has been a push to conduct sulfide-ore copper mining less than 3 miles from the Boundary Waters Wilderness. This mining threatens to irretrievably damage the waters, the wildlife, and the landscape. Sulfur ore mining is the most toxic industry in America, polluting waterways with acid drainage that contains arsenic, mercury, and lead.

In 2014, the Mount Polley sulfide-ore mine in British Columbia failed, dumping billions of liters of toxic sludge and leaving permanent environmental damage in its wake.

To protect the boundary waters from this type of destruction, the Forest Service acted last December and launched a thorough environmental analysis with public engagement to assess what type of mining, if any, is appropriate on Federal lands and this watershed for the next 20 years. The Trump and the Obama administrations have both agreed we need a thorough, scientific-based assessment of the best management of this sensitive ecosystem and conservation of our boundary waters.

The Emmer amendment upends this careful process. It pushes aside the Forest Service's ongoing study. It mandates that dangerous copper and sulfide mining will be allowed in the watershed, regardless of the conclusions of this environmental study, and it intentionally ignores a public process that hundreds of thousands of Americans weighed in on with comments on both sides of the issue. In my opinion, this amendment sets a horrible precedent, wastes taxpayer dollars already invested in this study, and threatens a national treasure, and it should never become law.

Mr. Chairman, I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in support of the en bloc and urge its adoption.

Mr. Chairman, I yield back the balance of my time.

Mr. PAULSEN. Mr. Chair, let me start by acknowledging my colleagues, Representatives EMMER and NOLAN. I'm proud to call both of you my friends, but I'm speaking tonight because I disagree with this amendment.

We can be open to new types of mining in Minnesota when the necessary environmental reviews are met, like in the case of Polymet, which I support.

Taconite mining is part of Minnesota's DNA. However, the copper-nickel mining being proposed on the edge of the Boundary Waters Canoe Area is not taconite mining, and has never been done before in Minnesota. Earlier this year, the Trump administration said it would allow the current environmental review process to proceed to completion. I support that decision, and I oppose this amendment's effort to defund an ongoing environmental review to protect one of Minnesota's natural treasures. Indeed, it's one of our country's most spectacular wilderness areas.

The Boundary Waters is Minnesota's Yellowstone. Hundreds of thousands of Americans visit on fishing and canoe trips annually. Some of the best memories of my life have taken place in the Boundary Waters, both as a child and now as a parent with my daughters.

The public process that is underway after hundreds of thousands of people weighed in with their comments, should not be ignored and tossed aside. And, a science-based assessment of the best management practices of this sensitive ecosystem should be adhered to. We owe it to future generations to understand the impact copper-nickel mining poses to Minnesota's most precious water and land before we put it at risk.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. CALVERT).

The en bloc amendments were agreed to.

AMENDMENT NO. 8 OFFERED BY MS. MCSALLY

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-297.

Ms. MCSALLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 13, after the first dollar amount, insert "(increased by \$9,692,000)".

Page 15, line 15, after the dollar amount, insert "(increased by \$9,692,000)".

Page 64, line 1, after the dollar amount, insert "(reduced by \$12,078,000)".

The Acting CHAIR. Pursuant to House Resolution 504, the gentlewoman from Arizona (Ms. MCSALLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Arizona.

Ms. MCSALLY. Mr. Chairman, I rise today in favor of my amendment to the Make America Secure and Prosperous Appropriations Act.

This amendment would approve access to America's prized treasures by increasing the National Park Service's Facility Maintenance and Operations account by \$9.7 million, bringing the funding amount up to the fiscal year 2017 enacted level. In doing so, this amendment will help address the longstanding deferred maintenance needs of the Park Service.

Currently, the National Park Service has an \$11.9 billion backlog, which is a figure that has increased steadily since 2009. According to the most recent NPS deferred maintenance report, the Yosemite National Park, in Chairman CALVERT's home State, has a backlog of \$555 million. Yellowstone has a backlog of \$716 million across three States. The Grand Canyon's backlog of \$350 million makes up a large portion of my home State's—Arizona—delayed and deferred projects. In fact, Arizona has one of the largest backlogs of any State in the country: \$565 million.

This problem doesn't only impact the crown jewels of the park system. In my district, maintenance projects require attention at the Saguaro National Park of approximately \$12.9 million, of which the Chiricahua National Monument in Cochise County faces roughly \$10.3 million in needed restoration projects.

Mr. Chairman, this country and my State is home to some of the world's most renowned landscapes and natural beauty. By providing this modest funding increase to address some of the backlog across the Nation, my amendment will ensure Americans have unimpaired access to their national

parks and that the enjoyment of these wonders is available for future generations.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I must oppose this amendment that takes more money away from an already starved Environmental Protection Agency. The EPA's main operating account is already cut by \$240 million.

The EPA plays a critical role in keeping Americans safe both during natural disasters like Hurricane Harvey and on a day-to-day basis. I know this because the EPA, right now, is cleaning up a toxic waste site that has been recently discovered in my congressional district.

Unfortunately, the very air we breathe and the water we drink is endangered by the funding and policy decisions that are made in this bill, and their consequences will be negatively felt in communities across this Nation.

Now, this amendment would increase funding for the National Park Service, something I do support. I have just been to Glacier National Park, where I saw their backlog, and I agree wholeheartedly that we should be investing in our parks, but it cannot be done at the expense of our public health.

Republicans have chosen to put forward an omnibus bill that leaves nearly \$5 billion of nondiscretionary funds on the table. So rather than gutting the EPA farther, we should be using all the resources available to us and working on a bipartisan budget agreement.

Mr. Chairman, I oppose this amendment, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting Chair. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I rise in support of the gentlewoman's amendment. I certainly urge Members to support it.

This bill maintains the increases provided last year for deferred maintenance and increases the construction account by \$10 million. This amendment will further our efforts to address the longstanding deferred maintenance needs.

I urge an "aye" vote on the amendment, and I yield back the balance of my time.

Ms. MCSALLY. Mr. Chairman, I appreciate your support of the amendment, and I would ask all Members on both sides of the aisle to support our national parks and support this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Arizona (Ms. MCSALLY).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 12 will not be offered.

AMENDMENT NO. 13 OFFERED BY MR. GRIFFITH

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 115-297.

Mr. GRIFFITH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 17, strike "3" and insert "6".

MODIFICATION TO AMENDMENT NO. 13 OFFERED
BY MR. GRIFFITH

Mr. GRIFFITH. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read the modification as follows:

Insert at the end the following:

Page 28, line 8, after the dollar amount, insert "(increased by \$75,000,000)".

Page 64, line 1, after the dollar amount, insert "(reduced by \$80,000,000)".

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The amendment is modified.

Pursuant to House Resolution 504, the gentleman from Virginia (Mr. GRIFFITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH. Mr. Chairman, I appreciate the consideration of what was two amendments that we just merged into one because they went hand-in-glove.

My amendment restores critical funding to three additional Appalachian States, the same number of States currently funded by the Abandoned Mine Reclamation Fund, for the reclamation of abandoned mine lands in conjunction with economic and community development and reuse goals.

Now, let me explain the program quickly.

This was the brainchild of Chairman ROGERS a couple of years back, and what the idea was, originally, when they did the Abandoned Mine Land program, you could just restore the land. They came up with the concept in the hard-hit devastated areas of central Appalachia that we should not only allow it to be a restoration of the land, but that that land could be used and looked at as an economic purpose, a reuse the community could use for

community development or economic development, and that was important.

Funding for these reclamation grants was first established in fiscal year 2016, but it was originally provided only to the three Appalachian States with the greatest amount of unfunded reclamation needs.

Unfortunately, that didn't, of course, reach all the States, and so last year, an additional three States were added, those States being Virginia, Ohio, Alabama, the original three being Pennsylvania, West Virginia, and Kentucky.

This year, as things were working through, Virginia, Ohio, and Alabama were not currently included. My amendment basically makes sure they are included. We have worked with the team on the Appropriations Committee to word it correctly. We think we have got it worded correctly so that we now have the ability to add in all three States.

I think this is important. Folks often say to us: Those of you in coal country, in central Appalachia, need to transition your economy. Well, we can't transition our economy if we have huge blocks of land which we can't use because they are unusable due to prior acts that left them in a condition where we know they need to be reclaimed, but you can't reclaim them looking at economic development.

So this is a way to retool. Chairman ROGERS came up with it. We would like to extend it to the other States that would be greatly helped by this, the three that I mentioned previously, Ohio, Alabama, and Virginia, and that is what my amendments do.

I would ask all to support this amendment to help those areas that are economically devastated in central Appalachia and expand on a program which is already showing signs of success.

Mr. Chairman, I reserve the balance of my time.

□ 1800

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I strongly oppose an amendment that takes more money away from the EPA.

As I mentioned before, this bill already severely cuts the EPA's main operating account by \$240 million. The air we breathe and the water we drink are endangered by the policy decisions that are being made in this bill. The consequences will be felt in communities across the Nation. I understand, for many, cutting the EPA is an easy target, but I want my colleagues to understand what this amendment would actually be cutting, if adopted.

This account funds programs that are important to both sides of the aisle, in-

cluding permitting for construction projects across the country, toxic risk prevention, parts of the successful Brownfields Program, and pesticide licensing.

So I understand that the money would direct more funding to States in Appalachia. Appalachia is suffering. They are suffering from the raging environmental harm caused by coal mining. But, unfortunately, I cannot support any deeper cuts to the EPA.

Mr. Chairman, I oppose the amendment, and I reserve the balance of my time.

Mr. GRIFFITH. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I understand the gentleman's overall goal is to continue funding for the AML pilot project, consistent with a fiscal year 2017 enacted level, and structure for the six Appalachian States.

Therefore, we can accept this package of amendments at this time, work toward maintaining funding for 6 States in a final fiscal year 2018 enacted bill. If we are able to achieve that goal, I hope we can count on the gentleman's support to pass both this House package and to enact the 2018 end-of-year spending bill.

Mr. Chairman, I encourage my colleagues to adopt this amendment.

Ms. MCCOLLUM. Mr. Chairman, once again, I appreciate the challenges that the gentleman is suffering in his State and throughout Appalachia, but I cannot support any more deeper cuts to the EPA, so I must oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. GRIFFITH. Mr. Chairman, I ask my colleagues to help us transition the economy in central Appalachian support to the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Virginia (Mr. GRIFFITH).

The amendment, as modified, was agreed to.

Mr. CALVERT. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I yield to the gentleman from Georgia (Mr. JODY B. HICE) for the purpose of a colloquy.

Mr. JODY B. HICE of Georgia. Mr. Chairman, I thank Chairman FRELINGHUYSEN and Interior Subcommittee Chairman CALVERT for their efforts on this legislation, and I thank them for the opportunity to speak today.

I am committed to pursuing a comprehensive all-of-the-above energy strategy, and I would like to take this

time to engage in a colloquy on section 438 of this bill, pertaining to offshore wind development. As a representative from a coastal area, I want to ensure that all offshore energy development is pursued in a pragmatic manner.

Section 438 restricts funding for the Department of the Interior to administer offshore wind leases within 24 nautical miles off the coast of Maryland. This language hinders offshore wind development by imposing unprecedented and burdensome requirements on three existing leases.

Typically, offshore wind turbines are constructed roughly 12 nautical miles from the coastline, which is generally out of sight from shore. By doubling the setback, section 438 unreasonably restricts these projects and sets a poor policy precedent for future development.

Furthermore, modifying the terms and conditions of the leases violates the sanctity of the lease and creates considerable uncertainty for companies pursuing any offshore wind project.

It is critical that we establish regulatory and contractual certainty in all areas of natural resource development. America's offshore wind industry is in its infancy, and the policies and precedents that we set today will affect investment long into the future.

The language contained in section 438 is concerning for this reason, and I look forward to working with the gentleman from Maryland in the future to find a more appropriate solution.

Mr. CALVERT. Mr. Chairman, I yield to the gentleman from Maryland (Mr. HARRIS) for the purpose of a colloquy.

Mr. HARRIS. Mr. Chairman, I thank Mr. CALVERT for allowing me time to discuss an issue that is important to my constituents in Ocean City, Maryland.

I am proud that Ocean City is home to beautiful beaches and views and, as a result, a booming tourism industry.

I sought the inclusion of section 438 to respond to concerns of Ocean City residents regarding the visibility of the proposed wind turbines offshore. By siting turbines within 24 nautical miles from the shoreline, I am concerned that our beach economy and tourist experience will be compromised. I believe every effort must be made to minimize the impact of this project on the Ocean City view shed.

This large scale project requires full consideration of the needs and opinions of the local community. I look forward to working with my colleagues to develop a practical solution to this challenge.

Mr. CALVERT. Mr. Chairman, as I mentioned at our full committee markup, I understood that my colleague, Dr. HARRIS, was offering his amendment to address local concerns from his residents with respect to the visibility of offshore turbines. With all of these offshore projects, many varying view-

points need to be taken into account. I appreciate that we have been able to discuss many of these views and concerns here today.

It is my hope that we can work with the authorizing committees of jurisdiction, the administration, and all interested stakeholders to identify some better solutions as we move forward through the fiscal year 2018 process.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. TIPTON). The Chair understands that amendment No. 14 will not be offered.

AMENDMENT NO. 15 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 115-297.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 8, after the dollar amount, insert "(increased by \$32,491,000)".

Page 64, line 1, after the dollar amount, insert "(reduced by \$32,491,000)".

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Pennsylvania (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank the chairman of the subcommittee for the opportunity to offer this amendment.

Mr. Chairman, prior to the enactment of the Surface Mining Control and Reclamation Act of 1977, coal mining played an important role in the United States for nearly 2 centuries, providing critical energy and jobs for our Nation.

However, across Pennsylvania and throughout Appalachia, we continue to have great needs in reclaiming our abandoned mine lands and restoring our waters that have been impacted by historical mining activities.

Since 1977, we have made great gains in restoring our historical mine lands, but much more work still needs to be done.

The Federal Office of Surface Mining has estimated that the unfunded liabilities of abandoned mine lands across the Nation exceeds \$10 billion, with nearly half of that obligation located in Pennsylvania.

To complement the funding from the AML trust fund, which was established through SMCRA, this legislation contains appropriations for the AML pilot program in order to support additional funding for abandoned mine lands for areas that need assistance most.

This program provides grants to States "to accelerate the remediation of AML sites with the economic and

community development end uses in mind."

Unfortunately, this legislation provides \$32 million less for the pilot program compared to last year's level.

My amendment is simple and would not increase Federal spending. The amendment would restore funding for the Abandoned Mine Land Reclamation pilot program to its 2017 level by re-allocating funds from the EPA's Environmental Programs and Management by the same amount.

Mr. Chairman, where these funds are coming from is very consistent with the mission of that account that it would be taken from. But the difference is that by putting this into the AML pilot program with a laser focus, we are focused on environmental concerns that have been identified, and we are funding remediation techniques that are proven.

We have an obligation to clean up our environment and restore our abandoned mine lands and waters, and this program helps us do just that.

Mr. Chairman, I thank the chairman and ranking member, and I urge my colleagues to vote "yes" on this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I strongly oppose this amendment that takes more money, again, away from an already starved EPA.

This is a duplicate from the last amendment offered by the gentleman from Virginia earlier. It cuts another \$32 million from the EPA's operating accounts.

Our country right now is dealing with two catastrophes caused by hurricanes. The destruction is going to be felt for years. The EPA right now is one of the primary Federal agencies responsible for protecting human health, monitoring air and water, and managing recovery and cleanup, so it would be simply reckless to adopt another amendment that would further cripple the EPA.

These two amendments would cut the EPA by \$108 million.

Mr. Chairman, I strongly oppose the amendment, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank the gentlewoman for those comments.

My point is, though, that this actually takes \$32 million and puts it like a laser on an area where we know that environmental damage is well documented and we have very effective public-private partnership techniques to address.

Mr. Chairman, I am pleased to yield such time as he may consume to the

gentleman from California (Mr. CALVERT), chairman of the Appropriations Subcommittee.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding.

I am certainly prepared to accept this amendment. I understand the importance of the program to the gentleman from Pennsylvania and other Members in the Appalachian region. I look forward to working with him and all of the interested Members.

Mr. Chairman, I encourage adoption of the amendment.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, once again, I understand clearly what the gentleman from Pennsylvania is trying to accomplish.

I wish we could accomplish that goal. But with already a \$240 million cut to the EPA and all of the challenges on the EPA—we just recently agreed on this floor by a voice vote to cut the EPA another \$75 million. This would be another \$33 million.

So I hope that we can reach a place in the funding that the chairman and I have where we can address the serious concerns that you bring to the floor where you had success with programs. But, at the same time, I would be cutting opportunities for cleanup, especially with all of the disasters looming—forest fires, disasters, and cleanup I just had recently in my district that came out of the blue. The EPA wouldn't have money to respond.

Mr. Chairman, I strongly oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 115-297.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 39, line 1, after the dollar amount, insert “(reduced by \$1,011,000)”.

Page 64, line 1, after the dollar amount, insert “(increased by \$1,011,000)”.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, my amendment will restore \$1 million in cuts to the Environmental Justice program within the EPA, with an equivalent cut to leadership and administration within the DOI Office of the Secretary.

In 1992, the program was created and originally called the Environmental Equity Office. It was created after a series of releases of reports that revealed polluter sites were disproportionately located in low-income communities and communities of color.

□ 1815

With minimal support, the program has provided communities with leveraged resources to do things like revitalize neighborhoods, build health centers, expand affordable housing, create green space and recreation areas, and, more importantly, raise the awareness of the disproportionate treatment in both affected communities and decisionmakers.

Despite this success within the EPA for decades, we are not even close to dealing with the issue of environmental justice.

In 2016, the United States Commission on Civil Rights found that racial minorities and low-income communities are still disproportionately affected by the siting of waste disposal facilities, permitted emissions facilities, and that they often lack the political and financial clout to properly bargain with polluters when fighting a decision or seeking redress.

A report by the staff of the House Committee on Natural Resources found that clean water access and sanitation infrastructure on numerous reservations across the Nation more closely resemble developing countries than they do the rest of the Nation. Nearly half of all homes on Tribal land lack access to adequate drinking water, sewage, or solid waste disposal facilities. As a result, Native families often end up drinking unclean water that increases disease risks and impairs Tribal economic development.

Additionally, low-income communities of color have been on the frontline of Houston's petrochemical industry for decades, and when Harvey struck, they were some of the first to feel the effects as chemical plants caught fire, refineries began flaring toxins, and polluted floodwater went into their neighborhoods.

The EPA Office of Environmental Justice helps integrate concerns of these communities within the general activities of the agencies. This is not a program that can afford to be scaled back, especially as concerns of environmental justice continue to arise around Hurricane Harvey and now in Irma's path. It is critical that we protect frontline communities and commu-

nities of color from disparate impacts caused by environmental pollution. One million dollars is not a lot of money for this task, but it reaffirms the significance of the office and our sense of equality.

Today I ask my colleagues to join in defense of these communities and show them that Congress cares about their public health, their housing, and their importance as people.

Mr. Chair, I urge a “yes” vote on the amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, given our allocation, which was \$824 million below the fiscal year 2017 level, we had to find areas to trim. It is also important to note that the bill does not support the elimination of the program, as has been proposed in the President's budget. It was the committee's effort to find some middle ground.

While I can certainly appreciate the gentleman's interest to maintain fiscal year 2017 enacted level, the allocation of the committee doesn't support those levels. So, therefore, I urge my colleagues to vote “no” on the gentleman's amendment.

Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, I yield as much time as he may consume to the gentleman from West Virginia (Mr. MCEACHIN), a member of the Natural Resources Committee, and ranking member of the Oversight and Investigations Subcommittee.

Mr. MCEACHIN. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chairman, I am proud to rise in support of this amendment to restore funding to the Environmental Justice program within the EPA. This program enables the agency to better assist frontline communities that are disproportionately impacted by pollution.

Low-income and minority communities face disproportionate levels of hazardous pollution and environmental contaminants due to where their members live and where they work.

The harms are real. For instance, higher levels of air pollution result in members of minority groups having higher death rates and higher numbers of emergency room visits and hospital stays.

As the cofounder and co-chair of the United for Climate and Environmental Justice Task Force, it is my mission to combat these environmental injustices and ensure frontline communities no longer bear the unequal burden of environmental, economic, and health harms.

That is why, Mr. Chairman, this amendment is so important.

The Environmental Justice program leverages Federal funds to greatly improve health and quality of life in our most vulnerable communities. Since the establishment of the program, communities have been better able to revitalize neighborhoods, build health centers, expand affordable housing, and create new green spaces and recreational areas.

I urge my colleagues to show low-income and minority communities that we care about their health, housing, and overall well-being by supporting the amendment.

Mr. GRIJALVA. Mr. Chair, I urge a "yes" vote on the amendment, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 21 OFFERED BY MR. PRICE OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 115-297.

Mr. PRICE of North Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 63, line 6, after the dollar amount, insert "(reduced by \$104,235,000) (increased by \$104,235,000)".

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from North Carolina (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, my amendment would restore the EPA's Science and Technology account to 2017 levels.

I offer this amendment to underscore the importance of environmental research to the health and safety of the American people, as well as thousands of jobs in my district and across the country.

This amendment is framed in increase-decrease terms for the simple reason that, given the subcommittee's inadequate allocation, there is simply no place to turn for an offset.

The EPA's Science and Technology account funds research and development activities within the agency, supporting the work of the world's leading

environmental research enterprise and informing the environmental policies that Congress enacts.

The bill on the floor today would cut this account by \$105 million, a 15 percent reduction. About the only good thing I can say about that is that it isn't as bad as the Trump budget, but it is still a deep and devastating cut. Mr. Chairman, we have to restore these funds as this bill moves through the remaining stages of the process.

The EPA's Office of Research and Development funded by this account not only supports EPA programs in air, water, toxicology, and energy research, but it also facilitates innovative partnerships with some of the premier higher education and research institutions in the country.

EPA research facilities employ more than 2,000 people, supports some 700 affiliated jobs in my district alone. This includes advanced laboratory scientists, administrative personnel, also blue-collar jobs in maintenance, custodial, and security positions.

The EPA research that this agency conducts, world class research, it allows us to remain proactive in protecting the air we breathe, the water we drink, resources, whose safety we must never, ever take for granted.

Now, I know the EPA is continually a scapegoat when it comes to spending cuts. In times of crisis, however, we don't hesitate to call on them to respond quickly to events that could pose a threat to the environment and public safety.

Just last week in the devastating wake of Hurricane Harvey, sites containing dangerous chemicals and contaminants were severely flooded and damaged. Research from this office, the office being cut in this bill, proved invaluable in putting together a safe and effective response.

In other words, the EPA is part of the first line of defense to respond to events that pose threats to public health and safety. It follows that if we gut the EPA's research budget, we are putting ultimately the American public at risk.

The EPA research cuts underscore, I think, how fraudulent the claim is that this is a bill that would make America secure and prosperous. Really? In reality, it would cripple investments that Americans count on each and every day to keep them safe and healthy.

Mr. Chairman, I remain hopeful that a bipartisan budget agreement will be reached that will allow us to restore this research funding and do right by the people we represent.

Mr. Chair, I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, I certainly appreciate my friend's support for the

research conducted at the EPA, and particularly the Research Triangle Park. I am a supporter of the world class research that occurs at RTP with respect to the computational toxicology program. That research has helped to identify alternative high throughput testing methodologies that have reduced the number of animals used in laboratories.

Given the current allocation, however, which is \$824 million below the fiscal year 2017 level, we had to find areas to trim. We certainly don't have a funding level that can support the fiscal year 2017 enacted levels, but we tried to do the best we could to find common ground.

I certainly look forward to working with the gentleman in the future, if we happily come to some kind of budget agreement, where we can reallocate funds to something as important as this. But, again, because of our allocation, I must oppose the amendment and urge my colleagues to vote "no" on the gentleman's amendment.

Mr. Chair, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I have to acknowledge that the chairman did a pretty good job of describing some of the research that we have underway in North Carolina and around the country, and I know he understands that and wants to support it.

I also know that we have got to do better than the allocations represented in this eight-bill omnibus effort. So I pledge to work with him and other colleagues to achieve that kind of agreement, and then also to revisit this account and other accounts that we know need attention if we are to do our duty as representatives of our communities and also maintain the investments a great country must maintain.

Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PRICE).

The amendment was rejected.

Mr. CALVERT. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. LANCE) for the purpose of entering into a colloquy.

Mr. LANCE. Mr. Chairman, I thank both Chairman CALVERT and Chairman FRELINGHUYSEN for their work on this legislation. I greatly appreciate the committee's efforts to fund the National Endowment for the Arts and the National Endowment for the Humanities.

I stress the importance of Federal investments in the arts and humanities. The numbers speak for themselves. The NEA and the NEH each consist of only .003 percent of a nearly \$4 trillion Federal budget, yet for every dollar the United States spends on Federal arts initiatives, nine non-Federal dollars are leveraged, generating roughly \$600 million in matching support.

Federal arts and humanities funding is a catalyst for the economic development and job creation that we all need, having a powerful multiplier effect not only in New Jersey, the State I represent, but throughout the entire Nation.

The arts and humanities also engage nearly every community. In April, I visited the Paper Mill Playhouse in Millburn, New Jersey, in the district I serve, to see its "Theater for Everyone" project in action, an autism-friendly program supported by the NEA. It provides a creative outlet for children with developmental disabilities and for their families. Seeing these performances reinforced the importance of our continued investments in the NEA and in the NEH.

Mr. Chair, I also thank both Chairman CALVERT and Chairman FRELINGHUYSEN for including funding for the Delaware River Basin Restoration project authorized just last year to coordinate private investments, regional partnerships, and local knowledge, and develop strategies to protect and restore the watershed's ecological and recreational assets and historical significance.

□ 1830

Throughout the four States that are involved—New Jersey, New York, Pennsylvania, and Delaware—the Delaware River Basin supplies 15 million people with clean water and supports approximately \$25 billion in economic activity each year. It is imperative that we preserve these resources for future generations, and I look forward to working with the committee on this initiative.

Let me repeat my deep thanks to Chairman CALVERT and to Chairman FRELINGHUYSEN.

Mr. CALVERT. Mr. Chairman, I yield to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I thank Chairman CALVERT and Chairman FRELINGHUYSEN for their commitment to the arts. I greatly appreciate the subcommittee's efforts to fund the National Endowment for the Arts and the National Endowment for the Humanities.

The NEA's mission is to strengthen the creative capacity of our communities by providing all Americans with diverse opportunities for arts participation. Of critical importance, the NEA has expanded their reach to help servicemembers who have been diag-

nosed with TBI, traumatic brain injury, and other psychological conditions. This new partnership is critically important.

The NEA Creative Forces Military Healing Arts Network is a collaboration with the Department of Defense which supports music, writing, and visual art therapy at military care facilities. They are finding that the best treatment for PTSD is yoga, which doesn't cost us anything.

The Creative Forces program places the creative arts therapies at the core of patient-centered care in military medical facilities and invests in research on the impacts and benefits of these innovative treatment methods. The cost-effective, noninvasive arts therapy of those programs rank consistently in the top five "helpful" and "wish to continue" programs on patient satisfaction surveys of the men and women who have gone through the programs, and over 85 percent of military patients said art therapy was helpful to their healing.

We may even be learning here that this might be the best thing, as Mr. LANCE was pointing out, for autistic children.

But throughout the art therapy programs and the work that they are doing, our servicemen and -women are being able to transition away from the basketful of prescription drugs that they carry around with them and lived on and are rejoining their families and life. So when they wheel out of that healing, that psychological skill-building, self-expression, and self-esteem that comes from these programs, that obviously is certainly something that we need to continue.

As part of the NEA's mission to increase access to the arts for all Americans, Creative Forces enables more servicemembers, veterans, and military families to benefit from creative art therapies and community arts activities.

NEA is so cheap it is surprising. For the small amount of money we put into it, we would get about \$9 billion back and many people who have been employed. We don't do anything with a better return than the money we spend for the arts.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MCCOLLUM. Mr. Chair, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I thank the ranking member for yielding. I thank Chairman CALVERT for engaging in this colloquy with Mr. LANCE and Ms. SLAUGHTER and me.

We are highlighting the importance of the National Endowment for the

Arts and the National Endowment for the Humanities and the importance of robust funding for the work of those agencies. There is no more efficient dollar spent in the entire Federal budget. I will say in a minute what I mean by that.

I am very happy to be co-chairman, with Mr. LANCE, of the Congressional Humanities Caucus, to be a member of the Congressional Arts Caucus, which Ms. SLAUGHTER and others have led, and proud to support the missions of these two agencies.

Federal support for the arts and the humanities affirms America's rich and diverse cultural and artistic heritage. It really is an investment in the quality of life of our people. I think we should see it that way, and we need to be steadfast in our support and our investment. It is one of the most efficient we make, as I said. It leverages private, nonprofit, and corporate dollars.

In 2015 alone, for example, Federal NEH museum grants leveraged \$104 million in outside funding from only \$33 million in Federal funds. That is a pretty good return for the taxpayer.

They support millions of jobs, these endowments do, and the projects they fund, hundreds of millions of dollars in direct economic activity, and the American public loves them. Participation all over this country, in communities large and small, rural and urban, is widespread and enthusiastic.

So again, I thank the chairman for his attention to these important lines in the budget. I hope we can bolster our commitment to the arts and humanities and do even better as the appropriations process moves forward.

Ms. MCCOLLUM. Mr. Chairman, I want to also commend the chairman and working with the whole committee to make sure that the arts and humanities receive the funding that they did.

Mr. Chair, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I want to quickly thank the gentlewoman from the great State of Minnesota, thank the gentleman from California, and just very quickly say that I come with my amendments, but I also come just to acknowledge the pending storm in Florida and Hurricane Harvey because our arts communities were underwater, and they are still underwater.

I offered amendments that deal with preservation of heritage areas, urban reforestation, and the Smithsonian outreach. I thank my colleagues for putting it in the en bloc.

But as I do so, I want to take note of, again, all of the debris and be able to say that, in the course of hurricanes, historic entities are impacted.

We are looking to establish an emancipation trail, and one of my most important amendments is to ensure that there is national policy to preserve, for public use, historic sites, buildings, and

objects of national significance for the inspiration and benefit of people of the United States.

My community is looking for that emancipation trail, but it starts from Galveston. We have not yet been able to assess whether any of those historic markers and places were destroyed by Hurricane Harvey. So the funding for the Interior Department and the aspects that come under the Interior Department, the jurisdictional issue is very important to us because we will have to look to see if our historic entities have been preserved.

In the midst of debris and danger that our constituents face, this is equally important, and it is equally important to restore the symphony, to restore the ballet and our theater, all of them underwater in my congressional district.

I hope, as we move forward, H.R. 3686, Hurricane Harvey supplemental appropriation that we have filed that will embrace all of these issues, will be considered.

I thank my colleagues for those amendments. And, again, in the course of a storm, the history of people is jeopardized, and my amendments deal with preserving the history of our people. Maybe, as we come out of this, we will create the emancipation trail that is part of my amendment.

Ms. MCCOLLUM. Mr. Chair, I yield back the balance of my time.

AMENDMENT NO. 27 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 115-297.

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, line 1, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 64, line 12, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 67, line 20, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 73, line 23, after the dollar amount, insert “(reduced by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, before I actually get to my amendment, I just want to say in reference to the previous discussion about properly funding the National Endowment for the Arts and Humanities, I commend the discussion on both sides and the commitment to properly fund those programs.

The National Endowment for the Arts and National Endowment for the Humanities holds a special place in Rhode Island in that both of those pro-

grams were championed by and helped to have been created by our late senior Senator Claiborne Pell. We understand the importance of the arts and humanities in Rhode Island, the jobs they create, the quality of life they enhance, and I wholeheartedly support properly funding both of those programs.

I had led a Special Order when the President's budget came out and those programs had been zeroed out in funding. Several of my colleagues and I got together and talked about the impact the arts and humanities have on our States, on our districts, and on the country as a whole. I just want to reiterate my support for the National Endowment for the Arts and Humanities and all they do for the country.

Mr. Chairman, my amendment that we have before us would restore some funding to the southern New England estuaries program, which is currently zeroed out in the underlying bill.

This program, part of the EPA's geographic programs, has been a thriving success, and anyone who has been to New England knows the beauty of where the ocean meets the land. Our estuaries are in South County, Rhode Island, and all along the Narragansett Bay; along Mount Hope Bay and Buzzards Bay and throughout Cape Cod.

These areas are the lungs of our coastal areas and sustain the diversity of plant and animal life. These funds are vital to conserving this wetland habitat which is frequently under attack by human and natural damage. So I implore the majority to support this program, as they have supported similar programs for Puget Sound, the Chesapeake Bay, and other areas.

I am proud to be joined by Representatives CICILLINE, KEATING, and KENNEDY as cosponsors of this amendment.

Mr. Chairman, finally, I just want to say that I intend to offer and withdraw this amendment provided that my colleague, Chairman CALVERT, is open to continuing the discussion on the importance of this program.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. While the amendment itself is drafted in order as a general increase to EPA geographic programs, the gentleman proposes to fund a program that was not requested in the budget and is not authorized.

Further, he proposes to reduce grants from DERA, the DERA program, which is a key program for improving air quality in areas like mine that are in a nonattainment area with existing standards.

For those reasons, I oppose the amendment and urge my colleagues to vote “no” on this amendment.

I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, as I said, I have offered to withdraw the amendment as long as the chairman would continue discussion with me.

Mr. CALVERT. Mr. Chair, I am sorry. I didn't hear the gentleman, and I happily accept his offer to withdraw the amendment. I will happily work with him to see if we can't work some time in the future to find room for this program that the gentleman is obviously supportive of.

Mr. LANGEVIN. I thank the chairman, and I am grateful for his consideration, and I look forward to working with him.

I yield back the balance of my time and withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

The Committee will rise informally.

The Speaker pro tempore (Mr. KATKO) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 69. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 597. An act to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes.

S. 1165. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel “Woody” Williams VA Medical Center.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 24. Concurrent resolution providing for a correction in the enrollment of H.R. 601.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1845

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The Committee resumed its sitting.

AMENDMENT NO. 29 OFFERED BY MR. BIGGS

The Acting CHAIR (Mr. TIPTON). It is now in order to consider amendment No. 29 printed in House Report 115-297.

Mr. BIGGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, line 1, after the dollar amount, insert “(reduced by \$10,234,000)”.

Page 141, line 4, after the dollar amount, insert “(increased by \$10,234,000)”.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Arizona (Mr. BIGGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. BIGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, earlier this year President Donald Trump submitted his budget request for fiscal year 2018 to Congress. The budget request included a 20 percent reduction in funding for the Environmental Protection Agency’s Office of Enforcement and Compliance Assurance to \$419 million, \$129 million below the fiscal year 2017 level.

The underlying bill cuts roughly 15 percent of the EPA’s enforcement budget, and my amendment would get us closer to meeting the President’s request by cutting an additional \$10,234,000 from the EPA’s programs and management account enforcement line item.

Reducing the EPA’s enforcement budget will help rein in inappropriate bureaucratic actions. It is necessary to revive the American economy and restore regulatory sanity to environmental regulations.

Make no mistake, Mr. Chairman, the American people cannot afford to continue to be burdened by an out-of-control EPA that overregulates and promulgates rules and then punishes the American by adjudicating unconstitutional penalties.

Mr. Chairman, I urge all Members to vote “yes” on my amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, I can’t support an amendment taking money from an underfunded agency, reducing our bottom line, when it is already \$824 million below the FY17 enacted level. Let me give you two examples of why I think the gentleman’s amendment should not be supported.

One is I have been talking to EPA officials because we have a surprise toxic dump site that is as close to a residential area as I am from the Chairman. Barrels. The owner just walked away. Too much for the city of St. Paul to handle. Too toxic. Too dangerous.

The State of Minnesota, the Minnesota Pollution Control Agency, had to call in the EPA for help. It is costing us as taxpayers millions of dollars to clean that up because the businessowner just walked away. Noth-

ing that the EPA can do but clean it up, and clean it up they are, and the neighbors are ecstatic that the Federal Government is there to help them.

The EPA, by taking more money away from it and putting it in the spending reduction account at a time when I know that the EPA regions all across this country are sending men and women down to help cities and counties and communities out with the disaster that Harvey has created, this is all money that is being spent right now in an agency that is \$824 million below 2017.

I think it is important that we protect the air that we breathe and the water that we drink, and the consequences of further cuts to the EPA, I believe, will be felt in communities like mine, like Houston, like maybe what we will be hearing in Florida—we haven’t had the assessment yet in the Virgin Islands—all across this Nation. That, to me, is just irresponsible.

Mr. Chair, I reserve the balance of my time.

Mr. BIGGS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chair, I won’t take the 2 minutes. I just want to let the gentleman know I am prepared to accept the amendment, and I encourage adoption of the amendment.

Mr. BIGGS. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Arizona has 3¼ minutes remaining.

Mr. BIGGS. Mr. Chairman, I yield myself such time as I may consume.

The EPA has no statutory duty to pursue or enforce regulation. My home State of Arizona, along with the States west of the Mississippi, are those who are most affected by the heavy hand of the enforcement arm of the EPA.

In my community, dust is the number one particulate. The EPA’s response is to come to us in a desert and say: “Water it down. Water it down.” Then they come after us because of misuse of water.

This is the inconsistency that we see in the EPA that is weighing down the economy of many of the areas within the West.

The more I meet with local and national natural resource leaders, their number one concern mostly deals with the EPA’s burdensome regulations and its enforcement proceedings. Further reducing the EPA’s enforcement budget will limit its ability to stifle the economy and enforce unconstitutional rules.

I also want to emphasize the need to restore fiscal sanity in our country. With the ever-growing national debt, my amendment will return \$10 million back to the United States Treasury.

I thank the gentleman from Missouri (Mr. SMITH) for partnering with me on this effort, and to all Members who

support our effort to restore fiscal and regulatory sanity in our country.

Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, as I said earlier, this account has already been cut by \$240 million below the 2017 enacted level, another \$108 million tonight on the floor, but at least those dollars were going back into something, in my opinion, meaningful. This is just taking money away from the EPA, which is underfunded, which is undersourced, and being asked to do more for less at a time when, as I pointed out, we don’t even know until there is an opportunity for the waters to subside what we are going to find at the Superfund sites from Harvey.

Mr. Chair, I oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. BIGGS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 30 OFFERED BY MR. KATKO

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in House Report 115-297.

Mr. KATKO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, line 1, after the dollar amount, insert “(reduced by \$250,000,000)”.

Page 67, line 20, after the dollar amount, insert “(increased by \$250,000,000)”.

Page 67, line 22, after the dollar amount, insert “(increased by \$250,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from New York (Mr. KATKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. KATKO. Mr. Chairman, I rise in support of my amendment, which restores critical water infrastructure funding to the Clean Water State Revolving Fund.

Across our country, communities are faced with aging water infrastructure, which poses a growing threat to existing levels of service, public health, and our environment.

The State Revolving Funds are a proven critical tool for States and local communities to make high priority water infrastructure investments that otherwise may not be feasible.

Earlier this year, Onondaga County in my district leveraged over \$20 million in funding through the State Revolving Funds to upgrade the Syracuse-Metro sewage treatment plant to continue to improve the water quality of Onondaga Lake, which has made a remarkable recovery.

While I commend the Chairman for his work on this legislation, with the EPA estimating our national 20-year capital improvement need to be over \$650 billion for drinking water and waste infrastructure combined, now is not the time to roll back this Federal funding.

The \$250 million cut to this fund included in the bill would prove harmful to communities in my district and throughout our entire Nation.

I was heartened to see that the President's statement yesterday opposed this \$250 million cut and reaffirmed the administration's support of pivotal water infrastructure funding.

This is a bipartisan issue that impacts nearly every congressional district. I urge my colleagues on both sides of the aisle to support this amendment to ensure our communities can continue to invest in critical water infrastructure projects that support their economies and a safe and healthy environment.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. HULTGREN). The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, while there is nothing more I would like to do, I think any of us would all like to do, than to provide more resources for the clean water SRF, it can't be done by reducing the EPA's environmental programs in management.

This administration has clearly shown that they do not regard the EPA's work as a priority, which means that they have a blatant disregard for public health and the health of our environment.

The EPM account includes funding for programs like brownfields enforcement, environmental justice, geographic programs, and lot of other critical programs, some of which I gave examples of this evening, which would suffer with a \$250 million reduction.

This amendment illustrates, because I agree with the gentleman, I wish we had more money to put in that account, what happens when we don't have adequate 302(b) allocations. To overuse a common phrase, we are robbing Peter to pay Paul, and it is not making us whole. So it is with great reluctance that I oppose this amendment, but oppose it I must because the cuts that have already been made this evening to the brownfields enforcement, the environmental justice programs, and a myriad of other programs

which are critical to the health and well-being of our communities, and they are out there working every day on it, is something I can just not support.

Mr. Chair, I reserve the balance of my time.

Mr. KATKO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chair, I support the gentleman's amendment because water infrastructure remains a top priority of this committee. I urge adoption of the gentleman's amendment.

Mr. KATKO. Mr. Chair, in response to my colleagues from the Democratic side of the aisle, it is clear, as I stated previously, that the President has signaled not only that he supports the plus-ing up of the money as I propose in this amendment, that he supports plus-ing up a much larger amount the Clean Water State Revolving Funds as part of an overall infrastructure plan. To say otherwise is simply untrue. This President wants everyone in the United States to have clean drinking water. He supports this program, and for someone to say otherwise, it is just not true.

She also stated that robbing Peter to pay Paul is something that may be going on here. We are talking about clean drinking water, \$250 million of clean drinking water, that would come out of the general fund. I would much rather see a little discomfort from bureaucrats in Washington, D.C., than to see people not have clean drinking water nationwide.

I want to reiterate the importance of supporting the effective State Revolving Fund program. It has done a great job nationwide, and we need in these tough fiscal times to find ways to make these things work. This is a way to do it. Take away from the general fund, take away from instances in which bureaucrats may not be able to rent the car of their choice or have the pencils that they choose or an upgraded computer. I would much rather have that than to have dirty drinking water for our constituents nationwide.

Mr. Chairman, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, the very employees that the gentleman was talking about that get in a car, they drive to check out the sewer waste plants to make sure that they are operating. They are making sure that the water is clean. They are doing their job.

Tonight we have cut this account already by 16 percent. That means we are cutting programs. We have cut brownfields enforcement, environmental justice, geographic programs, programs that support the very account you and I would like to see more money go into. I just urge my colleagues not to support this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. KATKO).

The amendment was agreed to.

□ 1900

AMENDMENT NO. 31 OFFERED BY MR. BEN RAY
LUJÁN OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in House Report 115-297.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 67, line 20, after the dollar amount, insert "(increased by \$6,000,000) (reduced by \$6,000,000)".

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from New Mexico (Mr. BEN RAY LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, a little more than 2 years ago, an Environmental Protection Agency team was investigating a contamination at the Gold King Mine that caused a spill of 3 million gallons of wastewater, impacting New Mexico, Colorado, Utah, Arizona, the Southern Ute Reservation, and the Navajo Nation.

I was in Farmington, New Mexico, in the Four Corners area when the toxic plume turned the Animas River yellow. I met with the community and heard their concerns about the toll that the spill was taking on businesses, farmers, families, and individuals. I attended different community meetings, not only in southern Colorado, but in that northwestern part of New Mexico.

Despite repeated promises by the EPA that it would fully address this environmental disaster, progress has too often been needlessly slow. For example, in January of this year, the EPA and the Department of Justice announced a deeply disappointing decision that the EPA was not liable under the Federal Tort Claims Act for damages caused by the Gold King Mine spill.

And while I appreciate Administrator Pruitt's recent announcement that the EPA was reconsidering this misguided position, I believe that the EPA and the Congress should act to ensure that every impacted individual and community—especially New Mexicans and the Navajo Nation—receive the compensation they deserve.

The State of New Mexico and the Navajo Nation should not have to sue the Federal Government to ensure that the government meets its moral obligation to the farmers, small business

owners, and others injured by this spill.

This amendment, however, is about the long-term impact the spill will have on the river and all that that it sustains, from drinking water to providing water for farming and livestock. Robust long-term water quality monitoring is essential to ensuring that communities along the Animas River have the data they need to protect the health of all of those who rely on this water, and the State of New Mexico has developed a robust and independent monitoring plan that deserves the EPA's support.

That is why I am again offering an amendment to provide \$6 million to direct the EPA to work with the affected States and Indian Tribes to support long-term monitoring programs for water quality on the Animas and San Juan Rivers in response to the Gold King Mine spill.

The same amendment was accepted by the House last year on a bipartisan basis. I thank both the chairman and the ranking member for their work on this issue, and because monitoring now and well into the future is necessary to protect the health of all those who rely on this water, I urge my colleagues to support this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the amendment, reluctant opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, I think it is important that EPA right the wrong that was caused by the Gold King Mine spill and ensure that the affected States, and the Tribal areas, have the resources they need following the spill.

The FY17 bill included \$4 million to work with the States and Tribes on an independent water monitoring plan as authorized by the WIIN Act. Therefore, the proposed level in this amendment would exceed the authorized level. And for that reason, I must oppose the gentleman's amendment.

Mr. Chair, I yield back the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, I thank the chairman very much for his comments and look forward to working with him on this issue.

We arrived at \$6 million for water monitoring after consulting with the State of New Mexico, and, in fact, it is my understanding that New Mexico has about \$15 million in priority needs related to the Gold King Mine spill, including \$6 million specifically for monitoring.

And so we checked with the State before we came down this evening to debate this amendment, and what the State of New Mexico shared with me, they report that they have only re-

ceived \$577,193 in Federal funding to support monitoring, which is less than 10 percent of what my home State believes is needed.

In addition, the Navajo Nation and other impacted communities still need support from the Federal Government to help recover from this disaster. So, again, I look forward to working with both the chairman and with the ranking member to ensure that all of the communities impacted by this spill are made whole, and that we provide appropriate support to vital water and monitoring efforts in New Mexico, Colorado, Arizona, Utah, the Southern Ute Tribe, and the Navajo Nation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

It is now in order to consider amendment No. 32 printed in House Report 115-297.

AMENDMENT NO. 36 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in House Report 115-297.

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 134, strike lines 17 through 25.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, this amendment seeks to preserve our current Clean Water Act protections for our rivers, streams, and wetlands. Our Nation's river systems and wetlands provide values that no other ecosystem can. These include: natural water quality improvement, flood protection, shoreline erosion control, recreation, general aesthetic appreciation, and natural products for our use at no cost.

Yet section 430 of this bill seeks to undermine the critical balance between protecting these waters and the day-to-day operations of our Nation's farmers, ranchers, and foresters. Under current law, farmers, ranchers, and foresters can carry out their normal operations in any waterbody without securing a Clean Water Act permit.

So what this means is farmers can continue to plow their fields, including

potential wet areas that have been farmed for decades, plant their seeds, harvest their crops, without ever having to obtain approval under the Clean Water Act.

Any normal farming, ranching, and forestry exemption is going to include minor limitations. For example, a farmer cannot use the current exemption to convert his farmland to a residential development without obtaining a permit. And a rancher can't use the exemption to plow under a wetland to expand his reach of grazing lands. And forestry operations cannot use this exemption to change the course of a local stream to improve drainage on their growing lands.

In short, the way the Clean Water Act currently operates is to allow normal ranching, farming, forestry operations to continue without a permit, unless the activities either change or convert the use of the waterbody to a new purpose, or impair the historic flow or reach of a stream or wetland.

So if the planned activity triggers any of these limitations, the current law requires the activity to obtain a permit. That is perfectly reasonable. But section 430 of this bill would, in essence, provide an absolute clean water exemption for impacts to any streams or wetlands that happen to be on agriculture, ranching, or forestry lands, regardless if they have any relation to these activities.

Mr. Chairman, this is a fundamental change to the Clean Water Act, and one where the impacts have never been explored. When the EPA was asked what the impact of this amendment would be, here was their response:

This amendment would be a significant departure from almost 40 years of implementation of the Clean Water Act by eliminating the existing provision requiring that the exemptions apply only to normal, as in established or ongoing, farming practices.

This change could result in the loss or impairment of thousands of acres of valuable wetlands and other waters where land is converted to agriculture.

Mr. Chairman, we should not be using an appropriations bill to change Federal policy related to the protection of our Nation's rivers and streams. To the best of my knowledge, no hearings or investigations on the impacts of this provision have been held.

If this Congress is interested in overturning almost 40 years of Clean Water Act precedent, regular order would require hearings before the House Committee on Transportation and Infrastructure, which has sole jurisdiction over the Clean Water Act, and approval by that committee before consideration on the floor.

This rider is bad policy for the protection of our environment, for the protection of human health, and bad policy for the protection of our public safety.

Mr. Chair, I urge support for my amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. In 1977, Congress made a deliberate policy choice to exempt ordinary farming, silviculture, ranching, mining, related activities, from the requirements to obtain Clean Water Act permits when undertaken as normal activities: prepare and maintain land, roads, ponds, and ditches.

Unfortunately, we heard concern for several years that, under the Obama administration, the EPA and the Corps of Engineers changed implementation of these provisions to significantly reduce the application of the statutory exemptions.

Section 430 of the bill makes clear that Congress has always intended that statutory exemptions are to have meaning, that the agencies cannot simply ignore the will of Congress as set out by law.

For these reasons and a number of others, I oppose the amendment and urge a “no” vote.

Mr. Chair, I reserve the balance of my time.

Mr. BEYER. Mr. Chairman, I thank the perspective of the chairman of the Appropriations Subcommittee on this. I think our clear understanding is that the exemptions, as currently written, allow for all normal farming, ranching, forestry activities, and that the permit would only be required when there is a substantial difference from the activity as it has gone on before, and that this is the way the law has been interpreted and enforced for the last 40 years.

Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I urge a strong “no,” and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

AMENDMENT NO. 37 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in House Report 115-297.

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, strike lines 1 through 23.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, my amendment would strike section 431.

Section 431 does two things. First, it withdraws the Clean Water Rule. Sec-

ond, and more importantly, it breaks procedure and creates a loophole so that the removal of the Clean Water Rule does not have to abide by the Administrative Procedure Act.

In essence, we are creating a loophole to eliminate a rule, a rule requested by the Supreme Court and one that took several years to put together. This elimination without allowing tweaks, thoughtful removal, or comment is a radical and dangerous precedent.

In fact, 80 Members of Congress and I actually asked for an extension of the 30-day comment period to eliminate the Clean Water Rule to allow the American people to have a say. The Trump administration agreed with us and extended the comment period an additional 30 days. I don't get to say that too often.

So clearly, there is a desire for a comment period, as evidenced by our letter and the administration's decision to appropriately extend the comment period, but the language in this bill would eliminate that process completely.

I include in the RECORD the request for extension.

CONGRESS OF THE UNITED STATES,

Washington, DC, June 29, 2017.

Re Request for Extension of Comment Period on EPA and Corps Proposed Rule Defining Waters of the United States under the Clean Water Act.

Administrator SCOTT PRUITT,
Environmental Protection Agency (EPA),
Washington, DC.

Attention: Docket ID No. EPA-HQ-OW-2017-0203

DEAR ADMINISTRATOR PRUITT: We request a minimum 90 day extension to the proposed 30-day comment period to rescind the 2015 Clean Water Rule, 80 Fed. Reg. 37054 (Jun. 29, 2015).

The Environmental Protection Agency and the U.S. Army Corps of Engineers (Corps) finalized the Clean Water Rule to clarify the scope of waters protected under the Clean Water Act. The EPA and the Corps solicited comments on the Rule for over 200 days. In accordance with Administrative Procedure Act, the agencies first established a public comment period for 90 days and extended the comment period twice in response to extension requests. The final rule reflected over 1 million public comments on the proposal, the substantial majority of which supported the Clean Water Rule.

The agencies also initiated an extensive public outreach effort, including over 400 meetings across the nation with various stakeholders, including but not limited to: states, small businesses, farmers, academics, miners, energy companies, counties, municipalities, environmental organizations, and other federal agencies. The agencies incorporated these comments into the final Clean Water Rule.

President Trump's Executive Order 13778 directs EPA and the Corps to evaluate whether to revise or rescind the Clean Water Rule, “as appropriate and consistent with law.” We ask that as you examine the Clean Water Rule, like the prior administration, you engage in a thoughtful and comprehensive process bound in scientific fact.

Americans depend on clean water for their health and livelihood. More than 117 million

Americans rely upon drinking water from public water systems that draw supply from headwater, seasonal, or rain-dependent streams that were vulnerable to pollution before the Clean Water Rule. As such, the decision to roll back the Clean Water Rule cannot be made in haste.

We are concerned that the EPA has provided limited time and opportunity for stakeholder involvement and official public comment. Any proposed rulemaking must include sufficient time and participation to gather input from concerned and affected parties, including those whose legal rights and responsibilities will be affected by this effort. For example, the 2015 Clean Water Rule provided legal certainty that regulatory-defined water features, such as stormwater control features, wastewater recycling structures, and puddles, are not covered by the Clean Water Act. However, that certainty would be eliminated if the 2015 Clean Water Rule were rescinded.

Given the history of engagement on this issue and the fact that parties may be subject to greater regulatory uncertainty by this effort, a comment period of 30 days does not allow for meaningful engagement from the public and stakeholders.

The Clean Water Rule is robust and ensures that water sources are protected by taking into account the connected systems of water, from wetlands and seasonal bodies of water to large rivers and lakes. The requirements of the Rule were meticulously developed and addressed longstanding uncertainty, improving our national commitment to protect not only America's water, but the American people. If the Clean Water Rule is revised or rescinded, the process must be comprehensive and deliberative.

We ask that you take into consideration the opinions of the American public by extending the comment period, allowing for respectful debate. We look forward to hearing from you.

Sincerely,

Donald S. Beyer Jr., Brenda L. Lawrence, Gerald E. Connolly, Grace F. Napolitano, Matthew A. Cartwright, Barbara Lee, Keith Ellison, Jared Polis, Paul D. Tonko, Niki Tsongas, Jackie Speier, Carol Shea-Porter, Debbie Dingell, Gwen Moore, Katherine Clark, Mike Quigley, Raúl M. Grijalva, Earl Blumenauer, Zoe Lofgren, Donald M. Payne, Jr., Anthony G. Brown, James P. McGovern, David E. Price, Alan Lowenthal, Madeleine Z. Bordallo, Daniel W. Lipinski, Cedric L. Richmond, Louise M. Slaughter, Colleen Hanabusa, Bonnie Watson Coleman, Carolyn B. Maloney, Jared Huffman, Jerry McNerney, Gregorio Kilili Camacho Sablan, Naette Diaz Barragán, Bill Foster, Jamie Raskin, Betty McCollum, John Sabanes.

Jerrold Nalder, Suzanne Bonamici, Steve Cohen, Marcia L. Fudge, Beto O'Rourke, Grace Meng, Mark Pocan, Anna G. Eshoo, Ted W. Lieu, John Yarmuth, Alma Adams, Alcee L. Hastings, Adam Smith, A. Donald McEachin, Tony Cardenas, Dwight Evans, Brendan F. Boyle, James R. Langevin, Salud O. Carbajal, Joseph P. Kennedy, III, Judy Chu, Eliot L. Engel, Jan Schakowsky, Richard E. Neal, Pramila Jayapal, Lisa Blunt Rochester, Yvette D. Clarke, José E. Serrano, Daniel T. Kildee, Robert C. “Bobby” Scott, Debbie Wasserman Schultz, William R. Keating, Stephen F. Lynch, Doris Matsui, Richard M. Nolan, Elizabeth H. Esty, Pete Aguilar, Adam B. Schiff, Marcy Kaptur, J. Luis Correa, Scott Peters.

Mr. BEYER. So is this our new status quo, that once an industry decides it doesn't like how a regulation turns

out, we eliminate that regulation without comment or consideration for the various stakeholders or its value.

We are eliminating the process here that we, Congress, put in place to ensure that those regulations were being considered, adjusted, or even removed, that they were done thoughtfully and while keeping stakeholders, like the American people, in mind.

It could be any rule, but the rule at stake this time is the Clean Water Rule. Over 100 Members of Congress joined me to reinforce the value of the Clean Water Rule, because without it, the streams that help supply public drinking water serving one in three Americans will be at risk.

Rolling back the Clean Water Rule cannot be made in haste and without stakeholder input. Clarity was needed in light of the Supreme Court rulings in 2001 and 2006 about uncertainty of the scope of the waters protected under the act.

The EPA and the Corps held a lengthy and inclusive public rule-making process, 200 days of public comment, 400 meetings across the Nation, and the rule reflected over 1 million public comments on the proposal, the substantial majority of which supported the Clean Water Rule.

So we are overruling, essentially, 1 million comments and 400 meetings to do this without the appropriate administrative process.

So if it is withdrawn, I simply ask that the process be comprehensive and deliberative, and the bill does not allow for that.

With this rule at stake, this time it is the Clean Water Rule, but it could be any rule going forward.

Mr. Chair, I include in the RECORD a letter from Members of Congress to Administrator Scott Pruitt opposing the proposed rule to rescind the Clean Water Rule.

CONGRESS OF THE UNITED STATES,
Washington, DC, August 18, 2017.
Hon. SCOTT PRUITT,
Administrator, Environmental Protection Agency,
Washington, DC.

DEAR ADMINISTRATOR PRUITT: We write in opposition to the proposed rule rescinding the Clean Water Rule (Docket No. EPA-HQ-OW-2017-0203), also called the Waters of the United States (WOTUS) rule. Americans need an Environmental Protection Agency that will use the best possible science to protect our health and this nation's natural heritage. This rule to rescind WOTUS and reports of plans to reduce protections under the Clean Water Act are deeply concerning. Rather than protecting Americans, these actions ignore science and undermine our clean drinking water, our public health and our outdoor recreation economy.

The Clean Water Rule finalized by the Obama Administration protects the drinking water of roughly one-third of Americans. 117 million people rely on drinking water sources fed by headwater, intermittent or ephemeral streams—waterways protected under the Clean Water Rule. Rescinding this rule puts Americans' health at risk by endangering their drinking water.

Eliminating this rule also threatens our safe access to the great outdoors and the outdoor recreation economy, which generates \$887 billion in consumer spending annually and supports 7.6 million American jobs. Pollution in unprotected streams and wetlands can threaten the health of the lakes and rivers that our constituents use for swimming, boating and other recreation. Wetlands protected under the Clean Water Rule provide some of the country's best habitat for hunters and anglers. As EPA Administrator, it is imperative to protect the water bodies that our constituents use for recreation, both to protect public health and the millions of jobs these places have helped create.

Rescinding this clean water safeguard ignores science. Years of research and peer-reviewed science have told us that intermittent and ephemeral streams and wetlands provide critical services, from filtering our drinking water to protecting communities from flood and drought. They also connect directly to major waterways, which means they can pose a danger to drinking water and recreation if polluted or degraded. The science is clear—what we do to these water bodies impacts large, continuous water sources.

Americans agree that we should protect these waterways. The previous Administration crafted the Clean Water Rule using the comments of over one million Americans, the vast majority of which were in support of the rule. Some opponents have used scare tactics to confuse the public by stating that there are new requirements for agriculture and that the rule covers new types of waters. This is not the case. In reality, the rule provides certainty over streams and wetlands that have historically been covered by the Clean Water Act while preserving agricultural and other common sense exemptions, including for things like drainage ditches and stock watering ponds on dry land.

The Clean Water Rule is a science-based rule that keeps our communities safe and our natural resources protected—exactly what Congress intended the Clean Water Act to do. We would be willing to work with an Administration that wants to develop thoughtful changes that maintain protections for this life-sustaining resource, but this repeal is reckless. In rescinding this rule, the Agency is risking the health and safety of the American people and our natural resources. We urge you to reconsider this rescission and instead focus on fairly and fully enforcing the Clean Water Act.

Sincerely,

Donald S. Beyer, Jr.; Doris Matsui; Gerald E. Connolly; Jared Polis; Marcy Kaptur; Paul Tonko; Alan Lowenthal; Matt Cartwright; Mike Quigley; Grace F. Napolitano.

Jared Huffman; Barbara Lee; Eleanor Holmes Norton; André Carson; Jerrold Nadler; Dwight Evans; Donald M. Payne, Jr.; Nike Tsongas; Peter A. DeFazio; Debbie Dingell; Brenda L. Lawrence; Adam Smith; Gregorio Kilili Camacho Sablan; Keith Ellison; Stephen F. Lynch; Sander M. Levin.

Seth Moulton; Nanette Diaz Barragán; Anthony Brown; A. Donald McEachin; William R. Keating; Sheila Jackson Lee; Elijah E. Cummings; Gwen Moore; Bill Foster; Jamie Raskin; Madeleine Z. Bordallo; Earl Blumenauer; James P. McGovern; Janice D. Schakowsky; John Conyers, Jr.; Debbie Wasserman Schultz.

Louise M. Slaughter; Raúl M. Grijalva; Carol Shea-Porter; David N. Cicilline;

Mike Doyle; Bonnie Watson Coleman; Nydia M. Velázquez; Mark DeSaulnier; Hakeem Jeffries; Mark Pocan; Michael E. Capuano; John K. Delaney; Katherine Clark; Joseph P. Kennedy, III; Anna G. Eshoo; Frank Pallone, Jr.

John Yarmuch; Donald Norcross; Betty McCollum; Chellie Pingree; Ruben J. Kihuen; Grace Meng; Diana DeGette; Henry C. "Hank" Johnson, Jr.; Alma S. Adams, Ph.D.; Mike Thompson; Zoe Lofgren; Lucille Roybal-Allard; Jackie Speier; Robert C. "Bobby" Scott; Daniel T. Kildee; Luis V. Guterrez.

Rick Nolan; John Sarbanes; Suzanne Bonamici; Daniel W. Lipinski; Elizabeth H. Esty; Marcia L. Fudge; Albio Sires; Jimmy Gomez; Steve Cohen; David E. Price; Judy Chu; Jim Langevin; Linda Sanchez; Robert A. Brady; José E. Serrano; Salud O. Carbajal.

Brendan F. Boyle; Bill Pascrell, Jr.; Darren Soto; Pramila Jayapal; Brad Sherman; Josh Gottheimer; Tony Cardenas; Richard E. Neal; Jerry McNerney; Adam B. Schiff; Stephanie Murphy; Ted W. Lieu.

Mr. BEYER. Mr. Chair, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Since day one, everything about EPA's waters of the U.S. rule has been flawed. The Obama administration claimed that it was not expanding the waters under their jurisdiction, but we know that more permits will be required.

□ 1915

The Obama administration claimed that the rule was based on sound science but only released to science after publishing the rule. The previous administration changed the name to call this the clean water rule and took to social media to lobby the public, which led to questions about whether the EPA violated law, which the GAO later confirmed.

It was clear the previous administration had an agenda to implement a rule, and they weren't going to be told otherwise. Thankfully, the Sixth Circuit Court put a stay on that rule.

The language of the FY18 bill authorizes the withdrawal of the Waters of the U.S. rule and seeks to bring resolution to the issue. The language in this bill is consistent with the steps the new administration has already taken.

For that and many other reasons, I urge a "no" vote on the amendment, and I reserve the balance of my time.

Mr. BEYER. Mr. Chair, I yield 1 minute to the gentlewoman from Minnesota (Ms. McCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I rise to support this amendment. The rider that we are talking about here gives an unprecedented amount of power to the EPA. It puts the agency above the law, letting it get away with no public comment on its proposals, no

economic analysis on the cost and benefit of repeal, no justification for repeal, and not having to defend repeal against court challenges.

As the Congressman pointed out, for some, this rider might serve a purpose this time. But what about in the future? What do we really want to say? That it is okay for the executive branch to circumvent laws we create and that there is no accountability in our courts?

This rider removes the checks and balances that are essential to a functioning democracy, so I support the gentleman's amendment.

Mr. BEYER. Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

AMENDMENT NO. 38 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in House Report 115-297.

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 136, strike line 1 and all that follows through page 137, line 7.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, all Americans deserve access to clean air. We have a great deal of progress that we have made in making the air cleaner and reducing pollution, but we should continue to learn from the most recent science to continue to improve air quality. Instead, this bill delays needed public health protections like the ozone standard.

My amendment would strike language that delays the implementation of the new ozone standards until the year 2026. We don't have until 2026 to protect our children's lungs. We don't have until that time to protect our seniors who are most subject and vulnerable to respiratory harm.

The consequences of this pollution are real and significant, especially for ozone pollutants. Chronic exposure to ozone at the ground level is dangerous. It increases the risk of hospital admissions. In my district in Minnesota, we have a real epidemic of respiratory injuries known as asthma. North Minneapolis is mostly a low-income community of color and has the highest rates of poverty, unemployment, and asthma.

Our children deserve better. Allowing the implementation of these ozone standards will protect them.

I just want to say, Mr. Chairman, much is said on this House floor about job-killing regulations. As a person who believes in the right of a business to open up and make a profit, I also believe that business must absorb the cost that they impose on society as well.

This rule says you can take all the money you can possibly make as you expand and increase ground level ozone, but you don't ever have to pay the costs of the externalities and the health costs you impose on everybody else.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, where I come from, Midland Empire, which is where I have lived my whole life, is part of the South Coast Air Quality Basin, which has been a nonattainment ozone area for about as long as the Federal standard for ozone has existed. But it is not for a lack of trying, as the south coast has a long history—actually the longest history—of implementing some of the most stringent Air Pollution Control measures in the entire United States.

We have done about all we can to reduce emissions from stationary sources. Our issue is the amount of cars and trucks traveling through the region. So you will find no stronger advocate for clean air than myself, which is why this bill funds targeted Air Shed Grant Programs and DERA grants. States and communities need resources to help meet the overlapping 2008 and 2015 air quality standards.

To be clear, the language in the bill does not change ozone standards. It gives communities some administrative relief to allocate more resources to meeting the 2015 standard of 70 parts per billion.

Similar language, by the way, passed the House in July. Therefore, I urge my colleagues to oppose the amendment to strike, and I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, administrative relief sounds like a euphemism for "you guys got to keep breathing this bad stuff."

Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I first thank the gentleman for yielding and for his amendment.

We all know that ozone is a hazardous air pollutant that contributes to health problems such as asthma attacks, heart disease, and birth defects—problems being made worse by climate change.

More than 40 percent of Americans, almost 130 million people, live in coun-

ties that receive an F grade for air quality from the American Lung Association. This includes my district that I represent in Illinois, as well as Washington, D.C.

This amendment would remove a needless delay in the implementation of an ozone rule designed to protect public health. The rule in question involves a modest lowering of the ozone limit from 75 to 70 parts per billion, a small change that would yield large health benefits, including preventing 230,000 asthma attacks in children and 188,000 missed school and workdays each year. This decision to lower the ozone limit was the result of a rigorous multiyear process carried out by expert scientists.

So I want to urge my colleagues to stand up for the health of our constituents and support this amendment.

Mr. CALVERT. Mr. Chairman, I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1¼ minutes remaining.

Mr. ELLISON. Mr. Chairman, I would just like to share with everybody that over the past several weeks, Americans have seen this body try to strip healthcare away from them. If there was a full repeal with no replace, 32 million people would have been without any healthcare that they had before, and many more would have been unprotected from preexisting conditions. That, fortunately, was held off. But now here we are again today with more attacks and assaults on people's health.

When will the Congress take people's health seriously? When will we hold businesses accountable who emit toxins that cause the ozone layer at the ground to increase and cause respiratory illnesses?

It is time for Congress to act responsibly in the public interest to make sure that the health of all Americans is protected. The people have the right to breathe. Let's go forward and eliminate and strip out this language that delays the implementation of the new zone standards until many years from now. Let's do it now.

Mr. Chairman, I yield back the balance of my time.

Mr. CALVERT. Again, Mr. Chairman, I would reiterate that California has done more to clean air than virtually any other State in the Union based upon its regulatory structure that we created and I continue to support.

But technologies do not exist to meet standards that have been set out by the Obama administration. So this gives us time to do what we need to do, and that is to clean up ozone, and that is exactly what we are going to do. But this is not the amendment that is going to do that.

Mr. Chairman, I oppose that amendment strongly and urge a "no" vote,

and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 39 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in House Report 115-297.

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In division A, strike section 435 (page 138, beginning on line 3).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, my amendment preserves the National Ocean Policy.

The National Ocean Policy is a commonsense way to facilitate multistakeholder collaboration on complex ocean issues, and it promotes economic opportunity, national security, and environmental protection.

Mr. Chairman, I represent a coastal district in southern California, and I know firsthand that we can have a thriving ocean economy and, at the same time, protect and conserve our precious ocean resources.

Off the coast of my district, there are marine protected areas, State waters, Federal waters, and Department of Defense installations. We are a marine life hot spot—some of the best blue whale watching happens a few miles from our shore. We have a booming recreational fishing sector. We have a large shellfish aquaculture ranch that is now operating. We have beautiful beaches. We also have oil and gas activity with some rigs right near our shores. My district is also home to the Port of Long Beach, which is the second busiest port in the United States.

With so much activity happening, it simply makes sense to have the Navy at the table when NOAA is working on siting for a new aquaculture installation. It makes sense to have the fishery management council weigh in when oil rigs are being decommissioned, and it is a no-brainer that NOAA, the Coast Guard, and the ports all work together to get those massive ships in and out of port safely.

We want these collaborations to happen because we want to have a sustainable ocean economy, and by developing regional plans and having a framework for multistakeholder involvement, we can streamline this process and promote a robust ocean economy that also conserves our precious ocean resources.

Mr. Chairman, as we look to the future, the need for an overarching policy only grows. Issues like sea level rise and ocean acidification are too big and too serious for any one community or agency to tackle alone. Increased aquaculture development and new technologies for clean, local energy are creating economic opportunities but must be thoughtfully implemented.

Prohibiting the allocation of funds to this important program would stifle collaboration among all the stakeholders on these complex issues, as I pointed out before, relating to environmental protection, national security, economic opportunity, and ocean policy.

Mr. Chairman, I urge my colleagues to vote in favor of this amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I understand the importance of agencies working together to protect our coastal resources for future generations. We must also ensure that such coordination is done carefully with congressional input to ensure that it does not lead to Federal overreach.

□ 1930

When the previous administration created the National Ocean Policy through executive order, the impacts were so broad, so sweeping, that it would have allowed the Federal Government to evaluate everything from agricultural practices, mining, energy production, fishing, and anything else with activities impacting our oceans.

This subcommittee asked the CEQ, DOI, and EPA on a number of occasions to provide estimates of the impact of the policy on their budgets, but the administration failed to work with Congress and provide such information.

How can Congress adequately budget for something without knowing the expected expenditures and implication of the policy?

The bottom line is, if the administration wants to fund the National Ocean Policy with such sweeping implications, it must work with Congress to provide relevant information and allow Congress to provide the necessary oversight to prevent that Federal overreach.

I support the language of the underlying bill, and I encourage my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, we just heard a very interesting argument that said that we should not support or fund the National Ocean Policy because, instead of by executive action, it should have been done through congressional legislation.

But I would remind everyone watching this that, prior to the beginning of the National Ocean Policy by the previous administration, over the 4 years before that, four bills were introduced. Each one—two by a Republican leader, two by Democratic leaders—did what was just asked of us: to introduce it by the Congress. It was never taken up by the Congress in the administration prior to President Obama.

What was called the Oceans Conservation, Education, and National Strategy for the 21st Century Act was never heard. That is why it was done through executive action. That is why we need to continue this. Without having coordinated ocean policy, we will have tremendous problems as we move forward, as I pointed out, both in terms of economic opportunity, national security, and also environmental protection.

Mr. Chairman, I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, just because legislation isn't passed in the House and the Senate and made into law doesn't mean that the President can then go out and create an executive order. We have a Constitution, and we have a process we must abide by. For that and other reasons, I strongly oppose this amendment, and I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LOWENTHAL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 40 OFFERED BY MR. LONG

The Acting CHAIR. It is now in order to consider amendment No. 40 printed in House Report 115-297.

Mr. LONG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Environmental Protection Agency to enforce notification requirements respecting released substances under subsections (a) through (d) of

section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9603) or subsections (a) through (c) of section 304 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11004) with respect to releases of hazardous substances from animal waste at farms.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Missouri (Mr. LONG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LONG. Mr. Chairman, my amendment is very straightforward. It would make clear that two laws enacted several decades ago to manage the aftereffects of industrial toxic waste spills would not apply to everyday emissions that are simply a way of life on family farms.

A court decision earlier this year overturned the EPA exemption for agriculture from reporting requirements under the Superfund and emergency planning and community right-to-know laws. This court decision means that over 100,000 farmers and ranchers will be forced to report odor emissions from livestock and poultry manure.

If farmers and ranchers don't submit these reports, they face potential lawsuits from the government and any citizen who wishes to sue them, subjecting them to penalties as high as \$53,907 per day for not filing paperwork. Farmers will lose time and money that would otherwise be spent growing our Nation's food supply.

Mr. Chairman, I think that it is important that I note that the Obama administration as well as the Bush administration defended this exemption. This is not a partisan issue. This is simply a case of reaffirming congressional intent under the law, as the EPA already tried to do several years ago.

Mr. Chairman, I urge all Members to vote in favor of my amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would prohibit the EPA from requiring agricultural sources to report air emissions under the Comprehensive Environmental Response Liability Act.

The purpose of this amendment is to circumvent a 2017 court decision that invalidated an EPA rule which exempted agricultural sources from such reporting.

Policy riders like this do not belong in the appropriations bills. The EPA should either accept the court's decision or they should appeal the decision. At a minimum, something that is this impactive with court policy does not belong as a rider on an appropriations

bill. For that reason, I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LONG. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I am happy to support this amendment.

The recent court decision earlier this year overturned, really, a longstanding EPA exemption for reporting from farms. These family farms and ranchers across the Nation shouldn't be burdened with just more and more paperwork to do an activity they have been doing for many, many years in this country. It is not what Congress intended. Congress, last I looked, still makes the laws around here.

I would support the gentleman's amendment and urge its adoption.

Mr. LONG. Mr. Chairman, I say this is a nonpartisan issue, and I would like to point out that the organization, National Association of SARA Title III Program Officials, back in 2012, in an earlier version of a similar amendment, had opposed this. Back on May 28 of this year, they announced that they are no longer in opposition. So I don't really think it is controversial at all.

Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I just want to point out that, as a State representative and, even now, as a Member of Congress, I will encounter people—and I was just at our State fair—over the years, people who have built homes in rural areas and are contributing to the schools and maybe have a soybean farm or a community that is built up over the years around farms. All of a sudden, a hog farm comes in and people are sick, they are unable to go to work, their children develop lung issues and all kinds of problems. They come to the State or they come to us as Members of Congress and say: What is going on here? The air is so polluted, it is making me and my family sick. I am losing my home. I am losing my investment.

So I think that there is a role to have these discussions about what do we do, as a community, to make sure about people who live in some of these rural areas who all of a sudden find themselves, after decades of living in the same area, unable to open up their windows on a summer day.

As I said, that is why I don't think this policy rider belongs in this bill. I think we need to have a thoughtful discussion on it and really hear out both sides on many of these agriculture issues, especially in rural communities.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LONG).

The amendment was agreed to.

AMENDMENT NO. 41 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in House Report 115-297.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to enter into a cooperative agreement with or make any grant or loan to an entity to establish in any of Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero, Prowers, and Pueblo counties, Colorado, a national heritage area, national heritage corridor, national heritage canal way, national heritage tour route, national historic district, cultural heritage corridor, or other heritage partnership program.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, I rise in support of my amendment to protect private property rights in Colorado.

This amendment would prevent the creation and expansion of a National Heritage Area in southeast Colorado. Heritage Areas open the door to new land use restrictions on privately held land that are strongly opposed in this part of my district.

I recently held multiple townhalls in southeast Colorado to hear the unique concerns of these rural communities. At the top of their list was a need to cut burdensome government red tape that hurts their businesses and threatens their way of life.

These small family farms and ranches should not be forced to follow new regulations that give control of their private lands to Washington, D.C. That is why this amendment is so important. It allows Coloradans to keep control of their land.

My amendment would only affect nine counties in Colorado and protect them from new, unwanted land use restrictions. This amendment passed last year by voice vote, and I urge my colleagues to again support the private property rights of these farmers and ranchers.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment stops the Department of the Interior from entering into cooperative agreements and providing financial assistance for the purpose of protecting natural, cultural, and historic

resources in several counties in southeast Colorado.

This amendment restricts the expansion of Natural Heritage Areas, Natural Heritage Corridors, Natural Heritage canalways, national heritage tour routes, and national historic districts and cultural heritage corridors.

All of these preservation partnerships are important tools that enable the Federal Government to work with private partners to preserve and protect our Nation's shared heritage. Unfortunately, this amendment takes those options off the table for the people in southeastern Colorado.

It is my understanding that the sponsor aims to preemptively prevent expansion of a Federal footprint in his district, but I would like, Mr. Chairman, to remind us that the sponsor of the Preserve America Executive Order was issued by President George W. Bush, a Republican, and it emphasizes public-private partnerships that limit, not expand, Federal ownership.

I have worked on some of these corridors. We always make sure that it is a partnership and it is not the Federal Government coming in and taking over land. It is a partnership that the community comes to the Federal Government and asks for.

So, if there are specific concerns that you have about the Federal management in this region, I believe the sponsor should work with the authorizing committee to make sure that they are addressed and not use the appropriations process to wall off a section of the country from partnering with the Federal Government to preserve its historical and cultural natural resources.

These discussions that take place at a local level with sometimes the business community, sometimes it is schools, sometimes it is churches, that come together to talk about what can we do to preserve our cultural history or what can we do to preserve something is driven by local control.

I have never attended a meeting, once, where it was driven by Federal control. The Federal Government has asked to come in to be a partner.

I oppose this amendment, and I urge my colleagues to vote "no."

Mr. Chairman, I reserve the balance of my time.

Mr. BUCK. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the subcommittee chair.

Mr. CALVERT. Mr. Chairman, I was happy to accept the amendment in the last year and will be happy to support it again this year.

With that, I urge its passage.

Ms. MCCOLLUM. Mr. Chairman, once again, I really think that we need to better utilize, in this Congress, in this institution, our policy committees. They should be the first call for help if there are questions, if there are con-

cerns, if there are adjustments that need to be made, not the appropriations committee, where there has been no hearing on this.

Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

Mr. BUCK. Mr. Chairman, this amendment will protect private property rights in southeast Colorado. These families have worked for generations to maintain their land. They should not lose their livelihoods because of land use restrictions from Washington, D.C.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in House Report 115-297.

□ 1945

AMENDMENT NO. 43 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in House Report 115-297.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

LIMITATION ON USE OF FUNDS

SEC. _____. None of the funds made available by this Act may be used by the Secretary of Interior to implement the final rule entitled "Alaska; Hunting and Trapping in National Preserves" (80 Fed. Reg. 64325 (October 23, 2015)), or to develop, issue, or implement any other rule of the same substance.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment that was successfully included in the House fiscal year 2017, which prohibits funds in this act being used to implement the Obama administration National Park Service rule that interferes with the State's wildlife management authority on national preserved lands of Alaska.

Mr. Chairman, when we became a State, we were guaranteed to have management of all Federal lands and State lands on fish and wildlife management. Under the Obama administration, they tried to do differently on the wildlife lands, and now they are trying to do it on the BLM lands and the park preserves, not the parks themselves.

I suggest, respectfully, if you want to follow the law, you adopt this amendment, as it should be, as is proposed,

and we will be able to manage lands we were guaranteed by this Congress to the State of Alaska.

Mr. Chairman, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Washington is recognized for 5 minutes.

Ms. JAYAPAL. Mr. Chairman, I rise in strong opposition to this amendment, which undercuts an important rule meant to protect our public lands and the species that inhabit them.

The National Park Service has an important mission, which is "to conserve the scenery and the natural and historic objects in the wildlife by such means as will leave them unimpaired for the enjoyment of future generations."

As a result of this mission, the National Park Service has implemented an important rule that protects a variety of species critical to the ecosystem in our national preserves in Alaska.

In 1994, Alaska did pass a law that undercut those efforts by allowing for extreme predator control, which led to fringe practices that could hardly be called traditional hunting.

Now, the other side may argue that this amendment is a States' rights issue, but that simply isn't true. These are Federal lands and are, therefore, subject to Federal regulation.

These national lands are intended to be enjoyed by all Americans, including those who visit and hope to have the rare opportunity to see bears and wolves in their natural habitat.

Now, to be clear, Mr. Chairman, the rule that this amendment aims to reverse is not intended to ban hunting in its entirety. The rule simply regulates that there be no use of bait, which has been as extreme as grease-soaked doughnuts and bacon, allowing for point blank shots, no use of artificial light to spotlight black bear dens, no killing sows or bear cubs, no killing pups or wolves and coyotes during the denning season, no hunting of big game that is swimming, no use of dogs to hunt big game, and no predator control simply for the purpose of increasing stocks for human consumption.

Now, these are reasonable regulations that prevent cruel hunting practices. Let us be very clear, Mr. Chairman, that reversing this rule would actually be thumbing our noses at the voices of tens of thousands of citizens who took part in a public comment period process that was extensive.

Before the rule's adoption, the National Park Service held two separate comment periods which resulted in 26 public hearings, two teleconferences, and three tribal meetings. More than 70,000 public comments were received, and the majority of those supported the existing rule. Ignoring this process

and the thoughtful public input would be a major slight to the democratic process and to everyone who participated.

These processes are in place to ensure that the voice of the people is heard, and circumventing this is unacceptable.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield as much time as he may consume to the gentleman from California (Mr. CALVERT), my good chairman from the Appropriations Committee.

Mr. CALVERT. Mr. Chairman, I understand the specific rule is now being reconsidered by the Department of Interior, which is a good thing, and I encourage my colleagues to support the Young amendment.

Mr. YOUNG of Alaska. You know, I rarely do this, but I'm deeply disappointed in my good lady from Washington. * * *

This was a preserve, and we were guaranteed this in the Alaska National Lands Act. No more. No more. And the State, under the Constitution, has the right to manage fish and game.

Now, I know your side doesn't believe in State's rights. You don't; I do. My job is to protect my State, not your State—my State.

And what you said a while ago was really nonsense. It was written by an interest group, not yourself. Maybe your staff is affiliated with the Humane Society or some other group, and I'm disappointed.

My Native people support this amendment. You talk about natives. Alaskans, our first Americans, support this amendment. And I really am disturbed. * * *

I am still talking.

Ms. JAYAPAL. Mr. Chairman, I ask to have the gentleman's words taken down. The gentleman has already impugned my motives by saying that I don't know a damn thing about what I'm talking about.

Mr. YOUNG of Alaska. I didn't say "damn." You said it.

Ms. JAYAPAL. He's now called me "young lady," and Mr. Chairman, I demand that the words be taken down.

The Acting CHAIR. The gentleman will suspend. The gentleman will take his seat.

The Clerk will report the words.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent to withdraw my offending words.

And to the gentlewoman, I do apologize. I get very defensive about my State. We have gone through these battles for the last, actually, 45 years, and we are a State. I have my people to represent, as you do yours. I do apologize for my statement. I recognize it was out of order, so I hope you accept my apology.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

Ms. JAYAPAL. Reserving the right to object, I thank the gentleman from Alaska. I do accept your apology. I thank you for it. We have, obviously, some work to get to know each other. But I can tell you that I care about my State, as deeply as you do, and I look forward to getting to know you.

Mr. YOUNG of Alaska. And I thank the gentlewoman.

The Acting CHAIR. Without objection, the words are stricken from the RECORD.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I urge passage of my amendment, and I yield back the balance of my time.

Ms. JAYAPAL. Mr. Chairman, let me continue by saying that the reason I do feel strongly about this is I also believe that this amendment would be bad for the economy and for the people who depend on it.

Every year, wildlife watchers contribute more than \$2 billion toward the economy. According to the National Park Service, in 2016, 2.8 million park visitors spent an estimated \$2.8 billion in local gateway regions while visiting National Park Service lands in Alaska. These expenditures supported a total of 18,900 jobs, \$644.7 million in labor income, \$1.1 billion in value added, and \$1.9 billion in economic output in the Alaska economy.

I do believe—and the reason I am speaking up so strongly about this, we all have very strong perspectives on all sides. I do believe that we must do everything we can to preserve our natural lands and their inhabitants, particularly as climate change takes its toll all over the country and the world. In my home State of Washington, which I care deeply about, wildfires are destroying thousands of acres of land and threatening homes, while across the country residences of Houston are reeling from Hurricane Harvey and Floridians brace for Hurricane Irma.

We need to invest in our public lands for all Americans so that generations in the future can continue to enjoy the beauty that our country has to offer.

Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. JAYAPAL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alaska will be postponed.

□ 2000

AMENDMENT NO. 44 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in House Report 115-297.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to require changes to an existing placer mining plan of operations with regard to reclamation activities, including revegetation, or to modify the bond requirements for the mining operation.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, my amendment, which was successfully included in the House fiscal year 2007 Interior appropriations bill, prohibits the funds to be used by the Bureau of Land Management to change their existing placer mining plans of operations with regard to environmental mitigation in Alaska.

Alaska is one of the very few places left in the United States where placer mining is being still conducted. Unfortunately, unelected bureaucrats have targeted these small mom-and-pop, usually retired people, family miners from attaining unattainable regulations under the falsehood of protecting the environment.

Mr. Chairman, this is a sound piece of legislation that should be accepted by this committee and this body to make sure those people elected participate in mining on lands that are old. This is a mining area that has been mining for the last 100 years, yet the BLM has decided they are going to take these little miners and put them out of business.

Mr. Chairman, I urge passage of my amendment. It is very simple. It protects the smaller people of America. Let them do what they wish to do. Letting them have an activity after they retire I think is actually important. As I said before, it was adopted before.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I listened very carefully to what the gentleman from Alaska had to say, and the bulk of my objection, Mr. Chairman, is that this is better addressed in

the Policy Committee than on the Appropriations Committee as a rider.

BLM does many outreach activities, including public meetings and interactions with individual miners, and is working with industry to incorporate best management practices in new science-based reclamation techniques.

In the course of the reclamation activities, it has been necessary to increase the annual cost to miners to recover these streams and restore ecosystem function.

This amendment would prohibit the cost of reclaiming these areas to placer miners who are profiting from mineral extractions on BLM managed land.

I do hear the gentleman talking about not all business is the same shape or size, so I really think that we should work through the Policy Committee. For that reason, I object to this amendment, and I would encourage the gentleman from Alaska to work through the Policy Committee.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I thank the gentleman for yielding.

I appreciate the gentleman's amendment and his dedication to the sound management of natural resources on behalf of the constituents in his State.

Placer mining is unique to Alaska and has a unique history in place in Alaska's economy. As such, the BLM proposal for unique reclamation and bonding requirements need to receive additional review.

Mr. Chairman, I urge adoption of the gentleman's amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I, again, urge passage of the amendment, and I thank the chairman and the ranking member for their work.

This is a mom-and-pop operation. If I thought it was going to do anything wrong—it has been mined for 100 years. They came in, they had a guy in a wheelchair, and they made him walk to his mine because you couldn't use a mechanized vehicle. Now, that is not good personnel.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 45 OFFERED BY MR. WESTERMAN

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in House Report 115-297.

Mr. WESTERMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

LIMITATION ON USE OF FUNDS

SEC. _____. None of the funds made available by this Act may be used to enforce the final rule entitled "Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Measurement of Oil" and published by the Bureau of Land Management on November 17, 2016 (81 Fed. Reg. 81462).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Arkansas (Mr. WESTERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. WESTERMAN. Mr. Chairman, I thank Chairman CALVERT and Chairman FRELINGHUYSEN for their hard work on this bill.

On November 17, 2016, the Bureau of Land Management released a final rule titled: "Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Measurement of Oil."

Though the BLM claims that this rule would incorporate proven industry standards developed by oil measurement experts from industry and the BLM, it seems like the BLM ignored industry expert standards and set their standards, regardless of industry input.

In comments filed on December 14, 2015, the Independent Petroleum Association of America, the American Petroleum Institution, the Western Energy Alliance, and many citizens involved in oil production detailed serious concerns. Many of the comments centered on BLM's reluctance to recognize its obligation to adopt properly established industry standards.

Mr. Chairman, I believe that it is vital that agencies such as the BLM listen to and take into account industry concerns and input when promulgating these new rules.

My amendment would restrict funding for this rule in its current form, and I ask my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this new rule updates outdated regulations and establishes minimum standards for the measurement of oil production from Federal and Indian leases to ensure that productivity is accurately measured and properly accounted for.

The administration has aggressively sought to abolish rules that were developed over many years, and adhere to the process outlined in the Administrative Procedure Act, which includes consideration of Tribal and public comments.

Updating this regulation avoids regulatory uncertainty and reflects the considerable changes in technology and

industry practices that have occurred over 25 years since the previous oil and gas order No. 4—25 years since the previous onshore oil and gas order No. 1. Changes in technology. We should be embracing changes in technology and industry practices. We should not be using technology and practices formed 25 years ago.

The new rule also responds to comments made by the GAO, the Department of Interior's IG, and the Royal Policy Committee regarding BLM's production and verification efforts.

The objective of this rule is to ensure that the oil volume reported by the industry is sufficiently accurate to ensure that the royalties due are paid correctly, the royalties due to the U.S. taxpayer. The rulemaking process has been comprehensive and it has been transparent. If there are to be changes to those rules, those changes need to be done in accordance with the procedures outlined in the Administrative Procedure Act. There is a way to do that. So, once again, there would be an opportunity for Tribal and public comment.

This amendment does not provide for an open and transparent process.

Mr. Chairman, I urge my colleagues to defeat this amendment and to protect the American taxpayer to make sure that the royalties are accurately recorded.

Mr. Chairman, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding. I won't take nearly 1½ minutes. I just want to support the amendment.

I understand there are portions of the order that are widely accepted and some parts that need to be reworked. I hope the Bureau gets the message and works with all of the interested parties to improve onshore order No. 3.

Mr. Chairman, I am happy to support the amendment.

Ms. MCCOLLUM. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WESTERMAN. Mr. Chairman, another way the BLM has ignored their obligations under the rulemaking process is by discounting the practical difficulties for both industry and the agency associated compliance.

Mr. Chairman, the BLM ignored their rulemaking responsibilities by both disregarding industry input and snubbing practical timelines for compliance.

I believe the BLM should go back, re-examine this rule, and this time listen and get it right.

Mr. Chairman, I ask support for my amendment, and I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition for two reasons.

One, this, once again, is a substantial piece of policy work being done on an

appropriations bills on the floor of the House. We have committees which can take things up, government oversight, and we have the Natural Resources Committee. There are many venues in which the gentleman could ask for a hearing and bring people to testify, if there are things that need to be done. Or just work through the Administrative Procedure Act, which has opportunities before it, if people feel that they are not being treated justly.

But the other reason why I rise against this is, 25 years since the previous update has happened, technology has changed since then and industry practices have changed. Part of our responsibility—and I truly believe this in my heart—is to make sure that when we do leases, when we are to receive royalty payments, we need to be looking out for the U.S. taxpayer to make sure that they are fairly compensated for these leases.

Mr. Chairman, I object to the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. WESTERMAN).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 46 will not be offered.

AMENDMENT NO. 50 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in House Report 115–297.

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used by the Environmental Protection Agency to take any of the actions described as a “backstop” in the December 29, 2009, letter from EPA’s Regional Administrator to the States in the Watershed and the District of Columbia in response to the development or implementation of a State’s watershed implementation and referred to in enclosure B of such letter.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, today I rise to urge support for my amendment, which would reaffirm and preserve the rights of the States to write their own water quality plans.

My amendment simply prohibits the EPA from using its Chesapeake Bay total maximum daily load and the so-called watershed implementation plans to hijack States water quality strategies.

Over the last several years, the EPA has implemented a total maximum

daily load blueprint for six States in the Chesapeake Bay watershed, which strictly limits the amount of nutrients that can enter the Chesapeake Bay. Through its implementation, the EPA has basically given every State in the watershed an ultimatum: either the State does exactly what the EPA says, or it faces the threat of an EPA takeover of its water quality programs.

Congress intended that the implementation of the Clean Water Act be a collaborative approach through which the States and the Federal Government work together. This process was not meant to be subject to the whims of politicians and bureaucrats in Washington, D.C. Therefore, my amendment instructs the EPA to respect the important role States play in implementing the Clean Water Act.

I want to make it perfectly clear that my amendment would not stop the EPA from working with the States to restore the Chesapeake Bay, nor would it undermine the cleanup efforts already underway. My language only removes the ability of the EPA to take over a State’s plan, or to take retaliatory actions against a State if it does not meet the EPA mandated goals. Again, it ensures states’ rights remain intact and not usurped by the EPA.

It is important to point out that the correlation between the EPA’s outrageous Waters of the United States rule and the bay TMDL. At the heart of both issues is the EPA’s desire to control conservation and water quality improvement efforts throughout the country, and to punish all of those who dare to oppose them.

Mr. Chairman, the bay is a national treasure, and I want to see it restored. But we know that in order to achieve this goal, the States and the EPA must work together. The EPA cannot be allowed to railroad the States and micro-manage the process.

With this amendment, we are simply telling the EPA to respect the important role States play in implementing the Clean Water Act and preventing another Federal power grab.

Mr. Chairman, I reserve the balance of my time.

□ 2015

Mr. SCOTT of Virginia. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chair, this amendment would prohibit the EPA from spending any funds to ensure that States fulfill their obligations under the Clean Water Act to help clean up the Chesapeake Bay. If passed into law, this amendment would endanger the progress we have made in restoring the Chesapeake Bay watershed and would put in jeopardy not only the Chesapeake Bay itself, but also critical economic contributions that the bay provides.

Since the Chesapeake Bay agreement was signed in 1983, the most recent agreement signed in 2014, bay States and the Federal Government have invested significant resources in cleanup and restoration efforts. Cooperation is critical in these efforts, and only under the cooperative agreement agreed upon in the Chesapeake Clean Water Blueprint are we seeing a lot of progress being made. But the Chesapeake Bay cleanup efforts are part of backstops that make sure that each State does what it has actually promised to do. With these safeguards in place, States have to certify that their investments are not made in vain and that other States will also make good on their investments.

This amendment would undermine this historic collaboration, endanger historic progress we have made, and give States a loophole to avoid meeting their responsibilities under the Clean Water Act.

I believe that, instead of offering amendments that undermine Chesapeake Bay restorations, we should be investing even more resources to ensure that they are successful.

Mr. Chair, I urge my colleagues to reject the amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chair, I won’t take 1 minute. I just want to support the gentleman’s amendment.

It is my hope that the gentlemen from Virginia and Pennsylvania may be able to work with the new administration, find common ground on approaches that will improve water quality in a flexible manner which works for everybody.

Mr. Chair, I support the amendment and urge an “aye” vote.

Mr. SCOTT of Virginia. Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chair, how much time is remaining on each side?

The Acting CHAIR. The gentleman from Virginia (Mr. GOODLATTE) has 2 minutes remaining. The gentleman from Virginia (Mr. SCOTT) has 3½ minutes remaining.

Mr. GOODLATTE. Mr. Chair, I understand that the gentleman from Virginia (Mr. SCOTT) has the right to close.

The Acting CHAIR. The gentleman from Virginia (Mr. GOODLATTE) has the right to close.

Mr. GOODLATTE. Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I urge my colleagues to reject the amendment.

Mr. Chair, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chair, I want to thank the gentlemen from Pennsylvania, Chairman

SHUSTER along with Mr. THOMPSON, for being cosponsors of this amendment. I urge my colleagues to support it.

It is simply not true that this amendment would interfere with the cleanup of the Chesapeake Bay, and I am going to repeat what I said earlier. My amendment does not remove the TMDL or the watershed implementation plans. It only removes the retaliatory actions threatened by the EPA.

The current plans and processes the States are using to clean up the bay are working. That is absolutely right. They are working, and they started long before this imposition by the EPA that occurred at the beginning of the Obama administration.

States have made great strides in cleaning up the bay, so why continue to threaten them with an EPA takeover of their water quality plans.

The other argument that is made is the Federal Government needs to be involved in this cleanup process. Well, I believe the Federal Government should be a partner in this effort. As the chairman has noted, they can play an important function. However, the current process has the EPA dictating to States, local communities, and businesses instead of a cooperative approach. That is not playing a part; that is controlling the process.

Mr. Chair, I urge my colleagues to support this important amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SCOTT of Virginia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 51 OFFERED BY MR. SANFORD

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in House Report 115-297.

Mr. SANFORD. Mr. Chair, as the designee of the gentleman from New Jersey (Mr. LOBIONDO), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to authorize, permit, or conduct geological or geophysical activities (as those terms are used in the final programmatic environmental impact statement of the Bureau of Ocean Energy Management entitled "Atlantic OCS Proposed Geological and Geophysical Activities, Mid-Atlantic and South Atlantic Planning Areas" and completed February 2014) in support of oil, gas, or methane hydrate explo-

ration and development in any area located in the North Atlantic, Mid-Atlantic, South Atlantic, or Straits of Florida Outer Continental Shelf Planning Area.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from South Carolina (Mr. SANFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chair, I want to make clear I am offering this amendment on behalf of the gentleman from New Jersey, FRANK LOBIONDO, who I know has worked with my colleague, the gentleman from Virginia, DON BEYER, on this bipartisan measure. I think it is one that makes sense. It would, quite simply, restrict money with regard to seismic testing on the Atlantic waters and the waters of the Florida Straits.

Now, why do I think that that is important? I think it is important because you don't build a foundation if you don't intend to build a house. And yet, fundamentally, what we are trying to do is move forward on something that I think begs this most Republican of questions, which is: Do we believe in home rule?

At home, every municipality of every town and hamlet along the coast of South Carolina has come out unanimously against the idea of offshore drilling and seismic testing, not because they are against fossil fuel, but simply because they believe that they want to determine themselves how the coast of South Carolina develops. That is obviously the case with many colleagues from Florida, who have now headed home to deal with the hurricane, and a whole host of other places up and down the Atlantic and, again, the Straits of Florida.

So I think that this amendment fundamentally is about this notion of, if you believe that the government that is most local governs best—not always, but generally—then might you not give this amendment a try, because fundamentally what it says is places like Port Fourchon are nice, but what the people of South Carolina have determined is that we don't want our coast to develop that way because of the amount of onshore that is necessary to support offshore operations.

Mr. Chair, I yield the balance of my time to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SANFORD) for yielding time.

Mr. Chair, moving forward with permits for seismic airgun surveys for subsidy oil and gas deposits puts our vibrant Atlantic coast at risk.

I am a Virginia businessman, and I look at what seismic testing does. Congressman RUTHERFORD and I led a bipartisan letter to the administration signed by over 100 of our colleagues ex-

pressing our concerns about seismic airgun blasting.

Our coastal economy relies on healthy ocean ecosystems, which generate \$95 billion in gross domestic product, support nearly 1.4 million jobs each year. We have heard from countless businessowners, as Congressman SANFORD has said, elected officials, residents all along our coasts who recognize and reject the risks.

NASA, the Department of Defense, the Florida Defense Support Task Force have all expressed concern that offshore oil and gas development will threaten their ability to perform critical activities.

The North, South, Mid-Atlantic Fishery Management Councils, which are responsible for the management of fish stocks and habitats in Federal waters from Maine to Florida, also have significant concerns about the risks associated with offshore drilling and seismic airgun blasting.

So you have numerous fishing and tourism interests, including all the local chambers of commerce, tourism, restaurant associations, an alliance representing over 41,000 businesses, and 500,000 fishing families from Florida to Maine oppose offshore oil drilling activities as well.

Opening up the Atlantic to seismic testing and drilling jeopardizes our economy and these coastal economies in the most immediate terms.

I strongly support the LoBiondo-Sanford amendment and urge my colleagues on both sides of the aisle to support this critical amendment.

Mr. DUNCAN of South Carolina. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Chair, this amendment sets a dangerous precedent not only for the energy future of the Atlantic and the Florida coasts, but for the Nation as a whole.

Although this is framed as an Atlantic amendment, I would make clear that the residents from South Carolina, Virginia, North Carolina, and Georgia support offshore seismic survey activities pursuant to the all-of-the-above energy approach that America needs.

Seismic surveys are routinely conducted off American coasts and around the world for oil and gas. We have been conducting seismic surveys around the globe in the oceans of the world for 50 years with not a single verifiable instance of a marine mammal being harmed or killed. In fact, the Bureau of Ocean Energy Management has confirmed this. President Obama's own BOEM Director, Abigail Hopper, confirmed this to me in a public hearing when I asked her last Congress.

Seismic surveys have not been conducted in the Atlantic region for over

30 years. Today's advancement in technologies allows for 3-D and 4-D seismic work to actually look into the Earth and see what may be there.

I would argue that the folks who are against seismic work really aren't against seismic for the purpose of trying to save marine mammals; they just don't like fossil fuel development. But we need to see what is out there.

If Members are genuinely concerned about Russia, then voting in favor of oil and gas exploration should be a no-brainer. Why would Members vote to cut off the most significant tool in America's arsenal, that is, our energy independence?

For these reasons, it is critical that we continue to permit safe G&G geological studies in all areas off America's coasts, that includes the mid-Atlantic, the south Atlantic, and all Florida.

Mr. Chair, I urge my colleagues to vote against this amendment.

Mr. CALVERT. Will the gentleman from South Carolina yield?

Mr. DUNCAN of South Carolina. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chair, I just want to let the gentleman know that I oppose this amendment. I don't think we should stand in the way of exploration research that could inform potential future decisions, whether it is for or against drilling, but we need to know information so once we know the potential, we can allow the agencies to weigh those pros and cons.

Mr. Chair, I urge a "no" vote.

Mr. DUNCAN of South Carolina. Mr. Chair, we do have hurricanes coming. The Gulf of Mexico has prepared for hurricanes and dealt with it in the oil and gas industry. That is not the issue.

We are talking about seismic surveys so that we as American policymakers can see what may or may not be in the Earth for future development. I would be willing to bet that, if it was natural gas that was found off the coast of my home State of South Carolina, we would be having a completely different conversation than if oil was found.

Let's at least have the guts to go out there and look and do G&G work off the coast of the mid-Atlantic, the south Atlantic, and Florida and find out what resources may or may not be there and whether they are even recoverable or not.

Mr. Chair, I yield to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I very much respect the viewpoint of the gentleman from South Carolina (Mr. DUNCAN), and I want to be clear: I believe in fossil fuel.

I think that the real conundrum in this debate is who is best able to determine whether or not areas off of where they happen to live should or shouldn't be developed: Should it be decided from Washington, D.C., or should it be decided by local folks?

So I would frame this, fundamentally, as an issue of home rule, that all the points that you are making are very, very valid, but shouldn't that determination be made by folks that are most close and would be most affected by what might or might not happen in the offshore waters off of the coast of South Carolina or Florida or Georgia or elsewhere?

So I just go back to, if we found the mother of all lodes, there has been testing out there, they say 132 days' worth of supply might be off the coast of South Carolina, and what people have said is we have a vibrant tourism industry on the coast of South Carolina and we don't think the risks are worth the rewards based on what might or might not be out there.

So I very much respect the viewpoint of the gentleman from South Carolina (Mr. DUNCAN), but again, what folks are telling me at home on the coast of South Carolina is, even if stuff is out there, we are concerned about the tourism risk and we are concerned about the infrastructure that would be required to support it.

Mr. DUNCAN of South Carolina. Mr. Chair, reclaiming my time, I appreciate the point of the gentleman from South Carolina (Mr. SANFORD).

We need to find out what is out there. G&G activity would allow us to determine whether there is oil or natural gas. If we find oil, I am willing to have a conversation with the folks in Charleston County, Horry County of South Carolina. If we find natural gas, I believe the conversation will be completely different.

Mr. Chair, what we need to do is G&G work, which is safe to marine mammals, to find out what might be there and might be recoverable.

The Acting CHAIR. The time of the gentleman has expired.

The gentleman from South Carolina (Mr. SANFORD) has 1½ minutes remaining.

Mr. SANFORD. Mr. Chair, I will split my time, in the spirit of bipartisanship, with my colleague from Virginia, and I would simply say this: I want to go back to the most basic of all conservative themes, which is we believe that the individual is paramount in the way that decisions get made and that not all decisions should be made in Washington, D.C. And if folks have spoken out as clearly and as loudly as they have with regard to home rule on what should or shouldn't happen off their coast, that voice ought to be respected in Washington, D.C.

Mr. Chair, I yield the balance of my time to my colleague from Virginia (Mr. BEYER).

□ 2030

Mr. BEYER. Mr. Chairman, to respond to both my friends from South Carolina, one of the dilemmas with the additional exploration is that, by law,

the data obtained from the seismic surveys are proprietary. They will belong to the many different companies that will be doing this, and they won't be available to the American public; they won't be available to local government officials; they won't even be available to Members of Congress.

So this inability to access information will leave coastal communities without the opportunity to provide these substantive cost-benefit analyses that Congressman SANFORD referred to.

Our constituents would take on significant risks without being involved in the future development decisions. So, for that reason, I encourage us to vote for the Sanford amendment.

Mr. SANFORD. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The amendment was rejected.

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALKER) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 500 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3354.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 2032

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 113 printed in part B of House Report 115-295, offered by the gentleman from Florida (Mr. GAETZ) had been disposed of.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT NO. 97 OFFERED BY MR. HASTINGS

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on amendment No. 97 printed in part B of House Report 115-295 to the end that the Chair put the question de novo.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was rejected.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT NO. 98 OFFERED BY MR. HASTINGS

Mr. HASTINGS. Mr. Chair, I ask unanimous consent to withdraw my request for a recorded vote on amendment No. 98 printed in part B of House Report 115-295 to the end that the Chair put the question de novo.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-295 on which further proceedings were postponed, in the following order:

Amendment No. 91 by Mr. ROTHFUS of Pennsylvania.

Amendment No. 92 by Mr. AUSTIN SCOTT of Georgia.

Amendment No. 99 by Mr. GROTHMAN of Wisconsin.

Amendment No. 110 by Mr. YOH0 of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 91 OFFERED BY MR. ROTHFUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 248, not voting 22, as follows:

[Roll No. 467]

AYES—163

Abraham	Granger	Noem
Aderholt	Graves (GA)	Norman
Allen	Graves (LA)	Olson
Arrington	Graves (MO)	Palazzo
Babin	Griffith	Perry
Banks (IN)	Grothman	Pittenger
Barletta	Guthrie	Poe (TX)
Barr	Handel	Poliquin
Barton	Harris	Ratcliffe
Biggs	Hartzler	Reed
Bishop (UT)	Hensarling	Reichert
Black	Higgins (LA)	Renacci
Blackburn	Holding	Rice (SC)
Blum	Hollingsworth	Roe (TN)
Bost	Hudson	Rogers (AL)
Brat	Huizenga	Rokita
Brooks (AL)	Hultgren	Rooney, Francis
Brooks (IN)	Hunter	Rothfus
Buck	Issa	Rouzer
Bucshon	Jenkins (WV)	Royce (CA)
Budd	Johnson (LA)	Russell
Burgess	Johnson (OH)	Scott, Austin
Byrne	Johnson, Sam	Sensenbrenner
Carter (GA)	Jordan	Sessions
Chabot	Katko	Shuster
Cheney	Kelly (PA)	Smith (MO)
Collins (GA)	King (IA)	Smith (NE)
Collins (NY)	Kinzing	Smith (NJ)
Comer	Kustoff (TN)	Smith (TX)
Conaway	Labrador	Smucker
Cook	LaMalfa	Stefanik
Cramer	Lamborn	Stewart
Crawford	Lance	Taylor
Davidson	Latta	Tenney
DesJarlais	Lewis (MN)	Thornberry
Duffy	Loudermilk	Tiberi
Duncan (SC)	Love	Tipton
Duncan (TN)	Luetkemeyer	Turner
Dunn	Marchant	Wagner
Emmer	Marshall	Walberg
Estes (KS)	McCarthy	Walden
Farenthold	McCauley	Walker
Faso	McClintock	Walorski
Ferguson	McHenry	Walters, Mimi
Fleischmann	McKinley	Weber (TX)
Foxx	McMorris	Wenstrup
Franks (AZ)	Rodgers	Williams
Gaetz	McSally	Wilson (SC)
Gallagher	Meadows	Wittman
Gianforte	Messer	Woodall
Gibbs	Mitchell	Yoder
Gohmert	Mooney (WV)	Yoho
Goodlatte	Mullin	Young (IA)
Gosar	Murphy (PA)	Zeldin
Gowdy	Newhouse	

NOES—248

Adams	Castor (FL)	Dent
Aguiar	Castro (TX)	DeSaulnier
Amash	Chu, Judy	Dingell
Amodei	Cielline	Doggett
Bacon	Clark (MA)	Donovan
Barragán	Clarke (NY)	Doyle, Michael
Bass	Clay	F.
Beatty	Cleaver	Ellison
Bera	Clyburn	Engel
Bergman	Coffman	Eshoo
Beyer	Cohen	Espallat
Bishop (GA)	Cole	Esty (CT)
Bishop (MI)	Comstock	Evans
Blumenauer	Connolly	Fitzpatrick
Blunt Rochester	Conyers	Flores
Bonamici	Cooper	Fortenberry
Boyle, Brendan	Correa	Foster
F.	Costello (PA)	Frankel (FL)
Brady (PA)	Courtney	Frelinghuysen
Brady (TX)	Crowley	Fudge
Brown (MD)	Cuellar	Gabbard
Brownley (CA)	Culberson	Galleo
Bustos	Davis (CA)	Garamendi
Butterfield	Davis, Danny	Gomez
Calvert	Davis, Rodney	Gonzalez (TX)
Capuano	DeFazio	Gottheimer
Carbajal	Delaney	Green, Al
Cárdenas	DeLauro	Green, Gene
Carson (IN)	DelBene	Grijalva
Carter (TX)	Demings	Gutiérrez
Cartwright	Denham	Hanabusa

Harper	MacArthur	Ruppersberger
Hastings	Maloney	Rush
Heck	Carolyn B.	Ryan (OH)
Herrera Beutler	Maloney, Sean	Sánchez
Hice, Jody B.	Massie	Sanford
Higgins (NY)	Mast	Sarbanes
Hill	Matsui	Schakowsky
Himes	McCollum	Schiff
Hoyer	McEachin	Schneider
Huffman	McGovern	Schrader
Hurd	McNerney	Schweikert
Jackson Lee	Meehan	Scott (VA)
Jayapal	Meeks	Scott, David
Jeffries	Meng	Serrano
Jenkins (KS)	Moolenaar	Sewell (AL)
Johnson (GA)	Moore	Shea-Porter
Johnson, E. B.	Moulton	Sherman
Jones	Murphy (FL)	Shimkus
Joyce (OH)	Nadler	Simpson
Kaptur	Napolitano	Sinema
Keating	Neal	Sires
Kelly (IL)	Nolan	Slaughter
Kelly (MS)	Norcross	Smith (WA)
Kennedy	Nunes	Soto
Khanna	O'Halleran	Speier
Kihuen	O'Rourke	Stivers
Kildee	Pallone	Suzoi
Kilmer	Palmer	Panetta
Kind	Panetta	Swalwell (CA)
King (NY)	Pascarell	Takano
Knight	Paulsen	Thompson (CA)
Krishnamoorthi	Payne	Thompson (MS)
Kuster (NH)	Pearce	Thompson (PA)
LaHood	Pelosi	Titus
Langevin	Perlmutter	Tonko
Larsen (WA)	Peters	Torres
Larson (CT)	Peterson	Trott
Lawrence	Pingree	Upton
Lee	Pocan	Valadao
Levin	Polis	Vargas
Lewis (GA)	Price (NC)	Veasey
Lieu, Ted	Quigley	Vela
Lipinski	Raskin	Velázquez
LoBiondo	Rice (NY)	Vislosky
Loeback	Richmond	Walz
Lofgren	Roby	Waters, Maxine
Long	Rogers (KY)	Watson Coleman
Lowenthal	Rohrabacher	Welch
Lowey	Rooney, Thomas	Westerman
Lucas	J.	Wilson (FL)
Lujan Grisham,	Rosen	Womack
M.	Roskam	Yarmuth
Lujan, Ben Ray	Roybal-Allard	Young (AK)
Lynch	Ruiz	

NOT VOTING—22

Bilirakis	DeSantis	Ross
Bridenstine	Deutch	Rutherford
Buchanan	Diaz-Balart	Scalise
Costa	Garrett	Tsongas
Crist	Lawson (FL)	Wasserman
Cummings	Marino	Schultz
Curbelo (FL)	Posey	Webster (FL)
DeGette	Ros-Lehtinen	

□ 2102

Messrs. HILL, JODY B. HICE of Georgia, DENT, BISHOP of Michigan, WESTERMAN, Mrs. COMSTOCK, Messrs. WOMACK, HARPER, RUSH, PALMER, GOTTHEIMER, DeFAZIO, and O'HALLERAN changed their vote from "aye" to "no."

Mrs. McMORRIS RODGERS, Messrs. KUSTOFF of Tennessee, CHABOT, McCAUL, WALDEN, and PALAZZO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Chairman, I rise for the purpose of a scheduling announcement.

Mr. Chairman, as we continue to track Hurricane Irma, I know many of our Members in southeastern United

States are anxious to get home to their families and constituents. So, in order to ensure these Members can get home safely, the last votes for the week will now occur tomorrow afternoon on the Harvey disaster relief package at approximately 12:30 p.m.

The House will complete consideration of H.R. 3354 next week.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Maryland.

Mr. HOYER. Could the majority leader give us some idea so, when Members leave, they will have some idea of next week's schedule?

I know we are going to discuss that tomorrow as well, but it might be useful to do it tonight as well, just to give them an overview.

Mr. MCCARTHY. The quick overview, as you know, we will complete this appropriations package next week. We have a couple of other items that we will list for you tomorrow, but we will continue to monitor this storm.

I know it is going to hit a couple of States, so we will keep you posted about the schedule for next week as well. As soon as we know, we will keep you updated.

Mr. HOYER. If the gentleman will continue to yield, I thank him for giving us an update. I also thank him for the consideration of our Members who live in the southeast and scheduling Harvey early and then no votes subsequent to that because I have had a lot of my Members talk to me about, as you point out, their desire to get home as quickly as possible with their constituents and with their families.

Mr. MCCARTHY. Mr. Chair, I thank the gentleman, and I yield back the balance of my time.

AMENDMENT NO. 92 OFFERED BY MR. AUSTIN
SCOTT OF GEORGIA

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 193, not voting 23, as follows:

[Roll No. 468]

AYES—217

Abraham	Graves (GA)	Nunes
Aderholt	Graves (LA)	Olson
Allen	Graves (MO)	Palazzo
Amodei	Griffith	Palmer
Arrington	Grothman	Pearce
Babin	Guthrie	Perry
Bacon	Handel	Pittenger
Banks (IN)	Harper	Poe (TX)
Barletta	Harris	Poliquin
Barr	Hartzler	Ratcliffe
Barton	Hensarling	Reed
Bergman	Herrera Beutler	Reichert
Biggs	Hice, Jody B.	Renacci
Bishop (MI)	Higgins (LA)	Rice (SC)
Bishop (UT)	Hill	Roby
Black	Holding	Roe (TN)
Blackburn	Hollingsworth	Rogers (AL)
Blum	Hudson	Rogers (KY)
Bost	Huizenga	Rohrabacher
Brady (TX)	Hultgren	Rokita
Brat	Hunter	Rooney, Francis
Brooks (AL)	Hurd	Roskam
Brooks (IN)	Issa	Rothfus
Buck	Jenkins (WV)	Rouzer
Bucshon	Johnson (LA)	Royce (CA)
Budd	Johnson (OH)	Russell
Burgess	Johnson, Sam	Sanford
Byrne	Jones	Schrader
Calvert	Jordan	Scott, Austin
Carter (GA)	Joyce (OH)	Sensenbrenner
Chabot	Katko	Sessions
Cheney	Kelly (MS)	Shimkus
Coffman	Kelly (PA)	Shuster
Cole	King (IA)	Simpson
Collins (GA)	King (NY)	Smith (MO)
Collins (NY)	Kinzinger	Smith (NE)
Comer	Knight	Smith (NJ)
Comstock	Kustoff (TN)	Smith (TX)
Conaway	Labrador	Smucker
Cook	LaHood	Stefanik
Costello (PA)	LaMalfa	Stewart
Cramer	Lamborn	Stivers
Crawford	Lance	Taylor
Culberson	Latta	Tenney
Davidson	Lewis (MN)	Thompson (PA)
Davis, Rodney	LoBiondo	Thornberry
Denham	Loudermilk	Tiberi
DesJarlais	Love	Tipton
Donovan	Lucas	Trott
Duffy	Luetkemeyer	Turner
Duncan (SC)	Marchant	Upton
Duncan (TN)	Marshall	Valadao
Dunn	Massie	Vela
Emmer	Mast	Wagner
Espallat	McCarthy	Walberg
Estes (KS)	McCaul	Walden
Farenthold	McClintock	Walker
Faso	McHenry	Walorski
Ferguson	McKinley	Walters, Mimi
Fleischmann	McMorris	Weber (TX)
Flores	Rodgers	Wenstrup
Foxx	McSally	Westerman
Franks (AZ)	Meadows	Williams
Gaetz	Meehan	Wilson (SC)
Gallagher	Messer	Wittman
Gianforte	Mitchell	Womack
Gibbs	Moolenaar	Woodall
Gohmert	Mooney (WV)	Yoder
Goodlatte	Mullin	Yoho
Gosar	Murphy (PA)	Young (AK)
Gottheimer	Newhouse	Young (IA)
Gowdy	Noem	Zeldin
Granger	Norman	

NOES—193

Adams	Bustos	Connolly
Agullar	Butterfield	Conyers
Amash	Capuano	Cooper
Barragán	Carbajal	Correa
Bass	Cárdenas	Courtney
Beatty	Carson (IN)	Crowley
Bera	Cartwright	Cuellar
Beyer	Castor (FL)	Davis (CA)
Bishop (GA)	Castro (TX)	Davis, Danny
Blumenauer	Chu, Judy	DeFazio
Blunt Rochester	Cicilline	Delaney
Bonamici	Clark (MA)	DeLauro
Boyle, Brendan	Clarke (NY)	DelBene
F.	Clay	Demings
Brady (PA)	Cleaver	Dent
Brown (MD)	Clyburn	DeSaulnier
Brownley (CA)	Cohen	Dingell

Doggett	Larson (CT)	Price (NC)
Doyle, Michael	Lawrence	Quigley
F.	Lee	Raskin
Ellison	Levin	Rice (NY)
Engel	Lewis (GA)	Richmond
Eshoo	Lieu, Ted	Rooney, Thomas
Esty (CT)	Lipinski	J.
Evans	Loeb sack	Rosen
Fitzpatrick	Loftgren	Roybal-Allard
Fortenberry	Long	Ruiz
Foster	Lowenthal	Ruppersberger
Frankel (FL)	Lowe y	Rush
Frelinghuysen	Lujan Grisham,	Ryan (OH)
Fudge	M.	Sánchez
Gabbard	Luján, Ben Ray	Sarbanes
Gallo	Lynch	Schakowsky
Garamendi	MacArthur	Schiff
Gomez	Maloney,	Schneider
Gonzalez (TX)	Carolyn B.	Schweikert
Green, Al	Maloney, Sean	Scott (VA)
Green, Gene	Matsui	Scott, David
Grijalva	McCollum	Serrano
Gutiérrez	McEachin	Sewell (AL)
Hanabusa	McGovern	Shea-Porter
Hastings	McNerney	Sherman
Heck	Meeks	Sinema
Higgins (NY)	Meng	Sires
Himes	Moore	Slaughter
Hoyer	Moulton	Smith (WA)
Huffman	Murphy (FL)	Soto
Jackson Lee	Nadler	Speier
Jayapal	Napolitano	Suo zzi
Jeffries	Neal	Swalwell (CA)
Jenkins (KS)	Nolan	Takano
Johnson (GA)	Norcross	Thompson (CA)
Johnson, E. B.	O'Halleran	Thompson (MS)
Kaptur	O'Rourke	Titus
Keating	Pallone	Tonko
Kelly (IL)	Panetta	Torres
Kennedy	Pascarell	Vargas
Khanna	Paulsen	Veasey
Kihuen	Payne	Velázquez
Kildee	Pelosi	Visclosky
Kilmer	Perlmutter	Walz
Kind	Peters	Waters, Maxine
Krishnamoorthi	Peterson	Watson Coleman
Kuster (NH)	Pingree	Welch
Langevin	Pocan	Wilson (FL)
Larsen (WA)	Polis	Yarmuth

NOT VOTING—23

Bilirakis	DeGette	Ros-Lehtinen
Bridenstine	DeSantis	Ross
Buchanan	Deutch	Rutherford
Carter (TX)	Diaz-Balart	Scalise
Costa	Garrett	Tsongas
Crist	Lawson (FL)	Wasserman
Cummings	Marino	Schultz
Curbelo (FL)	Posey	Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2109

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 99 OFFERED BY MR. GROTHMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 105, noes 307, not voting 21, as follows:

[Roll No. 469]

AYES—105

Abraham Gowdy Meadows
 Allen Graves (LA) Messer
 Amash Graves (MO) Mooney (WV)
 Arrington Griffith Mullin
 Banks (IN) Grothman Noem
 Barton Guthrie Norman
 Bergman Handel Palazzo
 Biggs Harris Palmer
 Bishop (MI) Hartzler Pearce
 Black Hensarling Perry
 Blackburn Hice, Jody B. Pittenger
 Blum Higgins (LA) Poe (TX)
 Brat Hill Ratcliffe
 Brooks (AL) Holding Renacci
 Buck Hudson Rohrabacher
 Budd Hultgren Rokita
 Burgess Hunter Rooney, Francis
 Carter (GA) Johnson (LA) Rouzer
 Cheney Johnson, Sam Russell
 Collins (GA) Jones Sanford
 Comer Jordan Kelly (MS)
 Conaway Kelly (MS) King (IA)
 Costello (PA) Labrador King (IA)
 Davidson LaMalfa
 Duncan (SC) Lamborn
 Duncan (TN) Latta
 Dunn Lewis (MN)
 Faso Long
 Ferguson Loudermilk
 Franks (AZ) Love
 Gaetz Marshall
 Gianforte Gibbs
 Gohmert Massie
 Goodlatte McClintock
 Gosar McMorris
 Rodgers Yoho
 Young (AK)

NOES—307

Adams Cook Green, Al
 Aderholt Cooper Green, Gene
 Aguilar Correa Grijalva
 Amodei Courtney Gutiérrez
 Babin Cramer Hanabusa
 Bacon Crawford Harper
 Barletta Crowley Hastings
 Barr Cuellar Heck
 Barragán Culberson Herrera Beutler
 Bass Davis (CA) Higgins (NY)
 Beatty Davis, Danny Himes
 Bera Davis, Rodney Hollingsworth
 Beyer DeFazio Hoyer
 Bishop (GA) Delaney Huffman
 Bishop (UT) DeLauro Huizenga
 Blumenauer DelBene Hurd
 Blunt Rochester Demings Issa
 Bonamici Denham Jackson Lee
 Bost Dent Jayapal
 Boyle, Brendan DeSaulnier Jeffries
 F. DesJarlais Jenkins (KS)
 Brady (PA) Dingell Jenkins (WV)
 Brady (TX) Doggett Johnson (GA)
 Brooks (IN) Donovan Johnson (OH)
 Brown (MD) Doyle, Michael Johnson, E. B.
 Brownley (CA) F. Joyce (OH)
 Bucshon Duffy Kaptur
 Bustos Ellison Katko
 Butterfield Emmer Keating
 Byrne Engel Kelly (IL)
 Calvert Eshoo Kelly (PA)
 Capuano Espallat Kennedy
 Carbajal Estes (KS) Khanna
 Cárdenas Esty (CT) Kihuen
 Carson (IN) Evans Kildee
 Carter (TX) Farenthold Kilmer
 Cartwright Fitzpatrick Kind
 Castor (FL) Fleischmann King (NY)
 Castro (TX) Flores Kinzinger
 Chabot Fortenberry Knight
 Chu, Judy Foster Krishnamoorthi
 Cicilline Foxx Kuster (NH)
 Clark (MA) Frankel (FL) Kustoff (TN)
 Clarke (NY) Frelinghuysen LaHood
 Clay Fudge Lance
 Cleaver Gabbard Langevin
 Clyburn Gallagher Larsen (WA)
 Coffman Gallego Larson (CT)
 Cohen Garamendi Lawrence
 Cole Gomez Lee
 Collins (NY) Gonzalez (TX) Levin
 Comstock Gottheimer Lewis (GA)
 Connolly Granger Lieu, Ted
 Conyers Graves (GA) Lipinski

LoBiondo Paulsen Sinema
 Loeb sack Payne Sires
 Lofgren Pelosi Slaughter
 Lowenthal Perlmutter Smith (NE)
 Lowey Peters Smith (NJ)
 Lucas Peterson Smith (TX)
 Luetkemeyer Pingree Smith (WA)
 Lujan Grisham, Pocan Smucker
 M. Poliquin Soto
 Luján, Ben Ray Polis Speier
 Lynch Price (NC) Stefanik
 MacArthur Quigley Stewart
 Maloney, Raskin Stivers
 Carolyn B. Reed Suozzi
 Maloney, Sean Reichert Swallow (CA)
 Marchant Rice (NY) Takano
 Marino Rice (SC) Tenney
 Mast Richmond Thompson (CA)
 Matsui Roby Thompson (MS)
 McCarthy Roe (TN) Thompson (PA)
 McCaul Rogers (AL) Thornberry
 McCollum Rogers (KY) Tiberi
 McEachin Rooney, Thomas Titus
 McGovern J. Tonko
 McHenry Rosen Torres
 McKinley Roskam Trott
 McNeer Rothfus Turner
 McSally Roybal-Allard Upton
 Meehan Royce (CA) Valadao
 Meeks Ruiz Vargas
 Meng Ruppersberger Veasey
 Mitchell Rush Vela
 Moolenaar Ryan (OH) Velázquez
 Moore Sánchez Visclosky
 Moulton Sarbanes Wagner
 Murphy (FL) Schakowsky Walden
 Murphy (PA) Schiff Walorski
 Nadler Schneider Walz
 Napolitano Schrader Waters, Maxine
 Neal Schweikert Watson Coleman
 Newhouse Scott (VA) Weber (TX)
 Nolan Scott, Austin Welch
 Norcross Scott, David Wenstrup
 Nunes Serrano Wilson (FL)
 O'Halleran Sessions Wilson (SC)
 O'Rourke Sewell (AL) Womack
 Olson Shea-Porter Yarmuth
 Pallone Sherman Yoder
 Panetta Shimkus Young (IA)
 Pascrell Simpson Zeldin

NOT VOTING—21

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 2114

Messrs. GAETZ, JOHNSON of Louisiana, and CARTER of Georgia changed their vote from “no” to “aye.”
 So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 110 OFFERED BY MR. YOHO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. YOHO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 212, not voting 22, as follows:

[Roll No. 470]

AYES—199

Abraham Griffith Nunes
 Allen Grothman Olson
 Arrington Guthrie Palazzo
 Babin Handel Palmer
 Bacon Harper Paulsen
 Banks (IN) Harris Pearce
 Barletta Hartzler Perry
 Barr Hensarling Pittenger
 Barton Herrera Beutler Poe (TX)
 Bergman Hice, Jody B. Ratcliffe
 Biggs Higgins (LA) Reed
 Bishop (MI) Hill Reichert
 Bishop (UT) Holding Renacci
 Black Hollingsworth Roe (TN)
 Blackburn Hudson Rogers (AL)
 Blum Huizenga Rohrabacher
 Bost Hunter Rokita
 Brady (TX) Hurd Roskam
 Brat Issa Rothfus
 Brooks (AL) Jenkins (KS) Rouzer
 Buck Jenkins (WV) Royce (CA)
 Budd Johnson (LA) Russell
 Burgess Johnson (OH) Sanford
 Byrne Johnson, Sam Schweikert
 Calvert Jones Scott, Austin
 Carter (GA) Jordan Sensenbrenner
 Chabot Joyce (OH) Sessions
 Cheney Katko Shimkus
 Coffman Kelly (MS) Shuster
 Collins (GA) Kelly (PA) Simpson
 Comer King (IA) Sinema
 Comstock King (NY) Smith (MO)
 Conaway Knight Smith (NE)
 Cook Labrador Smith (NJ)
 Crawford LaHood Smith (TX)
 Culberson LaMalfa Smucker
 Davidson Lamborn Stefanik
 Davis, Rodney Lance Stewart
 DesJarlais Latta Stivers
 Donovan Lewis (MN) Suozzi
 Duffy LoBiondo Taylor
 Duncan (SC) Long Tenney
 Duncan (TN) Loudermilk Thompson (PA)
 Dunn Love Thornberry
 Emmer Luetkemeyer Tiberi
 Estes (KS) Marchant Tipton
 Farenthold Marino Turner
 Faso Marshall Wagner
 Ferguson Fleischmann Mast
 Flores McCarthy Walden
 Foxx McCaul Walker
 Franks (AZ) McClintock Walorski
 Frelinghuysen McKinley Walters, Mimi
 Gaetz McMorris Weber (TX)
 Gallagher Rodgers Wenstrup
 Gianforte McSally Westernman
 Gibbs Meadows Williams
 Gohmert Messer Wilson (SC)
 Goodlatte Mitchell Wittman
 Gosar Moolenaar Womack
 Gottheimer Mooney (WV) Woodall
 Gowdy Mullin Yoder
 Granger Murphy (PA) Yoho
 Graves (GA) Newhouse Young (AK)
 Graves (LA) Noem Young (IA)
 Graves (MO) Norman Zeldin

NOES—212

Adams Brooks (IN) Clarke (NY)
 Aderholt Brown (MD) Clay
 Aguilar Brownley (CA) Cleaver
 Amash Bucshon Clyburn
 Amodei Bustos Cohen
 Barragán Butterfield Cole
 Bass Capuano Collins (NY)
 Beatty Carbajal Connolly
 Bera Cárdenas Conyers
 Beyer Carson (IN) Cooper
 Bishop (GA) Carter (TX) Correa
 Blumenauer Cartwright Costello (PA)
 Blunt Rochester Castor (FL) Courtney
 Bonamici Castro (TX) Cramer
 Boyle, Brendan Chu, Judy Crowley
 F. Cicilline Cuellar
 Brady (PA) Clark (MA) Davis (CA)

Davis, Danny	Krishnamoorthi	Price (NC)
DeFazio	Kuster (NH)	Quigley
Delaney	Kustoff (TN)	Raskin
DeLauro	Langevin	Rice (NY)
DelBene	Larsen (WA)	Rice (SC)
Demings	Larson (CT)	Richmond
Denham	Lawrence	Roby
Dent	Lee	Rogers (KY)
DeSaulnier	Levin	Rooney, Thomas J.
Dingell	Lewis (GA)	Rosen
Doggett	Lieu, Ted	Roybal-Allard
Doyle, Michael F.	Lipinski	Ruiz
Ellison	Loeb sack	Ruppersberger
Engel	Lofgren	Rush
Eshoo	Lowenthal	Ryan (OH)
Espallat	Lowe y	Sánchez
Esty (CT)	Lucas	Sarbanes
Evans	Lujan Grisham, M.	Schakowsky
Fitzpatrick	Luján, Ben Ray	Schiff
Fortenberry	Lynch	Schneider
Foster	MacArthur	Schrader
Frankel (FL)	Maloney,	Scott (VA)
Fudge	Carolyn B.	Scott, David
Gabbard	Maloney, Sean	Serrano
Gallego	Matsui	Sewell (AL)
Garamendi	McCollum	Shea-Porter
Gomez	McEachin	Sherman
Gonzalez (TX)	McGovern	Sires
Green, Al	McHenry	Slaughter
Green, Gene	McNerney	Smith (WA)
Grijalva	Meehan	Soto
Gutiérrez	Meeks	Speier
Hanabusa	Meng	Swalwell (CA)
Hastings	Moore	Takano
Heck	Moulton	Thompson (CA)
Higgins (NY)	Murphy (FL)	Thompson (MS)
Himes	Nadler	Titus
Hoyer	Napolitano	Tonko
Huffman	Neal	Torres
Hultgren	Nolan	Trott
Jackson Lee	Norcross	Upton
Jayapal	O'Halleran	Valadao
Jeffries	O'Rourke	Vargas
Johnson (GA)	Pallone	Veasey
Johnson, E. B.	Panetta	Vela
Kaptur	Pascrell	Velázquez
Keating	Payne	Visclosky
Kelly (IL)	Pelosi	Walz
Kennedy	Perlmutter	Waters, Maxine
Khanna	Peters	Watson Coleman
Kihuen	Peterson	Welch
Kildee	Pingree	Wilson (FL)
Kilmer	Pocan	Yarmuth
Kind	Poliquin	
Kinzinger	Polis	

NOT VOTING—22

Bilirakis	DeSantis	Ross
Bridenstine	Deutch	Rutherford
Buchanan	Diaz-Balart	Scalise
Costa	Garrett	Tsongas
Crist	Lawson (FL)	Wasserman
Cummings	Posey	Schultz
Curbelo (FL)	Rooney, Francis	Webster (FL)
DeGette	Ros-Lehtinen	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. WALKER) (during the vote). There is 1 minute remaining.

□ 2119

Ms. STEFANIK changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, pursuant to House Resolution 500, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. WALKER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropri-

tions for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 504 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3354.

Will the gentleman from North Carolina (Mr. WALKER) kindly take the chair.

□ 2120

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. WALKER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 51 printed in House Report 115-297 offered by the gentleman from South Carolina (Mr. SANFORD) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-297 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. GRIJALVA of Arizona.

Amendment No. 15 by Mr. THOMPSON of Pennsylvania.

Amendment No. 18 by Mr. GRIJALVA of Arizona.

Amendment No. 29 by Mr. BIGGS of Arizona.

Amendment No. 31 by Mr. BEN RAY LUJÁN of New Mexico.

Amendment No. 38 by Mr. ELLISON of Minnesota.

Amendment No. 39 by Mr. LOWENTHAL of California.

Amendment No. 43 by Mr. YOUNG of Alaska.

Amendment No. 50 by Mr. GOODLATTE of Virginia.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings

were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 221, not voting 21, as follows:

[Roll No. 471]

AYES—191

Adams	Garamendi	Neal
Aguilar	Gomez	Nolan
Barragán	Gonzalez (TX)	Norcross
Bass	Gottheimer	O'Halleran
Beatty	Green, Al	O'Rourke
Beyer	Green, Gene	Pallone
Bishop (GA)	Grijalva	Panetta
Blumenauer	Gutiérrez	Pascrell
Blunt Rochester	Hanabusa	Payne
Bonamici	Hastings	Pelosi
Boyle, Brendan	Heck	Perlmutter
F.	Higgins (NY)	Peters
Brady (PA)	Himes	Pingree
Brown (MD)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Jackson Lee	Price (NC)
Butterfield	Jayapal	Quigley
Capuano	Jeffries	Raskin
Carbajal	Johnson (GA)	Rice (NY)
Cárdenas	Johnson, E. B.	Richmond
Carson (IN)	Jones	Rosen
Cartwright	Kaptur	Roybal-Allard
Castor (FL)	Keating	Ruiz
Castro (TX)	Kelly (IL)	Ruppersberger
Chu, Judy	Kennedy	Rush
Cicilline	Khanna	Ryan (OH)
Clark (MA)	Kihuen	Sánchez
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	King (NY)	Schneider
Cohen	Krishnamoorthi	Schrader
Connolly	Kuster (NH)	Scott (VA)
Conyers	Lance	Scott, David
Cooper	Langevin	Serrano
Correa	Larsen (WA)	Sewell (AL)
Costello (PA)	Larson (CT)	Shea-Porter
Courtney	Lawrence	Sherman
Crowley	Lee	Sinema
Davis (CA)	Levin	Sires
Davis, Danny	Lewis (GA)	Slaughter
DeFazio	Lieu, Ted	Smith (NJ)
Delaney	Lipinski	Smith (WA)
DeLauro	LoBiondo	Soto
DelBene	Loeb sack	Speier
Demings	Lofgren	Suozi
DeSaulnier	Lowenthal	Swalwell (CA)
Dingell	Lowe y	Takano
Doggett	Luján, Ben Ray	Thompson (CA)
Donovan	Lynch	Thompson (MS)
Doyle, Michael F.	Maloney,	Titus
Ellison	Carolyn B.	Tonko
Engel	Maloney, Sean	Torres
Eshoo	Matsui	Vargas
Espallat	McCollum	Veasey
Esty (CT)	McEachin	Vela
Evans	McGovern	Velázquez
Faso	McNerney	Visclosky
Fitzpatrick	Meeks	Walz
Foster	Meng	Waters, Maxine
Frankel (FL)	Moore	Watson Coleman
Fudge	Moulton	Welch
Gabbard	Murphy (FL)	Wilson (FL)
Gallego	Nadler	Yarmuth
	Napolitano	

NOES—221

Abraham	Babin	Bera
Aderholt	Bacon	Bergman
Allen	Banks (IN)	Biggs
Amash	Barletta	Bishop (MI)
Amodei	Barr	Bishop (UT)
Arrington	Barton	Black

Blackburn Hice, Jody B.
Blum Higgins (LA)
Bost Hill
Brady (TX) Holding
Brat Hollingsworth
Brooks (AL) Hudson
Brooks (IN) Huizenga
Buck Hultgren
Bucshon Hunter
Budd Hunter
Burgess Issa
Byrne Jenkins (KS)
Calvert Jenkins (WV)
Carter (GA) Johnson (LA)
Carter (TX) Johnson (OH)
Chabot Johnson, Sam
Cheney Jordan
Coffman Joyce (OH)
Cole Katko
Collins (GA) Kelly (MS)
Collins (NY) Kelly (PA)
Comer King (IA)
Comstock Kinzinger
Conaway Knight
Cook Kustoff (TN)
Cramer Labrador
Crawford LaHood
Cuellar LaMalfa
Culberson Lamborn
Davidson Latta
Davis, Rodney Lewis (MN)
Denham Long
Dent Loudermilk
DesJarlais Love
Duffy Lucas
Duncan (SC) Luetkemeyer
Duncan (TN) Lujan Grisham,
Dunn M.
Emmer MacArthur
Estes (KS) Marchant
Farenthold Marino
Ferguson Marshall
Fleischmann Massie
Flores Mast
Fortenberry McCarthy
Foxy McCaul
Franks (AZ) McClintock
Frelinghuysen Turner
Gaetz McKinley
Gallagher McMorris
Gianforte Rodgers
Gibbs McSally
Gohmert Meadows
Goodlatte Meehan
Gosar Messer
Gowdy Mitchell
Granger Moolenaar
Graves (GA) Mooney (WV)
Graves (LA) Mullin
Graves (MO) Murphy (PA)
Griffith Newhouse
Grothman Noem
Guthrie Norman
Handel Nunes
Harper Olson
Harris Palazzo
Hartzler Palmer
Hensarling Paulsen
Herrera Beutler Pearce

NOT VOTING—21

Bilirakis DeSantis
Bridenstine Deutch
Buchanan Diaz-Balart
Costa Garrett
Crist Lawson (FL)
Cummings Posey
Curbelo (FL) Ros-Lehtinen
DeGette Ross

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2125

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. THOMPSON
OF PENNSYLVANIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the

gentleman from Pennsylvania (Mr.
THOMPSON) on which further pro-
ceedings were postponed and on which
the ayes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 207, noes 205,
not voting 21, as follows:

[Roll No. 472]

AYES—207

Abraham Gibbs
Aderholt Gohmert
Allen Goodlatte
Amodei Gosar
Arrington Gowdy
Babin Granger
Bacon Graves (GA)
Banks (IN) Graves (LA)
Barletta Graves (MO)
Barr Griffith
Barton Grothman
Bergman Guthrie
Biggs Handel
Bishop (MI) Harper
Bishop (UT) Harris
Black Hartzler
Blackburn Hensarling
Blum Herrera Beutler
Bost Hice, Jody B.
Boyle, Brendan Higgins (LA)
F. Hill
Brady (PA) Holding
Brady (TX) Hollingsworth
Brooks (AL) Hudson
Brooks (IN) Huizenga
Buck Hultgren
Bucshon Hunter
Budd Hurd
Burgess Issa
Byrne Jenkins (KS)
Calvert Jenkins (WV)
Carter (GA) Johnson (LA)
Carter (TX) Johnson (OH)
Cartwright Johnson, Sam
Chabot Jones
Coffman Jordan
Cole Joyce (OH)
Collins (GA) Katko
Collins (NY) Kelly (MS)
Comer Kelly (PA)
Conaway King (IA)
Cook King (NY)
Costello (PA) Kinzinger
Cramer Kustoff (TN)
Crawford Labrador
Cuellar LaHood
Culberson LaMalfa
Davidson Lamborn
Davis, Rodney Larson (CT)
DeFazio Latta
Dent Long
DesJarlais Loudermilk
Donovan Love
Doyle, Michael Lucas
Duffy Luetkemeyer
Duncan (SC) Marchant
Duncan (TN) Marino
Dunn Marshall
Dunn Massie
Estes (KS) Mast
Farenthold McCarthy
Faso McCaul
Ferguson McClintock
Fleischmann McHenry
Flores McKinley
Foxy McMorris
Frelinghuysen Rodgers
Gallagher McSally
Gianforte Messer

Womack
Woodall

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Brat
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Castor (FL)
Castro (TX)
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Correa
Courtney
Crowley
Davis (CA)
Davis, Danny
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Dingell
Doggett
Ellison
Emmer
Engel
Eshoo
Español
Esty (CT)
Evans
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gaetz
Gallo
Garamendi
Gomez
Gonzalez (TX)
Gottheimer

Yoder
Yoho

NOES—205

Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Knight
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meadows
Meehan
Meeks
Meng
Moolenaar
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross

Norman
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rooney, Francis
Rosen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozy
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walker
Walters, Mimi
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—21

Bilirakis DeSantis
Bridenstine Deutch
Buchanan Diaz-Balart
Costa Garrett
Crist Lawson (FL)
Cummings Posey
Curbelo (FL) Ros-Lehtinen
DeGette Ross

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2130

Mr. KATKO changed his vote from
“no” to “aye.”

So the amendment was agreed to.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 18 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 218, not voting 25, as follows:

[Roll No. 473]

AYES—190

Adams	Gonzalez (TX)	Neal
Aguilar	Gottheimer	Nolan
Barragan	Green, Al	Norcross
Bass	Green, Gene	O'Halleran
Beatty	Grijalva	O'Rourke
Bera	Gutiérrez	Pallone
Beyer	Hanabusa	Panetta
Bishop (GA)	Heck	Pascarell
Blumenauer	Higgins (NY)	Paulsen
Blunt Rochester	Himes	Payne
Bonamici	Hoyer	Pelosi
Brady (PA)	Huffman	Perlmutter
Brown (MD)	Jackson Lee	Peters
Brownley (CA)	Jayapal	Pingree
Bustos	Jeffries	Pocan
Butterfield	Johnson (GA)	Polis
Capuano	Johnson, E. B.	Price (NC)
Carbajal	Jones	Quigley
Cardenas	Kaptur	Raskin
Carson (IN)	Keating	Rice (NY)
Cartwright	Kelly (IL)	Richmond
Castor (FL)	Kennedy	Rosen
Castro (TX)	Khanna	Roybal-Allard
Chu, Judy	Kihuen	Ruiz
Cicilline	Kildee	Ruppersberger
Clark (MA)	Kilmer	Rush
Clarke (NY)	Kind	Ryan (OH)
Clay	Krishnamoorthi	Sánchez
Cleaver	Kuster (NH)	Sarbanes
Clyburn	Lance	Schakowsky
Cohen	Langevin	Schiff
Connolly	Larsen (WA)	Schneider
Conyers	Larson (CT)	Scott (VA)
Cooper	Lawrence	Scott, David
Correa	Lee	Sewell (AL)
Costello (PA)	Levin	Shea-Porter
Courtney	Lewis (GA)	Lieu, Ted
Crowley	Lieu, Ted	Lipinski
Cuellar	Lipinski	LoBiondo
Davis (CA)	LoBiondo	Sires
Davis, Danny	Loebach	Slaughter
DeFazio	Lofgren	Smith (NJ)
Delaney	Lowenthal	Smith (WA)
DeLauro	Lowey	Soto
DelBene	Lujan Grisham,	Speier
Demings	M.	Suozzi
DeSaulnier	Lujan, Ben Ray	Swalwell (CA)
Dingell	Lynch	Takano
Doggett	Maloney,	Thompson (CA)
Doyle, Michael	Carolyn B.	Thompson (MS)
F.	Maloney, Sean	Titus
Ellison	Matsui	Tonko
Engel	McCollum	Torres
Eshoo	McEachin	Vargas
Espallat	McGovern	Veasey
Esty (CT)	McNerney	Vela
Evans	McSally	Velázquez
Fitzpatrick	Meehan	Visclosky
Foster	Meeks	Walz
Frankel (FL)	Meng	Waters, Maxine
Fudge	Moore	Watson Coleman
Gabbard	Moulton	Welch
Galleo	Murphy (FL)	Wilson (FL)
Garamendi	Nadler	Yarmuth
Gomez	Napolitano	

NOES—218

Abraham	Gosar	Palazzo
Aderholt	Gowdy	Palmer
Allen	Granger	Pearce
Amash	Graves (GA)	Perry
Amodel	Graves (LA)	Peterson
Arrington	Griffith	Pittenger
Babin	Grothman	Poe (TX)
Bacon	Guthrie	Poliquin
Banks (IN)	Handel	Ratcliffe
Barletta	Harper	Reed
Barr	Harris	Reichert
Barton	Hartzler	Renacci
Bergman	Hastings	Rice (SC)
Biggs	Hensarling	Roby
Bishop (MI)	Herrera Beutler	Roe (TN)
Bishop (UT)	Hice, Jody B.	Rogers (AL)
Black	Higgins (LA)	Rogers (KY)
Blackburn	Hill	Rohrabacher
Blum	Holding	Rokita
Bost	Hollingsworth	Rooney, Francis
Boyle, Brendan	Hudson	Rooney, Thomas
F.	Huizenga	J.
Brady (TX)	Hultgren	Roskam
Brat	Hunter	Rothfus
Brooks (AL)	Hurd	Rouzer
Brooks (IN)	Issa	Royce (CA)
Buck	Jenkins (KS)	Russell
Bucshon	Jenkins (WV)	Sanford
Budd	Johnson (LA)	Schrader
Burgess	Johnson (OH)	Schweikert
Byrne	Johnson, Sam	Scott, Austin
Calvert	Jordan	Sensenbrenner
Carter (GA)	Joyce (OH)	Serrano
Carter (TX)	Katko	Sessions
Chabot	Kelly (MS)	Shimkus
Cheney	Kelly (PA)	Shuster
Coffman	King (IA)	Simpson
Cole	King (NY)	Smith (MO)
Collins (GA)	Kinzing	Smith (NE)
Collins (NY)	Knight	Smith (TX)
Comer	Kustoff (TN)	Smucker
Comstock	LaMalfa	Stefanik
Conaway	Lamborn	Stewart
Cook	Latta	Stivers
Cramer	Lewis (MN)	Taylor
Crawford	Long	Tenney
Culberson	Love	Thompson (PA)
Davidson	Lucas	Thornberry
Davis, Rodney	Luetkemeyer	Tiberi
Denham	MacArthur	Tipton
Dent	Marchant	Trott
DesJarlais	Marino	Turner
Donovan	Marshall	Upton
Duffy	Massie	Valadao
Duncan (SC)	Mast	Wagner
Duncan (TN)	McCarthy	Walberg
Dunn	McCaul	Walden
Emmer	McClintock	Walker
Estes (KS)	McHenry	Walorski
Farenthold	McKinley	Walters, Mimi
Faso	McMorris	Weber (TX)
Ferguson	Rodgers	Wenstrup
Fleischmann	Meadows	Westerman
Flores	Messer	Williams
Fortenberry	Mitchell	Wilson (SC)
Fox	Moolenaar	Wittman
Franks (AZ)	Mooney (WV)	Womack
Frelinghuysen	Mullin	Woodall
Gaetz	Murphy (PA)	Yoder
Gallagher	Newhouse	Yoho
Gianforte	Noem	Young (AK)
Gibbs	Norman	Young (IA)
Gohmert	Nunes	Zeldin
Goodlatte	Olson	

NOT VOTING—25

Bilirakis	Deutch	Ros-Lehtinen
Bridenstine	Diaz-Balart	Ross
Buchanan	Garrett	Rutherford
Costa	Graves (MO)	Scalise
Crist	Labrador	Tsongas
Cummings	LaHood	Wasserman
Curbelo (FL)	Lawson (FL)	Schultz
DeGette	Loudermilk	Webster (FL)
DeSantis	Posey	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2134

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. BIGGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. BIGGS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 228, not voting 21, as follows:

[Roll No. 474]

AYES—184

Abraham	Gowdy	Newhouse
Aderholt	Granger	Noem
Allen	Graves (GA)	Norman
Amash	Graves (MO)	Nunes
Amodel	Griffith	Olson
Arrington	Grothman	Palazzo
Babin	Guthrie	Palmer
Bacon	Handel	Pearce
Banks (IN)	Harper	Perry
Barletta	Harris	Pittenger
Barr	Hartzler	Poe (TX)
Barton	Hensarling	Ratcliffe
Biggs	Hice, Jody B.	Reed
Bishop (MI)	Higgins (LA)	Renacci
Bishop (UT)	Hill	Rice (SC)
Black	Holding	Roby
Blackburn	Hollingsworth	Roe (TN)
Blum	Hudson	Rogers (AL)
Brady (TX)	Huizenga	Rogers (KY)
Brat	Hunter	Rohrabacher
Brooks (AL)	Issa	Rokita
Buck	Jenkins (KS)	Rooney, Francis
Bucshon	Jenkins (WV)	Rooney, Thomas
Budd	Johnson (LA)	J.
Burgess	Johnson (OH)	Rothfus
Byrne	Johnson, Sam	Rouzer
Calvert	Jones	Royce (CA)
Carter (GA)	Jordan	Russell
Carter (TX)	Kelly (MS)	Sanford
Chabot	Kelly (PA)	Schweikert
Cheney	King (IA)	Scott, Austin
Coffman	Kustoff (TN)	Sensenbrenner
Collins (GA)	Labrador	Sessions
Collins (NY)	LaHood	Smith (MO)
Comer	LaMalfa	Smith (NE)
Conaway	Lamborn	Smith (TX)
Cook	Latta	Smucker
Cramer	Lewis (MN)	Stewart
Crawford	Long	Taylor
Culberson	Loudermilk	Tenney
Davidson	Love	Thompson (PA)
Denham	Lucas	Thornberry
DesJarlais	Luetkemeyer	Tiberi
Duffy	Marchant	Trott
Duncan (SC)	Marino	Valadao
Duncan (TN)	Marshall	Wagner
Dunn	Massie	Walberg
Emmer	Mast	Walker
Estes (KS)	McCarthy	Walorski
Farenthold	McCaul	Walters, Mimi
Ferguson	McClintock	Weber (TX)
Fleischmann	McHenry	Wenstrup
Flores	McKinley	Westerman
Fox	McMorris	Williams
Franks (AZ)	Rodgers	Wilson (SC)
Gaetz	McSally	Wittman
Gallagher	Meadows	Womack
Gianforte	Messer	Woodall
Gibbs	Mitchell	Yoder
Gohmert	Moolenaar	Yoho
Goodlatte	Mooney (WV)	Young (AK)
Gosar	Mullin	Young (IA)

NOES—228

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brooks (IN)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Correa
Costello (PA)
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Dent
DeSaulnier
Dingell
Doggett
Donovan
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty (CT)
Evans
Faso
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallo
Garamendi
Gomez

Gonzalez (TX)
Gottheimer
Graves (LA)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Herrera Beutler
Higgins (NY)
Himes
Hoyer
Huffman
Hultgren
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyne B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross

O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Raskin
Reichert
Rice (NY)
Richmond
Rosen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano

NOT VOTING—21

Bilirakis
Bridenstine
Buchanan
Costa
Crist
Cummings
Curbelo (FL)
DeGette

DeSantis
Deutch
Diaz-Balart
Garrett
Lawson (FL)
Posey
Ros-Lehtinen
Ross

Rutherford
Scalise
Tsongas
Wasserman
Schultz
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2138

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 31 OFFERED BY MR. BEN RAY
LUJÁN OF NEW MEXICO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from New Mexico (Mr. BEN
RAY LUJÁN) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 220, noes 191,
not voting 22, as follows:

[Roll No. 475]

AYES—220

Adams
Aguilar
Amash
Bacon
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blum
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brooks (AL)
Brown (MD)
Brownley (CA)
Buck
Burgess
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Correa
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
Dent
DeSaulnier
Dingell
Doggett
Donovan
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty (CT)
Evans
Faso
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallo
Garamendi
Gomez

Doggett
Doyle, Michael
F.
Duncan (SC)
Ellison
Engel
Eshoo
Españillat
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallo
Garamendi
Gianforte
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Green, Al
Green, Gene
Grijalva
Grothman
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Kinzinger
Krishnamoorthi
Kuster (NH)
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)

Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb
Loeb
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyne B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Mooney (WV)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond

Rokita
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano

Sessions
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Stefanik
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tipton

Titus
Tonko
Torres
Upton
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (IA)

NOES—191

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Banks (IN)
Barletta
Barr
Barton
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Brady (TX)
Brat
Brooks (IN)
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Denham
Dent
DesJarlais
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Fox
Frelinghuysen
Gaetz
Gallagher
Gibbs
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Griffith
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Knight
Kustoff (TN)
Labrador
LaHood
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers
Meadows
Messer
Mitchell
Moolenaar
Mullin
Murphy (PA)
Noem
Norman
Nunes
Olson

Palazzo
Palmer
Pearce
Perry
Pittenger
Poliquin
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Zeldin

NOT VOTING—22

Bilirakis
Bridenstine
Buchanan
Costa
Crist
Cummings
Curbelo (FL)
DeGette

DeSantis
Deutch
Diaz-Balart
Garrett
Kelly (IL)
Lawson (FL)
Posey
Ros-Lehtinen

Ross
Rutherford
Scalise
Tsongas
Wasserman
Schultz
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2142

Mr. JOHNSON of Louisiana changed his vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 218, not voting 21, as follows:

[Roll No. 476]

AYES—194

Adams	Engel	Lipinski
Aguilar	Eshoo	LoBiondo
Barragán	Españillat	Loeb
Bass	Esty (CT)	Lofgren
Beatty	Evans	Lowenthal
Bera	Faso	Lowe
Beyer	Fitzpatrick	Lujan Grisham,
Bishop (GA)	Foster	M.
Blumenauer	Frankel (FL)	Luján, Ben Ray
Blunt Rochester	Fudge	Lynch
Bonamici	Gabbard	MacArthur
Boyle, Brendan	Gallego	Maloney,
F.	Garamendi	Carolyn B.
Brady (PA)	Gomez	Maloney, Sean
Brown (MD)	Gonzalez (TX)	Mast
Brownley (CA)	Gottheimer	Matsui
Bustos	Green, Al	McCollum
Butterfield	Green, Gene	McEachin
Capuano	Grijalva	McGovern
Carbajal	Gutiérrez	McNerney
Cárdenas	Hanabusa	Meng
Carson (IN)	Hastings	Moore
Cartwright	Heck	Moulton
Castor (FL)	Higgins (NY)	Murphy (FL)
Castro (TX)	Himes	Nadler
Chu, Judy	Hoyer	Napolitano
Cicilline	Huffman	Neal
Clark (MA)	Jackson Lee	Nolan
Clarke (NY)	Jayapal	Norcross
Clay	Jeffries	O'Halleran
Cleaver	Johnson (GA)	O'Rourke
Clyburn	Johnson, E. B.	Pallone
Cohen	Kaptur	Panetta
Connolly	Keating	Pascarell
Conyers	Kelly (IL)	Payne
Cooper	Kennedy	Pelosi
Correa	Khanna	Perlmutter
Courtney	Kihuen	Peters
Crowley	Kildee	Pingree
Davis (CA)	Kilmer	Pocan
Davis, Danny	Kind	Poliquin
DeFazio	Krishnamoorthi	Polis
Delaney	Kuster (NH)	Price (NC)
DeLauro	Lance	Quigley
DelBene	Langevin	Raskin
Demings	Larsen (WA)	Reichert
DeSaulnier	Larson (CT)	Rice (NY)
Dingell	Lawrence	Richmond
Doggett	Lee	Rosen
Doyle, Michael	Levin	Roybal-Allard
F.	Lewis (GA)	Ruiz
Ellison	Lieu, Ted	Ruppersberger

Rush
Ryan (OH)
Sanchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis, Rodney
Denham
Dent
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Ferguson
Fleischmann
Flores
Fortenberry
Fox
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar

Bilirakis
Bridenstine
Buchanan

Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Stefanik
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

NOES—218

Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Meeks
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse

NOT VOTING—21

Costa
Crist
Cummings

Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Deutch
Diaz-Balart
Garrett
Lawson (FL)
Posey

Ros-Lehtinen
Ross
Rutherford
Scalise
Tsongas

Wasserman
Schultz
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2145

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR.

LOWENTHAL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LOWENTHAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 220, not voting 24, as follows:

[Roll No. 477]

AYES—189

Adams	DeSaulnier	Kuster (NH)
Aguilar	Dingell	Langevin
Barragán	Doggett	Larsen (WA)
Bass	Doyle, Michael	Larson (CT)
Beatty	F.	Lawrence
Bera	Ellison	Lee
Beyer	Engel	Levin
Bishop (GA)	Eshoo	Lewis (GA)
Blumenauer	Españillat	Lieu, Ted
Blunt Rochester	Esty (CT)	Lipinski
Bonamici	Evans	Loeb
Boyle, Brendan	Fitzpatrick	Lofgren
F.	Fortenberry	Lowenthal
Brady (PA)	Foster	Lowe
Brown (MD)	Frankel (FL)	Lujan Grisham,
Brownley (CA)	Fudge	M.
Bustos	Gabbard	Luján, Ben Ray
Butterfield	Gallego	Lynch
Capuano	Garamendi	Maloney,
Carbajal	Gomez	Carolyn B.
Cárdenas	Gonzalez (TX)	Maloney, Sean
Carson (IN)	Gottheimer	Mast
Cartwright	Green, Al	Matsui
Castor (FL)	Green, Gene	McCollum
Chu, Judy	Grijalva	McEachin
Cicilline	Gutiérrez	McGovern
Clark (MA)	Hanabusa	McNerney
Clarke (NY)	Hastings	Meeks
Clay	Heck	Meng
Cleaver	Higgins (NY)	Moore
Clyburn	Himes	Moulton
Cohen	Hoyer	Murphy (FL)
Connolly	Huffman	Nadler
Conyers	Jackson Lee	Napolitano
Cooper	Jayapal	Neal
Correa	Jeffries	Norcross
Courtney	Johnson (GA)	O'Halleran
Crowley	Johnson, E. B.	O'Rourke
Davis (CA)	Kaptur	Pallone
Davis, Danny	Keating	Panetta
DeFazio	Kelly (IL)	Pascarell
Delaney	Kennedy	Payne
DeLauro	Khanna	Pelosi
DelBene	Kihuen	Perlmutter
Demings	Kildee	Peters
DeSaulnier	Kilmer	Pingree
Dingell	Kind	Pocan
Doggett	Krishnamoorthi	Poliquin

Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader

Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Stefanik
Suozi
Swalwell (CA)
Takano
Thompson (CA)

Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Bilirakis
Bridenstine
Brooks (IN)
Buchanan
Costa
Crist
Cummings
Curbelo (FL)
DeGette
DeSantis
Deutch
Diaz-Balart
Garrett
Lawson (FL)
Nolan
Posey
Ros-Lehtinen
Ross
Ruppersberger
Rutherford
Scalise
Tsongas
Wasserman
Schultz
Webster (FL)

Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)

Poliquin
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Rothfus
Rouzer
Russell
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik

Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—220

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Densham
Dent
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem

Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—24

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2149

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 43 OFFERED BY MR. YOUNG OF
ALASKA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Alaska (Mr. YOUNG) on
which further proceedings were post-
poned and on which the ayes prevailed
by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 215, noes 196,
not voting 22, as follows:

[Roll No. 478]

AYES—215

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis, Rodney
Dent
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciocilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costello (PA)
Courtney
Crowley
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Dingell
Doggett
Donovan
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Gomez
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (NY)
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
McSally

NOES—196

Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reichert
Rice (NY)
Richmond
Rosen
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Tenney
Thompson (CA)
Thompson (MS)
Titus

Tonko Vela Watson Coleman
Torres Velázquez Welch
Upton Visclosky Wilson (FL)
Vargas Walz Yarmuth
Veasey Waters, Maxine

NOT VOTING—22

Bilirakis DeSantis Ross
Bridenstine Deutch Rutherford
Buchanan Diaz-Balart Scalise
Costa Gaetz Tsongas
Crist Garrett Wasserman
Cummings Lawson (FL) Schultz
Curbelo (FL) Posey Webster (FL)
DeGette Ros-Lehtinen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2152

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 50 OFFERED BY MR. GOODLATTE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Virginia (Mr. GOOD-
LATTE) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 214, noes 197,
not voting 22, as follows:

[Roll No. 479]

AYES—214

Abraham Conaway Grothman
Aderholt Cook Guthrie
Allen Costello (PA) Handel
Amash Cramer Harper
Amodei Crawford Hartzler
Arrington Culberson Hensarling
Babin Davidson Herrera Beutler
Bacon Davis, Rodney Hice, Jody B.
Banks (IN) Denham Higgins (LA)
Barletta Dent Hill
Barr DesJarlais Holding
Barton Donovan Hollingsworth
Bergman Duffy
Biggs Duncan (SC) Huizenga
Bishop (MI) Duncan (TN) Hultgren
Bishop (UT) Dunn Hunter
Black Emmer Hurd
Blackburn Estes (KS) Issa
Blum Farenthold Jenkins (KS)
Bost Ferguson Jenkins (WV)
Brady (TX) Fleischmann Johnson (LA)
Brat Flores Johnson (OH)
Brooks (AL) Fortenberry Johnson, Sam
Brooks (IN) Foxx Jones
Buck Franks (AZ) Jordan
Bucshon Frelinghuysen Katko
Budd Gaetz Kelly (MS)
Burgess Gallagher Kelly (PA)
Byrne Gianforte King (IA)
Calvert Gibbs King (NY)
Carter (GA) Gohmert Kinzinger
Carter (TX) Goodlatte Knight
Chabot Gosar Kustoff (TN)
Cheney Gowdy Labrador
Coffman Granger LaHood
Cole Graves (GA) LaMalfa
Collins (GA) Graves (LA) Lamborn
Collins (NY) Graves (MO) Latta
Comer Griffith Lewis (MN)

Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Pearce

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Correa
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DeBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans
Faso
Fitzpatrick

NOES—197

Poster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Harris
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce (OH)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.

Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Suozi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (MS)
Titus

Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Wittman
Yarmuth

NOT VOTING—22

Bilirakis Demings Ross
Bridenstine DeSantis Rutherford
Buchanan Deutch Scalise
Costa Diaz-Balart Tsongas
Crist Garrett Wasserman
Cummings Lawson (FL) Schultz
Curbelo (FL) Posey Webster (FL)
DeGette Ros-Lehtinen

□ 2156

So the amendment was agreed to.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 55 OFFERED BY MRS.

BLACKBURN

The Acting CHAIR (Mr. BERGMAN). It
is now in order to consider amendment
No. 55 printed in House Report 115–297.

Mrs. BLACKBURN. Mr. Chairman, I
have an amendment at the desk.

The Acting CHAIR. The Clerk will
designate the amendment.

The text of the amendment is as fol-
lows:

At the end of division A (before the short
title), insert the following:

SEC. _____. Each amount made available
by this Act (other than an amount required
to be made available by a provision of law) is
hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to
House Resolution 504, the gentlewoman
from Tennessee (Mrs. BLACKBURN) and
a Member opposed each will control 5
minutes.

The Chair recognizes the gentle-
woman from Tennessee.

□ 2200

Mrs. BLACKBURN. Mr. Chairman, I
know that we have a lot of activity on
the House floor tonight, which I think
is a good thing. It shows that the peo-
ple's House is here, that we are work-
ing, and that we are meeting the needs
of the American people. One of those is
making certain that we fund the activ-
ity of this government, and that we do
it in a responsible way.

I think that as I come to offer my
amendment, that I offer every single
year, on this piece of legislation, Mr.
Chairman, it is very important to note
that this Appropriations Committee
has done a phenomenal job of reining
in out-of-control spending.

One of the lessons that should have
been learned over the past couple of
years is that it is very clear the Amer-
ican people understand that Wash-
ington does not have a revenue prob-
lem, it has a spending problem. As I
said, Washington does not have a rev-
enue problem, it has a spending prob-
lem.

We know that the bureaucracy has an
insatiable appetite for the taxpayers' money.
We see it all of the time. It is why we
are having a vote to raise the debt ceiling.
It is why we are right at

\$20 trillion in debt. It is because the spending is, indeed, out of control.

The work that has been done by this committee to prepare these appropriations bills is so vitally important, and it is to be commended. I think we have to look at this Interior Appropriations bill and realize that last year it was a \$32.28 billion bill. This year, they have worked that spending down to \$31.4 billion, and that is, indeed, commendable. In this bill, they have cut the spending at the EPA a total of 27 percent, and that is, indeed, commendable.

The amendment that I bring forward tonight is to reduce that budget authority by an additional 1 percent. And I do this in calling for a penny-on-a-dollar cut, to challenge the bureaucracy to match the great work that has been done by our colleagues, on both sides of the aisle, as they have worked through to reduce what we spend to cut out waste, to look for fraud, to find ways that the taxpayer dollar is being abused, and to end that abuse.

And, indeed, we know that saving a penny on a dollar is something we can do. It is important to our children and grandchildren. Indeed, I think we have a moral responsibility to do that.

And there are areas where we can do this. I will give you a couple of examples where there is more that we could be doing.

One is in ceiling fan regulations through the EPA. Some of the regulations they have put on ceiling fans, which actually reduce energy consumption, are absolutely ridiculous. We know that they yield a benefit, especially for people that live in areas, like I live in, in Tennessee.

So while we recognize the vital work of the Department of the Interior, we also realize there are areas where more could be done to curb the waste, and where we could challenge the rank and file employees in these bureaucracies.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I want to commend my colleague for her consistent work to protect taxpayer dollars, and I certainly support her in all of the endeavors that she has done over the years to do that. But this is not the type of approach that I can support. I certainly like the idea of challenging the agencies, and I believe that the agencies are going to meet that challenge to cut spending in a responsible way.

This bill has made some very tough choices, within a subcommittee allocation, that adheres to the current law. The Budget Committee asked us to meet certain budget caps, and we have done so in this bill, while asking that we increase spending for our national security, which is in woeful shape.

So we had to make some very difficult tradeoffs. This bill, in its current form, balances our needs, those tradeoffs carefully weighed for their respectful impacts. We prioritize funding for fire suppression, PILT, national parks—maybe the most popular agency in the United States Government—and meeting our legal and moral obligations in Indian Country.

Unfortunately, the process that the gentlewoman proposes—an across-the-board cut—would cut all those programs, including Indian health, national park programs, and other programs, which already are taking significant cuts.

This amendment makes no distinction between where we need to be spending to invest in, say, energy independence, or to limit spending to meet our deficit controls.

Mr. Chairman, I urge my colleagues to vote “no” on this amendment, but I certainly support the fact that we are trying to get our budgets in line.

Mr. Chairman, I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, I do appreciate the chairman’s work, and the committee’s good work.

I do want to point out that across-the-board cuts work. We see them work in our State governments, and we see them work in our local communities. And certainly families see these work, where they go in and they just shave a little out of everything that they are spending.

If you look at the discretionary spending components of our Federal budget and you say, Let’s find a way to save one penny out of every dollar that has been appropriated, then you put yourself on the road to reducing what the Federal Government spends, what they take from the taxpayer and then spend.

We are spending too much money on programs that we don’t need, programs that have outlived their usefulness, and programs that future generations don’t even realize that they are going to have to pay for.

So, let’s do the fiscally responsible thing. Let’s challenge these agencies, let’s cut one more penny out of the dollar, and do this for our children, for our grandchildren, and for the fiscal health of our Nation.

Mr. Chairman, I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I strongly oppose this amendment.

This amendment discriminately cuts programs in this bill without any thought to the merit of what is contained in this bill.

For example, in Indian Health Service, it really means fewer patients being seen. It means fewer safety in-

spectors ensuring accidents don’t occur. Deferred maintenance in our drinking water, sanitation, and infrastructure. We will lose investments in environmental infrastructure, and, with that, jobs will be lost.

But the EPA, as has been pointed out quite a bit tonight for cuts and for shifting funding around within this bill, is \$2.2 billion less than 2010: 2,000 fewer employees. So employees are being pulled out of my region and your region and all over to respond down in Harvey, meaning work isn’t being done. And I bet they are going to get the call to leave their families and go look at sewer systems that have broken apart, and water systems that don’t have the ability for safe drinking water. This is an agency that was funded and cut again in this bill, and they have real jobs to do.

So when you discriminately cut across, you are also cutting across those programs that we are relying right now for the EPA to do in Harvey.

And then the Forest Service just notified us that they are out of money for fire suppression. So we are going to cut the Forest Service across 1 percent?

There might be places where you and I could agree, Mr. Chairman, where we could be doing some cuts, and I could work with my colleagues on it. But across the board, this year, in this bill, is something I can’t support.

Mr. CALVERT. Mr. Chairman, I urge a “no” vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 56 OFFERED BY MR. PALMER

The Acting CHAIR. It is now in order to consider amendment No. 56 printed in House Report 115-297.

Mr. PALMER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used by the Environmental Protection Agency to carry out the powers granted under section 3063 of title 18, United States Code.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Alabama (Mr. PALMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. PALMER. Mr. Chairman, the Environmental Protection Agency spends as much as \$50 million a year to employ nearly 200 armed agents at an average cost of \$216,000 per year, per agent. In total, over the period from fiscal year 2006 to 2015, the EPA spent an estimated \$715 million for its criminal enforcement program. This money could have been better spent on such things as improvement of our water systems.

These 200 special agents were equipped with guns and ammunition up to 30-millimeter, camouflage and other deceptive equipment, night vision, unmanned aircraft, and other military-style equipment.

A 2015 report by Open the Books, noted that EPA spent \$24,700 on ammunition between 75-millimeter and 125-millimeter, and \$23,000 on ammunition over 125-millimeter. It is difficult for me to imagine that the EPA has a legitimate use for ammunition of that size.

The EPA is just one of more than 70 Federal agencies that employ armed personnel, many of which most Americans would never associate with law enforcement. These include the National Oceanic and Atmospheric Association, the Federal Reserve Board, and the National Institutes of Health, among others.

I think we need to take a step back and reevaluate whether arming the bureaucracy is the best way to ensure that our laws are enforced. Federal agencies should be able to demonstrate their need for armed personnel and, absent such a demonstration, should rely on local or State law enforcement when there is a need for armed protection.

My amendment would prohibit funding for EPA's armed agents and begin to address the troubling trend of militarization in our Federal agencies.

Claim: While I appreciate my colleague's concerns about the militarization of federal agencies, this amendment reaches too far.

Response: It is not my amendment, but the EPA that has reached too far. EPA is the poster child for government overreach, and they have clearly abused the police powers they've been granted.

Claim: This amendment puts EPA employees at risk of bodily harm. They deserve to come home to their families at night.

Response: I agree that every federal employee should be able to come home safe to their families and this amendment would not impact their ability to do so. EPA and any other federal agency that believes that their activities could result in a threat to their employees have the ability to coordinate armed protection with local or state or federal law enforcement.

Claim: This amendment would give criminals a free pass to pollute our air and water and ignore the laws on the books.

Response: My amendment would not hinder EPA's ability to enforce the laws on the books

and no one wants to see our air and water polluted. However, we cannot ignore the facts that EPA's criminal enforcement division could be mistaken for a military operation at this point. I want to see our laws enforced, but I have serious doubts that it takes 200 heavily armed EPA agents to accomplish that goal.

Claim: We should have a debate over EPA's need for armed agents but this is not the correct venue for that debate. The debate should take place in the authorizing committees.

Response: That same argument could be applied to every limitation amendment offered to an appropriations bill, but that doesn't stop limitations from being offered and adopted. That said, I am happy to continue this debate should a bill reauthorizing these activities come up.

We recently increased funding for the Capitol Police by \$29.2 million which could be more than covered by the reduction I am seeking to EPA Criminal Enforcement.

Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

□ 2215

Mr. CALVERT. Mr. Chairman, I understand, and I have taken a lot of criticism over the last few years for cutting EPA's budget by 27 percent over the last number of years. However, I believe this amendment is just going too far.

We have a new administration. We have a new Administrator. I think there is a new day over at EPA. None of us want to see our rivers polluted, toxic waste either on the ground or in the air, and I think this administration will administer the law properly.

We may not always agree on where it is appropriate to draw the line on environmental laws and regulations. Some think some standards are too stringent, some think they are not tough enough, and that is a fair policy debate to have. However, we know that no matter where the line is ultimately drawn, there are individuals out there who are willingly and knowingly trying to find ways around those laws. As such, EPA needs the ability to look into criminal activity, whether it is illegal dumping of waste, negligent dumping of toxics or oil, or the illegal importation of products from other countries by those who would choose to ignore United States law.

So we can debate the law and what is appropriate, but we can't give criminals a free pass or ignore the laws that are on the books. Mr. Chair, I must oppose the amendment and urge my colleagues to do the same, and I encourage a "no" vote.

Mr. Chair, I reserve the balance of my time.

Mr. PALMER. Mr. Chairman, I appreciate the chairman's great work on the

appropriations bill and have great respect for him, but I would like to respond to some of the comments.

This is not a cut to the EPA's budget. This is a redirection of funds away from a militarized division of the EPA. There is no effort at all here to diminish the EPA's ability to carry out its core functions. If there is a problem where armed agents or armed personnel are involved, they need to rely on people who are trained to deal with such situations. Actually, I think this would allow the EPA to redirect its funds to make sure that our environment is protected.

So with all due respect, I want to make sure that it is understood that this is not a cut to the EPA's budget. This is a redirection of resources and a demilitarization of a Federal agency that, frankly, I have seen in my own State of Alabama where they showed up at a city water system in full body armor, bulletproof vests, carrying AR15s—at a city water system. It was totally uncalled for.

Mr. Chair, I urge my colleagues to support this, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I understand the gentleman's concerns. I would suggest that he go down to the Administrator's office, our new Administrator, Mr. Pruitt, and meet with him. I don't think that there is any desire on his part to militarize the Environmental Protection Agency, and I think that he will see this new Administrator wanting to do the right thing.

Mr. Chair, I oppose this amendment and urge my colleagues to oppose the amendment.

Mr. Chair, I yield back the balance of my time.

Mr. PALMER. Mr. Chair, again, I appreciate the response of the chairman, who, I again want to reiterate, has done a fine job in the appropriations process, and I appreciate his concerns about this.

I intend to meet with Secretary Pruitt. I have known him for quite some time and have full confidence in his ability to lead the EPA in a much better direction than it has been over the last few years.

He inherited this problem. This is not an effort by the EPA to militarize. They already are militarized. This example I gave you from the State of Alabama is just one example of other instances in the State of Alabama, other instances around the country.

We depend on law enforcement to handle confrontational situations. I don't think anyone expects a Federal agency to have people who are trained to the degree that our law enforcement is to handle situations where someone might get injured or killed.

So it is, I think, totally appropriate for us at this point to redirect this funding, to remove this funding for armed agents, who, by the way, as I

said early on, and if you want to see this report from Open the Books, we are purchasing 75-millimeter ammunition, 30-millimeter ammunition. It is hard to imagine what purpose they have for ammunition of that size.

Mr. Chairman, I appreciate the opportunity to speak on this amendment, and I urge my colleagues to vote "yes."

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. PALMER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CALVERT. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

Mr. CALVERT. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMBORN) having assumed the chair, Mr. BERGMAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 601, REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-299) on the resolution (H. Res. 509) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 504 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3354.

Will the gentleman from Michigan (Mr. BERGMAN) kindly resume the chair.

□ 2224

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. BERGMAN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 56 printed in House Report 115-297 offered by the gentleman from Alabama (Mr. PALMER) had been postponed.

AMENDMENT NO. 57 OFFERED BY MR. CARBAJAL

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in House Report 115-297.

Mr. CARBAJAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

SEC. ____ None of the funds made available by this Act may be used to process any application under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a permit to drill or a permit to modify that would authorize use of hydraulic fracturing or acid well stimulation treatment in the Pacific Outer Continental Shelf.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from California (Mr. CARBAJAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARBAJAL. Mr. Chairman, I am offering my amendment on behalf of my constituents on the central coast of California. It simply prevents the Bureau of Ocean Energy Management from issuing any new permits that would allow companies to use hydraulic fracturing or acid well stimulation, otherwise known as fracking, in Federal waters off the West Coast. It will prohibit the use of fiscal year 2018 funds to process any new applications for this purpose. This would provide us more time to study whether offshore fracking is safe for the environment and public health.

In 2013, we learned that offshore fracking had been occurring off California's coast for more than two decades. In the Santa Barbara Channel alone, there have been more than a dozen doc-

umented instances of offshore fracking, yet we know very little about the environmental and health impacts this has had on our communities.

Already, the United States Geological Survey has concluded that the practice of injecting pressurized water into deep rock formations causes earthquakes. My constituents deserve to know the risks associated with offshore fracking on our environment, marine life, and public health.

My constituents have seen the devastating impacts of some of the largest oil spills in California's history, like the 1969 Santa Barbara oil spill. My amendment echoes my constituents' concern surrounding the impacts of offshore fracking and prohibits the use of funds to process any new applications for this purpose.

This is a commonsense measure that we should implement until we know all the facts and risks associated with this practice.

Mr. Chair, I urge passage of my amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, last year, May of 2016, in the previous administration, the Department of the Interior issued a finding of no significant impact with respect to these operations; thus followed a review of 23 oil and gas platforms currently operating offshore in the State of California. The review drew upon the best available science and reaffirms that these operations are operating safely, as they should.

This amendment is nothing more than another attempt to restrict offshore development, and I oppose the amendment and encourage my colleagues to vote "no."

Mr. Chair, I reserve the balance of my time.

Mr. CARBAJAL. Mr. Chairman, I will note that oil platforms off California's coast are already permitted to dump 9 billion gallons of wastewater, including fracking chemicals, into the ocean each year.

Fracking increases air pollution and can expose coastal communities to air pollutants that cause cancer and other illnesses.

Most offshore fracking jobs have occurred within 3 miles of the coast. Injecting fracking wastewater underground can induce earthquakes, and all of southern California's offshore injection wells are within 3 miles of an active fault.

These are just a few reasons why it is important to pass this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARBAJAL).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CARBAJAL. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

□ 2230

AMENDMENT NO. 59 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 59 printed in House Report 115-297.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act shall be used to give formal notification under, or prepare, propose, implement, administer, or enforce any rule or recommendation pursuant to, section 115 of the Clean Air Act (42 U.S.C. 7415).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I yield myself such time as I may consume.

This amendment would prevent funds from being used to expand EPA authority pursuant to section 115 of the Clean Air Act.

Now, this isn't an amendment to assail the Clean Air Act, but there is a flaw with it, which is section 115. That section of the Clean Air Act allows the EPA to mandate State emissions levels to whatever amount the agency deems appropriate if they find two things. They have to find that U.S. emissions endanger a foreign nation; and the endangered nation has a reciprocal agreement to prevent or control emissions in their own nation.

Now, it was previously argued that the Paris climate agreement met those requirements. When they wrote the Clean Air Act back in the 1970s, they never foresaw the Paris Agreement. And the Paris Agreement is not a treaty. It is an agreement.

Fortunately, President Trump's decision to withdraw from the agreement has alleviated those prior concerns. Whether you agree with this President or the last one or the future President is immaterial. The point is that this portion of the law shouldn't exist. That authority shouldn't exist at the executive level, especially when we don't do treaties anymore.

Despite the temporary relief, the fact remains that section 115 of the Clean Air Act is just simply bad policy. Section 115 delegates an incredible amount of authority to the executive branch without any safeguards, without any oversight by the legislative branch.

This amendment would block the use of section 115 to delegate this power over the energy sector, over our States, to the unelected, unaccountable bureaucrats at the EPA.

In the future, such expansive authority at the EPA could be economically devastating and could threaten the reliability and viability of our Nation's energy sector without any checks and balances.

Mr. Chair, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. So the gentleman was talking about the Paris climate agreement, which the Trump administration withdrew from?

Mr. PERRY. Will the gentlewoman yield?

Ms. MCCOLLUM. I yield to the gentleman from Pennsylvania.

Mr. PERRY. Yes, ma'am.

Ms. MCCOLLUM. And then you said you were worried about the administration using section 115 of the Clean Air Act to impose regulations.

It has been my experience, from my point of view, representing my constituents, we were disappointed about the withdrawal from the Paris climate agreement, and we haven't seen this administration be aggressive on clean air.

So could you please explain to me your concerns about the Trump administration and section 115 of the Clean Air Act? Because, if they are doing things that you are concerned about, maybe I need to take a fresher look at what the Trump administration is doing, because I have seen them do nothing but block, cut back, and deny the ability to move forward on the clean air agreement. So I am confused to the point of your amendment.

The Obama administration is gone, and the Trump administration has removed almost everything I care passionately about with clean air.

Mr. PERRY. If the gentlewoman will continue to yield, what I am concerned about is not necessarily the Trump administration or the Obama administration. Any administration with the unbridled power that section 115 gives the administration, without any checks or balances, to make an agreement with another nation and then enforce—have their agency enforce their regulations at whatever they deem appropriate on every single State in the United States, without any ability of Congress to intervene whatsoever.

It is not particular to this administration, the last administration, or any future administration. It is particular to all of them. The authority, in my opinion, should not exist for them to do that without any checks and balances from the legislative branch.

Ms. MCCOLLUM. Reclaiming my time, the Perry amendment would only be in effect for 1 year because this is not a policy bill. This is an appropriations bill. So the gentleman's concerns about having long-term consequences of a future President in the future would not be addressed by this particular amendment.

So I oppose the amendment. It is a long line of Republican amendments on the attack of the clean air and the EPA's authority. But I think this really makes it crystal clear the point that we shouldn't be doing deep policy that you want to discuss on an appropriations bill because it only lasts for a year.

As far as I know, the Trump administration has nothing up its sleeve to improve air quality over the next year, so I urge my colleagues to oppose this amendment. And I urge my colleagues who care about these policy situations: You control the House, you control the Senate. Please go to the committees of jurisdiction.

Mr. Chair, I yield back the balance of my time.

Mr. PERRY. Mr. Chair, I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, this amendment was adopted on the floor last year. I believe it is a good amendment. I encourage my colleagues to support it.

Mr. PERRY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 60 printed in House Report 115-297.

It is now in order to consider amendment No. 61 printed in House Report 115-297.

AMENDMENT NO. 62 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 62 printed in House Report 115-297.

Mr. PEARCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used to finalize, implement, or enforce the rule submitted by the Bureau of Land Management relating to "Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Site Security", published at 81 Fed. Reg. 81356 (November 17, 2016).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, I yield myself such time as I might consume.

Onshore Order 3, put in place by the last administration, creates a number of unnecessary and duplicative burdens that cause energy production to be much more difficult.

Now, many people visualize that oil wells are drilled into the ground and then they just produce oil on their own; that it flows to the surface magically, and it remains unabated through the life of the oil well. It is not true at all.

What actually happens is that there is a pool of oil at the bottom of the well, and as it is produced, the production gets smaller each day until eventually the small production is classified as stripper well production.

Now, the Saudi Arabians, about every 10 years, come in and kill the stripper wells because that would be approximately 2 to 3 billion barrels of oil a year they could produce that would be shut down here.

In my home county of Lee County, New Mexico, we hunker down when we see these economic attacks coming, and we simply make it through; not because it is economic, not because it is productive, but because it is one of the few economic drivers of New Mexico. Oil and gas provides about 40 percent of our teachers' pay, 40 percent of police pay. So it is just our way of life.

But the stripper wells are not extremely economic. So when this Onshore Order 3 came into place, it actually is assisting the Saudi Arabians to try to drive stripper wells out of existence because it is the small producers, it is the guys who will stay there and produce the wells when nobody has economic interest in them. They like sweeping up the crumbs off of the energy table.

So Onshore Order 3 puts in processes that require monitoring that is already provided at the point of sale. So it is not as if somehow the government's being cheated. It just is trying to squeeze more out of these uneconomic wells.

The estimates are that we have shut down a great number of those wells, affecting teachers' pay, affecting the economy of New Mexico, killing jobs.

So my amendment is very simple. It would prevent funds from being used to fund the BLM Onshore Order Rule No. 3.

Mr. Chair, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, once again, there might be some very legitimate points that can be worked on out of these stripper wells that are at the end of their life, and we might find some common ground on some of your issues, but this is the appropriations bills and this isn't the place to do it. It should be done in the Policy Committee.

Mr. Chair, we should be going to the Policy Committee, and we should be asking the Policy Committee to take up and have hearings on these issues that are very important to some of the Members here in this House.

So when I look at this amendment on an Appropriations Committee bill, what it says to me is that it is continuing the administration's agenda that favors oil and gas industry ahead of other uses of our public lands. It says to me that the administration has rolled back and abolished a lot of rules that have been made over many years that are contained and outlined in the Administrative Procedure Act, which includes a consideration of public and travel comments so you can go and register your comment and your concern on it.

The whole point of the site security rule is to protect against the theft of oil and to make sure that the oil and gas production is properly accounted for.

So this rule that we are talking about today also streamlines the process for companies to get new measurement technologies to make sure that they are using the most innovative technology. I think, after 25 years, most businesses, most people who want to make sure that they are paying for product, want to make sure that it is being measured and accounted for right.

This rule was also recommended by the GAO and the Department of the Interior's IG, the Royalty Policy Committee regarding the BLM's production of verification efforts. And those are things that, quite often, we do to safeguard and to protect to make sure that the taxpayer, when involved on public lands, is receiving fair value for the royalty.

So there is a rulemaking process that is comprehensive. There is a rulemaking process that is transparent. And there is also a way to change the rule that is comprehensive, transparent, and allows the public to have their voice, and that is to address these issues in the Policy Committee.

So the main reason—and I want to be really clear about this—for opposing many of these amendments is they are properly done in the Policy Committee, a committee which I served on when I first came here. Mr. Chair, I think that is where these amendments need to start being direct so that we can do the real work and make sure that when Members come to the floor,

that they know that we have had a full vetting and full transparency.

Mr. Chairman, I reserve the balance of my time.

□ 2245

Mr. PEARCE. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT), the chairman of the committee and subcommittee.

Mr. CALVERT. Mr. Chair, I rise in support of the amendment. I appreciate my colleague for bringing the Bureau of Land Management's Onshore Order No. 3 to the House's attention. Mr. Chair, I urge my colleagues to support the amendment.

Ms. MCCOLLUM. Mr. Chair, again, I appreciate what my chairman of the subcommittee is saying in helping Members here, but we have a lot of work to do just doing the oversight on how money is spent and appropriated to make sure that we are doing our due diligence when we appropriate funds, that they are used in the way that this Congress has asked for them to be used. There is a Policy Committee to look at what is happening with policy and to make sure that we move policy forward.

Mr. Chair, sometimes when amendments like this come to the floor, I just think we are failing totally as a Congress to do our due diligence in the Policy Committee, and then there is so much time spent on policy in the Appropriations Committee, we fail to do our due diligence on what has to happen for oversight for the tax dollars that we do appropriate in these bills.

It is my hope that the Policy Committee will step up, speak out, and start requesting that these bills be heard in the committee of jurisdiction and not just put on as riders on our bills.

Mr. Chair, I yield back the balance of my time.

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, I thank Mr. PEARCE for his leadership on this issue.

Mr. Chairman, this rule by the BLM is a classic example of agency overregulation at its finest. Should the new regulations take effect, lessees and operators will be forced to maintain original gas charts, measurement tickets, calibrations, verifications, prover and configuration reports, pumper and gauger field logs, volume statements, event logs, seal records, and gas analysis.

Most of these documents have nothing to do with determining the amount of production at a lease and will force businesses to hire more staff just to keep records.

This will also likely result in more Federal employees to oversee the bureaucracy. This makes zero sense and is simply creating work and overregulation for no reason. I urge a "yes" vote.

Mr. PEARCE. Mr. Chairman, I think it is clear that what is at stake is 2.6 billion barrels of oil a day made from wells that make maybe one or two barrels, three barrels a day. They are not extremely economic, but those businesses are located in New Mexico. Those businesses keep their headquarters there. They are just small mom-and-pop operators that care enough about the energy business to stay out there, and so when the government does things that says we are not going to let you operate, that we are going to shut you down, it accomplishes what the Saudi Arabians have never been able to accomplish, and that is defeat the spirit that says we can survive any attacks.

Mr. Chair, again, I urge people to support this amendment and the underlying bill, H.R. 3354, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE). The amendment was agreed to.

AMENDMENT NO. 63 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 63 printed in House Report 115-297.

Mr. PEARCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title) insert the following:

SEC. ____ None of the funds made available by this Act may be used to finalize, implement, or enforce the rule submitted by the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation", published at 81 Fed. Reg. 83008 (November 18, 2016).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico for 5 minutes.

Mr. PEARCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the venting and flaring rule was, again, put in place by the last administration, intending for BLM to regulate methane. Historically, that had been regulated by the EPA.

Now, keep in mind that methane production from oil wells is down 21 percent since 1990, while production is going up. Production is going up, methane production is down. So we wonder why the administration came at the last second to put this rule into place.

Basically, the argument is exactly the same for opposing that venting and flaring rule that what is at stake are not the good wells. Those wells are going to produce in their economic with whatever burdens are placed on them. What is at stake are the stripper wells which, again, make up 2.6 billion

barrels of production in the U.S. every day, 145 million barrels of production in the State of New Mexico. So you can imagine the economic catastrophe if that 145 million barrels weren't available to the State to both tax and to provide jobs.

Again, 40 percent of New Mexico's pay, roughly the teachers' pay, the police pay, roughly that much comes from oil and gas production. You can do the math and see how much New Mexico would be affected if this venting and flaring rule continues to place the burden on the well.

The estimates are for each well that a cost of \$60,000 is going to be required to come into compliance. Again, keep in mind that this rule comes after the methane is more carefully controlled today under greater production than it ever has been. The estimates are that we will lose thousands of wells if this venting and flaring rule continues.

Again, it is the stripper wells which are most at harm. If we lose the 2.6 billion barrels of stripper well production every year because of the high cost of implementation of the venting and flaring rule, that is going to mean we are less energy independent, that we rely more on outside sources. It is going to drive the price of gasoline up. The people who can afford it least are the people at the bottom of the economic ladder. They will be the ones penalized most by rising prices of gasoline and decreasing supplies of oil.

Mr. Chair, again, I would urge people to support this amendment, the underlying bill, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 2 minutes.

Ms. MCCOLLUM. Mr. Chair, I yield 2 minutes to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, I want to thank my colleague for yielding me time.

Mr. Chair, yesterday the House passed a \$7.9 billion downpayment to address the destruction caused by Hurricane Harvey, which is projected now to cost as much as \$180 billion—by far, today, the costliest hurricane to hit the United States.

Today, we are considering an amendment which would prohibit BLM from implementing a rule to address the wasteful venting, flaring, and leaking of methane, which is a climate change-causing emission 30 times more powerful than carbon dioxide.

New Mexico is currently home to the largest methane hot spot in the world. Not only is methane a powerful greenhouse gas, but every cubic foot of gas that is wasted into the atmosphere cheats hardworking New Mexican tax-

payers out of precious royalty and tax payments which go toward public education, infrastructure, and community development programs.

Our State desperately needs these investments, and we cannot afford to let money disappear into thin air. BLM, in fact, should work with stakeholders, especially small independent producers who have low-producing wells to make this workable. But taking a sledgehammer to our Nation's energy policy is a shortsighted and counterproductive effort.

Mr. Chair, I urge my colleagues to oppose this amendment and to collaborate to make this rule effective for producers and taxpayers alike.

Ms. MCCOLLUM. Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT), the chairman of the subcommittee.

Mr. CALVERT. Mr. Chair, the House has spoken several times on the Bureau of Land Management's methane regulation in the past 2 years. I understand the administration is reviewing the regulation and that litigation is ongoing.

In the meantime, I think action is needed, and so I support this amendment and urge my colleagues to do the same.

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise in support of this amendment. The BLM venting and flaring rule, or the BLM methane rule, represents one of the Obama administration's most egregious abuses of executive power designed to destroy responsible energy production on Federal land.

BLM exceeded statutory authority by attempting to regulate air quality; authority that is vested solely with the EPA. Methane emissions from oil and natural gas have significantly declined in recent decades without duplicative Federal regulations in a time when oil and gas production in the U.S. has surged.

It is frustrating that this rule is somehow cloaked under the idea that it will benefit taxpayers. It won't. It is an onerous rule with no connection to the reality of the physics and chemistry of energy production. It will reduce American energy production on Federal land and, therefore, reduce royalties due to the U.S. Treasury.

This amendment brings accountability to executive rulemaking. I thank Congressman PEARCE and applaud him, as well as Congressmen Westerman and Cramer for their similar amendments crippling other Obama rules.

Mr. Chair, I urge my colleagues to support this amendment.

The Acting CHAIR. The time of the gentleman from New Mexico (Mr. PEARCE) has expired.

Ms. MCCOLLUM. Mr. Chair, as I said, I rise in opposition to this amendment, as clearly this amendment would prohibit BLM from regulating flaring, venting, and leaking of methane from Federal onshore oil and gas operations.

In 2016, the BLM finalized its rule which updated regulations that were almost over 30 years old. We have learned a lot about how we have to be more diligent about capturing energy and making America more energy secure, because this rule would prevent the waste of an estimated 65 billion cubic feet of natural gas a year and save taxpayers \$330 million annually.

BLM has a responsibility to the taxpayers, and that means capturing what is flared off, what is burnt off, which is potential energy. We have developed technologies in the past 30 years to capture this and make it work even more effectively for the taxpayers when we lease out these leases and royalties.

Just for a fact, I share that the Bakken oil field, when it was at its height, flared more—I am from the Twin Cities—flared more and brighter than the metropolitan area in St. Paul and Minneapolis. That is how bright the flare was that the satellites captured at night. That was burning energy, energy consumption that should have been captured because we owe it to future generations to get it right when it comes to our energy production.

Mr. Chairman, the amendment is bad for public health, it shortchanges the American taxpayers, and I urge my colleagues to oppose it. I don't think we are going to change each other's minds on this because the bottom line is, and I have been consistent with this, this belongs in the Policy Committee. This only would change something for a year. You would have to come back year after year after year. If there is something where we can find common ground on, we can find it in the Policy Committee. We can't find it on an Appropriations Committee where it expires every year.

I ride the elevator with the gentleman, Mr. Chair, and I am sure he is going to enlighten me some more.

Mr. Chair, I yield back the balance of my time.

□ 2300

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 64 will not be offered.

AMENDMENT NO. 65 OFFERED BY MR. MCEACHIN

The Acting CHAIR. It is now in order to consider amendment No. 65 printed in House Report 115-297.

Mr. MCEACHIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR DEVELOPING
A NEW 5-YEAR-OFFSHORE-PLAN

SEC. _____. None of the funds made available by this Act may be used to prepare a five-year offshore oil and gas leasing program that would schedule any Outer Continental Shelf oil and gas lease sale before 2022.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Virginia (Mr. MCEACHIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. MCEACHIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is simple. It would prevent the Department of the Interior from preparing a new 5-year offshore oil and gas leasing program that schedules leases before the year 2022.

Mr. Chairman, offshore drilling carries real consequences, from the industrialization of our coasts to the inescapable risk of another BP Deepwater Horizon-like disaster. Those risks can not be eliminated.

As Deepwater Horizon made clear, accidents can inflict damage of an almost unimaginable scale. BP has spent billions of dollars responding to that disaster.

That figure reflects liabilities that arose from massive and irreparable damage to our environment, permanent harm to economically essential industries, and countless other impacts on the Gulf Coast residents' quality of life. We have to make sure that other regions are never exposed to those kind of harms. That is why my amendment is important.

In the event of a drilling accident, thriving coastal economies could be decimated. Industries that rely upon a healthy marine environment—everything from the tourist trade to our fisheries—could disappear overnight.

If a spill were big enough—and we have seen that they can be enormous—the economic consequences would ripple throughout the national economy, hurting millions of Americans who live many miles from the sea. Again, we cannot afford such economic risks.

It is equally foolish to risk the natural beauty, fragile habitats, and irreplaceable species for the benefit of a few massive oil and gas companies.

Our coasts are home to some of our most iconic and unique wildlife.

Healthy oceans are critical to traditional ways of life, having provided subsistence resources for many generations.

Those places, those species, those customs are part of why we live in the greatest country on Earth. No other place could match the richness and diversity of the United States of America. We must not endanger the incredible heritage in a quest for dirty energy, especially the kind of fuels that can drive catastrophic changes to our climate, with grave and permanent consequences for our society.

It is important to note that prohibiting the preparation of a new leasing program does not stop any of the currently scheduled lease sales until 2022 from happening. My amendment just puts us back on the regular schedule for writing the next plan.

Prohibiting the preparation of a new leasing program, however, does ensure that millions of taxpayer dollars are not spent reworking a plan that was just completed this year.

Restarting a new 5-year leasing process would throw away 2½ years and tens of millions of dollars of effort, ignore overwhelming bipartisan opposition from millions of people up and down our coasts, and eliminate the protections that President Obama provided for the fragile Arctic.

Mr. Chairman, the risk of a new 5-year offshore oil and gas leasing program are simply too high and the consequences are too severe.

Mr. Chairman, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Chairman, I certainly sympathize with many of the comments that the sponsor of this amendment has brought up. Certainly, none of us have any intention of trashing the environment, of causing environmental degradation in any of our coastal areas in the United States.

But the thing is that this amendment doesn't cut production. It would not result in any reduction in oil and gas exploration and production activities. And if it were to do that, then all that would happen is it would increase our dependence upon foreign imports of oil.

The reality and statistics are very clear. You are less safe transporting energy than you are producing it. The statistics are very clear. Putting it into a ship is less safe. Putting it into a pipeline is less safe than actually producing it. So you are not doing anything to benefit the environment.

The next thing is that, within approximately 1 month of the Obama administration's being sworn into office in 2009—as I recall, I believe it was on

February 10—Secretary Salazar stood up and said: We are rewriting the 5-year offshore leasing plan of the previous administration.

They walked right in and said: We are throwing this out.

Which the amendment's sponsor said was billions of dollars in implications and much planning.

It is exactly what the Obama administration did. So if the Trump administration chooses to take a fresh look at these resources and these resources, then I want to quote the Obama administration saying that these are offshore energy resources that belong to all Americans.

Mr. Chairman, I want to make one other note. If you read the amendment, it says that none of the funds made available in this act may be used to repair a 5-year offshore oil and gas leasing program that would schedule any Outer Continental Shelf oil and gas lease sale before 2022. This wouldn't just prohibit making changes to it, such as, perhaps, the idea of expanding it if public comments and other input found that that was the best thing to do, but it also would prevent slowing down the lease sale schedule.

Mr. Chairman, I urge opposition to this amendment. While I certainly support the gentleman's intent to prevent any type of environmental harm and degradation, I just want to say in closing that I was the lead trustee for the State of Louisiana in the Deepwater Horizon spill.

When you look at Outer Continental Shelf energy production, we had produced trillions of cubic feet of natural gas. We had produced billions of barrels of oil. What the courts found in the BP incident was that there was gross negligence and willful misconduct.

They didn't find that there were problems with the rules and other things. That is why, as the gentleman correctly stated, that they had to spend tens of billions of dollars paying for their gross negligence and willful misconduct, which is very different than the trillions of cubic feet of natural gas, and billions of barrels of oil that we have produced safely; we produced them in the United States; and we have not put them in pipelines and tankers in other less safe mechanisms of transportation.

Mr. Chair, I reserve the balance of my time.

Mr. MCEACHIN. Mr. Chairman, what is the balance of my time?

The Acting CHAIR. The gentleman from Virginia has 1½ minutes remaining.

Mr. MCEACHIN. Mr. Chair, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT), the distinguished chairman of the subcommittee.

Mr. CALVERT. Mr. Chair, this amendment would prevent the Depart-

ment of the Interior from performing a necessary and thorough review of the existing 5-year plan. Meanwhile, the committee encouraged a review of the 5-year plan in the 2017 omnibus, which we just enacted just a few months ago. For these reasons and others, I certainly urge a "no" vote on this amendment.

Mr. GRAVES of Louisiana. Mr. Chairman, in closing, I just want to say that, once again, while I understand the gentleman's intent to prevent any type of environmental degradation—I think everyone shares that objective—the reality is that this amendment doesn't do anything to advance that objective. And potentially, should there be some type of emergent situation where you would want to slow down lease sales, this amendment would actually prohibit that from happening.

We should take a fresh look with public input and with the best science to determine where we produce, how we produce, to maximize domestic energy production, to maximize or to reduce dependence upon foreign energy, to maximize economic opportunities and employment opportunities in the United States.

Mr. Chair, I urge opposition to this amendment, and I yield back the balance of my time.

Mr. MCEACHIN. Mr. Chairman, just briefly, of course, I was not here at the time, but it was my understanding that this is nothing unlike what the other side of the aisle did during the Obama administration. So what this amendment seeks to do, in many cases, is not that unusual.

And while the gentleman is correct, the size of the payments that BP had to make were because of a certain type of conduct: What we want to do is just freeze things where they are.

While I acknowledge that there is a possibility that somehow someone wanted to slow down the process, I don't believe that this administration would do just that.

Again, millions of dollars have been spent. Much time has been spent in developing this plan. I think we just need to leave it in place.

Mr. Chair, I ask my colleagues to support the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MCEACHIN).

The amendment was rejected.

AMENDMENT NO. 66 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 66 printed in House Report 115-297.

Mr. GROTHMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled "National Ambient Air Quality Standards for Ozone" published by the Environmental Protection Agency in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chair, I rise in support of my amendment to H.R. 3354. The purpose of my amendment is to prohibit use of funds made available by this act to implement, administer, and enforce the EPA's National Ambient Air Quality Standards for Ozone rule, which was originally published on October 26, 2015.

This rule will make the standards more stringent in other places, in the State of Wisconsin, up and down Lake Michigan, including counties such as Sheboygan County. As you make these standards more stringent—first of all, it makes no sense because they don't take in the fact that there are areas like mine in which the ozone is coming from outside my district.

For example, Sheboygan County, whatever they do, I don't think they could ever meet those standards because there is so much ozone coming up from the Chicago area. But there is an effect to these standards as well.

The standards make it more difficult for industry along Lake Michigan to operate, to comply with the standards, putting us at a competitive disadvantage not only with other parts around the country, but a competitive disadvantage compared to other areas around the world with much more pollution than we have. Right now our ozone is much less than it was when I was a child. Quite frankly, when I was a child, nobody complained anyway.

Another thing about these ozone standards, it is something that people who are looking out for that not particularly wealthy people should pay attention to. When you aren't meeting the standards, it creates a situation in which your owners of automobiles have to have their cars tested every year. And sometimes these cars have to go through very expensive repairs to meet the standards.

Now, there are people who are going to think that is no big deal because they are maybe wealthy Congressmen and they need to buy a car every 3 or 4 years and they don't have a problem. But if you are somebody who has a 10- or 15-year-old car, maybe you can only afford to spend \$500, \$1,000 on a car, and then once a year you have to get the car tested. You flunk the test and you have to put \$1,000 or \$1,500 into it. No wonder we have some people in this country who can't get ahead as long as the environmental extremists are running the EPA.

So, in any event, I think it would be good if we don't spend any more money implementing this new rule. Give the EPA more time to reconsider this rule and come up with something a little bit more reasonable.

Mr. Chairman, I encourage my colleagues to support this amendment, and I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, while I understand the gentleman's intent, I share his concern with the 2015 ozone standards, the bill's language in the amendment goes a little too far. It ties this new administration's hands with respect to reconsideration or flexibility efforts that they are trying to build in at the present time.

Meanwhile, the ozone language in the underlying bill provides the necessary administrative relief for communities to comply with the overlapping 2008 and 2015 requirements. I think that this administration understands the complexities that are being imposed by this 2015 requirement. They are trying to deal with it. Mr. Pruitt has indicated that publicly.

Mr. Chairman, I would urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

□ 2315

AMENDMENT NO. 67 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 67 printed in House Report 115-297.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. _____. None of the funds made available by this Act may be used to implement or enforce the threatened species or endangered species listing of any plant or wildlife that has not undergone a review as required by section 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(2)).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is straightforward. It simply ensures that

the U.S. Fish and Wildlife Service is following current law, specifically section 4(c)(2) of the Endangered Species Act, by conducting a review of all threatened and endangered plants and wildlife at least once every 5 years.

Time after time, the Federal Government refuses to follow the original intent of the Endangered Species Act. The government designates land as critical habitat despite not meeting the ESA definition, and the government consistently refuses to remove plants and animals from threatened or endangered status even when these species are flourishing and are no longer in need of ESA protections.

But you may ask yourself: How does the government know when the species should be removed from the endangered or threatened list? How does the government know if a species is recovering? The answer can be found in the ESA and its requirement that the Federal Government review all plants or species that are currently listed as endangered or threatened every 5 years.

Under the act, the purpose of a 5-year review is to ensure that threatened or endangered species have the appropriate level of protection. The reviews assess each threatened and endangered species to determine whether its status has changed since the time of its listing or its last status review and whether its status should be changed or maintained.

Because the act grants extensive protection to a species, including harsh penalties for landowners and other citizens, it makes sense to regularly verify if a plant or animal is being properly classified or should be delisted. Despite this commonsense requirement, the U.S. Fish and Wildlife Service has acknowledged that it has neglected its responsibility to conduct the required reviews for hundreds of listed species.

By enforcing the 5-year review—which is in the law—my amendment will ensure that the U.S. Fish and Wildlife Service is using the best available and most current scientific information in implementing its responsibilities under that act, including incorporating new information through public comment and assessing ongoing conservation efforts.

Now, I am sure you will hear the ranking member say that the problem is that there is simply not enough money to comply with the law, but the reality is that megasettlements and overzealous regulators have caused the number of species listed under the endangered species list to balloon to unmanageable levels. For the recovery of a threatened or endangered species or plant to be successful, we must prioritize our limited resources to where they are most critically needed.

I encourage my colleagues to join me in ensuring that the U.S. Fish and Wildlife Service complies with the ESA and that we do not provide money in

this bill that would violate current law. This exact amendment was added to the fiscal year '16 Interior Appropriations bill by voice vote and was added to the fiscal year '17 bill by a bipartisan rollcall vote.

Mr. Chairman, I ask Members to support this amendment for the third time, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman from Colorado is right. We have had this conversation in this Chamber, Mr. Chair, before. The Service does attempt to comply with the statutory mandate and to review the status of listed species every 5 years to determine whether or not it is classified as threatened or endangered.

It is correct. The Service has a backlog in reviews due to funding limitations. This year it is a 17 percent listing reduction contained in this bill so that they have been working on the backlog. But the Service still has only been able to complete 100 to 120 reviews per year, which is half of what is needed.

So in this bill, you and I might agree that there are things that could happen and that money isn't always the solution to a problem, but in this bill you might be surprised to know that it has cut another \$3.4 million, so that only builds up the backlog all the more.

That is not necessarily the fault of the chairman of the subcommittee, Mr. Chair. It is just the fact that the allocation that our subcommittee had to work with, tough choices had to be made. I know that the chairman was trying to balance a lot of things.

The gentleman talked about the court and the environment. I would love to have a conversation with the gentleman more about that, because it is my understanding—and I want to make sure I have it correct before we go into depth about it because, as the gentleman knows, we have a good relationship, and I want to make sure that I am correct when I say things—that actually some of the things that have been happening in court have actually helped to reduce some of the costs that the gentleman is thinking about because it is in place.

I will get the information, Mr. Chair, and share it with the gentleman later.

But the fact is that this amendment would not remove species without review from the list of species protected by the ESA so that the ESA's prohibition, again, would still remain, and it still would be the ability of citizens to sue or force compliance even with what the gentleman is proposing. So funding cannot be used to enforce the ESA for species with late reviews; it is going to leave the species unprotected.

Proposed language would prohibit the Service from working with the agencies. It would prohibit working with developers and landowners to comply, compliance to section 7 consultations or section 10 permits for Federal and private projects that could potentially affect the species. So as you can see, the other thing it doesn't do is the proposed language would not affect the ability of third parties to sue those agencies or landowners.

So I agree with the gentleman that we need to do a better job of making sure that these reviews are done in a timely fashion. I agree that, when a species has attained a classification where it is no longer threatened or it is no longer endangered, it should come off. So I think we have a lot in common.

But I think that the challenge with this amendment is that, without the funding, in order for the Service to do the job that it has to do, it just kind of puts the Service in a box in which we are saying you are not doing a good job and, therefore, we are going to start changing the way in which we proceed.

So I, right now, have to oppose this amendment. But as I said, in the policy committee I think that there is room for some of us to come together and to make improvement, but legislating this rider for 1 year at a time on this appropriations bill doesn't allow us to have the deep, transparent, and open discussion that we need to have to resolve your issue.

So at this time I oppose the amendment, and I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I appreciate the gentlewoman's comments.

If we get additional resources in the future, I would love to make sure that Fish and Wildlife has the resources to make sure they meet their mandates, and they should meet them now.

One of the mandates they have is review the status of every listed species every 5 years and a corresponding change in the status if it is called for by those reviews. Instead of doing those reviews, in many cases, the Service chooses to spend the money to list more species.

If the government isn't willing to shoulder the responsibilities that come with listing species under the ESA, perhaps it shouldn't be listing those species in the first place. So I think they need to meet their obligations under the law.

I certainly support this amendment, and I encourage Members to support the amendment and vote for it.

Mr. LAMBORN. Mr. Chairman, I thank the gentleman for that statement.

I will say to the gentlewoman from Minnesota that I would love to work

with her on this. I know that, in the Natural Resources Committee, we are going to be looking at some of the different facets of the Endangered Species Act, and I hope we can continue this dialogue.

This amendment seeks to make the agency comply with the law. That provision is in there for a reason, so let's enforce what Congress, in its wisdom, put into the law many years ago.

Mr. Chairman, I ask for support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT NO. 68 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 68 printed in House Report 115-297.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. _____. None of the funds made available by this Act may be used to implement or enforce the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Preble's meadow jumping mouse is a tiny rodent with a body approximately 3 inches long, a 4- to 6-inch-long tail, and large hind feet adapted for jumping. This largely nocturnal mouse lives primarily in streamside ecosystems along the foothills of southeastern Wyoming south to Colorado Springs, in my district, along the eastern ridge of the Front Range of Colorado.

To evade predators, the mouse can jump, like a miniature kangaroo, up to 18 inches high. In 1998, it leaped onto the Endangered Species list, a move that has hindered development from Colorado Springs, Colorado, to Wyoming.

Among projects that have been affected: the Jeffco Parkway southeast of Rocky Flats, an expansion of Chatfield Reservoir, and housing developments in El Paso County along tributaries of Monument Creek. Builders, landowners, and local governments in affected areas have incurred hundreds of millions of dollars in added costs because of this mouse.

Protecting the Preble's mouse has even been placed ahead of protecting human life and property.

On September 11, 2013, Colorado experienced a major flood event that damaged or destroyed thousands of homes, important infrastructure, and public works projects. As a result of the Preble's mouse being listed as an endangered species, many restoration projects were delayed as Colorado sought a waiver. In fact, FEMA was so concerned that they sent out a notice that stated: "Legally required review may cause some delay in projects undertaken in the Preble's mouse habitat." It went on to warn that "local officials who proceed with projects without adhering to environmental laws risk fine and could lose Federal funding for their projects."

While a waiver was essentially granted, the scientific evidence simply does not justify these delays or the millions of dollars in taxpayer money that go toward protecting a mouse that is actually part of a larger group that roams throughout half of the North American continent.

Scientific studies have concluded that the Preble's mouse does not warrant protection because it isn't a subspecies at all and is actually related to the Bear Lodge jumping mouse. Even the scientist that originally classified this mouse as a subspecies has since recanted his work and agrees that the Preble's mouse subspecies designation is no longer defensible.

Moreover, the Preble's mouse has a low conservation parity score. What that means is that hundreds of millions of dollars have already been spent on protection efforts that could have and should have been spent on other more sensitive species.

My amendment would correct this injustice that has been caused by the inaccurate listing of the Preble's meadow jumping mouse. It would refocus U.S. Fish and Wildlife Service's efforts on species that have been thoroughly scientifically vetted and that should be managed by the Endangered Species Act.

This exact amendment was added to the fiscal year '16 Interior Appropriations bill by voice vote and was added to the fiscal year '17 bill by a bipartisan rollcall vote. Mr. Chairman, I urge my colleagues to support this amendment for a third time.

Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

□ 2330

Ms. MCCOLLUM. Mr. Chairman, clearly, what this amendment does—and it is different from the other

amendment—is prohibit the Fish and Wildlife Service from implementing or enforcing the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act. It full-out restricts the Service from offering any critical protections to preserve the species.

Once a species like this is listed under the Endangered Species Act, the role of the Fish and Wildlife Service is fairly permissive. They can help parties comply with the act as they carry out their other activities.

The Service right now is reviewing and considering all the comments that they received during the public comment period, and a draft recovery plan is being worked through to develop a final recovery plan. But with this amendment, the Service would not be able to continue to recover the species. All the Endangered Species Act prohibitions would still apply.

So, in other words, we would stop them from moving forward, but they would still be under jurisdiction to comply. They wouldn't be able to comply by working with agencies and land developers and landowners to provide the ESA compliance.

The U.S. Fish and Wildlife Service would be barred from issuing permits or from offering exemptions. That means landowners, industry, and other parties who might need to take the Preble's meadow jumping mouse incidental to otherwise lawful activities, such as urban development, are vulnerable to third-party lawsuits.

Another limitation that the Service would have would be undertaking the required status reviews of subspecies or initiating any rulemaking or downlisting or delisting species.

So now we are talking about deep dives into what the U.S. Fish and Wildlife may or may not be impacted by doing or helping landowners or developers on an appropriations bill.

Quite frankly, as I have been saying all night—and I understand people have the right to come here with these amendments—the Service has a responsibility to implement the Endangered Species Act. They are charged with fulfilling their legal requirements. When they don't fulfill their legal requirements, it makes them more vulnerable to lawsuits, which I know is not the goal of the author of this amendment, Mr. Chair. But when there are lawsuits incurred, it creates more costs for American taxpayers.

The gentleman's amendment would just undermine the Service's ability to work collaboratively with States and local communities. It opens the Service up for lawsuits and it would create even more uncertainty for landowners and make them vulnerable, as I said, to lawsuits.

I think we should be working to support the Fish and Wildlife efforts, not blocking the agency from doing its job

and going back to what we discussed earlier, that is working through the committees of authorization, and then the authorizing committees having conversations with the Appropriations Committee on how they can achieve their goals, this being one of them.

Because of those reasons, I do not support this amendment. I thank the gentleman for bringing this forward, but at this time I cannot support it.

Mr. Chairman, I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT) to weigh in on this issue.

Mr. CALVERT. Mr. Chairman, I wanted to jump up and support this amendment. Obviously, the agency has not leaped fast enough and problems persist. So I encourage my colleagues to vote "yes" on this amendment, and I know it will squeak by with a large margin.

Mr. LAMBORN. Mr. Chairman, I will conclude by saying there is one other sort of a temporary element in this whole episode. And that is when you go from Colorado into Wyoming, the mouse is no longer threatened or endangered. There is a political boundary line between the two States.

In its wisdom, the Fish and Wildlife Service says that if you go north far enough across the State line, it is no longer threatened or endangered. There is an element of arbitrariness that I think also calls into question why this was ever done in the first place.

Mr. Chairman, I would ask support for this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMBORN) having assumed the chair, Mr. BERGMAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARRETT (at the request of Mr. MCCARTHY) for today.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were

taken from the Speaker's table and, under the rule, referred as follows:

S. 597. An act to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Education and the workforce; in addition, to the Committee on The Judiciary; and to the Committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 652. An act to amend the Public Health Services Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children; to the Committee on Energy and Commerce.

S. 849. An act to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Energy and Commerce.

S. 1165. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel "Woody" Williams VA Medical Center; to the Committee on Veterans' Affairs.

S. Con. Res. 23. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Filipino Veterans of World War II; to the Committee on House Administration.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 624. An act to restrict the inclusion of social security account numbers on Federal documents sent by mail, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1616. An act to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

ADJOURNMENT

Mr. CALVERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 37 minutes p.m.), the House adjourned until tomorrow, Friday, September 8, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2397. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Twenty-fourth Report to Congress on Progress Made in Licensing and Constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523; Public Law

109-58, Sec. 1810; (119 Stat. 1126); to the Committee on Energy and Commerce.

2398. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements, pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Public Law 107-188, Sec. 143; (116 Stat. 628); to the Committee on Energy and Commerce.

2399. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a notification of a federal vacancy, nomination, and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2400. A letter from the Archivist of the U.S., National Archives and Records Administration, transmitting the Administration's FY 2017 Commercial and Inherently Governmental Activities Inventory, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

2401. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting four notices for a discontinuation of service in an acting role and a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2402. A letter from the Attorney-Advisor, Pipeline and Hazardous Materials Safety Administration, Maritime Administration, Department of Transportation, transmitting a notification of a designation of acting officer, and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2403. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Washburn Board Across the Bay, Lake Superior; Chequamegon Bay, WI [Docket No.: USCG-2017-0169] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2404. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: Vengeance Sunken Barge, San Francisco, CA [Docket No.: USCG-2017-0310] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2405. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Verdigris River, Catoosa, OK [Docket No.: USCG-2017-0514] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2406. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Cerritos Channel, Long Beach, CA

[Docket No.: USCG-2017-0473] (RIN: 1625-AA09) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2407. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: City of Benicia Independence Day Fireworks Display, Benicia, CA [Docket No.: USCG-2017-0323] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2408. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Anchorage Grounds; Lower Mississippi River below Baton Rouge, LA, including South and Southwest Passes; New Orleans, LA [Docket No.: USCG-2014-0991] (RIN: 1625-AA01) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2409. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Valdez July 4th Fireworks, Port Valdez; Valdez, AK [Docket No.: USCG-2017-0092] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2410. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Pacific Ocean, Mamala Bay, Oahu, Hawaii — Hokulea Arrival [Docket No.: USCG-2017-0421] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2411. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; City of Oswego Independence Day Celebration; Lake Ontario, Oswego, NY [Docket No.: USCG-2017-0324] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 3326. A bill to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank; with an amendment (Rept. 115-298). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 509. Resolution providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign As-

sistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes (Rept. 115-299). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TONKO (for himself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 3692. A bill to amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 3693. A bill to repeal the debt ceiling; to the Committee on Ways and Means.

By Mr. BANKS of Indiana:

H.R. 3694. A bill to provide for an independent assessment of the future of cooperative threat reduction; to the Committee on Foreign Affairs.

By Mr. O'ROURKE (for himself and Mr. COFFMAN):

H.R. 3695. A bill to provide for the confidentiality of information submitted in requests for the Deferred Action for Childhood Arrivals Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Ms. KAPTUR, Ms. NORTON, Mr. COHEN, Mr. POCAN, Mr. GALLEGO, Mr. RUSH, Ms. STEFANIK, Mr. HASTINGS, Mr. GRIJALVA, Mrs. DINGELL, Ms. SCHAKOWSKY, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 3696. A bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree programs in orthotics and prosthetics, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. COMSTOCK (for herself, Mr. KING of New York, Mr. LABRADOR, and Mr. GOODLATTE):

H.R. 3697. A bill to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee (for himself and Mr. KIND):

H.R. 3698. A bill to amend the Federal Crop Insurance Act to limit the overall rate of return for crop insurance providers and remove the requirement of budget neutrality in the Standard Reinsurance Agreement; to the Committee on Agriculture.

By Ms. KAPTUR (for herself, Mr. CONYERS, Ms. LEE, Ms. NORTON, Ms. MOORE, Mr. JEFFRIES, Ms. PINGREE, Mr. BISHOP of Georgia, Mr. RYAN of Ohio, Mr. EVANS, and Ms. ADAMS):

H.R. 3699. A bill to promote and enhance urban agricultural production and agricultural research in urban areas, and for other purposes; to the Committee on Agriculture.

By Mr. KIND (for himself and Mr. KELLY of Pennsylvania):

H.R. 3700. A bill to amend the Internal Revenue Code of 1986 to extend qualified zone academy bonds for 4 years and to reduce the private business contribution requirement with respect to such bonds; to the Committee on Ways and Means.

By Ms. LEE (for herself, Mr. HUFFMAN, Ms. KELLY of Illinois, Mr. MEEKS, Mr. PALLONE, Mr. QUIGLEY, Mr. RUSH, Mr. WELCH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BUTTERFIELD, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mr. ELLISON, Mr. ESPAILLAT, Mr. GUTIERREZ, Mr. HASTINGS, Mr. KHANNA, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. RICHMOND, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Ms. JUDY CHU of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRIJALVA, Mr. POCAN, Mr. McEACHIN, Ms. LOFGREN, Mr. CICILLINE, Ms. BASS, Mrs. BEATTY, Mr. BROWN of Maryland, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mr. CORREA, Mr. CUMMINGS, Mr. EVANS, Ms. NORTON, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. SMITH of Washington, and Ms. WILSON of Florida):

H.R. 3701. A bill to remove all statutes of individuals who voluntarily served the Confederate States of America from display in the Capitol of the United States; to the Committee on House Administration.

By Mr. MCKINLEY (for himself and Mr. RUSH):

H.R. 3702. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the expansion of manufacturing in the United States; to the Committee on Ways and Means.

By Ms. MENG:

H.R. 3703. A bill to prohibit the employment of school bus drivers with serious moving violations; to the Committee on Education and the Workforce.

By Mr. PALLONE (for himself and Mr. RUZ):

H.R. 3704. A bill to amend the Public Health Service Act to improve behavioral health outcomes for American Indians and Alaskan Natives, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE:

H.R. 3705. A bill to direct the Secretary of Veterans Affairs to require the use of certified mail and plain language in certain debt collection activities; to the Committee on Veterans' Affairs.

By Mr. RUZ (for himself and Mr. PALLONE):

H.R. 3706. A bill to amend the Public Health Service Act to improve the public health system in tribal communities and increase the number of American Indians and Alaska Natives pursuing health careers, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SANCHEZ (for herself, Mr. FITZPATRICK, Mr. LOBIONDO, Mr. THOMPSON of California, and Mr. KILMER):

H.R. 3707. A bill to establish a tax credit for on-site apprenticeship programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee

on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT (for himself and Mr. POLIS):

H.R. 3708. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income de minimis gains from certain sales or exchanges of virtual currency, and for other purposes; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself, Mrs. DAVIS of California, Mr. NORCROSS, Mr. MOULTON, and Mr. BROWN of Maryland):

H.R. 3709. A bill to provide greater access to higher education for America's students; to the Committee on Education and the Workforce.

By Ms. VELÁZQUEZ (for herself, Ms. CLARKE of New York, Ms. JAYAPAL, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. COHEN, Mr. MCGOVERN, Mr. EVANS, Mr. ELLISON, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, and Mr. KHANNA):

H.R. 3710. A bill to reauthorize appropriations for the Jacob K. Javits Fellowship Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GARRETT (for himself, Mr. CONNOLLY, Mrs. COMSTOCK, Mr. BEYER, Mr. GRIFFITH, Mr. SCOTT of Virginia, Mr. BRAT, Mr. McEACHIN, Mr. TAYLOR, Mr. GOODLATTE, and Mr. WITTMAN):

H.J. Res. 117. A joint resolution condemning the violence and domestic terrorist attack that took place during events between August 11 and August 12, 2017, in Charlottesville, Virginia, recognizing the first responders who lost their lives while monitoring the events, offering deepest condolences to the families and friends of those individuals who were killed and deepest sympathies and support to those individuals who were injured in the attack, expressing support for the Charlottesville community, rejecting White nationalists, White supremacists, the Ku Klux Klan, neo-Nazis, and other hate groups, and urging the President and the President's Cabinet to use all available resources to address the threats posed by those groups; to the Committee on the Judiciary.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H. Res. 508. A resolution providing for consideration of the bill (H.R. 1084) to address slow economic growth and spur investment and development in underserved communities across America; to the Committee on Rules.

By Mr. SAM JOHNSON of Texas (for himself, Ms. BORDALLO, Ms. TSONGAS, and Mr. TURNER):

H. Res. 510. A resolution commemorating the 70th anniversary of the establishment of the Air Force as an independent military service and celebrating the Air Force for 70 years of serving and defending the United States; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitu-

tion to enact the accompanying bill or joint resolution.

By Mr. TONKO:

H.R. 3692.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause 3

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 3693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. BANKS of Indiana:

H.R. 3694.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 12

"The Congress shall have the power to raise and support armies"

By Mr. O'ROURKE:

H.R. 3695.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. CARTWRIGHT:

H.R. 3696.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mrs. COMSTOCK:

H.R. 3697.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 8 of Article I of the Constitution—The Congress shall have Power to establish a uniform Rule of Naturalization, and uniform Laws on the subject Bankruptcies throughout the United States.

By Mr. DUNCAN of Tennessee:

H.R. 3698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—this bill regulates Commerce among the several states.

Amendment V—the bill assures that citizens' liberty and property (their businesses and livelihood) are not deprived, that the government does not take property (market share, potential for profit and livelihood) without just compensation.

By Ms. KAPTUR:

H.R. 3699.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KIND:

H.R. 3700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1

"All Bills for raising Revenue shall originate in the House of Representatives"

By Ms. LEE:

H.R. 3701.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MCKINLEY:

H.R. 3702.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8 of the U.S. Constitution.

By Ms. MENG:

H.R. 3703.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. PALLONE:

H.R. 3704.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8; Article I of the Constitution

By Ms. PINGREE:

H.R. 3705.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of the US Constitution

By Mr. RUIZ:

H.R. 3706.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Ms. SÁNCHEZ:

H.R. 3707.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7

By Mr. SCHWEIKERT:

H.R. 3708.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes");

Article I, Section 8, Clause 5 ("To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures"); and

Article I, Section 8, Clause 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.").

By Mr. SCOTT of Virginia:

H.R. 3709.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. VELÁZQUEZ:

H.R. 3710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

By Mr. GARRETT:

H.J. Res. 117.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Ms. BROWNLEY of California.

H.R. 36: Ms. TENNEY.

H.R. 168: Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. BEATTY, Ms. WILSON of Florida, Mr. EVANS, and Mr. JOHNSON of Georgia.

H.R. 173: Mr. DENHAM, Mr. RODNEY DAVIS of Illinois, Mr. LUETKEMEYER, Mr. KING of New York, and Mr. PEARCE.

H.R. 299: Mr. CUMMINGS.

H.R. 486: Mr. MCCAUL.

H.R. 496: Mr. MACARTHUR, Mr. CAPUANO, Mr. LOBIONDO, and Mr. POLIS.

H.R. 525: Mr. BYRNE and Mr. ESTES of Kansas.

H.R. 545: Mr. ESTES of Kansas and Mr. CARTER of Georgia.

H.R. 548: Mr. STIVERS.

H.R. 559: Mr. ALLEN.

H.R. 643: Mr. BROOKS of Alabama.

H.R. 762: Mr. ENGEL.

H.R. 771: Mr. KRISHNAMOORTHY and Mrs. DINGELL.

H.R. 807: Mr. BUCSHON.

H.R. 812: Mr. GRIJALVA and Mr. KENNEDY.

H.R. 820: Mr. SCHRADER, Mr. TIBERI, and Mr. EVANS.

H.R. 866: Mr. MEEKS.

H.R. 947: Ms. SEWELL of Alabama.

H.R. 991: Mr. GENE GREEN of Texas.

H.R. 1057: Mr. BANKS of Indiana.

H.R. 1148: Mr. CROWLEY, Mr. KENNEDY, Mr. DENT, and Mrs. BROOKS of Indiana.

H.R. 1243: Mrs. WATSON COLEMAN.

H.R. 1261: Mr. BYRNE and Mr. SAM JOHNSON of Texas.

H.R. 1276: Mr. GARAMENDI.

H.R. 1322: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1334: Mr. MCCAUL.

H.R. 1406: Mr. BEYER and Ms. BROWNLEY of California.

H.R. 1413: Mr. LEWIS of Georgia.

H.R. 1456: Ms. STEFANIK, Mr. RODNEY DAVIS of Illinois, and Ms. BROWNLEY of California.

H.R. 1457: Mr. ROTHFUS and Mr. LUCAS.

H.R. 1468: Mrs. BROOKS of Indiana and Ms. STEFANIK.

H.R. 1472: Mr. GOTTHEIMER.

H.R. 1516: Mr. SERRANO and Mr. KRISHNAMOORTHY.

H.R. 1528: Mr. HASTINGS.

H.R. 1556: Mr. LEWIS of Georgia, Mr. DEFAZIO, and Mr. PERLMUTTER.

H.R. 1566: Mr. YARMUTH and Mr. CUMMINGS.

H.R. 1606: Mr. COLLINS of Georgia.

H.R. 1639: Ms. SCHAKOWSKY.

H.R. 1661: Mr. GARAMENDI.

H.R. 1664: Mr. LARSON of Connecticut.

H.R. 1676: Mr. BUCSHON, Mr. DELANEY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LANGEVIN, Mr. HIMES, Mrs. DAVIS of California, Mr. BLUMENAUER, Ms. VELÁZQUEZ, Mr. AL GREEN of Texas, Mr. FOSTER, Ms. DELAULO, Mr. CICILLINE, Mr. BERA, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1739: Ms. MATSUI.

H.R. 1749: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 1796: Mr. RYAN of Ohio and Mr. O'ROURKE.

H.R. 1810: Mr. LEWIS of Minnesota and Ms. GABBARD.

H.R. 1847: Mr. ROTHFUS.

H.R. 1861: Mr. MARCHANT.

H.R. 1864: Mr. HIMES.

H.R. 1865: Mr. MCGOVERN.

H.R. 1874: Mr. LARSON of Connecticut and Mr. COSTELLO of Pennsylvania.

H.R. 1896: Mr. VALADAO and Mr. RUTHERFORD.

H.R. 1897: Mr. VALADAO and Mr. RUTHERFORD.

H.R. 1898: Mr. KING of New York.

H.R. 2029: Mr. THORNBERRY.

H.R. 2133: Mr. HOLLINGSWORTH, Mr. DESANTIS, and Mr. CARTER of Texas.

H.R. 2142: Mr. CURBELO of Florida.

H.R. 2148: Mr. COFFMAN.

H.R. 2197: Mr. KHANNA.

H.R. 2285: Mr. VALADAO.

H.R. 2287: Mr. YOUNG of Alaska.

H.R. 2290: Mr. DOGGETT.

H.R. 2306: Ms. DELAULO.

H.R. 2310: Mr. GOODLATTE.

H.R. 2323: Mr. GOMEZ.

H.R. 2359: Mr. WILLIAMS.

H.R. 2401: Mr. DELANEY, Mr. CICILLINE, Mr. DOGGETT, Mr. VALADAO, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 2434: Mr. CLEAVER, Mrs. LAWRENCE, Mrs. DAVIS of California, Ms. JENKINS of Kansas, Mr. JODY B. HICE of Georgia, Mr. PEARCE, Mr. ESPAILLAT, Ms. BLUNT ROCH-ESTER, Mr. TAKANO, and Mr. DESAULNIER.

H.R. 2450: Mr. MARCHANT.

H.R. 2482: Mr. STIVERS, Ms. VELÁZQUEZ, Mr. AL GREEN of Texas, Mr. VEASEY, Mrs. TORRES, Mr. CICILLINE, Mr. NADLER, Mr. GALLEGO, Mr. CLAY, Mr. CÁRDENAS, Mr. BISHOP of Georgia, Mr. SMITH of Washington, Mrs. BEATTY, Mr. SOTO, Mr. HECK, Ms. HANABUSA, and Miss RICE of New York.

H.R. 2544: Ms. NORTON.

H.R. 2556: Ms. SCHAKOWSKY.

H.R. 2661: Mr. CRAMER.

H.R. 2679: Mr. POLIQUIN.

H.R. 2723: Mrs. COMSTOCK and Mr. THORNBERRY.

H.R. 2740: Mr. KIHUEN.

H.R. 2788: Ms. DEGETTE and Mr. BLUMENAUER.

H.R. 2821: Ms. SÁNCHEZ.

H.R. 2851: Mr. MACARTHUR.

H.R. 2890: Mr. GROTHMAN, Mr. GUTIÉRREZ, and Mr. TIPTON.

H.R. 2901: Mr. MEEHAN.

H.R. 2907: Mr. CRAMER.

H.R. 2926: Mr. FITZPATRICK.

H.R. 2933: Ms. JAYAPAL.

H.R. 2954: Mr. DUFFY.

H.R. 2974: Ms. JAYAPAL.

H.R. 2995: Mr. BEYER, Ms. ROSEN, Ms. JAYAPAL, Ms. SLAUGHTER, Mr. PETERS, Mr. LARSON of Connecticut, Ms. DELAULO, Mr. POLIS, and Mr. GONZÁLEZ of Texas.

H.R. 3032: Mr. LOWENTHAL.

H.R. 3039: Mr. GOMEZ.

H.R. 3051: Mr. CLEAVER.

H.R. 3052: Mr. FITZPATRICK.

H.R. 3214: Mr. CÁRDENAS.

H.R. 3223: Mr. DESANTIS, Mr. POSEY, Mr. YOHO, and Mr. GAETZ.

H.R. 3271: Mr. JOHNSON of Ohio and Mr. BUCSHON.

H.R. 3274: Ms. TITUS and Mrs. COMSTOCK.

H.R. 3282: Mr. HUIZENGAR.

H.R. 3312: Mr. TIPTON, Ms. JACKSON LEE, Mr. SCHWEIKERT, Mr. GOSAR, and Mr. HOLLINGSWORTH.

H.R. 3314: Mr. KHANNA, Mr. WELCH, and Mr. TED LIEU of California.

H.R. 3325: Mr. NEWHOUSE, Mr. LEWIS of Georgia, Mr. HECK, Mr. LAWSON of Florida, Mr. HIGGINS of New York, Mr. DONOVAN, Mr. LIPINSKI, Mrs. WALORSKI, Mr. COFFMAN, Mr. GRAVES of Missouri, Ms. LOFGREN, Mr. VALADAO, Mr. SEAN PATRICK MALONEY of New York, Mr. LARSON of Connecticut, Mr. KILMER, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 3334: Mr. EVANS.

H.R. 3394: Mrs. DAVIS of California, Mr. COLLINS of New York, and Mrs. LAWRENCE.

H.R. 3395: Mr. LANCE, Mr. GARRETT, Mr. CURBELO of Florida, Mr. FITZPATRICK, Mr. SHUSTER, and Mr. DENT.

H.R. 3440: Mr. MOULTON, Mr. KIND, Mr. CUMMINGS, Mr. KILMER, Ms. BORDALLO, Mr.

PETERS, Mr. RYAN of Ohio, Mr. CRIST, Mrs. BEATTY, Mr. O'HALLERAN, Mrs. LOWEY, Mr. QUIGLEY, Ms. DELBENE, Mr. SCHNEIDER, Mr. SEAN PATRICK MALONEY of New York, Ms. SHEA-PORTER, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 3447: Mr. MEEHAN.
H.R. 3458: Mrs. NAPOLITANO.
H.R. 3459: Mr. HECK.
H.R. 3493: Mr. GUTIÉRREZ.
H.R. 3497: Mr. SCHWEIKERT, Mr. MOONEY of West Virginia, Mr. LATTA, and Mr. COLE.
H.R. 3507: Ms. BROWNLEY of California.
H.R. 3536: Mr. GRIJALVA.
H.R. 3576: Ms. TENNEY, Mr. LAMALFA, and Ms. STEFANIK.
H.R. 3591: Miss RICE of New York.
H.R. 3635: Mr. MULLIN.
H.R. 3640: Mr. GALLAGHER.

H.R. 3668: Mr. GENE GREEN of Texas.

H.R. 3684: Mrs. DAVIS of California, Ms. BONAMICI, Ms. WILSON of Florida, and Mr. SCOTT of Virginia.

H.J. Res. 115: Mr. COHEN.

H. Con. Res. 28: Mr. LOUDERMILK.

H. Con. Res. 77: Mr. YARMUTH.

H. Res. 128: Mr. COHEN, Ms. JACKSON LEE, Mr. ESPAILLAT, and Mr. CARTWRIGHT.

H. Res. 220: Mr. DOGGETT, Ms. HANABUSA, and Ms. SCHAKOWSKY.

H. Res. 244: Mr. CÁRDENAS, Mr. CICILLINE, Mr. COHEN, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. GALLEGRO, Mr. KIHUEN, and Ms. NORTON.

H. Res. 257: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. HANABUSA, Ms. SEWELL of Alabama, Mr. DONOVAN, Mr. FORTENBERRY, Mr.

KATKO, Mr. FASO, Mr. COLLINS of New York, Ms. TENNEY, and Ms. ROSEN.

H. Res. 274: Mr. POSEY, Mr. TED LIEU of California, Mr. LANGEVIN, Mr. GUTHRIE, Mr. SENSENBRENNER, and Mr. BEN RAY LUJÁN of New Mexico.

H. Res. 276: Ms. CASTOR of Florida.

H. Res. 401: Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 436: Ms. STEFANIK.

H. Res. 486: Mr. COHEN and Mr. GARRETT.

H. Res. 488: Mr. ELLISON.

H. Res. 490: Ms. JENKINS of Kansas and Mr. HURD.

H. Res. 496: Mr. SCOTT of Virginia and Mr. YARMUTH.

H. Res. 507: Ms. ROYBAL-ALLARD.

EXTENSIONS OF REMARKS

RECOGNIZING SENIOR DETECTIVE
ARLENE CURRIER

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. PANETTA. Mr. Speaker, I rise today to recognize Senior Detective Arlene Currier for nearly a decade and a half of serving and protecting the community in Salinas, California.

Detective Currier obtained a law enforcement certificate from Gavilan College in Gilroy, California, and continued her education at Evergreen Valley College and San Jose City College. In 2003, she transitioned from a career in sales and marketing to a position in the Salinas Police Department Patrol Division. Patrolling assigned areas in the city of Salinas, she embraced her role as both an enforcer of the law and as a leader in her community. Officer Currier investigated criminal activity with efficiency, provided assistance and first aid, and fostered a strong relationship with residents. In 2005, as a Field Training Officer, she instructed new recruits in proper procedure, and helped the Salinas Police Department maintain its standard of excellence.

As of 2007, Officer Currier became a robbery and homicide detective. In this capacity, she took an active part in nearly every aspect of law enforcement—from the crime scene to the courtroom. Detective Currier also served on the board of directors of the Filipino-American Law Enforcement Officers Association, an organization dedicated to promoting, “fraternal relationships and cultural awareness among all law enforcement personnel and the communities [they] serve.”

I stand with the City of Salinas, and the entirety of California’s 20th District, in expressing our gratitude for Arlene Currier’s many years of meritorious service. I wish her well in her retirement and future endeavors.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER ARMY
SERGEANT (SGT) MATTHEW LEE
INGRAM

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant (SGT) Matthew Lee Ingram who paid the ultimate sacrifice while defending our great nation on August 21, 2009, during Operation Enduring Freedom. SGT Ingram was killed when an improvised explosive device detonated near his military vehicle in Kunar Province, Afghanistan. The blast occurred while his unit was under small arms fire from enemy forces. SGT

Ingram was assigned to the 2nd Battalion, 12th Infantry Regiment, 4th Brigade Combat Team, 4th Infantry Division, Fort Carson, Colorado.

SGT Ingram grew up in eastern Mississippi, where he attended Newton High School. He played wide receiver on the school’s football team. He enlisted in the U.S. Army in 2003 and completed his basic training at Fort Benning, Georgia. Following basic training, SGT Ingram was assigned to South Korea, where he spent 10 months before his entire brigade was deployed to Iraq from 2004 until 2005. In 2006, SGT Ingram married his wife, Holly, while stationed at Fort Carson, Colorado. They had one daughter, Chloe. That same year, SGT Ingram deployed to Iraq for a second tour. In May 2009, SGT Ingram deployed to Afghanistan.

Mississippi lawmakers recognized SGT Ingram for his service and sacrifice. The Resolution was adopted by the Senate and the House during the 2010 regular session. It states that, “SGT Ingram was a loving father, husband and son who is counted among America’s heroes, committed to our nation’s safety and security.” It further states that, “Mississippians understand the costs of conflict because we have paid them in the past.”

SGT Ingram’s earned the Purple Heart, Army Commendation medal, Army Achievement medal, two Army Good Conduct medals, National Defense Service medal, Korea Defense Service medal, Afghanistan Campaign medal with Campaign Star, Global War on Terrorism Expeditionary medal, Global War on Terrorism Service medal, and the Combat Infantry Badge.

In 2009, Representative GREGG HARPER (R-MS) introduced a bill to name the United States Post Office at 7464 Highway 503, Hickory, Mississippi in SGT Ingram’s honor. H.R. 4139, the “Matthew L. Ingram Post Office” Designation Act, passed by unanimous consent in the House and the Senate and was signed into law by President Barack Obama in 2010.

SGT Ingram is survived by his wife, Holly; his daughter, Chloe; his parents, James and Patricia Ingram; and his older brother, Jamie.

SGT Ingram’s commitment to protect America will always be remembered.

CELEBRATING THE ANNUAL SARA-
TOGA COUNTY OFFICE FOR THE
AGING SENIOR PICNIC

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the Annual Saratoga County Office for the Aging Senior Picnic.

Since its inception, the Saratoga County Office for the Aging Senior Picnic has brought

our community together to celebrate our senior citizens. The Senior Picnic features food and entertainment for people of all ages, highlighting the Office’s year-round work for Saratoga County seniors. As with many of the Office’s programs, the Senior Picnic depends on the dedication and tireless efforts of volunteers from our community.

On behalf of New York’s 21st District, I want to thank the Saratoga County Office for the Aging for its vital service to our seniors. The Office provides programs and information to help our seniors in key areas like healthcare, employment, and legal services. We are grateful to the Office for their continuing commitment to our elderly population, and wish them all the best on their Annual Senior Picnic.

RECOGNIZING U.S. ARMY MASTER
SERGEANT JOHN DORVAL
MINATRA

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mrs. BLACKBURN. Mr. Speaker, there are no greater heroes than our veterans and active military. In worldwide campaigns, they courageously and selflessly serve and protect our nation from foreign and domestic threats. Their efforts have never failed us.

Today, I would like to recognize and honor U.S. Army Master Sergeant John Dorval Minatra for his extraordinary heroism and exceptional valor in operations during Indo China, Korea, and Vietnam warfare. In the Republic of Vietnam, he was cited several times for valor in combat with U.S. and Vietnamese awards—most notably the Purple Heart, Distinguished Service Cross, and three Bronze Stars. For his Ranger spirit in three voluntary tours of duty, three assignments training the Vietnamese Battalion with the Mountain Ranger Committee, service as Ranger Advisor to the Vietnamese Airborne Battalion, and third voluntary tour with the IV Corps HQ, he received the Ranger Hall of Fame medallion—a validation of “Rangers Lead the Way.”

MSG Minatra’s tactical knowledge, initiative, high standards, and unswerving desire to train and produce the best possible warrior made him an inspirational model for Rangers. His ability to rally and direct soldiers under fire, while wounded, reflects great credit upon himself, his unit, and the U.S. Army.

Leadership is not as it appears, but as it performs. We join his children Barry, Larry and Melissa, nine grandchildren and 11 great-grandchildren in gratitude for his guidance, heroism, and devotion through 20 years of military service.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TRIBUTE: ALPHA DELTA KAPPA
INTERNATIONAL HONORARY OR-
GANIZATION FOR WOMEN EDU-
CATORS

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. BROOKS of Alabama. Mr. Speaker, I rise today to commend the Alpha Delta Kappa International Honorary Organization for Women Educators on sixty-nine years of dedicated service, and proclaim October 2016 as Alpha Delta Kappa Month. Established in 1947, Alpha Delta Kappa's goals are to institute high standards of education, recognize outstanding educators, build a fraternal fellowship among educators and promote educational and charitable projects, enriching the lives of individuals everywhere.

With a membership of more than 33,000 educators representing all fifty U.S. states, Puerto Rico, Canada, Mexico, Jamaica, and Australia, Alpha Delta Kappa is committed to educational excellence, personal and professional growth, and collectively channeling their energies toward the good of their schools, communities, the teaching profession, and the world.

Women in education constitute a great portion of America's workforce and are constantly striving to serve their communities and America in educational, cultural, and charitable programs leading to harmony, happiness, and peace among all people.

Since 2014, members of Alpha Delta Kappa have altruistically given to the communities they serve by raising nearly \$12 million dollars and volunteering more than two million service hours. Alpha Delta Kappa members biennially award more than a quarter million dollars through eleven scholarship programs and have contributed more than \$1 million dollars to St. Jude Children's Research Hospital in Memphis, Tennessee.

I congratulate Alpha Delta Kappa International Honorary Organization for Women Educators on their many years of unparalleled success and wish them well as they continue to educate our children.

RECOGNIZING HENSEL PHELPS
CONSTRUCTION COMPANY

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Hensel Phelps Construction Company for receiving the 2017 Secretary of Defense Employer Support Freedom Award. This prestigious award is given to only a handful of firms out of over 3,000 applicants in order to recognize their support of National Guard and Reserve employees. This is truly a remarkable achievement that speaks to Hensel Phelps' care for our service members.

Hensel Phelps is a thriving, international corporation that was founded in Greeley, Colorado in 1937. Over the last 80 years, this com-

pany has grown from a local commercial construction company to the prosperous international business it is today. They have created thousands of jobs and have made notable contributions to improve the communities around their operations, as well as their employees' livelihoods.

Hensel Phelps is an excellent example of what enterprising and forward thinking businesses can accomplish in America's great economy. As a former executive there, I have experienced firsthand what a remarkable company it is. The skills I learned and experiences I had while at Hensel Phelps still help me to this day as I work to represent the people of Colorado's fourth district. The care given to their staff is exceptional, and they should be commended for their innovative spirit, employee ownership model, and commitment to supporting our troops. Hensel Phelps' inspiring success confirms that the American Dream is alive and thriving in Colorado and the United States.

Mr. Speaker, it is an honor to recognize Hensel Phelps Construction Company for receiving the 2017 Secretary of Defense Employer Support Freedom Award.

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. HUFFMAN. Mr. Speaker, on September 6, 2017, I was unavoidably detained, and absent for Roll Call votes 445 through 456. Had I been present, I would have voted in the following manner: No on Roll Call vote 445, on passage of amendment 15; No on Roll Call vote 446, on passage of amendment 17; No on Roll Call vote 447, on passage of amendment 25; No on Roll Call vote 448, on passage of amendment 32; No on Roll Call vote 449, on passage of amendment 33; Yes on Roll Call vote 450, on passage of amendment 38; No on Roll Call vote 451, on passage of amendment 39; No on Roll Call vote 452, on passage of amendment 46; No on Roll Call vote 453, on passage of amendment 51; No on Roll Call vote 454, on passage of amendment 54; No on Roll Call vote 455, on passage of amendment 56; and No on Roll Call vote 456, on passage of amendment 58.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. HIGGINS of New York. Mr. Speaker, on September 5, 2017, I was not present for the recorded votes on roll call no. 439 and 440. Had I been present, I would have voted:

On Roll Call vote no. 439, the motion to suspend the rules and pass, the Financial Stability Oversight Council Insurance Continuity Act, I would have voted YEA.

On Roll Call vote no. 440, on the motion to suspend the rules and pass, as amended, to

direct the securities and Exchange Commission to allow certain issuers to be exempt from registration requirements, and for other purposes, I would have voted YEA.

RECOGNIZING SERGEANT JOHN D.
LYNN

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. PANETTA. Mr. Speaker, I rise today to recognize Sergeant John D. Lynn of the Salinas Police Department for over 25 years of dedication to the residents of the city of Salinas.

After leaving active duty in the U.S. Army at Fort Ord, John Lynn opted to serve his community by entering an officer training program for law enforcement in 1990. Upon completion, he was assigned as a patrol officer in the city of Salinas, California. In 1993 he became a D.A.R.E instructor, educating the students in Salinas High School and Washington Middle School about the dangers of drug abuse. Over the ensuing years, as a community service resource office, Officer Lynn coordinated neighborhood watch meetings and organized crime prevention presentations. Sergeant Lynn also conducted the Salinas Police Department's first ever National Night Out event, in which neighbors and police convene for a night of community conversation, casual dining and community festivities.

In 2000, Sergeant Lynn became a traffic motorcycle officer, tasked with leading major traffic collision investigations. Over the years, he was promoted to sergeant, served with various capacities in the Salinas Police Department, including the personnel and training unit, patrol, supervision of the traffic unit, internal affairs, and a role coordinating a DUI enforcement campaign.

In a dramatic episode in November 2015, Sergeant Lynn and two fellow officers successfully prevented an attempted suicide by hanging of a man. He is a hero and was honored as Monterey County Officer of the Year.

For the past six years, Sergeant Lynn has been the S.P.D representative for the Special Olympics of Northern California. Only a few weeks ago, a golden torch passed through Salinas, escorted by several local officers, an event that raised more than \$13,000 for the program. It is yet another example of Sergeant John Lynn's dedication to this community. On behalf of California's 20th District, I thank him for his many years of service, and I wish him the best of luck in his well-earned retirement.

HONORING THE LIFE OF FALLEN
U.S. ARMY MAJOR (MAJ) GREG-
ORY JOHN FESTER

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of U.S. Army Major

(MAJ) Gregory John Fester who died while defending our great nation on August 30, 2005, during Operation Iraqi Freedom. He was killed when an improvised explosive device detonated near his dismounted patrol in Iskandariyah, Iraq. MAJ Fester was assigned to the U.S. Army Civil Affairs and Psychological Operations Command, Fort Bragg, North Carolina, while serving with the 155th Armored Brigade Combat Team from Mississippi.

MAJ Fester, a native of Westerville, Ohio, attended Ohio State University. He enlisted in the Army in 1984, where he served as an administrative specialist in the Ohio National Guard. MAJ Fester received his Army ROTC commission in 1987, when he graduated from Ohio State University. As a second lieutenant, MAJ Fester served on active duty with the 4th Battalion, 27th Field Artillery Regiment. He was promoted to first lieutenant in May 1989, while serving with the 3rd Battalion, 27th Field Artillery Regiment. In 1990, MAJ Fester served with the Battery Charlie, 4th Battalion, 27th Field Artillery (Multiple Launch Rocket System) in Wertheim, Germany. His unit deployed to parts of Saudi Arabia, Kuwait, and Iraq during the initial ground phase of Operation Desert Storm. MAJ Fester's service during Operation Desert Storm earned him a number of awards including the Bronze Star medal.

In August 1991, he attended the Officer Advanced Course at Fort Sill, Oklahoma, and was promoted to captain. MAJ Fester's next assignment was at Fort Bragg, North Carolina, where he took command of the Battery Charlie, 3rd Battalion, 27th Field Artillery. After MAJ Fester completed his service at Fort Bragg, he was assigned to New Cumberland Army Depot outside of Harrisburg, Pennsylvania.

In 1996, MAJ Fester departed active duty and became a sales representative for Pfizer Inc. He was reclassified as a member of the Individual Ready Reserve (IRR). At the time, MAJ Fester served as a tactical intelligence officer in the New York Air National Guard's Engineer Brigade, 42nd Infantry Division. In December 1999, MAJ Fester joined the U.S. Army Civil Affairs and Psychological Operations Command (Airborne), where he was assigned to the 402nd Civil Affairs Battalion, Tonawanda, New York. He completed the Civil Affairs Officer Advanced Course in 2001, and was promoted to major. In April 2002, a presidential executive order called MAJ Fester and other reservists back to service for a tour that was scheduled to last until 2006.

After MAJ Fester's death, his duties in Iraq were described in an online post at arlingtoncemetery.net. It was MAJ Fester's job to talk with mayors of Iraqi communities and Islamic clerics in the dangerous Sunni Triangle. MAJ Fester secured contractors to rebuild high schools and elementary schools. His wife, Julie, was proud of her husband's devotion to every project. "He believed in what he was doing," Mrs. Fester said "The schools over there were rubble. He felt they were making a difference."

When MAJ Fester's body was returned to the United States for burial, more than 650 people came to the memorial service. It was held at the Ada Bible Church in Ada, Michi-

gan. On the day of the service, flags throughout Michigan were lowered to half staff. Reverend Bob King, Ada Bible Church pastor, said MAJ Fester wanted to serve America. "He was very concerned about his family," Rev. King said. "But as a soldier, he was ready to step up and do his duty. He truly had the desire to make the world a better place."

MAJ Fester was transported to the Arlington National Cemetery where the Army Horseman of the Caisson Platoon carried him to his final resting place. His coffin was draped with an American flag. At the end of the service, a military band played "America the Beautiful" as flags were presented to his family.

MAJ Fester's awards and decorations include two Bronze Star medals, the Purple Heart medal, the Meritorious Service Medal, two Army Commendation medals, the Army Achievement medal, the Army Reserve Components Achievement medal, the National Defense Service medal, the Southwest Asia Service medal with three bronze service stars, the Iraq Campaign medal, Army Service Ribbon, the Overseas Service Ribbon, the Kuwait Liberation medal, the Combat Action Badge, the Parachutist Badge and a Valorous Unit Award.

MAJ Fester is survived by his wife, Julie, his two daughters, Jenni and Megan; his son, Peyton; and his parents, William Fester and Virginia Piccoro.

MAJ Fester will always be remembered for his courage and bravery. He sacrificed his life to protect the freedoms we all enjoy.

HONORING THE LIFE OF HARRY MESHEL

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. RYAN of Ohio. Mr. Speaker, today I rise to honor the life of Harry Meshel who died on September 4, 2017. Mr. Meshel was a native of Youngstown, Ohio and "known for his remarkable civic, cultural, and educational contributions to the community."

Well-known for his colorful stories, sharp wit, and keen memory, Meshel had a successful political career in the Ohio Democratic Party. Throughout his career, he had the opportunity to meet iconic political leaders, including President John F. Kennedy and President Lyndon B. Johnson. Meshel's break came in late 1963 when Youngstown Mayor-elect Anthony B. Flask selected him to be his administrative assistant. Meshel served in that capacity for more than five years. When a seat in the Ohio Senate opened, Meshel won a seven-person Democratic primary in 1970 and then the general election. He spent more than 22 years in the Ohio Senate, and the majority of that time was spent in leadership positions, including president for two years. After resigning from the Senate in 1993, Meshel served as state Democratic party chairman. He later went on to serve a nine-year term as a trustee on the board of Youngstown State University."

Harry was one of the original sponsors of legislation to establish the Northeast Ohio

Medical University (NEOMED) in Rootstown. Additionally, he was instrumental in the creation of the Ohio University College of Osteopathic Medicine and the Wright State University School of Professional Psychology. He was a relentless advocate of Youngstown State University as a student, a legislator, and as a Trustee. In addition to all the achievements of this able leader, I remember Harry as a Greek American who valiantly fought our nation's battle at Leyte Gulf in the Philippines. He was a dedicated supporter of our veterans and a frequent participant at many veterans' events.

Harry was a respected and beloved member of the community who influenced countless lives. He was a dear friend and mentor to me when I was just starting out my career in public service. His legacy is represented all over the Mahoning Valley and Youngstown State University. He will be deeply missed by our community and by all of those fortunate enough to know him. I extend my deepest condolences to his family and friends.

CELEBRATING THE 125TH ANNIVERSARY OF THE CRANDALL PUBLIC LIBRARY

HON. ELISE M. STEFANK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Ms. STEFANK. Mr. Speaker, I rise today to honor and recognize the 125th Anniversary of the Crandall Public Library in Glens Falls, New York.

Since its establishment in November of 1892, the Crandall Public Library has remained true to its mission of serving and educating our community. Acting as the central library for the Southern Adirondack Library System, the Crandall library holds an extensive and diverse collection of books and materials. The library's historical collections preserve the rich history of the region, while its Folklife Center Program showcases the cultural traditions of the upper Hudson Valley and southern Adirondacks. By offering thoughtful and engaging opportunities for people of all ages, the Library has provided our community with an excellent place to come together and learn.

In New York's 21st District, we are grateful for the Crandall Public Library's work on preserving our history, educating our people, and bringing our community together. I would like to thank the library's employees for their dedicated service, and congratulate them as they celebrate this historic occasion.

HONORING THE LIFE OF FALLEN ARMY NATIONAL GUARD SOLDIER CAPTAIN (CPT) LOWELL T. MILLER, II

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Michigan Army National Guard soldier Captain (CPT) Lowell T.

Miller, II who died while defending our great nation on August 31, 2005, during Operation Iraqi Freedom. CPT Miller and his military training team came under attack by enemy forces using small arms fire in Iskandariyah, Iraq. They were conducting military operations with the Iraqi Army. CPT Miller was assigned to the 1st Battalion, 155th Infantry Regiment, Mississippi Army National Guard, McComb, Mississippi.

According to the Associated Press, CPT Miller was a member of Calvary Christian Church in Flint, Michigan. He accepted Jesus Christ as his savior and was baptized at the age of eight. He was active in his church's youth group, youth choir, and the Bible Quiz Bowl. CPT Miller attended Carman-Ainsworth High School where he lettered in track. He also held the school record in the 4X100 meter for six years. CPT Miller graduated from high school in 1988. In 1993, CPT Miller graduated from Virginia Military Institute where he earned a bachelor's degree in electrical engineering. He was commissioned Second Lieutenant upon graduation and was transferred to the Michigan Army National Guard. In January 2005, CPT Miller volunteered with the 1-155th Infantry Regiment, McComb, Mississippi in order to deploy to Iraq. At the time of his deployment, CPT Miller was employed as an electrical engineer for Yazaki North America, Inc.

CPT Miller's father, Lowell Thomas, wrote about his son's death on a memorial website. "It was a night mission that they said was too dangerous for American soldiers and they called on the group of Iraqi soldiers he had been training for six weeks," Mr Miller wrote. "He didn't want them to go alone, so he went with them. He was a soldier's soldier. He always took care of his men and never gave a thought for his own safety."

CPT Miller was remembered by a fellow soldier on a memorial website. "My brother in arms, you were more than just an officer, more than just a soldier, and more than just a leader," Specialist (SPC) Rickland L. Scholz, II wrote. "You were a true friend. I will never forget the missions we had been on together nor the long conversations and sound advice that you have given me. You will never be forgotten and I will always remember the time in Egypt that we were able to have long discussions. Rest in peace now, my fallen brother."

During the funeral service, at the Swartz Funeral Home in Flint, Michigan, Eric Leszczynski, CPT Miller's supervisor at Yazaki North America, Inc., said he was a man who knew how to get his coworkers motivated. "If you gave him something to do, it would get done," Leszczynski said.

In September 2005, family and friends attended the burial service at the Arlington National Cemetery Columbarium Complex in Arlington, Virginia. During the service, an honor guard held an American flag over the urn containing CPT Miller's ashes. A folded flag was presented to his wife, Angela.

CPT Miller is survived by his wife, Angela; his daughters, Danielle and Alexandra; his siblings, Patrick and Jennie; and his parents, Lowell and Linda Miller.

CPT Miller's commitment to protect America earned him the Bronze Star medal, the Purple Heart medal, the National Defense Service

medal, and the Armed Forces Expeditionary medal. His sacrifice will not be forgotten.

HONORING DR. KENNETH K. LEE

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. SENSENBRENNER. Mr. Speaker, I rise today to honor Dr. Kenneth K. Lee, a combat-injured Operation Iraqi Freedom and Army veteran, who has been named by Disabled American Veterans (DAV) as its 2017 Outstanding Disabled Veteran of the Year.

Dr. Lee, who deployed as the commander of the Army's Company B, 118th Area Support Medical Battalion, was injured in November 2004 by a suicide car bomber in Iraq. The explosion resulted in an open head traumatic brain injury and severe shrapnel wounds to his legs, leading to his evacuation back to the states, where he would later be diagnosed with post-traumatic stress disorder.

While recovering from his injuries, Dr. Lee, a rehabilitation specialist, saw how long and difficult recovery could be, often leaving lasting changes. Dr. Lee, who resides in Brookfield, Wisconsin, is a volunteer physician at the National Disabled Veterans Winter Sports Clinic, which the Department of Veterans Affairs and DAV co-host, so he was no stranger to using adaptive sports as therapy. Through his own recovery, Dr. Lee propelled himself into the world of adaptive sports to help him deal with the psychological and physiological effects that can often times cause an individual to hit bottom.

Within a year of Dr. Lee's retirement in 2013, he formed the Milwaukee Wheelchair Lacrosse team and is now the president of the Wisconsin Adaptive Sports Association, which runs numerous adaptive sports programs.

On July 29, 2017, DAV National Commander David W. Riley presented Dr. Lee with the Outstanding Disabled Veteran of the Year award at the organization's 96th National Convention.

In his statement, Riley praised Dr. Lee as a shining example of everything that is good about our nation and its veterans. He noted that the compassion Dr. Lee shows for other veterans and his work to help them find success is truly the hallmark of the award, and DAV is very proud of what he's doing for this community. Given the importance and therapeutic effectiveness of adaptive sports, it is vital to have experienced leaders like Dr. Lee involved and carving out a path forward.

Despite his injuries and the constant pain in his lower extremities, Dr. Lee speaks with gratitude about his time in the Army. He will tell you that he got a lot more from the Guard than he put into it, and that he joined the military with his eyes wide open and has no regrets.

Dr. Lee and his wife Kate currently live in Brookfield with their two children. In 2014, his daughter Leah earned a \$10,000 scholarship by volunteering for the DAV at the Milwaukee VA Medical Center. On the same day that Dr. Lee was honored as DAV's Outstanding Disabled Veteran of the Year, his son Jonathan

earned the charity's largest scholarship of \$20,000, and was honored the same morning. They both hope ultimately to serve veterans as physicians through the VA.

RECOGNIZING THE SERVICE AND SACRIFICE MADE BY MARINE CORPORAL DAVID SONKA

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize the service and sacrifice made by Marine Corporal David Sonka.

Corporal David Sonka was a devoted son, husband, and Marine. He grew up in Parker, Colorado and knew at a young age he wanted to serve his country. Corporal Sonka enlisted in the United States Marine Corps immediately following his high school graduation in 2008. He completed Military Police school, K9 School, and in 2012 was selected to become a dog handler for the Marine Special Operations Command (MARSOC) at Camp Lejeune, North Carolina where he was paired with his faithful canine companion, Flex.

On March 31, 2013, Corporal Sonka and Flex were deployed with Marine Special Operations Team 8223 to Farah Province, Afghanistan. While on watch during a meeting between Afghan military personnel and Marine Special Operations Forces on May 4, 2013, an Afghan soldier opened fire and fatally injured both Corporal Sonka and Flex. Corporal Sonka has since been recognized for his bravery and sacrifice. He received a Combat Action Ribbon, the Marine Corps Good Conduct Medal, the Marine Corps Achievement Medal, and the Purple Heart. Additionally, the town of Parker, Colorado named their dog park after Corporal Sonka as did the MARSOC K9 Training Facility in Camp Lejeune.

Our nation owes no greater debt of gratitude than the one we owe our veterans. It is the heroic bravery and incredible sacrifices made by individuals like Corporal Sonka that have helped secure the freedoms that we as Americans hold dear. On behalf of the 4th Congressional District of Colorado, I extend my deepest gratitude to Corporal Sonka for his service and sacrifice for our nation.

Mr. Speaker, it is an honor to recognize Marine Corporal David Sonka for his sacrifice in defending the United States of America.

RECOGNIZING THE LIFE OF FALLEN SOLDIER ARMY SPECIALIST (SPC) BRIAN KEITH DERKS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Specialist (SPC) Brian Keith Derks who paid the ultimate sacrifice while defending our great nation on August 13, 2005, during Operation Iraqi Freedom. SPC Derks was killed when an improvised explosive device detonated while he was

on mounted patrol in Baghdad. SPC Derks was assigned to the 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, California, which was attached to the 155th Armored Brigade Combat Team from Mississippi.

SPC Derks, a White Cloud, Michigan native, graduated from White Cloud High School in 2003. According to the Associated Press, SPC Derks was the captain of the Quiz Bowl Team and was credited for bringing the team to a national competition. Tony McHattie, one of SPC Derks' high school teachers, said he had an astute mind. "Consistently, Brian would buzz in before a question was even half done," McHattie said. "He just had vast knowledge in all sorts of areas."

According to the memorial website FindAGrave.com, SPC Derks played football and baseball in high school. SPC Derks was an active member of the White Cloud Boy Scouts Troop #1137. He became an Eagle Scout and briefly served as an assistant scoutmaster. SPC Derks enjoyed hunting, fishing, computers, and spending time with his family. SPC Derks' sense of humor always kept people laughing.

SPC Derks was determined to join the Army, so in order to meet the weight requirements, he worked to lose 100 pounds. Captain (CPT) Jarrod P. Wickline, an Army recruiter, said SPC Derks accomplished his goal. "He took that as a personal challenge," CPT Wickline said. "He lost the weight in three months. There is no doubt to me that by sheer willpower alone, he would be anything he wanted to be."

The memorial service was held at First Christian Reformed Church in Fremont, Michigan. SPC Derks was laid to rest at White Cloud Cemetery.

SPC Derks was awarded the Purple Heart, the Good Conduct medal, the National Defense Service medal, the Global War on Terrorism Expeditionary medal, the Global War on Terrorism medal, the Army Service Ribbon, and the Combat Infantryman's Badge.

SPC Derks is survived by his parents, Keith and Peggy Derks; sister, Sally Derks; maternal grandparents, Emery and Ester Wilson; paternal grandparents, Vernon and Evelyn Derks; and fiancée, Nikki Crans.

SPC Derks' sacrifice to protect the freedoms we all enjoy will not be forgotten.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. HIGGINS of New York. Mr. Speaker, on September 6, 2017, I was not present for the recorded votes on roll call no 442, 443, and 444. Had I been present, I would have voted:

On Roll Call vote no. 442, H. Res. 500, on ordering the previous question, Providing for consideration of the bill (H.R. 3354) making appropriations for the Dept. of the Interior; providing for consideration of motions to suspend the rules; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, I would have voted NAY.

On Roll Call vote no. 443, on agreeing to the resolution, providing for consideration of the bill (H.R. 3354) making appropriations for the Dept. of the Interior; providing for consideration of motions to suspend the rules; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, I would have voted NAY.

On Roll Call vote no. 444, on approving the Journal, I would have voted YEA.

IN RECOGNITION OF RAIL SAFETY MONTH AND RAIL SAFETY WEEK

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize September as Rail Safety Month and September 24–30, 2017 as Rail Safety week, and to commend the efforts being made across our country to improve railroad crossing safety.

An accident involving a train occurs every 3 hours in the United States and California ranks No. 1 in the nation in both trespassing and grade crossing deaths. Last year in California there were a total of 148 highway grade-crossing incidents, including 98 trespasser fatalities and 32 highway-rail crossing fatalities, all of which could have been avoided if both trespassers and drivers were taking the necessary safety precautions. There are more than 10,000 highway rail-grade crossings located within 52 counties and more than 400 cities in California to service the BNSF Railway, Union Pacific Railroad, other freight trains, and Amtrak passenger trains running through California.

September is historically back to school month for most children and college students. Many must cross railroad tracks to attend school and it is important to reinforce rail safety with both children and their caretakers. California Operation Lifesaver, the Federal Rail Administration, the California Department of Transportation, the California Public Utilities Commission and freight and passenger railroads are working together to improve railroad safety and educate children and adults about the dangers of not obeying the signs and signals around railroad property. The "See Tracks? Think Train" campaign by Operation Lifesaver and its federal partners aims to help reduce pedestrian and driver injuries and fatalities around railroad tracks by highlighting behaviors that put people at risk, and by conducting on-the-ground law enforcement trainings, safety presentations, and public awareness activities. Railroad operators, motor vehicle operators, and pedestrians will benefit from a combined effort by local, state, Federal, industry, and citizen efforts to promote safety around railroad tracks and crossings.

Mr. Speaker, I am honored to recognize September as Rail Safety Month and September 24–30, 2017 as Rail Safety week. I ask all my colleagues to join me in commending efforts being made to improve railroad crossing safety.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY MASTER SERGEANT (MSG) COATER BERNARD DEBOSE

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Army Master Sergeant (MSG) Coater Bernard DeBose. MSG DeBose gave his life while in service to our great nation on August 19, 2008, during Operation Enduring Freedom. MSG DeBose died in Spin Boldak, Afghanistan, of wounds he received from small arms fire while conducting security force assistance operations. MSG DeBose was assigned to 2nd Battalion, 351st Infantry Regiment, 158th Infantry Brigade, First Army Division East, Camp Shelby, Mississippi. MSG DeBose was awarded the Bronze Star and the Purple Heart medals.

According to the Associated Press, MSG DeBose, a State Line, Mississippi native, joined the Alabama National Guard in May 1983. He transferred to the Army Reserves in 2008. He was deployed in April 2004 to Afghanistan, where he served as a communications specialist. It was his job to train Afghan police in the Kandahar region.

There have been many memorials posted in MSG DeBose's honor on Legacy.com, including one that appeared on September 1, 2012 from Master Sergeant (MSG) Maranda McCorvey. "As I sign this guest book, no words can explain the loss of a true soldier," MSG McCorvey said. "He was a leader, mentor, motivator, and trainer to many lives in and out of the uniform."

Rebecca Lewis of Moss Point wrote, "May God continue to watch over you and your family at this time," Mrs. Lewis said. "Deacon DeBose will certainly be missed by all of us including his Greater First Baptist Church in Escatawpa, Mississippi, under the leadership of Richard Young. Deacon DeBose was a great man and touched many hearts."

Christopher DeBose, MSG DeBose's son, wrote about the pain of losing his father in an August 30, 2012. "I pray that there is a military up in heaven," Christopher said. "I know Master Sergeant DeBose would be in charge of something. No matter what it is, I'm sure God will trust you with any task because he knows you will get it done."

Caronica DeBose-Jackson, MSG DeBose's daughter, paid tribute to her father in a September 6, 2012 post. "I hear your voice telling me to keep moving and live life to the fullest," Caronica said. "I will go on because that's what you would want. I will honor your life and legacy forever."

MSG DeBose is survived by his wife, Juanita, his three sons, Latravis DeBose, Christopher DeBose, and Broderick DeBose; and two daughters, Caronica DeBose-Jackson, and Nekeshia Raybon.

MSG DeBose demonstrated the qualities of an American hero. His 27 years of military service will always be remembered.

HONORING THE LIFE OF JUDGE
JOHN L. APOSTOLOU

HON. BOB GOODLATTE
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, September 7, 2017

Mr. GOODLATTE. Mr. Speaker, I along with my colleague, Representative MORGAN GRIF-FIN rise to honor the life of Judge John L. Apostolou, a native of Salem, Virginia Born on August, 16, 1930, Judge Apostolou passed away on Monday, August 21, 2017, at the age of 87.

Judge Apostolou was a widely respected member of the local legal community and well-known in the Roanoke Valley as a "law-and-order judge." He was loved by the bar because he was a lawyer's judge, one who would help a young lawyer learn the craft of practicing in the courtroom, and was always fair to everyone who came before him, whether they were represented by a lawyer or not.

Following his graduation from the College of William and Mary and the Marshall-Wythe School of Law, he worked in a private law practice and later worked as an assistant commonwealth's attorney in Roanoke. He also served as acting judge of the Juvenile and Domestic Relations Court on two occasions during the 1960s. In 1985, he began full-time service as a General District Court judge in the 23rd Judicial District, which includes Roanoke, Roanoke County, and Salem. He served on the bench for more than a decade before retiring in 1996.

Like many that he met over the years, we will remember Judge Apostolou as a fine man and a very fair judge. We thank him for his service to our country in the United States Army and to the Roanoke community in the courtroom. We offer our condolences to his wife of 43 years, Brenda, as well as their children, Cynthia, Laura, and Jay, and four grandchildren. Our prayers are with the Apostolou family as they mourn this loss. May God give them comfort and peace.

RECOGNIZING THE LIFE OF CIVILIAN
CONTRACTOR CARL T. CARROLL

HON. TRENT KELLY
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES
Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen civilian contractor Carl T. Carroll who gave his life while in service to our great nation on August 20, 2005, during Operation Iraqi Freedom. Mr. Carroll died from injuries he suffered during a roadside attack in Iraq. Mr. Carroll was in Iraq for six months working for the Titan Corporation, where he was the Kalsu Site Manager with the linguist operation. Through his obituary, Mr. Carroll, a U.S. Army Veteran, was remembered by his colleagues at Titan as a man of conviction, character, and integrity.

Mr. Carroll retired in 2000 from Fort Indiantown Gap, Pennsylvania as a helicopter pilot instructor, earning the rank of Chief War-

rant Officer 4. He worked as a helicopter pilot for Geisinger Medical Center, Danville until he joined the Titan Corporation.

Mr. Carroll was a member of the Williamstown United Methodist Church, life member of the American Legion, and a life member of the National Rifle Association (NRA). He also served as a volunteer with the Williamstown Ambulance Association in Williamstown, Pennsylvania.

The Dimon Funeral Home's online condolences page included a comment from a former coworker. "I was impressed with Carl as a true gentleman the very first time we met," Robert Humphries wrote. "Even for those of us who knew Carl for only a short time, his passing leaves us all at a loss." Mr. Carroll was also remembered in a post written by a fellow veteran. "I knew Carl for a short time as we served together at the Eastern Army National Guard Training site," retired Master Sergeant (MSG) Robert Humphries wrote. "I knew him to be a man of strong moral conviction and dedication to not only duty, but to his fellow man."

Mr. Carroll was buried with full military honors at Williamstown Methodist Cemetery in Williamstown, Pennsylvania.

Mr. Carroll is survived by his wife, Karen L. Hay Carroll; his daughter, Brandy M. Carroll-Duncannon; his two sons, Jason Carroll, and Justin R. Welker; and his brothers, David Carroll and Brian Carroll.

Mr. Carroll's service to our country will always be remembered.

IN HONOR OF TOM WAGNER, SUPERVISOR OF THE WHITE MOUNTAIN NATIONAL FOREST

HON. ANN M. KUSTER

OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 7, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to honor Tom Wagner as he retires after 15 years supervising the White Mountain National Forest and nearly four decades with the United States Forest Service. We are grateful for his dedication to protecting one of New Hampshire's most prized assets: the White Mountains. Through his excellent stewardship of over three-quarters of a million acres that comprise the forest, he has ensured that all will continue to be able to enjoy this national treasure. In so doing, he also improved the lives of thousands in the Granite State who rely on the White Mountains for both their livelihoods and recreation.

I want to applaud Tom for his leadership and advocacy. During his tenure, Tom oversaw the acquisition of 15,000 acres to the White Mountain National Forest and brought numerous stakeholders together to update the long-term strategic plan for the forest. He has been an invaluable resource, and his continuous commitment to New Hampshire's iconic and precious environment is truly inspiring.

On behalf of my constituents in New Hampshire's Second Congressional District, I thank Tom for his many years of dedicated service to the Granite State. His achievements will continue to benefit our state and its incredible

natural landscape. I am honored to recognize and congratulate Tom on his retirement and wish him the best of luck in the years ahead.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SPECIALIST (SPC) JOSHUA ISAAC BUNCH

HON. TRENT KELLY

OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Army Specialist (SPC) Joshua Isaac Bunch who gave his life while in service to our great nation on August 6, 2004, during Operation Iraqi Freedom. SPC Bunch was killed when Iraqi insurgents firing small arms and rocket-propelled grenades ambushed the Humvee he was riding in near Baghdad. SPC Bunch was assigned to the 91st Engineer Battalion, 1st Cavalry Division, Fort Hood, Texas.

SPC Bunch, the son of Bill and Karen Bunch, grew up in Hattiesburg, Mississippi. He graduated from North Forrest High School in 1999. He decided to join the U.S. Army in 2001. He was deployed to Iraq in 2004. Mrs. Bunch said her son wanted to serve in the Army because he wanted to do his part. "I'm very proud," Mrs Bunch said. "I'm proud he did what was in his heart to do." Mr. Bunch said his son was a genuine person who was known for his kindness. "He had a good personality," Mr. Bunch said. "He would do anything for you."

At the time of SPC Bunch's death, Johnny Dupree was the mayor of Hattiesburg. According to the Associated Press, when he learned of the soldier's death, he ordered flags lowered to half staff at city buildings. Mayor Dupree also called for a day of mourning.

James Moore, a Hattiesburg businessman, asked the community to pay their respects by lining the streets from Moore Funeral Home to Highland Cemetery, the final resting place for SPC Bunch.

SPC Bunch's family was presented with his awards which include the Purple Heart and the Bronze Star. Members of the American Legion Post No. 24 presented the family with a Gold Star Banner which signifies the death of a family member who is killed in action.

SPC Bunch is survived by his parents, Bill and Karen Bunch; his sister, Michelle Cardin; his brother-in-law, Bobby; his nieces, Bella and Jacey Bain; and his nephew, Joey Lee.

SPC Bunch paid the ultimate sacrifice to protect the freedoms we all enjoy.

LOCAL POLICE HEROES

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 7, 2017

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I rise today to praise the heroism of six local law enforcement officers, who selflessly risked life and limb to protect their fellow citizens.

On Monday, June 22, 2015, a number of Pittsburgh police officers were dispatched on a call for shots fired shortly after 10 a.m. near the intersection of Knox Avenue and Orchard Place in the City of Pittsburgh's Knoxville neighborhood.

As the units were responding, calls came in reporting that this was an "active shooter" incident and the suspect was firing an AR-15-style semi-automatic rifle. The suspect moved around the neighborhood, shooting a male taxi driver on Rentz Way, firing shots at vehicles and into occupied homes near a children's day care facility, and carjacking a white Buick from Rochelle Street. As the reports continued to come in, all available units responded to the area in search of the suspect, with reports that the suspect had driven towards Brownsville Road.

Sergeant Kevin Faulds of the Allegheny County Sheriffs Office responded to the call for all available units. Turning onto Brownsville Road from Knox Avenue, he spotted the Buick on Brownsville Road and did a u-turn to pursue. As he made the u-turn, the suspect stopped his vehicle and fired his assault rifle from within the car, striking Sergeant Faulds' vehicle multiple times. Sergeant Faulds took cover and radioed in his situation. When the suspect began driving again, Sergeant Faulds again followed him. The suspect again stopped his vehicle and started shooting. One round went through the top of the windshield on the passenger side of the cruiser. The car's visor and windshield frame deflected the bullet down and towards Sergeant Faulds, ripping through the headrest of his seat inches from his head and shattering the back window. Sergeant Faulds maneuvered his patrol car behind a bus for protection. When the suspect stopped shooting and drove away, Sergeant Faulds pulled out and followed the suspect at a distance of 50 to 100 feet, all the while continuing to call in information on the suspect's location and his own.

Officer Joseph DelSole of the Port Authority Police Department heard radio calls regarding an active shooter in a stolen vehicle in the Knoxville Area. Based on Sergeant Faulds' report on his location, Officer DelSole, working the South Zone of the Port Authority service area, proceeded from the South Busway and took up a firing position on Route 51.

At the same time, City of Pittsburgh Police Sergeant James Vogel stopped traffic on Route 51, trapping the suspect in the traffic jam. Then, Sergeant Vogel made his way on foot through the stopped vehicles and confronted the suspect, who was still sitting in the stolen car. The suspect fired at him using the semi-automatic rifle.

City of Pittsburgh Detectives William Friburger and David Honick, along with City of Pittsburgh Sergeant Anthony Palermo approached the suspect's vehicle on foot. Officer DelSole, Sergeant Vogel, Detectives Friburger and Honick, and Sergeant Palermo fired at the vehicle in order to neutralize the suspect, who was firing at them. The officers and suspect continued to exchange shots from close range until the suspect was hit and succumbed to his injuries.

Mr. Speaker, I think we can all appreciate the courage and dedication it takes to consciously place oneself in danger by entering a

hostile gunman's field of fire. Not one, not two, but six law enforcement officers in our county did so that day, and continued to risk their lives until the gunman posed no further threat to the community. I can't begin to express my deep respect and admiration for these brave law enforcement officers or my gratitude to them for their exemplary actions that day. I also want to point out that they, like all of our first responders, go to work each day not knowing what challenges they will face or what risks they will run. The fact that they get up and go to work every day despite the risks inherent in the job speaks volumes about the depth of the commitment they have to protecting their community. They are outstanding public servants, and they deserve recognition here in our Nation's Capital.

I'm very proud of Sergeant Faulds, Officer DelSole, Sergeant Vogel, Detective Friburger, Detective Honick, and Sergeant Palermo, and I want my colleagues and the Nation to take comfort in the knowledge that real heroes still live among us. I hope their actions that day will be an inspiration to all of us to always do what's right, no matter what the cost.

HONORING LT. T. JAMES CROTTY,
USCG

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor the life and heroism of Lt. Thomas J. Crotty of the United States Coast Guard. A decorated veteran of the Second World War, Lt. Crotty will finally be laid to rest in the hallowed grounds of Arlington National Cemetery, 75 years after going missing in action in the Pacific Theater.

Lt. Crotty was born in Buffalo, New York in the year 1912, and grew up on the city's South Side. The youngest of seven siblings, Crotty stood out as a natural athlete and leader. In 1929, he coached his American Legion baseball team to a national championship.

After graduating high school, Crotty applied to the United States Coast Guard Academy. A standout cadet, Crotty excelled at basketball, football, and served as class president during his tenure. In 1914, the United States Coast Guard Academy honored Lt. Crotty's legacy by dedicating their football season to his memory.

Upon graduation in 1934, Lt. Crotty went into active duty with the United States Coast Guard, quickly demonstrating his leadership capabilities and skills. He became the Coast Guard's leading expert on demolition, explosives, and mines. In 1941, his unique skillset earned him orders to report to the Philippines to assist with defensive efforts, a decision that would put Lt. Crotty on a crash course with history.

On December 10th, Japanese forces overran the Philippines just days after their surprise attack on Pearl Harbor. Under brutal assault from air and land, Lt. Crotty helped assemble a resistance with his fellow servicemen. Together, they launched daring raids in broad daylight against Japanese forces in

order to secure supplies, ammunition, and fuel. His rag-tag band of heroes was instrumental in the defense of Manila, Corregidor, and American supply lines.

At the Battle of Bataan, Lt. Crotty served with distinction. Manning the artillery against oncoming forces, he fought until American forces were eventually surrounded on April 9th, 1942. From there, Lt. Crotty was made a prisoner of war in the infamous Cambatuan prison camp. It was there, after so many months of sacrifice, that he tragically fell ill to disease. On July 19, 1942, his brothers-in-arms administered last rites. He was then buried outside the camp; it was there in an unmarked grave that his remains laid for three-quarters of a century.

In coordination with the United States Coast Guard, we were able to locate Lt. Crotty and bring him back home to the United States. Lt. Crotty exemplified the qualities and virtues of heroism and service. His service need not be forgotten.

Mr. Speaker, I am happy to honor Lt. Thomas J. Crotty and help bring his family some amount of closure. I ask that my colleagues join me in honoring and remembering the countless American men and women who answered the call to duty. We must do whatever we can to support families who have loved ones missing in action by assisting in efforts to bring our heroes home.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER ARMY
SERGEANT FIRST CLASS (SFC)
GEORGE STANCIEL

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant First Class (SFC) George Staniel who paid the ultimate sacrifice while defending our great nation on August 19, 2008, during Operation Iraqi Freedom. SFC Staniel died of wounds he suffered during a mortar attack at Forward Operating Base Garry Owen, Iraq. SFC Staniel was assigned to the 370th Engineer Company, 54th Engineer Battalion, 18th Engineer Brigade, Bamberg, Germany.

SFC Staniel graduated from Greenwood High School in 1989. Following graduation, SFC Staniel joined the U.S. Army. He served 19 years. He was awarded the Silver Star, the Purple Heart, and the Mississippi Medal of Honor.

Family members shared memories of SFC Staniel on a memorial website called FindAGrave.com. They said he was an ideal protector, provider, and an inspiration to the entire household.

In 2009, the Mississippi State Senate passed S.R. 529, a concurrent resolution, which commends SFC Staniel for his service. It stated that SFC Staniel was a loving son and husband who is counted among America's heroes committed to our nation's safety and security.

According to the Associated Press, SFC Staniel's memorial service was held at Locust

Grove Baptist Church in Greenwood, Mississippi. During the service, Brigadier General (BG) James O. Barclay, III presented an American flag to SFC Staniel's widow, Shequita Staniel. SFC Staniel was buried with full military honors at the Hudson Park Cemetery.

SFC Staniel is survived by his wife, Shequita, his maternal grandmother, Annie B Smith, and five children, Giovanni Staniel, Kortney Staniel, Kiana Staniel, Mehn Staniel, and Jamera Staniel.

SFC Staniel's service and sacrifice will always be remembered.

DR. ANDREW TUTTLE

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Ms. TITUS. Mr. Speaker, I rise to mourn the loss and celebrate the life of my dear friend and colleague, Dr Andrew C. Tuttle. I met Andy upon my arrival at UNLV where he served as member and chair of the Political Science Department from 1968 until his retirement in 2008. Dr. Tuttle was a beloved teacher, a respected scholar, and a valued colleague. He was a specialist in national security policy and was often sought out by policy makers and the press alike for his analysis of world events. He had a great Irish sense of humor and was a loyal and loving family man, who put his wife Helen and sons Mark and Matt above all else. I will miss his wise counsel and that twinkle in his eye.

HONORING THE LIFE OF FALLEN
MISSISSIPPI SOLDIER ARMY
SPECIALIST (SPC) PATRICIA LEE
HORNE

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Specialist (SPC) Patricia Lee Horne who died while defending our great nation on August 24, 2012, during Operation Enduring Freedom. SPC Horne died in Bagram, Afghanistan. SPC Horne was assigned to the 96th Aviation Support Battalion, 101st Combat Aviation Brigade, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky.

According to the Associated Press, SPC Horne always made good grades in school. She ranked third in the Greenville High School graduating class of 2010. Percy Powell, one of SPC Horne's teachers, said she was an impeccable student throughout high school. "Everything she wanted to do, she wanted to do it perfect."

SPC Horne enlisted in the U.S. Army in 2009. She was stationed at Fort Campbell, Kentucky prior to her deploying. SPC Horne served as a human resource specialist. It was her job to make sure soldiers' records were accurately maintained and updated. SPC

Horne planned to attend college after completing her second tour of duty with hopes of becoming a physician.

Betty Horne, SPC Horne's mother, said her daughter was intelligent and driven. "She was a very smart, knowledgeable lady," Mrs. Horne said. "I am so proud of her." Sydney Horne, one of her brothers, said SPC Horne was the big sister every brother should have. "She was an outgoing person," Sydney Horne said. "She loved children. She loved me a lot." Carolyn McAdams, mayor of Greenwood, expressed remorse over the loss of the 20-year-old soldier. "You know the war is going on, but until something like this happens, it hits home dramatically," Mayor McAdams said.

When SPC Horne's body arrived at the Greenwood-Leflore Airport, more than 200 people came to pay their respects. SPC Horne's flag-draped casket was met by an Army Honor Guard. Terry Fields, a U.S. Army veteran from Greenwood, came to support a fallen comrade. "It's an honor to honor somebody that gave the ultimate sacrifice so that we can enjoy the freedoms that we have today," Mr Fields said. Members of the Patriot Guard led the procession from the airport to the Century Funeral Home.

The funeral service for SPC Horne was held at the Providence Missionary Baptist Church in Greenwood. Reverend Robert Williams Jr, pastor of the Community Baptist Church, said SPC Horne had a higher calling than serving our country. "Patricia has fulfilled her purpose. Now, she's gone home," Rev. Williams said. "Her purpose was to be a good soldier in the Lord's army." Brigadier General (BG) William B. Hickman, the division's deputy commander, praised SPC Horne's commitment to the Army. He said SPC Horne was an exemplary soldier who embraced the Army's values of duty, respect, selfless service, honor, integrity, and courage. SPC Horne received the Army Commendation medal, the Army Good Conduct medal, and the NATO International Security Assistance Force medal.

SPC Horne was buried with full military honors at Hudson Park Cemetery in Greenwood. SPC Horne is survived by her mother, Betty L. Horne, her three sisters, Aleisha Horne, Chaileta B. Horne, and Angelique Willis; and her two brothers, Ronald A. Horne and Sydney J. Horne.

SPC Horne's commitment to protect our nation will not be forgotten.

IN RECOGNITION OF THE INVESTITURE OF JUDGE MARIAM SAAD BAZZI

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to honor Mariam Saad Bazzi on her investiture as Judge of the Third Circuit Court of Wayne County. Judge Bazzi has served Wayne County and southeast Michigan with distinction and honor throughout her involvement in community organizations and previous judiciary service.

After graduating from Wayne State University Law School in 2005, Judge Bazzi began her legal career as a law clerk at the Law Offices of Hamood, Runco & Fergestrom. A year later, she was hired at the Wayne County Prosecutor's Office, where she most recently served as the lead attorney on the Deed and Mortgage Fraud Task Force. During her 11 year tenure at the Prosecutor's Office, Judge Bazzi also oversaw a unit that prosecutes financial crime, with a focus on complex mortgage and property related fraud, and earned respect for her commitment to the law and to the southeastern Michigan community. Her work as an assistant prosecuting attorney brought her years of experience in complex and diverse parts of the law as well as a respect and deep understanding of the role of the judiciary.

Judge Bazzi has also distinguished herself through her outstanding record of community service. She served as president of the Dearborn Board of Education and chair of Henry Ford College's Board of Trustees until Governor Snyder appointed her as Wayne County Circuit judge, where her leadership was integral to the district's high graduation rates and top national ranking. Additionally, Judge Bazzi is a member of the Michigan Middle Eastern Affairs Commission, the Governor's Environmental Justice Task Force, and the Arab American Political Action Committee. Judge Bazzi has been an impactful leader and involved citizen, and it is my hope that she continues to build on her success and involvement in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Judge Mariam Bazzi for her appointment to Wayne County's Third Circuit Court. Her commitment to the rule of law and exemplary service to Wayne County will surely continue in her new role.

RECOGNIZING THE LIFE OF FALLEN
MISSISSIPPI ARMY
NATIONAL GUARD SOLDIER FIRST
LIEUTENANT (1LT) MATTHEW
RYAN STOVALL

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Mississippi Army National Guard soldier First Lieutenant (1LT) Matthew Ryan Stovall who paid the ultimate sacrifice while defending our great nation on August 22, 2004, during Operation Iraqi Freedom. According to the Associated Press, 1LT Stovall was killed when an improvised explosive device detonated near the vehicle he was riding in. At the time of his death, 1LT Stovall was taking part in a humanitarian aid and convoy mission in Mosul, Iraq. 1LT Stovall was assigned to the 367th Maintenance Company, 298th Corps Support Battalion, Mississippi Army National Guard, Philadelphia, Mississippi.

1LT Stovall joined the Mississippi Army National Guard prior to his 1997 graduation from Neshoba Central High School. He completed Officer Candidate School in 2001 and later

completed the Officer Basic Course in Fort Eustis, Virginia in 2002. That same year, 1LT Stovall married his wife, Natalie. Together they had one son, Walker Stovall.

In September 2003, 1LT Stovall deployed to Mosul, Iraq. While in Mosul, he was chosen to lead the 1st Platoon of the 401st Transportation Company, known as the "A Team." During his deployment, 1LT Stovall stayed in contact with his cousin, Robin McClellan, a teacher at Philadelphia Elementary School. He regularly communicated through e-mails with the students in her fifth grade class. The students would get excited every time his e-mails were read aloud to them.

Two months before 1LT Stovall was to return home from Iraq, he was fatally wounded. According to the Associated Press, approximately 500 people attended the memorial service held at McClain-Hayes Funeral Home. Mississippi National Guard Major General (MG) Harold Cross presented 1LT Stovall's family with awards including the Purple Heart and the Mississippi Magnolia Cross for Meritorious Service. "He made people want to follow him," MG Cross said "He is the kind of person that doesn't come along for generations." Hundreds of Neshoba County residents lined the nine mile route from the funeral home to the Coldwater Baptist Church cemetery where he was laid to rest. He was buried with full military honors.

In August 2004, 1LT Stovall's aunt, JoAnn Carney, wrote about her nephew in a post on Iraqwarheroes.com. "I loved him so very much," Mrs. Carney said. "My nephew was a remarkable man that touched everyone he met. We are going to miss him so very much."

Following the death of 1LT Stovall, Stovall's Sacrifice for Soldiers was founded. The Stovall Foundation offers financial assistance to military men and women defending our nation and to carry on the memory of 1LT Stovall.

1LT Stovall is survived by his son, Walker; his parents, Buck and Ellon Stovall; his sister, Marsha Stovall Vance; and his brother, Mark Stovall.

This young, courageous soldier paid the ultimate sacrifice to protect the freedoms we all enjoy. 1LT Stovall will not be forgotten.

**SUPPORT FOR THE URBAN
AGRICULTURE PRODUCTION ACT**

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Ms. KAPTUR. Mr. Speaker, today I introduce the Urban Agriculture Production Act of 2017.

Across America, too many of our urban neighborhoods are absent of stores where community members can purchase fresh, healthy foods. There are more than 23 million individuals residing in these so called "food desert" neighborhoods, where there are no stores within one mile in which they can buy healthy food.

Without healthy options, people are forced to eat unhealthy, processed, junk food, because that is all that is available and affordable. This bill is a step to correct this unacceptable trend.

I am pleased to recognize and support the growing resurgence of locally grown and produced product. I see it in my own district at places like the Toledo Farmers Market, the Robert J. Anderson Urban Agriculture Center and Farm, and the Old Brooklyn Cheese Company in Cleveland, Ohio.

Individuals, non-profits, and co-ops are stepping up and taking action to address the challenge of access to healthy food, by developing local food sources like community gardens to provide fresh, affordable produce throughout underserved communities. Not only are they growing product to provide to communities though, they are engaging and encouraging community participation all throughout the process. They are teaching community members how to farm.

The Urban Agriculture Production Act encourages economic development in undernourished, underserved communities by furthering the mission of local farming. It shores up the Department of Agriculture and their programs to support urban farmers and inspire communities to create self-sufficient food production systems that stimulate development and healthy eating options.

All throughout our urban communities, there is an abundance of unused land and space that are conveniently located in neighborhoods that are ripe for agriculture development. We must support and encourage the means to develop these plots so they become local sources of wholesome food options.

Community gardens, Greenhouses, Farmers' Markets, and other local agriculture initiatives have tremendous power to help diversify American food production. They can also help the nation rely less on foreign imports and create American jobs that cannot be outsourced.

Moreover, communities that lack access to fresh, nutritious affordable foods are facing growing epidemics of obesity related diseases. We must get serious about addressing nationally recognized increases in preventable disease in all our communities, but especially in those communities that have limited food options. Prevention is paramount, and encour-

aging a balanced diet while also providing access to healthier foods, through agriculture, is an obvious solution.

The Urban Agriculture Production Act of 2017, therefore, sets out to spur the development and expansion of community agriculture in typically non-traditional agricultural production areas, like our cities and towns who face food insecurity, access, and nutrition challenges.

Mr. Speaker, urban farming, and food production should be part of our solution to support healthier dietary options and improve the overall health of urban communities. The Urban Agriculture Production Act is the appropriate means to further develop alternative, urban agricultural production and to help meet communities' food production needs for the future.

**TRIBUTE TO PATH HILL, SHERO
FOREVER**

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, activism is often described as a theory or practice based on militant action, a state of being active, engaged, participating, dedicated consistent, promoting change, never-ending, always going. All of these words describe teacher, policewoman, law enforcement expert, college professor, friend, humanitarian and much more. I could keep on writing for hours and would not adequately describe what Pat Hill has meant to me and countless others. She was an inspiration, a role model, a serious fighter for freedom, equality, and justice. Pat, has fought the good fight, has earned the victory and may her soul rest in peace.

PERSONAL EXPLANATION

HON. THOMAS A. GARRETT, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 2017

Mr. GARRETT. Mr. Speaker, I was unable to attend Floor votes due to the expected birth of my child.

Had I been present, I would have voted Ye on Rollcall No. 441.